

<p>1 Thursday, 30 October 2014 2 (11.00 am) 3 (Proceedings delayed) 4 (11.10 am) 5 THE CORONER: Can I just indicate that so far as a note is 6 concerned, that is just going to be circulated, as to 7 the nature of the disclosure exercise. I am hoping that 8 it will be possible to distribute that at 1 o'clock. 9 Mr Underwood will be here at that time so if there are 10 any obvious questions arising out of it he will be in 11 the building and able to help, I hope, with those. 12 And in addition, the document will have some idea of 13 timescales and I am hoping that it will be possible for 14 all interested persons and advocates just to provide 15 information to Ms Dolan so that she and I before we come 16 back at 2 o'clock can at least have given preliminary 17 consideration to when the next steps will happen, but 18 the document hopefully from Mr Underwood, it is done, it 19 is just being checked, but hopefully that will be 20 available at 1 o'clock. 21 Until then we are going to be reading evidence. So 22 far as that is concerned I am going to ask that Ms Dolan 23 deals or that between her and the Coroner's Officer they 24 deal with the statutory requirements that have to be 25 complied with before evidence is read. That obviously Page 1</p>	<p>1 statement about the terrorist attack that took place at 2 the natural gas facility, In Amenas, Algeria between 3 16 January 2013 and 17 January where I was captured by 4 the terrorists and taken hostage. 5 I had only been on the camp for nine days prior to 6 the attack so I do not know many of the people who 7 worked on the site by name. I shall refer to the 8 following people during my statement: Mr Stephen Green, 9 who I refer to as Steve Green. I did not meet Steve 10 green at any point before the incident and did not know 11 him. The only time I saw him was when the vehicle I was 12 in had crashed and as I walked past it I glanced back 13 and saw the top of his head sticking out from under the 14 car we were in. I remember his head was bald. I was 15 later told by Stephen McFaul that this person was called 16 Stephen Green. I do not remember what he was wearing at 17 the time. 18 Stephen McFaul, I shall refer to him as Steve 19 McFaul. I did not meet Steve McFaul until after the 20 incident when we had both been rescued and taken back to 21 the military command post. He informed me that he was 22 sat behind me in the Landcruiser. I describe him as 23 being young, about 36 years old, about the same height 24 as me, 5-foot 7, slim build, white and he was Irish. 25 The terrorist attack started on Wednesday, Page 3</p>
<p>1 includes giving the full name of the witness. I will 2 just say this generally, that in one or two instances 3 there have been requests that names are not given in 4 public. I have given consideration to that in every 5 case where that request has been made. I am satisfied 6 whenever we do it that it is necessary for it to be done 7 and indeed that the identity of the person is in fact 8 readily available from other open materials having been 9 present for these events. 10 All right. Yes. 11 MS DOLAN: Sir, Mr Charnock is going to start with the 12 statements of Mr Andrada. Sir, perhaps we start this 13 tranche of reading I should say that the nature of the 14 written evidence to be admitted is known to all of the 15 interested persons, the full statements have been 16 provided to them. There have not been any objections 17 raised to that evidence being read and that in some 18 circumstances it is extracts from a fuller statement 19 which are being read and again, the interested persons 20 are aware of that and the full content of the statement. 21 THE CORONER: Yes. Thank you. 22 Witness statement of RUBEN ANDRADA (read) 23 MR CHARNOCK: Sir, this is the statement of Ruben Andrada 24 and is dated 18 September 2013. It reads: 25 "I am Mr Ruben Legaspi Andrada. This is my Page 2</p>	<p>1 16 January 2013 at around 05.30 hours. I was with my 2 co-workers in the service bus outside the JGC fly camp 3 waiting to go to the BdV. I think there were maybe nine 4 people including myself and the driver on the bus. We 5 were waiting to leave the JGC fly camp area to drive to 6 the BdV when I heard a continuous siren which I knew to 7 mean an emergency. Seconds later I heard continuous 8 gunfire. Somebody shouting "get off the bus and run 9 towards the residential camp accommodation." We all got 10 off the bus and I ran back to my room and I could still 11 here continuous fire but I was not sure where it was 12 coming from. 13 One hour passed and I could hear gunfire from the 14 back of the camp so I thought the soldiers were coming 15 to rescue us. Somebody knocked on my door. The person 16 tried to open the door which was locked and I had left 17 the key in the dock. they knocked again on the door. To 18 their surprise I opened the door to him. It was 19 a terrorist. 20 We were walked through the gate by the generators, 21 across the accommodation and through a hole in the 22 cyclone fence that had been cut on either side of the 23 patrol road. We crossed the patrol road and into the 24 BdV and assembled by the main plaza. Up to this point 25 I had not seen any European hostages. All this time Page 4</p>

1 I heard the helicopter hovering above us at about 2,000
 2 feet. The terrorists would fire their weapons randomly
 3 to let the Algerian army know that they were still
 4 alive.
 5 Going from the BdV and moving to the area near the
 6 plaza, which is by the foyer, this is the first time
 7 I had seen any other hostages, the European guys, just
 8 sitting with the wall behind them. I later learned the
 9 names of the other hostages who were already in this
 10 area before we arrived from speaking to Willy Cruz at
 11 the hospital after I was rescued.
 12 Further away from me they had grouped a number of
 13 English hostages. I do not know the English people in
 14 the group and I do not recognise them and I am not sure
 15 how many there were. The crosses on the diagram show
 16 where people were placed. I did not see Steve Green at
 17 this point and only saw him later on.
 18 Between 12 pm noon and 18.00 pm I was in more or
 19 less the same position, sat on a low curb in front of
 20 the foyer. As I sat facing forwards I could see
 21 terrorist A making calls on a satellite phone. When the
 22 batteries were low he would sometimes open a box with
 23 a solar cell charger and charge the phone. I could see
 24 a white terrorist ordering British hostages, I do not
 25 know who, ordering them to call somebody to tell the

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1 Algerian leader to make a clear path for them to go to
 2 Mali. They gave a deadline of 15.00-hours and if the
 3 demands were not met they would kill hostages.
 4 15.00-hours came and no hostages were killed.
 5 At around 18.00-hours the Algerian army started to
 6 fire at the floodlights which were illuminating the BdV
 7 at the main entrance as the area was well lit. The
 8 hostages tried to take cover from this and move out of
 9 the way as the Algerian army shot all the lights out and
 10 they shattered.
 11 At around 18.00-hours on the Wednesday most of the
 12 group of hostages that were in my group, the Japanese,
 13 Filipino and Malaysian, were taken to the main plaza
 14 area of the BdV. About 15 of us were made to go to the
 15 bottom right-hand quarter of the plaza area. I later
 16 found out that the rest of the group, which included
 17 Willy Cruz were made to go into the small plaza area.
 18 We were later joined by the rest of the group which
 19 included some British guys and other hostages. I did
 20 not know or recognise any of them. We were made to stay
 21 in this area for about 12 hours from 18.00-hours to
 22 06.00-hours on the Thursday.
 23 When daylight came the other group of hostages,
 24 which included Willy Cruz and the other European guys
 25 came into the main plaza to where we were being kept.

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1 Again, I did not know or recognise any other. The
 2 helicopter gunship began to fly overhead so the
 3 terrorists instructed us to form a circle around them to
 4 protect them from any gunfire. At this time I counted
 5 16 terrorists in total. Around 10 am on Thursday
 6 terrorist A called for the seven white Toyota
 7 Landcruiser vehicles to be positioned around the main
 8 plaza. When they were all there the rear windscreens
 9 were smashed out of all the cars. The terrorists then
 10 grouped all the hostages by nationality. The first group
 11 was Japanese, the terrorists said to the Japanese, "raise
 12 your hands" and then assembled them near the north
 13 entrance to the plaza. They were then ordered on
 14 board one of the cars. I don't remember if it was the
 15 first or second car. There were about seven Japanese.
 16 I did not know who.
 17 Next were all Europeans including the British
 18 hostages, maybe 12 or 15 guys. I do not know who but
 19 included a British, Irish and Norwegian. They were all
 20 ordered to board the other cars and we were split amongst
 21 the cars in no particular order. Each car would have
 22 some Europeans inside. This was done deliberately. The
 23 remaining hostages were ordered into the spaces in the
 24 cars. The terrorists would say "three of you over here,
 25 come come." I then walked past one of the

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1 vehicles and I saw a Filipino guy across the laps of the
 2 other passengers. They made sardines out of us to fill
 3 the spaces.
 4 I was urged to get into the fourth vehicle. At
 5 least four terrorists got into the car including
 6 terrorist D. The rest of the car had hostages in.
 7 I still had det cord around my neck but it was not
 8 connected to anything. I saw terrorist D with a bomb on
 9 his lap and I later learned this was C4 but I could see
 10 it was a square shape about A4 size, about 3 inches
 11 thick and was a similar yellow and green colour as the
 12 det cord. It was encased with compacted white powder.
 13 While we were still in the BdV the terrorists loaded
 14 the cars with the weapons that they wanted to take with
 15 them to the CPF. A terrorist in camouflage fatigues was
 16 driving the car. To his right was Steve Green then
 17 another terrorist in camouflage fatigues. Terrorist D
 18 sat behind the driver. Then a BP guy, who I do not know
 19 or recognise, and then me. We were all facing forwards.
 20 The seats behind me were facing inwards into the car.
 21 Maybe this was the reason they smashed the glass. In
 22 the back behind terrorist D was somebody, I don't know
 23 who, then behind me was Steve McFaul and then
 24 a terrorist.
 25 I was later told by Steve McFaul after we had been

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1 rescued and I had described what I had seen that it was
 2 Steve Green in the front and that he had died and that
 3 Steve McFaul was sat behind me."
 4 MS DOLAN: Sir, I only interrupt there because Mr Andrada
 5 provided a sketch which accompanied this part of the
 6 testimony.
 7 THE CORONER: Here it is, thank you very much. Yes.
 8 MR CHARNOCK: "He also told me that the terrorist behind me
 9 was firing a machinegun at the army helicopter as we all
 10 drove off towards the CPF. Once we were all in the
 11 vehicles the command was given to converge by the
 12 guardhouse at the BdV by one of the terrorists.
 13 Simultaneously most of the terrorists fired their
 14 automatic guns and were shouting "Allahu Akbar" which
 15 translates as "God is great" in Arabic. All of the
 16 hostages were instructed to extend their arms out of the
 17 windows. The Algerian military began to fire at us while
 18 we were by the gates by the guardhouse. It was because
 19 of this that I received a gunshot injury to my right
 20 arm. I complained to the terrorists that I had
 21 been shot. They told me, "Don't worry, we will treat
 22 you when we get to our destination."
 23 At that moment I believed them thinking that they
 24 were caring for the well being of all of us.
 25 As the first car came to the gates of the BdV the

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1 terrorists crashed through and opened the gates and
 2 started shouting "Allahu Akbar." They were firing their
 3 guns. All of the cars drove out through the gates and
 4 away from the BdV. I believe it was the terrorists'
 5 plan to take the hostages to the CPF. We left the BdV
 6 and once the vehicle I was in started moving I closed my
 7 eyes and was waiting for a bullet to hit me. I did not
 8 see anything while we were driving in the car. The
 9 Algerian army helicopter gunship was firing at us.
 10 I was later told by Steve McFaul that the helicopter was
 11 hovering behind us and firing at us.
 12 It would then turn around and fire at the remaining
 13 vehicles behind ours. All the while the terrorists were
 14 firing at the helicopter. We drove out of the BdV at
 15 high speed about 100 to 150-kilometres per hour. We
 16 drove on the asphalt road for about 30 metres and then
 17 continued to drive on the desert. I knew the car would
 18 flip over as all the cars were driving like hell and
 19 speeding, hitting the bumps on the desert road really
 20 hard. I thought the vehicle would tumble down or flip
 21 over. I didn't know which would come first but it could
 22 turn over at any moment.
 23 One of the terrorists in my car shouted at the
 24 driver to go back to the road but the driver did not
 25 listen, maybe he closed his eyes also. The cars headed

