| In the presence of the jary         I MRSTURAT TREEENING (continued)         J Examined by THE CORONER (continued)         J DEPUTY CORONER NS MONAGHAN: (continue, members of the jary, Werk homping with the same notary, when induced on the ware need in the same need in t  |     |   |    |  |
|--|-----|---|----|--|
| 2       Examined by TIEC CORONER (Southard)         3       DEPUTY CORONER MS MONAGHAN: Good morning, members of the jury. Were hoping if will be also there was:         7       Thar's good moves. We will watter iddue.         8       Pestige has been juryoved. So there was:         7       Thefter 1 ask M Thackard to continue with his.         8       questions. We all food over my notes last taight         9       In most than 10 torgute to so the vase on         14       the place, didy unelephone M Dockers?         15       A. The only fine I recall telephoning. M Touckers was when         16       we were trying to get the discraft when I asked       1         17       DEPUTY CORONER MS MONAGHAN: When you were?         18       A. Here has the was that hade point.         2       for the sirenal to the pub tack on the stand.         3       DEPUTY CORONER MS MONAGHAN: When you were?         17       DEPUTY CORONER MS MONAGHAN: How many subplaces calle did         3       A. If carl treember:         4       A. Leart member searchy at which point.         5       A. Leart member searchy and which point.         6       DEPUTY CORONER MS MONAGHAN: How many subplaces calle did         7       wo make the black him to take the plane back to         8       A. for an  | (In | the presence of the jury)                                 |    |  |
| 3       DEPUTY CORONER MS MONAGHAN: Good morning, members of the<br><ul> <li>That's good more. Well wat and use but we't fold the<br/><li>becamp has been improved, so there we are.</li> <li>Before Las MP Blackand to continue with hits<br/><ul></ul></li></li></ul>  | 1   | MR STUART TRIBELNIG (continued)                           |    |  |
| 4       jury. We're hoping is will be a bit warner today.         5       Thar's goal news. We'lt wait and ser but we're tidd the         6       hearing bas been improved. So there we are.         7       Before 1 ask. MF Blachand to continue with his         9       expections.         1       questions.         11       expections.         12       expections.         13       Mc Tribule just first of all, whilet you were on.         14       the plane, did you telephone Mr Duckers?         15       A. The only fine f recall telephoning Mr Duckers was when.         16       we were trying to get tak. to the stand.         17       DEPUTY CORONER MS MONAGHAN: When you were?         14       a tand or before tais Mr Backand on out is stand.         15       A. I tari remember exactly at which point.         16       DEPUTY CORONER MS MONAGHAN: Wait when you were at the stand.         17       DEPUTY CORONER MS MONAGHAN: How may telephones calls did.         18       A. I tari remember exactly at which point.         19       DEPUTY CORONER MS MONAGHAN: How may telephones calls did.         10       that it was me that asked bit to take the plane back to         11       that we neethat asked bit to take the plane back to         11       that wer  | 2   | Examined by THE CORONER (continued)                       |    |  |
| 5       That's good mews. Well wait and see but we're told the         6       heating has been improved, so there we are.         7       Before 1as MF Blandand coordinace with his         9       I noted that I. Moleck over up notes last right         9       I noted that I. Moleck over up notes last dight         10       I wanted to ask. So The going to ask those two         11       Questions.         12       questions.         13       Mr Tribelnig, just fits of all, while you were on         14       the plane, did you telephone MD Dackers?         15       A. The only finds recall telephone MD Dackers?         16       we were trying to get the aircraft – when I asked         17       DEPUTY CORONER MS MONAGHAN: When you were?         18       before the aircraft so they takes on the stand.         19       DEPUTY CORONER MS MONAGHAN: Was it when you were at the         4       stand or bfore the stand?         5       A. I card remember.         7       you make to Mr Dackers?         8       A. A fear at an aware, Tooly nade one call. I thak         19       the stand, but Leard's tearge the care to the stand.         10       Q. Doy our remember scaling the captain at any point, the         11       the stande and we MM MONAGHAN: Elow   | 3   | DEPUTY CORONER MS MONAGHAN: Good morning, members of the  |    |  |
| 6       heating has been improved, so there we are.         7       Before 1 ask. MF Baland to continue with his         9       questions,         10       I wanted to ask. So Tip going to ask two questions that         11       questions,         12       questions, difficult that forgifter to ask two questions with his         12       questions,         13       Mr Tribeling, just fits of all, whilat you were on         14       the plane, did you telephoning MF Duckers was when         15       A. The only time I recall telephoning MF Duckers was when         16       we were trying to get the the the stand.         17       DEPUTY CORONER MS MONAGHAN: When you were at the         4       stand or biome the stand.         16       a clear understanding of it.         17       premember, and the stand the form the stand.         18       A. I can't remember exactly at which point.         19       you make to Mb Ducker?         10       the stand or biome the stand?         11       happened up until that point, just so that we have         2       a clear understanding of it.         31       DEPUTY CORONER MS MONAGHAN: Wai whony you were at the         4       stand or biome the stand.         19       indit ma   | 4   | jury. We're hoping it will be a bit warmer today.         |    |  |
| 7       Before I ask Mt Blastland to continue with his         8       questions, when I looked over my notes list might         10       Trained in Judi Fogetine to ask two questions that         10       questions, before I ask Mt Blastland to continue with his         11       questions, before I ask Mt Blastland to continue with his         12       questions, before I ask Mt Blastland to continue with his         13       Mt Tibleling, just first of all, whilst you were on         14       the plane, did you leephoone Mt Duckers was when         16       we were trying to get the strendt - when I asked       1         17       DEPUTY CORONER MS MONAGHAN: When you were?       2         18       A. When we were trying to get the aircraft - when I asked       1         19       For the aircraft to be put back on the stand.       2         10       DEPUTY CORONER MS MONAGHAN: Was it when you were at the       3         4       stand or before the stand?       3         5       A. I can't remember.       4         9       rund removier eastly at witch point.       6         6       DEPUTY CORONER MS MONAGHAN: Kee your yoice up, plaze.       7         10       that if the stand, but I can't kee stres.       1         11       Thay thereefolds all min hin, just to   | 5   | That's good news. We'll wait and see but we're told the   |    |  |
| <ul> <li>genesions, when Hocked over my notes last night</li> <li>Incode that Huaf forgotten to ask two questions that</li> <li>I roated that Huaf forgotten to ask two questions that</li> <li>questions before I ask Mr Blaxland to continue with his</li> <li>questions before I ask Mr Blaxland to continue with his</li> <li>questions before I ask Mr Blaxland to continue with his</li> <li>questions before I ask Mr Blaxland to continue with his</li> <li>questions before I ask Mr Blaxland to continue with his</li> <li>questions before I ask Mr Blaxland to continue with his</li> <li>questions before I ask Mr Blaxland to continue with his</li> <li>questions before I ask Mr Blaxland to continue with his</li> <li>questions before I ask Mr Blaxland to continue with his</li> <li>the plane, did you telephone Mr Duckers?</li> <li>A. The only time I recall telephoning Mr Duckers was when</li> <li>the plane, did to paramedic ask you to give him some idea</li> <li>for the aircraft to be put back on the stand.</li> <li>DEPUTY CORONER MS MONAGHAN: Was it when you were at the</li> <li>static ast P a ware, Long Made one call. Ubluk</li> <li>that it was me that asked him to take the plane back to</li> <li>that it was me that asked him to take the plane back to</li> <li>that it was me that asked him to take the plane back to</li> <li>that it was me that asked him to take the plane back to</li> <li>that it was me that asked him to take the plane back to</li> <li>that it was me that asked him to take the plane back to</li> <li>that it was me that asked him to take the plane back to</li> <li>the plane gone back to the stand, why did you</li> <li>texplane gone back to the stand, why did you</li> <li>texplane gone back to the stand, why did you</li> <li>texplane gone back to the stand, why did you</li> <li>texplane gone back to the stand, why did you</li> <li>texplane gone back to the stand, why did you</li> <li>texplane gone back to the stand, why did you</li> <li>texplane gone back to the stand we toget</li> <li>dift he plane gone back t</li></ul> | 6   | heating has been improved, so there we are.               |    |  |
| 9       Insted that I had forgotten to ask, two questions that         10       I vanied to ask. So In going to ask those two         11       questions.         12       questions.         13       Mr Tribeling just first of all, whils you were on         14       the plane, did you leephoon RM P Duckers?         15       A. The only time I recall telephoning Mr Duckers was when         16       we were trying to get back to the stand.         17       DEPUTY CORONER MS MONAGHAN: When you were?         18       A. When we were trying to get the alrearth when I asked         2       for the alrearth to be put back on the stand.         30       DEPUTY CORONER MS MONAGHAN: Was it when you were at the         4       stand or before the stand?         5       A. Tean't remember exactly at which point.         10       DEPUTY CORONER MS MONAGHAN: Was it when you were at the         4       stand or before the stand?         5       A. Tean't remember, stand?         6       A. Tean't remember, stands of the paramedic ask you to give him some idea         7       you make to Mc Duckers?         8       A. Sa far as I'm aware, loady made once call, think         9       I ualt tasked him to take the plane back to         11       the stand, but con'   | 7   | Before I ask Mr Blaxland to continue with his             |    |  |
| 10       I vanted to ask. So Im going to ask those two         11       questions. before 1 ask Mr Blackand to comtinue with his         13       Mr Tribching, just first of all, whilet you were on         14       the plane, did you telephoning Mr Duckers?         15       A. The only line I recall delephoning Mr Duckers was when         16       we were trying to get the alternit when I asked         17       DEPUTY CORONER MS MONAGHAN: When you were?         18       a therametic cask you to give him some idea         2       for the alternit to be put back on the stand.         17       DEPUTY CORONER MS MONAGHAN: Was it when you were at the         4       stand or before the stand?         5       A. Tear V remember exactly at which point.         10       DEPUTY CORONER MS MONAGHAN: Was it when you were at the         4       stand or before the stand?         5       A. I card Y remember.         7       you make to Mr Duckers?         8       A. A for a S I'n aware, I only made one call. Ublik         10       that it was me that asked him to take the plane back to         11       the stand, but I cau't termember.         12       DEPUTY CORONER MS MONAGHAN: Keep your voice up, please  | 8   | questions, when I looked over my notes last night         |    |  |
| 11       questions before 1 ask Mr Blaxland to continue with his         12       questions.         13       Mr Thebeling, just first of all, whilst you were on         14       the plane, did you telephone Mr Duckers?         15       A. The only time 1 receil telephoning Mr Duckers was when         16       we were trying to get thesits to the stand.         17       DEPUTY CORONER MS MONAGHAN: When you were?         1       A. When we were trying to get the aircraft when I asked         2       for the aircraft to be put back on the stand.         3       DEPUTY CORONER MS MONAGHAN: Was it when you were at the         4       stand or before the stand?         6       DEPUTY CORONER MS MONAGHAN: Was it when you were at the         4       stand or before the stand?         7       you make to Mr Duckers?         8       A. A for as Th aware, 1only made one call. I think         9       Imay have received a call from him, just to confirm         10       that it was me that asked him to take the plane back to         11       hat for a ser Th aware, 1only made one call. I think         9       DEPUTY CORONER MS MONAGHAN: So when you telephoned him call         10       that it was me that asked him to take the plane back to         11       the stand, but I can't be mere. <td>9</td> <td>I noted that I had forgotten to ask two questions that</td> <th></th> <td></td>   | 9   | I noted that I had forgotten to ask two questions that    |    |  |
| 12       questions.         13       MT Thebring, just first of all, whilst you were on<br>the plane, did you telephone Mr Duckers?         14       the plane, did you telephone Mr Duckers?         15       A. The only fine I recall telephoning Mr Duckers was when         16       we were trying to get hack to the stand.         17       DEPUTY CORONER MS MONAGHAN: When you were?         1       A. When we were trying to get the aircraft when I asked         2       for the aircraft to be put back on the stand.         3       DEPUTY CORONER MS MONAGHAN: Was if when you were at the<br>stand or blork the stand.         4       stand to blork the stand.         5       A. I can't remember esactly at which point.         6       DEPUTY CORONER MS MONAGHAN: How many relephones calls did<br>7         7       you make to Mr Duckers?         8       A. I can't remember speaking to the paramedic?         7       A. Kan as I'm aware. J only made one call. I think         9       Tunay have received a call from hin, just to comfrm         10       that it was me that asked him to take the plane back to         11       the plane. MS MONAGHAN: Keep your voice up, please.         13       A. Sorry.         12       DEPUTY CORONER MS MONAGHAN: So when you telephoned him and         15       tobh lim  | 10  | I wanted to ask. So I'm going to ask those two            |    |  |
| 13       Mr Tribelnig, just first of all, whilst you were on         14       the plane, did you telephone Mr Duckers was when         15       A. The only time 1 receil telephoning Mr Duckers was when         16       we were trying to get back to the stand.         17       DEPUTY CORONER MS MONAGHAN: When you were?         1       A. When we were trying to get the aircraft when I asked         2       for the aircraft to be put back on the stand.         3       DEPUTY CORONER MS MONAGHAN: Was it when you were at the         4       stand or before the stand?         5       A. It can't remember casetly at which point.         6       DEPUTY CORONER MS MONAGHAN: How many telephones calls did         7       you make to Mr Duckers?         8       A. Is can't remember. I remember speaking to the paramedic?         7       A. Sorry.         12       DEPUTY CORONER MS MONAGHAN: So when you telephoned him and         15       tod him you were coming back to the stand, why did you         16       DEPUTY CORONER MS MONAGHAN: So when you telephoned him and         17       A. Weat a shee dim to take the plane back to         18       that it was me that asked him to take the plane back to         19       That it askeed him to take the plane back to         11       that it as one   | 11  | questions before I ask Mr Blaxland to continue with his   |    |  |
| 14       the plane, did you telephone Mr Duckers?         15       A. The only time I recall telephoning Mr Duckers was when         16       we were trying to get the site in the stand.         17       DEPUTY CORONER MS MONAGHAN: When you were?         1       A. When we were trying to get the aircraft when I asked         2       for the aircraft to be put back on the stand.         3       DEPUTY CORONER MS MONAGHAN: Was it when you were at the         4       stand or before the stand?         5       A. Tean't remember exactly at which point.         6       DEPUTY CORONER MS MONAGHAN: How many telephones calls did         7       you make to Mr Ducker?         8       A. St far as Tm aware, I only made one call. I think         9       Timay have received a call from him, just to confirm         10       the stand, but I can't be sure.         11       the stand, but I can't be sure.         12       DEPUTY CORONER MS MONAGHAN: Keep your vokice up. please.         13       A. Serty.         14       bet plane gone back to the stand, why did you         15       told him you were coming back to the stand, why did you         16       told plane you back to the stand, why did you         17       A. Well, at some plane kack to the stand, why did you   | 12  | questions.  |    |  |
| 15       A. The only time I recall telephoning Mr Duckers was when         16       we were trying to get hack to the stand.         17       DEPUTY CORONER MS MONAGHAN: When you were?         1       A. When we were trying to get the aircraft when I asked         2       for the aircraft to be put back on the stand.         3       DEPUTY CORONER MS MONAGHAN: Was it when you were at the         4       stand or before the stand?         5       A. I can't remember exactly at which point.         6       DEPUTY CORONER MS MONAGHAN: How many telephones calls did         7       you make to Mr Duckers?         8       A. A far as 'l'n aware, fold me one call. I think         9       Imay have received a call from him, just to confirm         10       that it was me that asked him to take the plane back to         11       the stand, but I can't remember.         12       DEPUTY CORONER MS MONAGHAN: Keep your voice up, please.         13       A. Sorry.         14       DEPUTY CORONER MS MONAGHAN: Keep your voice up, please.         15       todd him you were coning back to the stand, why did you         16       the stane, bin?         17       A. Well, at some point I was under the impression that had         18       the plane gone back to the stand why did you  | 13  | Mr Tribelnig, just first of all, whilst you were on       |    |  |
| 16       we were trying to get hack to the stand.         17       DEPUTY CORONER MS MONAGHAN: When you were?         1       A. When we were trying to get the aircraft when I asked         2       for the aircraft to be put back on the stand.         3       DEPUTY CORONER MS MONAGHAN: Was it when you were at the         4       stand or before the stand?         5       A. Tou't remember exactly at which point.         6       DEPUTY CORONER MS MONAGHAN: How many telephones calls did         7       you make to Mr Duckers?         8       A. Safar as 'm aware, I only made one call. I think         9       I may have received a call from him, just to confirm         10       that it was me that asked him to take the plane back to         11       the stand, but I can't be sure.         12       DEPUTY CORONER MS MONAGHAN: Seep your voice up please.         13       A. Sorry.         14       DEPUTY CORONER MS MONAGHAN: So when you telephoned him and         15       tuble him?         16       tuble stand, but I can't be stand, why dd you         16       tuble stand, why dd you         16       tuble the plane gone back to the stand, why dd you         16       tuble him pare gone back to the stand, why dd you         17       A. Well, at som   | 14  | the plane, did you telephone Mr Duckers?                  |    |  |
| 17       DEPUTY CORONER MS MONAGHAN: When you were?         1       A. When we were trying to get the aircraft when I asked         2       for the aircraft to be pu back on the stand.         3       DEPUTY CORONER MS MONAGHAN: Was it when you were at the         4       stand or before the stand?         5       A. I can't memember exactly at which point.         6       DEPUTY CORONER MS MONAGHAN: Was it when you were at the         7       you make to Mr Dockers?         8       A. S for as I'm aware, I only made one call. I think         9       I may have received a call from him. Just to confirm         10       that it was me that asked bint to take the plane back to         11       the stand, but I can't he sure.         12       DEPUTY CORONER MS MONAGHAN: Keep your voice up, please.         13       A. Sorry.         14       DEPUTY CORONER MS MONAGHAN: Keep your voice up, please.         15       told him you were coming back to the stand, why did you         16       telephone him?         17       A. Well, at some point I was under the impression that had         18       the plane gone back to Me stand, why did you         16       belputry CORONER MS MONAGHAN: He telphoned you back, you         17       A. Well, at some point I was under the impression that hadd  | 15  | A. The only time I recall telephoning Mr Duckers was when |    |  |
| 1       A. When we were trying to get the aircraft when I asked       1       happened up until that point, just so that we have         2       for the aircraft to be put back on the stand.       2       a clear understanding of it.         3       DEPUTY CORONER MS MONAGHAN: Was it when you were at the       4       stand or before the stand?         4       stand or before the stand?       3       First of all, when the paramedic arrived on the         5       A. I can't remember exactly at which point.       3       5         6       DEPUTY CORONER MS MONAGHAN: How many telephones calls did       7       Q. Do you remember speaking to the paramedic?         8       A. As far as I'm aware, Ionly made one call. I think       9       I may have received a call from him, just to confirm       10       Q. Do you remember speaking to the paramedic?         11       that it was me that asked him to take the plane back to       11       a captain of the plane?         12       DEPUTY CORONER MS MONAGHAN: Keep your voice up, please.       12       A. I think the captain was walking around the aircraft.         13       A. Sorry.       12       A. I think the captain was walking around the aircraft.         14       DEPUTY CORONER MS MONAGHAN: So when you telephoned him and       14       Q. Weil, there's going to be evidence from the captain and       becauset is: coming I want to give you the opportunity  | 16  | we were trying to get back to the stand.                  |    |  |
| 2       for the aircraft to be put back on the stand.       2       a clear understanding of it.         3       DEPUTY CORONER MS MONAGHAN: Was it when you were at the       4       First of all, when the paramedic arrived on the         4       stand or before the stand?       5       A. I can't remember exactly at which point.       6         6       DEPUTY CORONER MS MONAGHAN: How many telephones calls did       7       Q. Do you remember speaking to the paramedic?         7       you make to Mr Duckers?       7       Q. Do you remember speaking to the paramedic?         8       A. S far as I'm aware, I only made one call. I think       8       A. I can't remember. I remember speaking to the paramedic?         9       I may have received a call from him, just to confirm       9       but I can't remember seeing the captain at any point, the         10       that it was me that asked him to take the plane back to       10       Q. Do you remember seeing the captain at any point, the         11       the stand, but I can't be sure.       12       A. I think the captain of the plane?         12       DEPUTY CORONER MS MONAGHAN: Keep your voice up, please.       13       Again, I can't remember exactly where he was stood.         14       DEPUTY CORONER MS MONAGHAN: So when you telephoned him and       14       Q. Well, there's going to be evidence from the captain and         15       told  | 17  | DEPUTY CORONER MS MONAGHAN: When you were?                |    |  |
| 2       for the aircraft to be put back on the stand.       2       a clear understanding of it.         3       DEPUTY CORONER MS MONAGHAN: Was it when you were at the       4       First of all, when the paramedic arrived on the         4       stand or before the stand?       5       A. I can't remember exactly at which point.       6         6       DEPUTY CORONER MS MONAGHAN: How many telephones calls did       7       Q. Do you remember speaking to the paramedic?         7       you make to Mr Duckers?       7       Q. Do you remember speaking to the paramedic?         8       A. S far as I'm aware, I only made one call. I think       8       A. I can't remember. I remember speaking to the paramedic?         9       I may have received a call from him, just to confirm       9       but I can't remember seeing the captain at any point, the         10       that it was me that asked him to take the plane back to       10       Q. Do you remember seeing the captain at any point, the         11       the stand, but I can't be sure.       12       A. I think the captain of the plane?         12       DEPUTY CORONER MS MONAGHAN: Keep your voice up, please.       13       Again, I can't remember exactly where he was stood.         14       DEPUTY CORONER MS MONAGHAN: So when you telephoned him and       14       Q. Well, there's going to be evidence from the captain and         15       told  |     |   |    |  |
| 2       for the aircraft to be put back on the stand.       2       a clear understanding of it.         3       DEPUTY CORONER MS MONAGHAN: Was it when you were at the       4       First of all, when the paramedic arrived on the         4       stand or before the stand?       5       A. I can't remember exactly at which point.       6         6       DEPUTY CORONER MS MONAGHAN: How many telephones calls did       7       Q. Do you remember speaking to the paramedic?         7       you make to Mr Duckers?       7       Q. Do you remember speaking to the paramedic?         8       A. S far as I'm aware, I only made one call. I think       8       A. I can't remember. I remember speaking to the paramedic?         9       I may have received a call from him, just to confirm       9       but I can't remember seeing the captain at any point, the         10       that it was me that asked him to take the plane back to       10       Q. Do you remember seeing the captain at any point, the         11       the stand, but I can't be sure.       12       A. I think the captain of the plane?         12       DEPUTY CORONER MS MONAGHAN: Keep your voice up, please.       13       Again, I can't remember exactly where he was stood.         14       DEPUTY CORONER MS MONAGHAN: So when you telephoned him and       14       Q. Well, there's going to be evidence from the captain and         15       told  |     |   |    |  |
| 2       for the aircraft to be put back on the stand.       2       a clear understanding of it.         3       DEPUTY CORONER MS MONAGHAN: Was it when you were at the       4       First of all, when the paramedic arrived on the         4       stand or before the stand?       5       A. I can't remember exactly at which point.       6         6       DEPUTY CORONER MS MONAGHAN: How many telephones calls did       7       Q. Do you remember speaking to the paramedic?         7       you make to Mr Duckers?       7       Q. Do you remember speaking to the paramedic?         8       A. S far as I'm aware, I only made one call. I think       8       A. I can't remember. I remember speaking to the paramedic?         9       I may have received a call from bim, just to confirm       10       Q. Do you remember seeing the captain at any point, the         10       that it was me that asked bim to take the plane back to       10       Q. Do you remember seeing the captain at any point, the         12       DEPUTY CORONER MS MONAGHAN: Keep your voice up, please.       12       A. I think the captain of the plane?         12       DEPUTY CORONER MS MONAGHAN: So when you telephoned him and       14       Q. Well, there's going to be evidence from the captain and         15       because it's coming I want to give you the opportunity       16       to see what you have to say about this part of this         1  |     |   |    |  |
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| 22       A. I think he phoned me back just to check it wasn't       22       words similar to that he complained he was unable to         23       somebody messing about with him.       23       breathe and appeared to go unconscious and he has a very         24       DEPUTY CORONER MS MONAGHAN: Right. Just, secondly,       24       pulse."   |     |   |    |  |
| 23somebody messing about with him.23breathe and appeared to go unconscious and he has a very24DEPUTY CORONER MS MONAGHAN: Right. Just, secondly,24pulse."  | 21  | think?  |    |  |
| 24     DEPUTY CORONER MS MONAGHAN: Right. Just, secondly,     24     pulse."   | 22  | A. I think he phoned me back just to check it wasn't      | 22 | words similar to that he complained he was unable to     |
|  | 23  | somebody messing about with him.                          | 23 | breathe and appeared to go unconscious and he has a very |
| 25an important question that I forgot to ask you about.25That's obviously a mistranscription. There appears  | 24  | DEPUTY CORONER MS MONAGHAN: Right. Just, secondly,        | 24 | pulse."  |
|  | 25  | an important question that I forgot to ask you about.     | 25 | That's obviously a mistranscription. There appears       |
|  |     |   |    |  |

