



Grenfell Tower Inquiry

Day 141

June 8, 2021

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Tuesday, 8 June 2021

(10.00 am)

SIR MARTIN MOORE—BICK: Good morning, everyone. Welcome to today's hearing. Today we're going to continue hearing evidence from Janice Wray.

So would you ask Ms Wray to come back in, please.

MS JANICE WRAY (continued)

SIR MARTIN MOORE—BICK: Good morning, Ms Wray.

THE WITNESS: Good morning.

SIR MARTIN MOORE—BICK: Take a moment to get organised.

All right?

THE WITNESS: Yes.

SIR MARTIN MOORE—BICK: Yes, Mr Millett, when you're ready.

MR MILLETT: Mr Chairman, good morning. Good morning, members of the panel.

Questions from COUNSEL TO THE INQUIRY (continued)

MR MILLETT: Good morning, Ms Wray.

Yesterday when we finished I was asking you about Carl Stokes and the scope of his work.

To your recollection, did Carl Stokes' instructions include considering the external façades of buildings?

A. I don't believe they explicitly did, no.

Q. Now, can we then look, please, at your first witness statement and go, please, to page 9 {TMO00000890/9}, paragraph 44. There you say:

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"Occasionally ... fire safety issues arose during the project that might be referred to me for comment. On these occasions, I would seek and obtain the advice of our specialist fire expert Carl Stokes, typically by instructing him to produce issue-specific reports that I would supply back to the Asset Management team. I have endeavoured to set out these fire issues below."

Then you go on to do that.

By "project" there, do you mean the Grenfell Tower refurbishment project?

A. Yes, I did.

Q. Are you able to explain what you understood to be Carl Stokes' role during the refurbishment of Grenfell Tower?

A. He didn't have a designated role, it was really more that he was our fire risk assessor, he was our ready access to fire specialist knowledge, so if I wanted a second opinion on something, or if the project team had asked for him to engage or produce a report, then that would be a bespoke issue that he responded to.

Q. How was that bespoke issue the subject of instructions? How would he be instructed to advise in respect of such a bespoke issue?

A. Usually his instructions came from me. Occasionally I believe he may have been instructed directly by my

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colleague Claire Williams, the project manager, often at the request of Peter Maddison, but usually it came through me. I would ask him to do a specific piece of work, he would produce a report. It would often go straight back to Claire and perhaps to Peter, and I would receive a copy of the report.

Q. I see.

How was that work invoiced? Was it invoiced separately or was it treated as part of his general retainer as fire risk assessor?

A. He submitted a monthly invoice with a breakdown of all of the work that he was invoicing for, so it would have been set out just on the normal invoice. I don't think it was charged to a separate budget, I think it was all just part of the same fire safety budget.

Q. Yes, I see.

Can we go back to the consultants' brief, please, {CST00000005/7}, and let's look at paragraph 1.8, under the heading "Client meetings". It says there:

"Regular meetings will be held between the Project Manager, the H&S Advisor and the Consultant to discuss possible issues, monitor progress and review the service provided. The meetings will be held monthly and will be chaired by the TMO Project Manager and minuted by the TMO H&S Advisor and the Consultant will be expected to

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attend at no additional cost."

Were monthly meetings actually held with Carl Stokes as specified here in this brief?

A. Initially they were, for at least, I think, six or eight months, well into the medium-risk project. After that, I think the project manager went off to do other things, so it ended up being largely Carl Stokes and myself, and we would have a lot of ongoing daily contact in view of the ongoing programme, and any queries that I had with regard to what he was doing.

So there aren't minutes after that period for a long period, but that's because we were having such regular contact by telephone and in person that we didn't have — and by then it was — he and I would have been the team meeting, and because we were having endless dialogue, then minutes weren't produced, unfortunately.

Q. Who was the TMO project manager referred to here?

A. I believe that was Valerie Sharples, who had been involved in the original procurement exercises for the high and the medium-risk programmes.

Q. Did she attend any meetings that you held with Carl Stokes at any stage?

A. I think she attended the progress meetings that were minuted, or one of her representatives. I think for a period Abi Acosta might have also been representing

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1 Valerie Sharples.  
 2 Q. You say that there were no minutes kept of those  
 3 meetings; is that right?  
 4 A. If we were having a project meeting and the project  
 5 manager was available, I would have minuted the meeting.  
 6 The reality is that sort of a year, a year and a half  
 7 into the fire risk assessment programme, the project  
 8 manager was doing other things and sort of was no longer  
 9 directly involved.  
 10 Q. Right. Mr Stokes has told the Inquiry that he would be  
 11 sent minutes of these meetings; is that right?  
 12 A. Any that were minuted, we — I would have obviously  
 13 distributed to all of the attendees, yes.  
 14 Q. Now, I'd like to look at some of those meetings in  
 15 a little bit more detail, starting in 2010, if I may.  
 16 The first meeting that we have a record of took  
 17 place on 22 June 2010, so in fact before the date of the  
 18 production of this consultants' brief.  
 19 A. Yeah.  
 20 Q. And the next day, on 23 June, Carl Stokes wrote to you  
 21 by email.  
 22 Let's look at that. {CST00001886}. He sends you  
 23 an email. This is in fact 24 June:  
 24 "Janice  
 25 "Good afternoon. How are you?"

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1 "Please could you have a quick look at the attached  
 2 to see if you are happy with it, this should stop me  
 3 asking you lots of questions.  
 4 "Carl."  
 5 The attachment says, "Employee Fire Training  
 6 TMO.pdf".  
 7 Now, let's look at that document. This is at  
 8 {CST00001887}.  
 9 It's a letter, as you can see, dated 23 June 2010:  
 10 "Subject: Employee Fire Training, Personnel[sic]  
 11 Emergency Evacuation Plans (PEEPs) and the Lift  
 12 Maintenance servicing and testing Policy in TMO  
 13 Controlled Buildings.  
 14 "Dear [Ms] Wray  
 15 "After our meeting yesterday, Tuesday 22nd June 2010  
 16 at 10 30 am at the Hub 300 Kensal Road North Kensington  
 17 I would like to clarify the following items and issues  
 18 about employee induction and refresher fire training.  
 19 The policies and documents covered today also have  
 20 a relevant for fire warden training which is given to  
 21 selected employees."  
 22 Now, it looks from that — and I'll continue with  
 23 the rest of it later — that Carl Stokes was meeting you  
 24 in his capacity as a fire risk assessor for CS Stokes &  
 25 Associates Limited; is that right?

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1 A. I — my recollection is that during the Salvus period,  
 2 I — all of our contact was through Salvus. So I didn't  
 3 actually know Carl Stokes, other than his name on the  
 4 bottom of print.  
 5 He made contact with me and said that he was  
 6 a consultant in his own right and, if we were going to  
 7 be tendering, you know, he just wanted to give me  
 8 information about his company and he would like to have  
 9 the opportunity to tender. So I think that I sort of  
 10 said, "Well, I'm happy to chat to you, I'm happy to  
 11 consider it, I'm happy to consider anybody who can go on  
 12 the tender list", so I think this is notes of  
 13 a conversation that we had.  
 14 I think when he was working for Salvus, I got the  
 15 impression that he didn't always have all of the  
 16 information that I was providing to Salvus, so he was  
 17 asking more questions about how we operated, what our  
 18 staff did, what our maintenance regime was, et cetera.  
 19 Q. What was the purpose of the meeting, do you recall?  
 20 A. I don't really think there was a purpose, I think he  
 21 just wanted to get more information about how we  
 22 operated, and obviously he was — he wanted me to give  
 23 strong considerations to including him on the tender  
 24 list.  
 25 Q. Right. So did you ask him or did you discuss with him

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1 in what capacity he was coming to a meeting with you?  
 2 A. I don't recall, other than what I've just outlined,  
 3 really. He was eager to meet, because I knew he'd been  
 4 our assessor and he'd provided a number of assessments  
 5 via Salvus, and I was — I'm happy to meet with people  
 6 generally.  
 7 Q. Okay. Did you realise he was attending that meeting not  
 8 as a Salvus employee or contractor, but as a sole  
 9 practitioner?  
 10 A. I think I would have done, yes.  
 11 Q. And you would have done anyway, having seen this letter  
 12 on 24 June; yes?  
 13 A. Absolutely, yes.  
 14 Q. Now, this was at a time, wasn't it, after Salvus had  
 15 completed the high-risk FRA programme; yes?  
 16 A. Yes, that's right.  
 17 Q. Is it right that at that time, so late or late-ish  
 18 June 2010, you had decided to tender for a new fire risk  
 19 assessor but hadn't yet undertaken the tender process?  
 20 A. I believe so.  
 21 Q. Yes. And I think at that stage you were still some  
 22 three or four weeks away from issuing the consultants'  
 23 brief, July 2010.  
 24 A. Yeah.  
 25 Q. Yes.

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1 Let's just continue with the letter, if we can  
 2 {CST00001887}. If we look at the second paragraph, it  
 3 goes on:  
 4 "When completing any fire risk assessments for  
 5 buildings under the control of The Tenants Management  
 6 Organisation (TMO) of the Royal Borough of Kensington  
 7 and Chelsea in future and where TMO employees are  
 8 present in the buildings the information in this letter  
 9 will be used as a basis of the fire training and fire  
 10 warden section of the document. The information on  
 11 lifts will be used in the relevant section for fixed  
 12 installations as well as in the section on disabled  
 13 persons and their evacuation procedure when using lifts.  
 14 The PEEPs documents again will be used as evidence in  
 15 the disabled persons section."  
 16 Just pausing there again, if you hadn't yet gone  
 17 through the tender process and appointed a fire risk  
 18 assessor to undertake further FRAs for the TMO, why were  
 19 you meeting him to discuss matters to be used in his  
 20 fire risk assessments?  
 21 A. We met when he was clearly doing some  
 22 information—gathering. This is his take on what I said  
 23 and the information I provided. This wasn't me asking  
 24 him to come back and say how would this look. It was  
 25 literally — from my perspective, it was

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1 information—gathering, where he wanted to know what our  
 2 plans were, more detail of how the organisation worked  
 3 and what policies and practices we had in place.  
 4 This clearly looks like him trying to sell himself  
 5 to me, but that's not really how I took it.  
 6 Q. Did you go through the same process of meeting other  
 7 applicants to give them the same information that you'd  
 8 given Carl Stokes?  
 9 A. I would have been available to.  
 10 Q. Yes, but did you?  
 11 A. I don't recall doing it.  
 12 Q. Did you tell any of the other applicants that you had  
 13 provided one of their number with the information that  
 14 we can see set out and reflected in this letter and make  
 15 sure that they had the same information?  
 16 A. No, I didn't, but Salvus were one of the other  
 17 applicants, so two of them had this information, and the  
 18 others didn't.  
 19 Q. Yes.  
 20 A. No, I don't recall that I did.  
 21 Q. Why is that?  
 22 A. I've no idea really. I don't ... he was doing  
 23 groundwork where he obviously was hoping that this work  
 24 would come his way. But when we did the procurement  
 25 exercise, when we interviewed, we were fair and we tried

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1 to treat people equally. So I would have been aware, if  
 2 we hadn't had this conversation, Salvus would have been  
 3 the people who would have had a lot more information  
 4 than the others, but I would have tried to make sure  
 5 that we treated everybody consistently. And as you  
 6 know, we had a colleague from housing in the council and  
 7 another professional services colleague, so we were all  
 8 assessing everybody independently against the same  
 9 standards.  
 10 Q. I mean, you say Salvus had this information; did you  
 11 actually provide Salvus with the information that you  
 12 see reflected in Carl Stokes' letter?  
 13 A. Over the course of the time that they were working for  
 14 us, yes, they needed this in order to produce the  
 15 assessments that they were producing.  
 16 Q. Do you accept that it doesn't place all applicants in  
 17 a tender process on a level playing field if you only  
 18 provide one, possibly two of the applicants with  
 19 information that you don't provide to the others?  
 20 A. Potentially. Potentially.  
 21 Q. No, not potentially; actually. It actually distorts the  
 22 playing field, because you're giving one or two of the  
 23 applicants an informational advantage, aren't you?  
 24 A. But the point I was going to make is a lot of this would  
 25 be covered verbally when we introduced — when we did

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1 our introduction to the — at the beginning of every  
 2 interview, I would have said, "This is the kind of  
 3 organisation we are, this is where we're at with fire  
 4 risk assessments", I would have covered a great deal of  
 5 this, and they would have had an opportunity to question  
 6 me further. So, sorry, that's why I'm saying  
 7 potentially —  
 8 Q. Right.  
 9 A. — because they wouldn't have had it in writing, but  
 10 they would have had verbal updates and the opportunity  
 11 to question me.  
 12 Q. Now, we'll look at the letter in a little bit of detail  
 13 in a moment, but from this letter, would you accept that  
 14 it would appear, at least, that Mr Stokes intended to  
 15 use the information from your meeting on 22 June 2010 in  
 16 certain sections of his fire risk assessments?  
 17 A. That's what he is saying here.  
 18 SIR MARTIN MOORE—BICK: Sorry, can I just ask something.  
 19 Looking at the first paragraph of this letter —  
 20 A. Yes.  
 21 SIR MARTIN MOORE—BICK: — it gives me the impression that  
 22 it's directed to Mr Stokes putting together some form of  
 23 employee induction or refresher fire training, not  
 24 subsequently doing fire risk assessments. Do you recall  
 25 anything about that?

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1 A. I think one of the questions he would have asked me was  
 2 how we trained our staff, and we did — part of the  
 3 training was annual fire safety training, so he —  
 4 you're right, it's worded as if he's making  
 5 recommendations when I think he's reflecting back some  
 6 of the information that I gave him.  
 7 SIR MARTIN MOORE—BICK: Yes. All right. Thank you.  
 8 Yes, Mr Millett.  
 9 MR MILLETT: Yes.  
 10 Therefore, was your intention at that point that  
 11 Mr Stokes would be appointed or might be appointed for  
 12 one year to carry out the fire risk assessments for the  
 13 medium-risk properties?  
 14 A. I didn't have any intention at that stage. As we said,  
 15 the procurement hadn't happened. I — based on my  
 16 discussions with him, I was happy to add him to the  
 17 tender list, but that didn't give him any advantage than  
 18 anyone else had. I hadn't thought beyond that, and it  
 19 was going to be a fair process, so ...  
 20 Q. The information itself that you were giving, whether it  
 21 went to Mr Stokes or anybody else, was only ever going  
 22 to be current for one year, wasn't it, because it was  
 23 relevant to the medium-risk programme? Or is that not  
 24 right?  
 25 A. Some of it will be — the approach to PEEPs and fire

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1 training may have continued going forward. But, yeah,  
 2 potentially you're right. I — sorry.  
 3 Q. We will come back later to the specific topics in the  
 4 letter, which are — and I'll count them for you —  
 5 employee fire training, personal emergency evacuation  
 6 plans — now, he says "personnel" emergency evacuation  
 7 plans, that might not be an error — lifts, and more  
 8 general matters.  
 9 But can I ask you, please, to look at the end of the  
 10 letter, where he says at page 3 {CST00001887/3}, in the  
 11 last paragraph:  
 12 "I would like to thank you for all the help you gave  
 13 to me yesterday because as we discussed during our  
 14 meeting the items covered and policy and procedure  
 15 documents you showed me will help tremendously to reduce  
 16 the question[sic] I may have needed to ask and gave me  
 17 a very good understanding of TMO operating policy in  
 18 relation to Health and Safety issues."  
 19 What policy and procedure documents did you give  
 20 him?  
 21 A. I doubt I gave him any. I gave him verbal information.  
 22 I didn't prepare any — I mean, he was coming in cold  
 23 for a chat about how we did things. I'm pretty  
 24 confident I wouldn't have given him anything.  
 25 Q. The same question again: what policy and procedure

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1 documents did you show him, even if you didn't give him  
 2 any?  
 3 A. Well, as you know, we hadn't produced a fire strategy at  
 4 that stage, so that wasn't something I could have given  
 5 him. I really don't know, and I really can't think that  
 6 there was anything obvious that would have related to  
 7 this that I would have had readily to hand or would have  
 8 been prepared to give him, so I'm sorry, I can't help.  
 9 Q. You can't help?  
 10 A. No. As you know, the lift information is information  
 11 that would have been held by the contracts  
 12 management/building services team, so I wouldn't have  
 13 had ready access to anything that could have been given.  
 14 Q. We will come back to the lift information in detail  
 15 later on.  
 16 Looking more generally at the chronology and moving  
 17 forwards, on the — well, let me just show you something  
 18 that I've just been prompted with.  
 19 Can I ask you to go {CST00030077}.  
 20 Now, this is an invoice issued by CS Stokes &  
 21 Associates Limited, addressed to you, dated 2 July 2010.  
 22 Can you see?  
 23 A. Yes.  
 24 Q. And it says:  
 25 "Invoice.

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1 "As instructed I have undertaken and completed the  
 2 fire risk assessment for ..."  
 3 Then there are three addresses within the TMO stock.  
 4 "In accordance with the Fire Safety Order 2005.  
 5 "From these fire risk assessments I have produced  
 6 a significant findings and an action plan for each  
 7 building.  
 8 "Costs as agreed.  
 9 "Net: £700.00.  
 10 "VAT ...  
 11 "Gross: £822.50."  
 12 Can you explain that invoice?  
 13 A. No. I have absolutely no recollection of that.  
 14 Q. You have never seen it before?  
 15 A. I must have seen it before, it's addressed to me, but  
 16 I've absolutely no recollection.  
 17 Q. Are you able at all to explain the circumstances in  
 18 which CS Stokes & Associates was instructed to undertake  
 19 and complete the fire risk assessments for those  
 20 buildings shown in that invoice as at 2 July 2010?  
 21 A. No, I'm not, and I'm looking — this is addressed to me  
 22 when I was based at 346 Kensington High Street, so  
 23 I wasn't even based at the Hub at that stage.  
 24 Sorry, I must have had it, but I ...  
 25 Q. Given that you must have had it, do you accept that you

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1 must have known that Mr Stokes was conducting fire risk  
 2 assessments for buildings in the TMO stock on his own  
 3 account as CS Stokes & Associates Limited before the  
 4 tender process was started?  
 5 A. That seems to be the case. These are all offices or  
 6 archive storage areas. But I really have no  
 7 recollection. But you're right, this is what it looks  
 8 like.  
 9 Q. Therefore, taken together, perhaps, with the letter I've  
 10 been showing you, might it not be the case that the TMO  
 11 had already — you had already — decided to appoint  
 12 Mr Stokes to conduct the medium-risk programme, even  
 13 before the tender?  
 14 A. No, absolutely not.  
 15 Q. What other explanation is there for his undertaking and  
 16 completing these three fire risk assessments?  
 17 A. I don't know what the explanation is, but that isn't it.  
 18 I'm sorry.  
 19 Q. Right.  
 20 A. We absolutely hadn't decided, and it wasn't my decision,  
 21 it was a joint decision, and rightly so.  
 22 Q. Now, moving forward in the chronology, can we go,  
 23 please, to {CST00003061}.  
 24 This is a letter dated 27 September 2010 which  
 25 Mr Stokes and I discussed at some length repeatedly

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1 during his evidence. It's an important letter.  
 2 It happened, or it was sent to you, after a meeting  
 3 with you on 24 September 2010 at the Hub. Do you see in  
 4 the first paragraph that that is what it records?  
 5 A. Yes.  
 6 Q. Now, we will examine each of the specific topics in this  
 7 letter later on in your evidence, but for the moment my  
 8 question is this: is it right that at this point, so  
 9 late September 2010, Carl Stokes still had not been  
 10 formally appointed as the fire risk assessor?  
 11 A. Erm ... I don't know, you've got all the documentation.  
 12 I'm not sure what the dates were. I thought he was  
 13 appointed on 23 September, but probably hadn't signed  
 14 the documentation.  
 15 Q. Let me help you. Can we go to {TMO00842316}, please.  
 16 This is a letter dated 23 September 2010, so it's  
 17 the day before the meeting.  
 18 A. Okay.  
 19 Q. It's to Carl Stokes:  
 20 "Thank you for submitting a fee quotation and  
 21 attending the interview.  
 22 "Further to satisfactory responses to our additional  
 23 queries, I am pleased to inform you that your fee  
 24 quotation has been accepted and it is our intention to  
 25 appoint you to carry out the programme of Fire Risk

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1 Assessments on the Council's medium risk blocks.  
 2 "I will prepare your formal appointment which you  
 3 should receive within the next week. In the meantime,  
 4 as discussed I will endeavour to set up meetings with my  
 5 colleagues, a project briefing meeting and an  
 6 introductory meeting with the Fire Brigade all of which  
 7 shall take place as soon as possible."  
 8 A. Yes.  
 9 Q. Now, looking at that, this is 23 September, the meeting  
 10 was on 24 September, his letter, as we've seen, was on  
 11 27 September. It's right, I think, that although you  
 12 had sent him the letter of intent —  
 13 A. Yes.  
 14 Q. — the contract hadn't yet been signed.  
 15 A. Yes, you're right.  
 16 Q. Now, let's go back to the letter of 27 September,  
 17 please, {CST00003061/1}, please.  
 18 Having referred to the meeting, he goes on to say in  
 19 the second line as follows:  
 20 "... I would like to put in writing the management  
 21 procedures, topics and issues etc we discussed, so that  
 22 when completing any fire risk assessments for  
 23 residential buildings under the control of The Tenants  
 24 Management Organisation (TMO) of the Royal Borough of  
 25 Kensington and Chelsea in future these standards and

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1 observations will apply."  
 2 Pausing there, what did you expect him to do with  
 3 this information in his fire risk assessments?  
 4 A. I expected his fire risk assessments to reflect the  
 5 processes and the training and the — our approach to  
 6 maintenance and fire precautions. I was trying to give  
 7 him as much information as possible so that they would  
 8 be as comprehensive as possible in relation to each  
 9 block.  
 10 Q. When you received this letter, did you read it  
 11 thoroughly and ensure that it reflected accurately the  
 12 information you had given him at the 24 September  
 13 meeting?  
 14 A. I would have thought so, yes.  
 15 Q. Yes.  
 16 Now, after this letter, do you recall that there was  
 17 a meeting that you held to introduce Carl Stokes to the  
 18 LFB and that that happened on 8 October 2010? I'll show  
 19 you a document.  
 20 A. Okay. I recall that we did, but I don't particularly  
 21 recall the meeting.  
 22 Q. Very well.  
 23 {RBK00029052}, please. This is an email from  
 24 Janice Wray, that's you, to Ann Muchmore below, and  
 25 you're actually sending this on to Ms Muchmore at the

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1 top. We can see the main email below that, and it goes  
 2 on:  
 3 "Ann  
 4 "Further to our meeting yesterday ..."  
 5 Do you see the first paragraph?  
 6 A. Yes.  
 7 Q. "... I can confirm that we met with the LFB on  
 8 8th October to introduce Carl Stokes, our new risk  
 9 assessor. They agreed to produce the minutes for that  
 10 meeting, however, in order to assist I sent [through]  
 11 some notes which I was hoping they would incorporate  
 12 into the minutes — but no minutes received yet. (My  
 13 notes are on the attached e-mail below.)"  
 14 Now, that email I'm showing you is dated  
 15 26 January 2011.  
 16 A. Yes.  
 17 Q. We need to go to the email on page 2 {RBK00029052/2} for  
 18 the main information.  
 19 This is an email from you of 12 October to  
 20 Gary Sodeau of the London Fire Brigade, copied to  
 21 Ann Muchmore, subject: "Friday's meeting with the TMO".  
 22 Do you see that?  
 23 A. Yes.  
 24 Q. You say:  
 25 "Gary,

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1 "I believe that we agreed the following which you  
 2 may wish to include in your minutes ..."  
 3 If we look down at paragraph 2, which starts:  
 4 "Aim to use same approach as before ..."  
 5 Can you see the fourth line? It says this:  
 6 "However, the intention is for the consultant to do  
 7 as much work in advance of the programme commencing as  
 8 possible to establish the extent of our fire safety  
 9 planned preventative maintenance contract and associated  
 10 asset registers, our inspection regimes, fire safety  
 11 training programmes, policy on installation of smoke  
 12 alarm, PEEPs etc. We are hopeful that this will result  
 13 in fewer recommendations being made and will allow us to  
 14 focus our attention on the significant findings."  
 15 Now, was Carl Stokes supposed to work on all of the  
 16 TMO housing stock or just the medium-risk buildings?  
 17 A. He was appointed for the medium-risk buildings, as we  
 18 discussed yesterday.  
 19 Q. Yes. It doesn't look like that from what this paragraph  
 20 says.  
 21 A. Well, then that's me wording it inappropriately. He was  
 22 appointed for the medium-risk and that was the approach  
 23 that we were trying to adopt. Because, if I could just  
 24 explain, as you probably gathered, we got bogged down in  
 25 actions. We were getting significant volumes of

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1 actions, but often they were repeat actions requesting  
 2 the same information: how do we train our staff,  
 3 you know, what is our approach to maintenance? So we  
 4 thought what we needed to do was provide as much of that  
 5 information in advance of assessments being produced so  
 6 they would be more comprehensive, and then the actions  
 7 and the significant findings that came out would be what  
 8 we needed to focus on rather than a lot of extra.  
 9 Q. Yes.  
 10 A. Sorry.  
 11 Q. Now, the first paragraph does say that he had been  
 12 appointed to carry out the fire risk assessments on  
 13 the council's medium-risk blocks.  
 14 A. Yes.  
 15 Q. But it goes on to say:  
 16 "Assessment programme likely to begin on site week  
 17 commencing 18th October 2010 and aim to complete in  
 18 6 months."  
 19 So is it right that the intention set out in  
 20 paragraph 2 was to enable Mr Stokes to complete the  
 21 entirety of the medium-risk programme by March/April,  
 22 April essentially, 2011?  
 23 A. Ideally we wanted it doing as soon as possible in order  
 24 to be as compliant as possible and to meet the  
 25 Fire Brigade's deadline, their three-year deadline.

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1 Q. Yes, I see. And did Mr Stokes then undertake that work?  
 2 A. Yes.  
 3 Q. Now, I want to ask you about the implementation of FRAs  
 4 and the process of that, a different topic.  
 5 A. Okay.  
 6 Q. Can we start by looking, please, at your first witness  
 7 statement at page 33 {TMO00000890/33}, paragraph 148.  
 8 You describe here the process of addressing the  
 9 actions and findings identified by Mr Stokes. You say  
 10 this:  
 11 "The process was that I would identify a property  
 12 and Carl would attend and send to me an FRA report and  
 13 a Significant Findings and Action Sheet. I would then  
 14 extract the relevant information and log them as actions  
 15 on 'W2', our Civica Electronic Document and Record  
 16 Management System. Each action would be assigned to the  
 17 appropriate team, who would be advised of the  
 18 recommended timeframe for completion. That team would  
 19 then undertake the work and update the system by  
 20 describing the action as partially or fully complete and  
 21 by adding any relevant notes or evidence and returning  
 22 to the Health and Safety team. We would then close down  
 23 the action."  
 24 Now, looking at the systems that you used for  
 25 monitoring actions, you say in other parts of your

24

1 evidence that you used a spreadsheet tracker and the W2  
 2 system; is that right?  
 3 A. The W2 system did not come in until 1 August 2013. We  
 4 recognised the need to have a dedicated workflow,  
 5 electronic workflow, but unfortunately we didn't  
 6 actually have a system that we could use. So the  
 7 company eventually realised the advantages of having  
 8 such a system that could — we could have workflows for  
 9 all sorts of the business.  
 10 Q. Right. Could you just give me some dates? So the  
 11 spreadsheet tracker, was that what you started using  
 12 straightaway in and after October 2010?  
 13 A. That was my recollection, although it may be that I used  
 14 Word documents as well, because the significant findings  
 15 and action plans came in as Word documents. So  
 16 unfortunately — and that's why we needed to have  
 17 a proper electronic management system, because it was  
 18 quite difficult to keep a handle on.  
 19 Q. And after the W2 system came into effect —  
 20 A. Yes.  
 21 Q. — on 1 August 2013, did you continue to use the  
 22 spreadsheet tracker system?  
 23 A. No, everything from that point onwards, and actually  
 24 from I think a couple of months prior to that, was  
 25 loaded into the W2 system and was monitored and

25

1 progressed in that way.  
 2 Q. Right. So from August 2013, you were only using the W2  
 3 system?  
 4 A. And — what I can't recollect is whether we transferred  
 5 information in from historical stuff or whether we kept  
 6 monitoring that separately. I think we did it  
 7 separately, because it was quite an onerous task,  
 8 because there were still some historic actions  
 9 outstanding. So I think I was chasing on that as well,  
 10 but our focus was on the W2 system.  
 11 Q. Right.  
 12 Can you just help me a little bit more on that  
 13 answer. When the W2 system started on 1 August 2013,  
 14 what information got transferred into it?  
 15 A. My recollection is that we knew it was coming, we'd  
 16 trialled it, so I think we put in the fire risk  
 17 assessment action plans that we'd received for at least  
 18 the — I'm guessing, but at least the two months prior  
 19 to the introduction, and then from that point onwards we  
 20 put everything through W2. So we did have a historic  
 21 spreadsheet, I think, with some historic information  
 22 that didn't — I might be wrong, but my recollection is  
 23 it didn't get added to W2, it was monitored separately.  
 24 Q. So does that tell us that there was an incomplete  
 25 information transfer from the spreadsheet tracker to the

26

1 W2 system when it started in August 2013?  
 2 A. I've really tried to remember, but my recollection is  
 3 that we didn't transfer all the historic information,  
 4 but we did still track it.  
 5 Q. Understood.  
 6 A. Yes.  
 7 Q. Understood, but the answer to my question is: yes, the  
 8 information transfer was incomplete, in some respects?  
 9 A. It wasn't comprehensive, yes.  
 10 Q. No. Does that mean that from 1 August 2013, you  
 11 essentially had two systems or two repositories of  
 12 information: the W2 system and the historic spreadsheet  
 13 tracker which was still continuing in parallel?  
 14 A. I think we did, yes.  
 15 Q. Was that the position until 14 June 2017, the night of  
 16 the fire?  
 17 A. No. No, because eventually — again, eventually the  
 18 spreadsheet items, to the best of my recollection, were  
 19 closed down, and all the newer stuff, from the date we  
 20 discussed, had gone into W2.  
 21 Q. And when do you think all the spreadsheet items were  
 22 closed down?  
 23 A. I'm sorry, I don't know. I was awash with information  
 24 and I couldn't give you a date on that.  
 25 Q. Now, when you assigned the FRA action to the appropriate

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1 team, how would you do that mechanically? What buttons  
 2 would you push?  
 3 A. My recollection is that the workflow gave us the  
 4 opportunity to basically cut and paste the action that  
 5 came out of the action plan, so it got transposed into  
 6 the tracker. There was a box where I could provide  
 7 additional information, so if I thought that perhaps it  
 8 wasn't clear what action people were required, I might  
 9 say, "Could you just make sure that the caretaker checks  
 10 this" or whatever, and then there was a drop-down box  
 11 where you could reflect the priority, high, medium, low,  
 12 and there was a corresponding timeframe which had been  
 13 pre-set against each of those ... priorities, sorry, and  
 14 then it was allocated to — I can't recall if it was  
 15 an individual or a team, and then it got sent —  
 16 Q. Right, would that be —  
 17 A. Sorry.  
 18 Q. I'm so sorry.  
 19 Would you then send that in a pdf form or as  
 20 a document or would you send an email? How would you  
 21 then transmit that?  
 22 A. The W2 system meant that everybody had their own inbox  
 23 within the W2 system, so it was sent electronically  
 24 within the system and everybody within the organisation  
 25 was supposed to monitor their own W2 inbox.

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1 Q. I see.  
 2 A. But to supplement that, I would run regular reports.  
 3 Everyone else had access and opportunity to run their  
 4 own reports, status reports for each team, so they would  
 5 know at that point in time, which I think was probably  
 6 at least every two months, what they'd been allocated,  
 7 what was completed, what was partially completed and  
 8 what was outstanding.  
 9 Q. While the spreadsheet tracker was in use, what system  
 10 did you use to allocate or assign actions to appropriate  
 11 teams from that data?  
 12 A. That would have probably had to be done by email because  
 13 we didn't have another system.  
 14 Q. Right.  
 15 When you were sending spreadsheets, did that include  
 16 the colour-coding of the actions so that each team knew  
 17 the priority level ascribed to the action?  
 18 A. Yes.  
 19 Q. Whether it was through the spreadsheet tracker or the W2  
 20 system.  
 21 A. Yes, I believe so.  
 22 Q. Yes.  
 23 Can we just look at an example. Now, this, I think,  
 24 pre-dates the arrival of W2. This is {TMO10002330}.  
 25 This is the composite FRA tracker from mid-March 2013.