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1 towards the lay down area. As the terrorist missed the
 2 main gate of the CPF he had to turn left to go to the
 3 other gate. Because of the speed he was carrying the
 4 car turned over from its wheels on to its right-hand
 5 side, just one flip. As I was on the right side at
 6 first I was pinned down by somebody in the car and
 7 couldn't move. I felt them move. That's when I crawled
 8 out of the car. I stood up and could see four guys
 9 running towards the CPF. Initially I removed my winter
 10 jacket as it was on fire. I then took off my long
 11 sleeved top. My glasses were broken or the eye piece
 12 had slipped out of the frame and I could not see who was
 13 inside the CPF as it was over 200 metres away and I did
 14 not recognise him, although I could clearly hear him.
 15 I thought it might be soldiers. I initially ran towards the
 16 CPF also. As I heard someone saying "Come to the
 17 CPF" but I also heard gunfire.
 18 I turned around to go the other way and when I did
 19 I glanced down before moving away and I could see the
 20 bald head of Steve Green sticking out from under the
 21 car. I could not see his body. His head was sticking out
 22 from the side of the wheels. I could not see if his head
 23 was still attached to his body. The car was already on
 24 fire by this time. I did not see what happened to Steve
 25 Green. He was alive before we got

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1 into the car and he did not have any injuries that
 2 I saw. There was no conversation in the car and I could
 3 not hear him complaining of any injuries but I can't say
 4 how he died as I had my eyes closed all the time in the
 5 car from when we left the BdV.
 6 I then realised that there was sniper fire hitting
 7 the ground where I was standing as the desert sand was
 8 moving and rising up from the floor. I thought that the
 9 bullets were coming from either the CPF or the cars as
 10 they had been loaded with mines, bombs and guns before
 11 we had left the BdV. I had to run by the car which was
 12 on fire to get to the lay down area. I tried to run but
 13 couldn't run very fast as I had my slippers on. I was
 14 scared and feared that the car may blow up but I decided
 15 to pass by the car even though it was on fire and then
 16 run away. I started to follow the fence as our car had
 17 crashed near to the corner of the lay down area and was
 18 by the fence. The lay down area itself has cyclone
 19 fencing around it so I couldn't get in.
 20 I do not know what happened to the other hostages or
 21 the terrorists and I cannot say how they died. Somebody
 22 then called my name and told me to run away as fast as
 23 I can because there was sniper fire. I recognised this
 24 voice as Wency Caringaz. I could clearly hear his voice
 25 and he spoke in Filipino.

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<p>1 The Algerian army had positioned themselves opposite 2 the lay down area on the other side of the asphalt road 3 and were firing towards the CPF. I ran around their 4 line of fire and then towards the Algerian army. Wency 5 Caringaz ran across their line of fire towards them. As 6 I ran back to the army I saw dead bodies that had been 7 cut in half lying on the ground. I'm not sure who they 8 were. I could see the remains of three of the seven 9 cars that left the BdV. There were only their chassis 10 left. I think they had been blasted while driving. 11 I think three vehicles got to the CPF and mine flipped 12 on to its side.</p> <p>13 I was then rescued by the Algerian army. They took me 14 to the command post which was about 5-kilometres away. 15 I met Steve McFaul at the command post where we spoke 16 about the incident and he told me that he was in 17 the same car and was sat behind me and that there was 18 a terrorist beside him with a machinegun firing at the 19 helicopter. The Algerian army treated our wounds 20 initially and interviewed us about other survivors.</p> <p>21 I was kept in hospital in Algiers for ten days with 22 other survivors including Willy Cruz, Ramire De Leon and 23 Rodolfo Bathan. Whilst there we were able to piece 24 information together about who was where during the 25 incident. Willy Cruz knew more people than me as he had</p> <p style="text-align: center;">Page 13</p>	<p>1 Mr Andrada replied by email on 6 September 2014 as 2 follows:</p> <p>3 "I will try to answer all of the queries as relayed 4 here above. I did not know any of the persons above. 5 It was only after we tried to piece together while we 6 were in the hospital recuperating and did an inventory 7 of the persons while we were all in captivity that we 8 tried to piece together the persons we know of with the 9 help of Mr Willy Cruz. He is the only person who 10 survived in this group. I was one of the lucky persons 11 who survived in our group. We tried to piece together 12 who's who in our respective groupings. Please refer to 13 the sketch given to you earlier during the interviews as 14 reference material.</p> <p>15 There was no need to wait for any instructions to 16 raise each hand outside the window since earlier we had 17 done the same thing while the helicopter gunship was 18 circling our group while in captivity. We would raise 19 our hands hoping that the pilot will identify us as 20 hostages and while in transit going to the CPF each one 21 of the hostages would raise each other's hands out of the 22 window. Especially for those like me sitting beside the 23 window.</p> <p>24 Nick Hitch and Stephen Green were not so fortunate 25 to raise their hands but they were both sitting in the</p> <p style="text-align: center;">Page 15</p>
<p>1 been working there eight months. After the ten days 2 I was flown by air ambulance along with Willy Cruz, 3 Ramir De Leon and Rodolfo Bathan to Manilla."</p> <p>4 MR CHARNOCK: Sir, that concludes the statement but then 5 there were some emails, further questions asked and 6 these were sent by email to Mr Andrada:</p> <p>7 "On the Senior Coroner's behalf and following 8 questions raised by an interested person enquiries have 9 been made of and about Mr Ruben Andrada. Further 10 enquiries were sent to Mr Andrada via SO15 via email on 11 28 August 2014 as set out below.</p> <p>12 Mr Andrada was, we know, in a vehicle with 13 Stephen Green and others, notably Iain Adamson, Nick 14 Hitch and Stephen McFaul."</p> <p>15 There were then a number of questions:</p> <p>16 "1, do you know any of these individuals from 17 working in at In Amenas? 2, did you hear the terrorists 18 instruct people to wave their hands through the window? 19 3, if so, did you wave your hands out of the window and 20 did you see any of the others comply? 4, specifically did 21 you Nick Hitch and/or Stephen Green doing so? 5, did 22 you hear the detonator activate? 6, when the 23 vehicle overturned how far was it from the CPF? 7, how 24 did you exit the vehicle. 8, when you saw Stephen Green 25 how far from the vehicle was he?"</p> <p style="text-align: center;">Page 14</p>	<p>1 middle of the Landcruiser. Stephen Green was sitting in 2 front directly beside the driver and between the 3 terrorist as passenger.</p> <p>4 Nick Hitch was sitting directly behind him as well. 5 I learned from the video which you sent me, the BBC, 6 that Nick Hitch was beside me all along during the trip. I 7 did not hear the activator of the detonator activate since I 8 was waiting for the bullet from the helicopter gunship to 9 hit me or so I thought. It was so loud and with the 10 vehicle bouncing around I knew then that it was a matter 11 of time when the vehicle would turn turtle or even flip 12 on its side. That's exactly what happened when we tried 13 to turn left approximately about 14 200 metres away from the CPF.</p> <p>15 Since the car was not directly heading to the CPF, 16 since we were off the asphalt road when we went out of 17 the BdV and continued on the desert heading to the CPF.</p> <p>18 I walked out of the then burning car, I noticed the 19 clothes I was wearing were also aflame. I discarded the 20 coat only and initially headed towards the CPF as well 21 since I noticed that those who survived the crash went 22 in that direction.</p> <p>23 Just before going to the CPF I turned my sight 24 towards the burning car and that's when I saw 25 Stephen Green with his head sticking out of the then</p> <p style="text-align: center;">Page 16</p>

4 (Pages 13 to 16)

<p>1 burning car. I saw Stephen Green when I was about 2 10 metres away from the then burning car with his head, 3 bald, extending out of the car, he was pinned by the 4 car. I thought for a second whether I'm in a position 5 to rescue him but thought otherwise. That was the first 6 and only last time that I saw him. I don't know if he 7 is alive or not by then. Since the car was burning and 8 fear it might explode at any time. Add to that the 9 exploding ammunitions the terrorists brought along in 10 their escape it was constantly exploding and firing.</p> <p>11 I hope this answers most of the query you have for 12 the meantime. Best regards Ruben Andrada."</p> <p>13 There appears to be a page missing: 14 "Produced a photographic ID when he swore. Signed 15 his statement on oath in front of chief at the Foreign 16 Liaison Division at Interpol section. NBI Chief Atty 17 Daniel Daganzo and he was satisfied that his 18 identification was authentic.</p> <p>19 In addition it has been reported to me by SO15 that 20 he gave the interviewing officers no reason to suspect 21 that he was anybody else other than Mr Andrada and that 22 his account appeared genuine. I have been informed that 23 the interview was conducted on audio tape and then 24 a statement was typed from the account he provided which 25 Mr Andrada then swore and signed. The tapes have been</p> <p style="text-align: center;">Page 17</p>	<p>1 Initially I was one of several passengers of the bus 2 when they did the test run. They abandoned their plan 3 since we tried to exit from the gate and into the patrol 4 road the military fired upon us without let up, even 5 when the terrorists tried to shout that the bus is 6 rigged with C4 and other plastic explosives. They hang 7 the C4 like a lantern and strip the curtains of the bus 8 and replace them with the bombs. Luckily for all of us 9 not one of the bullets hit the bombs. Otherwise we're 10 history. That's when several of the other Japanese were 11 grazed by bullets in his shoulder and the other two 12 Japanese was injured in the temple of both sides.</p> <p>13 I don't know if they were assisted by anyone of the 14 JV staff but the idea if they were assisted is 15 understandable since if they were not assisted it's 16 incomprehensible to launch an attack that complex and 17 especially if the area is a militarised zone.</p> <p>18 If I recognised any of the terrorists, no. 19 Initially they pulled their hoods over their faces but 20 as the day wore on they discarded their hoods and bared 21 their faces for all to see. Maybe they are experiencing 22 some discomfort. Although the weather it was still 23 relatively cool at that time at about 5 degrees 24 centigrade. The guard is not armed but only with 25 a baton, even in our fly camp and also in the BdV.</p> <p style="text-align: center;">Page 19</p>
<p>1 retained as police unused material and are currently 2 stored in their exhibits department."</p> <p>3 On 7 September Mr Andrada was asked further 4 questions via SO15 by email as follows: 5 "1. Can you describe how the terrorists entered and 6 searched the fly camp? 2. Was any terrorist assisted 7 by any JV staff member whom you recognised? 3. Did you 8 recognise any of the terrorists? 4. When you went past 9 VCP1 or VCP2 were there any guards stationed there each 10 and every time? 5. If so did they have guns? 6. Did 11 you see daytime or night time patrols of the desert 12 around the facility by Gendarmes? 7. If so how 13 frequently? 8. Did you see any daytime or night time 14 patrols of the desert around the facility by the 15 military? 9. If so how frequently?</p> <p>16 On 10 September he replied by email as follows: 17 The terrorists went through the main camp or BdV and 18 proceeded towards us in the fly camp or JGC camp and 19 passed by the fenced off patrol road separating us or 20 between the BdV since that was where we passed through 21 when we were herded towards their other captive 22 hostages, the Europeans, and tried to consolidate us 23 further for more easily handling of all the hostages. 24 That was when they tried to test the possible transport 25 by bus since they tried to transport us by bus.</p> <p style="text-align: center;">Page 18</p>	<p>1 I don't know if their firearms are hidden from view. 2 I don't know if the military is doing daytime or night 3 time patrol. I assume they are doing them or their 4 frequency, it's beyond me. So I hope this answers most 5 of your queries for the meantime, regards Ruben 6 Andrada."</p> <p>7 MR RITCHIE: Sir, forgive me, before this evidence is 8 complete may I ask that RA1 is put before you and before 9 the families for it has a diagram of the JGC fly camp 10 and the entrance thereto. And so, Mr Fitzpatrick said 11 on Day 6, page 121 that the entrance gates were pivot 12 gates and he has drawn his representation of those gates 13 to the JGC fly camp.</p> <p>14 THE CORONER: Thank you.</p> <p>15 MS DOLAN: Mr Charnock, thank you. You also have a document 16 which is a summary account of Norwegian witnesses which 17 was provided to the British police by the Norwegian 18 police.</p> <p>19 MR CHARNOCK: Yes, I do.</p> <p>20 MS DOLAN: And in that is a summary account of the evidence 21 provided, what has been called the Kripos report of 22 Thure Ingebrigtsen.</p> <p>23 MR CHARNOCK: Yes, indeed.</p> <p>24 MS DOLAN: And there is one paragraph of that which is of 25 relevance to events in the convoy which you are going to</p> <p style="text-align: center;">Page 20</p>