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| Day    | 4 Mubeng  | a Inq                                 | uest 16 May 2013   |
|--------|---|---------------------------------------|--|
| 1<br>2 | Did use sustain any injuries as a result of the incident with Mr Mubenga? | 1                                     | to be a word missed out. But I think you accept that he had a weak pulse, is that right? |
| 3      | A. I did have a scratch on my hand. I can't remember which                | $\begin{vmatrix} 2\\ 3 \end{vmatrix}$ | A. I can't remember. I don't remember speaking to the                                    |
| 4      | hand it was now, but there was a scratch of my hand and                   | 4                                     | captain at all.  |
| 5      | I did end up with a big bruise on the in site of my leg                   | 5                                     | Q. Did you hear any of your colleagues tell the paramedic,                               |
| 6      | as well.  | 6                                     | or one of the paramedics, that Mr Mubenga had complained                                 |
| 7      | DEPUTY CORONER MS MONAGHAN: A big bruise?                                 | 7                                     | he was unable to breathe and appeared to go unconscious?                                 |
| 8      | A. There was a bruise on my leg, yes.                                     | 8                                     | A. No.   |
| 9      | DEPUTY CORONER MS MONAGHAN: Can you give us an indication                 | 9                                     | Q. Because, of course, you didn't hear it, so you say, is                                |
| 10     | of size of the bruise?  | 10                                    | that right?  |
| 11     | A. It was probably about the size of a cup. I don't know.                 | 11                                    | A. I don't remember hearing any conversation.  |
| 12     | This was all pointed out to the police when we were                       | 12                                    | Q. No, you didn't hear Mr Mubenga say he couldn't breathe,                               |
| 13     | DEPUTY CORONER MS MONAGHAN: Sorry, was the bruise visible                 | 13                                    | so you say?  |
| 14     | at the time you were inspected by the police doctor?                      | 14                                    | A. That's correct, ves.  |
| 15     | A. As far as I remember, yes.   | 15                                    | Q. Right. I then asked you whether you had any   |
| 16     | DEPUTY CORONER MS MONAGHAN: Thank you, Mr Blaxland.                       | 16                                    | recollection of speaking to a police officer on the                                      |
| 17     | Examined by MR BLAXLAND (continued)                                       | 17                                    | plane. You, is this right, had no recollection of that?                                  |
| 18     | MR BLAXLAND: Mr Tribelnig, yesterday afternoon we finished                | 18                                    | A. I remember the police officer being there, but I can't                                |
| 19     | at the point that I was asking you questions about the                    | 19                                    | remember if I spoke to him.  |
| 20     | lead-up to your writing your use of force document, your                  | 20                                    | Q. No. Do you remember whether either of your colleagues                                 |
| 21     | report. That took place I think at the Holiday Inn near                   | $ _{21}^{20}$                         | spoke to him?  |
| 22     | Gatwick, is that right?   | 22                                    | A. No.   |
| 23     | A. As far as I remember, yes.   | 23                                    | Q. At the police station you remember other people being                                 |
| 24     | Q. Right. If I can, I just want to review what, if                        | 24                                    | present in the room, is that right?  |
| 25     | anything, you had said to anybody about what had                          | 25                                    | A. Other people, I think, were in the room, yes.   |
|        |   |                                       | · ····· <b>F</b> ·· <b>F</b> ·· <b>F</b> ··· <b>F</b> ············                       |

| -                    |  |          |  |
|----------------------|--|----------|--|
| 1                    | MR BLAXLAND: We know that one of the senior G4S people,  | 1        | UK to Angola on Tuesday, 12 October 2010. That is what   |
| 2                    | Mr Keith Mahony, who I think is in court or was in   | 2        | it's called. In fact a version   |
| 3                    | court. I don't know if he still is.  | 3        | MR MATTHEWSON: If it helps, I can help with this. In   |
| 4                    | DEPUTY CORONER MS MONAGHAN: He is.   | 4        | conversation with Mr Mahony, he mentioned in   |
| 5                    | MR BLAXLAND: He is. He's over there, in the purple tie.  | 5        | conversation yesterday or the day before that he had his   |
| 6                    | Anyway, he's in court. Do you remember seeing him at   | 6        | own report. So we said to him  |
| 7                    | the police station?  | 7        | DEPUTY CORONER MS MONAGHAN: Fine. I am not criticising.  |
| 8                    | A. I think he was there, but I can't be sure.  | 8        | It's just that I thought it sounded like a document  |
| 9                    | Q. Right. Did he ask you to give just a short version of   | 9        | I had seen.  |
| 10                   | your account of what had happened?   | 10       | MR MATTHEWSON: It does. There's a reason for that.   |
| 11                   | A. I can't remember.   | 11       | DEPUTY CORONER MS MONAGHAN: Right.   |
| 12                   | Q. Well, does this ring any bells? I'm looking at  | 12       | MR MATTHEWSON: The reason being that Mr Mahony will say  |
| 13                   | a document that comes from him and I don't know whether  | 13       | that he had compiled this report on the basis of what he   |
| 14                   | he's going to say this is something that you told him or   | 14       | had been told by Ms Beattie and Mr Cooper, and Mr Cooper   |
| 15                   | something somebody else told him, but it's a document,   | 15       | has drafted a document that resembles this very closely.   |
| 16                   | just so that you understand, which was written at 4.50   | 16       | That might be what you have in mind.   |
| 17                   | in the morning on 13 October when you were presumably  | 17       | DEPUTY CORONER MS MONAGHAN: That's why I thought I had seen  |
| 18                   | tucked up in bed at whichever hotel it was, is that  | 18       | it. Thank you, Mr Blaxland. I didn't mean to   |
| 19                   | right, at that time?   | 19       | interrupt, I just was trying to make sure I was in the   |
| 20                   | A. I can't remember what time we was at the motel.   | 20       | right place.   |
| 21                   | Q. By which time he's written a report in relation to  | 21       | MR BLAXLAND: Absolutely, and just to sort of completely  |
| 22                   | something that was said to him about what had happened.  | 22       | join up the dots, if you like, this document my  |
| 23                   | It includes this, about the critical part of the   | 23       | learned friend is absolutely correct. This document  |
| 23<br>24             | incident:  | 24       | does appear in volume 6 of the witnesses bundle at   |
| 2 <del>4</del><br>25 | "Mr Mubenga emerged from the toilet and prior to   | 25       | page 7.  |
| 20                   |  |          |  |
| 1                    | taking his seat became very disruptive to the extent one   | 1        | DEPUTY CORONER MS MONAGHAN: Sorry, members of the jury, to   |
| 2                    | of the escorts had his shirt ripped by Mr Mubenga. The   | 2        | interrupt the flow, but it's just quite important that   |
| 3                    | officers reacted to this extreme change of behaviour and   | 3        | I keep a track of the documents. Yes, I see.   |
| 4                    | attempted to bring Mr Mubenga under control so that the  | 4        | MR BLAXLAND: It's the same document but, if you turn to  |
| 5                    | move could continue and for the safety of others on  | 5        | page 9, the difference between the document handed to me   |
| 6                    | board, the escorts and Mr Mubenga himself. The   | 6        | and the document provided by Mr Cooper is that   |
| 7                    | escorting officers managed to seat Mr Mubenga, but he  | 7        | Mr Cooper's statement is dated 15 October, possibly  |
| 8                    | continued to be very disruptive and it's believed this   | 8        | giving the impression  |
| 9                    | included trying to bite the officers. Mr Mubenga also  | 9        | DEPUTY CORONER MS MONAGHAN: Okay, let's not just deal with   |
| 10                   | thrust his head towards the seat in front of him,  | 10       | impressions. I have now seen why it was that I thought   |
| 11                   | a pillow was placed in front of his head to minimise the   | 11       | I had seen it. Thank you.  |
| 12                   | risk of harm to Mr Mubenga. The escorting crew   | 12       | MR BLAXLAND: But it's the same document. We now know that  |
| 12                   | struggled with Mr Mubenga for a lengthy period, possibly   | 13       | this in fact was written at a much earlier time, hence   |
| 13                   | up to 45 minutes, in their efforts to maintain control   | 14       | the questions.   |
| 14                   | of him and manage his disruptive behaviour."   | 15       | DEPUTY CORONER MS MONAGHAN: Yes.   |
| 15                   | Then he continues about  | 16       | MR BLAXLAND: Sorry, Mr Tribelnig. The point is this, isn't   |
| 10                   | DEPUTY CORONER MS MONAGHAN: What page is that, please?   | 17       | it: this information, which contains an account of what  |
|                      |  | 17       | took place I just want you to think about this. Is   |
| 18<br>10             | MR BLAXLAND: It's a document which I have just been handed,  | 18       | this information which you provided to not Mr Mahony, as   |
| 19<br>20             | literally this morning.  |          |  |
| 20                   | Just can you help us with this: that information, in   | 20       | it turns out, but Ms Beattie and/or Mr Cooper?   |
| 21                   | a report drafted by Keith Mahony, quality and contract   | 21       | A. I don't remember speaking to anybody.   |
| 22                   | compliance manager at the time   | 22       | Q. It's a question that rather unhelpfully lawyers   |
| <b>a a</b>           | DEPUTY CORONER MS MONAGHAN: Is it called a briefing note?  | 23       | sometimes ask when confronted with the answer, "I don't  |
| 23                   |  |          |  |
| 23<br>24<br>25       | MR BLAXLAND: It's a factual report on the death of Jimmy<br>Kelanda Mubenga on an escorted removal by G4S from the | 24<br>25 | remember". Does that mean that you are excluding the possibility of having spoken to them or you can |

| 1  | definitely say you didn't?  | 1   | A. I've written quite a few reports, yes.   |
|--|---|---|---|
| 2  | A. After the incident I just remember I didn't really want  | 2   | Q. All right. Just as with other procedures, you're given   |
| 3  | to talk to anybody. As I said to you yesterday,   | 3   | specific advice, aren't you, about how to go about it,  |
| 4  | I didn't even phone my partner.   | 4   | what you should include?  |
| 5  | Q. I understand that, but, just to be clear about it, I am  | 5   | A. From what I remember, yes.   |
| 6  | going to ask it one more time. Is it your evidence that   | 6   | MR BLAXLAND: Well, there's another document about this.   |
| 7  | you in fact did not speak to anybody and the first  | 7   | Perhaps madam and Mr Tribelnig could look at our  |
| 8  | record that you made of what occurred was in your Use of  | 8   | volume 8 green, green 8, page 5. It's another of the  |
| 9  | Force Report during the day on 13 October?  | 9   | Training Matters documents and it's dated, this one,  |
| 10   | A. I don't remember speaking to anybody and I wrote the   | 10  | apparently April 2007?  |
| 11   | report the following day.   | 11  | DEPUTY CORONER MS MONAGHAN: So when Mr Blaxland says  |
| 12   | Q. Right. Well, let's move on. Breakfast at the hotel, as   | 12  | Training Matters, it's similar to the document that you   |
| 13   | you told the learned coroner yesterday, all three of you  | 13  | have in your file but on a different subject.   |
| 13   | were present for breakfast?   | 14  | MR BLAXLAND: It's a pun, Training Matters:  |
| 14   | A. I think we were sat round the same table, yes.   | 15  | "Report writing techniques."  |
| 15   | Q. Any discussion at all between you about what on earth it   | 16  | I am going to go through this with you. I'm afraid  |
|  |   | 17  |   |
| 17   | was that had caused Mr Mubenga to die?  |   | the members of the jury don't have it; but I'll take  |
| 18   | A. I do not remember any conversation and, as I've said,  | 18  | this briefly, I hope. It starts off in this way:  |
| 19   | I didn't really want to talk to anybody about anything  | 19  | "If officers do not accurately record their action  |
| 20   | at that time.   | 20  | following an incident, they may leave themselves open to  |
| 21   | Q. So nothing at all said   | 21  | serious complaints, allegations and litigation. Below is  |
| 22   | A. Not that I remember, no.   | 22  | a protocol that if followed will aid all concerned to   |
| 23   | Q. Right. You then come to the process of writing the   | 23  | recall and record an incident with clarity. Officers  |
| 24   | report. What time of the day was it then?   | 24  | may be questioned months, years, after the event and  |
| 25   | A. I can't remember what time of the day it was, probably   | 25  | cannot rely on memory alone. You may be a potential   |
| 1  | early afternoon.  | 1   | witness under oath in court. Your report must be clear,   |
| 1<br>2   | Q. Early afternoon. You're all in the same room, is this  | $\begin{vmatrix} 1\\2 \end{vmatrix}$  | specific and as accurate as possible. It will point out   |
| 2  | right, at the time that report is made? Is that   | $\begin{vmatrix} 2\\ 3 \end{vmatrix}$   | that any force was used in a reasonable and necessary   |
| 3<br>4   | correct?  |   |   |
|  |   |   |   |
|  |   | 4   | and justified manner proportionate to the threat."  |
| 5  | A. That's correct, yes.   | 5   | So it didn't give you the option of saying, "Well,  |
| 6  | Q. But you're kept separate, is that right?   | 5<br>6  | So it didn't give you the option of saying, "Well, actually we got it all wrong apparently", is that right?   |
| 6<br>7   | <ul><li>Q. But you're kept separate, is that right?</li><li>A. We were seated at various seats around the table, yes.</li></ul>   | 5<br>6<br>7   | So it didn't give you the option of saying, "Well, actually we got it all wrong apparently", is that right?<br>A. That's correct, yes.  |
| 6<br>7<br>8  | <ul><li>Q. But you're kept separate, is that right?</li><li>A. We were seated at various seats around the table, yes.</li><li>Q. Now, how often in the past have you had to write these</li></ul>   | 5<br>6<br>7<br>8  | So it didn't give you the option of saying, "Well,<br>actually we got it all wrong apparently", is that right?<br><b>A. That's correct, yes.</b><br>Q. But the point about this document is that it stressed to   |
| 6<br>7<br>8<br>9   | <ul><li>Q. But you're kept separate, is that right?</li><li>A. We were seated at various seats around the table, yes.</li><li>Q. Now, how often in the past have you had to write these reports?</li></ul>  | 5<br>6<br>7<br>8<br>9   | <ul><li>So it didn't give you the option of saying, "Well, actually we got it all wrong apparently", is that right?</li><li>A. That's correct, yes.</li><li>Q. But the point about this document is that it stressed to you the importance of the record that you were keeping;</li></ul>   |
| 6<br>7<br>8<br>9<br>10   | <ul> <li>Q. But you're kept separate, is that right?</li> <li>A. We were seated at various seats around the table, yes.</li> <li>Q. Now, how often in the past have you had to write these reports?</li> <li>A. Well, whenever we've had a use of force incident.</li> </ul>  | 5<br>6<br>7<br>8<br>9<br>10   | <ul><li>So it didn't give you the option of saying, "Well, actually we got it all wrong apparently", is that right?</li><li>A. That's correct, yes.</li><li>Q. But the point about this document is that it stressed to you the importance of the record that you were keeping; that's right, isn't it?</li></ul>   |
| 6<br>7<br>8<br>9<br>10<br>11   | <ul> <li>Q. But you're kept separate, is that right?</li> <li>A. We were seated at various seats around the table, yes.</li> <li>Q. Now, how often in the past have you had to write these reports?</li> <li>A. Well, whenever we've had a use of force incident.</li> <li>Q. How often is that?</li> </ul>   | 5<br>6<br>7<br>8<br>9<br>10<br>11   | <ul> <li>So it didn't give you the option of saying, "Well, actually we got it all wrong apparently", is that right?</li> <li>A. That's correct, yes.</li> <li>Q. But the point about this document is that it stressed to you the importance of the record that you were keeping; that's right, isn't it?</li> <li>A. That's correct, yes.</li> </ul>  |
| 6<br>7<br>8<br>9<br>10<br>11<br>12   | <ul> <li>Q. But you're kept separate, is that right?</li> <li>A. We were seated at various seats around the table, yes.</li> <li>Q. Now, how often in the past have you had to write these reports?</li> <li>A. Well, whenever we've had a use of force incident.</li> <li>Q. How often is that?</li> <li>A. It depends on the job I couldn't give you an exact</li> </ul>  | 5<br>6<br>7<br>8<br>9<br>10<br>11<br>12   | <ul> <li>So it didn't give you the option of saying, "Well, actually we got it all wrong apparently", is that right?</li> <li>A. That's correct, yes.</li> <li>Q. But the point about this document is that it stressed to you the importance of the record that you were keeping; that's right, isn't it?</li> <li>A. That's correct, yes.</li> <li>Q. For the reasons given, that it might at a later stage be</li> </ul>   |
| 6<br>7<br>8<br>9<br>10<br>11<br>12<br>13   | <ul> <li>Q. But you're kept separate, is that right?</li> <li>A. We were seated at various seats around the table, yes.</li> <li>Q. Now, how often in the past have you had to write these reports?</li> <li>A. Well, whenever we've had a use of force incident.</li> <li>Q. How often is that?</li> <li>A. It depends on the job I couldn't give you an exact number.</li> </ul>  | 5<br>6<br>7<br>8<br>9<br>10<br>11<br>12<br>13   | <ul> <li>So it didn't give you the option of saying, "Well, actually we got it all wrong apparently", is that right?</li> <li>A. That's correct, yes.</li> <li>Q. But the point about this document is that it stressed to you the importance of the record that you were keeping; that's right, isn't it?</li> <li>A. That's correct, yes.</li> <li>Q. For the reasons given, that it might at a later stage be a very important document if there were any legal</li> </ul>   |
| 6<br>7<br>8<br>9<br>10<br>11<br>12<br>13<br>14   | <ul> <li>Q. But you're kept separate, is that right?</li> <li>A. We were seated at various seats around the table, yes.</li> <li>Q. Now, how often in the past have you had to write these reports?</li> <li>A. Well, whenever we've had a use of force incident.</li> <li>Q. How often is that?</li> <li>A. It depends on the job I couldn't give you an exact number.</li> <li>Q. Just give me a rough idea over the period of time? Just</li> </ul>  | 5<br>6<br>7<br>8<br>9<br>10<br>11<br>12<br>13<br>14   | <ul> <li>So it didn't give you the option of saying, "Well, actually we got it all wrong apparently", is that right?</li> <li>A. That's correct, yes.</li> <li>Q. But the point about this document is that it stressed to you the importance of the record that you were keeping; that's right, isn't it?</li> <li>A. That's correct, yes.</li> <li>Q. For the reasons given, that it might at a later stage be a very important document if there were any legal proceedings; yes?</li> </ul>   |
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| 1  | A. Whatever notes that I had would have been given to the   | 1  | A. Yes, it is.  |
|----|---|----|---|
| 2  | police.   | 2  | Q. Right. Quite specific details which you're encouraged    |
| 3  | DEPUTY CORONER MS MONAGHAN: Just pausing there a moment.    | 3  | to include in the report; that's right, isn't it?           |
| 4  | Do you remember if you made any notes?                      | 4  | A. Yes.   |
| 5  | A. The only notes I would have had is I would have had      | 5  | Q. Then it goes on I don't need to read much further:       |
| 6  | a piece of paper in my pocket which would have given me     | 6  | "What effect did that have on the detainee? Did you         |
| 7  | detailed timings for collection, any times that he used     | 7  | use a non-verbal communication, hand signals, gestures,     |
| 8  | the toilet, which have enabled me to then fill out the      | 8  | directions? What did you think was going to happen at       |
| 9  | welfare record at a later time as opposed to walking        | 9  | the scene if you hadn't used force ", and so on.            |
| 10 | round with handfuls of paper.                               | 10 | Then there's a section about you recording your             |
| 11 | DEPUTY CORONER MS MONAGHAN: Before you filled in the Use of | 11 | prior knowledge of the detainee; in other words, the        |
| 12 | Force Report, did you take some rough notes about what      | 12 | background. Then there's a section which records what       |
| 13 | had actually happened?                                      | 13 | you should put in the report about the detainee's           |
| 14 | A. No.  | 14 | actions:  |
| 15 | MR BLAXLAND: So you didn't do that. So you didn't take      | 15 | "Verbal responses, non-verbal responses."                   |
| 16 | time before you you may have taken time to compose          | 16 | So you're told to record what the detainee said as          |
| 17 | yourself, but you didn't make rough notes and review the    | 17 | well as what he did, is that right?                         |
| 18 | scenario? That didn't happen, did it?                       | 18 | A. I did not have this piece of paper with me when I filled |
| 19 | A. No.  | 19 | out this report.  |
| 20 | Q. Next it says:  | 20 | Q. It's basic stuff, isn't it?                              |
| 21 | "Do not collude"  | 21 | A. I made my report on the basis of my knowledge.           |
| 22 | So you write your own report without speaking to            | 22 | Q. It's basic stuff, isn't it?                              |
| 23 | others. You are specifically told that, is that right?      | 23 | A. It's basic as it's on this piece of paper. We're         |
| 24 | A. Yes.   | 24 | advised to do it, but I couldn't remember every bullet      |
| 25 | Q. So if you were to say, or if you were to have told       | 25 | point on this page.   |
| 1  | anybody, that before you wrote this report, before you      | 1  | Q. The Use of Force Report in this case was no doubt the    |
| 2  | had written this report, you had actually colluded with     | 2  | most important document of its type that you had ever       |
| 3  | either or both over your two colleagues, Mr Hughes and      | 3  | had to write, is that right?                                |
| 4  | Mr Kaler, you knew that that would be in breach of the      | 4  | A. Yes.   |
| 5  | instruction that you had been given; is that right?         | 5  | Q. A man had died. It couldn't be more serious, could it?   |
| 6  | A. That's my understanding, yes.                            | 6  | A. No.  |
| 7  | Q. Right.   | 7  | Q. It was of enormous importance that you recorded all      |
| 8  | "Write your report and ensure that you write what           | 8  | relevant details in that document, wasn't it?               |
| 9  | you saw/did, not what you thought happened or piece         | 9  | A. Yes.   |
| 10 | together after the event based on what others may have      | 10 | MR BLAXLAND: I want, if I could then, just to go to the     |
| 11 | told you."  | 11 | content of the document itself. You have been asked         |
| 12 | Then you're given some advice about how you should          | 12 | about it. Again, the jury don't actually have it.           |
| 13 | structure your report, setting the scene:                   | 13 | DEPUTY CORONER MS MONAGHAN: Volume 2, please, blue, page 3. |
| 14 | "Approach to the scene of the incident"                     | 14 | Whilst you're just looking for that, Mr Tribelnig, when     |
| 15 | There are a series of bullet points:                        | 15 | I looked at this report I was impressed by how neat the     |
| 16 | "What did you see? Where were you positioned?               | 16 | handwriting was, which was very helpful to me because it    |
| 17 | Where were your colleagues positioned? Describe the         | 17 | made it quite easy to read, but I did wonder whether you    |
| 18 | imminent danger. What was the detainee doing at your        | 18 | made some rough notes first because it's so neat and        |
| 19 | arrival? For example, stood up, sat down, fighting,         | 19 | there are very few mistakes in it. One might think that     |
| 20 | stood over someone, running away, escaping. Did you see     | 20 | a first report would be a bit scrappy while you're          |
| 21 | a weapon? Did you issue commands? If so, what did you       | 21 | working it through, but this was the only                   |
| 22 | instruct, command, eg stop fighting, stop kicking, hand     | 22 | A. As far as I remember, these were the only notes I'd made |
| 23 | over your weapons, et cetera?"                              | 23 | to this report.   |
| 24 | This is all advice about what should go into the            | 24 | DEPUTY CORONER MS MONAGHAN: Thank you.                      |
|    | report ignitit?   | 25 | MR BLAXLAND: Mr Tribelnig, just so you know, your writing   |
| 25 | report, isn't it?   |    | 8,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,                     |