29

1 A. Yeah.  
 2 Q. We can see that this is in fact one that runs, as I say,  
 3 until March 2013. You can see that from other parts of  
 4 the document.  
 5 You can see the high-risk items in red just on the  
 6 screen in front of you.  
 7 A. Yes.  
 8 Q. Was this the form in which it went to the relevant  
 9 teams?  
 10 A. I think it must have been.  
 11 Q. Right.  
 12 A. But I'm presuming there's a ... sorry, I was just going  
 13 to say there should be a legend explaining the high,  
 14 medium, low timeframes. However, all of these people  
 15 were getting this information regularly, so they knew  
 16 what the timeframes were.  
 17 Q. You say all of these people; just picking a couple of  
 18 those, "Responsive repairs", is that Repairs Direct?  
 19 A. Depending on the timeframe. I don't think in 2012  
 20 Repairs — I'm not sure when they came in.  
 21 Q. Who in the Repairs Direct team would you send this  
 22 spreadsheet to, given that this is March 2013?  
 23 A. Okay. So Stuart Thompson was our repairs manager,  
 24 I think, prior to Repairs Direct, so early actions would  
 25 have gone to him as the responsive repairs manager.

30

1 The Repairs Direct situation frustratingly  
 2 fluctuated, and I would have gone to them on a regular  
 3 basis to say, "Who is the most appropriate person to  
 4 receive this information?"  
 5 Q. Once Graham Webb was in post as the managing director of  
 6 Repairs Direct from January 2016 — that's the time —  
 7 would he receive these spreadsheets or would he get  
 8 something else because W2 was onstream by then?  
 9 A. Yeah, he wouldn't have had these, he'd have had extracts  
 10 from W2.  
 11 I can't recall who — I think at one stage it was  
 12 John Tatham. They had a series of responsive repairs  
 13 managers and they would have been the people who  
 14 received the equivalent version of this from W2.  
 15 Q. Would you ever send any of these teams, whether it was  
 16 contracts or whether it was project management or  
 17 responsive repairs, a copy of the FRA itself or a copy  
 18 of the significant findings and action plan for  
 19 particular properties?  
 20 A. Possibly.  
 21 Q. What would be the circumstances in which you would do  
 22 that?  
 23 A. That's a very good question. I mean, they could request  
 24 it. They may have requested it. They might be planning  
 25 some works, so they're trying to collate all relevant

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1 information in relation to a specific block. They may  
 2 have wanted to share it with some new contractors that  
 3 they were appointing. A variety of reasons, really.  
 4 Q. Did the W2 system send you automatic notifications of  
 5 overdue items?  
 6 A. No, I don't believe it did.  
 7 Q. It wasn't programmed to do that?  
 8 A. Not to the best of my knowledge, but it —  
 9 Q. Right. So how would you know whether a particular item  
 10 identified in the significant findings and action plan  
 11 was overdue?  
 12 A. I would have run a report. It was very simple. There  
 13 was — on the W2 system there was a very simple way that  
 14 I could run a report, and I would usually have run  
 15 a report for everything and then filtered what I wanted.  
 16 Q. How often did you run a report after August 2013?  
 17 A. Regularly because —  
 18 Q. How regularly?  
 19 A. God ... eventually got to the stage — well, I was  
 20 sending them out to teams — eventually I was sending  
 21 them out to teams certainly before every health and  
 22 safety committee meeting. So teams would have been  
 23 getting their own specific updates at least two-monthly,  
 24 I think Barbara would have asked for them more regularly  
 25 than that.

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1 I was looking at what was going on and what was  
 2 being completed on a regular basis. I would receive the  
 3 completions into my inbox and I would open each of them  
 4 individually and would only close them down completely  
 5 if I was happy that — I was confident that the works  
 6 had been completed, or I might request additional  
 7 evidence, in which case I would send them back. So if  
 8 I'd gone and completed quite a lot, which was going to  
 9 impact on the overall stats, I might then run another  
 10 report, just to see what I need to home in now, who  
 11 should I chase for the next —  
 12 Q. Did you do all that for all 650-odd blocks in the TMO  
 13 stock that required an FRA?  
 14 A. Yes, because — sorry, I probably didn't make it very  
 15 clear. When I ran a report, the report could be for the  
 16 entire system. So I could — so then I could filter on  
 17 specific blocks or I could filter on what was  
 18 outstanding or specific kinds of works or against  
 19 individual teams, depending — yeah.  
 20 Q. Yes. Did you have any help in performing that task,  
 21 printing it off and reducing it, analysing it, deciding  
 22 what was and wasn't overdue, communicating with the  
 23 teams?  
 24 A. No, not really.  
 25 Q. All you?

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1 A. Pretty much all me. I mean — and my colleagues, Cyril  
 2 particularly, who was my facilities colleague, but  
 3 actually sometimes had a little bit more capacity than  
 4 Adrian or I, was helpful in terms of manually inputting  
 5 the information and allocating the actions, but I would  
 6 have said to him, "Here's a Word document, can you  
 7 allocate", and I would have told him where they needed  
 8 to go. But, yes, it was just me, really.  
 9 Q. I mean, it sounds like —  
 10 A. You know, that sounds quite sad, I don't mean it to  
 11 sound sad, because everybody in the organisation who  
 12 received actions had the opportunity to run their own  
 13 reports, I was just doing it as belt and braces to make  
 14 sure that they had this information and that they were  
 15 focusing on it. But, yeah, it was pretty intensive.  
 16 Q. I was going to ask you how you could do that alongside  
 17 any of your other work. It sounds like a full-time job.  
 18 A. It was pretty full on, but I didn't let it go. I was  
 19 fairly dogged about chasing down outstanding actions  
 20 because I thought it was really crucial, and I would  
 21 raise it at every opportunity that I could. I'm sure  
 22 I was a pain, but I did.  
 23 Q. Did you ever go to your seniors and say, "I'm  
 24 overstretched here, I need some help"?  
 25 A. I may have done, but there just wasn't any budget to be

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1 had, so I would — as we said yesterday, I would  
 2 re-prioritise regularly, but fire safety was always top  
 3 of the tree.  
 4 Q. You mentioned Cyril Morris a moment ago.  
 5 A. Yes.  
 6 Q. Let me just pick up on him.  
 7 Can we please look at your June 2020 statement,  
 8 {TMO00873629/16}, paragraph 65.  
 9 You say there, in the second part of that paragraph:  
 10 "Whilst everyone could update their own spreadsheet,  
 11 only Cyril Morris and I could close down actions and  
 12 only when sufficient evidence had been provided to  
 13 confirm completion. Adrian Bowman did not close down  
 14 actions."  
 15 A. Yes.  
 16 Q. Does it follow from that that it was your responsibility  
 17 to monitor that actions were completed so as to decide  
 18 that they should be closed out?  
 19 A. Yes, unless they were fairly simplistic, and Cyril could  
 20 close those. I did most of the closing.  
 21 Q. Right.  
 22 A. Sometimes we would look at it together and I would go,  
 23 "Yes, I'm happy with that", and then he would do the  
 24 actual admin.  
 25 Q. Was Cyril Morris at your side, as it were, all through

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1 the period 2010 to 2017?  
 2 A. I think he started in 2011, I believe, possibly  
 3 March 2011, and yes, for the rest of that period.  
 4 Q. Yes.  
 5 Now, Adrian Bowman has explained in his statement  
 6 that he would follow up the completion of actions during  
 7 his inspection programme. Did he report his findings to  
 8 you?  
 9 A. Yes.  
 10 Q. How would he do that?  
 11 A. So I think we sort of covered this to some extent, in  
 12 that he would take out the action plan, which as we know  
 13 is a Word document, to the blocks that he was going to  
 14 be inspecting, and he would identify if what we believed  
 15 had been completed had been completed. And we would —  
 16 my recollection is that we would add — he would add  
 17 another column and then that would be — it would be —  
 18 and then the information would be taken from that and  
 19 sent to repairs or sent to wherever it needed to be  
 20 sent.  
 21 Q. Right.  
 22 Sticking with paragraph 65 of this June 2020  
 23 statement, you say, and I've read it to you already,  
 24 "only when sufficient evidence had been provided to  
 25 confirm completion".

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1 A. Yes.  
 2 Q. How would you decide whether you had sufficient evidence  
 3 to confirm completion? What would constitute sufficient  
 4 evidence in that context?  
 5 A. It would depend on the action, really. If it was in  
 6 relation to housekeeping issues, for example, then  
 7 I would allocate it to the manager of the ESA and say,  
 8 "This needs to be undertaken". Sometimes they would  
 9 send me photographic evidence, sometimes the team leader  
 10 would say, "I visited the block yesterday and I can  
 11 confirm that that is in place", so there was sort of  
 12 a second tier of checking where that was feasible.  
 13 Sometimes, if my colleague Adrian happened to be in the  
 14 vicinity of a block where I had specific concerns or  
 15 queries, he would divert and go. We just tried to use  
 16 whatever we had available, really.  
 17 Sorry, I'm not sure that answers your question.  
 18 Q. When teams reported to you that actions were completed,  
 19 did you yourself undertake any kind of quality check or  
 20 empirical checks just even on a spot basis to ascertain  
 21 whether the work had been completed satisfactorily?  
 22 A. I would have. If I was going to be in the vicinity,  
 23 I would tend to pop in to local blocks. I didn't have  
 24 a lot of opportunity to do that.  
 25 Adrian was out a great deal of his working week, so

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1 I would regularly say, "Oh, where are you going to be?  
 2 Oh, can I just get you to double check" — so I would  
 3 often — poor man had loads of lists of things to check  
 4 for me. So, yeah.  
 5 Q. So you were essentially reliant on their judgement?  
 6 A. Yes, but Adrian Bowman's a very experienced and safe  
 7 pair of hands, really, and there was no way that he  
 8 would say something had been completed if it hadn't,  
 9 because he just wouldn't.  
 10 Q. So you trusted him?  
 11 A. Absolutely. We worked together a very long time and he  
 12 is totally trustworthy and, yeah, I relied on his  
 13 judgement.  
 14 Q. Did you rely on his judgement and trust him to the  
 15 extent that you never checked his work?  
 16 A. No, no, of course not.  
 17 Q. So in what circumstances —  
 18 A. We would do joint inspections.  
 19 Q. — would you check his work?  
 20 A. He didn't just do on-site work, he produced the estate  
 21 staff handbook, he minuted for a period of time the  
 22 health and safety committee. He had a range of work  
 23 where I was — we worked quite closely together, and we  
 24 were a small team so it was really important that we  
 25 worked together.

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1 But, no, I absolutely checked his work, but he was  
 2 very competent and very experienced.  
 3 Q. At what point would an action be considered to be  
 4 outstanding? Would it be when the action was raised but  
 5 not remedied, or would it be once the relevant period  
 6 had passed within which it ought to have been remedied?  
 7 A. From my perspective, if it's not remedied, it's  
 8 outstanding. It needs to be done. We may not have  
 9 reached the target date, but it still needs to be done.  
 10 So, from my perspective, that's what I would be using as  
 11 a basis for outstanding.  
 12 Q. So every FRA item is outstanding until completed,  
 13 regardless of the timeframe?  
 14 A. Yeah, it's not completed, is it? So maybe that's ...  
 15 yes, that's my interpretation.  
 16 Q. Right.  
 17 Now, Barbara Matthews describes in her evidence the  
 18 fact that you sent her monthly a spreadsheet with  
 19 outstanding actions on it.  
 20 A. Yeah.  
 21 Q. You did, did you?  
 22 A. Yeah, I believe so.  
 23 Q. Did you ever discuss those spreadsheets with  
 24 Barbara Matthews, do you remember?  
 25 A. Yes, most likely we would have discussed them in regular

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1 one-to-ones or when she — she was based in another  
 2 office, but when she worked at the Hub, the desk beside  
 3 me was often empty, so she would sit by me and we would  
 4 go through a lot of the detail of these —  
 5 Q. Did she offer you support in ensuring that outstanding  
 6 actions were completed?  
 7 A. She did. She — we discussed it in detail, in  
 8 increasing levels of detail, really, at the health and  
 9 safety committee, particularly after Barbara came along,  
 10 and she would also meet privately with her peers, and  
 11 where she saw that there were significant actions, she  
 12 would make it her business to go and have separate  
 13 meetings with individuals as well to put pressure on  
 14 them. So yes, she did.  
 15 Q. In her first witness statement she says — and it's  
 16 paragraph 33 {TMO10049987/7} — that she would chase  
 17 managers if FRA actions were not being closed down as  
 18 quickly as they should have been. Was that your  
 19 experience?  
 20 A. Yes, it was.  
 21 Q. Were you aware at the time that Barbara Matthews was  
 22 chasing managers down in those circumstances?  
 23 A. Yes, and she was fairly vociferous in the health and  
 24 safety committees when she was unhappy with the stats or  
 25 she felt that people were still not perhaps giving

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1 actions the priority that they needed.  
 2 I mean, some were complicated and were never going  
 3 to be closed down in the timeframe that was set, and we  
 4 recognised that, but she always felt there was more we  
 5 could do, more we could do, and so she pressed that.  
 6 Q. Apart from the health and safety committee, or perhaps  
 7 its precursor, the health and safety operations  
 8 committee, can you explain which committees you would  
 9 report to about the status of FRA actions?  
 10 A. Those would be the main committees. As we know, we  
 11 spoke yesterday about the asset, investment and  
 12 engineering, a kind of precursor to the operations  
 13 health and safety committee. But the health and safety  
 14 committee reported in to the executive team by the  
 15 nature of the chair, so that would have gone up to that  
 16 level.  
 17 I also had one—to—one meetings regularly  
 18 particularly with the head of contracts management and  
 19 his — Alex Bosman, and his predecessor, Keith Fifield.  
 20 And I did find some notes, actually, of — I did keep  
 21 notes of those kinds of things, because there were often  
 22 quite a number of things that we were raising. Some  
 23 were FRA—related and some weren't, but it covered the  
 24 whole gambit —  
 25 Q. You say you did find some notes?

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1 A. Yeah, I found some progress meeting notes when I was  
 2 wading through information recently with Keith Fifield,  
 3 and I know I kept notes of the meetings.  
 4 Q. When you say you found some notes, did you find those in  
 5 the documents disclosed?  
 6 A. Yeah, yeah, when I say notes, I mean electronic, I don't  
 7 mean —  
 8 Q. Just to be very clear about this, you didn't find these  
 9 documents in your own private —  
 10 A. I don't have any private documents. Sorry. That's my  
 11 fault for misleading. Electronic documents —  
 12 Q. No, no, that's very helpful.  
 13 Now, the purpose of reporting to those committees,  
 14 the operations committee and the health and safety  
 15 committee, at least during the time they were separate,  
 16 was that in order to make sure that they were fully  
 17 informed and could take action and report up?  
 18 A. Yes, absolutely, because that's — principally my role  
 19 was to monitor and to escalate and to chase and cajole  
 20 and do everything that I could, and make sure that  
 21 everybody knew who had a lot more authority than I had  
 22 if there were problems, if there were issues.  
 23 Q. Was that always the case right from the start,  
 24 2009/2010?  
 25 A. Yes, it was, and I think scrutiny was very intense in

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1 the beginning, as we've seen, in terms of the council  
 2 and the Fire Brigade, but also in terms of the TMO  
 3 operations board level committee and I think also TMO  
 4 board. I was asked to do repeated reports, and then in  
 5 more recent years the chief executive did his regular  
 6 report to board, and he then started always including  
 7 a health and safety or a fire safety aspect to it. So  
 8 there were things that were brought to the attention of  
 9 the elected members, board members.  
 10 Q. Right, which is not the chief executive, of course?  
 11 A. Well, he's presenting it — yeah, sorry, it goes via  
 12 him, apologies.  
 13 Q. Yes. Well, we will see.  
 14 Now, as of November 2013, which is the date of your  
 15 fire safety strategy —  
 16 A. Yes.  
 17 Q. — you, I think, had a more fixed procedure, didn't you?  
 18 A. Well, yes. I mean, as of the workflow, we — things  
 19 were just much easier to manage, so yeah.  
 20 Q. I see. So chronologically, is this the position: that  
 21 the — you call it workflow, let's call it W2 —  
 22 A. Okay.  
 23 Q. — came onstream on 1 August 2013, and then in  
 24 November 2013 you produced your fire safety strategy.  
 25 A. Yes.

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1 Q. So things got more organised.  
 2 A. Yes. I mean, it probably practically gave me more time  
 3 to do the finishing off bits of things that had been  
 4 kicking around and hadn't been finished.  
 5 Q. Let's look at the fire safety strategy of that month and  
 6 that year, {TMO00830598/10}, please, paragraph 14.4.1.  
 7 You can see, in the middle of your screen under "FRA  
 8 Action Plans", which is part of 14.4, under the first  
 9 subparagraph there you can see that it says, in the  
 10 penultimate line:  
 11 "Statistics on status of all FRA actions are  
 12 presented to the Operations H&S Group, the TMO's H&S  
 13 Committee and the Executive Team on a regular basis."  
 14 Did anybody set any targets for completion of FRA  
 15 actions?  
 16 A. No, I don't think we did, because we — everybody  
 17 recognised that they needed to be done and they needed  
 18 to be done in terms of the priority and the timeframe  
 19 that had been set by the consultant, so there wasn't —  
 20 we wouldn't have been happy until we'd done as many as  
 21 we could, but because of the nature of the ongoing  
 22 assessment programme, we were never going to reach zero,  
 23 because if we got anywhere near that, then we'd get  
 24 a whole deluge of new assessments and associated  
 25 actions.

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1 Q. You say statistics on status; do you mean there  
2 statistics on cleared and outstanding FRA actions?  
3 A. I think I do.  
4 Q. Yes.  
5 A. Because certainly when I've been providing them, that's  
6 what I've been asked for: how many were allocated per  
7 team, how many were completed partially, how many are  
8 outstanding, and then it got a bit more sophisticated  
9 where I was asked to actually clarify the timeframes in  
10 relation to those that are outstanding.  
11 Q. Was there any discussion of the risk to life presented  
12 by the outstanding FRA actions?  
13 A. There would have been. Really, it really was something  
14 that we — you know, did take a lot of time and effort,  
15 and people recognised the importance and the need to  
16 comply with the RRO, and also that, you know, these  
17 things had been identified for a reason. So, yes,  
18 I think there was universal understanding that — of how  
19 crucial they were.  
20 Q. That's not quite the question. Perhaps my question was  
21 a bit shrouded.  
22 Why were statistics of cleared and outstanding FRA  
23 actions used as the metric, the measure to discuss the  
24 status of FRA actions?  
25 A. I think it's visual, isn't it? Some people just work

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1 better with a visual message. If you can see that  
2 you've got, you know, what looks like a significant  
3 number of potentially high-risk actions outstanding, and  
4 you can demonstrate that they'd been outstanding for  
5 a period, that's better than me just talking to people  
6 about how important it is to comply with the RRO.  
7 So people respond to different things. It was just  
8 another way of providing it.  
9 Q. I can see that a numerical or quantitative count might  
10 provide you with some information, but using statistics  
11 on status wouldn't tell you anything about the risk  
12 nature of outstanding items, whether they were high,  
13 medium or low.  
14 A. I can't really answer that.  
15 Q. Well, I'm inviting you to accept the proposition; that's  
16 right, isn't it?  
17 A. Yes. The reason I can't answer it is because I thought  
18 that at some stage that's exactly how I did start  
19 presenting them, but I may be wrong.  
20 Q. Was there any mechanism ever put in place to review the  
21 fire risk overall of outstanding FRA actions on  
22 a building-by-building basis?  
23 A. I don't recollect that there was, no.  
24 Q. So is it right that nobody ever actually looked at the  
25 outstanding FRAs as a group for a building and performed

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1 some kind of holistic assessment of the fire safety risk  
2 presented by that collection of outstanding items?  
3 A. No, I don't believe we did.  
4 Q. Why is that?  
5 A. Time.  
6 Q. Time?  
7 A. Yeah.  
8 Q. You didn't have enough time?  
9 A. I don't know where I'd have found the time to do that.  
10 I could see that there would be value in doing that, but  
11 I don't know how I would have found the time to do that.  
12 Q. Could you ask Carl Stokes to do that, at least  
13 periodically?  
14 A. He didn't even have access to our W2 system.  
15 Q. Why not?  
16 A. Because he produces the actions; it's our responsibility  
17 to get on and get them completed.  
18 Q. Yes. That's rather what he said. You see, what I'm  
19 interested in is: why didn't you gather up all the  
20 outstanding FRA actions for a particular building — it  
21 doesn't matter which — and then present them back to  
22 Carl Stokes and say, "Mr Stokes, you last did an FRA for  
23 this building 14 months ago, these are the outstanding  
24 FRAs on the building, can you please give us a holistic  
25 risk assessment for this building based on this

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1 collection of outstanding FRA items"?  
2 A. I didn't do that.  
3 Q. No, but why didn't you do that?  
4 A. I was busy trying to get the actions completed and  
5 treating that as my big priority, and doing everything  
6 that I possibly could to get them completed, and I maybe  
7 naively hoped that we would be able to get to a stage  
8 where as many were completed as possible, and so I had  
9 hoped that what you're proposing wouldn't be required.  
10 Q. Do I take it from that that neither you nor the  
11 executive team nor the board nor any scrutiny body  
12 within RBKC ever suggested, to your knowledge at least,  
13 standing back on a building-by-building basis and  
14 looking at the collection of outstanding FRA items to  
15 perform a holistic fire assessment risk analysis?  
16 A. Not to my knowledge, and it's actually not something  
17 that ever got suggested in any of the forums that I sat  
18 on with colleagues across the sector.  
19 Q. Did you present specific written or oral reports, or was  
20 your reporting all by way of provision of minutes of  
21 health and safety committee meetings or operations  
22 committee meetings for the executive team to see?  
23 A. I was occasionally invited to attend the executive team  
24 meeting if there was something specific that they wanted  
25 me to cover. That probably at some stage included

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1 fire safety. But I saw that — unless I was invited to  
 2 attend, I saw that as being the executive directors'  
 3 responsibility. They are aware of what's going on,  
 4 they've got the statistics, they've got the opportunity  
 5 to speak to me about — they've been chasing their team  
 6 leaders where there are actions outstanding, so at that  
 7 level, the conversations would be had with their peers.  
 8 That was my understanding.

9 Q. Right.

10 Do you remember whether, when you made minutes of  
 11 health and safety committee meetings and they were  
 12 provided to the executive team, they were accompanied by  
 13 your reports detailing the FRA actions statistics?

14 A. I don't know the answer to that. I would certainly  
 15 think that in Barbara's time it's quite likely that they  
 16 would have been accompanied by the papers that  
 17 I prepared.

18 Q. Yes.

19 A. And we were preparing an increasing number of papers in  
 20 terms of all sorts of things, but I think that the last  
 21 one, I think there were three individual fire safety  
 22 related papers. So I would like to think, having gone  
 23 to all that time and trouble, that they were provided,  
 24 but it wouldn't be for me to confirm.

25 Q. Well, you say that. I'm just interested, because at the

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1 end of paragraph 14.4.1 {TMO00830598/10}, you provide in  
 2 your own fire safety strategy that statistics on status  
 3 of all FRA actions are presented to the committees and  
 4 the executive team on a regular basis.

5 To your knowledge, did you prepare statistics on  
 6 status of all FRA actions for presentation to the  
 7 executive team on a regular basis?

8 A. Not specifically, because they generally would have been  
 9 receiving what the health and safety committee were  
 10 receiving. My understanding was that when there had  
 11 been a health and safety committee, it would be agenda'd  
 12 on the executive team so that they could discuss what  
 13 had been coming up at the health and safety committee.  
 14 And it was my understanding that the papers went there  
 15 but, because I didn't sit on that group, it would be  
 16 wrong of me to be saying it definitely happened.

17 Q. To your knowledge, did you ever prepare statistics on  
 18 status of all FRA actions regularly for the purposes of  
 19 presentation either directly or ultimately to the  
 20 executive team?

21 A. I didn't prepare anything specifically to go directly to  
 22 the executive team, but it was always my understanding  
 23 that they would receive the information that the health  
 24 and safety committee were viewing.

25 Q. Right. But if you didn't compile the statistics on

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1 a regular basis for presentation to the executive team,  
 2 would that not have been a departure from your own fire  
 3 safety strategy we see here?

4 A. No, because the health and safety committee were looking  
 5 at them regularly and there was an automatic escalation  
 6 and feed in to the executive team. So my understanding  
 7 was that if they'd requested it, they could have had  
 8 more or different, but that was already in existence, it  
 9 had been scrutinised by the health and safety committee  
 10 and would go to the executive team. I didn't — unless  
 11 I was asked to, I didn't provide something specific for  
 12 them. They would be looking at the same information.

13 Q. Did you provide statistics on status of all FRA actions  
 14 regularly for the H&S committee?

15 A. Yes.

16 Q. So that was regular?

17 A. Yes. I can't remember when that started, but I think  
 18 post-W2 it was — I'd always been giving feedback, but  
 19 not sort of quantitative. Once I had the opportunity to  
 20 do that relatively straightforwardly, then that's what  
 21 I did.

22 Q. So can we leave it like this, then: whatever statistics  
 23 you prepared on a regular basis and provided either to  
 24 the operations committee or the health and safety  
 25 committee, you assumed would be passed on in that form

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1 to the executive team —

2 A. Yes.

3 Q. — so that they could see the statistics directly?

4 A. Yes, and the fact is that the ops group was chaired by  
 5 Sacha Jevans, who is an executive team member, and the  
 6 health and safety committee by Barbara Matthews. Two of  
 7 the executive team had already seen them, so it really  
 8 just meant having the same discussions with Yvonne and  
 9 Robert, which I believe that they did.

10 Q. Right.

11 Now, I want to turn to the question of  
 12 implementation timescales.

13 Can I just ask you to look, please, at the first  
 14 significant findings and action plan produced by  
 15 Carl Stokes to accompany his 29 December 2010 FRA for  
 16 Grenfell Tower. This is at {CST00003165}.

17 We can see on that page there, under the fifth entry  
 18 down, "Priority time scales", let's just read across  
 19 together:

20 "High: 2 to 3 weeks. Medium: 1 to 2 months.

21 Low: 3 to 6 months."

22 Do you see that?

23 A. Yes.

24 Q. Can you explain how those timescales for those actions  
 25 came to be decided upon?

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1 A. I can't. From my perspective, that was down to the  
 2 assessor to set the timeframe. It wasn't for me to set  
 3 the timeframe. He's the assessor, he knows what the  
 4 priority rating is, and I thought that he — actually,  
 5 I don't know what I thought. Those were his  
 6 recommendations and we just went with them.  
 7 Q. I see.  
 8 You see, Carl Stokes told the Inquiry — this is  
 9 {Day137/36:1–13}, I don't think we need to go there —  
 10 that these were agreed jointly as between the TMO and  
 11 him and the LFB. Is that your recollection?  
 12 A. No, I don't recall ever having that level of detailed  
 13 discussions with the LFB. I mean, I think they would  
 14 have perceived that to be our responsibility, and they  
 15 would want to be assured that we weren't setting  
 16 ridiculously long timeframes, particularly for  
 17 high-risk, but I don't think I ever recall having  
 18 a conversation with them about it.  
 19 Q. Right. So this is the first time that, at least so far  
 20 as Grenfell Tower is concerned, you saw the Stokes risk  
 21 stages or levels?  
 22 A. Yes, I think so.  
 23 Q. Yes.  
 24 How then did you ensure that the actions were  
 25 prioritised according to risk once you received this

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1 document?  
 2 A. To be honest, I don't think I allocated them in terms  
 3 of, "You must focus on high and then medium and then  
 4 low", I allocated them on the basis that, "These are all  
 5 crucial, they've got corresponding timeframes but you  
 6 need to do them all", and that's always been my message.  
 7 Q. So you didn't prioritise them according to risk?  
 8 A. Well, we did, in terms of we passed on the information  
 9 to the people who were responsible for completing the  
 10 actions, they were absolutely clear what priority had  
 11 been given, but they also knew my expectation was that  
 12 they completed all of them. In priority order where  
 13 that was appropriate, but they needed to do all of them.  
 14 Q. You say in priority order where that was appropriate; it  
 15 was always appropriate, wasn't it, because of the order  
 16 of risk set out in this document?  
 17 A. Yeah. The point I'm making, obviously not very  
 18 articulately, is that sometimes you would look at this  
 19 and think, "Well, that medium is really easy, I could do  
 20 that first". That wasn't what I wanted them to do.  
 21 I wanted them to do it, but if they had a finite  
 22 resource, they obviously had to target the high-risk.  
 23 That was pretty evident to —  
 24 Q. But let me just see if I can understand this. You  
 25 wanted them to do them all, that I understand, but here

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1 you have a set of what we call FRA actions with three  
 2 levels: high, medium and low.  
 3 A. Yes.  
 4 Q. Did you take any steps to make sure that the people to  
 5 whom you were passing on these items for completion  
 6 pursued a particular order according to the risk level?  
 7 A. I think the answer to that is no, because everybody who  
 8 had actions were very clear and had been briefed on the  
 9 process and briefed on the priorities and briefed on the  
 10 timescales, and then when we went into the W2 process,  
 11 we had a stakeholder meeting on the draft workflow where  
 12 everybody was briefed again. So everybody's actions  
 13 were absolutely clear, so I'm not sure what more I could  
 14 have done to ensure that they targeted — they already  
 15 were on message, they knew that was the expectation.  
 16 Q. Right, so just take the first one we can see on the page  
 17 {CST00003165} by way of example only. High priority,  
 18 item 1. "Identified risk or hazard", you can see that  
 19 in the box there.  
 20 A. Yes.  
 21 Q. "... holes through the fire compartment wall of the  
 22 ground floor electrical room."  
 23 The recommendation is:  
 24 "... the electrical wiring in the ground floor  
 25 electrical room is checked by an electrician to see that

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1 no damage has been caused to the electrical supply of  
 2 the building by the contractors."  
 3 You would presumably send that to somebody —  
 4 A. Yeah.  
 5 Q. — for sorting out. Would you tell them that that was  
 6 a high-priority timescale and had to be done within two  
 7 to three weeks?  
 8 A. Yes.  
 9 Q. How would you do that?  
 10 A. I suspect that when we started receiving the Salvus  
 11 reports, I think what I possibly did in the beginning,  
 12 and it's just so long I can't remember the detail, it's  
 13 quite possible that their actions came in in  
 14 a spreadsheet, and I have — I suspect that I sent the  
 15 spreadsheet, having identified the responsible  
 16 department, to each of those departments so that they  
 17 could see all of the actions that related to them and  
 18 the priority and the timeframe.  
 19 Q. Right. And how did you then ensure that the actions  
 20 were actually or had been actually addressed and  
 21 completed within the allotted timescale, in this case  
 22 two to three weeks?  
 23 A. And before W2, it was a challenge. But I know what  
 24 I had sent them, I would chase with them, I would —  
 25 we — when we started to receive the Salvus reports,

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1 I met with the team leaders, Stuart Thompson, whose name  
 2 you saw earlier, and some of his other corresponding  
 3 team leaders who were getting the actions on, I think it  
 4 was, a two-weekly basis, and we went through those  
 5 schedules, those spreadsheets.  
 6 Q. And what happened when an action was not resolved within  
 7 the allocated timescale?  
 8 A. The only thing I can do is escalate it. I would  
 9 obviously start with the manager and say, "You do  
 10 realise this is crucial, this is outstanding", and they  
 11 may or may not give me what they considered to be  
 12 a valid reason, and I would escalate, and I recall that  
 13 Russell Thompson, who was the interim technical director  
 14 at that stage, had been involved in the recruitment and  
 15 procurement of the fire consultant, so was well aware of  
 16 the need to give priority, and I would escalate it to my  
 17 line manager as well, who was on the executive team, and  
 18 I would keep doing that.  
 19 Q. Now, can we go to the next action plan for  
 20 Grenfell Tower, November 2012, at {CST00003083}.  
 21 You can see there that the priority timescales are  
 22 now, for medium, instead of one to two months, it's two  
 23 to three months, and for the low it had changed from  
 24 three to six months to six to 12 months.  
 25 Why did the priority timescales change?