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<p>1 read and then Mr Ingebrigtsen has also provided a film, 2 filmed we understand on his mobile phone. So could you 3 read that paragraph. 4 MR CHARNOCK: This is a summary of an account by Thure 5 Ingebrigtsen. 6 Summary of an account by MR THURE INGEBRIGTSEN (read) 7 "On Thursday afternoon Ingebrigtsen saw a moving 8 vehicle being shot at by the helicopter. He said they 9 saw the vehicle from the office building. There were 10 a number of containers in the storage area south of the 11 office buildings that blocked the view of the road so 12 they couldn't see the road into the gas facility. They 13 saw a vehicle that had been shot at and set on fire. 14 After this they saw two to three people. There were two 15 people walking west along the fence to the CPF and there 16 was one standing a short distance from the vehicle. 17 They saw helicopters in the air, gunship helicopters, 18 and some lighter. Two people were running and one 19 standing with his hands above his head to indicate that 20 they were hostages so the helicopters didn't try to 21 shoot them. The helicopters shot at the vehicle and set 22 fire to it. They saw a lot of black smoke. 23 The two people they saw then headed southwards and 24 they couldn't see them any more. The man standing with 25 his arms in the air also headed southwards. A short</p> <p style="text-align: center;">Page 21</p>	<p>1 watch as I was running late. I had agreed to meet some 2 colleagues in the car park area at 5.45 am as I was 3 going to drive them to the CPF that morning as it was 4 company policy we should be at our desks working at 5 06.00 am. 6 As I stepped out of the restaurant I could hear 7 gunshots and saw what appeared to be muzzle flashes 8 originating from an easterly direction approximately 9 1 kilometre away which I knew to be the location of 10 VCP1. I thought it was strange and initially felt it 11 might be part of a simulation or drill. I continued 12 walking towards the main car park area which was in fact 13 in the opposite direction from VCP1 and the sound of the 14 gunshots. 15 As I approached the car park I heard further gunfire 16 and observed a Toyota 4, a runner style vehicle, 17 entering the zig zag barrier at high speed and crash 18 into the front security gate. I observed muzzle flash 19 from the guns being carried by the vehicle occupants and 20 I immediately turned and ran in the opposite direction 21 towards my room in the accommodation block which was 22 approximately 100 metres away. 23 My colleague, Stephen McFaul, who is from Belfast, 24 Northern Ireland, joined me and we both ran towards the 25 accommodation block. As we were running I observed</p> <p style="text-align: center;">Page 23</p>
<p>1 while later they saw about three people staggering along 2 the fence to the CPF. The helicopter was following the 3 whole time. It was possible it was the same people they 4 had seen earlier. He thought that two of them were the 5 two they later gave first aid to, one of whom was 6 Angelito. An hour or two later they saw two figures 7 coming down along the road into the gas facility. They 8 watched them from their hiding place because they didn't 9 know whether they were friend or foe. One of them went 10 into the guardhouse. The other collapsed at the 11 guardhouse." 12 MS DOLAN: I think we have the film provided by 13 Mr Ingebrigtsen. 14 (video film played) 15 MS DOLAN: Mr Charnock, I think the next document is 16 a statement of Mr Castro. 17 MR CHARNOCK: Indeed. 18 MS DOLAN: It is extracts from that document. 19 MR CHARNOCK: It is the statement of Cristobal Castro and is 20 dated 7 March 2014. 21 Witness statement of MR CRISTOBAL CASTRO (read) 22 "On the morning of 16 January 2013 I left the 23 restaurant building at the BdV located at the gas 24 facility at In Amenas Algeria at 05.42 am. I clearly 25 recall that the time was 5.42 am because I looked at my</p> <p style="text-align: center;">Page 22</p>	<p>1 bullet holes penetrate the wall near ground level in the 2 direction that we were running. We saw Samir who is an 3 Algerian foreign national worker, co-worker, had opened 4 his door and we ran into his room which was in building 5 E7 which was also the closest room to us. He asked us 6 what was going on and we had a very brief conversation. 7 I told him that I thought the camp was under attack and 8 initially he did not seem to believe me but then further 9 shots were fired in our direction and we bundled into 10 his room. We locked the front door behind us and the 11 secondary door to the bedroom which was what we had been 12 trained to do in the event of a terrorist act. Samir 13 instructed us not to answer the door and not to look 14 outside. 15 On reflection the training we had been given was 16 irrelevant in this situation as it would only be 17 effective if the assailants were outside the perimeter 18 and the army had control of the interior and were 19 repelling the attack. 20 I have been asked if I feel that the drivers strike 21 at the compound had any possible significance concerning 22 the attack. I do not feel that the attack was related 23 to the drivers strike or in fact the troubles in Mali. 24 No doubt there would have been sympathisers within the 25 camp but nothing that I either saw or was aware of.</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 During the drivers strike I crossed the picket line 2 on a regular basis and I never experienced any problems. 3 I have heard rumours that the BAAT drivers were involved 4 in the terrorist attack but again I never witnessed 5 anything that may have been an indicator of increased 6 tensions or the suggestion of a potential attack. 7 During the attack I did observe one of the two bus 8 drivers moving the bus to make a barricade at the front 9 gate. There were two bus drivers who drove the bus from 10 the plant to In Amenas. The older driver was 40 to 11 50 years old and very thin. The younger was in his mid 12 30s and it was this male who moved the bus and the other 13 vehicles at the direction of the militants during the 14 attack. However, this may purely be due to the fact 15 that the militants had guns and he remained calm and 16 possibly acquiesced so as not to get hurt. My own 17 opinion is that it was a pre-planned attack and that it 18 had been planned for a significant period of time. 19 I think that they had to have someone who had knowledge 20 of the plant as they seemed very familiar with it. It 21 may have been a disgruntled ex-employee rather than any 22 of the striking drivers due to the length of time it 23 must have took to plan. 24 I have been shown a number of images of the British 25 nationals who were killed during this incident. It was</p> <p style="text-align: center;">Page 25</p>	<p>1 to know everywhere and could always recommend 2 restaurants or hotels anywhere in the world as he was so 3 well travelled. 4 Image 7 is Garry Barlow. I can say that he was 5 a very decent man and as I previously explained he 6 worked in the offices next to mine at the CPF. Garry 7 worked for the projects team and as such had the rights 8 to his own vehicle. This meant he was not reliant on 9 others or the bus which went from the BdV to the CPF in 10 the morning and this was probably why he was taken by 11 the militants as he was in his office early." 12 That concludes the statements. 13 MS DOLAN: Mr Charnock, I think the next document is an 14 email sent to Ms Agnew who is the niece of Kenneth 15 Whiteside by a worker at the plant. 16 Email to Ms Agnew from MR TARIQ BERDI (read) 17 MR CHARNOCK: On Tuesday, 22 October 2013 Tariq Berdi by 18 email wrote to Ms Agnew: 19 "I tried tonight to watch the programmes about the 20 attack but after ten minutes I turned off. Still too 21 painful to watch. Kenny has left his room from the 22 second camp in the BdV, companies camp, to go to parking 23 and then the facility process. On his way around 5.50 24 the terrorists broke down to the BdV. He then got 25 inside the restaurant in the CC. Witnesses said he</p> <p style="text-align: center;">Page 27</p>
<p>1 exhibit reference AJW22012013/01. I can state the 2 following, that I did not see any of the people on the 3 17 January 2013. I believe the photographs to be, 4 image 1, Paul Morgan. He was a protection officer who 5 usually travelled in the bus with us. However, in 6 a different vehicle which was in front of us. 7 Image 2, Stephen. I think his surname is Greer or 8 similar. I didn't really know much about him other than 9 that he played the guitar. 10 Image 3, Carlos Estrada. I only know him from the 11 image and from his reputation which was very good. 12 I have never met him. I know he's an executive and 13 I don't think he really needed to be at the plant at 14 that time and this was a mark of the man. 15 Image 4, Sebastian John. He was fresh out of 16 college. It was unusual to see someone so young at the 17 plant. However, I believe he was there as you can 18 become experienced very quickly in this environment. 19 Image 5, Carson. I don't know his surname. 20 However, he was the individual who came walking into the 21 BdV during the incident. 22 Image 6, Kenny Whiteside. I would say I was more 23 friends with him than with any of the others. I used to 24 run with him and he was the person who would give me 25 advice if ever I wanted to travel anywhere. He seemed</p> <p style="text-align: center;">Page 26</p>	<p>1 didn't want to stay in the restaurant. They tried to 2 explain him that it was a terrorist attack but he left 3 the restaurant to the BdV. On his way and at the 4 earliest minutes of the attack two terrorists arrived to 5 the CC and crossed Kenny. They tried to stop him and he 6 head-butted one of his assailants. They then knocked him 7 to the floor and handcuffed him. They took him to the 8 BdV by the fountain. At that time the Gendarmes were 9 outside the BdV. Around 9 am the fire stopped and I 10 could hear people shooting in the BdV. I was in 11 a room hidden inside the bathroom with two fellows when 12 the terrorists broke the room's door and asked us to 13 open the bathroom door. They took us to the fountain 14 where I could see my expat co-workers seated on the 15 floor handcuffed, one of them was Kenny: he was wearing 16 his Superman T-shirt without his glasses and looking at 17 me. 18 At that moment I was feeling nothing because I knew 19 I was going to die. To see Kenny looking at me and 20 smiling gave me some courage. His expression was 21 telling me inside: Tariq, we've got nothing to do, just let 22 it go. 23 Then the terrorists asked me and a few other 24 Algerian to quit that place as soon as possible because 25 the army was going to shoot us. I left with a bench of</p> <p style="text-align: center;">Page 28</p>

1 Algerian co-workers and an American guy who hid in with
 2 us. He was left with us because he looked like Algerian
 3 and when he was took from his room he said a few words
 4 in Algerian that saved him. I left that place around
 5 9.30 am to go with a group of men and women to another
 6 place trying to escape from the BdV. We found a way to
 7 the JGC camp, the most dangerous place in the BdV and we
 8 didn't know that. After understanding that if we stay
 9 in the JGC camp we will die we went back to the
 10 fountain.
 11 At that time the place started to be overcrowded
 12 with people leaving their rooms. The expats were seated
 13 in a line by the VIP block just in front of the
 14 fountain. They were all hand and feet cuffed. I could
 15 see from there a terrorist in the middle of them holding
 16 wires. Kenny was there. Sometimes our eyes were
 17 crossing and he kept smiling.
 18 At night they took them to the middle of the fountain.
 19 In the morning the Algerian army assault was imminent.
 20 I was with another colleague, ran away from the
 21 foyer where we slept with all the other Algerian
 22 hostages to a block of rooms. We stayed there until the
 23 military freed us. When we had hidden it was about
 24 10.50 am. At 11 am the assault was given. The
 25 terrorists took most of the expats in the 4x4 and tried