# Mubenga Inquest

| -  |   | 1  |  |
|--|---|--|--|
| 1  | is reasonably legible but we do also in our bundle have   | 1  | as part of your control and restraint techniques, don't  |
| 2  | the benefit of the typed version and typed versions are   | 2  | you?   |
| 3  | always a little bit more easy to follow. Just so that   | 3  | A. That's correct, yes.  |
| 4  | you understand, I am going to take you through this from  | 4  | Q. But given that it's here, and this is your first record,  |
| 5  | the typed version. So, in the volume that you have,   | 5  | try to remember if you could. Did he have him in   |
| 6  | it's actually at page 19.   | 6  | a headlock? Was he behind him, pulling his head back or  |
| 7  | You have been asked about one passage in this by the  | 7  | holding it? Do you have any  |
| 8  | learned coroner, but I'm going to take you through all  | 8  | A. Mr Hughes was behind Mr Mubenga. I'm not sure how he  |
| 9  | of the relevant section. It starts at the last  | 9  | had hold of him. I referred to the head. It may have   |
| 10   | paragraph on page 19:   | 10   | been the top half of the torso. I don't remember.  |
| 11   | "At this point the passengers were boarding and as  | 11   | MR BLAXLAND: "DCO Kaler controlling Mr Mubenga's left arm.   |
| 12   | we drew level with his seat he stopped and said he  | 12   | Due to the strength of Mr Mubenga we were forced to  |
| 13   | wouldn't go. As I began to try and talk to him he   | 13   | place him against the rear of one of the seats in order  |
| 14   | lunged at me, ripping my shirt open."   | 14   | to remain in control."   |
| 15   | I want to pause there for a moment. There is no   | 15   | Now, you have given evidence about that and I would  |
| 16   | suggestion from you, and never has been I think, that at  | 16   | just like you, if you could, to help us in a little more   |
| 10   | any stage did Mr Mubenga punch you?   | 17   | detail. I think the members of the jury only have one  |
| 18   | A. I was lunged at. I'm not sure how I was lunged at, but   | 18   | photograph which   |
| 18<br>19   | my shirt was ripped open.   | 19   | DEPUTY CORONER MS MONAGHAN: They only have the you have  |
|  |   | 20   | the three seats, haven't you, showing the table down?  |
| 20   | Q. You had a ripped shirt at the end of this. You had   | 20   |  |
| 21   | a scratch to one of your hands, is that right?  | 21   | MR BLAXLAND: Yes, with the tray down.<br>DEPUTY CORONER MS MONAGHAN: Three seats, the middle one   |
| 22   | A. That's correct, yes.   | 22   |  |
| 23   | Q. And you had a bruise, you told us a few moments ago,   |  | with the tray down.  |
| 24   | quite a large bruise by the sounds of it, on the inside   | 24   | MR BLAXLAND: This is row 40 that we're looking at in this  |
| 25   | of your leg?  | 25   | picture. There are more pictures. I don't know whether   |
| 1  | A That's connect use  | 1  | it's possible for you to show us, by reference to this   |
| 1  | A. That's correct, yes.   | 2  | photograph, whereabouts Mr Mubenga was at the time that  |
| 2<br>3   | Q. Inside of your thigh, and you don't know how you got that?   | 3  | he was against one of the seats, being placed against  |
|  |   | 4  | the rear of one of the seats.  |
| 4  | A. No.  | 5  | A. You can't really see within the picture. It would have  |
| 5  | Q. But he never punched you?  |  |  |
| 6  | A. No.  | 6  | been against the corner on the outer edge of the aisle   |
| 7  | Q. Did he kick you?   | 7  | (Indicated)  |
| 8  | A. No. Not that I remember, no.   | 8  | DEPUTY CORONER MS MONAGHAN: Can you see that, members of   |
| 9  | Q. So he made a dash for it, is that what it comes to?  | 9  | the jury?  |
| 10   | A. I don't know what he was thinking.   | 10   | MR BLAXLAND: With his back to it?  |
| 11   | Q. "There was a woman and young child sat in the seats next   | 11   | A. No, he was face first.  |
| 12   |   |  | Q. Face first?   |
| 10   | us to and I imagined to bear hug Mr Mubenga and force   | 12   | -  |
| 13   | him backwards away from the women and child so they   | 13   | A. Yes.  |
| 14   | him backwards away from the women and child so they could escape from their seats. With the mother and  | 13<br>14   | <ul><li>A. Yes.</li><li>Q. He was struggling at that point?</li></ul>  |
| 14<br>15   | him backwards away from the women and child so they<br>could escape from their seats. With the mother and<br>child gone I was able to release the bear hug and take   | 13<br>14<br>15   | <ul><li>A. Yes.</li><li>Q. He was struggling at that point?</li><li>A. Yes.</li></ul>  |
| 14<br>15<br>16   | him backwards away from the women and child so they<br>could escape from their seats. With the mother and<br>child gone I was able to release the bear hug and take<br>control of Mr Mubenga's right arm. Mr Mubenga continued  | 13<br>14<br>15<br>16   | <ul> <li>A. Yes.</li> <li>Q. He was struggling at that point?</li> <li>A. Yes.</li> <li>Q. You were having some difficulty applying handcuffs, is</li> </ul>   |
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| 1 very emphatically yes   | terday that there was nothing that   | 1   | aisle, away from the edge of the seat, and you have   |
|---|--|---|---|
| 2 you did which in you  | r opinion could possibly have caused   | 2   | actually got him into row 40?   |
| 3 two fractures to his ri   | bs. Now, just so that you have   | 3   | DEPUTY CORONER MS MONAGHAN: You are going to show us, are   |
| 4 the opportunity to cor  | nment on this, do you think it is  | 4   | you?  |
| 5 possible that the force   | that was being used at the point   | 5   | A. This picture is row 40?  |
| 6 that you were applyin   | g the handcuffs was such that his  | 6   | MR BLAXLAND: It is, indeed?   |
| 7 ribs broke at that poir   | t as he was being pressed against  | 7   | A. He was pinned against the back of the seat, at which   |
| 8 the back of the seat?   |  | 8   | point we then moved him into that row of seats.   |
| 9 A. I wouldn't have sai  | d so, no.  | 9   | DEPUTY CORONER MS MONAGHAN: So, as you say, you managed to  |
| 10 Q. I mean, were you  | what were you doing at that point?   | 10  | twist his body around.  |
|   | ght arm which was outstretched.  | 11  | A. We tried to twist his body around. We had literally to   |
|   | g him forward, were you, in order to   | 12  | turn his legs round to get him into the seated position.  |
| 13 get his arm behind him   |  | 13  | MR BLAXLAND: You were one of the people who actually got  |
| 14 A. He was being held   |  | 14  | the handcuffs on, the rear stack handcuffs, is that   |
| 15 Q. But how did that hap  | -  | 15  | right?  |
| -   | od behind Mr Mubenga at the time.  | 16  | A. I applied the first cuff, yes.   |
| 17 Q. What, pushing him f   | 0  | 17  | Q. Right. Have you on previous occasions, Mr Tribelnig,   |
|   | can't remember. I think he was   | 18  | applied rear handcuffs, rear stack handcuffs, rigid bar   |
|   | n, so leaning with his body against  | 19  | rear stack handcuffs, to a disruptive detainee while on   |
| 20 him.   |  | 20  | board an aircraft?  |
| 21 Q. But using a lot of for  | rce?   | 21  | A. Yes.   |
| 22 A. Enough force to ke  |  | 22  | Q. How many occasions have you done it?   |
| 8   | a headlock at that point, Mr Hughes?   | 23  | A. I can't remember specifically.   |
| 24 A. No, I can't rememb  |  | 24  | Q. Just, again, give us a rough idea. We're not going to  |
| 25 Q. Can we go back to y   |  | 25  | pin you down.   |
|   | Page 33  |   | Page 35   |
|   |  |   |   |
|   | Mr Mubenga's right wrist, but  | 1   | A. 10, 15, 20 maybe.  |
|   | strength it was approximately  | 2   | Q. 20 occasions?  |
|   | was able to move Mr Mubenga's right  | 3   | A. There or thereabouts, I don't know exact numbers.  |
| -   | for a rear stack position. It was  | 4   | Q. On how many of those occasions have you gone on to put   |
| 5 a further two to three  | minutes before the left arm was  | 5   | the person in a seat?   |
|   |  |   |   |
| 6 presented to enable th  | e remaining cuff to be applied.  | 6   | A. Probably the majority of them.   |
| 7 Once the cuffs were a   | pplied, Mr Mubenga appeared to   | 7   | Q. You are given some advice in the training, aren't you,   |
| <ul><li>7 Once the cuffs were a</li><li>8 pause before again be</li></ul>   | pplied, Mr Mubenga appeared to   | 7<br>8  |   |
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|          | C C  |    |   |
|----------|--|----|---|
| 1        | very helpful.  | 1  | it is more difficult to transfer handcuffs from the rear    |
| 2        | MR BLAXLAND: I quite agree. Page 96. It's a document       | 2  | to the front due to the confined space."                    |
| 3        | which is called, "Handcuffing procedure". It starts        | 3  | Do you remember being advised about that?                   |
| 4        | off, if we're looking at it together:                      | 4  | A. I can't remember.  |
| 5        | "Following a recent complaint investigation, the           | 5  | Q. Paragraph 5:   |
| 6        | UK Border Agency Professional Standards Unit have asked    | 6  | "Transferring the handcuffs from the rear to the            |
| 7        | that all D&E [that is detention and escorting staff] are   | 7  | front, if the detainee is seated, could result in the       |
| 8        | reminded of handcuffing procedures and in particular the   | 8  | detainee slumping forward and therefore may put them at     |
| 9        | period of time detainees are kept in handcuffs with        | 9  | risk of positional asphyxia (as completing the move in      |
| 10       | their arms restrained behind their back. This is either    | 10 | a seated position can take some time to achieve). Also,     |
| 11       | in the back stack position or when a detainee has their    | 11 | if a detainee is slumped forward some discomfort may be     |
| 12       | hands back-to-back as taught in basic control restraint    | 12 | caused to the detainee's wrists and could result in         |
| 12       | training."   | 13 | wrist injury."  |
| 13<br>14 | -  | 13 | Again, do you remember this being spelt out? This           |
|          | You have told us you used the rear stack method for        | 14 | is the reason for avoiding, if you can, the use of back     |
| 15       | Mr Mubenga, is that right?                                 | 16 | stack, rear, handcuffs in a seated position?                |
| 16       | A. That's what I remember, yes.                            |    |   |
| 17       | Q. Right. The back-to-back method, what is that?           | 17 | A. I can't remember.  |
| 18       | A. That would be where the wrists are back-to-back, so you | 18 | DEPUTY CORONER MS MONAGHAN: Do you remember whether or not  |
| 19       | have your hands forced lower.                              | 19 | you saw this document?                                      |
| 20       | Q. That's a method you use with rigid bar handcuffs as     | 20 | A. Again, I can't remember.                                 |
| 21       | well?  | 21 | DEPUTY CORONER MS MONAGHAN: Does it ring only bells?        |
| 22       | A. It can be used with rigid bar cuffs, yes.               | 22 | A. No. I mean, some of the issues here is stuff that I may  |
| 23       | Q. You have done that, have you?                           | 23 | have heard talked about but I can't be 100 per cent         |
| 24       | A. Yes.  | 24 | sure.   |
| 25       | Q. Just try to be clear about it. In this case, was it     | 25 | MR BLAXLAND: It rather looks like as if you didn't actually |
|          | Page 37  |    | Page 39   |
| 1        | back-to-back or rear stack?                                | 1  | see this document because there are certain notices         |
| 2        | A. As far as I remember, it was back stack.                | 2  | called D&E notices which were pinned up all over the        |
| 3        | MR BLAXLAND: Back stack.                                   | 3  | place. This, I think, appears to be an instruction to       |
| 4        | DEPUTY CORONER MS MONAGHAN: Which is the same as rear      | 4  | the instructors about what you should be told when you      |
| 5        | stack?   | 5  | have your training.   |
| 6        | A. Rear stack, yes.  | 6  | DEPUTY CORONER MS MONAGHAN: I see.                          |
| 7        | DEPUTY CORONER MS MONAGHAN: Thank you, just to be sure.    | 7  | MR BLAXLAND: I just wondered, on the basis of that, whether |
| 8        | MR BLAXLAND: Yes. Then the document continues:             | 8  | this is specific advice that you were given in maybe        |
| 9        | "If a detainee has been handcuffed with their hands        | 9  | your refresher course in March 2010; because you did        |
| 10       | behind their back due to the initial risk assessment or    | 10 | have one, didn't you?                                       |
| 11       | because it was necessary following an initial outburst     | 11 | A. Yeah. I don't remember actually going through any of     |
| 12       | of disruption and/or violence, officers [and this is in    | 12 | the handcuffing stuff as part of the C&R refresher. The     |
| 13       | bold] should transfer the handcuffs to the front of the    | 13 | C&R refresher was purely techniques, from what              |
| 14       | detainee at the earliest opportunity when it is            | 13 | I remember.   |
| 15       | practical and safe to do so."                              | 15 | Q. Can I just continue with it because it has been quite    |
| 16       | Then there is a whole section about escorting moves        | 16 | rightly pointed out that it's only fair that you should     |
| 17       | and about the fact that CCTV will be used.                 | 17 | see the document itself. It concludes in this way:          |
| 18       | Then it continues, at paragraph 5 or paragraph 4           | 18 | "When there's an option, overseas escorts should            |
| 19       | I should start with:                                       | 19 | front stack rather than back stack because the detainee     |
| 20       | "Overseas officers should always attempt to transfer       | 20 | is more able to be kept upright when seated which           |
| 20       | the handcuffs to the front before boarding the             | 20 | reduces the possibility of restricted breathing and in      |
| 21       | aircraft."   | 21 | a worst case scenario positional asphyxia."                 |
| 22<br>23 | That's in the case of somebody who has been                | 22 |   |
| 23<br>24 |  |    | So the point is being made about the connection             |
|          | handcuffed before getting on board.                        | 24 | between rear stack handcuffs and positional asphyxia.       |
| 25       | "Once the detainee is in their seat on the aircraft        | 25 | Do you remember that simple point being made? That's        |
|          | Page 38  |    | Page 40   |

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10 (Pages 37 to 40)