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1 A. I don't recall.  
 2 Q. Mr Stokes said that he changed it on the basis of the  
 3 LGA guide being published and the timescales in there,  
 4 but we've had difficulty identifying why that should be  
 5 the case. Can you help?  
 6 A. No, I can't, I'm sorry.  
 7 Q. Did you have any discussion with Mr Stokes about why he  
 8 had changed the priority timescales for Grenfell Tower,  
 9 at least, in the way I've identified?  
 10 A. I'm sure any changes he introduced would have been  
 11 introduced across all of his assessments, but I — he  
 12 may well have spoken to me, but I'm sorry, I don't  
 13 recollect.  
 14 Q. Did you have any discussion with Mr Stokes about those  
 15 changes?  
 16 A. Not that I recall.  
 17 Q. Did you notice them?  
 18 A. Erm ... I'm sure that I would have done, but ... sorry,  
 19 gone.  
 20 Q. Just to be clear, had you or any of your colleagues  
 21 asked Mr Stokes to change these timescales?  
 22 A. No. That's absolutely not my role. He's the assessor,  
 23 it's for him to set the timeframes, and it's for us to  
 24 work to them and publicise them amongst our colleagues  
 25 and make sure that everybody is clear about the

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1 deadlines.  
 2 MR MILLETT: Can we go, then, to —  
 3 SIR MARTIN MOORE-BICK: Sorry, before we do that, can I just  
 4 ask you: how did you understand these priority  
 5 timescales? What did they mean, as far as you were  
 6 aware?  
 7 A. I do recall conversations about — I had some pressure,  
 8 shall we say, sometimes from colleagues, who went, "Oh,  
 9 but I started this now, can I say it's completed?", and  
 10 I would say, "Absolutely not", and I had conversations  
 11 with Carl about when we could use partially completed,  
 12 and I think what we agreed was, particularly something  
 13 that was going to be a challenge and quite a long  
 14 timescale, if we had an order number and a start date  
 15 and those — that sort of information, then that could  
 16 be stored on the system and then that action could be  
 17 considered —  
 18 SIR MARTIN MOORE-BICK: I don't think you're quite seeing my  
 19 point.  
 20 A. Sorry.  
 21 SIR MARTIN MOORE-BICK: What did you understand it to mean,  
 22 priority timescale high, two to three weeks?  
 23 A. I understood it to mean that from when I received the  
 24 action and put it on the system, that there was two to  
 25 three weeks, and —

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1 SIR MARTIN MOORE-BICK: To do what?  
 2 A. Well, sorry, that's what I was trying to explain. In my  
 3 view, we were trying to complete them. However, in  
 4 conversation with the assessor, his view was that in  
 5 some cases we at least needed to be able to demonstrate  
 6 that we had partially completed — we'd started the  
 7 work. That we — I'm not fudging it.  
 8 SIR MARTIN MOORE-BICK: Well, you are a bit, because it  
 9 either means completed within two to three weeks or  
 10 started within two to three weeks. Which did you  
 11 understand it meant?  
 12 A. I understood that it was not possible to always complete  
 13 in two to three weeks.  
 14 SIR MARTIN MOORE-BICK: No, no, but the question is: what  
 15 was this telling you? Whether you could comply with it  
 16 or not is perhaps a different question. What was this  
 17 telling you?  
 18 A. It's telling me that I should complete within two to  
 19 three weeks.  
 20 SIR MARTIN MOORE-BICK: Okay.  
 21 A. Sorry, sorry.  
 22 SIR MARTIN MOORE-BICK: No, no, I understand the  
 23 qualifications you seek to make, but I just wanted to  
 24 understand how you read this, because we've had evidence  
 25 from Mr Stokes and I wanted to know what you thought.

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1 A. Yeah. No, no, I'm sorry. I'm sorry if I misled you.  
 2 No, that's — in my view, in an ideal world, that's what  
 3 we were working to and that's what we should have been  
 4 achieving. So sorry.  
 5 SIR MARTIN MOORE—BICK: Thank you very much.  
 6 MR MILLETT: Right, that's very helpful.  
 7 In light of that — it perhaps clears up something  
 8 I was going to ask you a little bit later — can we look  
 9 at the 2014 version of the action plan for  
 10 Grenfell Tower, which is {CST00003177}.  
 11 Here we have the record of significant findings and  
 12 action plan, 17 October 2014, and here now we see:  
 13 "Priority time scales: High: 2 to 3 Weeks. Medium:  
 14 2 to 3 Months. Low: 6 to 12 Months."  
 15 As we had in the November 2012 version, but now we  
 16 can see words in brackets after that:  
 17 "(to start to action any works)."  
 18 Now, Mr Stokes told us that it applied to all  
 19 timescales, not just the low ones.  
 20 Had you or your colleagues discussed this addition  
 21 in the brackets there with Mr Stokes?  
 22 A. We may have had conversations with him, but we certainly  
 23 didn't ask him to incorporate this. I mean, he could  
 24 see that some things were challenging, but — and we've  
 25 probably reflected that back to him, but we didn't — we

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1 wouldn't have requested that he put this in. This was  
 2 his document, this was his jurisdiction.  
 3 Q. Are you able to explain from your own knowledge and  
 4 recollection why the text in those brackets was added?  
 5 A. No, I'm not, sorry.  
 6 Q. What did you understand it to mean?  
 7 A. I understood it to mean that in situations where it  
 8 would just not be feasible for procurement reasons or  
 9 whatever to achieve the timeframes that are set by the  
 10 priority, we at least need to ensure that within that  
 11 period we can demonstrate that we have sort of  
 12 substantially put in place or started to take action,  
 13 whether that be procurement or whatever.  
 14 Q. Where did you get that understanding from?  
 15 A. I don't know. Sorry.  
 16 Q. Okay.  
 17 It meant, then, didn't it, on the basis of what  
 18 you've just told us, that the TMO was no longer required  
 19 to complete and close off actions within the relevant  
 20 timescale as it had done in the previous two FRAs for  
 21 Grenfell Tower we've been looking at, but now only to  
 22 start them or substantially start them within the  
 23 timeframe?  
 24 A. No, my understanding and my interpretation was that it  
 25 related to those which were — where there was

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1 a significant amount of work. You know, to go back to  
 2 my original — like Manse Masterdors, that was something  
 3 that there was no way we could have turned it round  
 4 anywhere near this. So something substantial and just  
 5 beyond the capacity to complete in that time. It wasn't  
 6 applied routinely to everything; it should only have  
 7 been those kinds of works.  
 8 Q. But, with great respect, it doesn't say that, does it?  
 9 It says "to start to action any works".  
 10 A. Yes.  
 11 Q. Not those works which Mr Stokes should decide because of  
 12 the amount of work involved could safely be started only  
 13 within that period.  
 14 A. It doesn't say that, you're right, but I'm telling you  
 15 what my interpretation was, and generally in the  
 16 organisation anyone with any queries would come to me  
 17 and I would tell them what I've just said. And to be  
 18 honest, by then we're in W2 land, so I'm probably the  
 19 only person who's seeing — mostly the only person who's  
 20 seeing this document as it stands, because we're lifting  
 21 the information out and putting it into W2, so people  
 22 aren't — that's not kind of widely circulated.  
 23 Q. On the face of it, it means, doesn't it, that  
 24 outstanding actions could continue indefinitely so long  
 25 as the work was started but not completed within the

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1 relevant timescale?  
 2 A. Not to me it doesn't.  
 3 Q. No, but on the face of it.  
 4 A. Well, if you want to be really literal, then I suppose  
 5 it could, but my point is hardly anyone's seeing that  
 6 and I'm not interpreting it that way, so ...  
 7 Q. So does it come to this: despite what the document says,  
 8 you understood it to mean that a judgement would have to  
 9 be made whether or not the works had to be started  
 10 within the period or had to be finished within the  
 11 period, depending on what the works involved were?  
 12 A. You could put it that way. I would say —  
 13 Q. How would you put it?  
 14 A. I would put it that we were endeavouring to work to  
 15 those timeframes, except in exceptional circumstances  
 16 where it was just beyond the capacity because of  
 17 significant factors.  
 18 MR MILLETT: Mr Chairman, can I just finish off this line of  
 19 questions very briefly and then we will change topic?  
 20 SIR MARTIN MOORE—BICK: Yes, do.  
 21 MR MILLETT: If you look at the last column on the screen in  
 22 front of you, "Date to be completed by", would you  
 23 complete that, routinely?  
 24 A. Once we —  
 25 Q. Did you fill it in?

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1 A. Once we had the workflow, I wouldn't have used this  
 2 other than just to scribble to my colleague, "Allocate  
 3 this to this person", because all of the information  
 4 would be on the workflow and could be extracted  
 5 electronically. Historically, I would have filled that  
 6 in.  
 7 Q. And what date would you have known to use?  
 8 A. Well, I would have used these timeframes, and then  
 9 I would expect anybody with — if there were  
 10 circumstances that I was not aware of, I would expect  
 11 people allocated those actions to be giving me those  
 12 explanations, especially when I was circulating their  
 13 outstanding list. They — you know, ultimately Barbara  
 14 was holding them to account and saying, "Well, why have  
 15 you got this many, explain to me, and I want a report on  
 16 what those issues are". So it would be at that point  
 17 that we'd be able to identify any that just were  
 18 significantly large or complex.  
 19 Q. So in respect of any given FRA item, a judgement had to  
 20 be made about the date by which it had to be completed;  
 21 is that right?  
 22 A. Well, if that's what I said, that wasn't what I was  
 23 meaning. What I meant was we were still trying to work  
 24 to these timeframes, ignore what it says in the  
 25 brackets, and when the allocations were done, then these

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1 timeframes were allocated. Because we were trying to be  
 2 more rigorous about ensuring the completions and were  
 3 sending out regular updates and asking for explanations  
 4 why things were exceeding those, sometimes it was at  
 5 that point that people were saying, "Well, actually,  
 6 that wasn't realistic because what you didn't appreciate  
 7 was ..."  
 8 So it obviously had to be — it had to have the  
 9 input of the people who were completing the action  
 10 because they knew what complexities there were.  
 11 Q. So does it come to this — I'm just trying to understand  
 12 your evidence, tell me if this is wrong —  
 13 A. Okay.  
 14 Q. — that you treated these priority timescales as the  
 15 timescales by which the works had to be completed, save  
 16 in a particular case, a special case, where the works  
 17 for good practical reasons couldn't be completed in that  
 18 timeframe?  
 19 A. Yes. I wish I could have put it that way, but yes.  
 20 Q. And you were the person who would make that judgement  
 21 call?  
 22 A. No, I don't think I was, because I wasn't in control  
 23 of — most of the actions were allocated elsewhere.  
 24 I was the person who would chase up and have discussions  
 25 with people and help identify where that was the case,

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1 or reluctantly accept, but it wasn't for me to make that  
 2 judgement.  
 3 Q. So who would?  
 4 A. Well, if it was a contract management issue, then it  
 5 would have been the head of, coming and speaking to me,  
 6 saying, "This is unrealistic because you weren't aware  
 7 that we would have to follow all of these issues". So  
 8 that would have been generally a dialogue with the head  
 9 of the team allocated the action.  
 10 Q. I can understand that that person would have come to you  
 11 and provided you with information, but isn't it the case  
 12 that you would have been the person who would have  
 13 analysed that information and made the decision about  
 14 whether or not it could still and should still be  
 15 finished within the timeframe or not?  
 16 A. I don't entirely agree, because they're the technical  
 17 expert and they understand the remit. I can go through  
 18 what they're telling me and I can see whether  
 19 legitimately it can be finished in the timeframe or not,  
 20 but I can't control the work. So if I accept that it  
 21 can't be done in two to three weeks, I am still saying  
 22 to them, "You still need to do it as soon as possible  
 23 and you need to give me a timeframe", but I can't  
 24 control that.  
 25 Q. Where you were unable to comply with the timescales set

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1 by the action plans, reading them as completion dates  
 2 and not start dates, did you ever go back to Mr Stokes  
 3 and tell him that you had been able(sic) to complete  
 4 a high-risk item in three weeks, say, and ask for his  
 5 view?  
 6 A. No, I don't recollect, sorry.  
 7 Q. Why is that? Why didn't you do that?  
 8 A. Run that by me again, please.  
 9 Q. Well, we've got no record of you ever going back to  
 10 Mr Stokes and saying to him, "We have a high-risk item  
 11 here that we cannot complete within three weeks, what is  
 12 your view about whether it's risky to" —  
 13 A. Oh, yeah, we would have had those conversations, most  
 14 definitely.  
 15 Q. Right.  
 16 A. And sometimes I would have sought his view when I'd had  
 17 a conversation with, for example, Alex, "This is what  
 18 Alex is telling me, you know, and in that case, do we  
 19 need an interim measure? I mean, do we need to advise  
 20 the Brigade or" — you know, I would have sought —  
 21 sorry, I'm a bit jaded today, apologies.  
 22 Yes, I would have sought his view if I thought it  
 23 was a particularly significant issue that was going to  
 24 be delayed excessively. So, yes, sorry. And that may  
 25 have been verbal. Apologies.

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1 MR MILLETT: No, that's very clear, thank you.  
 2 Mr Chairman, is that a convenient moment?  
 3 SIR MARTIN MOORE-BICK: Yes.  
 4 I think we ought to take a break now, Ms Wray, so we  
 5 will, and we will resume, please, at 11.40.  
 6 Again, please don't talk to anyone about your  
 7 evidence while you're out of the room. All right?  
 8 THE WITNESS: Okay. Thank you.  
 9 SIR MARTIN MOORE-BICK: Thank you very much. Would you like  
 10 to go with the usher, please.  
 11 (Pause)  
 12 Thank you, 11.40, please.  
 13 (11.26 am)  
 14 (A short break)  
 15 (11.40 am)  
 16 SIR MARTIN MOORE-BICK: All right, Ms Wray, ready to carry  
 17 on?  
 18 THE WITNESS: Yes.  
 19 SIR MARTIN MOORE-BICK: Good, thank you very much.  
 20 Yes, Mr Millett.  
 21 MR MILLETT: Yes.  
 22 Ms Wray, can I just ask you to look, please, at  
 23 JW/27, which is at {TMO00842277}.  
 24 I want to see if we can work through, by way of  
 25 a worked example, how this system of prioritisation

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1 would work so far as you were concerned.  
 2 If you look at this, this is W2, isn't it?  
 3 A. Yes.  
 4 Q. Now, it was generated after the last FRA for  
 5 Grenfell Tower on 20 June 2016, and you can see what's  
 6 on the screen relates to Grenfell Tower.  
 7 Under the "Process Start Date", you can see that  
 8 there is a date of 8 August 2016; yes?  
 9 A. Yes.  
 10 Q. Was it you who entered that on the system, that date, do  
 11 you think?  
 12 A. I can't remember if it was allocated automatically or if  
 13 I just clicked on the date. Sorry, I can't recall.  
 14 Q. Was it you who pressed the button to put the date in the  
 15 machine?  
 16 A. That's my point, I can't remember if it would  
 17 automatically come up because that's the date that I'm  
 18 manually inputting it. I'm sorry, it could have been  
 19 me, I can't recall.  
 20 Q. I understand.  
 21 Now, 8 August is, self-evidently, some two and  
 22 a half months after 20 June 2016, isn't it?  
 23 A. Mm—hm.  
 24 Q. Can you explain why this process start date is being  
 25 entered only on 8 August, six weeks or so after 20 June?

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1 Sorry, one and a half months.  
 2 A. No. Did I receive the FRA on 20 June?  
 3 Q. Well, it's dated 20 June. Let me ask you: would there  
 4 normally be a time lag between the date of the  
 5 significant findings and action plan generated by  
 6 Mr Stokes and it coming into your hands?  
 7 A. There wouldn't be much of a time lag.  
 8 Q. No.  
 9 A. There would often be a bit of a discrepancy, but —  
 10 Q. A bit of a discrepancy; what sort of timeframe? Not  
 11 six weeks?  
 12 A. Well, no, I wouldn't have thought so.  
 13 Q. No. Therefore, can you explain why it is that you're  
 14 only beginning, it appears on this document, to enter  
 15 the information into W2 some six weeks or so after the  
 16 date of the FRA, even allowing for a short time lag  
 17 between him generating it and you getting it?  
 18 A. I can't explain. What I would say is if I hadn't had  
 19 the opportunity to put it into the workflow and I was  
 20 going on leave or something like that, what I would have  
 21 generally done would be send out the action plan to the  
 22 teams and say, "This will be coming at you through W2,  
 23 but this is just to — so you can start working on it".  
 24 But I don't recall, so I'm just speculating.  
 25 Q. Now, if you look at the high—priority ones —

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1 A. Yes.  
 2 Q. — you can see that there is a column for "Priority",  
 3 "High"; do you see that?  
 4 A. Yes.  
 5 Q. And you can follow them down. On this page on this  
 6 screen there are some four which are high priority,  
 7 which fall into either miscellaneous or the inspection  
 8 regime; yes?  
 9 A. Yes.  
 10 Q. If you look across to "Action" —  
 11 A. Yes.  
 12 Q. — you can see that there is a description of each of  
 13 them.  
 14 Can we go to page 3 {TMO00842277/3}, please, and  
 15 look at the last entry on that page. You can see under  
 16 "Action" there that although this is "High", it says:  
 17 "The flat entrance door of flat 23 is damaged with  
 18 the letter box missing."  
 19 Can you see that?  
 20 A. Yes.  
 21 Q. This was assigned to health and safety, you, and you're  
 22 named; do you see that?  
 23 A. Yes.  
 24 Q. The opening date is 9 August 2016, and the close—out  
 25 date predicted or projected is 6 September 2016; do you

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1 see that?  
 2 A. Yes.  
 3 Q. The description of what should be done under "Action"  
 4 is:  
 5 "This door should be repaired and a new fire rated  
 6 letter box fitted, alternatively a new self closing  
 7 certified 30 minute fire rated door fitted with  
 8 intumescent strips and cold smoke seals could be  
 9 installed.  
 10 "Response repair requested — order number ..."  
 11 And then there's an order number.  
 12 A. Yes.  
 13 Q. Now, 6 September, who chose that date? Would it be you?  
 14 A. Erm ... again, I can't recall. But 6 September is  
 15 against each of the high categories, isn't it, so  
 16 I don't know if it's system-generated or if I put it in.  
 17 Q. Well, that's the question.  
 18 A. Sorry.  
 19 Q. If the system generated it, what would be the basis on  
 20 which 6 September would be picked, whether by you  
 21 manually or by the system automatically?  
 22 A. I wish I could remember the detail. There was some  
 23 detailed instructions which came with the workflow which  
 24 set out exactly the criteria and what screen to be —  
 25 what needs to be entered on each screen, what's manual,

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1 what's computer generated, and I haven't seen them for  
 2 ages.  
 3 Q. You see, 6 September is about two and a half months  
 4 after 20 June, which was the date of the FRA. Can you  
 5 account for why this platform or document or database  
 6 had 6 September 2016 as the completion date for this  
 7 high-risk item?  
 8 A. No, I can't.  
 9 Q. We can see that there is no completion date, is there?  
 10 A. Erm ... well, there would have been, it's just that we  
 11 didn't widen the columns, because those asterisks will  
 12 be numbers.  
 13 Q. Right.  
 14 Let's look, then, at the question of interim  
 15 measures, which we touched on.  
 16 Can we look, please, back again at your 2013 fire  
 17 safety strategy, {TMO00830598/10}, paragraph 14.4.2. We  
 18 looked at 14.4.1 earlier.  
 19 Under 14.4.2, it says:  
 20 "Where a high priority action cannot be progressed  
 21 with the appropriate degree of urgency such as where  
 22 significant resources and/or lengthy procurement are  
 23 required then interim measures to reduce the fire safety  
 24 risk in the short-term will be implemented.  
 25 Specifically, these interim measures will be contingency

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1 plans instigated when fire protection measures are out  
 2 of use, their repair is delayed etc."  
 3 Did that apply to actions which could not be  
 4 completed within the timescales set by Carl Stokes in  
 5 his significant findings and action plans?  
 6 A. It would not have applied to every action that was  
 7 outside the timeframe because it just physically  
 8 wouldn't be possible to go through. It was aimed at  
 9 sort of significant issues where there is going to be  
 10 a delay.  
 11 I can give you an example: we were doing fire safety  
 12 works at Trellick Tower. Trellick Tower is a listed  
 13 building, and we had to work on the corridor doors,  
 14 which needed very specific bespoke hinges. So in the  
 15 meantime they were not behaving as they should, and we  
 16 agreed with the Fire Brigade in that case that the  
 17 interim measure would be to install temporary doors in  
 18 those locations.  
 19 So in big — in terms of significant risks, yes,  
 20 that's what we tried to do.  
 21 Q. You say "we tried to do". On the face of it, it looks  
 22 as if a decision would have to be made on a case-by-case  
 23 basis whether significant resources or lengthy  
 24 procurement were required; is that right?  
 25 A. I suppose what I'm suggesting is that where people, for

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1 all the reasons we said — if there's going to be a very  
 2 complex issue which will cause significant delay, those  
 3 are the ones we should be looking at as the initial  
 4 priority, but there may be others.  
 5 Q. Yes. And, again, the other side of the coin of the  
 6 decision that significant resources or lengthy  
 7 procurement was required is that interim measures would  
 8 be implemented; yes?  
 9 A. Were they required, then yes, they should be  
 10 investigated and progressed where necessary.  
 11 Q. Do you remember whether there were any FRA actions in  
 12 respect of Grenfell Tower specifically where interim  
 13 measures were implemented in accordance with this part  
 14 of your fire safety strategy?  
 15 A. I think there were some — okay. My recollection is  
 16 that when there were problems with the AOV, which was  
 17 either not working completely, not working  
 18 comprehensively or it was certainly potentially  
 19 defective, there were some interim measures discussed  
 20 with the Fire Brigade, I believe, between Rydons and the  
 21 Fire Brigade, where a range of things where we tried  
 22 to — things like some — just proactively increasing  
 23 familiarisation, but also there were issues about  
 24 being — control of hot works — I can't recall. It was  
 25 really for the project team to come up with a range of

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1 things. So I think there were.  
 2 Sorry, I can't recall what else. I can't recall the  
 3 detail. Apologies.  
 4 Q. But can we take it that the policy, at least, according  
 5 to the 2013 fire safety strategy, was that where  
 6 a judgement was made that because significant resources  
 7 or lengthy procurement was required so that the  
 8 high-priority action could not be completed within the  
 9 Stokes timescales, there would be interim measures put  
 10 in place; that was the policy?  
 11 A. That was the policy, and they should be considered, and  
 12 where appropriate they should be put in place, yes.  
 13 Q. So does that tell us that for every red item not  
 14 completed within the three-week outer limit because of  
 15 special considerations, there would inevitably be  
 16 interim measures in order to reduce the fire safety risk  
 17 in the short term?  
 18 A. I don't believe that it was perceived they would be  
 19 necessary in every case, but there should always be  
 20 consideration given to whether it's appropriate to have  
 21 interim measures and what they would be.  
 22 Q. Now, can we go, just briefly, to Dr Lane's report at  
 23 {BLARP20000027/141}.  
 24 Near the bottom of the page you will see  
 25 paragraph 8.2.37, and she, having quoted from the

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1 November 2013 fire safety strategy that I've just shown  
 2 you, says that:  
 3 "There was a stated commitment that contingency  
 4 plans would be instigated when fire protection measures  
 5 are out of use, their repair is delayed etc."  
 6 Then she goes on to say at 8.2.38:  
 7 "8.2.38 Note, I have found no evidence of any such  
 8 contingency plan being made by the KCTMO for  
 9 Grenfell Tower. For example the lobby smoke control  
 10 system in Grenfell Tower was known to be non-functional  
 11 for an extended period, see Section 12 below, and my  
 12 Chapter 7.  
 13 "8.2.39 In my opinion, if the arrangements set out  
 14 in Section 14.4 were implemented adequately, this could  
 15 enable KCTMO to comply with article 9 of the RR(FS)O."  
 16 Now, leaving aside the AOV, which we're going to  
 17 come back to in detail later in your evidence, were  
 18 there any contingency measures put in place in the  
 19 circumstances described by Dr Lane and, indeed, by  
 20 paragraph 14.4.2 of your strategy?  
 21 A. I believe that there were — over the years there were  
 22 a number of interim measures put in place. I suspect  
 23 there weren't as many as there should have been in as  
 24 many circumstances, but —  
 25 Q. Can you identify any?

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1 A. Well —  
 2 Q. Other than the AOV, can you identify any?  
 3 A. At Grenfell Tower?  
 4 Q. At Grenfell Tower, yes.  
 5 A. Erm ...  
 6 (Pause)  
 7 Sorry, I just can't recall. I can't recall the  
 8 detail of —  
 9 Q. Would interim measures which, as we can see, would be  
 10 put in place where the high-priority action could not be  
 11 progressed within the timeframe be recorded anywhere in  
 12 any system?  
 13 A. Not specifically, although I would have put details into  
 14 the W2 system of anything that I knew — I'd been made  
 15 aware of was being put in place. I would have updated  
 16 the information there.  
 17 Q. We don't, I think, am I right in saying, see a column in  
 18 W2 —  
 19 A. No, there isn't a dedicated column.  
 20 Q. No, so where would you put it?  
 21 A. So the last thing that you showed me, which actually had  
 22 responsive repair and an order number, that would have  
 23 been input by me as an update. I could have added any  
 24 subsequent information to that box.  
 25 Q. I see. So we would have to look in that column, would

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1 we —  
 2 A. Yes.  
 3 Q. — in order to find what interim measures had been put  
 4 in place?  
 5 A. Yes.  
 6 Q. Right.  
 7 A. And that's assuming that I've been advised of them,  
 8 because I may not be.  
 9 SIR MARTIN MOORE-BICK: Can you just help me with this:  
 10 I think what you said a moment ago was that if there  
 11 were a high-priority item which could not be completed  
 12 within the timescale indicated, at least there would be  
 13 consideration of interim measures and then possibly the  
 14 implementation of interim measures.  
 15 A. Yes.  
 16 SIR MARTIN MOORE-BICK: How would we know whether interim  
 17 measures had been considered? Was there any record of  
 18 that?  
 19 A. We probably wouldn't. I might remember, but I don't  
 20 know that there's an obvious place for that to be  
 21 logged.  
 22 Erm ... I mean, obviously in the specific example of  
 23 Grenfell Tower, there's lots of discussion about interim  
 24 measures in terms of the AOV, but I don't think that's  
 25 even all captured in one location.

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1 SIR MARTIN MOORE—BICK: Yes. But there was no system for,  
 2 as it were, recording the fact that there was  
 3 a high—priority item and a decision being taken whether  
 4 or not interim measures would be appropriate?  
 5 A. No, and that should have been somehow or other captured  
 6 in the workflow, you're right, but I think it was  
 7 an oversight, and ... yeah, I can't really give you  
 8 another explanation.  
 9 SIR MARTIN MOORE—BICK: Yes. Thank you very much.  
 10 MR MILLETT: Thank you, Mr Chairman.  
 11 One thing that follows from that is the question of  
 12 whether Mr Stokes was told of any decision to put in  
 13 place interim measures where his timescales could not be  
 14 met.  
 15 Did you have a system for reverting to Mr Stokes to  
 16 tell him that, although a particular high—risk item  
 17 could not be completed within the three—week outer  
 18 limit, nonetheless interim measures had been put in  
 19 place?  
 20 A. I would have told him verbally, I would have told him by  
 21 email or on the telephone, because we would have  
 22 probably started off having a discussion about what  
 23 potential interim measures might be adequate. We would  
 24 have usually engaged him in that process, so I think he  
 25 would have been aware.

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1 Q. Right. Verbally, by email or telephone doesn't sound  
 2 like a system —  
 3 A. No.  
 4 Q. — it sounds more ad hoc. Is that right?  
 5 A. Yes, probably.  
 6 Q. And therefore things could get missed?  
 7 A. Things could get missed.  
 8 Q. Now, I want to ask you some questions about backlog.  
 9 Can I ask you to look, please, at your first witness  
 10 statement at page 34 {TMO00000890/34}, paragraph 151.  
 11 You say there:  
 12 "The number of actions to be completed arising from  
 13 the FRAs fluctuated and inevitably at times there was  
 14 a high level of outstanding actions. I found this could  
 15 be challenging to resolve because, as mentioned earlier,  
 16 in most cases the actions had not been assigned to me  
 17 for completion. I often queried why actions had not  
 18 been completed with the responsible team and was given  
 19 a variety of explanations as to why they could not be  
 20 completed more quickly."  
 21 Now, you say that you found it could be challenging  
 22 to resolve outstanding actions; why was that?  
 23 A. I think I probably meant frustrating, really, because  
 24 I was chasing people and meeting with team leaders and  
 25 taking along stats and escalating further up the

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1 organisation, and it sometimes felt that things were  
 2 still not moving as swiftly as they should. So it's  
 3 a frustration in that it's out of my control, yet  
 4 I really need to try and achieve it, and I haven't got  
 5 control of it.  
 6 Q. You say, as I've read to you, "I often queried why  
 7 actions had not been completed". How were those queries  
 8 communicated? Was that email or on the platform or  
 9 what?  
 10 A. A variety of ways, again. I would often go and speak to  
 11 people, because I think when you eyeball them, sometimes  
 12 you're likely to get more of a commitment. You know,  
 13 sometimes we had poorly performing contractors, so we  
 14 had issues which were challenging for the teams to  
 15 resolve, or other things that I was not necessarily  
 16 aware of because I wasn't in that team. I would go and  
 17 speak to people. I would, as I've said before, have  
 18 regular meetings, particularly with the head of the  
 19 contract management team, probably every three weeks,  
 20 something like that, but I would have a lot of dialogue  
 21 with him in the meantime. I would escalate. We would  
 22 have discussions at all of the committees that we've  
 23 mentioned before.  
 24 Q. You say you were given a variety of explanations as to  
 25 why they couldn't be completed more quickly; what kind

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1 of explanations did you receive, in general?  
 2 A. Sometimes it was to do with performance of contractors,  
 3 sometimes we had poorly performing contractors that we  
 4 were trying to take action against. Sometimes it was  
 5 that contractors were getting towards the end of their  
 6 contract and were sort of a bit disinterested and quite  
 7 challenging to get them to do what they were required to  
 8 do by the contract.  
 9 I can't really — I'm sort of answering on other  
 10 people's behalf, really. I think —  
 11 Q. You're not, really, because you received these  
 12 explanations and I just wanted to know what kinds of  
 13 explanations you received.  
 14 A. Yeah, fair enough.  
 15 So in terms of responsive repairs, I think we didn't  
 16 anticipate the volume of repairs. We — initially,  
 17 I think we had outsourced the repairs to A Williams or  
 18 Morrisons or whatever, there was an external contractor.  
 19 They were quite — that was a difficult contract and,  
 20 again, was — there were performance issues.  
 21 Yeah, just various things like that, really, when  
 22 I'd say, "Well, why didn't" — "Oh, well, we've got  
 23 a subbie and there's a problem with them and we're  
 24 recruiting" — there just seemed to be an endless  
 25 sort of series of reasons.

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1 Q. They sound like excuses rather than reasons.  
 2 A. Well, I can only tell you what I was told.  
 3 Q. Did you ever see any improvements to the backlog as  
 4 a result of your queries and chasing up why it was that  
 5 these outstanding actions couldn't be completed more  
 6 quickly?  
 7 A. Yeah, and I think people were committed to trying to get  
 8 the backlog down. It wasn't something they were blasé  
 9 about; I think they were constrained by other factors,  
 10 some of which I won't be aware of. And, you know, there  
 11 was a sustained procurement in terms of particularly  
 12 contract management, but also I think in terms of  
 13 subcontractors that Repairs Direct had access to, and  
 14 things did improve, and they were definitely moving in  
 15 the right direction, and we were constantly looking at  
 16 how the actions were coming in and how we could — did  
 17 the process need more streamlining, you know, was it  
 18 clear what the action was, because I think occasionally  
 19 people would say, "Well, I'm being given a choice here,  
 20 surely the assessor should just say, 'Do this'". And my  
 21 view was always that that wasn't his role. His role was  
 22 to say, "This needs doing, you could — these are  
 23 suggested ways of doing it". For us as the responsible  
 24 person, we should have been deciding.  
 25 However, there were kind of various things which

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1 were put to me which were perhaps impacting on the  
 2 number of outstanding actions and I investigated and  
 3 tried to act on all of them.  
 4 Q. When you say outstanding, just to understand what you  
 5 mean by outstanding there, do you mean undone, or do you  
 6 mean undone past the due date by which they ought to  
 7 have been done?  
 8 A. I mean undone.  
 9 Q. Right. So an outstanding action was an item one day  
 10 after the FRA had been received, was it? Is that right?  
 11 A. Well, potentially. I don't see the value — it's been  
 12 identified by the fire risk assessment as needing doing.  
 13 I don't see the value in waiting until two months or  
 14 three months or whatever is up and then call it  
 15 outstanding. I was just trying to keep people focusing  
 16 on the need to do that, and so I didn't think that would  
 17 be helpful to differentiate.  
 18 Q. Wasn't there a difference in your mind and in your  
 19 approach between an item that was outstanding because  
 20 you had only been told about it the day before by  
 21 Mr Stokes on the one hand, and an item that was  
 22 outstanding because it was past the due date?  
 23 A. Yes. I would have put a lot more rigour into everything  
 24 that was beyond the due date.  
 25 Q. Right.

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1 A. However, I still looked at it holistically and tried to  
 2 get the message across holistically.  
 3 Q. Right.  
 4 Now, I would like to look with you at some of the  
 5 actions taken to address the outstanding FRA actions in  
 6 light of that qualification.  
 7 Can we look, please, at {TMO10001026}.  
 8 This is a set of minutes of the TMO health and  
 9 safety committee, 26 January 2012, and we can see that  
 10 you are present there, the second listed.  
 11 Can we go, please, to page 3 {TMO10001026/3},  
 12 paragraph 8, tenth line, where you see that it is  
 13 recorded as follows:  
 14 "Janice was continuing to chase up outstanding  
 15 actions from the various FRA Action Plans — in  
 16 particular from the high risk programme. Unfortunately,  
 17 a significant number of these have yet to be completed."  
 18 Do you see that?  
 19 A. Yes.  
 20 Q. When it refers here to the high-risk FRA programme, is  
 21 the note speaking of the fire risk assessments completed  
 22 by Salvus?  
 23 A. Yes, it is.  
 24 Q. And that concluded in about May 2010, didn't it?  
 25 A. Yes.