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1 to run away. They put bomb belts around all the
 2 hostages and put them in the cars. Most of the cars
 3 imploded because of the shocks while outside the BdV.
 4 One car didn't implode because the Canadian terrorist
 5 cut the detonator before they get into the car as he
 6 knew about what could happen. Kenny was inside one of
 7 the cars that blew up. One of my friends saw his body.
 8 I hope that I was helpful to you and your family. Don't
 9 be shy to ask me for anything."
 10 MS DOLAN: Sir, the next statement is from Ms B.
 11 Witness statement of MS B (read)
 12 MR CHARNOCK: Sir, this is the statement of Ms B, dated
 13 19 October 2013:
 14 "Since 2005 I have been working at the gas plant of
 15 In Amenas in Algeria as a translator.
 16 Question: could you tell me how you lived through
 17 the attack at the In Amenas site?
 18 Answer: in the morning of the attack I left my room
 19 a little late compared to when I normally leave around
 20 04.40 hours to 04.45 hours on the accommodation quarters
 21 in order to go to the car park to take the plant shuttle
 22 to the CPF. I often went to the plant by car to avoid
 23 taking the bus where the bearded drivers or employees
 24 would frequently harass the women.
 25 On 16 January I was getting in the car of an

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1 expatriate, a Norwegian I think, when suddenly I found
 2 myself in the middle of the attack which was starting.
 3 Everything went so quickly. There was the sound of
 4 bullets like machineguns shooting. It was night time.
 5 I couldn't see anything except for tracer bullets in the
 6 sky. People who were at the car park and who like us
 7 were getting ready to go by car told us to hide. It was
 8 chaos, total confusion. I didn't understand what was
 9 going on.
 10 At that time I saw a large vehicle approaching at
 11 very high speed and hitting the entrance gate. Without
 12 understanding anything I saw that some people on board
 13 of that vehicle were shooting at us. I could not
 14 believe it. I thought it was a drill until people next
 15 to me got injured.
 16 Then the colleague who was with me threw himself on
 17 me and pushed me to the ground and told me to crawl to
 18 my room which I did. The bullets were whistling around
 19 me. While I was crawling I thought I saw Yann, Yann
 20 Desyeux, who was running to his office and immediately
 21 after that the alarm went off, an intermittent alarm
 22 which in the alarm code indicated an external attack on
 23 the camp.
 24 At the same time the base was plunged in darkness.
 25 I reached my room. I locked myself in as one would do

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1 in such a situation. We phoned one another to try to
 2 understand what was going on, an attack or a drill. The
 3 versions were very contradictory between a terrorist
 4 attack with a military response or a drill. We felt
 5 rather safe because the compound was guarded by a unit
 6 of the Algerian army which was based so close, so we
 7 were wondering what was happening.
 8 As for me, I was waiting for the sun to rise so
 9 I could have a clearer idea. The shooting continued
 10 from the outside with no interruption since the
 11 beginning. Sometimes there were big explosions and that
 12 was shocking. At sunrise I tried to look out of my room
 13 window which overlooked the car park when I saw a man in
 14 balaclavas dressed in military uniforms escorting three
 15 or four bound people. I had not figured out at this
 16 point that they were terrorists.
 17 I joined four Algerian colleagues who explained to
 18 me that it was indeed a terrorist attack. I did not
 19 know what to do. We stayed hidden in an underground
 20 water tank. I do not know how long I stayed there.
 21 I could hear the terrorists talking and complaining that
 22 the compound was too big and did not match the plan they
 23 had. The terrorist talked to a man in the compound who
 24 was trying to reason with him but in vain. The
 25 terrorist was not Algerian. He could be Libyan. I did

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1 not quite know.
 2 I could not see the way out. I didn't want to stay
 3 there. I wanted to escape and that's what I did.
 4 That's when I saw an old and very nice man, patrol
 5 driver, who told me to come out and leave because I was
 6 on the list. In fact the driver told me that the
 7 terrorists had a list of names with room numbers. That
 8 was true. When the man was yelling in the corridor he
 9 was mentioning names that he couldn't have known if he
 10 didn't have a list. They were the names of the people
 11 who ran the plant, technicians and Algerian engineers,
 12 even the name of the president director general.
 13 I then followed the driver. I introduced him.
 14 I took his scarf and put it on my head. He gave me
 15 a work jacket and during the confusion we left through
 16 the barbed wire. We managed to leave the plant. It
 17 must have been 11 o'clock on the first day of the
 18 attack. We walked a little bit and then we were picked
 19 up by the army. There was a strange atmosphere going on
 20 for about 6 months before the attack. The strike of the
 21 Algerian personal which began in June 2012 following the
 22 presidential decree which had led to a loss of funds for
 23 some Algerian workers who decided to go on strike. In
 24 fact there was a split between the Algerian employees
 25 and I preferred to keep my contract and not to join

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1 Sonatrach and to keep my professional freedom. I was
 2 then forced to join the strike.
 3 As time went by the bearded gradually acquired power
 4 among the strikers. They were looking to complicate the
 5 situation and to create problems with the foreigners.
 6 For the bearded the strike was an excuse.
 7 Three leaders of Sonatrach had left at that time,
 8 the losses were huge and all the site was on hold. The
 9 site remained strike bound for six months but we still
 10 received our salaries which were in fact raised. I was
 11 in the middle of the negotiations between the foreign
 12 leaders of the site and the strikers. The relations
 13 were tense between the strikers, the Islamists and the
 14 expatriates. Since then the Islamists suddenly hated
 15 me. For them I was too much like the European and they
 16 held me responsible for what those in charge said or
 17 suggested while I was only translating. I realised that
 18 the stories that the persons in charge were feeding back
 19 to the workers did not reflect what was said during the
 20 discussions. They were lying to them.
 21 Once I made it known that I didn't like it and of
 22 course I was pointed out as a traitor to the foreigners.
 23 At that time in September 2012 I stopped the strike and
 24 resumed work.
 25 Question: do you have any comments about the

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1 conditions and safety on the site before the attack?
 2 Answer: yes, there were some events that take
 3 a different dimension now. For example, it happened
 4 that at some meetings we were physically assaulted by
 5 some Tuareg drivers. They spat in our trays. Simply
 6 there's no safety inside the camp for me. It was the
 7 strikers manipulated by the Islamists who were running
 8 the camp. The management, BP, Statoil, was not
 9 controlling anything. For example, during a safety
 10 exercise which took place one evening well before the
 11 attack more than 50 unauthorised people were found on
 12 the site. They were not members of staff.
 13 On the Sunday that preceded the attack two Algerian
 14 military officers came to the compound. I met them.
 15 They said they had come on an inspection visit to define
 16 the strategic zones to defend in case of an attack in
 17 order to be able to retaliate. They stayed for about
 18 2-hours and visited the whole plant. I have never seen
 19 them before. I know nothing about them and they did not
 20 introduce themselves. They were wearing uniforms of
 21 Algerian military officers. I saw them talking for
 22 a good hour with my Algerian manager.
 23 Soon after the manager came back to the office after
 24 talking to them. He told us that he was unwell, that he
 25 had a medical emergency and that he had to be evacuated

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1 and in the morning of Monday, 14 January he flew to
 2 Algiers. His attitude was really weird.
 3 In the evening of Monday, 14 January I was called by
 4 my BP and Statoil managers who were sensing danger
 5 because of the situation with the Tuareg drivers got out
 6 of control as they were demanding the dismissal of those
 7 who called the strike off. The strikers were
 8 threatening, saying to us: this territory belongs to us.
 9 Unless you respond to our demands we will turn it to its
 10 virgin state as you found it in, in the first place. We
 11 were scared. We had no protection. The BP, Statoil
 12 people tried to find an ultimate solution to the crisis.
 13 My Norwegian manager, Mr Tore Bech, was at breaking
 14 point. The strikers rejected all the suggestions made
 15 even though they had a lot of advantages. At the last
 16 meeting of Tuesday, around 22.00-hours one of the
 17 strikers representatives, a bearded, whom I didn't know,
 18 stood up and said that the negotiations were over and
 19 said addressing the three leaders with a cold tone: you
 20 have made your law but tomorrow when you wake up you
 21 will have a surprise and blood will be shed.
 22 The following morning the site was attacked.
 23 One day I was talking to an Algerian military who
 24 told me that the authorities were suspecting a terrorist
 25 attack on the site but they did not have any date."

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<p>1 Sir, that is the statement.</p> <p>2 THE CORONER: We will have a ten-minute break.</p> <p>3 (12.08 pm)</p> <p>4 (A short break)</p> <p>5 (12.20 pm)</p> <p>6 MS DOLAN: Sir, the last statement is a statement from</p> <p>7 Mr Lotfi Benadoula that Mr Charnock will read.</p> <p>8 MR CHARNOCK: Sir, this is the statement of Lotfi Benadoula,</p> <p>9 dated 26 November 2013.</p> <p>10 Witness statement of MR LOTFI BENADOULA (read)</p> <p>11 "I am the general manager employed by JV Gas at the</p> <p>12 In Amenas gas plant and have been based there</p> <p>13 since June 2012. During my time at the In Amenas site</p> <p>14 I have lived in the VIP accommodation within the BdV.</p> <p>15 My role is as general manager and I work within the JOC</p> <p>16 alongside Mark Cobb who is an American and BP employee</p> <p>17 and Tore Bech who is a Norwegian Statoil employee.</p> <p>18 I am the number 1, Mark Cobb is number 2 and Tore is</p> <p>19 number 3. Between us we oversee the whole compound and</p> <p>20 operations.</p> <p>21 Prior to the attack we as the JOC did not have any</p> <p>22 concerns about the security within the site itself. Our</p> <p>23 main concern was with the proximity to the borders of</p> <p>24 Mali and Libya due to the attacks and the war that was</p> <p>25 going on within Mali. The local security staff came</p> <p style="text-align: center;">Page 37</p>	<p>1 were not prepared for this. On Wednesday, 16 January at</p> <p>2 about 05.30 hours I was in my room in the VIP villa at</p> <p>3 BdV when I heard a lot of noises within the VIP villas.</p> <p>4 I then heard the discontinued alarm telling us that we</p> <p>5 were being attacked. I heard the noise and some expats</p> <p>6 speaking. After some time I left my room and went to</p> <p>7 the main door to see what was happening and I saw</p> <p>8 nothing.</p> <p>9 I thought it was a military exercise and then turned</p> <p>10 left out of the door. At this point a terrorist shot at</p> <p>11 me and told me to get down on the ground. The terrorist</p> <p>12 who was Egyptian came to me and asked me in Arabic,</p> <p>13 "where is VIP"? He then put his gun to my forehead.</p> <p>14 I told him I don't know. I then got up off the floor</p> <p>15 and told him that this was the VIP and I started to walk</p> <p>16 away. He then asked, "where are you going?" I told him</p> <p>17 kitchen. He asked, "Do you work in the kitchen"?</p> <p>18 I said "Yes".</p> <p>19 I then walked into the recreation room where I saw</p> <p>20 about 12 terrorists standing outside. I met the leader</p> <p>21 of the terrorists, Tahar. The alarm was still sounding.</p> <p>22 The terrorist tried to shoot at the alarm to try to stop</p> <p>23 it.</p> <p>24 We all then went back outside and they asked me</p> <p>25 where the offices were. I asked if they meant within</p> <p style="text-align: center;">Page 39</p>
<p>1 every day with information about what was happening at</p> <p>2 the borders with Mali. Six months prior to the attack</p> <p>3 the drivers from the site were striking over pay and</p> <p>4 conditions. Many of the drivers are local Algerians</p> <p>5 from the In Amenas area and feel they have rights to the</p> <p>6 gas. We were in negotiations with them because they</p> <p>7 wanted to become permanent members of Sonatrach's staff</p> <p>8 at the site. In my opinion and that of the JOC the</p> <p>9 strike was nothing to do with the attack at the site.</p> <p>10 The strike is local people asking to be permanent</p> <p>11 workers for the future. We had no concerns about</p> <p>12 specific employees. However, our concern was that the</p> <p>13 strike may close the main gate to the plant and as there</p> <p>14 were many expats inside this would be an issue. Many of</p> <p>15 the expats work on a rotation basis and need to be able</p> <p>16 to leave to go to other contracts and they may have been</p> <p>17 stopped from doing this. We decided to demobilise</p> <p>18 expats at the site and move them to Hassi Messaoud only</p> <p>19 to keep a minimum staff at this site.</p> <p>20 There was a company plan in place if there was an</p> <p>21 attack at the site. The plan provided was based on any</p> <p>22 attack coming from outside of the plant and therefore</p> <p>23 the armed Gendarme would be between us and the</p> <p>24 terrorists and we believed we were protected by them.</p> <p>25 However, this attack came from inside the camp and we</p> <p style="text-align: center;">Page 38</p>	<p>1 the CPF, they said no. There are offices in the base</p> <p>2 where the American is. The terrorists took me to try</p> <p>3 and find the offices they believed Mark Cobb was hiding.</p> <p>4 They walked me to the security offices first. They went</p> <p>5 inside and didn't find anybody. They then went to the</p> <p>6 offices next door. They looked inside but did not find</p> <p>7 anybody. I later found out that Mark Cobb was inside but</p> <p>8 hiding.</p> <p>9 At the beginning they told me they were only looking</p> <p>10 for Americans, British and French and they were not</p> <p>11 interested in anyone else and that they wanted to search</p> <p>12 the site room by room.</p> <p>13 At daybreak they took me back towards the rooms</p> <p>14 outside the VIP villa and then started to search room by</p> <p>15 room where they put me with another Algerian. They were</p> <p>16 communicating with other terrorists at the CPF where</p> <p>17 they had found other expats. Terrorists started to come</p> <p>18 back to the VIP areas at which time they brought out</p> <p>19 Nick Hitch of BP, Carlos Estrada and a Statoil manager,</p> <p>20 Victor Sneberg, to outside the VIP area. The terrorists</p> <p>21 then told me that I was Algerian, I can go and that they</p> <p>22 were only here to take expats.</p> <p>23 It was now about 07.30 to 8 am. I walked down to</p> <p>24 the JGC fly camp. I saw them taking Japanese and</p> <p>25 Filipino workers from this area. At this point I heard</p> <p style="text-align: center;">Page 40</p>