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|   |  | -   |   |
|---|--|---|---|
| 1   | the problem with somebody being put in a seat with their   | 1   | tell you to remove the detainee from the craft?   |
| 2   | hands handcuffed behind their back, that you're  | 2   | A. That's correct, yes.   |
| 3   | increasing the risk of positional asphyxia?  | 3   | Q. And that happens?  |
| 4   | A. I can't remember that point specifically.   | 4   | A. It has happened, yes.  |
| 5   | Q. Did you have that in mind at all at any stage?  | 5   | Q. How many times has it happened to you?   |
| 6   | A. At the time Mr Mubenga was placed in the back stack   | 6   | A. I think I've only ever had it happen once.   |
| 7   | position, the intention was to try to de-escalate and  | 7   | Q. Has there been any occasion on which you yourself have   |
| 8   | move the handcuffs to the front.   | 8   | decided that you're not going that you're going to  |
| 9   | MR BLAXLAND: I am going to come back to in just one  | 9   | remove the detainee from an aircraft because he, or   |
| 10  | moment the narrative in the document, but I wonder if  | 10  | possibly even she, has been too disruptive?   |
| 11  | you remember this. When you were interviewed by the  | 11  | A. No.  |
| 12  | police, towards the very end of your interview, and it's   | 12  | Q. Because your priority is to complete the removal   |
| 13  | page 184 in the bundle in front of you   | 13  | successfully, isn't it?   |
| 14  | DEPUTY CORONER MS MONAGHAN: The same bundle?   | 14  | A. My priority is to make sure that the situation is  |
| 15  | MR BLAXLAND: Yes, the same bundle. Just go to that for   | 15  | contained, the detainee is looked after and make sure   |
| 16  | a moment, page 184.  | 16  | that we get the job away, yes.  |
| 17  | DEPUTY CORONER MS MONAGHAN: I think he has 7A out.   | 17  | Q. Yes. But you always have the option, don't you, to   |
| 18  | MR BLAXLAND: I am sorry, it's the volume 2. If you   | 18  | decide that the situation means that you cannot safely  |
| 19  | could we're going to go back to your Use of Force  | 19  | continue? Is that right?  |
| 20  | Report in a moment, but as we're dealing with the use of   | 20  | A. I've never seen a team remove themselves from  |
| 20  | handcuffs I want to ask you about page 184. At the very  | $\frac{20}{21}$   | an aircraft before. I've never been part of a team  |
| 21  | end of the interview, or towards the end of the  | 21  |   |
| 22  |  | 22  | <ul><li>Q. That's always an option for you, isn't it?</li><li>A. It would have been.</li></ul>  |
|   | interview, in which you answered questions, you were   | 23  |   |
| 24  | asked by DC Rowe, who was interviewing you:  |   | Q. You have that choice. You have that choice, don't you?   |
| 25  | "If a removal if this happens again, what would<br>Page 41   | 25  | A. It's it could have been an option, yes.<br>Page 43   |
|   |  | <u> </u>  | I age +5  |
| 1   | you do differently?"   | 1   | DEPUTY CORONER MS MONAGHAN: Pause there. Can I follow that  |
| 2   |  |   |   |
| 2   | You said:  | 2   | up, please.   |
| 3   | You said:<br>"Initially we would try he would have to be   | 2<br>3  | up, please.<br>MR BLAXLAND: Certainly.  |
|   |  |   |   |
| 3   | "Initially we would try he would have to be  | 3   | MR BLAXLAND: Certainly.   |
| 3<br>4  | "Initially we would try he would have to be restrained. We would then have to make the judgment of   | 3<br>4  | MR BLAXLAND: Certainly.<br>DEPUTY CORONER MS MONAGHAN: Are you saying that you have   |
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| 1  | throw us off the plane  | 1  | whenever, around there.   |
|--|---|--|---|
| 1<br>2   | throw us off the plane.<br>Q. If the detainee is making too much of a fuss, the   | 2  | MR BLAXLAND: Certainly. Now, you had put the handcuffs on?  |
|  | -   | $\begin{vmatrix} 2\\ 3 \end{vmatrix}$  | A. I placed the first handcuff on the wrist, yes.   |
| 3  | captain is liable to get him off; yes?  | 4  |   |
| 4  | A. It could be, yes.  |  | Q. We have heard, and you heard evidence yesterday about  |
| 5  | Q. So your main concern is to stop the detainee making too  | 5  | this or maybe I think it was when Mr Baldwin gave   |
| 6  | much fuss?  | 6  | evidence about the way in which the handcuffs can be  |
| 7  | A. Our main concern is to keep him restrained.  | 7  | used as what is rather chillingly called pain   |
| 8  | Q. To stop him making too much fuss?  | 8  | compliance; yes?  |
| 9  | A. Not to stop him making too much fuss.  | 9  | A. Yes.   |
| 10   | Q. To stop him being so disruptive that the captain decides   | 10   | MR BLAXLAND: You have said that you disapprove of that  |
| 11   | to abandon the deportation?   | 11   | effectively because you wouldn't want to do that to   |
| 12   | A. Our job is there to escort Mr Mubenga. We were there to  | 12   | someone?  |
| 13   | ensure that he didn't cause too much disruption, injury   | 13   | DEPUTY CORONER MS MONAGHAN: No, what he said was, I think,  |
| 14   | to himself, other passengers, or damage to the aircraft.  | 14   | about that, if I recall your evidence, is that the  |
| 15   | Q. So going back to the passage that I asked you about in   | 15   | instructions on pain compliance changed, mandibular   |
| 16   | your police interview, when you were asked about whether  | 16   | thingy, nose and mandibular, and so you were never quite  |
| 17   | or not if you like with the benefit of hindsight, you   | 17   | sure what you were permitted to do. Is that right?  |
| 18   | would have done anything different. When you said,  | 18   | A. That's correct, yes.   |
| 19   | "Well, maybe we shouldn't have got him into his seat  | 19   | MR BLAXLAND: No doubt I misunderstood. In terms of the use  |
| 20   | with his hands handcuffed behind his back", was that  | 20   | of the handcuffs to apply pain, you knew about that or  |
| 21   | ever something that you considered at the time?   | 21   | you know about that; is that right?   |
| 22   | A. At the time it was not possible.   | 22   | A. I've been made aware of that. I can imagine they're not  |
| 23   | Q. Why not?   | 23   | very comfortable to wear.   |
| 24   | A. There were passengers on the aircraft. We'd already  | 24   | Q. It's not just that, is it? From what Mr Baldwin told   |
| 25   | struggled to place him into a rear stack hand position.   | 25   | us, that is one of the things the handcuffs are used  |
|  | Page 45   |  | Page 47   |
|  |   |  |   |
| 1  | At no time did he stop long enough for us to be able to   | 1  | for, in order to cause pain in order to make the  |
| 1<br>2   | At no time did he stop long enough for us to be able to<br>remove the handcuffs from the rear to the front.   | 1 2  | for, in order to cause pain in order to make the detainee more compliant, pain compliance?  |
|  |   | 2  | detainee more compliant, pain compliance?   |
| 2  | remove the handcuffs from the rear to the front.  | 2<br>3   | detainee more compliant, pain compliance?<br>A. They can be used as pain compliance, yes.   |
| 2<br>3   | <b>remove the handcuffs from the rear to the front.</b><br>Q. No, but you always had the possibility just to remove   | 2<br>3<br>4  | <ul><li>detainee more compliant, pain compliance?</li><li>A. They can be used as pain compliance, yes.</li><li>Q. How?</li></ul>  |
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| 1        | by you, have you used them to cause pain to the person's   | 1             | A. Possibly the side of the head.                           |
|----------|--|---------------|---|
| 2        | wrists as a way of controlling that person?                | 2             | DEPUTY CORONER MS MONAGHAN: Do you have a recollection of   |
| 3        | A. I haven't, no.  | 3             | that?   |
| 4        | Q. In any event, it was left to Mr Hughes and Mr Kaler to  | 4             | A. No, I don't have a recollection.                         |
| 5        | get him into the seat; is that right?                      | 5             | DEPUTY CORONER MS MONAGHAN: What makes you think you might  |
| 6        | A. Mr Hughes moved from behind to his left-hand side.      | 6             | have put your hand on the side of his head then?            |
| 7        | Mr Kaler, from what I think I remember, was across the     | 7             | A. Possibly to try and stop him from thrashing his head     |
| 8        | row of the seats. So the obvious option was for me to      | 8             | around to try and headbutt either of the escorts on         |
| 9        | move round to the front-end.                               | 9             | either side.  |
| 10       | MR BLAXLAND: You moved round to the front. Can I go back   | 10            | DEPUTY CORONER MS MONAGHAN: Would you have put your hand on |
| 11       | to your Use of Force Report at page 20:                    | 11            | the top of his head?  |
| 12       | "As we attempted to re-seat Mr Mubenga, he twisted         | 12            | A. No.  |
| 13       | his lower body round to try and stop us from re-seating    | 13            | DEPUTY CORONER MS MONAGHAN: On the back of his head?        |
| 14       | him. I moved round to row 39 to take control of the        | 14            | A. No.  |
| 15       | head."   | 15            | DEPUTY CORONER MS MONAGHAN: You're sure about that?         |
| 16       | This is the point which you were asked about by the        | 16            | A. Yes.   |
| 17       | learned coroner. What did you mean by that, when you       | 17            | MR BLAXLAND: But if you're trying to stop him from          |
| 18       | wrote that in the report:                                  | 18            | thrashing his head around, that would be best achieved,     |
| 19       | "I moved round to row 39 to take control of the head       | 19            | wouldn't it, by putting your hands on either side of his    |
| 20       | whilst DCO Kaler had control of the left arm and           | 20            | head?   |
| 20       | DCO Hughes control of the right."                          | 20            | A. That's what I just said, yes.                            |
| 21       |  | 21            | Q. Is that what you did?                                    |
| 22       | What was the   | 22            |   |
|          | DEPUTY CORONER MS MONAGHAN: Let him answer the question.   | 23            | A. I didn't say that's what I did. I can't remember what    |
| 24<br>25 | A. Right, DCO Hughes was to the right, DCO Kaler to the    | 24            | I did, but that was probably how it's best achieved.        |
| 25       | left. There's not a lot of room between those seats, so    | 23            | Q. Right. Just continuing with the report:<br>Page 51       |
|          | Page 49  |               | 1 age 51  |
| 1        | we couldn't get all four of us in between the seats.       | 1             | "Mr Mubenga attempted to wrap his right leg under           |
| 2        | I moved round to the front-end in an attempt to try and    | 2             | the seats in front to prevent us from placing him in the    |
| 3        | prevent Mr Mubenga from either bashing his head off the    | 3             | seat. Mr Mubenga was still struggling and was trying to     |
| 4        | top of the row in front or cause himself any damage by     | 4             | kick out."  |
| 5        | trying to headbutt any of the staff around him.            | 5             | At this point, presumably, he is wedged in the very         |
| 6        | DEPUTY CORONER MS MONAGHAN: I have heard you say that and  | 6             | confined space of row 40, economy class; yes?               |
| 7        | I have that noted, but I think Mr Blaxland is trying to    | 7             | A. I think as I've moved round the front, they're still     |
| 8        | explore with you what you meant when you said "control     | 8             | trying to get him in between the seats or get his           |
| 9        | the head" and what you were doing to control the head,     | 9             | legs in between the seats. Although his torso was           |
| 10       | if that's what you meant?                                  | 10            | against the back of the seat and he was half in the         |
| 11       | A. I can't remember exactly. I may have had either a hand  | 11            | top end was half in, I don't think his legs were in the     |
| 12       | on the side of his head or it may have been on his         | 12            | row.  |
| 13       | shoulders at the time, just trying to prevent him from     | 13            | Q. Trying to kick out?                                      |
| 14       | thrashing around.  | 14            | A. Well, that was the impression I was given, yes.          |
| 15       | MR BLAXLAND: Right. So you now have a memory, do you, that | 15            | Q. "We were able to move his legs round to get Mr Mubenga   |
| 16       | you did in fact put your hand on his head?                 | 16            | seated."  |
| 17       | A. I can't remember. As I said, I'm not sure how I managed | 17            | Do you remember seeing any of your colleagues               |
| 18       | to control him. At the time it was try to prevent him      | 18            | actually physically taking hold of his legs and putting     |
| 19       | from injuring himself.                                     | 19            | him in order to get him into the seat?                      |
| 20       | MR BLAXLAND: So would anybody watching this at any point   | 20            | A. No.  |
| 20       | have seen you with your hands on top of his head?          | 20            | Q. "At which point Mr Mubenga was attempted to stand up or  |
| 22       | A. I don't know. I can't remember if I had my hands on his | $ ^{21}_{22}$ | lunge forward. The seat belt was then applied, but due      |
| 23       | head at all.   | 23            | to the handcuffs in the rear stack Mr Mubenga could not     |
| 23<br>24 | DEPUTY CORONER MS MONAGHAN: I think you said the side of   | 23            | sit back. I placed a pillow against the television in       |
| 24<br>25 | the head, didn't you?                                      | 24            | the rear of the seat in front of Mr Mubenga to give him     |
| 20       | -  | 25            |   |
| 4        | Page 50  | 1             | Page 52   |

| 1                    | something to lean on and prevent him from trying to   | 1              | A. Yes.  |
|----------------------|---|----------------|--|
| 2                    | smash his head off of the screen."  | 2              | DEPUTY CORONER MS MONAGHAN: Then you then went off to speak                    |
| 3                    | Now, the pillow. The whole incident from the  | 3              | to the passengers?   |
| 4                    | beginning of when you first started to restrain him to  | 4              | A. Yes.  |
| 5                    | the point at which the paramedics arrived was estimated   | 5              | DEPUTY CORONER MS MONAGHAN: You don't know what happened                       |
| 6                    | to be you estimated 35 minutes?   | 6              | pillow in the meantime?  |
| 7                    | A. I estimated 35 minutes in restraints, yes.   | 7              | A. No.   |
| 8                    | DEPUTY CORONER MS MONAGHAN: 35 minutes in handcuffs,  | 8              | MR BLAXLAND: But the pillow was held in place by you                           |
| 9                    | I think it was?   | 9              | physically holding it, is that right?  |
| 10                   | A. That's correct, yes.   | 10             | A. That's correct, yes.  |
| 11                   | MR BLAXLAND: The period of time it was appears to have  | 11             | Q. It's not a case of Mr Mubenga being able to wedge it                        |
| 12                   | found its way into Mr Mahony's or Mr Cooper's report,   | 12             | himself and hold it there with his head?                                       |
| 13                   | whoever it was, as 40 to 45 minutes. During that  | 13             | A. Well, I think I held it in place in case because he                         |
| 14                   | period, the handcuff period, was the pillow that you  | 14             | was moving his head around so much, I didn't want him to                       |
| 15                   | have told us about in position throughout that period?  | 15             | knock it out of the way.   |
| 16                   | A. I can't remember. I remember putting it in position to   | 16             | Q. He was shouting, was he?  |
| 17                   | start with.   | 17             | A. As far as I'm aware, there was lots of shouting and lots                    |
| 18                   | DEPUTY CORONER MS MONAGHAN: Did it fall to the floor at any   | 18             | of screaming.  |
| 19                   | stage?  | 19             | Q. Was the pillow resting on the tray at any stage, do you                     |
| 20                   | A. I don't remember. As I said, once we had him seated  | 20             | think?   |
| 21                   | I then left to move around the aircraft to speak to some  | 21             | A. No.   |
| 22                   | of the other passengers.  | 22             | Q. For how long do you think he had his head wedged into                       |
| 23                   | MR BLAXLAND: Precisely. This is all quite obvious really,   | 23             | pillow?  |
| 24                   | but just looking at the photograph the tray wasn't down   | 24             | A. I have no idea.   |
| 25                   | as far as you know in fact, no, you have said quite   | 25             | DEPUTY CORONER MS MONAGHAN: I think he said resting on the                     |
|                      | Page 53   |                | Page 55  |
| 1                    | clearly at no point was the tray down?  | 1              | pillow. I'm not sure he said "wedged".   |
| 2                    | A. That's correct, yes.   | 2              | MR BLAXLAND: Let's go back to your report:                                     |
| 3                    | Q. Is that right? The television itself and we don't  | 3              | "Still Mr Mubenga continued to struggle, trying to                             |
| 4                    | really need a photograph to show us this is embedded  | 4              | stand up."   |
| 5                    | into the headrest of the seat in front, isn't it?   | 5              | He had the seat belt on at that point?   |
| 6                    | A. That's correct, yes.   | 6              | A. That's correct, yes.  |
| 7                    | Q. You then have, obviously, the seat in front. What did  | 7              | Q. Well, just describe to us how he was trying to stand up                     |
| 8                    | you actually do with the pillow? Was the pillow resting   | 8              | with a seat belt on and his hands handcuffed behind his                        |
| 9                    | on top of the seat that you were standing immediately in  | 9              | back?  |
| 10                   | front of?   | 10             | A. From my recollection he was trying to lunge up and                          |
| 11                   | A. The seat I was kneeling on, I was holding it against the   | 11             | forward so he's pulling against the seat belt.                                 |
| 12                   | screen.   | 12             | Q. Forcing himself?  |
| 13                   | Q. You were holding the pillow?   | 13             | A. Yes.  |
| 14                   | A. I held the pillow against the screen.  | 14             | Q. What were you doing, trying to force him back down?                         |
| 15                   | Q. You held it in place. When you went off, as you have   | 15             | A. No.   |
| 16                   | told us, and went to speak to the passengers, where was   | 16             | Q. What about your colleague?  |
| 17                   | pillow then?  | 17             | A. My colleagues were trying to restrain him within the                        |
| 18                   | A. I can't remember. I don't know whether one of the other  | 18             | seat, trying to keep him within the seat.                                      |
| 19                   | escorts had taken control of the pillow or whether I had  | 19             | Q. In other words, pull him down?  |
| 20                   | moved to it one side. I don't remember.   | 20             | A. Pull him back into the seat.  |
|                      |   | 21             | Q. Pulling him down?   |
| 21                   | DEPUTY CORONER MS MONAGHAN: Just so I am clear, sorry,  |                |  |
| 21<br>22             | Mr Tribelnig. You put the pillow on the screen  | 22             | A. Back into the seat.   |
| 21<br>22<br>23       | Mr Tribelnig. You put the pillow on the screen<br>A. Against the screen.  | 22<br>23       | Q. How long did that go on for?  |
| 21<br>22<br>23<br>24 | Mr Tribelnig. You put the pillow on the screen<br>A. Against the screen.<br>DEPUTY CORONER MS MONAGHAN: Against the screen to protect | 22<br>23<br>24 | <ul><li>Q. How long did that go on for?</li><li>A. I can't remember.</li></ul> |
| 21<br>22<br>23       | Mr Tribelnig. You put the pillow on the screen<br>A. Against the screen.  | 22<br>23       | Q. How long did that go on for?  |

| 1   | a bit, Mr Tribelnig sorry, I'm sure it me but   | 1           | though, is there?  |
|---|---|-------------|--|
| 2   | I thought he was pushing his head down. Was this before   | 2           | Q. "Mr Mubenga again attempted to stand up and had to be   |
| 3   | he was pushing his head down that he was trying to stand  | 3           | held in his seat by DCO Hughes and DCO Kaler."   |
| 4   | up or   | 4           | So again it has happened, according to you in this   |
| 5   | A. I'm pretty sure this was before.   | 5           | report, is that right?   |
| 6   | DEPUTY CORONER MS MONAGHAN: How long did that last, where   | 6           | A. Yes, according to my report, yes.   |
| 7   | he was trying to stand up before he was going down and  | 7           | Q. You say:  |
| 8   | you put the pillow up?  | 8           | "At this point I was able to move and speak to some  |
| 9   | A. Again, I can't remember how much time.   | 9           | of the passengers to inform them of what was happening."   |
| 10  | DEPUTY CORONER MS MONAGHAN: I see. Thank you.   | 10          | So up until this point, would this be right, what  |
| 11  | MR BLAXLAND: It continues:  | 11          | the three of you were doing is doing all that you can to   |
| 12  | "Mr Mubenga began to try and kick out at DCO Hughes   | 12          | keep the man down in his seat; is that right?  |
| 13  | and DCO Kaler and they both took control of Mr Mubenga's  | 13          | A. To keep the man seated yes.   |
| 14  | legs."  | 14          | MR BLAXLAND: I think that's probably a natural break.  |
| 15  | This is a man with handcuffs on, with a seat belt on  | 15          | DEPUTY CORONER MS MONAGHAN: We'll take a break now,  |
| 16  | in a small area in the back seat of an aeroplane. How   | 16          | Mr Tribelnig. As I said before, and as I say to all  |
| 17  | on earth was he trying to kick?   | 17          | witnesses, please don't discuss your evidence during the   |
| 18  | A. He was sat down, which would have meant that he didn't   | 18          | course of the break.   |
| 19  | have to have all the pressure on his legs. He was able  | 19          | Members of the jury, a ten-minute break again for  |
| 20  | to kick his legs around within the space he was in.   | 20          | the wrist relaxation.  |
| 21  | Q. To either side?  | 21          | (11.30 am)   |
| 22  | A. Possibly, yes.   | 22          | (Break taken)  |
| 23  | Q. Of course the point is this, isn't it: once you have the   |             |  |
| 24  | man in his seat with the handcuffs behind his back and  |             |  |
| 25  | a seat belt on, there's actually no need for anybody  |             |  |
|   | Page 57   |             |  |
| 1   | either side of him to restrain him, is there?   |             |  |
| 2   | A. We were always taught once you take control of the   | 1           | (In the presence of the jury)  |
| 3   | detainee, it stays that way until he's calmed down  | 2           | MR BLAXLAND: We had reached the point when you have  |
| 4   | enough that we can release the restraints.  | 3           | recorded that you were able to move away and speak to  |
| 5   | Q. But he couldn't go anywhere, could he?   | 5           | some of the passengers to inform them of what was  |
| 6   | A. He still had a potential then to thrash himself around   | 6           | happening. So no need, presumably, at that point for   |
| 7   | and do himself even more injury.  |             |  |
|   |   |             | you to be involved in controlling Mr Mubenga?  |
| 8   | Q. Well, you're at the front with your pillow to help   | 7           | A. No.   |
| 8<br>9  | Q. Well, you're at the front with your pillow to help   | 7<br>8      | A. No.<br>Q. Then you have recorded:   |
|   |   | 7<br>8<br>9 | <ul><li>A. No.</li><li>Q. Then you have recorded:</li><li>"Again, Mr Mubenga began to struggle and I returned</li></ul>  |
| 9   | Q. Well, you're at the front with your pillow to help prevent that, aren't you?   | 7<br>8      | <ul> <li>A. No.</li> <li>Q. Then you have recorded:</li> <li>"Again, Mr Mubenga began to struggle and I returned<br/>to take control of the head. Mr Mubenga continued to</li> </ul> |
| 9<br>10   | <ul><li>Q. Well, you're at the front with your pillow to help prevent that, aren't you?</li><li>A. To prevent him from the front end, but there's nothing</li></ul>   | 7<br>8<br>9 | <ul><li>A. No.</li><li>Q. Then you have recorded:</li><li>"Again, Mr Mubenga began to struggle and I returned</li></ul>  |
| 9<br>10<br>11   | <ul> <li>Q. Well, you're at the front with your pillow to help prevent that, aren't you?</li> <li>A. To prevent him from the front end, but there's nothing to stop him from rocking either side.</li> </ul>  | 7<br>8<br>9 | <ul> <li>A. No.</li> <li>Q. Then you have recorded:</li> <li>"Again, Mr Mubenga began to struggle and I returned<br/>to take control of the head. Mr Mubenga continued to</li> </ul> |
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15 (Pages 57 to 60)