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1 Q. Yes. So is it right that even though the high-risk FRA  
 2 programme had concluded in May 2010, you were still  
 3 having a problem in completing FRA actions from that  
 4 programme over a year and a half later?  
 5 A. That seems to be what it's saying, yes.  
 6 Q. As we looked at before with the fire risk assessment  
 7 that was completed by Carl Stokes on 30 September 2009  
 8 for Grenfell Tower, the timescales there required  
 9 completion of actions at the latest, for level 4, within  
 10 three months or agreed plan within six months. We  
 11 looked at that yesterday. Do you recall?  
 12 A. Yes.  
 13 Q. Can you explain, in light of that — and we can go back  
 14 to the documents if we need to — why there were any  
 15 high-risk items at all still outstanding as at May 2010?  
 16 A. No, I can't.  
 17 Q. And would you agree with me that, even taking the latest  
 18 date, you were 12 months behind in completing some of  
 19 the FRA actions?  
 20 A. Yes.  
 21 Q. Were you concerned by that?  
 22 A. Absolutely.  
 23 Q. Did you identify what it was at the time that was  
 24 causing the problem?  
 25 A. I tried. As I said to you, I met regularly with all of

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1 the teams who had actions allocated. I tried to figure  
 2 out if there were blockages in the system and things  
 3 which were unclear, if we needed particular contractors  
 4 that we needed to procure, and during this time there  
 5 was endless reports to the ops committee, didn't have  
 6 statistical breakdown, but said there are still issues  
 7 that are unresolved. Some things were simple and were  
 8 completed really swiftly and some were not. Yeah, it  
 9 was a concern for me.

10 Q. Right.

11 Did you raise the concern that you've just  
 12 identified with Anthony Parkes, who I think was your  
 13 line manager at that time?

14 A. Yes.

15 Q. You did?

16 A. Yeah.

17 Q. What did he do?

18 A. I'm not really clear, to be honest. I imagine that he  
 19 spoke to, in the first instance, Sacha Jevans, who is  
 20 the executive director for the ops department, and all  
 21 of these outstanding actions pretty much were within the  
 22 ops department, but I wasn't party to any of those  
 23 conversations, so I can't really tell you for sure.

24 Q. There appears at least on the face of this note or  
 25 minute to be no specific action agreed at this meeting

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1 for how to deal with this problem; is that right?

2 A. Yeah, that seems to be right at that time, yeah.

3 Q. Right. What action did you take yourself to try to  
 4 resolve it, other than the general chasing-up exercise?

5 A. Chasing up and escalating and raising at every  
 6 opportunity, and trying to get people to put it on their  
 7 agenda, senior managers to acknowledge that this is  
 8 an issue.

9 Q. So was the problem that people weren't taking it  
 10 seriously?

11 A. No, I don't think that is the case.

12 Q. So why would you need to make sure that people would put  
 13 it on their agenda and senior managers acknowledge that  
 14 it was an issue? Clearly it was an issue, so why would  
 15 there —

16 A. Well, I mean, the fact that it's being — sorry to cut  
 17 across you. The fact that it's being discussed here,  
 18 regularly discussed here, and it's an ongoing problem,  
 19 and Anthony chairs this group and feeds in to the  
 20 executive team, then the executive team know that we are  
 21 not where we should be with this, and I just keep on  
 22 hassling people because that's what I do, because I want  
 23 it to be resolved. I want to figure out why it's not  
 24 being progressed in a timely manner and ...

25 Q. At this stage, did you begin to have a clue about what

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1 the real underlying problem was that was causing these  
 2 outstanding actions to remain outstanding for so long?

3 A. Not consistently, actually. No. I mean, I know I keep  
 4 harping on about non-performing contractors, but there  
 5 were particular contractors where potentially a lot of  
 6 actions would have ended up with them, so if they  
 7 weren't performing then that started to be a backlog  
 8 very swiftly.

9 Q. Right.

10 A. I can't really give you an explanation.

11 Q. You mention reporting this up the stream. Let's look  
 12 briefly, please, at the annual health and safety report  
 13 for this period, which is dated 31 March 2012.

14 It's at {TMO10031072/9}. You can see there that you  
 15 cover FRAs there. If you look at page 9 and over the  
 16 page to page 10 {TMO10031072/10}, you see that you  
 17 report action plans and what's happening in that  
 18 respect, and then you say at 8.1.7 in the second  
 19 sentence:

20 "In general the recommendations which relate to  
 21 Neighbourhood Management have been relatively  
 22 straightforward and have been resolved swiftly.  
 23 However, there has been quite large volume of technical  
 24 actions which have ranged in complexity and in cost and  
 25 these have often taken some time to progress. In

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1 particular, some actions have required a capital  
 2 budget ..."

3 Then at 8.1.11 you say:

4 "Whilst progress to date has been worthy of note and  
 5 the LFEPA's timescale for completion of the high and  
 6 medium risk Action Plan items by July 2014 is still  
 7 a long way off, a significant amount of work remains if  
 8 we are to ensure that all actions are completed.  
 9 Additionally, any further actions identified by  
 10 subsequent FRA reviews must also be resolved swiftly.  
 11 The continued commitment of staff and contractors will,  
 12 therefore, be required."

13 Now, two things following from that last paragraph.

14 First, were you satisfied in your mind that you were  
 15 bringing adequately to the attention of your seniors  
 16 through this report the nature of the problem about  
 17 backlogs arising from the Salvus report for the  
 18 high-risk programme?

19 A. Possibly not. But this wasn't the only way that I was  
 20 raising it with my seniors. This wasn't the only  
 21 reference to it or the only time it had been escalated  
 22 to them.

23 Q. Secondly, in the last sentence there you do say that the  
 24 continued commitment of staff and contractors will  
 25 therefore be required; was that actually the problem,

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1 that staff and contractors were not continually  
 2 committed?  
 3 A. I keep coming back to contractors. There were often  
 4 problems with contractors, and sometimes things that  
 5 looked like they should have been easy to resolve —  
 6 I recall around this time we had problems with  
 7 unserviced extinguishers, which should be the easiest  
 8 thing in the world to complete, we had a PPM contractor  
 9 in place, and it seemed to be really difficult just to  
 10 get them to do what they're contracted to do.  
 11 I don't believe that there was a problem with  
 12 commitment of staff, other than some of them had lots of  
 13 priorities and perhaps were focusing in on other  
 14 operational responsibilities, that's always  
 15 a possibility.  
 16 Q. Yes, I understand.  
 17 Can we then look on at the minutes of the next  
 18 health and safety committee meeting. This is 22 May  
 19 2012 at {TMO0001194}. We can see that you were there,  
 20 among other people.  
 21 If you look at item 1 on the "Main Points for  
 22 Consideration by Executive Team", you will see:  
 23 "The Fire Risk assessment programme for the low risk  
 24 properties is complete — with only two properties  
 25 outstanding where access had not been possible but lock

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1 changes are now being progressed. A significant amount  
 2 of Action Plan items still need to be progressed."  
 3 Was any action taken or decided upon at this  
 4 meeting, do you remember, given that there were still  
 5 a significant number of actions outstanding?  
 6 A. Lornette Pemberton obviously has apologised at that  
 7 meeting, and she normally chairs that meeting and  
 8 definitely fed in to her colleagues. I don't recall  
 9 what — I don't know — what I'd forgotten, actually, is  
 10 we used to highlight — this "ET to note" is executive  
 11 team to note. We used to bring those points, that if  
 12 they for some reason didn't have time to go through all  
 13 of the minutes, they should at least pay attention to  
 14 those.  
 15 Q. I see. I see.  
 16 Now, can we then look at the minutes of the assets  
 17 and regeneration and repairs health and safety group.  
 18 We discussed that group yesterday and what it was. This  
 19 is at {TMO10001850}.  
 20 This is the minutes of that group meeting on  
 21 13 December 2012, and we can see that you were present.  
 22 A. Yes.  
 23 Q. Do you see that?  
 24 A. (Witness nods).  
 25 Q. If we go, please, to page 3 {TMO10001850/3}, let's look

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1 at the middle of the page. You can see there, under the  
 2 heading "Fire Risk Assessment — Progress Update",  
 3 section 6:  
 4 "Outstanding Actions: A significant number of  
 5 actions remain outstanding which is a cause for concern.  
 6 All were asked to ensure that these are progressed with  
 7 actions/progress evidenced and confirmed to H&S Team  
 8 asap. Action ALL."  
 9 Do you see that?  
 10 A. Yes.  
 11 Q. Was it fair to say that for the entirety of 2012, which  
 12 we've been looking at, there were and remained  
 13 a significant number of outstanding actions?  
 14 A. It looks that way.  
 15 Q. Did you raise that concern or problem with  
 16 Anthony Parkes?  
 17 A. Yes.  
 18 Q. Yes. Anybody more senior, do you remember?  
 19 A. I can't recall, but I may well have done.  
 20 Q. Did any of your seniors propose a solution of any kind?  
 21 A. Not that I recall.  
 22 Q. No.  
 23 Now, can we then go to 2013, please,  
 24 {TMO10002229/3}. This is an email run.  
 25 If you go to page 3, the very top of the page, it's

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1 an email from Moyra McGarvey at RBKC to Robert Black of  
 2 25 February 2013, subject: "Grenfell Tower issue".  
 3 Now, you're not copied in to this particular email,  
 4 but if you scroll up to page 2 {TMO10002229/2}, what you  
 5 do get is the email from Robert Black to Sacha Jevans  
 6 the same day. Do you see that?  
 7 A. Yes.  
 8 Q. Yes.  
 9 Now, do you remember any discussion between you and  
 10 Peter Maddison about this email, who is also involved  
 11 in it?  
 12 A. I remember this issue.  
 13 Q. You remember the issue?  
 14 A. Yes.  
 15 Q. Let's look at Peter Maddison's email on page 1  
 16 {TMO10002229/1}, and on page 1 he says:  
 17 "Sacha  
 18 "I have met with my team and Janice on this.  
 19 Attached are actions from the meeting.  
 20 "Ricki's team and RGE are working on a gap analysis  
 21 of our fire equipment servicing arrangements by Friday  
 22 this week and we will know what we need to do to recover  
 23 the position by then.  
 24 "Janice is pulling together a gap analysis schedule  
 25 of Fire Risk Assessment actions by Friday and again we

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1 will be able to action them.  
 2 "I have spoken to Janice and insisted that we have  
 3 an opportunity to check that everything is in order  
 4 ahead of Fire Risk Reports being issued to residents, or  
 5 Auditors being taken to site to inspect. It is clear  
 6 that there is a weakness in our [management]  
 7 arrangements, however, we must ensure that our systems  
 8 and checks serve to escalate and resolve these matters  
 9 within KCTMO rather than flagging them up outside the  
 10 organisation. I think we need to talk to Anthony about  
 11 how we control this in future."  
 12 Now, can you just help us with why Peter Maddison  
 13 was insisting that his team have an opportunity to check  
 14 the fire risk reports themselves before they were issued  
 15 to residents or auditors?  
 16 A. Because Mr O'Connor, Francis O'Connor, had requested  
 17 I send him a copy of the current fire risk assessment  
 18 for Grenfell Tower, and I did, and it stated very  
 19 clearly that Carl had identified some unserviced  
 20 fire extinguishers in the plant areas, because that's  
 21 the only locations that they were in, and some of them  
 22 were marked condemned. And I — obviously we'd had the  
 23 fire risk assessment, I think, for a couple of months,  
 24 and that had been escalated to the team who were  
 25 responsible for the servicing contractors and I had

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1 spoken to the head of that team a couple of times, but  
 2 it was still outstanding. So having given the fire risk  
 3 assessment to Mr O'Connor, he did what Mr O'Connor does  
 4 and published some of it on his blog.  
 5 And then that coincided with — we were having  
 6 an audit done by internal audit, Moyra McGarvey's team,  
 7 and Alpesh, as part of the audit, always wanted to go  
 8 and do a random selection of inspections. So he picked  
 9 three blocks, a high-rise, a low-rise and a sheltered or  
 10 something, and my colleague Adrian would take him to the  
 11 block and they would do a sort of joint inspection, and  
 12 unfortunately that also demonstrated to him that there  
 13 was a problem with the servicing of the extinguishers.  
 14 And that was within the building services/contract  
 15 management team, which was part of Peter's team.  
 16 In fairness to Peter, I think he'd only just started  
 17 and been hit with a problem.  
 18 Q. Right.  
 19 First, do you agree with him that there was  
 20 a weakness in the management arrangements?  
 21 A. There clearly was a weakness in terms of the servicing  
 22 and the management of the contractor.  
 23 Q. What did you take from him saying that the "systems and  
 24 checks serve to escalate and resolve these matters  
 25 within KCTMO rather than flagging them up outside the

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1 organisation"?  
 2 A. I understood his position, but if you asked me whether  
 3 I would do the same thing again, I would. If a resident  
 4 asked for a copy of the fire risk assessment, I would  
 5 give it to them.  
 6 Q. You say you understood his position; what did you  
 7 understand his position to be?  
 8 A. I think he was new, he had — he came in and he'd  
 9 immediately been presented with a problem, so from his  
 10 perspective it looked like we need to put our own house  
 11 in order before we — and that's understandable, and if  
 12 that meant that we were going to sort out the  
 13 contractors and these issues were resolved, then I was  
 14 completely on board with that.  
 15 Q. It sounds from what you're saying, in a very delicate  
 16 way, perhaps, that he was against the sharing of the FRA  
 17 with Mr O'Connor?  
 18 A. I don't think he would have said that, but I think he  
 19 was frustrated that I had done it and I can understand  
 20 why he was.  
 21 Q. Yes, because he wanted to keep all the problems  
 22 in-house, without alerting the residents.  
 23 A. Well, I think he wanted to resolve them, but he'd only  
 24 just started and he hadn't had the opportunity to.  
 25 Q. Did you know that Mr O'Connor might publish parts of the

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1 FRA on the blog when you sent it to him?  
 2 A. I thought it was possible that he would, but ...  
 3 Q. Yes.  
 4 Now, do you remember that you, as part of this  
 5 exercise at this time, agreed to produce a master list  
 6 of FRAs?  
 7 A. Yes.  
 8 Q. Did that include the compliance colour-coding and the  
 9 details of the actions and works to be done?  
 10 A. I think so, yes.  
 11 Q. Yes.  
 12 Let's look at it, rather than guessing.  
 13 {TMO10002288}, please.  
 14 Now, is that it? Is that the master list of FRAs?  
 15 A. Possibly. Sorry, I don't know.  
 16 Q. Sorry, you're only being shown the first page. Perhaps  
 17 scroll down. It's a long document, which is why I'm not  
 18 showing you it all, but if you scroll down the first  
 19 three or four pages, you can see Grenfell Tower is  
 20 item 2, November 2012.  
 21 A. Okay. It may well be.  
 22 Q. Right.  
 23 A. Because it's prior to W2, so it was a challenge.  
 24 Q. We've looked at it and it's up to date up to  
 25 February 2013, and has a list of FRAs for previous

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1 periods for lots of different buildings in the stock.  
 2 Was this the first time you had ever produced  
 3 a master list of FRAs which included colour—coding and  
 4 actions and works required?  
 5 A. I wouldn't have thought so, but you probably know better  
 6 than me from interrogating the system.  
 7 Q. It looks like it.  
 8 A. Okay. Well, in which case, maybe it was.  
 9 Q. Yes. Why had you not produced such a list before, do  
 10 you know?  
 11 A. I can't give you an explanation, other than I had hoped  
 12 that I would get a system which was much easier to  
 13 manipulate than working off Word documents. But,  
 14 you know, the information was still being sent to the  
 15 relevant people, it just wasn't all in one master list.  
 16 I was probably working off it by property rather than —  
 17 Q. Right.  
 18 Did you prepare one of these documents for each of  
 19 the teams, so regeneration, building services and  
 20 contracts, Repairs Direct?  
 21 A. I can't recall.  
 22 Q. Right. Did you discuss this document with Mr Maddison  
 23 once you had sent it to him?  
 24 A. I believe so. I think we may have had a follow-up  
 25 meeting to that initial meeting that he referred to.

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1 Q. Right. He says he didn't recall seeing this document.  
 2 That was his evidence at {Day123/5:13}. Did you send it  
 3 to him or not, do you think?  
 4 A. I would have — I'm sure I would have copied it to him  
 5 because he'd requested it. I would imagine that he  
 6 would be expecting his team leaders, such as Ricki Sams,  
 7 to get on and do the work that was required. But I feel  
 8 sure I would have copied it to him since it was  
 9 a request from him.  
 10 Q. Right. Did you discuss it with Anthony Parkes?  
 11 A. Quite likely to have because —  
 12 Q. Right.  
 13 A. Yes.  
 14 Q. What happened to this? What was the upshot of your  
 15 production and dissemination of this document that you  
 16 had been asked to produce?  
 17 A. Erm ... can't really recall, to be honest. I'm looking  
 18 at the dates and thinking that my business case — so W2  
 19 was definitely coming onstream, and we were required to  
 20 produce a business case for any workflows that we  
 21 needed, and I know that I documented in I think health  
 22 and safety committee in November 2012 that I had  
 23 prepared that with my IT colleague. So I'm thinking  
 24 that this was superseded fairly shortly afterwards by  
 25 the FRA workflow, unless I've got the dates wrong.

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1 Q. This is February 2013.  
 2 A. Right.  
 3 Q. That's the date we have on it through the document  
 4 properties, created by somebody called Alex Oni.  
 5 A. Yeah.  
 6 Q. And I think you told us earlier that the W2 system came  
 7 onstream on 1 August 2013.  
 8 A. That's right. We had a stakeholder meeting with all of  
 9 the people who would be allocated actions in the May and  
 10 then we took on board their comments. So I would  
 11 imagine that I worked off this until that point in time,  
 12 and then they sort of ran in parallel for a while.  
 13 Q. Going back to the email run, this is {TMO10002189/2},  
 14 please.  
 15 If you look at the bottom half of page 2, you can  
 16 see that on 21 February 2013, Moyra McGarvey sends  
 17 an email to Laura Johnson, subject:  
 18 "Mr Francis O'Connor". This looks like it was before  
 19 your meeting with Peter Maddison, and it's about his  
 20 complaint. It says:  
 21 "Hi Laura,  
 22 "I have just received a phone call from Mr O'Connor,  
 23 whom I have dealt with some years ago. He has stated  
 24 that Miss Rumble phoned him and was threatening him. Is  
 25 it possible to provide me with an update on the

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1 situation with the fire risk assessment etc., I am in  
 2 the office tomorrow if it's better to meet."  
 3 That email got sent on by Laura Johnson to  
 4 Celia Caliskan, if you look at the top half of the same  
 5 page, please, as you can see:  
 6 "Could you ask Janice if she could give Moyra an  
 7 update on how the fire risk assessment programme is  
 8 going or from yourself if you have it."  
 9 Do you see that?  
 10 A. Yes.  
 11 Q. Did you explain that there was a backlog in completing  
 12 the FRA actions?  
 13 A. I can't recall, to be honest, but are you going to show  
 14 me one —  
 15 Q. It doesn't look like you did.  
 16 A. Is there another bit of the email?  
 17 Q. We can scroll up to the top.  
 18 If we keep scrolling up, Celia Caliskan writes to  
 19 you, bottom of page 1, over to the top of page 2:  
 20 "Would you be able to send an update either to me or  
 21 Moyra directly?"  
 22 A. Yeah.  
 23 Q. Then you write back to Celia Caliskan on 25 February  
 24 {TMO10002189/1} and you say:  
 25 "The Fire Risk Assessment programme is going well."

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1 Was that true?  
 2 A. I think in terms of completing the assessments it was.  
 3 Q. "The initial programme to assess the communal area of  
 4 every block was completed in May last year ..."  
 5 So it was going well in the sense of carrying out  
 6 FRAs, but it wasn't going well, was it, in the sense of  
 7 closing out actions because there was a huge backlog?  
 8 A. Yeah.  
 9 Q. Right. Why did you not tell Celia Caliskan at RBKC that  
 10 although the assessment programme itself was progressing  
 11 nicely, the closing out of FRA actions was not?  
 12 A. I haven't got an answer.  
 13 Q. You're not giving her the full picture, are you, really,  
 14 by that first sentence?  
 15 A. It seems not.  
 16 Q. Now, Matt Hodgson. We discussed him a bit yesterday.  
 17 Do you remember that in September 2013 he produced  
 18 the final version of his safety management review for  
 19 Robert Black?  
 20 A. Yeah.  
 21 Q. Let's look at that. That's at {TMO00873398/4}.  
 22 This is under 1.1, "Objectives", and he says there  
 23 in the first paragraph that:  
 24 "The objective of this Safety Management Review is  
 25 to contribute to the success and continuing development

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1 of KCTMO by improving management control of health and  
 2 safety. It is not the intention to identify failings in  
 3 individuals, but to identify those parts of the safety  
 4 management system (SMS) that require attention in order  
 5 to bring about improvements in performance."  
 6 Then he says this:  
 7 "The overall aim of the Review is provide an  
 8 independent and objective assessment of the degree of  
 9 implementation of the KCTMO Health and Safety Policy and  
 10 supporting arrangements."  
 11 Do you know what it was that prompted Robert Black  
 12 to request an audit of the health and safety management  
 13 systems?  
 14 A. Yes.  
 15 Q. What was that?  
 16 A. The limited assurance audit that we received from the  
 17 internal auditors in the council. Well, I'm assuming it  
 18 was, sorry, I wasn't party to the discussion, but it  
 19 followed on, so inevitably that was the case.  
 20 Q. Right. For our record, let's have that up briefly,  
 21 {RBK00000313}, please.  
 22 That is the first page of the final audit report,  
 23 draft circulated to you and the final edition only  
 24 circulated to Robert Black and Laura Johnson. Is that  
 25 the document?

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1 A. Yes.  
 2 Q. So it was this document that prompted Mr Black to  
 3 commission the Hodgson safety management review; yes?  
 4 A. Yes.  
 5 Q. Right.  
 6 Now, did you see a final version of the Hodgson  
 7 report when it was prepared in September 2013?  
 8 A. I will have done eventually, yes.  
 9 Q. Eventually; how long afterwards do you think?  
 10 A. I'm not sure because I wasn't party to the brief, so  
 11 I wasn't ever really sure what Matt's brief was, and it  
 12 was — I believe his work was commissioned by  
 13 Anthony Parkes, so he would have been reporting directly  
 14 in to executive team, so I will have seen eventually.  
 15 I don't know how long. It may have been almost  
 16 simultaneously, I don't know.  
 17 Q. I see.  
 18 Let's go back to the Hodgson report in its final  
 19 version, then, {TMO00873398/5}.  
 20 You can see that you were interviewed —  
 21 A. Yes.  
 22 Q. — among a long list of others.  
 23 If we go to page 8 {TMO00873398/8}, as part of the  
 24 summary, in the last paragraph there it says:  
 25 "The governance of H&S requires a thorough review as

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1 the responsibility for different risk areas sits within  
 2 different departments. Due to the shortfall in  
 3 compliance data sent up to the exec committee there is  
 4 a lack of focus and leadership in making the important  
 5 changes or decisions to manage risk effectively. One  
 6 such issue is the completion of actions resulting from  
 7 statutory reports such as the fire risk assessments.  
 8 The business needs to decide who has the authority to  
 9 enforce this process."  
 10 Then over the page {TMO00873398/9}:  
 11 "The competent person ... sits in the H&S department  
 12 providing H&S advice and strategy to the TMO, however it  
 13 is felt that there is a requirement to support the Head  
 14 of Contract Management within the Assets and  
 15 Regeneration team in relation to technical compliance  
 16 i.e. a source of strategic support in relation to the  
 17 planned preventative maintenance programme for technical  
 18 services across the estate. This would cover such  
 19 issues as lift safety, legionella, pressure systems,  
 20 fire safety equipment etc. Discussions are on-going  
 21 with management in relation to this additional support."  
 22 Looking back at the bottom of page 8  
 23 {TMO00873398/8}, the first part of that paragraph I read  
 24 to you, did you agree at the time with Mr Hodgson's  
 25 assessment there?

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1 A. Yeah, I think I did.  
 2 Q. Did you agree that there was an issue about who had  
 3 authority to enforce the process for completion of FRA  
 4 actions in particular?  
 5 A. Well, there seemed to be, yeah.  
 6 Q. Do you know why there was an issue or problem in that  
 7 respect?  
 8 A. No, not really. I mean, he's right in that most of the  
 9 operational teams responsible for delivering were  
 10 obviously within the operations department. Health and  
 11 safety sat within finance and ICT. My understanding was  
 12 that was a deliberate decision so that we would have  
 13 a bit of autonomy from the operational teams, which  
 14 would give us distance and would mean that we could —  
 15 there would be a degree of auditing which was  
 16 facilitated. I — clearly I wasn't able to influence  
 17 the backlog in the way that I would have wanted, so  
 18 I think there was definitely some disconnect.  
 19 Q. Who was actually enforcing the completion of FRA actions  
 20 at that point? It sounds as if it was you.  
 21 A. It was me, but — yeah, it was me.  
 22 Q. So why did the business need to decide who has that  
 23 authority?  
 24 A. I ...  
 25 (Pause)

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1 I think what he was meaning is there needed to be  
 2 more kind of high-level support. I sit very lowly in  
 3 the organisation, and I think, without high-level  
 4 support, then people may or may not be taking on board  
 5 my priorities and my insistence. I can't — I'm only  
 6 speculating, really. I can only give you my —  
 7 Q. So was it your view when you saw this document that  
 8 actually the problem lay in people not taking you  
 9 seriously enough because you were too junior?  
 10 A. I think there's maybe an element of that, but that's not  
 11 the whole story. And, you know, people did have lots of  
 12 conflicting priorities. There was quite a lot of work  
 13 going on in terms of re-procuring contracts to make sure  
 14 that we had good contractors performing to the right  
 15 specification. And also we had just started W2 and  
 16 there was a lot of development going on in Keystone.  
 17 So there were a lot of initiatives which were in  
 18 place and ongoing but hadn't yet completely got to  
 19 fruition, so understandably staff were probably quite  
 20 stretched and were working on those, hopefully so that  
 21 the end result would be we'd all be in a better position  
 22 in relation to fire risk assessment actions and other  
 23 items. But it was definitely a sort of transitory  
 24 period.  
 25 Q. Yes.

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1 Now, did any of these conclusions I've just read to  
 2 you, looking at this paragraph, come as a surprise to  
 3 you at the time?  
 4 A. No, probably not.  
 5 Q. No. Had you raised any of these concerns with  
 6 Anthony Parkes or the executive team at any point before  
 7 September 2013?  
 8 A. Anthony Parkes had been chairing the health and safety  
 9 committee and he knew and understood that we still had  
 10 problems with fire risk assessment actions and he knew  
 11 where the lion's share of those sat, and he was aware  
 12 and we would no doubt have had conversations as well.  
 13 Q. Can we look at the initial draft of this report which  
 14 was published or circulated on 19 July 2013. This is at  
 15 {TMO10003124}.  
 16 You can see the date in the middle there, for the  
 17 attention of Robert Black, copied to Anthony Parkes and  
 18 Angela Bosnjak-Szekeress.  
 19 If you go to page 8 {TMO10003124/8}, please, we can  
 20 see, in the last paragraph on that page, here he says:  
 21 "The governance of H&S requires a serious  
 22 review ..."  
 23 Then if you look four lines down, at the end of the  
 24 line, he says:  
 25 "This issue is not helped by a breakdown in

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1 communication between the H&S and other departments  
 2 specifically in relation to the completion of actions as  
 3 raised in statutory reports."  
 4 Do you agree that there had been a breakdown in  
 5 communications between departments in relation to the  
 6 completion of FRA actions?  
 7 A. No, I don't. I don't agree.  
 8 Q. Do you know how he came to that conclusion?  
 9 A. I was — worked quite closely with Matt and was  
 10 interviewed by him at length, and he knew that I was  
 11 frustrated that I was unable to influence it more than  
 12 I had and to get more actions completed, and he knew the  
 13 efforts that I was trying to make. I don't believe  
 14 there was a breakdown in communication, but there was  
 15 definitely frustration.  
 16 Q. Right.  
 17 Going back, if we can, please, to the final version  
 18 of this report, {TMO00873398/31}, you can see there that  
 19 he deals with fire risk assessments specifically and the  
 20 programme, and he looks at the completion rates.  
 21 He says in the last paragraph on that page, as you  
 22 can see, in the last line:  
 23 "With regards the high priority items raised in FRA  
 24 reports the following completion rates are documented  
 25 from 28/2/13 to 17/7/13."

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1 Then over the page, top of page 32 {TMO00873398/32},  
 2 you can see the figures there are set out. If you look  
 3 at those, it shows that assets and regeneration  
 4 surveying, fourth group down listed, had completed 7  
 5 from 18 only, that's some 39%, and assets and  
 6 regeneration building services had completed 110 from  
 7 324, that's 34%.

8 He goes on to record underneath those statistics as  
 9 follows:

10 "Assets and Regeneration have expressed some concern  
 11 regarding the validity and practicality of some of the  
 12 remedial works raised in the FRA reports. This issue  
 13 was raised at [a] meeting of 15 August and is to be  
 14 investigated in more detail in consultation with the  
 15 contractor."

16 Can you comment on what the concerns of the assets  
 17 and regeneration team were over the validity and  
 18 practicality of some of the FRA actions raised? What is  
 19 your take on that?

20 A. I think I've referred to it earlier, that where there  
 21 are alternative ways of achieving what was required in  
 22 terms of compliance, Carl would have been inclined to  
 23 put both of them down. Sort of Peter and some of his  
 24 team preferred to be told, instructed what to do,  
 25 because they saw that as a more rapid way of being able

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1 to procure the works and get it in place, so we had  
 2 discussions about that.

3 I know that there were ultimately some issues —  
 4 there were some sprinklers installed in some basement  
 5 conversion flats and there were issues about how we  
 6 could maintain those to comply with the requirements of  
 7 the manufacturers' instructions, et cetera, and get the  
 8 sufficient degree of access, and it's something that —  
 9 it wasn't a lot of actions, but it was difficult to get  
 10 resolution on. So it was a variety of things like that.

11 So in order to make sure that nothing we were doing  
 12 was impacting negatively on these response rates, we did  
 13 tease out what it was the issues were meant to be, or  
 14 that they were concerned about, and we worked with Carl  
 15 to see if there was any way of streamlining the process,  
 16 and ultimately I think they were happy with — I don't  
 17 believe we did a lot of tweaking, but — yes, sorry.

18 Q. It sounds from that evidence that Peter Maddison, at the  
 19 very least, was looking to Carl Stokes to advise about  
 20 how to go about performing the remedial works, and not  
 21 simply identifying what had to be done.

22 A. There was a little bit of that, yeah.

23 Q. Yes. I see.

24 You can see that there is a reference here to  
 25 a meeting on 15 August 2013. We've been unable to

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1 locate any documents which refer to or record what  
 2 happened at that meeting. Were you aware of it?

3 A. I actually can't — I can't remember at this stage.  
 4 I know when anything was expressed as a blockage to  
 5 getting things completed, I would have acted on it  
 6 really promptly, but I don't know if that meeting  
 7 happened on that date or subsequently, sorry.

8 Q. You can see the recommendation at the foot of the page,  
 9 if we can scroll down to the foot of page 32  
 10 {TMO00873398/32}, please. It says under 23:

11 "Investigate the Assets & Regeneration concerns in  
 12 relation to the recommendations raised in the FRA  
 13 reports, and seek opportunities to simplify and  
 14 streamline the process. It was understood that  
 15 a consultation with Carl Stokes and Associates was to be  
 16 arranged."

17 Do you know whether a consultation with Carl Stokes  
 18 was actually arranged?

19 A. Yes. Well, it will have been. I can't remember the  
 20 date, but it gave him the opportunity to explain why he  
 21 was expressing things in the way that he was, and  
 22 I think it was probably quite a good opportunity for  
 23 assets and regen to say what they were having problems  
 24 with, and we just all wanted to get it clarified so that  
 25 we could move forward, really.

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1 Q. Let's be careful here. Do you recall such a meeting?

2 A. I think I do.

3 Q. You think you recall. You either recall it or you  
 4 don't. You may recall it vaguely. Even vaguely, do you  
 5 recall it?

6 A. Yes.

7 Q. Right. Do you recall even vaguely what was discussed?

8 A. Not the detail, but really just what I have summarised.

9 Q. Right, I see.

10 Do you recall whether anything was actioned or any  
 11 action points were decided as a result of that meeting  
 12 in order to resolve the issue?