10 (Pages 37 to 40)

1 the terrorists communicating on the radio. They were
 2 asking where Lotfi is as they had been told by the
 3 hostages at the CPF that he was the only person who
 4 could organise the restarting of the gas plant.
 5 I understood that they wanted to do this as they wanted
 6 to cause a massive explosion at the plant.
 7 On the Wednesday I was aware that many expats were
 8 hiding within the CPF. This included three or four
 9 Norwegian Statoil expats including Tore Bech, Hans Bjone
 10 and Thomas Snekkevik. One American expat, Gordon Rowan,
 11 and a British expat, Garry Barlow, who I think was
 12 hiding in the offices near to the CPF. I was told that
 13 they had been taken hostage and then kept in the old
 14 offices next to the Norwegian offices before being taken
 15 all in one truck to the control room. They were asked
 16 to start the plant and they couldn't so told the
 17 terrorists that I was the only one who could organise
 18 the restart of the plant.
 19 They then took us back to the main circular plaza
 20 area with at least ten other expats which included Nick
 21 Hitch, Iain Adamson, Yann Desyeux, Stephen Green,
 22 Carlos Estrada and Mr Ito. They were all alive and well
 23 with no obvious injuries at this time. At this time the
 24 leader of the terrorists, Tahar, said that he wanted
 25 Lotfi now. So I came forward and presented myself.

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1 Tahar then started taking lots of picture of me with
 2 the other expats in this area. He then told me that he
 3 was the leader of the group from the north of Mali and
 4 that they had three demands. Firstly, they wanted the
 5 French to stop their attack on Mali. Secondly, to
 6 liberate some Islamist prisoners and thirdly, to secure
 7 an escape route that they could take into the desert
 8 with the expats.
 9 He then asked me to pass on his demands to the
 10 military. I tried to call the Algerian army by radio as
 11 they did not answer me. I gave him the radio to speak
 12 to them. He told me that he does not speak to
 13 nonbelievers and that you need to speak to them as I was
 14 a nonbeliever. Tahar told me to stay there and asked me
 15 for vehicles so they could escape from the site. They
 16 had now stopped searching for people as they had many
 17 expat hostages.
 18 Up until Wednesday afternoon around 14.00-hours the
 19 terrorists appeared calm and comfortable. I did not
 20 feel at any danger or risk. They had asked the Algerian
 21 workers to spend the night outside of the recreation
 22 building. The terrorists asked me for vehicles with
 23 fuel and drivers who had knowledge of the desert. They
 24 then split the expats into two groups and moved them
 25 into the plaza areas of the BdV. I think the terrorists

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1 feared an attack during the night as Tahar made me and
 2 all the expats sleep close to. During the night there was
 3 lots of gunfire between the terrorists and the army.
 4 On the morning of 17 January the military started to
 5 shoot into the camp again. The terrorists had
 6 surrounded themselves with us using us as a human
 7 shield. Tahar, the leader of the terrorists, said to me
 8 that my people had helped the military come in, in the
 9 night. I said no, they hadn't. The mood of the terrorists
 10 had changed. They were not happy. They no longer
 11 showed us respect. They told us that they would kill
 12 everyone and were asking why the military had not
 13 given us access to the road to escape. We had by now
 14 given them food and vehicles.
 15 Tahar then came to me again with his camera and
 16 started to take lots of pictures. He also brought an IT
 17 guy as they were intending to put them on to the
 18 internet but this was not possible as there was no power
 19 on the site.
 20 At around 10 to 10.30 hours I heard discussion
 21 between Tahar and other terrorists and the military.
 22 The military said they must free all the hostages and
 23 there was no negotiation.
 24 At 11.30 to 12.00-hours around 300 Algerian workers
 25 had been moved inside the recreation building. The

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1 expats remained in the plaza area of the BdV and I was
 2 now outside by the VIP villas standing near Tahar.
 3 I saw a military helicopter approach the BdV with
 4 a sniper on board with his rifle visible. He then shot
 5 and injured Tahar, shooting him in his leg. It was at
 6 this point I ran into the recreation Building and hid
 7 with the Algerians. Whilst inside they broke open
 8 a small door at the other end of the recreation building.
 9 As the door was small it took a long time for everyone
 10 to escape.
 11 Once we had escaped out of the far end of the
 12 recreation building we made our way out of an opening in
 13 the fence into the desert where we met with the Algerian
 14 military and were then safe. The last time I saw all
 15 the expats alive was on Thursday morning.
 16 At 22.00-hours on Thursday night after I had escaped
 17 I asked for authority from the Algerian military for
 18 permission to go back into the BdV to look for any
 19 remaining hiding expats. I then went back into the BdV
 20 with the Gendarme and a couple of Algerians. We rescued
 21 about 10 people during Thursday night.
 22 On the morning of 18 January, around 09.00-hours
 23 I was at the hospital morgue assisting in identifying
 24 the deceased. In the morgue I recognised several of the
 25 deceased. I also asked an Algerian colleague who was

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<p>1 with me about a person who I did not know and was told 2 that he was Sebastian John.</p> <p>3 Later that morning the Algerian military called me 4 and told me that the operation had finished and could 5 I help them identify people at the CPF. I went back to 6 the CPF with the Algerian military specifically to 7 train 3 which I believe the terrorists chose because of 8 the close proximity and line of sight to the Gendarme 9 camp.</p> <p>10 There I found a terrorist car that had exploded. 11 Everything was black from the explosion and the car was 12 still connected to four drums which were attached to the 13 pillars of train 3. I noticed that there were only the 14 upper bodies of the terrorists. I was later told that 15 they had strapped explosives to their chests to prevent 16 them from being captured. I also saw the dead body of 17 Gordon Rowan. I then went upstairs on train 3. 18 I believe that the four dead bodies were Tore Bech, Hans 19 Bjone, Thomas Snekkevik and Garry Barlow.</p> <p>20 On Saturday, 20 January I called more people to help 21 in the CPF. We then found explosive booby traps at the 22 CPF and the military called specialists and we left the 23 CPF.</p> <p>24 On the Saturday afternoon I was surprised to find 25 out that one of the terrorists had been hiding in one of</p> <p style="text-align: center;">Page 45</p>	<p>1 and a member of the regiment of Those who sign in Blood 2 who carried out the hostage taking operation. The 3 latter demanded the release of a number of terrorists 4 currently in Algerian prisons for the western hostages. 5 The terrorist also confirmed that he was ready to blow 6 the gas plant with everyone in it.</p> <p>7 The hostage taker said: where are you? 8 Military officer: you tell me. Where are you? Are 9 you in the 'Mayasina area or in the Serai? Are you in 10 the plant or in the 'Mayasina area? 11 Hostage taker: next to the large buildings. 12 Military officer: are you speaking from the plant? 13 Hostage taker: Can you hear me? 14 Military officer: yes, I do hear you. 15 Hostage taker: my demands are very easy if you start 16 the negotiations with us. 17 Military officer: okay, go ahead we're ready. 18 Hostage taker: I want all the prisoners back, the 19 friends who have been in your prisons for 15 years. We 20 want 100 men, 100. 21 Military officer: carry on, carry on. 22 Hostage taker: we are ready to die. Either our 23 brothers or nothing. 24 Military officer: we will transmit your demands to 25 the leadership.</p> <p style="text-align: center;">Page 47</p>
<p>1 the containers on the CPF. I think he was injured. 2 I have been asked to clarify the type of vehicles 3 operating at the site. I can confirm that all of the 4 vehicles are JV Gas vehicles and are modified with 5 markings, roll cages and speed restricters for safety. 6 They are all white Toyota Landcruisers and there are no 7 Sonatrach or Gendarme vehicles on the site. The 8 Gendarme are not allowed to drive the vehicles and as 9 a result we provide drivers for the vehicles."</p> <p>10 That concludes the statement.</p> <p>11 MS DOLAN: Finally, Mr Charnock, I think you have an extract 12 from a media report of a recording.</p> <p>13 MR CHARNOCK: Indeed. Sir, this is clip 8, exhibit number 14 HLM/1 taken from the news presented by Ennahar TV 15 published on 20 January 2013. This played two 16 recordings. The first one is claimed to be the 17 recording of negotiations between the army and the 18 terrorists and the second one is the recording released 19 by the terrorists who carried out the attack.</p> <p>20 The following are the transcriptions from the clip: 21 ENNAHAR TV MEDIA REPORT (read) 22 "TV presenter 1: a special bulletin from Ennahar TV. 23 TV presenter 2: a staff member at the Tiguentourine base 24 sent Ennahar TV a recording of a conversation between a 25 representative of the Algerian military special forces</p> <p style="text-align: center;">Page 46</p>	<p>1 Hostage taker: I would like to talk with you 2 face-to-face. Did you hear me? I want to talk to you 3 face-to-face. 4 Military officer: shall I come to the first post 5 [gate]? Tell me exactly where you are. 6 Hostage taker: I have spoken with the British people 7 but they are far away, do you understand? They have 8 contacted Mali and Mokhtar Belmokhtar, do you 9 understand? He will inform them of our demands from 10 there. [Remaining words unclear]. 11 Military officer: shall I come to see you at the 12 first gate in the plant? 13 Hostage taker: come alone. If you don't come alone 14 I will not see you. You will be safe! Is the message 15 understood? 16 News reporters: Nwakchott Press Agency released 17 a message by the leader of the terrorist group that 18 carried out the operation of holding Western hostages 19 before executing them. 20 Abdurrahman Al-Nigiri [from Niger] nicknamed 21 Abu-Jana confirmed that Abu al-Bara was killed along 22 with 15 other members. He also revealed that the group 23 of men was planning to blow themselves up with the 24 hostages. 25 Abu-Jana: half of the brothers have been killed.</p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