| 1  | shout and then forced his head down in an attempt to   | 1  | A. He would have been sat with his legs wrapped around  |
|--|--|--|---|
| 2  | bite DCO Hughes."  | 2  | Mr Mubenga's legs, probably right next to him or not far  |
| 3  | Again, going back to this I don't want to overdo   | 3  | from him.   |
| 4  | it you repeated the point about controlling the head.  | 4  | DEPUTY CORONER MS MONAGHAN: Pausing there. So far as you  |
| 5  | You mentioned it earlier on and then you repeated it.  | 5  | recall, until the time at which you become a aware that   |
| 6  | When you returned, because this incident was continuing,   | 6  | Mr Mubenga was unresponsive, as far as you're aware were  |
| 7  | did you then control his head?   | 7  | Mr Hughes and Mr Kaler's legs wrapped round Mr Mubenga's  |
| 8  | A. As I stated before, I'm sure I probably reached across  | 8  | to prevent him kicking?   |
| 9  | to try and grab hold of the top of his jacket to stop  | 9  | A. As far as I'm aware, yes.  |
| 10   | him from rocking from side-to-side.  | 10   | DEPUTY CORONER MS MONAGHAN: Did you at any time see either  |
| 11   | Q. So in fact what you should have written in this report  | 11   | of them stand up or rise from their seat in any way?  |
| 12   | was:   | 12   | A. No. As I say, when I moved away I went to speak to the   |
| 13   | "At that point I took hold of his jacket"?   | 13   | other passengers.   |
| 14   | A. Yes.  | 14   | DEPUTY CORONER MS MONAGHAN: So they didn't kneel on the   |
| 15   | Q. Why didn't you write that?  | 15   | seat in any sense like you did?   |
| 16   | A. I can't remember at the time.   | 16   | A. Not that I'm aware of, no.   |
| 17   | Q. Why did you just use this expression "I returned to take  | 17   | MR BLAXLAND: At this particular point, the point at which   |
| 18   | control of the head" rather than describing what you   | 18   | you have returned and the point at which you say  |
| 19   | actually did?  | 19   | Mr Mubenga pushed his head down, your explanation being   |
| 20   | A. Because as part of a three-man team you would be  | 20   | that he was trying to bite DCO Hughes at that point,  |
| 20   | responsible for the head.  | 21   | just help us with this: Mr Hughes was still sat with his  |
| 21   | Q. "Mr Mubenga continued to shout and then forced his head   | 22   | legs wrapped around Mr Mubenga, is that right?  |
| 22   | down in an attempt to bite DCO Hughes."  | 23   | A. As far as I recall, yes.   |
| 23   | There's no reference here in this report to  | 24   | Q. Well, can I just put this description to you:  |
| 24<br>25   | -  | 25   | Mr Hughes, standing up, with one leg, his left leg,   |
| 23   | DCO Hughes saying anything, "He's trying to bite me," is<br>Page 61  | 25   | Page 63   |
|  | Tage 01  | -  | 1 420 05  |
| 1  | there?   | 1  | kneeling on the seat that he had been sitting in?   |
| 2  | A. I can't remember without going through the thing again.   | 2  | A. I don't remember that, no.   |
| 3  | I thought I had made reference to the fact.  | 3  | Q. At any stage?  |
| 4  | Q. There's nothing in this report to say that DCO Hughes   | 4  | A. No, not at any stage.  |
| 5  | said, "He's trying to bite me"?  | 5  | Q. Are you confident that didn't happen?  |
| 6  | A. Without reading   | 6  | A. I'm not confident it didn't happen. What I said is   |
| 7  | Q. You mentioned it in your interview with the police but  | 7  | I didn't see it. I did not witness it.  |
| 8  | not here. This rather raises the question what was it  | 8  | Q. You were probably in the best position to see that?  |
| 9  | that made you think that he was attempting to bite   | 9  | A. While I was in the seat in front. As I said, I had   |
| 10   | DCO Hughes, doesn't it?  | 10   | moved away and I was off speaking to the other  |
| 11   | A. Yes.  | 11   | passengers.   |
| 12   | Q. Unless that's what you had agreed you were going to   | 12   | Q. The point that his head goes down, at that point   |
| 13   | write before you wrote this report. Had you agreed with  | 13   | A. Yes.   |
| 14   |  |  | Q you're there, nobody could be in a better position to   |
| 14   | your two colleagues that that's what you were going to   | 14   | Q you're mere, nobody could be in a better position to  |
|  |  |  |   |
| 15   | put in the report?   | 15   | see it than you?  |
| 15<br>16   | put in the report?<br>A. We hadn't agreed to write anything.   | 15<br>16   | see it than you?<br>A. Yes.   |
| 15<br>16<br>17   | <ul><li>put in the report?</li><li>A. We hadn't agreed to write anything.</li><li>Q. Because this is the point at which you say, "He forced</li></ul>  | 15<br>16<br>17   | see it than you?<br>A. Yes.<br>Q. And you didn't?   |
| 15<br>16<br>17<br>18   | <ul><li>put in the report?</li><li>A. We hadn't agreed to write anything.</li><li>Q. Because this is the point at which you say, "He forced his head down," yes?</li></ul>   | 15<br>16<br>17<br>18                                     | see it than you?<br>A. Yes.<br>Q. And you didn't?<br>A. I didn't see it, no.  |
| 15<br>16<br>17<br>18<br>19   | <ul><li>put in the report?</li><li>A. We hadn't agreed to write anything.</li><li>Q. Because this is the point at which you say, "He forced his head down," yes?</li><li>A. Yes.</li></ul>   | 15<br>16<br>17<br>18<br>19                               | <ul> <li>see it than you?</li> <li>A. Yes.</li> <li>Q. And you didn't?</li> <li>A. I didn't see it, no.</li> <li>Q. What made you think that he was trying to bite</li> </ul>   |
| 15<br>16<br>17<br>18<br>19<br>20   | <ul> <li>put in the report?</li> <li>A. We hadn't agreed to write anything.</li> <li>Q. Because this is the point at which you say, "He forced his head down," yes?</li> <li>A. Yes.</li> <li>Q. The learned coroner asked you about this yesterday, but</li> </ul>  | 15<br>16<br>17<br>18<br>19<br>20                         | <ul> <li>see it than you?</li> <li>A. Yes.</li> <li>Q. And you didn't?</li> <li>A. I didn't see it, no.</li> <li>Q. What made you think that he was trying to bite<br/>Mr Hughes's leg?</li> </ul>  |
| 15<br>16<br>17<br>18<br>19<br>20<br>21   | <ul> <li>put in the report?</li> <li>A. We hadn't agreed to write anything.</li> <li>Q. Because this is the point at which you say, "He forced his head down," yes?</li> <li>A. Yes.</li> <li>Q. The learned coroner asked you about this yesterday, but it's important. How far down did he get his head?</li> </ul>  | 15<br>16<br>17<br>18<br>19<br>20<br>21                   | <ul> <li>see it than you?</li> <li>A. Yes.</li> <li>Q. And you didn't?</li> <li>A. I didn't see it, no.</li> <li>Q. What made you think that he was trying to bite<br/>Mr Hughes's leg?</li> <li>A. I can't think of any other reason why he would want to</li> </ul>   |
| 15<br>16<br>17<br>18<br>19<br>20<br>21<br>22   | <ul> <li>put in the report?</li> <li>A. We hadn't agreed to write anything.</li> <li>Q. Because this is the point at which you say, "He forced his head down," yes?</li> <li>A. Yes.</li> <li>Q. The learned coroner asked you about this yesterday, but it's important. How far down did he get his head?</li> <li>A. I can't remember. I thought it was somewhere around</li> </ul>  | 15<br>16<br>17<br>18<br>19<br>20<br>21<br>22             | <ul> <li>see it than you?</li> <li>A. Yes.</li> <li>Q. And you didn't?</li> <li>A. I didn't see it, no.</li> <li>Q. What made you think that he was trying to bite<br/>Mr Hughes's leg?</li> <li>A. I can't think of any other reason why he would want to<br/>put his head down.</li> </ul>  |
| 15<br>16<br>17<br>18<br>19<br>20<br>21<br>22<br>23   | <ul> <li>put in the report?</li> <li>A. We hadn't agreed to write anything.</li> <li>Q. Because this is the point at which you say, "He forced his head down," yes?</li> <li>A. Yes.</li> <li>Q. The learned coroner asked you about this yesterday, but it's important. How far down did he get his head?</li> <li>A. I can't remember. I thought it was somewhere around about the mid-table or around the table of the chair in</li> </ul>        | 15<br>16<br>17<br>18<br>19<br>20<br>21<br>22<br>23       | <ul> <li>see it than you?</li> <li>A. Yes.</li> <li>Q. And you didn't?</li> <li>A. I didn't see it, no.</li> <li>Q. What made you think that he was trying to bite Mr Hughes's leg?</li> <li>A. I can't think of any other reason why he would want to put his head down.</li> <li>Q. Did Mr Hughes actually say, "He's trying to bite me"?</li> </ul>                                      |
| <ol> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> <li>24</li> </ol> | <ul> <li>put in the report?</li> <li>A. We hadn't agreed to write anything.</li> <li>Q. Because this is the point at which you say, "He forced his head down," yes?</li> <li>A. Yes.</li> <li>Q. The learned coroner asked you about this yesterday, but it's important. How far down did he get his head?</li> <li>A. I can't remember. I thought it was somewhere around about the mid-table or around the table of the chair in front.</li> </ul> | 15<br>16<br>17<br>18<br>19<br>20<br>21<br>22<br>23<br>24 | <ul> <li>see it than you?</li> <li>A. Yes.</li> <li>Q. And you didn't?</li> <li>A. I didn't see it, no.</li> <li>Q. What made you think that he was trying to bite Mr Hughes's leg?</li> <li>A. I can't think of any other reason why he would want to put his head down.</li> <li>Q. Did Mr Hughes actually say, "He's trying to bite me"?</li> <li>A. Again, I can't remember.</li> </ul> |
| 15<br>16<br>17<br>18<br>19<br>20<br>21<br>22<br>23   | <ul> <li>put in the report?</li> <li>A. We hadn't agreed to write anything.</li> <li>Q. Because this is the point at which you say, "He forced his head down," yes?</li> <li>A. Yes.</li> <li>Q. The learned coroner asked you about this yesterday, but it's important. How far down did he get his head?</li> <li>A. I can't remember. I thought it was somewhere around about the mid-table or around the table of the chair in</li> </ul>        | 15<br>16<br>17<br>18<br>19<br>20<br>21<br>22<br>23       | <ul> <li>see it than you?</li> <li>A. Yes.</li> <li>Q. And you didn't?</li> <li>A. I didn't see it, no.</li> <li>Q. What made you think that he was trying to bite<br/>Mr Hughes's leg?</li> <li>A. I can't think of any other reason why he would want to<br/>put his head down.</li> <li>Q. Did Mr Hughes actually say, "He's trying to bite me"?</li> </ul>                              |

16 (Pages 61 to 64)

|          | ,<br>,   |    | · · ·  |
|----------|--|----|--|
| 1        | A. I know that's what I told the police. I can't remember  | 1  | DEPUTY CORONER MS MONAGHAN: About anything that would go in                                |
| 2        | if it was a verbal, "He's trying to bite me," or whether   | 2  | your report?   |
| 3        | he just made a gnashing with his teeth as if he's          | 3  | A. That's right.   |
| 4        | signalling, "He's trying to bite me."                      | 4  | DEPUTY CORONER MS MONAGHAN: I think he has answered that.                                  |
| 5        | Q. Right. Is the truth of the matter this, that you had to | 5  | MR BLAXLAND: Have you ever heard detainees on other  |
| 6        | come up with an explanation for why this man was bent      | 6  | occasions say there are a certain things that people                                       |
| 7        | right over for a long period of time and the explanation   | 7  | traditionally shout out. Have you ever heard people  |
| 8        | that you three agreed to give was that it was because he   | 8  | shouting out, for example, "You're killing me"? Has  |
| 9        | was trying to bite one of them?                            | 9  | that happened?   |
| 10       | A. I didn't agree anything.                                | 10 | A. That has happened on flights, yes.  |
| 11       | Q. Is the other thing that the three of you agreed that    | 11 | MR BLAXLAND: This is what you told police in interview                                     |
| 12       | none of you were going to say that he said, "I can't       | 12 | about it. It's page 84. I'll just read it and you may                                      |
| 13       | breathe"?  | 13 | want to refer to it.   |
| 14       | A. As I've said, I didn't agree anything.                  | 14 | DEPUTY CORONER MS MONAGHAN: The same bundle as the documer                                 |
| 15       | DEPUTY CORONER MS MONAGHAN: Sorry, Mr Blaxland, may I just | 15 | that we were looking at, so your report, page 84 of that                                   |
| 16       | ask this question?   | 16 | file. Just so he can remind himself.   |
| 17       | -  | 17 | A. Okay.   |
| 18       | MR BLAXLAND: Indeed.                                       | 18 | MR BLAXLAND: "We carry out enforced removals and a lot of                                  |
| 19       | DEPUTY CORONER MS MONAGHAN: Did he say anything that       | 19 | them will see"   |
|          | suggested to you he was in danger or he was concerned      |    |  |
| 20       | about his well-being?                                      | 20 | MS HEWITT: Sorry, madam, I do rise to my feet. What is                                     |
| 21       | A. Mr Mubenga?   | 21 | being read has missed out the important first word of                                      |
| 22       | DEPUTY CORONER MS MONAGHAN: Yes.                           | 22 | that answer.   |
| 23       | A. No.   | 23 | DEPUTY CORONER MS MONAGHAN: I'm not even there. Please                                     |
| 24       | DEPUTY CORONER MS MONAGHAN: Did he say, "I'm in pain"?     | 24 | tell me where we are.  |
| 25       | A. No.   | 25 | MS HEWITT: Page 84 of the police interviews. Mr Blaxland                                   |
|          | Page 65  |    | Page 67  |
| 1        | DEPUTY CORONER MS MONAGHAN: Did he say, "You're killing    | 1  | is reading out Mr Tribelnig's answer to a question. He                                     |
| 2        | me"?   | 2  | has missed out the first word of the answer which is of                                    |
| 3        | A. No. I can't remember what was said. There was a lot of  | 3  | great importance and he's missed out the question.   |
| 4        | shouting and a lot of screaming.                           | 4  | I wonder whether he could go back to page 83, have the                                     |
| 5        | DEPUTY CORONER MS MONAGHAN: Do you remember him saying,    | 5  | question read and the answer in full.  |
| 6        | "You're killing me"?                                       | 6  | MR BLAXLAND: Of course.  |
| 7        | A. No.   |    | DEPUTY CORONER MS MONAGHAN: Then we'll get the full  |
| 8        | DEPUTY CORONER MS MONAGHAN: That would be something quite  | 8  | -  |
| 9        |  | 9  | context. Thank you, Ms Hewitt.<br>MR BLAXLAND: Thank you very much. The bottom of page 83. |
|          | important, wouldn't it?                                    |    |  |
| 10       | A. It would have been.                                     | 10 | Let's take the whole passage, shall we? This what the                                      |
| 11       | DEPUTY CORONER MS MONAGHAN: So if he had said that and you | 11 | police asked:  |
| 12       | had heard it   | 12 | "Right, because I mean we've said it in the  |
| 13       | A. Yes.  | 13 | disclosure"  |
| 14       | DEPUTY CORONER MS MONAGHAN: you ought to have put it in    | 14 | In other words before the interview you were given   |
| 15       | your report?   | 15 | a summary of what the witnesses were saying. You were                                      |
| 16       | A. Yes.  | 16 | told in advance. Your solicitor had been provided with                                     |
| 17       | DEPUTY CORONER MS MONAGHAN: Thank you.                     | 17 | a summary of the matters which may be put to you in  |
| 18       | MR BLAXLAND: Is the position this, that before you wrote   | 18 | interview. It's called advance disclosure. You had   |
| 19       | these reports you agreed between you, you three, that      | 19 | that, didn't you?  |
| 20       | you were going to say nothing about what Mr Mubenga        | 20 | A. Yes.  |
| 21       | actually said?   | 21 | Q. Right. So DC Byrne said to you:   |
| 22       | A. We didn't agree anything.                               | 22 | "I mean, we've said it in the disclosure [which is   |
| 23       | DEPUTY CORONER MS MONAGHAN: He has said Mr Tribelnig's     | 23 | a reference to the information you had been given] that                                    |
| 24       | position is there's no discussion at all?                  | 24 | witnesses have said that he was shouting that he   |
| 24       |  |    |  |
| 24<br>25 | A. No.   | 25 | couldn't breathe. Do you remember him saying that?   |

|          | -  | -  |   |
|----------|--|----|---|
| 1        | "Answer: No."  | 1  | you think that this was said by Mr Mubenga or it wasn't   |
| 2        | A. Yes.  | 2  | said by Mr Mubenga?   |
| 3        | Q. The question:   | 3  | "Answer: Which?   |
| 4        | "You don't?  | 4  | "Question: 'I can't breathe'.   |
| 5        | "Answer: I don't remember, no.                             | 5  | "Answer: I don't remember him saying I can't  |
| 6        | "Question: Right. What about the other words he            | 6  | breathe.  |
| 7        | used, such as 'you're killing me'? Do you remember that    | 7  | "Question: What about 'You're killing me', do you   |
| 8        | phrase being said at any stage?                            | 8  | remember that being said?   |
| 9        | "Answer: No. We carry out enforced removals and            | 9  | "Answer: I can't remember, no."   |
| 10       | a lot of them we'll see when you get the disruptives,      | 10 | That is the full passage.   |
| 11       | the patterns all fall into the same: you're trying to      | 11 | MR BLAXLAND: Yes. Can I just ask you to move to another   |
| 12       | kill me, you're trying to do this, you're trying to do     | 12 | passage at page 99. I asked you in part about this  |
| 13       | that, this isn't right, I shouldn't be doing this, I'm     | 13 | yesterday. You were asked this:   |
| 14       | not an animal, you know I'm not a prisoner. We get         | 14 | "If the witnesses are correct, do you recall at any   |
| 15       | a lot of this sort of thing which all falls rolls          | 15 | stage Mr Mubenga shouting, "I can't breathe".   |
| 16       | into this one. But this particular case, because I've      | 16 | "Answer: No, I don't remember.  |
| 17       | literally been lunged at or therefore attacked, I was      | 17 | "Question: If that's correct, Stuart, if that's   |
| 18       | more concentrated on containing the situation so that we   | 18 | correct, what would you have done if you could recall   |
| 19       | could get him into restraints and then proceed to sit      | 19 | now, 'I can't breathe'?   |
| 20       | him.   | 20 |   |
| 20<br>21 | "Question: Obviously it isn't mentioned in your Use        | 20 | "Answer: Well, the guy would have been released<br>well, not necessarily released, but any restraint that |
| 21<br>22 | · · · ·  |    | would have been used would have been removed so that we   |
|          | of Force Incident Report [DC Byrne said] and that's the    | 22 |   |
| 23       | reason you're being asked it now, Stuart, do you           | 23 | could then check for me before applying any necessary   |
| 24       | understand?  | 24 | restraint again."   |
| 25       | "Answer: Yeah."<br>Page 69                                 | 25 | Mr Tribelnig, is the reason that you didn't mention   |
|          | Fage 09  |    | Page 71   |
| 1        | Just so that we can finish this, you were then asked       | 1  | the fact that Mr Mubenga had said he couldn't breathe   |
| 2        | about, "I can't breathe," and you said:                    | 2  | because you did hear it and you knew perfectly well,  |
| 3        | "I don't remember him saying I can't breathe.              | 3  | having heard it, that you should have done something  |
| 4        | "Question: What about 'You're killing me', do you          | 4  | about it?   |
| 5        | remember that being said?                                  | 5  | A. As I said before, I did not hear him say, "I can't   |
| 6        | "Answer: I can't remember, no.                             | 6  | breathe."   |
| 7        | "Question: Other witnesses have said and it's within       | 7  | Q. The officer continued, you were asked again about the  |
| 8        | the disclosure that weight was actually being applied to   | 8  | phrase "you're killing me":   |
| 9        | him."  | 9  | "What about the other phrase, 'You're killing me'?  |
| 10       | So the police then went on to deal with that.              | 10 | If that was being said how would you if the witnesses   |
| 11       | MS HEWITT: Madam, just for completeness, there's a small   | 11 | are correct, would that have changed anything is what   |
| 12       | section missed out, jumped there. Maybe while we're        | 12 | I'm asking?   |
| 13       | looking at it and the witness is being asked, for          | 13 | "Answer: We would have responded with the fact that,  |
| 14       | absolute completeness, that small section should be        | 14 | you know, we're not killing you, we're basically  |
| 15       | DEPUTY CORONER MS MONAGHAN: So above the "I can't breathe" | 15 | carrying out our job."  |
| 16       | section.   | 16 | In other words, you would have just said something  |
| 17       | MS HEWITT: "Then proceed to sit him." DC Byrne:            | 17 | to him. That's what you were saying, is that right?   |
| 18       | "Because obviously it isn't mentioned in your Use of       | 18 | A. Yes.   |
| 19       | Force Injury Report and that's the reason you're being     | 19 | Q. "Right. As I say, that particular phrase you'll find on  |
| 20       | asked it now, Stuart, do you understand?"                  | 20 | the majority of removals that we do. That particular  |
| 21       | Mr Tribelnig:  | 21 | phrase is what they say quite often.  |
| 22       | "Yes, I understand why I'm being asked the question.       | 22 | "Question: What about the phrase 'I can't breathe',   |
| 23       | If it's not in my incident report it's because I don't     | 23 | is that said?   |
| 24       | remember why.  | 24 | Answer: I've never heard that one."   |
| 25       | "Question: So what do you think now on 3 March, do         | 25 | Is that right?  |
|          | Page 70  |    | Page 72   |
| L        | 1 450 / 0  |    | 1 "0" / 2   |