13 A. I don't remember the detail, but I remember that we took  
 14 on board — Carl and I tried to take on board the  
 15 concerns which we thought could legitimately be  
 16 incorporated into the assessments without reducing their  
 17 validity, I suppose.

18 Q. Right. And what was done to simplify and streamline the  
 19 process, do you recall?

20 A. Actually, no. I mean, the process stayed the same, it  
 21 was really more about the descriptions of terms, because  
 22 the process was very much based on the W2 system, and  
 23 there was no alternative system and it worked, so that  
 24 process stayed the same.

25 Q. So when you say, "Carl and I tried to take on board the

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1 concerns we thought could be legitimately incorporated  
 2 into the assessments without reducing their validity",  
 3 are you saying that Carl Stokes went away and produced  
 4 a clearer set of instructions about what should be done  
 5 by way of remedy in the case of FRA actions?  
 6 A. I think going forward — I think sometimes Carl doesn't  
 7 always communicate in writing maybe as effectively as he  
 8 could, and I think, going forward, he took that on  
 9 board. There may have been specific examples, but  
 10 I can't recall what they were.  
 11 Q. Do you remember whether there was any improvement in the  
 12 completion rates of outstanding FRA actions by the  
 13 assets and regeneration team, either surveying or  
 14 building?  
 15 A. Yeah. I believe that building services definitely  
 16 started to improve, and I think that's partly probably  
 17 to a lesser extent based on this discussion with Carl,  
 18 and to a greater extent because they were re—procuring  
 19 contracts and were very clear with their specifications,  
 20 and they had a resource where they could manage those  
 21 contracts effectively.  
 22 Q. Now, go to page 10 of this document {TMO00873398/10},  
 23 please, and look at the main recommendations.  
 24 "Recommendation". You can see at the top of the  
 25 screen:

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1 "The main (priority 1) recommendations with  
 2 suggested timescales are as follows ..."  
 3 Do you see that?  
 4 A. Yes.  
 5 Q. Then you can see "Timescale" in the right—hand column,  
 6 "Immediate response"; do you see that?  
 7 A. Yeah.  
 8 Q. And then:  
 9 "3 months to agree fine tuning, import data and  
 10 agree outputs."  
 11 That's another one, and the recommendations then  
 12 stated the following, item 2:  
 13 "Take action to resolve the volume of outstanding  
 14 actions unresolved in statutory reports especially in  
 15 relation to fire risk assessments. Once the backlog has  
 16 been brought under control establish a process to  
 17 monitor and track completion of report actions as  
 18 matched against priorities identified in the reports."  
 19 That one's been given an immediate response for the  
 20 first sentence and a three—month period to resolve the  
 21 backlog so far as the second is concerned; do you see  
 22 that?  
 23 A. Yes.  
 24 Q. Do you remember what your response was to that finding?  
 25 A. I think I was quite glad that he put it in writing

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1 because it could — it would be something that the  
 2 company — the organisation — all throughout the  
 3 organisation would have to sign up to.  
 4 Q. Right.  
 5 There was a recommendation, as you can see here, to  
 6 establish a process for monitoring and tracking  
 7 completion; you see that?  
 8 A. Yes.  
 9 Q. Once the backlog was under control. Did you implement  
 10 that recommendation yourself?  
 11 A. Erm ...  
 12 (Pause)  
 13 Well, it was really linked, as I've said, to running  
 14 reports, improving the management information that was  
 15 being provided to the health and safety committee, and  
 16 holding people to account.  
 17 Q. Right.  
 18 What did you actually do mechanically in order to  
 19 establish a process to monitor and track completion of  
 20 report actions as per this recommendation?  
 21 A. Well, I was running reports on at least a two—monthly  
 22 basis and allocating them to the individual team, with  
 23 detailed breakdown of where their position statement was  
 24 in terms of completions and non—completions, and then  
 25 they were discussed in detail with an overarching

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1 summary which supplemented those at the health and  
 2 safety committee, which at that time was becoming  
 3 stronger. And also, it coincided with the start of the  
 4 operations health and safety group. So all of the heads  
 5 of contracts, repairs, whatever, and housing management,  
 6 were sat in the one forum under Sacha, and that was one  
 7 of their standing agenda —  
 8 Q. Now, we know, because you told us earlier, that the W2  
 9 system started on 1 August 2013. That's really between  
 10 the July draft and the September final version of this  
 11 report.  
 12 A. Yes.  
 13 Q. Did anything change in relation to monitoring and  
 14 tracking completion of report actions as a result of  
 15 Mr Hodgson's final September 2013 report?  
 16 A. I think we were just more rigorous and — about sending  
 17 them out on a regular basis and providing better  
 18 information for discussion at all of those various  
 19 forums.  
 20 Q. No, that's a bit, with great respect, vague.  
 21 He is recommending that you establish a process to  
 22 monitor and track completion of report actions. In and  
 23 after September 2013, did the TMO, did you, establish  
 24 a process to monitor and track completion of report  
 25 actions?

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1 A. I did not produce a document that said "This is my  
2 procedure", but that — I've explained to you what  
3 I did.  
4 Q. Right. I repeat the question: did anything change in  
5 the process for monitoring and tracking completion of  
6 report actions as a result of the Hodgson report?  
7 A. I can only reiterate that I think we became more  
8 rigorous about what we had in place, and we looked to  
9 refine and continue to refine the information provided  
10 so that senior managers could make better scrutiny of  
11 it.  
12 Q. Were you able to bring the backlog under control within  
13 three months?  
14 A. I can't recall, but I doubt it.  
15 Q. And did you raise your inability to do so with anybody  
16 senior to you?  
17 A. Always.  
18 Q. Did you ask for more resources, either in personnel  
19 terms or money terms?  
20 A. I don't recall. I suspect not, because there wasn't any  
21 more money to be had.  
22 Q. Did anybody tell you that? Did anybody tell you, "I'm  
23 sorry, but we can't establish a process to monitor and  
24 track completion of report actions because we haven't  
25 got the budget for it"?

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1 A. No, nobody did tell me that.  
2 Q. So this was your assumption, was it?  
3 A. Everybody in senior management has a copy of this  
4 report, we're discussing it and we're tracking progress  
5 with it, and at no point is anybody getting any extra  
6 resource across the company.  
7 Q. You see, they might reasonably say, "Well, we relied on  
8 Janice to tell us if she didn't have the bodies or the  
9 money in order to carry out what Mr Hodgson had  
10 recommended".  
11 Now, why not simply go to them and say, "Well,  
12 I don't have the bodies and the money, this requires  
13 a new process over and above what we have, I need to put  
14 it in place, please help me"?  
15 A. And I may have done that, I just don't recall doing it,  
16 so I have to err on the side of assuming that I didn't.  
17 Q. No, and we've certainly seen no record that you did.  
18 On the same page, item 3, it says:  
19 "Develop the Technical Services Dashboard so that it  
20 covers all plant and equipment risk that KCTMO is  
21 exposed to across the estate. This should tie in with  
22 the H&S policy arrangements. The dashboard should  
23 generate data on statutory risk assessments as well as  
24 test and inspection outputs associated with mandatory  
25 and best practice requirements such as British Standards

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1 and Approved Codes of Practice (ACoP)."  
2 Now, this recommendation indicates, do you accept,  
3 that the dashboard should generate data; yes?  
4 A. Indeed.  
5 Q. Yes, and that would include FRAs as statutory risk  
6 assessments; yes?  
7 A. It would have done, but it didn't at that point, because  
8 the dashboard didn't talk to the W2 system, it talked to  
9 the Keystone system. So in the first instance — and  
10 this was all under the control of the contracts  
11 management team, and they worked on electrical  
12 installation, gas servicing, lifts, and a whole range of  
13 things, and it was always anticipated that that would  
14 include the fire safety maintenance contract, but that  
15 hadn't come onstream.  
16 Q. Right. Did the dashboard ever talk to the W2 system?  
17 A. Not to my knowledge.  
18 Q. Wasn't that a problem?  
19 A. It was, but at least we did have a W2 system. So, yes,  
20 it wasn't ideal and it's something that I think we would  
21 have tried to iron out, but for the time being we had  
22 two systems and we tried to work with the data on both.  
23 Q. Yes.  
24 Who would access or use the dashboard, the technical  
25 services dashboard, normally?

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1 A. I think they had it — actually, ultimately they had it  
2 up on a screen in the office so that everybody could see  
3 it in the technical services office, but it was largely  
4 the contracts management team. It reflected their  
5 performance of their contracts.  
6 Q. Right, I see. But if it didn't talk to the W2 system,  
7 then you wouldn't know whether performance of the  
8 contracts as indicated by the dashboard linked to the  
9 Keystone system was creating a problem in closing out  
10 actions identified and the date by which they had to be  
11 completed in the W2 system?  
12 A. Indeed. And partly, when we were devising KPIs, we  
13 tried to make sure that we covered both bases, so that  
14 we had the dashboard information, we had the statistics  
15 that we referred to in terms of fire action, we had  
16 a whole load of other things as well, and we'd  
17 identified what we wanted to record in terms of  
18 fire safety, servicing, inspection, maintenance. But  
19 that had not come onstream because — well, I don't  
20 know, the technical services would have to explain to  
21 you. That was the contract that was let at the end of  
22 the process, and I think they just hadn't quite got  
23 there.  
24 Q. Right. I mean, you can see from this recommendation  
25 that Mr Hodgson is recommending that the two all be tied

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1 in —  
 2 A. Yeah.  
 3 Q. — so that you get a single set of data.  
 4 A. Yeah, absolutely.  
 5 Q. And that never happened.  
 6 A. It didn't happen.  
 7 Q. Why not?  
 8 A. I'm not technical, so I can't give you the reasons. It  
 9 didn't happen and I can only explain what I've explained  
 10 before, that they were on two systems, and to the best  
 11 of my knowledge they didn't talk to each other.  
 12 Technical services concentrated on getting the dashboard  
 13 going for the areas of compliancy that were —  
 14 Q. Yes.  
 15 A. — and were working towards it, I ...  
 16 SIR MARTIN MOORE-BICK: I think you will have to slow down  
 17 a little bit.  
 18 A. Oh, I'm sorry.  
 19 MR MILLETT: You were in charge of health and safety and you  
 20 were the competent person for the purposes of the RRO.  
 21 Was it not essential for you, in order to be able to  
 22 discharge your personal functions, and for the TMO to  
 23 discharge its statutory functions as the responsible  
 24 person, to make sure that this recommendation was  
 25 carried into effect, as best you could?

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1 A. All I can do is tell you that I was trying to work — in  
 2 the absence of having this technical capacity, which was  
 3 out of my reach, we were trying to work with the systems  
 4 that we had.  
 5 Q. But that's the point: why, given that you were told you  
 6 shouldn't and you should unify all the systems? My  
 7 question to you is: why didn't you do everything you  
 8 could in your power to make sure that those to whom you  
 9 reported understood the seriousness of not carrying out  
 10 this recommendation?  
 11 A. I'm confident that I will have done, but as you saw how  
 12 long it took us to purchase software in order to have  
 13 a workflow system, those kinds of decisions don't happen  
 14 quickly and budget isn't readily available for them. So  
 15 in the absence of that, I was trying to do the best  
 16 I could to comply with the information that I had.  
 17 Q. You say those kinds of decisions don't happen quickly;  
 18 this one didn't happen at all, did it? No?  
 19 A. Actually, I think it's something that you should ask  
 20 contract management about, because they dealt with the  
 21 dashboard, and they will know what conversations they've  
 22 had and what hold-ups there were. And in an ideal world  
 23 I would know, but I don't know the detail, I'm sorry.  
 24 Sorry.  
 25 Q. Now, were you yourself asked to implement any of the

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1 recommendations in the Hodgson report?  
 2 A. Probably. Training matrix was — yeah, training matrix  
 3 definitely. I'd have to scan through. I can't recall  
 4 at the moment, sorry.  
 5 MR MILLETT: Mr Chairman, it's 12.55. I'm anticipating the  
 6 witness might need a slightly earlier break than we  
 7 ought to take normally. I could finish this topic in  
 8 five minutes, but it's unlikely.  
 9 SIR MARTIN MOORE-BICK: How do you feel?  
 10 THE WITNESS: I would rather finish it, if you don't mind.  
 11 SIR MARTIN MOORE-BICK: I'm sorry?  
 12 THE WITNESS: I'd rather finish it. If you can finish this  
 13 topic in five minutes, I'm happy to do that.  
 14 SIR MARTIN MOORE-BICK: Well, let's see.  
 15 Yes, do, carry on.  
 16 MR MILLETT: Yes, let's do that.  
 17 Can we go then to see how this developed,  
 18 {TMO10003604}.  
 19 Now, this is a meeting minute for the operational  
 20 health and safety committee of 12 September 2013 at  
 21 which you were present, and you can see that under  
 22 "Introduction", it says:  
 23 "The purpose of the meeting is to review the current  
 24 Health and Safety procedures and enhance current  
 25 processes; ensuring the correct members within the

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1 organisation have the appropriate management strategies  
 2 and the necessary resources in place to meet  
 3 compliancy."  
 4 Do you remember whether this meeting was summoned in  
 5 response to seeing the draft Hodgson report from  
 6 July 2013?  
 7 A. I think it was created — I think this group was created  
 8 as a result of the Matt Hodgson report and also the  
 9 audit.  
 10 Q. Right. The reason I'm slightly cautious about that is  
 11 because the date of this meeting is 12 September.  
 12 That's the day before the final version was produced by  
 13 Matt Hodgson on the 13th, so at that stage you've only  
 14 got the draft. But nonetheless you think that the group  
 15 was created in response to the draft?  
 16 A. I think so, because I'm sure that would have been  
 17 discussed at executive team level.  
 18 Q. Right. Do you remember whether the meeting had the  
 19 draft Hodgson report before it?  
 20 A. I can't recall.  
 21 Q. There is no indication that we've been able to see in  
 22 this note or minute that it was.  
 23 Can we then go down to page 3 {TMO10003604/3},  
 24 please. Under "Agreeing Agenda" — can you see that?  
 25 A. Yes.

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1 Q. It says under paragraph 2.2:  
 2 "JW [that's you] explained she felt much of the H&S  
 3 approach was reactive and responsive rather than  
 4 proactive and was in line with budgetary implications,  
 5 and felt there was no assurance that agreed actions were  
 6 being met going forward i.e. Void standards, fire  
 7 stopping and felt processes need to be put in place to  
 8 confirm things are effectively progressed and  
 9 concluded."

10 What led you to raise those concerns, do you  
 11 remember? Was it sight of the draft Hodgson report?  
 12 A. Not especially. Cultures of organisations change, don't  
 13 they, over time, and I felt like — and I felt like  
 14 sometimes people relied on Adrian and myself as being  
 15 health and safety and didn't always integrate health and  
 16 safety effectively into their role, and I actually felt  
 17 that the Hodgson report and the poor audit rating was  
 18 an opportunity, and so I felt like it was my opportunity  
 19 to say that, and I'm glad I did.

20 Q. What did you mean by "in line with budgetary  
 21 implications"?  
 22 A. I think — in terms of budgetary implications, I think  
 23 I was referring to kind of health and safety matters  
 24 that Adrian would identify on his inspections. I think  
 25 for a period we were quite — because budgets were

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1 extremely tight, there were quite rigorous definitions  
 2 of repairs, and if you reported something that was very  
 3 clearly defined as a repair, then the chances are it  
 4 would be progressed.

5 If you reported something — for example, if Adrian  
 6 came back and said, "This is how we do this, but  
 7 actually I think we should replace that or improve  
 8 that", often that was classed to be an improvement and  
 9 there was no perceived budget for that, so I was sort of  
 10 flagging up that to say, you know, sometimes we need to  
 11 think outside the box or perhaps review our approach to  
 12 that.

13 Q. Was the point, put shortly, that you felt that much of  
 14 the H&S approach was governed by budgetary constraints?

15 A. I don't know that I would say much of it, but it was  
 16 certainly an issue, and sometimes an issue at relatively  
 17 low level. So it could be quite frustrating that you  
 18 couldn't put in place things that could obviously  
 19 improve situations.

20 Q. Was budget or budgetary constraints to some extent at  
 21 least causing a problem in getting to grips with FRA  
 22 actions at this point?

23 A. Actually, no, I don't think it was budgetary. I don't  
 24 think that was the issue.

25 MR MILLETT: Right.

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1 Mr Chairman, I've got one more meeting to cover.  
 2 I can probably cover it in five minutes and then we  
 3 change topics a little bit.  
 4 SIR MARTIN MOORE—BICK: All right. Can you bear another  
 5 five minutes?  
 6 THE WITNESS: Yeah, it's fine.  
 7 SIR MARTIN MOORE—BICK: Keep going, Mr Millett.  
 8 MR MILLETT: I will, thank you.  
 9 {TMO00847277}. This is the minute of the TMO health  
 10 and safety committee operational meeting, as it's  
 11 called, operational health and safety meeting, on  
 12 17 January 2014. So not the TMO health and safety  
 13 committee, but the operational health and safety  
 14 committee.

15 A. Yes.

16 Q. You can see you're present there.

17 If you go to the bottom of page 1, please, you can  
 18 see that under "Matters Arising", fourth bullet point  
 19 down, it says:

20 "The fire brigade haven't come back with dates for  
 21 visiting. They have said they are interested in seeing  
 22 the W2 workflow process and looking particularly at any  
 23 outstanding FRA actions which relate to  
 24 compartmentation. Janice has been asked to talk to  
 25 Michael about the information they will be shown as they

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1 will be looking to make sure that we are completing the  
 2 actions which means they will [be] looking at things in  
 3 more details."

4 Michael is Michael Lyons, I think, isn't it?

5 A. Yes.

6 Q. Why did you need to speak to him about the information  
 7 that the LFB were to be shown?

8 A. I have no idea.

9 Q. Let me suggest one and see what you make of it: was it  
 10 to control the type of information that the LFB would  
 11 see?

12 A. Well, it would have been futile because I wouldn't have  
 13 let that happen.

14 Q. Right.

15 If we go to the top of page 2 {TMO00847277/2}, next  
 16 paragraph, it goes on:

17 "At the moment we are working from fire risk  
 18 assessment reports and have until June to complete all  
 19 actions. Michael suggested that the Fire Brigade be  
 20 advised of the volume of outstanding FRA actions.  
 21 However, consensus of the group was that this would  
 22 result in more scrutiny from the LFB and also possible  
 23 enforcement action so agreed that we would not disclose  
 24 this level of detail at this stage."

25 Do you remember what Mr Lyons' particular concern

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1 was.  
 2 A. I don't. Just — I presume it was just as he says, the  
 3 volume of actions.  
 4 Q. Right. Did you think it was appropriate not to inform  
 5 the LFB of concerns over the volume of outstanding FRA  
 6 actions simply to avoid proper scrutiny by the Brigade?  
 7 A. No, of course not.  
 8 Q. No. We don't see any record of you objecting to that  
 9 approach?  
 10 A. I didn't do the minutes and —  
 11 Q. Did you object at the meeting?  
 12 A. I certainly wasn't the consensus of the group, so I'm  
 13 not sure I would have done.  
 14 Q. Right. Would you have seen this minute in draft form  
 15 before —  
 16 A. No.  
 17 Q. No, right. Do you recall expressing objection to the  
 18 appropriateness of the approach contemplated by  
 19 Mr Lyons?  
 20 A. I can't say I recall, but I'm confident I would have  
 21 objected, but —  
 22 Q. Looking at the next bullet point, you can see it says:  
 23 "There was further discussion about the fire risk  
 24 assessment process and Janice agreed to set up a meeting  
 25 with Michael and our Fire Consultant so that he could be

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1 fully briefed and would have opportunity to raise any  
 2 concerns."  
 3 Do you know why that meeting was needed?  
 4 A. I would be speculating, but I would think it may have  
 5 been because we were putting pressure to get the  
 6 outstanding responsive repair items — actions  
 7 completed, and that there may have been — he may have  
 8 had an issue with — again, he may have had an issue  
 9 with how they were drafted or how they were presented  
 10 or — I don't know, really. I'm sure it was all in  
 11 order to progress outstanding actions.  
 12 Q. Do you remember whether a meeting was set up with  
 13 Michael Lyons and your fire consultant, that's  
 14 Mr Stokes?  
 15 A. I don't recall. I suspect it would have been, but  
 16 I don't recall, sorry.  
 17 MR MILLETT: Mr Chairman, is that a convenient moment?  
 18 SIR MARTIN MOORE-BICK: Yes, I think it is, thank you very  
 19 much.  
 20 Well, we'll have a break now so we can all have some  
 21 lunch. I'm going to say return at 2.05, please, and  
 22 remember not to talk to anyone about your evidence over  
 23 the break, please. All right?  
 24 THE WITNESS: Thank you.  
 25 SIR MARTIN MOORE-BICK: Thank you very much.

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1 (Pause)  
 2 Thank you, 2.05, please.  
 3 (1.05 pm)  
 4 (The short adjournment)  
 5 (2.05 pm)  
 6 SIR MARTIN MOORE-BICK: All right, Ms Wray, ready to carry  
 7 on?  
 8 THE WITNESS: Yes.  
 9 SIR MARTIN MOORE-BICK: Very good. Thank you.  
 10 Yes.  
 11 MR MILLETT: Thank you, Mr Chairman.  
 12 Ms Wray, I want to ask you now about priority  
 13 ratings for FRA items a little bit more closely.  
 14 Can I ask you, please, to be shown {TMO00840881}.  
 15 This is the minute of the operational health and safety  
 16 meeting of 21 March 2014. We can see that you're  
 17 present.  
 18 Can we go to page 3 {TMO00840881/3}, please. On  
 19 page 3 you can see, in the middle of the page, below  
 20 item 4, it says:  
 21 "The risk allocation in the FRA actions is as per  
 22 the definitions set out at the beginning of the  
 23 assessment programme and as agreed with the LFB. If,  
 24 however, anyone feels that a risk has been wrongly  
 25 assessed please let Janice know."

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1 When the note refers there to the risk allocation,  
 2 did it mean the priority assigned to the FRA item within  
 3 Mr Stokes' action plan?  
 4 A. It did, yes.  
 5 Q. Was the comment here an invitation to committee members  
 6 to challenge whether that item should have been  
 7 identified as a risk within the FRA at all, or to  
 8 challenge the priority rating of the FRA action having  
 9 been identified by Mr Stokes?  
 10 A. I believe it was an effort to identify any other areas  
 11 which may be causing delays in actions being completed.  
 12 So I'd been told that there was streamlining required  
 13 and perhaps better definitions of what action to be  
 14 taken was necessary, and I was trying to identify if  
 15 people felt that there were other issues that needed to  
 16 be addressed.  
 17 Q. It doesn't say that, though, does it? It says:  
 18 "If ... anyone feels that a risk has been wrongly  
 19 assessed please let Janice know."  
 20 What I'm seeking to establish from you, if you can  
 21 help me, is whether what that meant was that a risk was  
 22 identified in the FRA and shouldn't have been, or had  
 23 been wrongly priority rated?  
 24 A. I presume the latter.  
 25 Q. Right.

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1 Why would anybody need to challenge a priority grade  
 2 set out in the action plan by your fire risk assessor?  
 3 A. I'm not sure that anybody did, it was just in the —  
 4 well, I'm not aware that anybody did. I think I was  
 5 just clarifying that if they had — I was trying to be  
 6 clear that I could establish all of the potential issues  
 7 that colleagues may have had in relation to the FRAs,  
 8 and that was something that may have been one of them,  
 9 I was just trying to clarify.  
 10 Q. What had prompted you to issue that invitation to your  
 11 colleagues?  
 12 A. I can only really refer back to what I'd said earlier,  
 13 that there had been indications that perhaps definitions  
 14 or explanations of what was required weren't either  
 15 adequate or — there had been sort of some grumbings  
 16 about some of the fire risk assessments, so I was trying  
 17 to find out the detail.  
 18 Q. Whatever qualifications Mr Stokes might or might not  
 19 have had, none of your colleagues were adequately  
 20 trained and qualified to be a fire risk assessor, were  
 21 they, and exercise the same judgements about risk level  
 22 that Mr Stokes had exercised?  
 23 A. Absolutely agree with you, but I was just trying to  
 24 tease out if there were still grumbings or people  
 25 feeling that they had issues.

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1 Q. You see, what it says is, "anyone feels that a risk has  
 2 been wrongly assessed". How would anyone in your team  
 3 or anyone else's team in the TMO have the knowledge,  
 4 expertise, experience or training to know whether a risk  
 5 had been wrongly assessed by your professional fire risk  
 6 assessor?  
 7 A. I don't believe that they would, but that doesn't mean  
 8 that they didn't think that they had. I was trying to  
 9 clarify so that it could be investigated further.  
 10 Q. I think you said that nobody in fact challenged the  
 11 priority assigned by Mr Stokes, either at that meeting  
 12 or subsequently.  
 13 A. I'm aware of one instance where it was challenged  
 14 subsequently —  
 15 Q. Yes.  
 16 A. — in relation to the Adair fire.  
 17 Q. Yes.  
 18 A. But I'm not aware of any other —  
 19 Q. You're not aware of any others?  
 20 A. No.  
 21 Q. Right.  
 22 Now, can we also continue with that note and look at  
 23 the bottom of page 2 {TMO00840881/2} and then to the top  
 24 of page 3. "FRAs" is the title:  
 25 "This actions [sic] are now to be progressed by

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1 property.  
 2 "The stats presented to the meeting show for each  
 3 team the total number of actions allocated through the  
 4 W2 system since it was introduced on 1st August and the  
 5 numbers which have been fully completed, partially  
 6 completed and those that remain outstanding. In order  
 7 to provide each team with more comprehensive information  
 8 on the status of their allocated actions Janice agreed  
 9 forward reports. Further, she agreed that, in advance  
 10 of future meetings, she would provide each team with  
 11 a current breakdown of all their actions to supplement  
 12 the summary presented to this group. The pre-W2  
 13 back log is approximately 1400 and Michael confirmed  
 14 that he has raised orders with RD for the responsive  
 15 repairs. He will provide details to Janice so that  
 16 these actions can be recorded as partially complete,  
 17 with the aim for them all being fully completed by end  
 18 of June in line with LFB deadline."  
 19 Did you provide, in the event, a breakdown of each  
 20 team's actions to each team going forward?  
 21 A. I'm sure I would have done.  
 22 Q. Did you forward them reports?  
 23 A. Yes.  
 24 Q. How did you provide them with that information, do you  
 25 remember?

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1 A. Usually by email.  
 2 Q. Right.  
 3 Did that breakdown include the colour-coding to  
 4 indicate the priority rating of the outstanding actions  
 5 accorded to them by Mr Stokes?  
 6 A. I would believe so, yes.  
 7 Q. Right. Was that information also provided to those on  
 8 the committee?  
 9 A. I can't recall.  
 10 Q. Is there any reason why it shouldn't have been?  
 11 A. None that I can think of, no.  
 12 Q. We can see that the pre-W2 backlog was 1,400 actions as  
 13 at that date. Are you able to explain why so many  
 14 outstanding actions had accrued?  
 15 A. I'm not.  
 16 Q. It's a lot, isn't it?  
 17 A. It's a lot, yeah.  
 18 Q. Now, let's go forward in the year to the next  
 19 operational health and safety committee meeting,  
 20 20 June 2014 at {TMO10009784}. We can see that you are  
 21 present.  
 22 A. Yes.  
 23 Q. If we go to page 2 {TMO10009784/2}, in the middle of the  
 24 page, under "FRA Statistics", we can see it says:  
 25 "JW confirmed that there had been a lot of progress

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1 for the responsive repairs in relation [to] the FRAs.  
 2 The 121 jobs outstanding are on track to be completed by  
 3 the end of June. PM highlighted that there are 30  
 4 actions which are linked to Estates Services training  
 5 e.g. emergency lighting and smoke alarms which have been  
 6 arranged.  
 7 "PM asked JW to clarify which of the actions could  
 8 be defined as absolute requirements and which were best  
 9 practise. JW to clarify how many of the actions are Reds  
 10 ( priorities )."  
 11 What information did you think Mr Maddison was  
 12 seeking?  
 13 A. As I say here, I was going to provide him with the  
 14 numbers of outstanding actions which had been classed as  
 15 high priority , red. That's my understanding of what he  
 16 was seeking.  
 17 Q. It says that he asked you to clarify which of the  
 18 actions could be defined as absolute requirements. What  
 19 was there to be clarified ?  
 20 A. Well, there isn't. It 's just how many and which were  
 21 red and stay red.  
 22 Q. But that was a matter of seeing the colour and counting  
 23 the numbers on your fingers. Why did he need your  
 24 clarification of that?  
 25 A. I'm thinking that perhaps I didn't copy it round to

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1 everybody in the group, perhaps I sent the breakdown to  
 2 the teams and the head of, so perhaps Alex and his  
 3 equivalent heads of got the breakdown and Peter just got  
 4 the summary. That's all I can suggest.  
 5 Q. You see, what he seems to be after, at least according  
 6 to this document, is your clarification of which of the  
 7 actions could be defined as absolute requirements and  
 8 which were best practice.  
 9 What distinction was he seeking to draw there to the  
 10 best of your understanding which required your  
 11 clarification ?  
 12 A. I can't really speak for Peter, but that was my  
 13 interpretation , that what I would be giving him was  
 14 a breakdown or the details of all of the ones which had  
 15 been originally identified as high priority because they  
 16 remain high priority . I'm not going to tinker with  
 17 priorities , and I would possibly have given him the  
 18 original definition , in that red was statutory breach,  
 19 et cetera.  
 20 Q. Was the truth here that he was really seeking to get you  
 21 to say that those marked red by Carl Stokes weren't  
 22 really red or a sort of slightly lighter shade of red?  
 23 A. I don't believe so.  
 24 Q. In other words could be re-prioritised as lower reds  
 25 than some other reds?