1 Some of the hostages are still alive and are being held
2 in the gas plant by some of the brothers. Praise be to,
3 Allah. Praise be to Allah. By Allah we will blow them
4 up if the Algerian military come close to us because
5 they are heading towards us. With the permission of
6 Allah, Allah is the greatest, may he bless the souls of
7 those who died; I don't have the exact number but all
8 those who were in the three vehicles.
9 The ones in one vehicle are holding the hostages in
10 a remote building; the Algerian forces have now cut off
11 communication through the landline network. [there were
12 some unclear words] so they can kill the entire armed
13 group. Abu al-Bara ... 15 or 16 have been killed."
14 MS DOLAN: Sir, that concludes the documents to be read.
15 THE CORONER: So we will break off now. I will say
16 2 o'clock. If everybody is ready before then and had
17 enough time with any document that is forthcoming we can
18 start before but otherwise I will say 2 o'clock.
19 (12.40 pm)
20 (Luncheon Adjournment)
21 (2.00 pm)
22 (Proceedings delayed)
23 (2.20 pm)
24 Housekeeping
25 THE CORONER: Mr Underwood, there you are. I think

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1 everybody has had the document which you and I have been
2 mindful of providing some information to interested persons
3 and then Mr Garnham made specific submissions, as
4 you know. So everybody has had that document which is
5 what I had promised so that deals with that.
6 Consequential upon that is obviously the question of
7 date or dates hereafter.
8 MR UNDERWOOD: Yes. To be fair, the notion of a PII
9 exercise may well be something out of an abundance of
10 caution. It may well not happen. But it's best to work
11 on the risk side of it, if you like, and so what I have
12 been suggesting is that one sets a date for that and
13 around about 18 December looks practicable and if that
14 happens, then allow some reasonable time after that
15 before you embark on the remaining two witnesses.
16 THE CORONER: Yes.
17 MR UNDERWOOD: So that towards the end of the first week
18 of January, something like that, would be reasonable one
19 would have thought. Of course if it turns out in the
20 meanwhile that we are chasing shadows and there really
21 is nothing in this material, then people can be told and
22 if possible things moved forward again.
23 THE CORONER: Yes, if, as it were, subject to convenience of
24 everybody concerned which includes witnesses who might
25 then have to be brought forward. If that were to be

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1 possible and if it was proved that one was chasing
2 shadows then that should be explored, I agree. But for
3 now is your submission that we ought to be looking at
4 two dates?
5 MR UNDERWOOD: Yes. On the premise that it would be
6 imprudent to call the two Government witnesses while
7 there is any question of further disclosure or possible
8 disclosure hanging over them.
9 THE CORONER: Yes. The date that was mentioned in the note
10 for everything being in order so far as any hearing is
11 concerned, if that were necessary, is 19 December which
12 is the Friday. If it was around there just because of
13 what falls so soon after that I would like to see if it
14 would be possible to do it a bit earlier, say, for
15 example, the 18th. I know that doesn't suit everybody
16 and I shall hear about that, but subject to any
17 submissions that are made at the moment I am tentatively
18 thinking about seeing whether it were possible to put
19 the date of the 18th in for any PII hearing, if that
20 were necessary, and again, only tentatively, subject to
21 anything anyone has to say, probably 6 January for the
22 conclusion, I just think that is -- for the conclusion
23 of the witnesses and in that week if it were possible
24 for anything anybody wanted to submit to me at the
25 conclusion of all the evidence.

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1 MR UNDERWOOD: Yes, I put Mr Barr under a fair amount of
2 pressure it is fair to say about getting this
3 certificate done as quickly as possible and as I hope
4 everybody will appreciate these things take
5 a considerable amount of time. If we can shave days off
6 it I would be grateful to him but I do entirely
7 understand why it is going to take time.
8 THE CORONER: Quite. Thank you very much indeed. So if
9 I can just say this: at the moment, as I have indicated,
10 tentatively 18 December and 6 January, but only
11 tentatively because the chances of those suiting
12 everybody are slim, but I should make it plain they are
13 far from ideal, they make things extremely difficult in
14 terms of other commitments I have and make it very
15 difficult for me to do other things, but that's -- so
16 I am simply saying that if they are not ideal for other
17 people please don't think I have chosen them because
18 they are perfect for me. I have chosen them because
19 there is a gap between the two of them, because it falls
20 near the date that has been suggested for the
21 certificate, but in terms of my other commitments they
22 couldn't be worse, but I am really saying that so please
23 don't sit there thinking that I have chosen these
24 because they suit me. They don't. But it seems to me
25 at the moment they suit the inquest which is obviously

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<p>1 the most important factor, by which I mean these 2 proceedings and the interested persons themselves if not 3 necessarily their advocates, but perhaps we can come to 4 that.</p> <p>5 Who would like to start? Mr Flinn?</p> <p>6 MR FLINN: Sir, firstly, thank you very much to yourself and 7 Mr Underwood for the update. I know that you are 8 already acutely aware of the disquiet that the families 9 feel over the length of time of the process so I shall 10 not revisit that point because I know you have it well 11 in mind.</p> <p>12 THE CORONER: You are absolutely right to mention it 13 straight away. I shall do what I can if we do fix on 14 these dates or something like it to ensure that the 15 material is going to be ready in time for those dates. 16 But as you know, these things do take time and I think 17 the note sets out some of the processes that have to be 18 gone through, but you are quite right to mention it and 19 I'm acutely aware of it.</p> <p>20 MR FLINN: Indeed, sir, thank you. I also note that the 21 information provided by Mr Underwood addresses two of 22 the points raised by my leader, Mr Garnham, that was the 23 provision of a certificate and the opportunity to make 24 submissions in respect of that if appropriate. So we 25 welcome that indication and I will be reporting back to</p> <p style="text-align: center;">Page 53</p>	<p>1 they be made to work for you and Mr Garnham between you, 2 those particular dates?</p> <p>3 MR FLINN: I believe they can, sir, particularly in my case, 4 I'm pretty sure I shall be able to ensure that I'm in 5 attendance.</p> <p>6 THE CORONER: All right. I am very grateful. I suspect 7 they won't be perfect but thank you for that indication.</p> <p>8 MR FLINN: Thank you, sir.</p> <p>9 MR OWEN-THOMAS: Sir, I echo what my learned friend has 10 said. In respect of 18 December that I have had the 11 opportunity to check. It suits my client most 12 importantly and his advocates.</p> <p>13 The date of 6 January hadn't been mooted with us 14 before so I haven't checked that with him. I suspect 15 Mr Green will be available. My only concern is that 16 there is no slippage in that because of course it would 17 be very unfortunate if it were to encroach upon the 18 16/17/18 January for obvious reasons.</p> <p>19 THE CORONER: Yes, those are plainly not available dates.</p> <p>20 MR OWEN-THOMAS: And my client would not wish to take part 21 in those.</p> <p>22 THE CORONER: No, you are right to mention that so it is 23 articulated but I quite agree.</p> <p>24 MR OWEN-THOMAS: But if the witnesses could be dealt with on 25 the 18th that would be the ideal situation.</p> <p style="text-align: center;">Page 55</p>
<p>1 Mr Garnham in respect of that.</p> <p>2 THE CORONER: Yes.</p> <p>3 MR FLINN: I would also support the decision that if the 4 further material which is currently viewed as being 5 potentially relevant is subsequently perhaps at an 6 earlier stage decided not to be relevant then obviously 7 my clients would appreciate that the remaining witnesses 8 are called as soon as possible.</p> <p>9 THE CORONER: Yes.</p> <p>10 MR FLINN: However, of course we are aware that that is 11 subject to availability for a large number of people.</p> <p>12 THE CORONER: Yes, but I think you make a good point and 13 I think that for whenever the first date is we could 14 certainly request of the witnesses, I mean everybody 15 else will know there is this possibility and if it turns 16 out that it doesn't suit the overwhelming majority of 17 people if it came to nothing and we were trying to use 18 the dates then so be it, but we could at least ask the 19 witnesses to keep those free if they could on the basis 20 that it's always possible we might be wanting them for 21 the first date rather than the second. I think that is 22 a good point. We'll do that.</p> <p>23 MR FLINN: Indeed. Thank you very much. There is nothing 24 else I wish to add.</p> <p>25 THE CORONER: No, but are -- I know they are not ideal, can</p> <p style="text-align: center;">Page 54</p>	<p>1 THE CORONER: Yes, but that would require other things to 2 have fallen away which they may or may not.</p> <p>3 MR OWEN-THOMAS: More quickly than is anticipated. 4 I appreciate that. Otherwise but the dates are capable 5 of being accommodated.</p> <p>6 THE CORONER: Thank you. Mr Flinn, do those dates as well 7 as yourself and Mr Garnham, but broadly speaking for the 8 interested persons that you represent, are those --</p> <p>9 MR FLINN: I am afraid I haven't been able to take 10 instructions on that specifically, sir, but will 11 undertake to do so as soon as possible.</p> <p>12 THE CORONER: All right.</p> <p>13 MR FLINN: We have one of my family's clients in court and 14 she has given a nod indicating that those dates are 15 amenable to her.</p> <p>16 THE CORONER: That is one. What I might -- is there anybody 17 who could help you just to contact or at least try to 18 contact, I would quite like to have seen if it is 19 possible to get an indication from the other three.</p> <p>20 MR FLINN: Sir, if I was able to step outside I could put 21 those enquiries in train now.</p> <p>22 MS WATSON: Sir, we can certainly assist. If it would help 23 the family liaison officers can assist Mr Flinn and any 24 other families.</p> <p>25 THE CORONER: Mr Flinn, are you content to do it that way?</p> <p style="text-align: center;">Page 56</p>