| 1A. I've never heard it on a removal, no.1A. No.2Q. There were about 20 occasions on which you had applied2Q. Can we go back to your Use of Force Report, please.3handcuffs, is this right, to somebody who was then3had got to the point where he forced his head down in4restrained in a seat?4an attempt to bite DCO Hughes. You then said:5A. Yes. More than 20 more than 20 times handcuffs had5"DCO Hughes and DCO Kaler tried to pull Mr Mull6been applied to someone who had been restrained in6up but he continued to push his head down."  |        |
|--|--------|
| 3handcuffs, is this right, to somebody who was then3had got to the point where he forced his head down in4restrained in a seat?4an attempt to bite DCO Hughes. You then said:5A. Yes. More than 20 more than 20 times handcuffs had5"DCO Hughes and DCO Kaler tried to pull Mr Multiple"   |        |
| 4       restrained in a seat?       4       an attempt to bite DCO Hughes. You then said:         5       A. Yes. More than 20 more than 20 times handcuffs had       5       "DCO Hughes and DCO Kaler tried to pull Mr Mull  | We     |
| 5 A. Yes. More than 20 more than 20 times handcuffs had 5 "DCO Hughes and DCO Kaler tried to pull Mr Mul   |        |
|  |        |
| 6 been applied to someone who had been restrained in 6 up but he continued to push his head down."   | enga   |
|  |        |
| 7 <b>a seat.</b> 7 Again, you were asked about this yesterday.   |        |
| 8 DEPUTY CORONER MS MONAGHAN: You told us that was a rough 8 Describe to us what they were doing trying to pull hin  | L      |
| 9 and ready figure, but it was a significant number of 9 up?   |        |
| 10 times? 10 A. I can't remember exactly, but I'm sure they had the  | neir   |
| 11 A. Yes. 11 arms through his arm and trying to pull him back   |        |
| 12 DEPUTY CORONER MS MONAGHAN: Are you specifically referring 12 the chair.  | •      |
| 13 to the back stack or handcuffs in general? 13 Q. Without success?   |        |
| 14 MR BLAXLAND: I was referring to handcuffs in general. 14 A. Without success, yes.   |        |
| 15A. Handcuffs in general could be 50, 60.15Q. So he was so strong, from what you could see, that h  |        |
| 16 Q. Back stack, 20? 16 was able to hold himself down?  |        |
| 17A. 5, 10, 20. I couldn't give you an exact number.17A. He was quite strong holding himself in the positio  | 1.     |
| 18       Q. On those occasions, detainee bent forward?         18       yes. He was a very strong person.  | -,     |
| 19A. He would have to have been, yes.19Q. Still trying, so far as you could see, to bite one of  |        |
| 20       Q. So how many times has this happened that the detainee       20       the m?  |        |
| 20       Q: 50 How many times has any happened that the detailed         21       has been restrained and bent forward?         21       A. All I could see was the head moving around.  |        |
| <ul> <li>22 A. However many times the handcuffs have been applied to</li> <li>22 Q. "He was still shouting and we were trying to talk him</li> </ul>   |        |
| 23 the rear stack. 23 down," you said?   |        |
| <ul> <li>24 DEPUTY CORONER MS MONAGHAN: I think Mr Tribelnig is saying</li> <li>24 A. Yeah, this was consistent of continuous.</li> </ul>  |        |
| <ul> <li>25 that every time you're rear stacked handcuffed on</li> <li>25 Q. There's no mention in this report of you saying anyth</li> </ul>  | ng     |
| Page 73 Page 75  | ing    |
|  |        |
| 1 a seat, you will be bent forward? 1 to them any command, "I want him up. Get him   | ıp".   |
| 2 A. You physically have to lean forward. 2 Nothing like that in here, is there?   |        |
| 3 MR BLAXLAND: Have you had a case like this before, where 3 A. No, not that I can remember from this.   |        |
| 4 somebody throws themselves forward on your version of 4 Q. One of the things that you were specifically advise   | d to   |
| 5 events? 5 include in the report was any command that you ga  |        |
| 6 A. Well, been launched at myself? 6 that right?  |        |
| 7 Q. Yes, in a seat, rear stack, and then bent right over in 7 A. It was on the sheet that we looked at this morni   | ng. As |
| 8 the way that you describe Mr Mubenga was. Has that ever 8 I said, I didn't have had sheet with me when I fil   | ed     |
| 9 happened before? 9 out my report.  |        |
| 10 A. We've had situations like this before, yes. 10 Q. But in one sense the fact that you told both of your   |        |
| 11 Q. The detainee was perfectly okay at the end of it? 11 colleagues to get him up was vitally important, was   | n't    |
| 12 A. Yes. 12 it?  |        |
| 13 Q. Have you had an instance where somebody has been in that 13 A. I would say yes.  |        |
|  |        |
| 14 position for about 30 minutes? 14 Q. Sorry?   |        |
|  |        |
| 15 A. The amount of time that they spend in handcuffs would be 15 A. I would say yes.  | n't    |
| 15A. The amount of time that they spend in handcuffs would be<br>dictated by them.15A. I would say yes.16dictated by them.16Q. Because what you're saying is this: if, and you did:  | ı't    |
| 15A. The amount of time that they spend in handcuffs would be<br>dictated by them.15A. I would say yes.16dictated by them.16Q. Because what you're saying is this: if, and you did<br>know and we don't we'll hear about it, but if the17Q. Has there been a previous occasion or occasions on which17Know and we don't we'll hear about it, but if the  |        |
| 15A. The amount of time that they spend in handcuffs would be<br>dictated by them.15A. I would say yes.16dictated by them.16Q. Because what you're saying is this: if, and you did<br>know and we don't we'll hear about it, but if the<br>somebody has been restrained in handcuffs, bent forward15A. I would say yes.18somebody has been restrained in handcuffs, bent forward18fact that he was bent down in the seat had somethin  |        |
| 15A. The amount of time that they spend in handcuffs would be<br>dictated by them.15A. I would say yes.16dictated by them.16Q. Because what you're saying is this: if, and you did<br>know and we don't we'll hear about it, but if the<br>somebody has been restrained in handcuffs, bent forward17N. I would say yes.18somebody has been restrained in handcuffs, bent forward18fact that he was bent down in the seat had somethin<br>do with the reason that he died, it had nothing to do   |        |
| 15A. The amount of time that they spend in handcuffs would be<br>dictated by them.15A. I would say yes.16dictated by them.16Q. Because what you're saying is this: if, and you did<br>know and we don't we'll hear about it, but if the<br>fact that he was bent down in the seat had somethin<br>do with the reason that he died, it had nothing to do<br>with us, it was all him, he was doing it all himself,   |        |
| 15A. The amount of time that they spend in handcuffs would be<br>dictated by them.15A. I would say yes.16dictated by them.16Q. Because what you're saying is this: if, and you did<br>know and we don't we'll hear about it, but if the<br>for a period of about 30 minutes in an aircraft seat?16A. I would say yes.19for a period of about 30 minutes in an aircraft seat?18fact that he was bent down in the seat had somethin<br>do with the reason that he died, it had nothing to do20A. We've had occasions that have probably gone on longer<br>2120with us, it was all him, he was doing it all himself,<br>it's all his fault. That's what you're saying, isn't  |        |
| 15A. The amount of time that they spend in handcuffs would be<br>dictated by them.15A. I would say yes.16dictated by them.16Q. Because what you're saying is this: if, and you did<br>know and we don't we'll hear about it, but if the<br>for a period of about 30 minutes in an aircraft seat?16Q. Because what you're saying is this: if, and you did<br>know and we don't we'll hear about it, but if the<br>fact that he was bent down in the seat had somethin<br>do with the reason that he died, it had nothing to do<br>2020A. We've had occasions that have probably gone on longer<br>2120with us, it was all him, he was doing it all himself,<br>it's all his fault. That's what you're saying, isn't<br>2222Q. Without any ill-effects?22it'?                                |        |
| 15A. The amount of time that they spend in handcuffs would be<br>dictated by them.15A. I would say yes.16dictated by them.16Q. Because what you're saying is this: if, and you did<br>know and we don't we'll hear about it, but if the<br>for a period of about 30 minutes in an aircraft seat?16Q. Because what you're saying is this: if, and you did<br>know and we don't we'll hear about it, but if the<br>fact that he was bent down in the seat had somethin<br>do with the reason that he died, it had nothing to do20A. We've had occasions that have probably gone on longer<br>2120with us, it was all him, he was doing it all himself,<br>2121than that, yes.21it's all his fault. That's what you're saying, isn't<br>2223A. Yes.23A. I don't know the reasons behind this. |        |
| 15A. The amount of time that they spend in handcuffs would be<br>dictated by them.15A. I would say yes.16dictated by them.16Q. Because what you're saying is this: if, and you did<br>know and we don't we'll hear about it, but if the<br>for a period of about 30 minutes in an aircraft seat?16Q. Because what you're saying is this: if, and you did<br>know and we don't we'll hear about it, but if the<br>fact that he was bent down in the seat had somethin<br>do with the reason that he died, it had nothing to do<br>2020A. We've had occasions that have probably gone on longer<br>2120with us, it was all him, he was doing it all himself,<br>it's all his fault. That's what you're saying, isn't<br>2222Q. Without any ill-effects?22it'?                                | g to   |

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| 1  | what hannoned  | 1  | A. The row in front, yes.   |
|--|--|--|---|
| 1<br>2   | what happened.<br>Q. But the   | 2  | DEPUTY CORONER MS MONAGHAN: The row in front. He's in the   |
|  | -  | 3  | seat behind with his arms behind his back?  |
| 3  | A. I can only give you   | 4  | A. That's correct, yes.   |
| 4  | Q. But the explanation you are giving for the fact that the  | 5  | DEPUTY CORONER MS MONAGHAN: I can't see how you would be  |
| 5  | man was bent right over is not because you were forcing  | 6  | able to reach his fingertips?   |
| 6  | him down but because he was doing it himself?  | 7  | A. This is at the point, as we've just discussed, that he's   |
| 7<br>8   | <ul><li>A. He put himself in that position, yes.</li><li>Q. Or is the truth that you were actually forcing him down</li></ul>  | 8  | actually leaning right forward. So he's actually pushed   |
| °<br>9   | into the seat?   | 9  | himself down.   |
|  |  | 10   | DEPUTY CORONER MS MONAGHAN: It must be really right forward   |
| 10<br>11   | A. As I said, we did not force him down in the seat.   | 11   | for you to be able to well, I don't know, you tell  |
|  | <ul><li>Q. Have you done it before?</li><li>A. Never.</li></ul>  | 12   | me. I'm tying to get a mental image of it.  |
| 12<br>13   | Q. Forced people down in the seat?   | 13   | A. I'm kneeling up in the seat, moving across the top of  |
| 13   | A. No, I've never forced anybody down in the seat.   | 14   | the seat. So I'm quite a lot higher than he is. He's  |
| 14<br>15   | Q. "He was still shouting and we were trying to talk him   | 15   | leaning forward in the seat, leaning down, but his hands  |
| 15   | down. At this point I began to check his circulation by  | 16   | are in a back stack position so they're round the middle  |
| 10   | squeezing his fingertips."   | 17   | of his back. So not much further than where I was when  |
| 17   | This is while you are back in your position in the   | 18   | I was holding his jacket.   |
| 19   | middle of row 39, is that right?   | 19   | DEPUTY CORONER MS MONAGHAN: Right.  |
| 20   | A. That would have been correct, yes.  | 20   | MR BLAXLAND: So you're leaning right over the top of him?   |
| 20   | Q. Leaning right over him?   | 21   | A. Leaning over the top of the jacket yes.  |
| 21   | A. Leaning over the top of the seat, yes.  | 22   | Q. Why did you want to do that at that stage? What was the  |
| 22   | Q. So he was bent right down and you were able to get hold   | 23   | point of that?  |
| 23<br>24   | of his fingers, is that right?   | 24   | A. I don't know why I did it. It's just one of the checks   |
| 25   | A. Yes.  | 25   | that we do normally when handcuffs are applied.   |
| 23   | Page 77  |  | Page 79   |
|  |  |  |   |
| 1  | MR BLAXLAND: The man is struggling, is that right  | 1  | Q. Were you worried that he was unconscious or he might be  |
| 2  | DEPUTY CORONER MS MONAGHAN: No, he's unresponsive at this  | 2  | about to become unconscious?  |
| 3  | point, isn't he? No, I beg your pardon.  | 3  | A. No, I was worried that handcuffs may have been too   |
| 4  | A. No, I'm sure he was still struggling at the time.   | 4  | tight.  |
| 5  | MR BLAXLAND: "He was still shouting and we were trying to  | 5  | Q. But how would that help you? How would the fingertip,  |
| 6  | talk him down. At this point I began to check his  | 6  | that's  |
| 7  | circulation by squeezing his fingertips."  | 7  | A. If the handcuffs are restricted, as far I'm aware.   |
| 8  | So this is a struggling man?   | 8  | Q to do with circulation. Is that not a test to see   |
| 9  | A. Yes.  | 9  | whether or not somebody is still the heart is working   |
| 10   | Q. When you say squeezes, there's a technical term for it,   | 10   | properly?   |
| 11   | but you basically touched the fingernail, is that right?   | 11   | A. I can't remember completely what the test is for, but  |
| 12   | A. That's correct, yes.  | 12   | I was using it I think to check to make sure the  |
| 13   | Q. And it will go white and if the circulation is working  | 13   | handcuffs weren't too tight.  |
| 14   | correctly then   | 14   | Q. What conclusion did you come to?   |
| 15   | A. It will resume its natural colour.  | 15   | A. Well, his fingers resumed their natural colour from what   |
| 16   | Q. The blood will come back. That's a basic technique, is  | 16   | I could tell.   |
| 17   | 4.4.1.1.0  | 1 7  |   |
|  | that right?  | 17   | Q. You know about the injuries to his wrist, don't you?   |
| 18   | A. It's called capillary reflex.   | 18   | A. Yes.   |
| 19   | <ul><li>A. It's called capillary reflex.</li><li>Q. In the midst of all this you were able to carry that out</li></ul>   | 18<br>19   | <ul><li>A. Yes.</li><li>Q. From which we can he had bruising to his wrists as</li></ul>   |
| 19<br>20   | <ul><li>A. It's called capillary reflex.</li><li>Q. In the midst of all this you were able to carry that out and be able to see that the circulation was working</li></ul>   | 18<br>19<br>20   | <ul><li>A. Yes.</li><li>Q. From which we can he had bruising to his wrists as a result of the handcuffs?</li></ul>  |
| 19<br>20<br>21   | <ul><li>A. It's called capillary reflex.</li><li>Q. In the midst of all this you were able to carry that out and be able to see that the circulation was working properly?</li></ul>   | 18<br>19<br>20<br>21   | <ul><li>A. Yes.</li><li>Q. From which we can he had bruising to his wrists as a result of the handcuffs?</li><li>A. That's correct, yes.</li></ul>  |
| 19<br>20<br>21<br>22   | <ul> <li>A. It's called capillary reflex.</li> <li>Q. In the midst of all this you were able to carry that out and be able to see that the circulation was working properly?</li> <li>A. That's correct, yes.</li> </ul>   | 18<br>19<br>20<br>21<br>22   | <ul> <li>A. Yes.</li> <li>Q. From which we can he had bruising to his wrists as a result of the handcuffs?</li> <li>A. That's correct, yes.</li> <li>Q. Did it occur to you that it might be an idea to release</li> </ul>  |
| 19<br>20<br>21<br>22<br>23   | <ul> <li>A. It's called capillary reflex.</li> <li>Q. In the midst of all this you were able to carry that out and be able to see that the circulation was working properly?</li> <li>A. That's correct, yes.</li> <li>DEPUTY CORONER MS MONAGHAN: I am sorry to interrupt again,</li> </ul>   | <ol> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> </ol>             | <ul> <li>A. Yes.</li> <li>Q. From which we can he had bruising to his wrists as a result of the handcuffs?</li> <li>A. That's correct, yes.</li> <li>Q. Did it occur to you that it might be an idea to release his handcuffs at that point?</li> </ul>   |
| <ol> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> <li>24</li> </ol> | <ul> <li>A. It's called capillary reflex.</li> <li>Q. In the midst of all this you were able to carry that out and be able to see that the circulation was working properly?</li> <li>A. That's correct, yes.</li> <li>DEPUTY CORONER MS MONAGHAN: I am sorry to interrupt again, Mr Blaxland, but so I am clear. At this point you're in</li> </ul> | <ol> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> <li>24</li> </ol> | <ul> <li>A. Yes.</li> <li>Q. From which we can he had bruising to his wrists as a result of the handcuffs?</li> <li>A. That's correct, yes.</li> <li>Q. Did it occur to you that it might be an idea to release his handcuffs at that point?</li> <li>A. At the point he was still struggling.</li> </ul> |
| 19<br>20<br>21<br>22<br>23   | <ul> <li>A. It's called capillary reflex.</li> <li>Q. In the midst of all this you were able to carry that out and be able to see that the circulation was working properly?</li> <li>A. That's correct, yes.</li> <li>DEPUTY CORONER MS MONAGHAN: I am sorry to interrupt again,</li> </ul>   | <ol> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> </ol>             | <ul> <li>A. Yes.</li> <li>Q. From which we can he had bruising to his wrists as a result of the handcuffs?</li> <li>A. That's correct, yes.</li> <li>Q. Did it occur to you that it might be an idea to release his handcuffs at that point?</li> </ul>   |

| 1  | "We managed to bring his head back up to the cushion   | 1   | "As the plane began to push back from the stand, at   |
|--|--|---|---|
| 2  | on the screen."  | 2   | approximately 20.15, he appeared to give up struggling.   |
| 3  | Well, you had had to hold the cushion against the  | 3   | I checked for a pulse as he became non-responsive.  |
| 4  | screen, hadn't you?  | 4   | I found a pulse but it was weak. At this point we sat   |
| 5  | A. Initially, yes.   | 5   | him upright and continued to try and get a response. He   |
| 6  | Q. You have then had to go and test his fingers, is that   | 6   | was still breathing and had a shallow pulse but remained  |
| 7  | right?   | 7   | unresponsive."  |
| 8  | A. That would have been correct, yes.  | 8   | We know how long the whole restraint incident   |
| 9  | Q. His head is below the cushion, is that right?   | 9   | occurred. For how much of that time do you think he was   |
| 10   | A. Yes, I would imagine so.  | 10  | in the position that you have described, head right   |
| 11   | Q. How did the cushion get back into position? It's not on   | 11  | down, apparently trying to bite one of your colleagues?   |
| 12   | a tray according to you?   | 12  | A. Again, I don't know how long time-wise.  |
| 13   | A. No, it's not on a tray.   | 13  | Q. Are we talking 10 minutes, just give us a rough idea,  |
| 14   | Q. How is it supported when his head was below it?   | 14  | 15 minutes?   |
| 15   | A. I was probably holding it with one hand.  | 15  | A. 5 minutes, possibly 10 minutes. I don't know.  |
| 16   | Q. So you're leaning over the seat, just so we can imagine   | 16  | DEPUTY CORONER MS MONAGHAN: Just hold on a second. The  |
| 17   | this, holding the cushion in place with one hand?  | 17  | estimate you gave in your report, fairly soon   |
| 18   | A. Yes.  | 18  | afterwards, was that the handcuffs were applied for   |
| 19   | Q. While with the other hand you reach right over, get hold  | 19  | 35 minutes?   |
| 20   | of his fingertips and squeeze them, is that right?   | 20  | A. Yes.   |
| 21   | A. Yes.  | 21  | DEPUTY CORONER MS MONAGHAN: I think you said 35 minutes, if   |
| 22   | Q. All the while holding the cushion?  | 22  | I have the right report. We know that the handcuffs   |
| 23   | A. Yes.  | 23  | weren't applied for the whole of the incident because   |
| 24   | Q. Or is it the case that in fact his head was thrust into   | 24  | you told us it took about 5 minutes, or thereabouts, to   |
| 25   | the cushion which was on the tray?   | 25  | get them on?  |
|  | Page 81  |   | Page 83   |
| 1  | A. As I said the tray was not down.  | 1   | A. That's correct, yes.   |
| 2  | Q. He had, Mr Mubenga did, a deep bruise to his left cheek,  | 2   | DEPUTY CORONER MS MONAGHAN: So there is 35 minutes after  |
| 3  | didn't he?   | 3   | you got the handcuffs on?   |
| 4  | A. I don't know.   |   |   |
|  |  | 4   | A. There or thereabouts, yes.   |
| 5  | MR BLAXLAND: Well, we do know, and   | 4<br>5  |   |
| 5<br>6   | MR BLAXLAND: Well, we do know, and<br>DEPUTY CORONER MS MONAGHAN: Pause there. Do you remember   |   | A. There or thereabouts, yes.   |
|  |  | 5   | A. There or thereabouts, yes.<br>DEPUTY CORONER MS MONAGHAN: There or thereabouts. I'm just   |
| 6  | DEPUTY CORONER MS MONAGHAN: Pause there. Do you remember   | 5<br>6  | <ul> <li>A. There or thereabouts, yes.</li> <li>DEPUTY CORONER MS MONAGHAN: There or thereabouts. I'm just trying to clarify the timing. For most of that period,</li> </ul>  |
| 6<br>7   | DEPUTY CORONER MS MONAGHAN: Pause there. Do you remember being told about that?  | 5<br>6<br>7   | <ul> <li>A. There or thereabouts, yes.</li> <li>DEPUTY CORONER MS MONAGHAN: There or thereabouts. I'm just trying to clarify the timing. For most of that period, whilst the handcuffs were on, was Mr Mubenga in his seat</li> </ul>   |
| 6<br>7   | <ul><li>DEPUTY CORONER MS MONAGHAN: Pause there. Do you remember being told about that?</li><li>A. I don't remember seeing it.</li></ul>   | 5<br>6<br>7   | <ul> <li>A. There or thereabouts, yes.</li> <li>DEPUTY CORONER MS MONAGHAN: There or thereabouts. I'm just trying to clarify the timing. For most of that period, whilst the handcuffs were on, was Mr Mubenga in his seat or not?</li> </ul>   |
| 6<br>7<br>8<br>9   | <ul><li>DEPUTY CORONER MS MONAGHAN: Pause there. Do you remember being told about that?</li><li>A. I don't remember seeing it.</li><li>MR BLAXLAND: All right. If that is to be the evidence, is</li></ul>   | 5<br>6<br>7<br>8<br>9   | <ul> <li>A. There or thereabouts, yes.</li> <li>DEPUTY CORONER MS MONAGHAN: There or thereabouts. I'm just trying to clarify the timing. For most of that period, whilst the handcuffs were on, was Mr Mubenga in his seat or not?</li> <li>A. The handcuffs were applied while he was still standing.</li> </ul>   |
| 6<br>7<br>8<br>9<br>10   | <ul><li>DEPUTY CORONER MS MONAGHAN: Pause there. Do you remember being told about that?</li><li>A. I don't remember seeing it.</li><li>MR BLAXLAND: All right. If that is to be the evidence, is there anything that happened, from what you can</li></ul>   | 5<br>6<br>7<br>8<br>9<br>10   | <ul> <li>A. There or thereabouts, yes.</li> <li>DEPUTY CORONER MS MONAGHAN: There or thereabouts. I'm just trying to clarify the timing. For most of that period, whilst the handcuffs were on, was Mr Mubenga in his seat or not?</li> <li>A. The handcuffs were applied while he was still standing. I can't be sure how long it took to physically get him</li> </ul>  |
| 6<br>7<br>8<br>9<br>10<br>11   | <ul><li>DEPUTY CORONER MS MONAGHAN: Pause there. Do you remember being told about that?</li><li>A. I don't remember seeing it.</li><li>MR BLAXLAND: All right. If that is to be the evidence, is there anything that happened, from what you can remember, that might account for that?</li></ul>  | 5<br>6<br>7<br>8<br>9<br>10<br>11   | <ul> <li>A. There or thereabouts, yes.</li> <li>DEPUTY CORONER MS MONAGHAN: There or thereabouts. I'm just trying to clarify the timing. For most of that period, whilst the handcuffs were on, was Mr Mubenga in his seat or not?</li> <li>A. The handcuffs were applied while he was still standing. I can't be sure how long it took to physically get him into the seat.</li> </ul>   |
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Mubenga Inquest