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1 A. I don't believe so, and I wouldn't have done that, and  
 2 I was the one who was controlling the W2 process, so  
 3 they wouldn't have been re-designated.  
 4 Q. But why was there any clarification required, which  
 5 of course is an action point, as we can see from this,  
 6 for you? Why not simply give him the action plan and  
 7 say, "Here you are, Peter, you can see the reds on this  
 8 document"?  
 9 A. That's probably what I did do. As I say, he may not  
 10 have been a recipient of that. He may have only had the  
 11 high-level information and what he needs is the granular  
 12 detail , which I would have provided on request.  
 13 Q. Do you remember any discussion at this meeting about  
 14 what it was that Mr Maddison was really after?  
 15 A. No, not really, not more than I can — not more than  
 16 I've already added, sorry.  
 17 Q. Did you not at all form the impression that he was  
 18 trying to trim down the red priority actions in order to  
 19 get through the backlog more quickly?  
 20 A. No, I didn't get that impression. He was always anxious  
 21 to reduce the backlog, and from what I could see he did  
 22 try and get his teams to give it priority . He  
 23 sometimes, as we've discussed, had issues about how  
 24 things were defined or how things were described or —  
 25 and his view of streamlining, as we said, was he wanted

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1 the assessor to tell him exactly what to do in every  
 2 circumstance, and I didn't think that was appropriate  
 3 and so we didn't always agree. But, no. To be fair,  
 4 no, I don't think that's the case.  
 5 Q. I can see that there might be disagreement on what as  
 6 a matter of practicality needed to be done or could be  
 7 done. What I'm having difficulty with is how there  
 8 could be any disagreement about whether an item marked  
 9 red by Mr Stokes was really red or not.  
 10 A. I don't remember disagreement. I can't really add  
 11 anything more to what I've said. I don't remember that  
 12 being the case.  
 13 Q. All right .  
 14 Now, let's move forward, then, eight months to  
 15 February 2015, {TMO00869479}, please.  
 16 This is the minute for the health and safety  
 17 operational meeting, 23 February 2015.  
 18 A. Okay.  
 19 Q. You are again recorded as present, as is Mr Maddison.  
 20 If you go, please, to the bottom of page 1, we can  
 21 see another heading, "FRA stats". Do you see that  
 22 there?  
 23 A. Yes.  
 24 Q. "JW confirmed that there had been an improvement in the  
 25 number of outstanding FRAs. AB had a contractor who was

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1 undertaking the FRAs in each. After a recent review  
 2 Lancaster West has now become a priority and JW and  
 3 Siobhan Rumble are in discussions about this.”  
 4 Then it goes on to say:  
 5 “PM suggested that it would be useful to have more  
 6 information in relation to the priority levels and  
 7 nature of each outstanding FRA. PM and JW to discuss at  
 8 a later stage.”  
 9 Those words are in bold, as you can see.  
 10 A. Yes.  
 11 Q. “JW confirmed that the team are managing and  
 12 prioritising the FRAs and that there will always be some  
 13 outstanding FRAs due to the nature of the assessments.  
 14 “JW to split the outstanding FRAs into high, medium  
 15 and low categories with targets.”  
 16 You can see in the right—hand column there the  
 17 actions, PM and JW to have the discussion at a later  
 18 stage, and JW to split the outstanding FRAs. Do you see  
 19 that?  
 20 A. Yes.  
 21 Q. And the bold words and the action initials correspond,  
 22 don't they?  
 23 A. They do, yeah.  
 24 Q. Yes. Now, let's just look at those closely.  
 25 First of all, taking the first one, “PM and JW to

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1 discuss at a later stage”, did you have a discussion  
 2 with Peter Maddison at a later stage?  
 3 A. I don't recall one. I may have had, but it doesn't  
 4 leave a lasting impression on me, sorry.  
 5 Q. No. You see, we've seen no document of any such later  
 6 discussion and, had we had, you would probably have seen  
 7 it preparing to give evidence; yes?  
 8 A. Yes, I probably would.  
 9 Q. So can we assume that either there was no such later  
 10 discussion or, if there was, it wasn't recorded?  
 11 A. I think that's reasonable.  
 12 Q. And which was it of those two, do you know?  
 13 A. I don't recollect a discussion, so I'm sorry, I can't be  
 14 definite.  
 15 Q. Then it goes to say “JW to split”, as we can see. Did  
 16 you do that? Did you split the outstandings into high,  
 17 medium and low with targets?  
 18 A. I believe so. I know Peter particularly kept on asking  
 19 for more detail at high level, which was fine, but  
 20 actually I think the detail that he wanted was the level  
 21 that his teams — his teams' head of, Alex and co,  
 22 already had. So I think I came some way towards  
 23 providing high—level information that he wanted, and  
 24 then when Barbara came, she made a definitive position  
 25 on what we would look at every two months. But he could

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1 readily have access to — I mean, it would have taken  
 2 five minutes for us to run a report and for me to  
 3 identify the breakdown of his teams and the high, medium  
 4 and low could all be filtered. It was straightforward.  
 5 Q. Right.  
 6 Can you just explain why it was necessary to have  
 7 any discussion, at a later stage or at all, about the  
 8 level and nature of each outstanding FRA, when all you  
 9 had to do was put the significant findings and action  
 10 plan from Mr Stokes into Mr Maddison's hands?  
 11 A. I can't, because, like you say, I can't see a purpose  
 12 for it, but Peter must have thought he had something he  
 13 wanted to discuss.  
 14 Q. You see, this is the second time we've seen this in  
 15 eight months. We saw the June minute and now we have  
 16 the February minute, and on each occasion it looks like  
 17 there's something that Peter Maddison is wanting over  
 18 and above you simply giving him the action plan. What  
 19 was it?  
 20 A. I have no recollection of anything. I know that he —  
 21 I mean, in some ways from my perspective it was good  
 22 that he was focusing in on the FRAs and trying to  
 23 identify how we could get them completed and what — if  
 24 there were blockages, identifying what they were, but  
 25 I can't remember anything specific. I would have always

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1 encouraged him to talk about them because it would mean  
 2 that it was likely to translate into him putting more  
 3 pressure onto his staff, so we would get more completed.  
 4 So I wouldn't have discouraged a meeting with him, but  
 5 I can't remember anything specific.  
 6 Q. The same question again really in relation to the second  
 7 to—do, to split the outstanding FRAs into high, medium  
 8 and low categories with targets. That had already been  
 9 done for you by Mr Stokes, so why was that necessary?  
 10 A. I can't really answer that, and it had already  
 11 distributed on a regular basis to Alex and co, who  
 12 reported in to Peter and had one—to—ones with him.  
 13 So, I don't know, he must have felt it was necessary  
 14 and it was something I could do pretty  
 15 straightforwardly, so I would have agreed to do it, but  
 16 I can't really add much to what's here, really.  
 17 Q. One rational suggestion I have to put to you is that  
 18 Mr Maddison wanted you to exercise your judgement in the  
 19 light of what was practicable, knowing what you knew  
 20 about how the teams were managing FRA items, to  
 21 re—prioritise what Mr Stokes had already prioritised.  
 22 A. I don't recall having that impression and I would never  
 23 have done it, and I'm sure he would have known I would  
 24 never have done it.  
 25 Q. Now, Mr Maddison's evidence about this was that he

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1 thought that this minute recorded him asking for the  
 2 same information which he'd asked for back at the  
 3 operational health and safety committee meeting on  
 4 20 June 2014 we'd seen earlier. Do you agree with that?  
 5 A. Perhaps, that's possible.  
 6 Q. Had you not provided information about priority levels  
 7 and the nature of each outstanding FRA to Peter Maddison  
 8 before February 2015?  
 9 A. Yes, I would have done, but time has moved on and  
 10 therefore so would his outstanding list have changed, so  
 11 he's perhaps asking for a refreshed version.  
 12 Q. Right. But you can't help me explain why curing this in  
 13 June or any time between June 2014 and February 2015  
 14 could not simply have been done by giving Mr Maddison  
 15 the significant action plan, and particularly the one  
 16 from October 2014?  
 17 A. No, I'm confident whatever he asked for I would have  
 18 tried to provide. I can only assume that this is  
 19 a refreshed or an updated version. Beyond that, I'm  
 20 sorry, I can't comment, really.  
 21 Q. Let's look a little later into 2015, then.  
 22 {TMO10009485}, please. This is the minute of the  
 23 meeting of the TMO health and safety committee on  
 24 16 April 2015, and we can see that you are present; you  
 25 see that?

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1 A. Yes.  
 2 Q. At this stage, I think it's right, isn't it, that the  
 3 operations committee was still in existence, April 2015?  
 4 A. Yes, it was, for another couple of months, I believe.  
 5 Q. Right, but this is the TMO health and safety committee  
 6 properly so-called.  
 7 If we go to page 2 {TMO10009485/2}, please, near the  
 8 bottom of the page, we can see that there is an item  
 9 under paragraph 4.1, under the heading "Fire risk  
 10 assessment (FRA) — Update on outstanding actions". 4.1:  
 11 "W2: A paper was circulated with the latest  
 12 statistics on completed and outstanding FRA actions for  
 13 each team. Unfortunately there were still significant  
 14 numbers of actions outstanding — particularly for the  
 15 Contract Management and Response Repairs (RD). Janice  
 16 advised that she had met with Peter Maddison and also  
 17 Alex and in an effort to reduce the volume of actions  
 18 highlighted by the Assessor going forward we would be  
 19 setting him up with remote access to Keystone."  
 20 A. Yes.  
 21 Q. "This will enable him to check that items are on the  
 22 asset registers and have been serviced within the  
 23 required period. Obviously for equipment/locations  
 24 where our records cannot confirm this to be the case  
 25 an action will still need to be raised. Janice is to

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1 report back on her imminent meeting with John Tatham in  
 2 respect of works promotion by Repairs Direct. Action:  
 3 Janice."  
 4 Now, the minutes refer to a meeting which had taken  
 5 place between you, Alex Bosman and Peter Maddison to  
 6 reduce the volume of actions, so it seems from this. Do  
 7 you remember what was discussed at that meeting?  
 8 A. Erm ... I don't remember specifically, but I ... it  
 9 leads on to the discussion about access — remote access  
 10 to Keystone for the assessor, so I'm therefore assuming  
 11 that it was partly about the volume of significant  
 12 findings and actions that related to provision of  
 13 evidence for completed maintenance checks.  
 14 Q. Apart from providing Carl Stokes with access to the  
 15 Keystone database, do you know what other measures had  
 16 been implemented in order to reduce the numbers of  
 17 outstanding FRA items?  
 18 A. I can't recall as I sit here now, sorry. Because they  
 19 were both involved, it would have been a wider ranging  
 20 conversation, presumably, about all of their actions and  
 21 whether there were — how they were doing, how they were  
 22 going to expedite them, but I can't remember the detail,  
 23 other than the Keystone issue.  
 24 Q. Do you remember why Mr Stokes had not been provided with  
 25 access to the Keystone database before April 2016?

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1 A. No, I mean, the Keystone database —  
 2 Q. Or 2015.  
 3 A. Sorry. The Keystone database was constantly under  
 4 development, and I think the initial records that went  
 5 in and were comprehensive were I think possibly gas  
 6 servicing. So it was being developed and they were  
 7 adding one particular contract at a time, so it's  
 8 possible that if he'd had early access, he still  
 9 wouldn't have had any of the information that he  
 10 actually required.  
 11 By this time I think it had electrical installation  
 12 checks and probably maybe lightning protection, I'm not  
 13 too sure, so there may have been things that he would  
 14 have regularly been requesting that he could now  
 15 remotely access, but possibly — they'd possibly only  
 16 been comprehensively reviewed recently.  
 17 I don't know, to be honest, it depends when they all  
 18 came onstream.  
 19 Q. Do you know when Keystone did come onstream?  
 20 A. So Keystone had been around for, I think, kind of — it  
 21 was around when Salvus — we've had it for a number of  
 22 years, but it's been developed and each specific  
 23 contract has been added I think pretty much one at  
 24 a time to make sure that all of the certificates have  
 25 been audited and that everything that's going in there

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1 meets the required standard. So it was a fairly  
 2 rigorous process, but I think they were doing it one  
 3 contract at a time.  
 4 So what I'm saying is that I think perhaps it took  
 5 until this sort of time before the information stored  
 6 there was the information that was being requested by  
 7 the assessor.  
 8 Q. I see.  
 9 You didn't provide Mr Stokes with access to W2, did  
 10 you?  
 11 A. No, I didn't. I don't even know if we could have  
 12 provided it remotely. I don't think remote access was  
 13 something that was readily available. I think it was  
 14 just in terms of Keystone.  
 15 Q. Did you enquire as to whether it was possible?  
 16 A. No, but I'm pretty confident it wasn't, but I didn't --  
 17 I don't remember specifically enquiring.  
 18 Q. Right.  
 19 Was it not possible to provide Mr Stokes  
 20 periodically, at least, with snapshots or run-offs from  
 21 the W2 database?  
 22 A. Yes, of course.  
 23 Q. Did you do that?  
 24 A. Erm ... I possibly did. I don't recall. He understood  
 25 how the system worked. I would have shown him the

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1 spreadsheets. Yes, that was definitely possible, pretty  
 2 straightforwardly, really. But I may have -- I think  
 3 I probably did in relation to specific blocks where he  
 4 was requesting progress updates, but I don't know that  
 5 I ever gave him a complete report of the whole system.  
 6 Q. Other than contract management, this minute identifies  
 7 responsive repairs or Repairs Direct as a particular  
 8 focus for outstanding actions, and it looks as if you  
 9 planned to meet John Tatham regarding works progression  
 10 by Repairs Direct.  
 11 Did that meeting take place, do you remember?  
 12 A. Probably it did, because I was meeting with --  
 13 John Tatham was the responsive repairs manager and it  
 14 was him and his predecessors and his successors that I  
 15 was regularly meeting and cajoling and trying to get  
 16 an understanding of why we weren't completing the  
 17 responsive actions.  
 18 Q. We move on, then, in time to the end of July 2015,  
 19 {TMO10010039}.  
 20 This is the minute of the health and safety  
 21 committee meeting held on 31 July 2015. We can see that  
 22 Barbara Matthews is present in the chair.  
 23 Was that her first health and safety committee  
 24 meeting?  
 25 A. I believe it was, yes.

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1 Q. You're identified as second in attendance there.  
 2 If we go to page 3 {TMO10010039/3}, please, again,  
 3 section 4.1, FRAs, "W2 Workflow". There is a long text  
 4 there and you can see that there is discussion of the  
 5 statistics. It says:  
 6 "... Barbara highlighted the level of outstanding  
 7 actions -- particularly for Contract Management and also  
 8 the Responsive Repairs."  
 9 You see that?  
 10 A. Yes.  
 11 Q. Now, you produced a statistics paper, didn't you, for  
 12 that meeting?  
 13 A. Yes.  
 14 Q. We can look at that. It's at {TMO10009662}.  
 15 We can see there that this is an analysis of  
 16 an overall breakdown of FRA actions and the total, and  
 17 we can see the fully completed at 941, partially  
 18 completed 95, and outstanding 814.  
 19 Was it that figure that Barbara Matthews suggested  
 20 was too high?  
 21 A. I would say so, yes.  
 22 Q. Yes. Why were there so many outstanding actions?  
 23 A. I'm really struggling to give you answers to these  
 24 questions because the actions fell outside of my  
 25 control. We asked questions, we challenged, we -- but

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1 I can't really give you a definitive view from the teams  
 2 who weren't completing the actions, because no doubt  
 3 there were lots of things that I was not aware of.  
 4 I know, as we've said, that there were sometimes  
 5 issues with contractors, there was sometimes issues with  
 6 the volumes of work, but I can't really give you  
 7 a meaningful answer because I don't have it.  
 8 Q. We've seen you historically expressing concern about the  
 9 level of outstanding actions as early as -- if it was  
 10 early -- 2012. We've seen the Hodgson report, draft and  
 11 final, July and September 2013. This is now two years  
 12 later. Why had you or your team not got on top of  
 13 resolving the problems with outstanding FRA actions by  
 14 this time?  
 15 A. But you appreciate that my role was to allocate and  
 16 chase and escalate and do everything I can, and I was  
 17 doing that, but it clearly wasn't enough, so ...  
 18 Q. Well, what was the problem?  
 19 A. That's what I'm saying to you. As we sit here now,  
 20 those teams -- I don't -- I can't give you chapter and  
 21 verse for why these things were not happening. I can  
 22 tell you what I was advised of, and I have done, but I'm  
 23 not in a position to give you all of the reasons why  
 24 these are outstanding. I'm just -- I'm sorry, I'm just  
 25 not.

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1 Q. No, but you might be able to give me a reason for not  
 2 taking a step back and asking yourself the question that  
 3 I've asked you, which is: given that Matt Hodgson had  
 4 raised this problem in the summer of 2013, how could it  
 5 come about that, two years later, such a significant  
 6 proportion of FRA actions remained outstanding? Did you  
 7 ask yourself that question?  
 8 A. Of course, repeatedly.  
 9 Q. Did you ask anybody else that question?  
 10 A. Yes, regularly, whenever I was going to have  
 11 conversations with Alex Bosman and John Tatham and all  
 12 of those people, repeatedly and ongoingly, and when  
 13 I was escalating it to Anthony and then at this stage  
 14 Barbara, Sacha in the ops group, all of those people.  
 15 You can see from all of the minutes that they were being  
 16 raised repeatedly and statistics were being circulated  
 17 repeatedly.  
 18 Q. Now, looking at the breakdown, if we go to page 2  
 19 {TMO10009662/2}, we've got some data there.  
 20 We can see that 382 of the outstanding actions had  
 21 been assigned to "A&R Contract Management". Do you see  
 22 that?  
 23 A. Yes.  
 24 Q. Yes. Why were so many actions outstanding for that  
 25 team?

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1 A. Because they hadn't been completed.  
 2 Q. Well —  
 3 A. Because they hadn't got their — whatever it was that  
 4 was covered, which was often maintenance certification,  
 5 hadn't been provided, and I can't close them down until  
 6 I've had sight of those things. It will have been  
 7 a whole range of matters, but unless I've got evidence  
 8 that they're completed, I can't close it down.  
 9 Q. No, clearly, but my question is really a slightly more  
 10 profound one, which is: what was the problem  
 11 particularly with contract management that meant that so  
 12 many items, 382 in all at that time, were outstanding?  
 13 A. They did get a substantial volume of actions, partly  
 14 because the fire information and — couldn't be accessed  
 15 remotely in Keystone, so that would have prevented  
 16 a volume, and — sorry, as we sit here now, I don't know  
 17 that I can give you what you need from me, I can't give  
 18 you an undertaking of why that is the case, but all of  
 19 the contract management issues sat in one place, so  
 20 there was clearly problems with getting — either  
 21 getting certification or just providing it to me.  
 22 Some of those will have been complicated things that  
 23 maybe needed procurement, so some of them will have been  
 24 challenging in terms of time to complete, but I ... I'm  
 25 sorry.

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1 Q. Would the same answer be given by you in relation to the  
 2 figure for responsive repairs that we see at the bottom  
 3 of that page, 297?  
 4 A. Yes.  
 5 Q. Okay.  
 6 Let's go to page 3, please, of the minute, back to  
 7 the minute. It's {TMO10010039/3}.  
 8 We can see there at paragraph 4.1, which I picked  
 9 out to you before, six lines up from the bottom of that  
 10 section, the minutes record as follows:  
 11 "Barbara advised ..."  
 12 Do you see?  
 13 A. Yes.  
 14 Q. Yes:  
 15 "Barbara advised that more information on the  
 16 outstanding FRA actions needs to be provided to the  
 17 Committee. Although the total provided an indication  
 18 they do not provide the full picture. Janice was  
 19 requested to investigate providing a more meaningful  
 20 breakdown of outstanding actions so that the Committee  
 21 are better able to see the detail and what work  
 22 programme will be required to clear them."  
 23 Now, that gave rise to an action item on the  
 24 right — hand side in that column:  
 25 "J Wray to provide a more comprehensive breakdown of

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1 outstanding FRA actions for next meeting."  
 2 You see that?  
 3 A. Yes.  
 4 Q. What information did Barbara Matthews consider, so far  
 5 as you remember, was missing so that the full picture  
 6 wasn't clear to her?  
 7 A. Sorry, without looking at the associated stats for  
 8 that ...  
 9 Q. Well, I'm happy to put them back up again.  
 10 A. I mean, it may be that I hadn't included the high,  
 11 medium, low. I'm not really sure.  
 12 Q. Right. You say that, and indeed it is true that you  
 13 didn't.  
 14 A. Okay.  
 15 Q. Was that, to the best of your recollection, what she was  
 16 after?  
 17 A. What I recall is I believe we then started to add the  
 18 priorities, and possibly not at that stage, perhaps  
 19 later, we then started to have an age profile within the  
 20 priorities so you could see how many of the high that  
 21 were outstanding were aged three to four months and so  
 22 on.  
 23 Q. Yes.  
 24 A. So it became ... there were sort of — it developed,  
 25 sorry, it developed as people were more specific about

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1 what they wanted to see and how they wanted it to be  
 2 provided.  
 3 Q. Yes.  
 4 A. And that enabled Barbara to see very clearly — we still  
 5 knew that we had 300—plus still outstanding in terms  
 6 of Alex's team. However, it meant that that 300 could  
 7 be divided — you could see very clearly what was very  
 8 historic and what had recently been added.  
 9 Q. Right. So you're identifying, I think, two further  
 10 kinds of data, is this right: first of all, the risk  
 11 level: high, medium, low?  
 12 A. Yes.  
 13 Q. And, secondly, what you call an age profile, so 0 to  
 14 3 months, 3 to 6 months, 6 to 12 months, all that kind  
 15 of —  
 16 A. Yes.  
 17 Q. I see.  
 18 Can I just ask you: I mean, clearly that information  
 19 had not been collated and presented to the TMO health  
 20 and safety committee before this time; why did it take  
 21 the arrival of Barbara Matthews to identify that  
 22 omission in the data?  
 23 A. I'm not really sure that anyone had asked for it before,  
 24 and the teams who were responsible for the actions were  
 25 getting their specific data on a very regular basis, so,

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1 yeah, I mean —  
 2 Q. She had clearly seen something you hadn't; is that fair?  
 3 A. Yeah, that's fair. She's the executive director, that's  
 4 her role.  
 5 Q. Can you account for why she had seen it but you hadn't?  
 6 A. No, I can't.  
 7 Q. Now, on the same day at 2.00 pm, you attended  
 8 an operational health and safety committee meeting, also  
 9 with Barbara Matthews and Peter Maddison, and that we  
 10 find at {TMO10009039}.  
 11 Let's just look at the first page of that. There it  
 12 is. We can see who is there.  
 13 If we go, please, in the document to page 4  
 14 {TMO10009039/4}, item 3.2, halfway down, you can see  
 15 that the minutes record as follows:  
 16 "RD have reviewed all of the FRAs and Health and  
 17 Safety actions. Currently waiting for RD to programme  
 18 that work and will then raise the orders for the blocks.  
 19 BM asked to see the key things and the timing for it.  
 20 PM asked for a breakdown by priority and age to make it  
 21 clear where the risks are. There needs to be an ongoing  
 22 breakdown of the list. PM suggested a meeting to  
 23 discuss interface between RD and AB's team. CM to  
 24 organise meeting with PM, AB, Chris Davis and JW."  
 25 Now, working one's way through the forest of

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1 initials, it's fair to say, isn't it, that this was  
 2 a yet further request by Ms Matthews and Mr Maddison,  
 3 certainly, for more ongoing information about  
 4 outstanding FRA actions?  
 5 A. Yes.  
 6 Q. Did you take any action in response to that request?  
 7 A. Yeah, I believe so.  
 8 Q. What did you do?  
 9 A. Well, I presume you're going to take me to the next set  
 10 of minutes and we'll know.  
 11 Q. I am.  
 12 A. But I believe that I would have endeavoured to meet  
 13 their requirements.  
 14 Q. Right.  
 15 Again, was there any question posed of you about why  
 16 these matters were still being examined, if that's the  
 17 right word, in July 2015, when Matt Hodgson had picked  
 18 these issues up two years before? Is that not something  
 19 raised with you?  
 20 A. I don't recall it being raised with me.  
 21 Q. Right.  
 22 Now, if we go to the next meeting, this is  
 23 29 September 2015, {TMO10044175}.  
 24 By now I think the operations health and safety  
 25 committee had fallen away and everything was being dealt

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1 with by the corporate health and safety committee,  
 2 wasn't it?  
 3 A. Yes.  
 4 Q. Yes.  
 5 You can see the date at the top. You can see who  
 6 was present, you included, as well as Barbara Matthews  
 7 and Peter Maddison.  
 8 If we go to page 2 {TMO10044175/2}, please, bottom  
 9 of page 2, we will see paragraph 3.1:  
 10 "There have been an additional 200 completed actions  
 11 since July. PM added that the age profile needs to be  
 12 monitored carefully going forward."  
 13 A. Yeah.  
 14 Q. Was it your responsibility to monitor those actions?  
 15 A. It was my responsibility to have oversight of the FRA  
 16 process, but in terms of monitoring compliance, then  
 17 I — that wasn't my exclusive responsibility. It was  
 18 the health and safety committee, and that included me,  
 19 obviously, and the executive director with health and  
 20 safety responsibility.  
 21 Q. Right. You see, where PM adds that the age profile  
 22 needs to be monitored carefully going forward, it looks  
 23 as if there is, on the face of it, an implicit criticism  
 24 that the age profile had not been monitored as carefully  
 25 as it should have been. Was that the case?

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1 A. No, I don't think it was the case. I mean —  
 2 Q. Then what did Mr Maddison mean when he says that the age  
 3 profile needs to be monitored carefully going forward?  
 4 A. Well, exactly what it says, that we should continue  
 5 monitoring it going forward. I mean, we'd been  
 6 providing significant amounts of information to each of  
 7 the teams with all of the status of all of their actions  
 8 on a regular basis, so the information was readily  
 9 available, and they just were requesting that I provided  
 10 more in my summary, my high-level summary, to the health  
 11 and safety committee, and I've taken that on board.  
 12 I think that is all he means, it's just —  
 13 Q. I see. So did you, as a result of this request from  
 14 Mr Maddison, change your approach so as to provide  
 15 an aged outstandings?  
 16 A. I believe so.  
 17 Q. I see.  
 18 Let's turn to the top of page 3 {TMO10044175/3},  
 19 paragraph 3.2. It says:  
 20 "AB has been going through the list of actions and  
 21 allocating them to the appropriate contractor. PM  
 22 confirmed that the data will be cleansed in a meeting  
 23 tomorrow."  
 24 Just pausing there, what was that about? What was  
 25 cleansing the data about?

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1 A. I have no idea.  
 2 Q. No:  
 3 "PM also met with JW to discuss streamlining the  
 4 process."  
 5 What did that mean, streamlining the process?  
 6 A. I think it just refers back to what we've mentioned  
 7 before about, where possible, Peter wanting Carl to say,  
 8 "This is what you need to do", rather than give a range  
 9 of options. That's my recollection.  
 10 Q. Right. I see.  
 11 Do you remember the content of the actual discussion  
 12 and what it was that Mr Maddison was proposing?  
 13 A. No, sorry.  
 14 Q. His evidence was that he felt that the wording of the  
 15 FRAs needed to be more precise and specific so that you  
 16 could actually action them and turn them instantly into  
 17 a form of words for a works order, rather than sending  
 18 a team out to investigate, particularly if it's not in  
 19 their area of expertise. That's the flavour of what he  
 20 understood, and that's {Day123/46:18} and following.  
 21 Does that give the flavour of what you understood  
 22 him to mean?  
 23 A. Yes. I mean, he wanted it to be as unambiguous as  
 24 possible, which is entirely desirable, but he did want  
 25 to be very quickly able to convert the required action

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1 into an instruction for a contractor. That isn't always  
 2 going to work completely, but where it was possible,  
 3 then we would endeavour to try and do it.  
 4 Q. No. You told us earlier — it was your evidence I think  
 5 yesterday as well as this morning — that, so far as you  
 6 were concerned, it was for the TMO to decide what to do,  
 7 but for the fire risk assessor to decide where the  
 8 defects were, the omissions were, in compliance.  
 9 A. That's right, and my point is that in circumstances  
 10 where there is only one option and Carl can only provide  
 11 one option, then it's legitimate for him to provide it  
 12 in a form of words that, if it's acceptable to him,  
 13 could then be lifted and put into a works order.  
 14 Q. Was it your view at the time that Mr Maddison hadn't  
 15 really understood the role of a fire risk assessor and  
 16 was asking him to do something that he wasn't really  
 17 either qualified to do or had time and space to do?  
 18 A. I think he was just looking — he saw a problem and he  
 19 was looking at possible ways of moving it forward or —  
 20 Q. I understand that. I understand that entirely.  
 21 A. Sorry.  
 22 Q. But was it your understanding that Mr Maddison hadn't  
 23 really understood the limits of what a fire risk  
 24 assessor can do and was perhaps putting or seeking to  
 25 put more on to Mr Stokes' shoulders than was

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1 practicable?  
 2 A. I don't know if I agree with that. I think, just to go  
 3 back to what I said before, he was looking at ways of  
 4 resolving problems. I think, providing we pushed back  
 5 and said, "That's not legitimate" or "That's our role",  
 6 then I think he largely accepted that.  
 7 Q. Let's look at {TMO10010066}.  
 8 This is the health and safety committee meeting  
 9 document. It looks like the figures which were prepared  
 10 for that meeting, if you look at page 1, and you can see  
 11 the overall breakdown of FRA actions and the total  
 12 outstanding, 812.  
 13 If we go to page 3 to start with {TMO10010066/3}, we  
 14 can see that this is the "Breakdown of Neighbourhood  
 15 Management FRA Actions". Do you see that?  
 16 A. Yes.  
 17 Q. Then if you go to page 4 {TMO10010066/4}, you can see  
 18 that those statistics are then broken down further into  
 19 categories, total number outstanding, and then you've  
 20 got outstanding since 2013, 2014, 2015 across the page;  
 21 yes?  
 22 A. Yes.  
 23 Q. Yes. There is one also produced in November 2015 in the  
 24 same format. We don't need to go to it, but the  
 25 reference is {TMO10011191/4-5}.

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1 What was it that caused you to alter the format to  
 2 this more detailed breakdown?  
 3 A. I was following up on what had been requested of me at  
 4 the previous meeting, but also I discovered that there  
 5 was a possibility of extracting the statistics from the  
 6 W2 system that I had previously been unaware of the  
 7 detail of, and I think that's where this was lifted  
 8 from.  
 9 Q. I see. But this was in response, I think, was it, to  
 10 Mr Maddison's longstanding requests for more detail?  
 11 A. Yes.  
 12 Q. Yes. And also, in part, your own discovery of the  
 13 functionality of the W2 system?  
 14 A. Yes.  
 15 Q. Yes, I see.  
 16 Then if we go into 2016, {TMO10011910}, health and  
 17 safety committee meeting minutes, 9 January 2016.  
 18 A. Yeah.  
 19 Q. This is an FRA summary report for that meeting.  
 20 If you scroll through to page 4, just looking at it,  
 21 let's scroll through the pages. That's page 1.  
 22 That's page 2, "Age Profile of Outstanding Actions",  
 23 and there we can see the age profile.  
 24 Page 3 is "[Health and safety] Inspections & RA  
 25 Team's Summary".

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1 And page 4, "Progress with Completing Actions".  
 2 It's rather less detailed, isn't it, than the  
 3 detailed reports you have produced for the September and  
 4 November TMO health and safety committee meetings? And  
 5 I say that because it's got no colour-coded breakdown,  
 6 as we've seen in September and November 2015.  
 7 A. Okay, but these are health and safety inspection  
 8 actions, not fire risk assessment actions, and they  
 9 wouldn't be categorised in the same way. These are —  
 10 the health and safety and property risk assessments are  
 11 what my colleague Adrian does when he is out on site,  
 12 and these actions relate to his findings, so they  
 13 wouldn't be categorised high, medium, low in the way  
 14 that the fire risk assessment — further up in the  
 15 document, that is fire risk assessment. That was  
 16 merged — the information was put together in the one  
 17 appendix.  
 18 Q. Let's be a bit more constructive about this.  
 19 So pages 1 and 2 relate to fire team and fire risk  
 20 assessments, don't they?  
 21 A. Yeah, I believe so, yes.  
 22 Q. Look at 1 {TMO10011910}, "Fire Risk Team's Summary".  
 23 A. Yes.  
 24 Q. Then you've got the groups again, and then you've got  
 25 "Fully Completed", "Outstanding", "Partially Completed".

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1 A. Yes.  
 2 Q. And you've got still some big numbers, haven't you, for  
 3 outstandings, relatively, for contract management and  
 4 responsive repairs; yes?  
 5 A. Yes.  
 6 Q. And then page 2 {TMO10011910/2}, "Progress with  
 7 Completing Actions", same again, but this time you do  
 8 have an age profile, but you've got no colour-coded risk  
 9 there.  
 10 A. No.  
 11 Q. Why did that disappear?  
 12 A. Sorry, could you scroll down to the next page?  
 13 Q. Yes, of course, page 3 {TMO10011910/3}.  
 14 A. Okay. I can only ... I prepared this — it was  
 15 actually — it actually took longer than you would  
 16 think, and I think I may just have run out of time in  
 17 order to split it between the different — so I think it  
 18 was just time, unfortunately.  
 19 Q. I see. Okay.  
 20 Now, then, if we go to the minutes of this meeting,  
 21 that's at {TMO00840500}. That's the meeting at which  
 22 this was presented.  
 23 First of all, first page, you can see the date,  
 24 19 January 2016.  
 25 A. Yes.