<p>1 MR FLINN: That would be extremely helpful, sir, thank you.</p> <p>2 THE CORONER: Thank you so much.</p> <p>3 MR POPAT: Sir, just because those enquiries might be being</p> <p>4 made now, in case you might consider a submission I was</p> <p>5 going to suggest which is possibly keeping the 18th and</p> <p>6 19 December.</p> <p>7 THE CORONER: Yes, I am sorry, I should have said -- I am</p> <p>8 really thinking, starting on the 18th and however long</p> <p>9 it takes.</p> <p>10 MR POPAT: Right, so if those enquiries are being made of</p> <p>11 the families they may need to --</p> <p>12 THE CORONER: No, you are quite right to say that and in</p> <p>13 each instance as far as I am concerned it is starting</p> <p>14 whatever needs to be done on the 18th and going on until</p> <p>15 it finishes and on the 6th, starting and -- just at the</p> <p>16 moment it is just impossible to know how long either</p> <p>17 exercise, if two exercises are required, will take, but,</p> <p>18 yes, perhaps that can be made plain, it is not just</p> <p>19 simply one day.</p> <p>20 Yes, Mr Ritchie?</p> <p>21 MR RITCHIE: Both dates are inconvenient but arrangements</p> <p>22 will be made for the 18th, where there is something that</p> <p>23 can be moved, and for the 6th where something can be</p> <p>24 cancelled.</p> <p>25 THE CORONER: I mean, it goes without saying, I think it is</p> <p style="text-align: center;">Page 57</p>	<p>1 THE CORONER: In terms of the processes and what tests are</p> <p>2 and all that kind of thing, it is certainly possible to</p> <p>3 put things in in writing, and as you say, I am sure you</p> <p>4 could fill in with somebody and who knows it -- if you</p> <p>5 think there is anything I can try and do about it so far</p> <p>6 as the other matter is concerned, then you have only to</p> <p>7 ask.</p> <p>8 MS GERRY: Thank you. And as far as January, that's fine,</p> <p>9 sir.</p> <p>10 THE CORONER: All right. Anybody else want to ...</p> <p>11 MS WATSON: Sir, you may already be aware but I'm not</p> <p>12 available either of those dates. My instructing</p> <p>13 solicitor I am afraid is on leave this week but I am</p> <p>14 putting in train efforts to be made to find someone who</p> <p>15 can come in my stead on both of those dates if</p> <p>16 necessary.</p> <p>17 THE CORONER: All right, thank you very much.</p> <p>18 MR POPAT: Both dates are convenient to us. My suggestion,</p> <p>19 sir, as I was just indicating to ensure enquiries could</p> <p>20 be made of the families would be if the period of, say,</p> <p>21 the 18th and the 19th were marked as a two day period at</p> <p>22 least and arrangements were made for the witnesses to be</p> <p>23 called to give evidence on that occasion then even if</p> <p>24 the process of having a hearing, considering a PII</p> <p>25 matter is undertaken, if the conclusion of that hearing</p> <p style="text-align: center;">Page 59</p>
<p>1 probably very unlikely but if there is any respect in</p> <p>2 which for anybody it is thought that I might be able to</p> <p>3 help move things given that this is the responsibility</p> <p>4 of nobody, as it were, and everybody had anticipated</p> <p>5 that matters would have concluded, I would obviously</p> <p>6 give any help that I can. I know, Mr Ritchie, it has</p> <p>7 been drawn to my attention, I know it causes you</p> <p>8 particular difficulty. I am conscious of that.</p> <p>9 MR RITCHIE: I am grateful but I think I can work it out.</p> <p>10 THE CORONER: All right.</p> <p>11 MR RITCHIE: Thank you very much, sir.</p> <p>12 THE CORONER: Ms Gerry.</p> <p>13 MS GERRY: Thank you. In relation to the 18th I currently</p> <p>14 have a hearing before Andrew Walker, coroner in North</p> <p>15 London district. It is likely that the inquest at the</p> <p>16 moment is due to the finish on the 19th. So it may be</p> <p>17 that is a jury out time in which case hopefully I'll be</p> <p>18 able to attend. Sir, once I know more about the</p> <p>19 timetable of that I may come back and request possible</p> <p>20 assistance in relation to that. However, obviously,</p> <p>21 sir, if I can't be here I have already canvassed it with</p> <p>22 Mrs John that I might ask another advocate to look after</p> <p>23 her interests on that occasion. As I understand it, it</p> <p>24 is likely that is just going to be more about legal</p> <p>25 argument in relation to the PII certificate.</p> <p style="text-align: center;">Page 58</p>	<p>1 is that there is nothing to be disclosed, nothing to be</p> <p>2 provided and it is clear that that is going to be the</p> <p>3 position, it may be possible to proceed straight away</p> <p>4 with the other witnesses.</p> <p>5 THE CORONER: Yes.</p> <p>6 MR POPAT: And so --</p> <p>7 THE CORONER: I agree. What we'll do is, I suppose it may</p> <p>8 just be that we will have to rise just for a moment</p> <p>9 while those other enquiries -- I do want to know those.</p> <p>10 At the same point we could, because I am not sure that</p> <p>11 we will necessarily yet -- have we, Ms Dolan, enquired,</p> <p>12 for example, of Mr Bristow and Mr Roper. It would be</p> <p>13 silly to leave now and then --</p> <p>14 MR POPAT: Yes, and at the same time of course if the dates</p> <p>15 in January are also kept available and again for two or</p> <p>16 so days at least then if matters don't proceed on the</p> <p>17 18th/19th, we can proceed to have that evidence called</p> <p>18 on the 6th.</p> <p>19 THE CORONER: Or imagine we had gone straight to the</p> <p>20 witnesses and for some reason they just hadn't finished,</p> <p>21 there was something which needed to be checked I think</p> <p>22 if we have some other time we can do that.</p> <p>23 MR POPAT: Yes.</p> <p>24 THE CORONER: All right. Subject just to -- I will rise for</p> <p>25 a moment I think and just see if we can -- Mr Barr, it</p> <p style="text-align: center;">Page 60</p>

1 may be that you are going to be better placed, for
2 example, to see whether it is possible to make a rapid
3 enquiry of Mr Roper. Indeed, both of them I dare say.
4 MR BARR: Sir, I am afraid I don't think that's going to be
5 possible immediately. They are both on leave today and
6 tomorrow.
7 THE CORONER: Are they? All right.
8 MR BARR: Today and tomorrow.
9 THE CORONER: In which case I shall certainly just wait
10 until the enquiries that the family liaison officer is
11 doing are done. I will do that. Then I think what I am
12 going to have to say is those will be the dates and if
13 difficulties come back then we will just have to think
14 again but I shall say subject to any overwhelming -- the
15 first one isn't -- it would be useful if they were able
16 to pencil in the 18th and 19th just in case there was
17 nothing else to be done. It is not so critical because
18 that is the sort of fallback position. The key is
19 really the 6th/7th I think.
20 MR BARR: Would it be helpful, sir, if my instructing
21 solicitor writes to you about all of those dates so far
22 as the witnesses are concerned just as soon as we can
23 get in contact with them?
24 THE CORONER: Yes.
25 MR BARR: Can I also say so far as the 18th and 19th are

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1 concerned, we can do either of those dates and I have
2 been able to make enquiries. It would just be possible
3 to move back the certificate a day so the 18th and the
4 19th are viable from that perspective.
5 At the start of January both myself and my learned
6 friend Mr Gasson are unavailable at the moment. I have
7 a professional commitment. I don't know what
8 Mr Gasson's circumstances are in the very short time
9 I have had to take instructions so that is obviously
10 something we have to look into because like everyone
11 else --
12 THE CORONER: I appreciate that.
13 MR BARR: -- we really don't want to get in the way.
14 THE CORONER: No.
15 MR LAIDLAW: Could I just mention, I am not going to ask you
16 to change that timetable, you will have Mr Ferguson for
17 the 18th or the 19th. Neither of us are available in
18 the week of the 6th but if you just grant us leave to be
19 absent and then we would obviously submit anything we
20 had to in writing and you will have representation here
21 but we are obviously much lower down in the line of
22 priorities and we recognise that.
23 THE CORONER: Yes, thank you very much for that.
24 Mr Underwood, so I think it looks as if, subject to
25 anything that comes back now or in the short term so far

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1 as three families are concerned, so what I will probably
2 do is just rise just to see what the timescale on that
3 is concerned. I think it is probably best that if I go
4 for these dates then obviously if, particularly so far
5 as the 6th/7th is concerned if that does prove
6 impossible for the witnesses, then we'll simply have to
7 think again, but we'll have to wait and see.
8 MR UNDERWOOD: Yes.
9 THE CORONER: It is very difficult to say, I am conscious
10 and I am only asking you lest you feel able to proffer
11 any help, but in terms of how long is required, it seems
12 to me, I am certainly going to say it could be 18th and
13 19th.
14 MR UNDERWOOD: Yes.
15 THE CORONER: Do I need to say anything about Monday, 22nd?
16 MR UNDERWOOD: I would apprehend not.
17 THE CORONER: No. There's always Saturday, the 20th.
18 MR UNDERWOOD: Quite.
19 THE CORONER: Any idea what I ought to say about Tuesday,
20 6th? Let's just suppose that we are dealing with the
21 two witnesses then. Certainly best to say 6th and 7th,
22 isn't it out of abundance of caution?
23 MR UNDERWOOD: So far as I can tell from the materials, yes.
24 THE CORONER: All right. So I will say 18/19th, 6th/7th.
25 I am not going to say the 8th because I simply don't

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1 know but I can foresee circumstances if anything had
2 emerged and that was to affect the submissions that
3 anybody wanted to make it might have to be trickling
4 over into the 8th but I will just leave that with
5 everybody. I simply don't -- we will just have to do
6 our best.
7 MR UNDERWOOD: It allows a margin of safety if they are not
8 available on one of the days of course.
9 THE CORONER: I think so. So if everybody could do their
10 best to ring them. There will come a time when we know
11 more. But certainly, the 6th and 7th and possibly the
12 8th as you say if their availability becomes a problem.
13 That is provisionally it. I will just rise to see if we
14 can get any information in the next few minutes which
15 either upends that or doesn't.
16 Finally, I am going to be spending some of the near
17 future in just considering provisionally at least
18 evidence that has been given in the course of the
19 inquests thus far. It would help me if it were possible
20 whilst that was going on -- they too could only be
21 provisional pending other evidence and the process that
22 we all know about, but if I was to say Friday week, is
23 that doable in terms of any submissions falling the
24 right side of rule 27, but if anybody wants to make
25 about anything that is permissible, verdicts and so on,