16 May 2013

| 1  | starting at the bottom of page 90:  | 1  | we sat him up in the chair we realised that his face  |
|--|---|--|---|
| 2  | "Question: At what point then did you decide it   | 2  | was well, the eyes were open.   |
| 3  | would be a good idea to start checking his pulse and  | 3  | "Question: Well, I hope I'm making myself clear but   |
| 4  | checking his welfare, for want of a better word? We   | 4  | I'm trying to find out, Stuart, what I'm trying to find   |
| 5  | weren't go into the details of how you checked his pulse  | 5  | out, Stuart, is that you said that, when push back  |
| 6  | and vital signs so to speak, but at what point did you  | 6  | occurs and he goes quiet, your assumption was he'd  |
| 7  | think that you needed to do that?   | 7  | realised his fate, so to speak, and that he was going to  |
| 8  | "Answer: Well, once he physically stopped moving and  | 8  | be flown out of the UK?   |
| 9  | was quiet, and stopped shouting, we were still trying to  | 9  | Answer: Yeah, for want of a better word.  |
| 10   | talk to him. The minute we realised we were not getting   | 10   | "Question: So what changed your mind? I'm asking  |
| 11   | any response from talking we tried moving him to see if   | 11   | you the question, Stuart, what changed your mind and  |
| 12   | we could get any movement from him."  | 12   | think we'd better start checking his vital signs for  |
| 13   | I just at this point, Mr Tribelnig, want to ask you   | 13   | want of a better word?  |
| 14   | this: this is the point at which he's gone quiet?   | 14   | "Answer: The minute we realised he was unresponsive.  |
| 15   | A. That's correct, yes.   | 15   | "Question: How long would you estimate that was?  |
| 16   | Q. Is that right? You know perfectly well that there are  | 16   | "Answer: One minute, two minutes tops, probably not   |
| 17   | a number of witnesses who say in addition to saying,  | 17   | even that long. As soon as we've spoken to him we've  |
| 18   | "I can't breathe" that he said repeatedly, "Help, help  | 18   | had no response from him. We tried to sit him up and  |
| 19   | me."  | 19   | then we've ended up actually having to force him up so  |
| 20   | A. I don't remember those words being said.   | 20   | he's sat upright. That's when we've realised that he  |
| 21   | Q. Somebody says it was sound about 50 times, "Help me"?  | 21   | was unresponsive."  |
| 22   | A. There was a lot of shouting and a lot of noise. I don't  | 22   | Your two colleagues had been trying to force him up   |
| 22   | remember what was said.   | 23   | for a while, hadn't they?   |
| 23<br>24   | Q. Anyway, let's continue. You said:  | 24   | A. They pulled him back up so his head was against the  |
| 25   | "Once we sat him up in the chair we realised that   | 25   | cushion, yes.   |
| 23   | Page 85   | 25   | Page 87   |
|  | 1 450 00  |  |   |
| 1  | his face was well, the eyes were open."   | 1  | Q. Just resting on the cushion?   |
| 2  | Then I'm just going to miss out the next passage.   | 2  | A. He was leaning against the cushion.  |
| 3  | If Ms Hewitt wants me to read it I will, but I'm going  | 3  | Q. Leaning forward. When you said "we tried to sit him up"  |
| 4  | to move to the bottom of page 91. The officer asked   | 4  | and "we ended up actually having to force him up", did  |
| 5  | you:  | 5  | that involve you?   |
| 6  | "What changed your mind and think we'd better start   | 6  | A. I think I may have put hands on his shoulders to try and   |
| 7  | checking his vital signs for want of a better word?"  | 7  | help pull Mr Mubenga back up to a seated position.  |
| 8  | DEPUTY CORONER MS MONAGHAN: Pause there.  | 8  | Q. Right. Did you do that at any earlier stage?   |
| 9  | MS HEWITT: The problem about reading passages out is this   | 9  | A. What, try to assist with the pulling up?   |
| 10   | is a continuum of conversation really between the two of  | 10   | Q. You see, you have said in your Use of Force Report that  |
| 11   | them and to miss just a couple of questions out   | 11   | your two colleagues had been trying to pull him up?   |
| 12   | I have not been given notice of this. I do look at the  | 12   | A. Yes.   |
| 13   | next question and wonder whether in fact it should be   | 13   | Q. You have told the police in interview, and you have  |
| 14   | read out in full.   | 14   | given evidence about this, that you actually gave the   |
| 15   |   | 15   | command as the senior officer, "I want him up. Get him  |
| 15   | DEPUTY CORONER MS MONAGHAN: Mr Blaxland will do that, I'm   | 10   | ······································  |
| 16   | DEPUTY CORONER MS MONAGHAN: Mr Blaxland will do that, I'm sure.   | 16   | up"; yes?   |
|  |   |  | · · ·   |
| 16   | sure.   | 16   | up"; yes?   |
| 16<br>17   | sure.<br>MR BLAXLAND: I'm very happy to do that. We're going to   | 16<br>17   | up"; yes?<br>A. That's correct, yes.  |
| 16<br>17<br>18   | sure.<br>MR BLAXLAND: I'm very happy to do that. We're going to<br>pick up where we left off and I'm going to just repeat   | 16<br>17<br>18   | up"; yes?<br>A. That's correct, yes.<br>Q. At that point did you yourself do anything to try to get   |
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| 16<br>17<br>18<br>19<br>20<br>21<br>22   | sure.<br>MR BLAXLAND: I'm very happy to do that. We're going to<br>pick up where we left off and I'm going to just repeat<br>this because of course the members of the jury, I'm<br>afraid, don't have a copy of this. Let's start again:<br>"He physically once he'd physically stopped<br>moving he was quiet and stopped shouting, we were still   | <ol> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> </ol>                         | <ul> <li>up"; yes?</li> <li>A. That's correct, yes.</li> <li>Q. At that point did you yourself do anything to try to get him up or force him up?</li> <li>A. For want of a better word, I didn't want to put my hands anywhere down near his shoulders or near his face.</li> <li>Q. You have just told us that that's exactly what you did at the point when he became unresponsive?</li> </ul>  |
| 16<br>17<br>18<br>19<br>20<br>21<br>22<br>23   | sure.<br>MR BLAXLAND: I'm very happy to do that. We're going to<br>pick up where we left off and I'm going to just repeat<br>this because of course the members of the jury, I'm<br>afraid, don't have a copy of this. Let's start again:<br>"He physically once he'd physically stopped<br>moving he was quiet and stopped shouting, we were still<br>trying to talk to him. The minute me realised he were  | <ol> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> </ol>             | <ul> <li>up"; yes?</li> <li>A. That's correct, yes.</li> <li>Q. At that point did you yourself do anything to try to get him up or force him up?</li> <li>A. For want of a better word, I didn't want to put my hands anywhere down near his shoulders or near his face.</li> <li>Q. You have just told us that that's exactly what you did</li> </ul>  |
| <ol> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> <li>24</li> </ol> | sure.<br>MR BLAXLAND: I'm very happy to do that. We're going to<br>pick up where we left off and I'm going to just repeat<br>this because of course the members of the jury, I'm<br>afraid, don't have a copy of this. Let's start again:<br>"He physically once he'd physically stopped<br>moving he was quiet and stopped shouting, we were still<br>trying to talk to him. The minute me realised he were<br>not getting any response from talking we tried moving | <ol> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> <li>24</li> </ol> | <ul> <li>up"; yes?</li> <li>A. That's correct, yes.</li> <li>Q. At that point did you yourself do anything to try to get him up or force him up?</li> <li>A. For want of a better word, I didn't want to put my hands anywhere down near his shoulders or near his face.</li> <li>Q. You have just told us that that's exactly what you did at the point when he became unresponsive?</li> <li>A. At a later stage, yes. At that point we thought he has</li> </ul> |

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| •        | e   |                                       |   |
|----------|---|---------------------------------------|---|
| 1        | just gone quiet and started sobbing or crying possibly.   | 1                                     | Q. Were you speaking to him?                                |
| 2        | Q. Wailing?   | 2                                     | A. I was trying to get a response from Mr Mubenga, yes.     |
| 3        | A. Crying, tears.   | 3                                     | Q. He was breathing; yes?                                   |
| 4        | Q. So if I can just finish with the report, going back to   | 4                                     | A. Yes.   |
| 5        | page 20 in our bundle:  | 5                                     | Q. But was his breathing shallow?                           |
| 6        | "I found a pulse but it was weak. At this point we  | 6                                     | A. I can't remember off the top. I think I mentioned in     |
| 7        | sat him upright and continued to try and get a response.  | 7                                     | the statement I think his breathing was shallow, yes.       |
| 8        | He was still breathing and had a shallow pulse but  | 8                                     | Q. What are you meant to do if somebody has shallow         |
| 9        | remained unresponsive. He circulation appeared to be  | 9                                     | breathing, as a trained first aider?                        |
| 10       | fine as his fingertips resumed their natural colour when  | 10                                    | A. Just continue to monitor his breathing to make sure his  |
| 11       | pinched. I attempted to check his pupils but due to the   | 11                                    | airway is clear.  |
| 12       | aircraft being in darkness before take-off was unable to  | 12                                    | Q. I'm going to ask you to look at a different document.    |
| 12       | tell."  | 12                                    | I have finished with the Use of Force Report. I am          |
| 13<br>14 |   | 13                                    | going to ask you to look at a different document which      |
|          | As part of the process of checking him, you have<br>told us that was it one of your colleagues used the | 15                                    | is in green 6. Can you go to page 606, towards the end.     |
| 15       |   | 16                                    | This is a document called, "First Aid Made Easy,            |
| 16       | sweat from his brow to wet his hand and place that in   | 1                                     |   |
| 17       | front of Mr Mubenga's mouth?  | 17                                    | a comprehensive first aid manual and preference guide".     |
| 18       | A. Yes.   | 18                                    | Do you remember ever being given a document of this type    |
| 19       | Q. Is that something that you've seen done before?  | 19                                    | or maybe even this document?                                |
| 20       | A. I can't think that it's anything I've ever seen done   | 20                                    | A. I can't remember.  |
| 21       | before, no.   | 21                                    | Q. Were you given a handout as part of first aid training?  |
| 22       | Q. Had you been told about that?  | 22                                    | A. Again, I can't remember. It may have been something      |
| 23       | A. I can't remember.  | 23                                    | that was given to us on the initial course.                 |
| 24       | Q. Did you do it yourself?  | 24                                    | DEPUTY CORONER MS MONAGHAN: Does this look familiar?        |
| 25       | A. I did it myself afterwards, yes.<br>Page 89  | 25                                    | A. No.<br>Page 91   |
| 1        | Q. Have you ever had trouble with a detainee in the past  | 1                                     | MR BLAXLAND: I'm going to take you to page 608 because it   |
| 2        | when you've been a bit worried and checked for his  | $\begin{vmatrix} 1\\2 \end{vmatrix}$  | may be that what's contained here is absolutely basic to    |
| 2        | breathing in that way?  | $\begin{vmatrix} 2\\ 3 \end{vmatrix}$ | all first aid. There's a page here called, "Emergency       |
| 4        | A. No.  | 4                                     | Action Plan". The first thing that you're advised to do     |
| 5        | Q. I want to ask you just a few questions about the period  | 5                                     | in a case of somebody who is in need of assistance is,      |
| 6        | from which he, to use the neutral expression, became  | 6                                     | firstly, try to get a response by shouting and gently       |
| 7        | unresponsive. He was sat up in his seat?  | 7                                     | shaking or tapping the casualty. Is that something that     |
| 8        | A. Yes.   | 8                                     |   |
|          |   | 1                                     | is standard and you are advised to do, one of the first     |
| 9        | Q. You took the handcuffs off almost immediately?   | 9                                     | things as part of basic first aid?                          |
| 10       | A. Handcuffs were released, yes.  | 10                                    | A. Yeah, I tried to talk to Mr Mubenga but got no response. |
| 11       | Q. You didn't apply the handcuffs to his front, did you?  | 11                                    | Q. And gently shaking. You got no response; right?          |
| 12       | A. No.  | 12                                    | A. Yes.   |
| 13       | Q. So can we take it at that point you realised that there  | 13                                    | Q. The next thing is, "Airway":                             |
| 14       | was absolutely no possibility of him doing anything   | 14                                    | "Open the airway by tilting the head back and               |
| 15       | untoward?   | 15                                    | lifting the chin."  |
| 16       | A. No.  | 16                                    | A. Yes.   |
| 17       | Q. Why can't we assume that?  | 17                                    | Q. You left him in his seat?                                |
| 18       | A. The handcuffs were removed from the rear and the arms  | 18                                    | A. He was sat fully back with his head back against the     |
| 19       | were brought back in front of him in a controlled   | 19                                    | back of the seat.   |
| 20       | fashion. If anything had started again, it would be   | 20                                    | Q. "Normal breathing?" Look listen and feel for no more     |
| 21       | a case of trying to get him relocating the handcuffs  | 21                                    | than 10 seconds. If you're not sure if breathing is         |
| 22       | in a front stack position.  | 22                                    | normal, treat it as though it is not."                      |
| 23       | Q. So his arms were still being held, were they, by   | 23                                    | His breathing was shallow here, wasn't it?                  |
| 24       | Mr Kaler and Mr Hughes at that point throughout?  | 24                                    | A. I'm not an expert on respiratory systems, but I would    |
| 25       | A. Yes.   | 25                                    | say his breathing was shallow.                              |
|          | Page 90   |                                       | Page 92   |

# Mubenga Inquest

|          | ç   |    |   |
|----------|---|----|---|
| 1        | Q. You realised there was a problem, didn't you?            | 1  | MS HEWITT: Yes.   |
| 2        | A. To me he had become unresponsive, yes.                   | 2  | DEPUTY CORONER MS MONAGHAN: And what he had been trained to |
| 3        | Q. The next step is meant to be dial 999 now, but that      | 3  | do  |
| 4        | clearly wasn't appropriate. After that:                     | 4  | MS HEWITT: He has already given evidence on that in answer  |
| 5        | "Resuscitation. Give 30 chest compressions, then            | 5  | to your questions, madam. That's all I would remind         |
| 6        | 2 rescue breaths. Continue giving a cycle of 30             | 6  | you.  |
| 7        | compressions to 2 rescue breaths."                          | 7  | DEPUTY CORONER MS MONAGHAN: Thank you.                      |
| 8        | In other words, apply cardiopulmonary resuscitation,        | 8  | MR BLAXLAND: Precisely. Because your explanation,           |
| 9        | CPR; yes?   | 9  | Mr Tribelnig, of not doing anything; in other words, not    |
| 10       | A. Yes.   | 10 | giving him CPR, was that your understanding was that        |
| 11       | Q. This is basic first aid. If somebody has a problem with  | 11 | that could somehow if you gave CPR to somebody whose        |
| 12       | their breathing, you move straight to CPR; yes?             | 12 | heart was still working, that might upset the heart         |
| 13       | A. That's what it says here.                                | 13 | rhythm?   |
| 14       | Q. I mean, you have been trained in first aid. It's not     | 14 | A. That was an answer I gave, yes.                          |
| 15       | just, "This is what it says here." You have had first       | 15 | Q. That's what you said. That's your explanation?           |
| 16       | aid training?   | 16 | A. Yes.   |
| 17       | A. A basic course and then we've had refreshers since then. | 17 | MR BLAXLAND: What I'm pointing out is that the basic        |
| 18       | DEPUTY CORONER MS MONAGHAN: Pausing there. On your basic    | 18 | medical advice is that if there is a problem with the       |
| 19       | course and your refreshers, would you have been given       | 19 | breathing, the breathing is not normal, then you move       |
| 20       | this sort of guidance about what to do if you had           | 20 | straight to CPR.  |
| 20       | concerns about somebody's breathing?                        | 21 | MS HEWITT: It comes to the point that my concern about that |
| 21       | A. We would have been given guidance towards it. As to      | 21 | being put is that we know what the expert says about        |
| 22       | exactly how it's conducted I couldn't say.                  | 23 | that. It's really not a question that seems to fit with     |
| 23       | DEPUTY CORONER MS MONAGHAN: Were you told that if you were  | 23 | what the expert will know. I don't want to give             |
| 24<br>25 | not sure if somebody was breathing normally, treat it as    | 24 | evidence myself about that in front of the jury.            |
| 23       | Page 93   | 25 | Page 95   |
|          | 1 450 / 5   |    | 1 450 70  |
| 1        | though they're not and do these things, resuscitation?      | 1  | DEPUTY CORONER MS MONAGHAN: No. I think you have probably   |
| 2        | Were you told that?   | 2  | explored that as much as you can and, as I say, members     |
| 3        | A. We were told that, yes.                                  | 3  | of the jury, bear in mind we'll hear expert evidence in     |
| 4        | DEPUTY CORONER MS MONAGHAN: You were told that. Thank you.  | 4  | due course about that. We have heard what Mr Tribelnig      |
| 5        | MS HEWITT: I hesitate to interrupt. One knows from reading  | 5  | says about it and about what he thought he knew and so      |
| 6        | the expert evidence we are going to, and reviewing          | 6  | on.   |
| 7        | evidence of the experts on this, that this isn't            | 7  | MR BLAXLAND: Where you were there when the paramedic        |
| 8        | an entirely straightforward                                 | 8  | arrived?  |
| 9        | DEPUTY CORONER MS MONAGHAN: Uncomplicated thing.            | 9  | A. Yes.   |
| 10       | MS HEWITT: uncomplicated topic. I know Mr Blaxland          | 10 | Q. You were on the scene. Do you say that right up until    |
| 11       | isn't trying to ask questions that there's nothing          | 11 | the moment that the paramedic arrived he still had          |
| 12       | misleading about the questions, but at the same time        | 12 | a pulse; yes?   |
| 13       | I am very conscious that all of this witness's answers      | 13 | A. As far as I'm aware. At this point I wasn't monitoring.  |
| 14       | have to be subject to that evidence. In particular one      | 14 | He was being monitored by the escort                        |
| 15       | knows we're going to be having evidence about what          | 15 | Q. You were with him right up until the moment the          |
| 16       | normal breathing means and how that is to be interpreted    | 16 | paramedic arrived and he still had a pulse?                 |
| 17       | and so on. So I'm just raising a slight concern about       | 17 | A. He still had a pulse, yes.                               |
| 18       | where it's going.   | 18 | Q. You were still checking that?                            |
| 19       | DEPUTY CORONER MS MONAGHAN: Sure. I think the point at the  | 19 | A. I wasn't checking, but the team were.                    |
| 20       | moment is we are going to hear medical evidence in          | 20 | DEPUTY CORONER MS MONAGHAN: The other two?                  |
| 21       | due course about all sorts of things like breathing, how    | 21 | A. The other two, yes.                                      |
| 22       | you can tell about breathing, what's a right response       | 22 | MR BLAXLAND: So you did no further checks yourself?         |
| 23       | and so on. I think at the moment what we're exploring       | 23 | A. No.  |
| 24       | is simply what Mr Tribelnig understood to be the            | 24 | Q. In which case I'm not going to ask you about that. You   |
| 25       | position with Mr Mubenga.                                   | 25 | were asked in interview about why you didn't put him in     |
|          | Page 94   |    | Page 96   |
|          | 1 "00 / 1   |    | 1 450 70  |