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1 Q. You were there.  
 2 Then if we go to page 4 {TMO00840500/4}, near the  
 3 top of the page, we can see again that Peter Maddison at  
 4 paragraph 3.2 says:  
 5 "PM asked for a copy of the detail behind this  
 6 report. PM noted that the system should be more robust  
 7 to ensure actions are escalated if they are out of time  
 8 or allocated to staff who are no longer with the  
 9 organisation. GW advised the process will be reviewed  
 10 to avoid outstanding historic actions."  
 11 What further detail was Mr Maddison after now?  
 12 A. I don't actually know, because we're providing lots of  
 13 detail to all of the teams with direct responsibility  
 14 for the actions, we're providing that regularly. They  
 15 can see very clearly the risk profile and the age  
 16 profile, and this is just additional — an additional  
 17 tier to let the subcommittee have — the committee have  
 18 scrutiny at their level. And all of the teams sit under  
 19 people who are at this committee and they have all of  
 20 the detail, so I'm actually not sure. And it got to the  
 21 stage where I was spending quite a lot of time producing  
 22 the report, and I think there was a limit to what  
 23 I could reasonably, you know, put into it.  
 24 Q. But was he asking that the data that you had included in  
 25 your September and November reports which we saw with

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1 the colour—coding be reinstated, for example? Was that  
 2 what he was after?  
 3 A. It doesn't say that here, so —  
 4 Q. No. Well, that's why I'm asking you.  
 5 A. I would think that if he was, I would have made sure  
 6 that that was minuted, so that I was absolutely clear.  
 7 Q. You see, the problem with this data even at this stage  
 8 is that you can't see which actions are postdate, in  
 9 other words which have gone past their due date, nor can  
 10 you see what level of risk priority they have.  
 11 Why is that critical data missing, particularly  
 12 given that it had been requested for months now by  
 13 Mr Maddison?  
 14 A. I can only reiterate what I'm telling you is that I was  
 15 constantly sending out tracker information to all of the  
 16 teams. So all of the heads of who were in a position to  
 17 action the actions had all of that on a regular basis,  
 18 could run their own, had access to W2 —  
 19 Q. Yes, but, sorry, I'm going to interrupt you. That may  
 20 be downstream, but this is upstream, this is up to  
 21 nearly top management within the health and safety  
 22 sphere within the TMO. Why not give them a single set  
 23 of data which told you what FRAs were outstanding within  
 24 each contract group, how long each one had been  
 25 outstanding for, whether it was past due and what its

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1 level of risk was, so that someone like Barbara Matthews  
 2 or Peter Maddison could actually get a grip on this at a  
 3 glance?  
 4 A. I can't give you an explanation other than time, that  
 5 actually it took longer than you think it did to produce  
 6 it, so I produced what I could and — the level of  
 7 detail here, I appreciate, isn't as comprehensive as it  
 8 should have been or could have been, but it still gives  
 9 a fairly accurate flavour of what's outstanding and the  
 10 age profile of what's outstanding. And, yes, there  
 11 could have been more, but I still think there's quite  
 12 a lot of information here on which to make a judgement.  
 13 Q. Did you go to Peter Maddison or Barbara Matthews and  
 14 say, "Look, in order for me to produce this data in  
 15 a form which is really readily digestible by you so that  
 16 you can take executive decisions on it, I need more  
 17 help, I need an extra pair of hands, it's going to take  
 18 me all day twice a week to do this, I haven't got time"?  
 19 Did you ever have a conversation with either of them  
 20 along those lines?  
 21 A. I didn't have that conversation with Peter Maddison.  
 22 I may well have had that conversation with Barbara, but  
 23 Barbara also was fairly exacting about what she wanted,  
 24 so I think I probably tweaked this again subsequently in  
 25 order to get what she wanted at that level at that

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1 meeting.  
 2 Q. Was it the position — and forgive this question — that  
 3 you needed help but didn't realise it, or was it that  
 4 you realised you needed help but, for whatever reason,  
 5 just didn't ask for it?  
 6 A. I could have always used more resource. It was pretty  
 7 obvious that I could have always used more resource, but  
 8 that wasn't going to be made available. That wasn't  
 9 available, so I had to work within the constraints of  
 10 what I had, and I re—prioritised and always tried to  
 11 make sure that I identified the highest priority things.  
 12 It may be that when it came to producing this  
 13 report, something else on that day was of significant  
 14 importance and therefore I didn't have the time to  
 15 provide that level of detail, but I can't tell you,  
 16 because I wouldn't have kept that detailed record.  
 17 Q. You see, you say in your last answer that more resource  
 18 wasn't going to be made available, it wasn't available;  
 19 how did you know that?  
 20 A. I just know that. I just know that.  
 21 Q. If you didn't ask, you wouldn't know, would you?  
 22 A. Well, I would have asked Anthony in those days and it  
 23 just wasn't available.  
 24 Q. Did he ever say to you or did Barbara Matthews ever say  
 25 to you, "You can't have any more help, tough luck,

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1 you'll just have to manage as best you can, but by the  
 2 way, we need all this granular data"?  
 3 A. No, they wouldn't have said that.  
 4 Q. No.  
 5 Can I then ask you to look, please, at 3.2  
 6 {TMO00840500/4}.  
 7 He notes there or says there that there are actions  
 8 being allocated to staff who are no longer in the  
 9 organisation. Were actions being allocated to staff who  
 10 were no longer with the TMO?  
 11 A. No, they weren't, but when people left the organisation  
 12 and I went to the respective team and said, "This person  
 13 has left, he has a W2 inbox with actions, who do  
 14 I reallocate them to?", that didn't always get  
 15 a straight answer immediately.  
 16 Q. Right. Why was that?  
 17 A. I —  
 18 Q. Is it because there was no one?  
 19 A. Perhaps there might have been an interim, and they knew  
 20 that person was there for a short term, or ... I can't  
 21 really — I just know that there was sometimes a delay  
 22 which meant that they were sat in a box, so I was  
 23 lobbying to get an answer. So I was well aware of that  
 24 being a problem, occasionally, not often, but actually  
 25 particularly in relation to responsive repairs, where we

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1 seemed to turn over staff.  
 2 Q. It says here that Peter Maddison asked:  
 3 " ... that the system should be more robust to ensure  
 4 actions are escalated if they are out of time ... "  
 5 Were actions not being escalated even though they  
 6 were out of time?  
 7 A. They were escalated to the heads of, to Alex who was  
 8 head of contract management, they were escalated to the  
 9 head of repairs, there were regular meetings with all of  
 10 those people. I would go and speak to those people,  
 11 I would physically sometimes take them a copy of their  
 12 tracker and highlight the things which were out of time.  
 13 So, yes, they were being escalated.  
 14 Q. You see, the impression being given by this is that the  
 15 system needed to be robust to ensure that actions are  
 16 escalated if they're out of time, which rather suggests  
 17 that they weren't being.  
 18 A. It does suggest that, yes, but that —  
 19 Q. Was that the case?  
 20 A. No, it isn't the case. And, to be honest, Peter wasn't  
 21 really involved in the detail, in the day-to-day detail,  
 22 of it, so he wouldn't necessarily have known what we had  
 23 in place to escalate issues.  
 24 Q. What was your view of Mr Maddison's suggestion that the  
 25 system needed to be more robust?

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1 A. My view was that the system was reasonably robust.  
 2 Where it broke down was actually translating the actions  
 3 into completed bits of work, and that sat with the  
 4 respective operations teams.  
 5 Q. Why didn't you tell Peter Maddison that and have it  
 6 recorded in the minute?  
 7 A. I probably did tell him that but it's not recorded in  
 8 the minute.  
 9 Q. No, all right.  
 10 In April 2016, now, further meeting of the health  
 11 and safety committee, {TMO10013060}.  
 12 This is the meeting of 12 April 2016. There you are  
 13 in attendance, as well as Barbara Matthews and  
 14 Peter Maddison.  
 15 If we go to page 3 {TMO10013060/3}, item 4.1, near  
 16 the middle of the page, it says:  
 17 "JW welcomed the significant drop in the number of  
 18 outstanding actions for both FRAs and H&S Actions. BM  
 19 acknowledged the progress made and advised that the  
 20 Chief Executive remained anxious that all actions older  
 21 than six months should be completed as a matter of  
 22 urgency. ABos [Alex Bosman] added that his team  
 23 currently has a further 50+ actions which have been  
 24 confirmed as complete and will be fully completed on W2  
 25 asap."

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1 Now, let's look at the statistics which we  
 2 understand you produced for this meeting at  
 3 {TMO10012642}.  
 4 Now, the meeting date is 12 April 2016. The  
 5 document that I'm showing you now on the screen is dated  
 6 6 April 2016, ten days beforehand, according to its file  
 7 name as we have been able to identify it. There is  
 8 an email of 8 April which attaches this document. We  
 9 don't need to go to it, it's {TMO10012661}. That is the  
 10 basis on which I'm putting to you that this document was  
 11 what was presented to the 12 April meeting.  
 12 A. It's quite — I tried to get the papers out in advance  
 13 so people had the chance to scrutinise, so it's quite  
 14 likely to be the case.  
 15 Q. Very good.  
 16 Now, on that basis, let's look at this document.  
 17 You can see that in the "Outstanding" column on  
 18 page 1, there is a total of 243 outstanding FRA actions.  
 19 A. Yes.  
 20 Q. Yes? If we examine the previous breakdown produced by  
 21 you, which was 18 January 2016, so four months before —  
 22 let's have that at the same time, {TMO10011910}. We can  
 23 see that there were 296 actions outstanding.  
 24 A. Okay.  
 25 Q. So we look at the figure for January, 296 in the second

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1 column there, and we look at the figure in the second  
 2 column, 243.  
 3 Just looking at the figure for outstanding actions,  
 4 it's only reduced by 53 actions since the previous  
 5 meeting. Why was this considered to be a significant  
 6 drop?  
 7 A. But we've added 300 more actions, haven't we, in the  
 8 meantime? The total actions allocated originally were  
 9 2,206 and now they're 2,515, if I'm reading that  
 10 correctly.  
 11 Q. You are, yes.  
 12 A. So we have added significantly more, and the fully  
 13 completed total reflects that, doesn't it, from 1,794 to  
 14 2,132? So I think overall there was a significant  
 15 movement in the right direction.  
 16 Q. Well, I can see that it's probably not negligible, but  
 17 maybe we're quibbling about the word "significant", but  
 18 mathematically it's correct, isn't it, that the number  
 19 of outstandings went down from 296 to 243, so by 53?  
 20 A. Yes.  
 21 Q. Yes, and although one has to allow for the increase in  
 22 new allocated actions, you're not able to tell me how  
 23 many of those were or weren't past due by that date?  
 24 A. I'm sorry, no.  
 25 Q. No.

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1 September 2016 is where we next go. {TMO00840753},  
 2 health and safety committee, 13 September 2016. Page 1,  
 3 you're there, Barbara Matthews is there.  
 4 A. Yes.  
 5 Q. We see that.  
 6 Page 2 {TMO00840753/2}, please, paragraph 4.1, under  
 7 "FRA Actions":  
 8 "BM [Barbara Matthews] raised concern that there  
 9 were still a volume of actions outstanding and  
 10 reiterated the need for these to be given priority and  
 11 completed asap."  
 12 Do you see that?  
 13 A. Yes.  
 14 Q. Can you explain why there was still an ongoing issue  
 15 with FRA actions still not being given priority and  
 16 being completed as soon as possible? This is now  
 17 September 2016.  
 18 A. No. Some of them will be complex, but I don't have the  
 19 detail, and I can't give you an explanation. It really  
 20 would be for the contract management team and the  
 21 repairs team to provide the detail, and I don't have  
 22 that, I'm afraid.  
 23 Q. I mean, clearly, you were at the meeting, your boss says  
 24 she is concerned about the volume of actions.  
 25 A. Yeah.

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1 Q. Did you explain to her that either her concern was  
 2 misplaced, or that, so far as it was justified, you were  
 3 sorting out the problem?  
 4 A. Barbara was very clear on the process. She knew where  
 5 the actions sat and she knew who was responsible for  
 6 completing them. So it was a forum where quite a lot of  
 7 those people were represented — were present or were  
 8 represented, and it's her opportunity to make her  
 9 position clear that people needed to give them the  
 10 priority that they were due. Everybody with actions  
 11 under the FRA needed to treat them with priority. She  
 12 wasn't directing that solely at me.  
 13 Q. The word "outstanding" there, do you remember that she  
 14 was concerned that there was still a volume of actions  
 15 which were outstanding —  
 16 A. Yeah.  
 17 Q. — whenever the due date was, or past due? Did  
 18 outstanding mean past due in that context there?  
 19 A. I believe it meant actions in need of being completed,  
 20 because that was always my perspective. I wouldn't  
 21 have ... I mean, we had the age profile, so we can see  
 22 what age those that are still outstanding have, but in  
 23 my view outstanding means things that have been  
 24 identified and need to be completed but have yet not  
 25 been completed.

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1 Q. With respect, I wonder if that's really a right way of  
 2 understanding it. You see, she says, according to this  
 3 note at any rate, that she's concerned that there is  
 4 still a volume of actions outstanding and reiterated the  
 5 need for these to be given priority and completed asap.  
 6 She is clearly directing herself to the actions which  
 7 aren't simply outstanding, but which have remained  
 8 outstanding past their due date, otherwise everything  
 9 would be a priority, wouldn't it?  
 10 A. They are of higher priority, yes, but she wants them all  
 11 completed, we both do.  
 12 Q. What's the "these" then, "the need for these to be given  
 13 priority"? What did you understand she wanted to be  
 14 given priority?  
 15 A. The fire risk assessment actions.  
 16 Q. All of them?  
 17 A. Yes.  
 18 Q. How could all of the fire risk assessment actions be  
 19 given priority?  
 20 A. Well, the teams who have acquired these actions have  
 21 other responsibilities as well. I think she's trying to  
 22 say: can you treat this as one of your main priorities  
 23 in your overall scheme of what you're doing.  
 24 Q. Well, in priority to what?  
 25 A. Well, the other activities that they're responsible for

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1 progressing. You've got the contract management team,  
 2 who monitor contractors and let contracts and do all the  
 3 range of things they do, in addition — unless — sorry,  
 4 have I got the wrong end of the stick?  
 5 SIR MARTIN MOORE—BICK: Well, I'm just wondering, because if  
 6 you look at that first line, with the reference to there  
 7 still being a volume of actions outstanding —  
 8 A. Yes.  
 9 SIR MARTIN MOORE—BICK: — as you've explained to us, there  
 10 were always going to be some requirements outstanding  
 11 because new requirements were coming up all the time.  
 12 So the natural emphasis of that is things that have been  
 13 outstanding for a long time, isn't it, ie overdue?  
 14 A. Well, perhaps, but that —  
 15 SIR MARTIN MOORE—BICK: Otherwise it's just a statement of  
 16 the obvious.  
 17 A. Yeah, but sometimes that's necessary.  
 18 SIR MARTIN MOORE—BICK: All right.  
 19 A. Because we'd struggled with this, I think she was taking  
 20 every opportunity to get people to give it the priority  
 21 that it required.  
 22 I mean, you may be right and I may be wrong, but  
 23 I can only tell you that my —  
 24 SIR MARTIN MOORE—BICK: Well, you were there and I wasn't.  
 25 A. I wish I could remember all of this.

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1 SIR MARTIN MOORE-BICK: I'm just reading this, as it were,  
 2 as it hits me off the page, but if you can remember  
 3 a different tenor to the meeting, then obviously tell  
 4 us.  
 5 A. I think because we had struggled with these for so long,  
 6 I don't think she was going to be seen to take  
 7 a position where, "It's okay, you don't have to worry  
 8 about these so much, you need to" — I think she wanted  
 9 the message to be consistent and she didn't want to give  
 10 anyone an opportunity to go, "Well, you didn't tell us  
 11 to concentrate on that", so —  
 12 SIR MARTIN MOORE-BICK: All right.  
 13 A. But hopefully she can advise you herself.  
 14 MR MILLETT: Well, possibly, but as the Chairman has said,  
 15 you were there.  
 16 There are two possibilities, aren't there: either  
 17 she was expressing concern about the sheer number of  
 18 actions, whether in an FRA from yesterday or an FRA from  
 19 six months ago, because of the size of the estate and  
 20 the state of the buildings, that's one possibility,  
 21 which would mean all of them; the other possibility is  
 22 that she's concerned that there is a volume of actions  
 23 outstanding, meaning past due, which needed priority.  
 24 Which of those two alternatives did you understand  
 25 her to be expressing concern about?

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1 A. I believed that she was talking about fire risk  
 2 assessment actions per se, that they had to be given  
 3 priority. Clearly ones which are older will need to be  
 4 done as, you know, the utmost priority, but they all  
 5 need — and ongoing they all need to have priority. In  
 6 the job role that you do, you must treat this with  
 7 utmost priority.  
 8 Q. Now, she gives a bit of assistance on this in her first  
 9 statement.  
 10 A. Okay.  
 11 Q. {TMO10049987/7}, paragraph 35, she says this:  
 12 "If there were outstanding actions arising from the  
 13 FRA programme, I would emphasise the importance of  
 14 clearing out outstanding actions as a matter of urgency  
 15 at Health and Safety meetings. By way of example, in  
 16 a Health and Safety Committee meeting on 19 January 2017  
 17 I requested that each team with outstanding actions  
 18 prepare a written report for the next meeting setting  
 19 out the detail of each action and an explanation of what  
 20 steps had been taken to progress these and when each  
 21 would be fully completed. I recall that this led to  
 22 a mass clearing of actions. I should say that while  
 23 these were not actions that fell on my department but in  
 24 my role as chair of the Committee I was anxious to do  
 25 what I could [to] get the number down."

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1 Now, she refers there to emphasising the importance  
 2 of completing outstanding actions generally, and  
 3 specifically to requesting written reports.  
 4 Other than those two examples, do you know what  
 5 else, if anything, Ms Matthews actually did, or any  
 6 other senior TMO manager, to help complete FRA actions?  
 7 A. I think when we discussed this earlier, I'm aware that  
 8 she would have had dialogue with Sacha Jevans and also  
 9 Peter Maddison, Alex Bosman, Graham Webb, all of the  
 10 people whose teams were responsible for progressing  
 11 actions. I know that she was proactive about her health  
 12 and safety responsibilities. She also had a remit in  
 13 relation to Repairs Direct, so she had quite a lot of  
 14 dialogue with Graham, and I know this is something that  
 15 she would have discussed with him.  
 16 Q. Yes.  
 17 A. So she had all of that going on. I'm sure she would  
 18 have engaged her exec team colleagues quite vigorously  
 19 about it as well.  
 20 Q. Yes.  
 21 Now, let's look at the 19 January 2017 meeting. The  
 22 minutes of that meeting are at {TMO10016020}. This is  
 23 the meeting she's referring to by way of her exemplar.  
 24 If you go to page 1 you can see that she was there,  
 25 you were there, Mr Maddison was there.

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1 If we go to page 2 {TMO10016020/2}, paragraph 4.1,  
 2 she says under the heading "FRA Actions":  
 3 "BM raised concern that there were a large number of  
 4 actions outstanding that are over 12 months. At the  
 5 next meeting each of the teams with outstanding actions  
 6 will need to explain their action plan to clear these  
 7 down."  
 8 Certainly at this meeting, she is identifying the  
 9 large number of actions outstanding that are over  
 10 12 months, not outstanding as of yesterday because we  
 11 had an FRA yesterday. That was, I suggest to you, the  
 12 nature of her concern, wasn't it?  
 13 A. I think it was one of the natures of her concern.  
 14 I think she was concerned to get everyone to take these  
 15 responsibilities seriously and to progress whatever  
 16 action they needed to take. Clearly anything over  
 17 12 months was going to be in the spotlight and should be  
 18 done as a matter of utmost priority, and that's what she  
 19 is trying to achieve, but I don't think it was confined  
 20 to that.  
 21 Q. That's the burden of it, though, isn't it? That's the  
 22 thrust of it. She is concerned here that there are lots  
 23 of actions which are well past due, not that there are  
 24 lots of actions.  
 25 A. Well, it's not ... I think we could debate this.

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1 I disagree.  
 2 Q. I can only go on the note, and you were there.  
 3 A. Yeah, I know, and what I would say is often, the detail  
 4 of the meeting isn't all covered in the note. So  
 5 sometimes I think, perhaps ... my recollection, if not  
 6 from this meeting, from my endless discussions with  
 7 Barbara about fire risk assessments, RRO, all of those,  
 8 is she felt very strongly that the organisation needed  
 9 to do whatever it could to take all of their  
 10 responsibilities seriously, and that meant completing  
 11 actions allocated to them in the right timeframe. So,  
 12 yes, this is what it says here, I agree with you, but  
 13 I think it is wider than that.  
 14 Q. Was your understanding that only the teams with actions  
 15 outstanding over 12 months were required to provide  
 16 an explanation, or were all teams with any outstanding  
 17 actions of any vintage to provide their action plan?  
 18 A. It was my understanding that all teams should come along  
 19 armed with — if not in writing, they should have at  
 20 least a verbal update on why they had actions  
 21 outstanding.  
 22 Q. The reason I'm asking you this is that wasn't  
 23 Mr Maddison's understanding. His understanding —  
 24 {Day123/98:17} — was that he thought that only teams  
 25 with actions older than 12 months needed to provide

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1 a report. But it doesn't sound as if that was what your  
 2 understanding was.  
 3 A. It wasn't my understanding.  
 4 MR MILLETT: Right.  
 5 Mr Chairman, is that a convenient moment?  
 6 SIR MARTIN MOORE—BICK: Yes.  
 7 MR MILLETT: We're still mid-stream with this, but we're  
 8 making decent progress.  
 9 SIR MARTIN MOORE—BICK: It's probably as good a time as any,  
 10 isn't it?  
 11 MR MILLETT: Yes.  
 12 SIR MARTIN MOORE—BICK: We'll have the afternoon break now,  
 13 then, Ms Wray. We will resume at 3.30, please, and  
 14 again, don't talk to anyone about your evidence while  
 15 you're out of the room.  
 16 THE WITNESS: Thank you.  
 17 SIR MARTIN MOORE—BICK: All right? Thank you.  
 18 (Pause)  
 19 Right, 3.30, then, please. Thank you.  
 20 (3.15 pm)  
 21 (A short break)  
 22 (3.30 pm)  
 23 SIR MARTIN MOORE—BICK: All right?  
 24 THE WITNESS: Yes.  
 25 SIR MARTIN MOORE—BICK: Ready to keep going?

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1 THE WITNESS: Yes.  
 2 SIR MARTIN MOORE—BICK: Well done. Thank you.  
 3 Yes, Mr Millett.  
 4 MR MILLETT: Yes, Mr Chairman, thank you.  
 5 Can I ask you next, please, to look at  
 6 {TMO10016217}.  
 7 Now, this is a document entitled "FRAs — current  
 8 progress with completion of actions", paper 4,  
 9 10 March 2017. Do you see that?  
 10 A. Yes.  
 11 Q. Can you confirm that those are the statistics that you  
 12 prepared for and presented to the TMO health and safety  
 13 committee meeting on 16 March?  
 14 A. Yes, they would have been.  
 15 Q. Yes.  
 16 Now, if we go to page 3 of that document  
 17 {TMO10016217/3}, you will see that there is a section  
 18 "Breakdown of actions remaining incomplete after 12+  
 19 months". Were those the written explanations provided  
 20 to Barbara Matthews that she had asked for?  
 21 A. Yes, I believe so. I think some people did provide  
 22 a verbal update instead of providing something in  
 23 writing.  
 24 Q. Right. And you can see that there are only two entries  
 25 here.

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1 A. Yes.  
 2 Q. Yes, why is that?  
 3 A. That was all I received.  
 4 Q. Right, I see.  
 5 Was there any discussion at the meeting about  
 6 whether those were considered a sufficient explanation  
 7 by members of the committee or by Barbara Matthews  
 8 herself, do you know?  
 9 A. It was certainly discussed, and the repairs and the  
 10 contract management, which isn't here, I believe  
 11 provided a verbal update on their position. There would  
 12 have been quite a wide-ranging discussion.  
 13 Q. Looking at the text under "Health & Safety Team", did  
 14 you write that text?  
 15 A. Probably.  
 16 Q. Right. It says:  
 17 "The majority of the actions (28) which remain  
 18 incomplete after 12 months relate to tenanted flat  
 19 entrance doors and/or transom lights or side screens  
 20 which have been highlighted as potentially not  
 21 compliant. In some cases doors have been changed and  
 22 assessor has requested confirmation that replacement  
 23 doors are compliant with current requirements.  
 24 Sometimes a temporary door has been fitted and has never  
 25 been replaced with a compliant door. Orders have been

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1 raised but have been abandoned — sometimes due to  
 2 non—access — but no escalation has been undertaken so  
 3 action remains outstanding.”  
 4 A. Yes.  
 5 Q. What was the TMO’s approach to replacement of flat  
 6 entrance doors identified by Mr Stokes as requiring  
 7 confirmation of compliance with current requirements?  
 8 A. If — as and when doors were required, they are required  
 9 to meet the current standards, so they should be  
 10 an FD30S — self—closing FD30S. In terms — as part of  
 11 his assessment, he would identify doors which he was  
 12 concerned were potentially non—compliant or he didn’t  
 13 recognise or they weren’t in keeping with the others in  
 14 the block. In this case it looks like — the first  
 15 thing we would do is check whether they were tenanted  
 16 doors or leasehold doors. Where they were tenanted  
 17 doors, we would try and get information from the repairs  
 18 team, when the door had been replaced, can they confirm  
 19 that it meets the current standards. As you can see,  
 20 that wasn’t always as easy as it should have been. If  
 21 they’d been replaced because there had been  
 22 an emergency, sometimes there had been a temporary door  
 23 placed there for forced entry or whatever reason,  
 24 I think sometimes repairs weren’t good about remembering  
 25 to go back and replace with a fully compliant door. So

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1 that would relate to some of them. And then, as you can  
 2 see, sometimes it was problematic to get access.  
 3 So orders were raised, and then whenever I went  
 4 through the system and interrogated it, in some cases  
 5 there had been a number of attempts at access but then  
 6 there was no escalation to the neighbourhood team, which  
 7 is what should have happened, in order to contact  
 8 residents to say, “Look, in terms of your tenancy, it’s  
 9 really important that we get access”, and to explain.  
 10 So although they sort of sit with me, I’m going  
 11 between repairs and the neighbourhood team, trying to  
 12 make sure that those arrangements are in place.  
 13 Q. You say there:  
 14 “Orders had been raised but have been abandoned —  
 15 sometimes due to non—access — but no escalation has been  
 16 undertaken so action remains outstanding.”  
 17 Abandoned by whom?  
 18 A. I think the repairs system.  
 19 Q. Why would the repairs system abandon orders?  
 20 A. Probably best to ask Graham Webb, because he will  
 21 understand the detail, but I think their process is that  
 22 there will be a certain number of attempts made, and  
 23 then, wrongly in my view, they would then become  
 24 abandoned. What they should do is be escalated,  
 25 I think, which is what I was trying to get them to

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1 implement.  
 2 Q. Escalated to whom?  
 3 A. Well, within the repairs team, there should have been  
 4 a way that they ... I’ve forgotten the term. A way that  
 5 they should have been able to — like almost a jeopardy  
 6 list, I suppose is what I mean, for —  
 7 Q. Right. Why had that not taken place, do you know?  
 8 A. I don’t know, sorry. I think it was only really in  
 9 terms of when I was interrogating works orders that  
 10 I had requested and couldn’t confirm that they’d been  
 11 complete that some of these things came to my attention,  
 12 and when they did I would speak to Graham and his staff  
 13 to see if we could look at more effective ways of  
 14 dealing.  
 15 Q. Looking at “Neighbourhood Management South”, the other  
 16 area of breakdown, just looking at the explanation  
 17 there, was that typical of the kind of explanations that  
 18 you received for a team’s failure to close down an FRA  
 19 action?  
 20 A. This is sometimes what we’d receive. It was a variety  
 21 of things, but yeah, sometimes.  
 22 Q. Can we then look at the minutes for 13 June 2017 at  
 23 {TMO10017155}, the day before the fire.  
 24 A. Yes.  
 25 Q. Page 1, health and safety meeting, 13 June, 10 am.

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1 Barbara Matthews is there, you’re there, and  
 2 Peter Maddison is there.  
 3 At page 3 {TMO10017155/3}, please, paragraph 3.1,  
 4 “FRA Actions”:  
 5 “BM expressed concern at the volume of actions which  
 6 remain outstanding. She emphasised the importance of  
 7 completing these in a timely manner not least because  
 8 they will continue to be raised [ particularly ] as the  
 9 FRA reviews become more frequent.”  
 10 Given Barbara Matthews’ concern as recorded in the  
 11 minutes up to this time, do you accept that there was  
 12 still, as at the day before the fire, at least, clearly  
 13 an issue in terms of closing down actions in a timely  
 14 manner?  
 15 A. My recollection is there had been a tremendous amount of  
 16 progress made, but it was still a position that we were  
 17 pushing on to improve. So, yes, there were still things  
 18 that needed to be attended to.  
 19 Q. And at the time of that last meeting in June 2017, would  
 20 you agree that the TMO had not managed to get on top of  
 21 the number of outstanding, by which I mean past due, FRA  
 22 actions within its properties?  
 23 A. Certainly not completely, no.  
 24 Q. No. Can you explain why, despite Ms Matthews’ very  
 25 clear call for outstanding FRAs to be closed out and

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1 a stubborn corpus of 12 months plus FRA actions, she was  
 2 still making that request at the time of the fire?  
 3 A. I mean, I can't speak for others, but I know that some  
 4 of the things which were down to the health and safety  
 5 team, as per the explanation that we've just discussed,  
 6 were really a challenge for me to get them progressed.  
 7 You know, there were — some things were outside of our  
 8 control in terms of access, and there were systems in  
 9 place, for example the one that came to light about  
 10 abandoning repairs, that I wouldn't previously be aware  
 11 of.  
 12 I can't give you an explanation for other people's,  
 13 I only really know the detail of what I struggled with.  
 14 Q. Now, we'll turn to specific implementation of actions at  
 15 Grenfell Tower in due course.  
 16 Before we do that, there are some preliminary  
 17 questions about FRAs.  
 18 We know that Carl Stokes produced an FRA, a fire  
 19 risk assessment, and an action plan for Grenfell Tower  
 20 on 20 June 2016.  
 21 A. Yeah.  
 22 Q. That's at {CST00003069}.  
 23 Did you know that the vast majority of the actions  
 24 identified by Carl Stokes in the April 2016 FRA for  
 25 Grenfell Tower were identified as still presenting

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1 a risk in the June version?  
 2 A. I think I was aware of that. My recollection is that we  
 3 knew that we were going to instruct him to do — to  
 4 carry out a fire risk assessment at the conclusion of  
 5 the work, and actually we instructed him to go in April  
 6 so that we would — partly so that we would be  
 7 identifying what information we required from the  
 8 contractors before they left site, because contractors  
 9 notoriously when they leave site are a bit more  
 10 challenging to get documentation from. So it was partly  
 11 to identify what he was going to be needing in the June,  
 12 so I wasn't surprised that some of them were  
 13 outstanding, but I don't know —  
 14 Q. Why were so many items identified by Mr Stokes in his  
 15 April 2016 FRA still outstanding as at June?  
 16 A. I can't comment on that without looking at the detail,  
 17 but, as I say, I do know that some of those documents  
 18 wouldn't have been readily available, I believe, until  
 19 closer to completion of the contract on site, but he was  
 20 raising them in advance so that we knew that we had to  
 21 start hassling the project team and the contractors and  
 22 whoever to provide them.  
 23 Q. In numbers terms, did you know that there were 42 items  
 24 identified in the April 2016 version which had not been  
 25 cured as at June?

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1 A. I didn't know that in numbers terms, no.  
 2 Q. Right.  
 3 Given that all but three of the actions from  
 4 April 2016 had been assessed as high priority — all but  
 5 three — and so should have been rectified, on your  
 6 understanding, within three weeks, or there should have  
 7 been interim measures for them, how come so many of  
 8 those items had not been addressed before 20 June, when  
 9 he did his June FRA?  
 10 A. I can't give you an explanation. I would reiterate that  
 11 some of the documentation may not have been readily  
 12 available until closer to the end of the contract, so  
 13 some of that — some of the certification, the  
 14 regulation 38 information, may not have been available.  
 15 But I can't — sorry, without looking at the detail,  
 16 I can't —  
 17 Q. No. Well, let's try and work it through with a worked  
 18 example in detail.  
 19 Can we look, please, at the April 2016 record of  
 20 significant findings and actions at {TMO00873871/7}.  
 21 If we look at item 19b at the top of your screen  
 22 there, you can see that it's a red item, high:  
 23 "There are no operating instructions or as installed  
 24 diagrams located next to the Automatic Opening Vents ...  
 25 control panel, how is this control panel accessed?"

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1 The action is:  
 2 "Provide operating instructions and as installed  
 3 diagrams located next to the AOV control panel along  
 4 with access information."  
 5 Then action is "Claire W", then the last column:  
 6 "We will be fitting a cover to AOV pane and  
 7 operating instructions inside with keys."  
 8 I didn't read the bit about Rydons in the middle  
 9 column there to be fitting a cover.  
 10 So that was the content of the April 2016 record,  
 11 significant findings and actions.  
 12 A. Yes.  
 13 Q. We then look at W2. Let's look at that,  
 14 {TMO00873869/2}.  
 15 It looks as if this outstanding item goes on to W2  
 16 as item 19a. It's not a very easy document to navigate,  
 17 but do you see ...  
 18 A. I can't see a reference on it, sorry.  
 19 Q. I wonder if my page number is right.  
 20 I think the answer is there isn't anything on that  
 21 until August 2016.  
 22 A. Okay.  
 23 Q. But if you go to page 2, I can show this to you. If you  
 24 go to the second box, and look at the second box, top  
 25 line, where it says "Process Completed", do you see

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1 that, "Wednesday 31st Aug 2016"?

2 A. Yes.

3 Q. Can you explain why this item — and I'm afraid I'm not

4 able to identify which the item is — only goes on there

5 on 31 August 2016?

6 A. No. No, I mean, I was seeking the information from

7 Claire Williams, who was clearly in liaison with Rydons

8 about providing the documentation that's required, and

9 I can't give you an explanation, other than I didn't

10 receive confirmation until that time.

11 Q. Right.

12 I mean, why did you consider that it was appropriate

13 to leave items such as that without taking action at all

14 for some four months?

15 A. I wouldn't have taken no action at all. I would have

16 chased up Claire repeatedly in the interim. She is

17 relying on Rydons to provide the information, and I'm in

18 good faith expecting that any day. Unfortunately it

19 looks like it did take a while to come through, but it

20 looked like it was going to be straightforward and it

21 looked like it could be resolved quite swiftly.

22 Q. Right.

23 If you go to the bottom of the page, there is a big

24 blue arrow. Tell me how this works. It looks as if

25 this is a history, starting at the bottom, and there is

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1 a sort of Monty Pythonesque finger coming out from the

2 left — hand side, I don't know what that indicates, but:

3 "Process Started. Cyril Morris ... 10th Aug

4 2016 ...

5 "HS Fire Risk Assessment process started at stage

6 ' Initial '."

7 And then you can see the dates going up, process

8 completed at the end of August 2016.

9 A. Yeah.

10 Q. Was that in relation to the April 2016 FRA, do you know,

11 or the June?