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<p>1 it probably would help me in my consideration of my 2 provisional review of what we have heard because a lot 3 of it is in on any view. I don't want to put people 4 under a possible pressure. Is that doable, Mr Popat? 5 If it isn't you say. 6 MR POPAT: I am proceeding on the basis, as you, I think, 7 just indicated that these are submissions on appropriate 8 conclusions, matters of law which would be relevant for 9 you to consider and limited to that then, yes. 10 THE CORONER: Yes, is that all right? 11 MR POPAT: Of course. 12 THE CORONER: If I was to say close of play Friday week? 13 I am not going to stagger them and so on. They can all 14 come in one rush. Good. Ms Gollop. 15 MS GOLLOP: There are a couple of things that I wanted to 16 mention. I wonder if it is convenient to do so while 17 these enquiries are going on and use that time. 18 THE CORONER: Yes, it is. 19 MS GOLLOP: Very briefly, one is connected and two of which 20 aren't. 21 The vaguely connected matter is in connection with 22 Mr Bristow. One of the matters I anticipate on which he 23 is going to give evidence is, and we canvassed this 24 before, some evidence insofar as he is able to give it, 25 about some of the conversations that he was party to at</p> <p style="text-align: center;">Page 65</p>	<p>1 Ms Dolan because it is very easy for us to talk now and 2 then. Poor Mr Barr is left really not with the detail 3 that he would need but it is certainly something 4 I anticipate that he is going to be asked about. As 5 I say, it was one of the reasons I gave for saying 6 I didn't want a statement from Mr Dudley because 7 I anticipated that in an overview way Mr Bristow would 8 be able to deal with that, so I think that's a sensible 9 request. 10 Could you just have a go at refining something in 11 writing and it will go to Ms Dolan? 12 MS GOLLOP: Yes, I will do that later today. 13 THE CORONER: And then we will get it on to Mr Barr. All 14 right, thank you very much for that. 15 MS GOLLOP: The second matter is in relation to Statoil. My 16 learned friend Mr Laidlaw has been kind enough to tell 17 me that there might be some more disclosure from Statoil 18 and I thought it might help just to mention that briefly 19 now. Again, I don't want to pressurise anybody and 20 I know it has been a lot of work for that organisation 21 but it might be worth just tidying that up while we are 22 here. 23 MR LAIDLAW: Those matters are in hand. There will 24 certainly be a written response which seeks to address 25 all outstanding issues and I hope that that will be with</p> <p style="text-align: center;">Page 67</p>
<p>1 the crisis centre at St James's and efforts being made 2 to find a channel of communication, I think the phrase 3 is, with the Algerian military. 4 I float this merely as a possibility. It may take 5 matters no further forward and just generally speaking 6 be a staggeringly bad idea and also it means further 7 work for Mr Barr and his team which again may not be 8 helpful at this juncture. It just wondered if it might 9 assist and enable us to shorten some of the oral 10 evidence whenever we do come back if there to be a brief 11 witness statement about that. 12 THE CORONER: I think it might be helpful because, as you 13 will recall, I think it was one of the, as I recall 14 I think it was one of the reasons that I gave for saying 15 that I wasn't asking for a statement from Mr Dudley 16 because you had asked about that. 17 MS GOLLOP: There was that to consider pending that evidence 18 and I think also a final determination perhaps in 19 relation to any oral evidence from Mr Shaw in the event 20 that that still seemed to plug any gaps. So any advance 21 notice of what he is able to say it seems to me might 22 assist. 23 THE CORONER: Yes. I am sympathetic to that. I suspect 24 what just might be helpful is if it were possible just 25 to draft something and if you could send that to</p> <p style="text-align: center;">Page 66</p>	<p>1 Ms Gollop by tomorrow. Again, that will be shared of 2 course with all parties. 3 THE CORONER: Thank you very much. 4 MR LAIDLAW: So I hope by tomorrow and at worse it will be 5 Monday or some time next week. 6 MS GOLLOP: That is very helpful. Thank you. It may just 7 be relevant to everybody else if, those who put in 8 written submissions. So that is appreciated. 9 The final matter is this: sir, you may possibly 10 recall that at the end of his evidence Mr Porter was 11 asked some questions about BP's decision to make its 12 assistance with the coronial investigation, their 13 investigation of choice and not to pursue matters 14 further themselves and he mentioned that there was a BP 15 policy about that. 16 THE CORONER: Ms Dolan mentioned -- yes. 17 MS GOLLOP: So I did enquire of BP and they have very kindly 18 produced a redacted document, a copy of which is just 19 being handed to you. There is something of a not 20 entirely 100 per cent meeting of minds about the 21 relevance of the document between BP and myself and it 22 seemed to me that the shortest way through that was to 23 ask you to simply deal with it. (a) because that seemed 24 the right way to go about things and (b) because I felt 25 slightly uncomfortable about having an arguably relevant</p> <p style="text-align: center;">Page 68</p>

<p>1 document which others didn't have so I raise this now in 2 the spirit of tidying things up. 3 THE CORONER: Is this the arguably relevant document? 4 MS GOLLOP: It is. 5 THE CORONER: Do you mind if anybody else has it? 6 MR POPAT: No objection to anyone else having that page, 7 redacted as it is. In our submission it is not relevant 8 which is why it has not been produced to everybody else. 9 THE CORONER: There we are. I think there is no difficulty 10 about everyone else having it. 11 I don't imagine there has been an opportunity yet, 12 has there, to -- 13 MS WATSON: Sir, I am able to assist with some of the 14 families. I know that Mr Bilsland, Mr Christopher 15 Bilsland, is available on the dates that have been 16 proposed. Unfortunately it has not been possible to 17 make contact with the Morgan family. It is believed 18 that they are unavailable at the moment but attempts 19 have been made. No reply has been obtained from the 20 Whiteside family although we are unsure whether or not 21 they would wish to be here. Mrs Steel has indicated 22 that she is available on those dates as would, we 23 understand, Mr Morgan's mother also be available. 24 I understand that enquiries are in train with 25 Mrs Belinda Green. We realised as we looked around that</p> <p style="text-align: center;">Page 69</p>	<p>1 it is possible to get hold of anybody else in the next 2 half an hour or so. But the alternative is, just because 3 of the way that it's looking, is to go for those 4 dates and obviously if there are specific problems that 5 come to light then to let me know and I will see what we 6 can do or it may be possible to work round those 7 problems from the other end. 8 MR FLINN: Yes, sir. My understanding of the summary 9 position at the moment is that representatives of the 10 family of Mr Barlow and Mr Bilsland will be available. 11 I understand from what my learned friend Ms Watson said 12 Mrs Steel and the mother of Paul Morgan who have been in 13 attendance throughout the inquest would be available on 14 those dates. The Whiteside family I know are based in 15 South Africa and they attended for the beginning of the 16 inquest but have not been here since and whilst I would 17 not want to pre-judge what they would say the 18 probability is that they'll not be attending on those 19 dates -- 20 THE CORONER: In any event. 21 MR FLINN: -- in any event. So on that basis, sir, it seems 22 to me sensible to provisionally select those dates and 23 move forward with them. We will of course put further 24 enquiries in place to confirm the position but that 25 seems sensible at the moment.</p> <p style="text-align: center;">Page 71</p>
<p>1 she's not here but it may be Ms Gollop is able to assist 2 in any event with those dates. 3 MS GOLLOP: I don't anticipate there will be a difficulty 4 with Mrs Green's availability. 5 THE CORONER: No. So far as it looks a diminishing number, 6 but so far as anyone we haven't been able to contact is 7 concerned, are there any grounds for supposing that if 8 we gave it half an hour there would be any difference? 9 If there is not my feeling at the moment, subject to 10 anything either that Mr Underwood or Ms Dolan wanted to 11 say is that we, in an imperfect world we have probably 12 got a sufficient preponderance at the moment to go for 13 those dates, plainly if there were specific reasons why 14 they were unsuitable then obviously that could be 15 communicated to me, but at the moment it looks as if the 16 weight of opinion is in favour of those dates. Ms Dolan 17 or Mr Underwood, does anything -- 18 MR UNDERWOOD: Nothing to add, thank you. 19 MS WATSON: Sir, I am afraid I can shed no light on whether 20 or not half an hour is likely to make much difference 21 but it is of course a matter for Mr Flinn and Mr Garnham 22 of how they would like to balance the various interests 23 in conjunction with -- 24 THE CORONER: Quite. I am grateful to you. Mr Flinn, I am 25 quite happy if you would like me to wait and see whether</p> <p style="text-align: center;">Page 70</p>	<p>1 THE CORONER: I am very grateful. All right. That's what 2 I will say then. 18th and 19th -- this is obviously 3 subject to the witnesses' availability which has to be 4 checked, but 18th and 19th December and then 6th/7th and 5 for safety's sake 8th January just in case. 6 MS GERRY: I am sorry but just a couple of matters if I may. 7 Firstly, I am just trying to record which witness it was 8 but one of the witnesses was asked whether they would be 9 able to provide the risk assessment that was done prior 10 to the remanning just before December and I recollect 11 that a question was asked whether or not that could be 12 provided and it was to be provided. I don't think we 13 have had that yet. 14 The other matter is I think DI Stokely is, there 15 were some additional questions which were going to be 16 dealt with in relation to that. 17 MS WATSON: I thought I had sent an email to all but for 18 some reason the distribution list had caused problems 19 with my computer. You should all have it now and it 20 answers the outstanding queries. So if there is a need to 21 revisit that, sir, then I am sure that can be raised 22 but we have done our best to answer in writing those 23 outstanding queries. 24 THE CORONER: So it looks as if that's forthcoming. That is 25 that one. As to your first one, can you help, Mr Popat?</p> <p style="text-align: center;">Page 72</p>

<p>1 MR POPAT: Sir, I think the witness may have been Mr Collins 2 and the point that was made at the time was that the 3 risk assessments were not security risk assessments, 4 they were health and safety, about people being able to 5 travel out and those arrangements. The short answer is 6 that we have certainly not been able to find a document 7 which identifies that but if we can we'll provide that 8 but nobody should be under the impression that they are 9 security risk assessments and Mr Collins, I think, 10 explained that.</p> <p>11 THE CORONER: All right. So it may be a slightly 12 different --</p> <p>13 MS GERRY: That was raised at the time and I did say that 14 even though they were said not to be security the 15 question was still asked whether they would be provided.</p> <p>16 MR POPAT: Certainly that is the position at the moment.</p> <p>17 MS GERRY: Maybe what I will do is find the position in the 18 transcript and just refer to that.</p> <p>19 THE CORONER: I think if he can find the other one he will 20 but he doesn't want there to be any misapprehension 21 about what it will be.</p> <p>22 MS GERRY: Just finally, I have been asked are you able to 23 give any indication as to when your conclusions may or 24 may not be delivered?</p> <p>25 THE CORONER: I don't think I can really say beyond after Page 73</p>	<p>1 person's convenience. The whole thing becomes 2 impossible.</p> <p>3 THE CORONER: There comes a point when it becomes a numbers 4 issue and because if I then say all right then so far as 5 I am concerned there is a lot of February it can't be, 6 for example, and then I think it gets to something 7 like -- for me it would become -- because I have 8 a commitment, something I simply cannot not do. I think 9 it would then get to early April and I dare say -- 10 I suspect everybody else would say that was far too 11 long. She might say that if that was the choice it's 12 far too long.</p> <p>13 MS GOLLOP: I will explain the situation and we do helpfully 14 have the benefit of transcripts which do make things 15 a lot easier for those who can't attend every day and 16 I will talk to her about her plans and see if there is 17 any flexibility there. But I am not going to ask you to 18 re-arrange.</p> <p>19 THE CORONER: All right. As you know, it is possible that 20 the first period, the 18th/19th, it could be some 21 moderately dry legal discussion --</p> <p>22 MS GOLLOP: Yes.</p> <p>23 THE CORONER: -- followed by as far as she was concerned 24 nothing else all of which might well be in writing which 25 she would be able to read. I appreciate it might not Page 75</p>
<p>1 the 6th, 7th or 8th January. I mean, you mean in terms 2 of a day?</p> <p>3 MS GERRY: Sir, yes.</p> <p>4 THE CORONER: The answer is not at the moment. If I get -- 5 something is going to turn on how much time I'm allowed in 6 the near future to just review what we have heard 7 already and then something will turn on what's happening 8 so far as I am concerned for the rest of this year. If, 9 for example, I am taking three days out of a case on 10 6th/7th/8th, that's one thing. If on the other hand 11 I have a free period then or a period in which I have 12 some writing time after that, but at the moment -- if 13 I can, I am conscious of it, but I can't at the moment 14 but I will put it on the list of things to worry about.</p> <p>15 MS GERRY: Thank you.</p> <p>16 MS WATSON: Sir, those behind me have been able to contact 17 Mrs Belinda Green and she has indicated that she is out 18 of the country and not available on those dates. She 19 won't be returning until 9 January but has indicated 20 that she would like to be here.</p> <p>21 THE CORONER: All right. Mr Flinn ... it is difficult for 22 you because you haven't -- sorry, not Mr Flinn, 23 Ms Gollop, sorry.</p> <p>24 MS GOLLOP: No, not at all. I think what I will do is speak 25 to her later and we can't re-arrange these dates for one Page 74</p>	<p>1 turn out like that on the 18th. Is that all right?</p> <p>2 MS GOLLOP: I will explain the situation to her and she will 3 understand, I am sure.</p> <p>4 THE CORONER: All right, thank you very much. Anybody else 5 want to say anything about all of that? All right. 6 So that's what we'll do. Nothing else. 7 Mr Underwood, thank you very much for your help with 8 this particular aspect and Ms Dolan for your help with 9 everything in the last few weeks. I am very grateful to 10 you, as I think you know. 11 (3.00 pm) 12 (The inquest adjourned to a date to be agreed) 13 14 15 16 17 18 19 20 21 22 23 24 25 Page 76</p>

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