12 A. I think it would be June.

13 Q. Right. Why do you say that?

14 A. Well, partly a conversation that you and I had earlier

15 about the June items not making it on until August. It

16 isn't clear from here, I'm just going by what we

17 discussed earlier.

18 Q. Let's look at a different part of W2, {TMO00873842}.

19 This is your JW/10.

20 A. Okay.

21 (Pause)

22 Q. Could you just explain what this document is? We

23 thought it was W2, but is that right?

24 A. It's — yes, it's a download that I've got from W2 that

25 I've — you can do a conversion into Excel, so I've run

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1 the information from W2 and it's produced it in an Excel

2 document.

3 Q. Right.

4 A. Okay.

5 Q. You can see there that the inputs on that page for —

6 the trouble is, I can't navigate it to show you where it

7 starts, but —

8 A. Line 38 I think is what you're referring to.

9 Q. Yes, line 38 at the bottom, 10 August 2016.

10 A. Yes.

11 Q. You can see 19c. 19a is item 37, which is I think what

12 I want.

13 A. Okay.

14 Q. That's become 19a in the June version.

15 A. Right.

16 Q. You can see that that's still outstanding.

17 My question is: why was it only inputted on

18 10 August 2016 when it had appeared in the June FRA?

19 A. I can't give you an explanation for that. That would be

20 really unusual for us to cause any delay because we

21 always prioritised it.

22 Q. Do you remember whether Mr Stokes discussed with you the

23 issue, the items he had identified in his April 2016

24 action plan, most of which or at least many of which

25 were high-priority reds, had not been addressed by the

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1 time of the June 2016 FRA?

2 A. It's likely he would have done, but I don't recall

3 specifically.

4 Q. What did you tell him? What answer did you give him?

5 A. Well, I may well have run a report such as this and

6 talked him through what I knew had been completed and

7 what I knew — whether there were holdups or delays or

8 what I was imminently waiting to have completed, or he

9 may have actually gone and spoken to Claire Williams

10 because a lot of the issues were obviously inevitably

11 related to the project.

12 Q. Now, can I ask you, please, to go back to the

13 fire safety question in 2013 and the discussion of the

14 draft Hodgson report in August 2013.

15 This is {TMO00899807}. I don't think I have shown

16 you this before.

17 A. No.

18 Q. You can see that it's an executive team meeting. You're

19 not present, which is one of the reasons why I hadn't

20 shown it to you before.

21 If you go to page 1, it says, 1.4:

22 "Health and safety report — although there was a lot

23 of operational action in the report [the Hodgson report

24 in draft], it did not help us with the organisational

25 structure/management. Peter Maddison was concerned that

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1 the fire risk assessments were sub—standard, and could  
 2 put the organisation at risk. There was also some  
 3 concern that high risk blocks were being classified as  
 4 low risk, and vice versa.”  
 5 Pausing there, was that something Mr Maddison ever  
 6 took up with you?  
 7 A. No, never.  
 8 Q. Never, right.  
 9 A. No.  
 10 Q. Then a little bit lower down, it says {TMO00899807/2}:  
 11 “It was agreed to set up a meeting with  
 12 Matt Hodgson, Peter Maddison and Janice Wray to discuss  
 13 the way forward. Peter had suggested that he take on  
 14 responsibility for all areas including asbestos and fire  
 15 risk which were still with Janice Wray, and Janice Wray  
 16 would have a more strategic role, and work with the  
 17 Fire Brigade.”  
 18 Did such a meeting ever take place?  
 19 A. I’ve got no recollection of such a meeting.  
 20 Q. Did a discussion, even if not in a meeting, ever take  
 21 place between you, Peter Maddison and Matt Hodgson?  
 22 A. No, I don’t believe so.  
 23 Q. Right. Then it says:  
 24 “The possibility of Adrian Bowman transferring to  
 25 A&R to be considered so that Peter Maddison could

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1 resource this area of work. Governance would be the  
 2 reorganised Health & Safety Committee, and also the A&R  
 3 health & safety group which Sacha Jevans would review,  
 4 and chair herself. Matt Hodgson’s report to reflect  
 5 this structure.”  
 6 Do you remember that discussion or any discussion on  
 7 that topic with Peter Maddison or anybody else?  
 8 A. No. The only thing that’s I think relevant at this  
 9 point is we discussed Michael Lyons’ policy statement  
 10 yesterday.  
 11 Q. We did.  
 12 A. And his structure that he set out may have had some  
 13 bearing on this dialogue, which I was unaware of.  
 14 Q. Did Mr Maddison or anybody else raise any concerns with  
 15 you about your capacity to manage fire risk?  
 16 A. No, he didn’t.  
 17 Q. Or about the quality of Mr Stokes’ FRAs?  
 18 A. No, I’m really surprised to read that, actually.  
 19 Q. Right.  
 20 A. Because I’m not aware that he asked to see very many of  
 21 them, so I’m not sure he would have reviewed very many  
 22 of the assessments themselves.  
 23 Q. Right. So is your evidence that none of these  
 24 suggestions were ever discussed with you, let alone  
 25 taken up?

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1 A. Definitely none of them were discussed with me, and —  
 2 Q. Right.  
 3 A. — they weren’t taken up.  
 4 Q. Can we go to {TMO00849798}, please.  
 5 This is an executive team meeting of  
 6 18 September 2013 and, for self—evident reasons, you’re  
 7 not present, but there is a discussion about the same  
 8 topic.  
 9 If we go to page 6 {TMO00849798/6}, please, second  
 10 bullet point down, we can see there is a discussion  
 11 along the lines of:  
 12 “Clienting of fire risk assessments had been taken  
 13 over by A&R, which were due to be completed by  
 14 mid October.”  
 15 Were you aware of any plan for A&R, assets and  
 16 regeneration, to take over management of the fire risk  
 17 assessment?  
 18 A. No.  
 19 Q. Did you want that to happen?  
 20 A. I’d never been consulted on that happening.  
 21 Q. Right.  
 22 A. It wouldn’t really be for me to say.  
 23 Q. Had you been consulted, would you want that to happen?  
 24 A. I suppose from a health and safety perspective I would  
 25 have been concerned about that happening, because the

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1 actions that were not being progressed swiftly enough  
 2 all sat within that division. So, actually, if you put  
 3 everything in one division where there are potentially  
 4 problems about getting things done in the right  
 5 timeframe, then I didn’t see that was a good thing  
 6 necessarily.  
 7 Q. I see. Peter Maddison confirmed that it didn’t in fact  
 8 happen. Do you know why it didn’t happen?  
 9 A. No, I didn’t know it was even discussed at this stage,  
 10 so sorry, no, I —  
 11 Q. Can we then go to {TMO00856238/2}, please.  
 12 This is an email from you to Anthony Parkes on  
 13 31 January 2014.  
 14 A. Yeah.  
 15 Q. We can pick it up just at the very bottom of page 1,  
 16 where we can see your name as the outgoing — you can’t  
 17 quite see it. It’s just below the “Anthony”,  
 18 “From: Janice Wray”, and then over to page 2  
 19 {TMO00856238/2}, 31 January to Anthony Parkes:  
 20 “Dear Anthony  
 21 “Attached is a copy of the fire safety policy that  
 22 Michael has drafted as an alternative to the one which  
 23 I recently consulted in and issued to the LFB.”  
 24 Pausing there, that must have been the November 2013  
 25 policy we saw yesterday; yes?

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1 A. Yes.  
 2 Q. "This is based on Michael's recommendation that  
 3 responsibility for fire safety in its entirety transfers  
 4 to A&R. Grateful if you could advise whether this is  
 5 the way the organisation wishes to go."  
 6 Now, clearly you're referring to Michael Lyons'  
 7 alternative policy that you identified yesterday in your  
 8 evidence, aren't you?  
 9 A. Yes, that's right.  
 10 Q. Do you know why Mr Lyons had recommended that  
 11 responsibility for fire safety should be transferred to  
 12 assets and regeneration?  
 13 A. No, I didn't know if it was just him speculating about  
 14 whether that would be a good way for the organisation to  
 15 go. Having read the exec team minutes, it may be that  
 16 he's been briefed to produce something of that nature.  
 17 I don't know, really.  
 18 Q. Going to page 1 {TMO00856238/1}, we will take this  
 19 quickly, given that it didn't happen.  
 20 On page 1, 7 February 2014, Parkes' email to you:  
 21 "Dear Janice  
 22 "I have reviewed the fire safety policy as drafted  
 23 by Michael ...  
 24 "The layout of the policy is clear ..."  
 25 Then he goes on to say:

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1 "However the section on roles and responsibilities  
 2 does not meet with the agreed policy to split the  
 3 strategic corporate role from the operational role."  
 4 Et cetera, and he goes on to say other things about  
 5 management structure.  
 6 As far as you know, was Mr Parkes objecting to the  
 7 role of fire contract manager that he refers to?  
 8 A. I sort of — yeah, I mean, it took this to mean that  
 9 this wasn't the way the organisation wanted to go. He  
 10 didn't obviously give me any background about what  
 11 discussions had taken place, so I didn't know if it was  
 12 something that Michael just came up with as a concept or  
 13 whether it was he'd been asked to put something together  
 14 and ...  
 15 Q. Right.  
 16 If we then go to the policy {TMO10040790}. We  
 17 looked at this yesterday, this is his draft fire safety  
 18 policy dated January 2014.  
 19 A. Yeah.  
 20 Q. We can see that you are identified there as the author,  
 21 together with him.  
 22 I don't think we looked at this version yesterday,  
 23 but was this the version that you sent Anthony Parkes?  
 24 A. No, I don't think so, I think it was the other version.  
 25 Q. Right. Have you ever seen this one before then?

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1 A. I think we looked at this yesterday and I must have seen  
 2 it before, but —  
 3 Q. Right. The one I think we looked at yesterday with your  
 4 name on had May in it, but no matter.  
 5 Can we go to page 6 {TMO10040790/6}. This is where  
 6 I want to show you what it says and ask you about.  
 7 A. Okay.  
 8 Q. You can see under the third sub-header it says:  
 9 "Fire Contract Manager.  
 10 "The Fire Contract Manager will be tasked with the  
 11 strategic management of fire precautions within the  
 12 responsibility of Kensington and Chelsea TMO, reporting  
 13 directly to the Head of Contract Management and shall:  
 14 " ■ Formulate and revise KCTMO's Fire Plan.  
 15 " ■ Conduct/arrange audits to ensure that the  
 16 provisions within the Fire Safety Policy are being  
 17 enforced to the standard required.  
 18 " ■ Ensure sufficient information, instruction and  
 19 training is carried out.  
 20 " ■ Ensure that the fire precautions are maintained  
 21 effectively .  
 22 " ■ Investigate fires and introduce controls ...  
 23 " ■ Appoint a designated person ..."  
 24 This role of a fire contract manager, was that ever  
 25 discussed at any meeting you attended?

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1 A. No.  
 2 Q. Did you ever have any discussions with Anthony Parkes  
 3 about that specific role?  
 4 A. No. Literally the email that you just showed is the  
 5 only correspondence I had with Anthony on the matter.  
 6 Q. Clearly, if one goes to page 7 {TMO10040790/7}, there is  
 7 a distinction between the fire contract manager and the  
 8 health and safety manager. Was there ever any  
 9 discussion you were party to which involved the proposal  
 10 that these two roles should be split?  
 11 A. No. No, there wasn't.  
 12 Q. Right. So your role included all of or the majority of  
 13 the responsibilities set out in the list for the fire  
 14 contract manager we can see in Mr Lyons' draft?  
 15 A. Majority, yeah.  
 16 Q. Yes, I see.  
 17 Was there a need in the TMO at the time for a person  
 18 with specific responsibility for the management of fire  
 19 risk or fire safety as opposed to health and safety more  
 20 generally?  
 21 A. Erm ... I mean, we've discussed it several times, there  
 22 was a need for more resource. Whether it needed to be  
 23 a separation of roles or just a boosted resource would  
 24 have been a decision for somebody further — more senior  
 25 than me.

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1 Q. We don't need to go to it, but the later version of this  
 2 document, which I did show you briefly yesterday,  
 3 May 2014, at {TMO00856458} — there is no need to look  
 4 at it — had a section on roles and responsibilities,  
 5 but the role of fire contract manager had disappeared.  
 6 Can you help us about why it had gone?  
 7 A. I suspect — I'd forgotten about this. I suspect that  
 8 I may have doctored this document, edited it, and  
 9 thought of having a separate fire safety policy  
 10 statement, done some work on it and then put it to one  
 11 side and not gone back to it. So I suspect that's  
 12 what — the one that you showed me is an updated version  
 13 that I had worked on that was never adopted.  
 14 Q. Correct, but was it you who removed the proposal for  
 15 a fire contract manager?  
 16 A. It probably was, because by then it was clear that there  
 17 wasn't going to be one.  
 18 Q. I see. So was it always your view that there did not  
 19 need to be a separate fire contract manager and that you  
 20 could manage perfectly well within the umbrella of your  
 21 work as the health and safety manager?  
 22 A. As I've said, I wasn't consulted. The only information  
 23 I ever had about the suggestion was what came from  
 24 Michael Lyons. I took a view from Anthony, who was my  
 25 manager, and he sort of dismissed it, so to the best of

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1 my knowledge it wasn't even up for consideration, or if  
 2 it was, I wasn't party to any discussion. So I didn't  
 3 think it was realistically on the table.  
 4 Q. Now, I want to ask you some questions about deficiency  
 5 notices, procedure and process.  
 6 We've talked about close-out actions for FRAs.  
 7 I want to switch to the same question but in respect of  
 8 deficiency and enforcement notices from the LFB.  
 9 Can we start with your July 2020 statement, please,  
 10 at {TMO00873799/18}, paragraph 35. You refer there to  
 11 the procedure for dealing with LFB deficiency notices  
 12 and those particularly of January 2016.  
 13 Now, in 34 you give the background, 17 November 2016  
 14 notice of deficiency for Grenfell —  
 15 A. Yes.  
 16 Q. — which had seven fire safety matters in it, and then  
 17 you say in paragraph 35:  
 18 "Of relevance to this question is the TMO Procedure  
 19 for dealing with LFB Deficiency Notices, dated  
 20 January 2016 ... which set out the following:  
 21 "'Depending upon the nature of the breaches the H&S  
 22 Team will send a copy of this notice to the relevant  
 23 team(s) and discuss with them the necessary remedial  
 24 action and timescale for this.  
 25 "'H&S Team monitor completion of the necessary

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1 works.  
 2 "'Deficiency Notices (and Broadly Compliant letters)  
 3 and progress with completing the actions they raise are  
 4 reported to the Health & Safety Committee. Further,  
 5 a summary of these are provided in the Company's Annual  
 6 Health & Safety Report.'"  
 7 Let's look at the document itself. This is at  
 8 {TMO00840480}.  
 9 It's paper 3, so it would have been produced to  
 10 a meeting, and we know that it in fact was produced to  
 11 the 19 January 2016 health and safety committee meeting.  
 12 We will look at the minutes of that in a moment.  
 13 Just looking at this document, did you draft this?  
 14 A. Yes.  
 15 Q. You did. What prompted you to draft it?  
 16 A. Actually, I think it was a request by Peter Maddison.  
 17 Q. Oh, was it?  
 18 A. It reflects the process or the procedure that we were  
 19 following, but we had never documented it and it seemed  
 20 sensible.  
 21 Q. Right.  
 22 Now, this is January 2016.  
 23 A. Yeah.  
 24 Q. And do you recall that the Adair Tower enforcement  
 25 notices had come in the month before?

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1 A. Yeah, December and January, yeah.  
 2 Q. Indeed. Were they a prompt for the production of this  
 3 document?  
 4 A. No, not really, because they're talking about deficiency  
 5 notices. The enforcement notices were treated entirely  
 6 differently.  
 7 Q. Did you receive any help in drafting or finalising this  
 8 policy?  
 9 A. Unlikely.  
 10 Q. Right.  
 11 Did you ask the LFB's fire safety team to consider  
 12 it or approve it or review it in any way?  
 13 A. No, because generally the Fire Brigade had been pretty  
 14 low key about deficiency notices. They saw them as  
 15 being non-statutory notices. Often the defects that  
 16 they were identifying they felt themselves were  
 17 a relatively minor deficiency notice. They didn't  
 18 require any formal sign-off. I would feed back to them  
 19 often on progress at liaison meetings, but they would  
 20 rarely ever seek an update.  
 21 Q. Now, let's go to the minutes of the meeting,  
 22 {TMO10012670}. 19 January 2016. You're there.  
 23 If we go to page 4 {TMO10012670/4}, we can see at  
 24 paragraph 3.7 that it says:  
 25 "JW summarised the process for deficiency notices as

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1 set out in Paper 3. To reiterate these tend to be  
 2 received by JW, are brought to this committee and are  
 3 circulated to the teams with actions and timescale for  
 4 completion. PM requested a copy of any Deficiency  
 5 Notice where defects related to the work of his team."  
 6 Did you get any feedback at this meeting about this  
 7 policy?  
 8 A. No, I don't believe so.  
 9 Q. Did you usually provide copies of the deficiency notice  
 10 to the relevant teams as requested by Peter Maddison for  
 11 his team?  
 12 A. Yes. That was exactly the procedure that we've  
 13 documented, is when — on receipt of a deficiency  
 14 notice, we would allocate the work, email a scanned copy  
 15 to the individual and ask them to advise us of progress.  
 16 Q. Was the policy adopted formally or approved formally at  
 17 this meeting?  
 18 A. Yes, it was.  
 19 Q. Let's go back to the policy, {TMO00840480}.  
 20 If we go to the heading, "Progressing issues by  
 21 LFB", item 4, towards the bottom of your screen, it  
 22 says:  
 23 "The Fire Safety Team will generally telephone the  
 24 TMO Health & Safety Team following their audit to raise  
 25 queries, request confirmation of maintenance

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1 arrangements, a copy of the Fire Risk Assessment and to  
 2 outline any breaches. They will confirm if it is their  
 3 intention to issue a Notification of Fire Safety  
 4 Deficiencies or alternatively if they intend to send  
 5 a letter confirming that they considered the block to be  
 6 'broadly compliant' with no statutory breach at the time  
 7 of the audit.  
 8 "When a Notice is issued a paper copy is sent by  
 9 post for the attention of the Health & Safety Team.  
 10 Depending upon the nature of the breaches the H&S Team  
 11 will send a copy of this notice to the relevant team(s)  
 12 and discuss with them the necessary remedial action and  
 13 timescale for this.  
 14 "H&S Team monitor completion of the necessary  
 15 works."  
 16 Now, did the fire safety team from the LFB generally  
 17 telephone the TMO following their audit to raise queries  
 18 and ask for confirmation of maintenance arrangements?  
 19 A. Often that is the case, yes.  
 20 Q. Would you usually provide them with confirmation?  
 21 A. Yeah, I mean, I would try and provide them with what it  
 22 is they've requested. So if they asked for the fire  
 23 risk assessment, we'd send that. If they asked for  
 24 maintenance documentation, I would speak to the  
 25 compliance team, contracts management team, and get what

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1 they required and email it to them as soon as I could.  
 2 Q. Right.  
 3 It says here that they would outline any breaches,  
 4 so was this the policy, that they would discuss each of  
 5 the breaches with you?  
 6 A. Generally when they telephoned, they would say, "Oh,  
 7 we've been to this block" — because we often didn't  
 8 know in advance where they'd be attending — "We've been  
 9 to this block today and it was generally okay but we had  
 10 one or two concerns and I'll email you separately, but  
 11 this is what — but in the meantime, could you confirm",  
 12 and sometimes it was just information that they needed  
 13 which allowed them to complete their audit, because  
 14 I think it's all kind of numerical and at the end it  
 15 decides whether a deficiency notice is going to be  
 16 served or not.  
 17 Q. Once you had received the notification of fire safety  
 18 deficiencies, the procedure notes that:  
 19 "... the H&S Team will send a copy of this notice to  
 20 the relevant team(s) and discuss with them the necessary  
 21 remedial action and timescales for this."  
 22 "H&S team", who does that refer to?  
 23 A. Adrian and me.  
 24 Q. Adrian Bowman and you. And when you discussed timescale  
 25 for completing the action, how did you determine what

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1 the timescale should be?  
 2 A. It depended on the nature of the breach, really. If  
 3 it's something that's really — should be fairly  
 4 straightforward, if it's communal storage or anything of  
 5 that nature, I would be asking the estate services team  
 6 leader to ensure that it was turned around in 24 hours,  
 7 48 hours if it possibly could be, and also that the  
 8 caretaker go and — ESA — go and speak to the resident  
 9 and explain why it's important, you know, not to happen  
 10 again.  
 11 If it's more complicated — trying to think ... If  
 12 it's for example a leaseholder door that's potentially  
 13 non-compliant, that's much more challenging for —  
 14 because it's demised to the resident and we've never yet  
 15 kind of got to the stage where we had successful  
 16 enforcement positions, so we would be looking for the  
 17 home ownership team to start engaging with that  
 18 resident. But that's more difficult to quantify.  
 19 I mean, it's clearly urgent, but we would have  
 20 difficulty turning it round as quickly as we would wish.  
 21 Q. The deficiency notices had their own deadlines, if  
 22 didn't they?  
 23 A. Yes, often six months.  
 24 Q. Well, why not use those?  
 25 A. Well, yeah, and clearly I would have used those, but

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1 some things can be done in a few days, so I want them  
 2 done in a few days. I'm not going to wait until —  
 3 you know, that's the cut-off period for the deficiency  
 4 notice, but anything that we can and should do more  
 5 swiftly than that, then that's what we would try to do.  
 6 Q. Now, the procedure says, as I've shown you, that  
 7 deficiency notices and broadly compliant — in fact,  
 8 I haven't shown you this, I should read it out:  
 9 "Deficiency notices (and Broadly Compliant letters)  
 10 and progress with completing the actions they raise are  
 11 reported to the Health & Safety Committee. Further,  
 12 a summary of these are provided in the Company's Annual  
 13 Health & Safety Report."  
 14 That's what the procedure says.  
 15 If we just go next to your July 2020 statement at  
 16 paragraph 36, just below where we were reading,  
 17 {TMO00873799/18}, you say there:  
 18 "This Procedure therefore required the TMO to  
 19 monitor completion of the necessary works and progress  
 20 actions through the Health and Safety Committee, but it  
 21 did not specify that these actions be closed out using  
 22 the same recording process or systems as the FRA  
 23 programme. It is for this reason that progress made by  
 24 the TMO in closing out the actions raised in the above  
 25 NoD [notice of deficiency] was monitored in Health and

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1 Safety Committee and LFB and TMO bi-monthly meetings  
 2 following its receipt ... rather than being closed out  
 3 through W2 or CRM. This is recorded in the following  
 4 meeting minutes and reports."  
 5 And you exhibit some.  
 6 So, in summary, does it tell us that the TMO  
 7 essentially had two systems running in parallel: one for  
 8 closing out FRA actions via W2, by this stage certainly  
 9 W2; and, secondly, complying with deficiency notices by  
 10 way of monitoring through the health and safety  
 11 committee and bi-monthly meetings with the LFB?  
 12 A. Yes.  
 13 Q. Right.  
 14 A. Largely because — sorry, just to say: largely because  
 15 we actually didn't receive very many deficiency notices,  
 16 so we had never created a dedicated workflow. However,  
 17 by the time the fire happened, I'd been thinking we  
 18 could set one up on CRM because it was much more  
 19 straightforward, we had access to a system. Sorry to  
 20 interrupt you.  
 21 Q. So does that mean that you didn't input the actions that  
 22 were required as a result of a deficiency notice into  
 23 the W2 system so that you could monitor it?  
 24 A. No, we didn't.  
 25 Q. Why was that?

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1 A. It just wasn't set up in that way, and we — just to  
 2 reiterate, we actually generally didn't get very many of  
 3 them, some years we might have two, some years we might  
 4 have half a dozen, and often there would only be two or  
 5 three actions, so it was relatively straightforward to  
 6 keep on top of them in the way that I've outlined.  
 7 Q. Was it your decision, when you drafted this policy, not  
 8 to amalgamate the two streams?  
 9 A. Well, it went to health and safety committee for  
 10 discussion and for approval, so anyone else could have  
 11 said, "I feel strongly that we should be doing that".  
 12 I don't think it was my decision. It was — the  
 13 policy — the procedure was something that I drafted for  
 14 discussion, but everybody had buy-in into it.  
 15 Q. Why did you decide that the actions required through  
 16 a deficiency notice were not to be monitored through W2?  
 17 A. Well, as I said, we didn't get very many, we would have  
 18 had to have a specific workflow. We knew that W2 was  
 19 coming to the end of its life and we were moving across  
 20 to a different software system, and at that point  
 21 I think we would have got to the stage of thinking:  
 22 actually, let's set up a simple one in that.  
 23 Q. Does this mean that you didn't in fact use any  
 24 electronic records or automated systems at all to keep  
 25 track of the necessary actions required by the LFB in

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1 their deficiency notices?  
 2 A. Yes, that's probably true.  
 3 Q. How were you able to monitor progress and completion of  
 4 those actions if you didn't use an electronic workflow?  
 5 A. Well, in the years when we had two a year, it wasn't  
 6 really a big ask, and they sat at the top of my in-tray  
 7 and I would ring the relevant people on a regular basis  
 8 or go and speak to them. If we were starting to get  
 9 more of those, then that would have pre-empted exactly  
 10 what you're suggesting, that we would have had  
 11 an electronic system.  
 12 Q. Let's see how it was done, then.  
 13 Let's take the Grenfell deficiency notice of  
 14 17 November 2016 which you exhibit at paragraph 38 of  
 15 your statement on page 19 {TMO00873799/19}, which we  
 16 don't need to look at, but let's look at the document,  
 17 it's {TMO00873834}.  
 18 You can see there that it's got manuscript on it:  
 19 "With updates added — Feb 17."  
 20 Is that your handwriting?  
 21 A. It is, yes.  
 22 Q. Right.  
 23 If you scroll down, please, to page 5  
 24 {TMO00873834/5}, you can see the schedule, and again, is  
 25 that your handwriting?

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1 A. It is, yeah.  
 2 Q. So just help us: is it right that although the actions  
 3 arising from the notice were progressed, it was  
 4 progressed in this way: you would simply write on the  
 5 document?  
 6 A. In this — yeah, on this occasion, or I would write on  
 7 a separate document and append it to it. It depended.  
 8 Q. Then where would you put it?  
 9 A. It would literally sit in the top of my in-tray.  
 10 I didn't have much paper by that stage, so they were —  
 11 Q. How would you keep up with monitoring it and making sure  
 12 you knew what progress was happening?  
 13 A. As I say, we literally did not get very many of them.  
 14 I was always seeking to give feedback to the TMO/LFB  
 15 liaison meeting, which was every two months, so as  
 16 a minimum I was going to be ensuring that I'd been  
 17 through and identified what was going on so that I was  
 18 able to update them.  
 19 Q. Just help me, then. Look at Article 11, item 1. You  
 20 have written under "Actions to be taken":  
 21 "Neighbourhood Team instructed to treat as 'zero  
 22 tolerance'. Items removed + regular inspections  
 23 ongoing."  
 24 When were the neighbourhood instructed to treat as  
 25 zero tolerance?

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1 A. I had written to — was it Nicky? — it was probably  
 2 Nicky at that stage and provided her with a copy of this  
 3 and said, "This is what we need to do going forward",  
 4 and she must have confirmed that that was the case.  
 5 Q. I mean, if three weeks later you wanted to find out and  
 6 remind yourself when you had given these instructions to  
 7 say the neighbourhood team, you take this document off  
 8 your pile on your desk; what would you go to, to work  
 9 out when you had given those instructions?  
 10 A. Well, the updates are added here on 17 February, so  
 11 I would work on that basis.  
 12 Q. How would you find out when you had instructed the  
 13 neighbourhood team?  
 14 A. I would probably have an email stored somewhere that  
 15 I would access. But I would have received confirmation  
 16 pretty swiftly because this is something that they  
 17 should adopt immediately.  
 18 Q. Right.  
 19 Now, you say in your June 2020 statement — let me  
 20 show this to you, {TMO00873629/17} — paragraph 70,  
 21 that:  
 22 "I have been asked to confirm whether the  
 23 spreadsheets used to track FRA Actions were generated  
 24 using W2 or CRM. As stated above, I used a workflow on  
 25 W2 to allocate and track progress with the actions up

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1 until a week or so before the fire. CRM was being  
 2 introduced around this time and the intention was to  
 3 close out old actions on W2 and log new actions on CRM.  
 4 The two systems may have had slight differences however  
 5 in my view they were both effective at tracking progress  
 6 and identifying outstanding actions. While reports  
 7 produced from these two systems may have looked slightly  
 8 different, in substance they were no different."  
 9 Given that you considered W2 and then the successor  
 10 system, CRM, as efficient, what was the point of having  
 11 a policy which you drafted and which was then adopted  
 12 which did not include monitoring deficiency notices  
 13 using either W2 or CRM? Was it just the sheer low  
 14 numbers?  
 15 A. Yes.  
 16 Q. But why give yourself the extra work?  
 17 A. Can I just say that it sounds really straightforward,  
 18 but in order to get a workflow — a dedicated workflow  
 19 on W2, it means going through a load of hoops with the  
 20 IT team. It's not straightforward, and they would have  
 21 had to put something together for me to trial. It  
 22 wouldn't have been a sort of quick fix.  
 23 We were having very low numbers, and I also knew  
 24 that W2 was getting to the end of its lifespan. So, in  
 25 my mind, I had thought once CRM is on board, that may be

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1 something that it would be sensible to have a workflow  
 2 which will be much more straightforward to put together.  
 3 But, yeah, it was a combination of the two. I felt  
 4 like what we were doing was working, we were getting low  
 5 numbers, and we sort of had a view that, going forward,  
 6 it was something that we could do differently and we  
 7 could monitor more rigorously, but at this stage we  
 8 didn't like feel we needed to.  
 9 Q. You have suggested in your July 2020 witness statement  
 10 that the health and safety committee and the LFB  
 11 bi-monthly meetings would be the fora in which deficiency  
 12 items would be monitored.  
 13 Would progress on actions in deficiency notices  
 14 become standing agenda items for the bi-monthly  
 15 meetings?  
 16 A. Probably not standing agenda items. Probably — as  
 17 I say, the Brigade hardly ever actually sought out  
 18 an update on deficiency notices. I probably would have  
 19 given them some verbal feedback, and probably it should  
 20 have been a standing agenda item, but I'm not sure it  
 21 made it to that.  
 22 Q. Right. Did that mean that it would be up to you to  
 23 report the progress that had been made in actioning the  
 24 items raised on an ad hoc, as-and-when basis?  
 25 A. Usually, yes.

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1 MR MILLETT: Yes.  
 2 I'm going to change to a completely different topic  
 3 now.  
 4 Mr Chairman, there is a possibility I could cover it  
 5 in ten minutes, but it may not be the case but I could  
 6 have a bid for it.  
 7 SIR MARTIN MOORE—BICK: How are you getting on generally?  
 8 MR MILLETT: Well is the answer.  
 9 SIR MARTIN MOORE—BICK: That answer suggests that we might  
 10 give ourselves the indulgence of an early afternoon.  
 11 MR MILLETT: Well, yes, I'm happy to take the chance, as  
 12 long as that's noted as a credit in my favour.  
 13 THE WITNESS: What about mine! Sorry.  
 14 SIR MARTIN MOORE—BICK: I think I'm more concerned about  
 15 a credit as far as Ms Wray is concerned.  
 16 MR MILLETT: Yes, all right.  
 17 SIR MARTIN MOORE—BICK: You've probably had enough for the  
 18 day if you get the chance to stop now, haven't you?  
 19 THE WITNESS: Yeah. I don't mind, actually.  
 20 SIR MARTIN MOORE—BICK: I know.  
 21 THE WITNESS: I can happily do another ten minutes.  
 22 SIR MARTIN MOORE—BICK: We've only got another five minutes  
 23 or so to go —  
 24 MR MILLETT: Now we have.  
 25 SIR MARTIN MOORE—BICK: — so I think we will stop at that

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1 point.  
 2 THE WITNESS: Okay.  
 3 SIR MARTIN MOORE—BICK: All right.  
 4 Well, as you know, we're going to have to ask you to  
 5 come back again tomorrow for more questions. I'm sorry  
 6 about that.  
 7 So we will resume at 10 o'clock tomorrow, please,  
 8 and as before, please don't discuss your evidence or  
 9 anything to do with it with anyone while you're out of  
 10 the room. All right?  
 11 THE WITNESS: Okay, all right. Thank you.  
 12 SIR MARTIN MOORE—BICK: Thank you very much. We'll see you  
 13 at 10 o'clock tomorrow.  
 14 THE WITNESS: Thank you.  
 15 SIR MARTIN MOORE—BICK: Thank you.  
 16 (Pause)  
 17 Thank you very much, Mr Millett.  
 18 10 o'clock tomorrow, then, please.  
 19 (4.25 pm)  
 20 (The hearing adjourned until 10 am  
 21 on Wednesday, 9 June 2021)  
 22  
 23  
 24  
 25

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