| 1         the recovery position, secret you?         1         make this flight, you's got do this, you've got do th |   |  |   |   |
|--|---|--|---|---|
| 3       Q. What explanation do you provide?       3       from higher up. I don't know how high up it goes. All         4       A. The explanation was provided that I didn't know what was       4       1       I know is that I in there with my team. I have to do my         6       been faking. To try to remove him from the seat, we'd       6       boys get paid and that was get the job away so that the         7       Now could back to square one having to try to restrain       a phone call at any time that says we can't do that.         8       ihm again.       9       Q. So you put. I you like, your own safety ahead of the       9         9       o. samarising it?       11       16       continues       11         11       of summarising it?       11       17       there was still breathing, he was still       11       17       Tor model assistance and here was tort out out out prove local prove in a fixer. If mark the fight.       11       17       18       18       a wort, you is that we as the mark the fight.       10   |   | the recovery position, weren't you?  |   | make this flight, you've got do this, you've got to do  |
| 4       A. The explanation was provided that 1 dish' know what was file could possibly have       4       Linow is that In there with my team. Thave is do my         5       wrong with him, I dish' know if the could possibly have       6       by set paid and that we get paid. Now if I get         7       have ended back to square one having to try to restrain and       7       a phone call at any time that says we call to dus.         9       Q. So you put, if you like, your own sifety ahead of the       9       rough, we've been total job's been cancelled. That's         10       possible need to revice him? Would that be a fair way       10       it. end of, right."         11       at Sill had puble. He was still breathing, het       11       11       to contents         12       A. At the time my assessment was he was still capable, at that       12       "You know I could phone up with an issue. I'm stock it         13       ative. I dia't know what was wrong with him. I called       14       we've got people in front of as, and all well get is         14       ailve. I dia't know was that was still capable, at that       17       it is on the maxy, it's taking off. And they have         15       form medical assistance on you?       18       said, for the max's any pressure on you free any move."         16       point call at a moval to a conter stage.       19       the planee?, you know."  | 2   | A. Yes.  | 2   |   |
| 5       wrong with him, 1 darb know if he could possibly have<br>6       5       utmost to make sure that we get pub and that we pub and that we get pub and that we pub and that we pub and that we pub and that w      | 3   | Q. What explanation did you provide?   | 3   | from higher up. I don't know how high up it goes. All   |
| 6       been faking. To ty for zenove him from the set, we'd       6       boys get paid and that we get paid. Now if 1 get         7       have ended back to square one having to try to restrain       7       a phone call at any time that says we can't do that,         9       Q. So you put, if you like, your own safety ahead of the       9       togh, we've been call at any time that says we can't do that,         10       A. At the time my assessment was he was still breathing, he       1       it, end of, right."         11       of summarising if?       11       It centimes:       "You know I could phone up with an issue, I'm stack I'm stack of molior him.         12       A. At the time my assessment was he was still breathing, he       12       "You know I could phone up with an issue, I'm stack I'm stack of molior him.         13       advise. I didn't know what was wrong with him. I called       14       at Wisso James, I can's get through the gate because         14       apive. I didn't know what was wrong with him. I called       14       at Wisso James, I can's get the point,         15       for medical assistance and then we usit capable, at that       17       it's on the rankway, it's taking off. And they have         16       oparterily think that he was still capable, at that       17       "L's be specific in relation to M Y Mubenga's         20       O. Mr Thabehing, I have taken you shout sous continue to space.  | 4   | A. The explanation was provided that I didn't know what was  | 4   |   |
| 7       have ended back to square one having to try to restrain       7       a phone call at any time that says we can'to that.         8       him again.       9       So you put, if you like, your own safety ahead of the       7         9       Q. So you put, if you like, your own safety ahead of the       7       then because the job's been cancelled then, you know,         10       possible need to revise him? Would that be a fair way       10       it, end of, right."         11       of summining it?       11       It containes:         12       A. At the time my assessment wus he was still breathing, be       12       "You know I could phone up with an issue, I'm stack at M with a the way still breathing, be         13       still had a paks. If was still any the way still breathing, be       12       "You know I could phone up with an issue, I'm stack at M with ge to peoje in front on s, and all well get is         15       for metional bins, that way way stills him. I called       15       well, try and make the flight. Tve been driving across         16       monitor him.       17       18       said, Go to the stand. I'm like, What's the point.         17       Q. Mt frightheing i. have taken you stoogh the Use of Force       11       There was then a discussion about how much you         12       Sta asked you diacity there or not you field       from you tossest to make sure that remouly went ahead? <td>5</td> <td>wrong with him, I didn't know if he could possibly have</td> <td>5</td> <td>utmost to make sure that we get the job away so that the</td>  | 5   | wrong with him, I didn't know if he could possibly have  | 5   | utmost to make sure that we get the job away so that the  |
| 8       him again.       8       then because the job's heen cancelled then, you know, tough, we've been told a job's heen cancelled. That's it, possible presenter bars way full preathing, he was still breathing, he was still breathing, he was still breathing, he was still breathing, he was still canable, he was still breathing, he was still canable, at was still canable, at that       11       12       A. At the time my assessment was he was still breathing, he was still canable, at was still canable, at was still canable, at that       12       "You know! I could phone up with an issue, I'm stuck at Wikon James, I can't get through the gate because we've got people in front of us, and law ell get is we've got people in front of us, and law ell get is we've got people in front of us, and law ell get is we've got people in front of us, and law ell get is we've got people in front of us, and law ell get is we've got people in front of us, and law ell get is we've got people in front of us, and law ell get is we've got people in front of us, and law ell get is we've got people in front of us, and law ell get is we've got people in front of us, and law ell get is we've got people in front of us, and law ell get is we've got people in front of us, and law ell get is we've got people in front of us, and law ell we've got people in front of us, and law ell get is we've got people in front of us, and law ell get is we've got people in front of us, and law ell get is we've got people in front of us, and law ell get is we've got people in front of us, and have have got paid.         19       A. It's till a possibility, yee, as far as I was       10       The statement, sec.         20       Q. Mr Trihelnig, I have taken you through the Use of Force       20       The the differet         2  | 6   | been faking. To try to remove him from the seat, we'd  | 6   | boys get paid and that we get paid. Now if I get  |
| 9       Q. So you put, if you like, your own safety shead of the       9       tough, we've been told a job's heen cancelled. That's it, if and of, right."         10       possible need to revive him? Would that be a fair way       10       it, end of, right."         12       A. At the time my assessment was he was still breathing, he       11       it, continues:         13       atily. Lidid't know what was wrong with him. Lealled       12       "You know Local phone up with an issue, I'm stuck at Wilson James, I carl get though the gate because         14       ative. Lidid't know what was wrong with him. Lealled       13       at Wilson James, I carl get though the gate because         15       for medical assistance and then we just continued to monitor him.       16       the phanes, I carl get though the gate because         16       monitor him.       17       is on the runway, it's taking off'. And they have starl a possibility, yee, as far as I was       10       the stand'. Trn like, What's the point, the point, the point, the point, the officer:         17       Q. Did you really think that he was still equable, at that       17       is on the runway, it's taking off'. And they have stare at way or more wore wore have any care moval. You       17         20       concerned.       20       Then the officer:       "Let's be specific in relation to M' Mubenga's         21       Q. Did unker any pressume. She then       atressart on out and sisonin  | 7   | have ended back to square one having to try to restrain  | 7   | a phone call at any time that says we can't do that,  |
| 10       possible need to revive him? Would that be a fair way       10       it, end of, right."         11       of summarising it?       11       it, end of, right."       It continues:         12       A. At the time may assessment was he was still breathing, he was still       11       it, end of, right."       It continues:         13       still had a pulse. He was still breathing, he was still       reall will will was wong with him. I called       14         14       alive. I didn't know what was wong with him. I called       14       we've got people in front of us, and all we'll get is         16       monitor him.       16       we've got people in front of us, and all we'll get is         18       point, of humching some attack on you?       18       said, 'Go to the stand. T m like, 'What's the point.         19       A. It's still a possibility, yes, as far a l was       19       the plane's gone', you know."         20       removal on 12 October. Did you have any pressure on you       from would have any pressure on you         21       Q. M' Tribeling. I have taken you through the Use of Force       21       "Asswer: To say other than the fact that we're going         22       report. I want to ask you now about something that you       You       You so thave any pressure on you         24       She asked you dictry whether or to you folt under any       you   | 8   | him again.   | 8   | then because the job's been cancelled then, you know,   |
| 11       of summarising if?       11       It continues:         12       A. A the time my assessment was he was still breathing, he       12       "You know I could phone up with an issue, I'm stuck         14       alive. I didn't know what was wrong with him. I called       13       withson James, I can't get through the gate because         15       for medical assistance and then we just continued to       14       we've got people in front of us, and all we'll get is         17       Q. Did your really think that he was still capable, at that       16       the airport to stand saying. T.aok, I can see the plane,         18       point, of launching some attack on you?       18       said. (''o to the stand'. I'm like, 'What's the point,         19       the plan's gone', you know."       20       Then the officer:         20       O. Mr Theheing, I have taken you through the Use of Force       21       ''Test's be specific in relation to Mr Mubenga's         21       She aked you direct' whether or not you fer uhether or not you fer than the fact that we're going       23       from your bosses to make sure that removal went athae?         22       removal, do you dowit at an entire stage.       24       ''Answer: To say other than the fact that we're going         23       learned coroner asked you about some thang have       25       to lose the money if we dinhar gos.''         23       lea  | 9   |  | 9   | tough, we've been told a job's been cancelled. That's   |
| 12       A. At the time my assessment was he was still breathing, he was still       12       "You know I could phone up with an issue, I'm stuck         13       attive. I didn't know what was wrong with him. I called       14       w/w cg op opole in front of us, and all we'll get is         14       attive. I didn't know what was wrong with him. I called       15       monitor him.       16         15       for medical assistance and then we just continued to monitor him.       16       if w/w cg op opole in front of us, and all we'll get is         16       monitor him.       16       if wore ally think that he was still capable, at that       17         18       point, of faunching some attack on you?       18       said, Go to the stand'. I'm like, What's the point,         19       A. It's still a possibility, yes, as far as I was       19       Then the office:         20       Other corner aked you about an entire stage.       20       Then the office:         21       Q. M' Tribehing, have taken you through the Use of Force       21       "Learde cornor aked you about at meather stage.         22       pressure to get a removal, to complete a removal. You       22       "removal on it akea?       23         24       She asked you didn't feel under any pressure. She then       1       There was then a discussion about how much you         2       reminded you of so   | 10  | possible need to revive him? Would that be a fair way  | 10  | it, end of, right."   |
| 13       still had a pulse. He was still breathing, he was still       13       at Wilson James, I can't get through the gate because         14       alive. I din't Know what was wrong with him. I called       14       at Wilson James, I can't get through the gate because         15       for medical assistance and then w just continued to monitor him.       15       welve got people in front of us, and all we'll get is         17       Q. Did you really think that he was still capable, at that       16       the airport to stand saying, 'Look, I can see the plane, 'I'' is on the runway, it's taking Of'. And they have         19       A. It's still a possibility, yes, as far as I was       19       the plane's gone', you know."         20       O. Mr Tribchig, I have taken you brough the Use of Force       21       "Left se specific in relation to Mr Mubenga's         21       Q. Mr Tribchig, I have taken you bout something that the       22       removal on 12 October. Did you have any pressure on you         23       learned coroner asked you about at an earlier stage.       23       removal on 12 October. Did you have any pressure on you         25       pressure to get a removal, to complete a removal.       You       "Asser: To say other than the fact that we're going         26       reminided you of something that you had sid in your       "There was then a discussion about how much you         3       interevits. Want to return to it, if you dont mind.  | 11  | of summarising it?   | 11  | It continues:   |
| 14       alive. I din't know what was wrong with him. I called       14       we've got people in front of us, and all we'll get is         15       for medical assistance and then we just continued to       15       we've got people in front of us, and all we'll get is         16       monitor him.       16       the airport to stand saying, 1-toy been driving across         17       Q. Did you really think that he was still capable, at that       17       if's on the runway, it's taking off'. And they have         18       point, of launching some attack on you?       18       said. Go to the stand. Tm like, "What's the point,         20       concerned.       20       Then the officer:       21         21       Q. M' Tribehing, I have taken you through the Use of Force       21       "Let's the specific in relation to Mr Mubenga's         23       learned coroner asked you about at an earlier stage.       23       from your bosses to make sure that removal went abad??         24       She asked you didn't feel under any pressure. She then       11       There was then a discussion about how much you         2       reminided you of sourcehing that you had sid in your       2       personally would have lost as a result of the flight         3       interview. J want to return to it, if you don't mind.       4       14       14's in the statement, yous         6       MR BLAXLAND:  | 12  | A. At the time my assessment was he was still breathing, he  | 12  | "You know I could phone up with an issue, I'm stuck   |
| 15       for medical assistance and then we just continued to       15       well, try and make the flight. I've been driving across         16       monitor him.       16       it's on the runway, it's taking off'. And they have         18       point, of launching some attack on you?       18       said, 'Go to the stand'. I'm like, 'What's the point,         19       A. It's still a possibility, yes, as far as I was       19       Then the officer:         21       Q. Mr Tribelnig, I have taken you through the Use of Force       21       'Let's be specific in relation to Mr Mubenga's         22       Report. I want to ask you now about something that the       22       'Tem your boxes to make sure that removal went ahead?'         23       Isearde coroner asked you about at an entire stage.       23       'from your boxes to make sure that removal went ahead?'         24       She asked you directly whether or not you felt under any       24       ''Answer'' to say other than the fact that we're going         25       pressure to get a removal, to complete a removal. You       Page 97       Page 99         1       said you didn't fell under any pressure. She then       1       There was then a discussion about how much you         2       reminded you of something that you had said in your       2       Perminded you of something that you had said in your       2         3       interview   | 13  | still had a pulse. He was still breathing, he was still  | 13  | at Wilson James, I can't get through the gate because   |
| 16       monitor him.       16       the airport to stand saying, "Look, I can see the plane,         17       Q. Did you really think that he was still capable, at that       17       it's on the runway, it's tuiling off. And they have         18       point, of launching some attack on you?       18       said, 'Go to the stand'. I'm like, 'What's the point,         19       A. It's still a possibility, yes, as far as I was       19       the plane's gone', you know."         20       Q. MT ribbeling, I have taken you through the Use of Force       21       'Then the officer:         21       Q. MT ribbeling, thave taken you through the Use of Force       22       'Then the officer:         23       learned coroner asked you about at an earlier stage.       23       'The the stand's control of the yessure on you for up on you bave tan y pressure on you         24       She asked you directly whether or not you fiel under any       24       ''Answer: To say other than the fact that we're going         25       pressure to get a removal. to complete a removal. You       25       ''Answer: To say other than the fact that we're going         3       interview. I want to return to it, if you don't mind.       1       There was then a discussion about how much you         2       reminded you of something that you had said in your       1       There was then a discussion about how much you         3       <  | 14  | alive. I didn't know what was wrong with him. I called   | 14  | we've got people in front of us, and all we'll get is   |
| 17       Q. Did you really think that he was still capable, at that       17       it's on the runway, it's taking off'. And they have         18       point, of launching some attack on you?       18       said, 'Go to the stand.''. The like, 'What's the point,         19       A. It's still a possibility, yes, as far as I was       19       the plane's gone', you know.''.         20       Omeerned.       20       M. Triblehig, I have taken you through the Use of Force       21         21       Report. I want to ask you now about something that the       22       Then the officer:         22       Report. I want to ask you about at an earlier stage.       23       from your bosses to make sure that removal went ahead?         24       She asked you directly whether or not you felt under any pressure to get a removal, to complete a removal. You       24       "Answer: To say other than the fact that we're going         25       pressure to get a removal, to complete a removal. You       29       Page 97         1       said you didn't feel under any pressure. She then       1       There was then a discussion about how much you         2       reminded you of something that you had aid in your       2       personally would have lost as a result of the flight         3       interview. I want to return to it, if you don't mind.       4       being abandoned and it was calculated it would be about  | 15  | for medical assistance and then we just continued to   | 15  | well, try and make the flight. I've been driving across   |
| 18       point. of launching some attack on you?       18       said, 'Go to the stand'. 'I'm like, 'What's the point,         19       A. It's still a possibility, yes, as far as I was       19       the plane's gone', you know."         20       Concerned.       19       Then the officer:         21       Q. MT Tribeling, I have taken you through the Use of Force       19       Then the officer:         22       Report. I want to ask you now about something that the       22       removal on 12 October. Did you have any pressure on you         23       Istande oroner asked you directly whether or not you felt under any       24       "Answer: To say other than the fact that we're going         25       pressure to get a removal, to complete a removal. You       24       "Answer: To say other than the fact that we're going         26       reminded you of something that you had said in your       25       to lose the money if we didn't go."         27       reminded you of something that you had said in your       26       There was then a discussion about how much you         28       pressure to get a removal. It's u don't mind.       11       There was then a discussion about how much you         29       reminded you of something that you had said in your       3       the statement, yes.         5       A. If's in the statement, yes.       6       But tha's right, istn't, that  | 16  | monitor him.   | 16  | the airport to stand saying, 'Look, I can see the plane,  |
| 19       A. It's still a possibility, yes, as far as I was       19       the plane's gone', you know."         20       concerned.       20         21       Q. Mt Tribeling, I have taken you through the Use of Force       21       "Let's be specific in relation to Mr Mubenga's         22       Report. I want to ask you now about something that the       21       "Let's be specific in relation to Mr Mubenga's         23       learned coroner asked you directly whether or not you felt under any       23       from your bosses to make sure that removal went ahead?         24       She asked you directly whether or not you felt under any       24       "Answer: To say other than the fact that we're going         25       pressure to get a removal. to complete a removal. You       25       There was then a discussion about how much you         26       reminded you of something that you had said in your       2       personally would have lost as a result of the flight         3       interview. I want to return to it, if you don't mind.       170. Is that right, isn't it, that you would have - it's         4       If's at page 175.       4. It's in the statement, yes.       6         6       MR BLAXLAND. It's really starting at page 176, three lines       7       in the statement, but you would have - it's         7       before, bardward wou form the top. Do you have that?       7       10       <   | 17  | Q. Did you really think that he was still capable, at that   | 17  | it's on the runway, it's taking off'. And they have   |
| 20       concerned.       20       Then the officer:         21       Q. Mr Tribelnig, I have taken you through the Use of Force       21       "Let's be specific in relation to Mr Mubenga's         22       Report. I want to ask you now about something that the       22       "removal on 12 October. Did you have any pressure on you         24       She asked you directly whether or not you felt under any       24       "Answer: To say other than the fact that we're going         25       pressure to get a removal, to complete a removal. You       Page 97       Page 99         1       said you didn't feel under any pressure. She then       1       There was then a discussion about how much you         26       presnatly would have to term to it, if you don't mind.       1       There was then a discussion about how much you         27       DEPUTY CORONER MS MONAGHAN: It's volume 2 blue, 175.       6       MR BLAXLAND: It's really starting at page 176, three lines       7       in the statement, yes.         10       A. Sorry, which page?       10       DEPUTY CORONER MS MONAGHAN: He's not quite there yet. 176.       10       DEPUTY CORONER MS MONAGHAN: He's not quite there yet. 176.       10       DEPUTY CORONER MS MONAGHAN: He's not quite there yet. 176.         12       DEPUTY CORONER MS MONAGHAN: He's not quite there yet. 176.       10       DEPUTY CORONER MS MONAGHAN: He's not quite there yet. 176.   | 18  | point, of launching some attack on you?  | 18  | said, 'Go to the stand'. I'm like, 'What's the point,   |
| 21       Q. Mr Tribelnig. I have taken you through the Use of Force       21       "Let's be specific in relation to Mr Mubenga's         22       Report. I want to ask you now about something that the       22       removal on 12 October. Did you have any pressure on you         23       Iearned coroner asked you about at an earlier stage.       23       from your bosses to make sure that removal went ahead?         24       She asked you directly whether or not you felt under any       24       "Answer: To say other than the fact that we're going         25       pressure to get a removal, to complete a removal. You       Page 97       Page 99         1       said you didn't feel under any pressure. She then       1       There was then a discussion about how much you         2       personally would have lost as a result of the flight       3       being abandoned and it was calculated it would be about         4       It's in the statement, yes.       6       Q. But that's right, isn't it, that you would have it's         5       DEPUTY CORONER MS MONAGHAN: It's volume 2 blue, 175.       6       Q. But that's right, isn't it, that you would have it's         7       down. The officer, Mr Byrne:       6       Q. But that's right, isn't it, that you would have it's         8       "Is there any pressure placed on the DCOs to       9       police the truth?         0       A. Sorry, which p   | 19  | A. It's still a possibility, yes, as far as I was  | 19  | the plane's gone', you know."   |
| 22       Report. I want to ask you now about something that the       22       removal on 12 October. Did you have any pressure on you         23       learned coroner asked you about at an earlier stage.       23       from your bosses to make sure that removal went ahead?         24       She asked you directly whether or not you felt under any       24       "Answer: To say other than the fact that we're going         25       pressure to get a removal. to complete a removal. You       "Answer: To say other than the fact that we're going         26       reminded you of something that you had said in your       "Answer: To say other than the fact that we're going         2       reminded you of something that you had said in your       "Interview. I want to return to it, if you don't mind.         4       li's at page 175.       DEPUTY CORONER MS MONAGHAN: It's volume 2 blue, 175.       A. If the interview. I want to return to it, if you don't mind.         5       DEPUTY CORONER MS MONAGHAN: It's volume 2 blue, 175.       A. If the job hadn't gone, then we would'n have got paid.         6       Q. But that's right, isn't it, that you would have it's in the statement, yes.         7       complete, successfully complete, removals?"         10       A. Sorry, which page?         11       MR BLAXLAND: 176.         12       DEPUTY CORONER MS MONAGHAN: He's not quite there yet. 176.         15       DEPUTY CORONER MS  | 20  | concerned.   | 20  | Then the officer:   |
| 23       learned coroner asked you about at an earlier stage.       24         24       She asked you directly whether or not you felt under any pressure to get a removal. to complete a removal. You Page 97       7         25       pressure to get a removal. You Page 97       7         26       said you didn't feel under any pressure. She then       1         27       reminded dyou of something that you has a line and it was calculated it would be about         28       reminded dyou of something that you has a line and it was calculated it would be about         29       reminded dyou of something that you has a line and it was calculated it would be about         29       reminded dyou of something that you has a line and it was calculated it would be about         20       reminded dyou of something that you has a line and it was calculated it would be about         21       reminded dyou of something that you has a line and it was calculated it would be about         22       reminded dyou of something that you has a line and it was calculated it would be about         23       iter any pressure. She then         24       reminded for any pressure. She then         25       reminded you of something that you has and it was         3       interview. I want to return it, if you don't mind.         4       It's to don't mind.         5       A. It's in the statement, but you presumably   | 21  | Q. Mr Tribelnig, I have taken you through the Use of Force   | 21  | "Let's be specific in relation to Mr Mubenga's  |
| 24       She asked you directly whether or not you felt under any pressure to get a removal, to complete a removal. You Page 97       24       Answer: To say other than the fact that we're going to lose the money if we didn't go." Page 99         1       said you didn't feel under any pressure. She then       1       There was then a discussion about how much you         2       reminded you of something that you had said in your       2       personally would have lost as a result of the flight         3       interview. I want to return to it, if you don't mind.       4       being abandoned and it was calculated it would be about         4       It's at page 175.       5       A. It's in the statement, yes.       6         5       DEPUTY CORONER MS MONAGHAN: It's volume 2 blue, 175.       6       N. If's in the statement, but you presumably were telling the         8       "Is there any pressure placed on the DCOs to       7       in the statement, but you presumably were telling the         9       complete, successfully complete, removals?"       10       DEPUTY CORONER MS MONAGHAN: He's not quite there yet. 176.         12       DEPUTY CORONER MS MONAGHAN: He's not quite there yet. 176.       11       MS HEWITT: I am not seeking to detract from the important         13       three: entries down from the top. Do you have that?       12       point that Mr Blaxland is exploring, not at all, it's         14       A. Yes.       13 </td <td>22</td> <td>Report. I want to ask you now about something that the</td> <td>22</td> <td>removal on 12 October. Did you have any pressure on you</td>   | 22  | Report. I want to ask you now about something that the   | 22  | removal on 12 October. Did you have any pressure on you   |
| 25       pressure to get a removal, to complete a removal. You       25       the money if we didn't go."         26       page 97       Page 99         1       said you didn't feel under any pressure. She then       1       There was then a discussion about how much you         2       reminded you of something that you had said in your       2       personally would have lost as a result of the flight         3       interview. I want to return to it, if you don't mind.       3       being abandoned and it was calculated it would be about         4       It's at page 175.       5       A. It's in the statement, yes.       6       Q. But that's right; isn't it, that you would have it's         5       DEPUTY CORONER MS MONAGHAN: It's volume 2 blue, 175.       6       Q. But that's right; isn't it, that you would have it's         6       own. The officer, Mr Byrne:       7       in the statement, but you presumably were telling the         7       complete, successfully complete, removals?"       9       A. If the job hadn't gone, then we wouldn't have got paid.         10       DEPUTY CORONER MS MONAGHAN: He's not quite there yet. 176.       10       DEPUTY CORONER MS MONAGHAN: Pause there.         11       MR BLAXLAND: 176.       11       MS HEWITT: I am not seeking to detract from the important         12       DEPUTY CORONER MS MONAGHAN: Po you want to do that again. <t< td=""><td>23</td><td>learned coroner asked you about at an earlier stage.</td><td>23</td><td>from your bosses to make sure that removal went ahead?</td></t<>   | 23  | learned coroner asked you about at an earlier stage.   | 23  | from your bosses to make sure that removal went ahead?  |
| Page 97       Page 99         1       said you didn't feel under any pressure. She then       1       There was then a discussion about how much you         2       reminded you of something that you had said in your       2       personally would have lost as a result of the flight         3       interview. I want to return to it, if you don't mind.       3       being abandoned and it was calculated it would be about         4       It's at page 175.       DEPUTY CORONER MS MONAGHAN: It's volume 2 blue, 175.       5       A. It's in the statement, yes.         6       MR BLAXLAND: It's really starting at page 176, three lines       6       Q. But that's right, isn't it, that you would have it's         7       down. The officer, Mr Byrne:       7       in the statement, yes.       9         9       complete, successfully complete, removals?"       9       A. If the job hadn't gone, then we wouldn't have got paid.         10       A. Sorry, which page?       10       DEPUTY CORONER MS MONAGHAN: He's not quite there yet. 176.       11         11       MR BLAXLAND: 176.       12       point that Mr Blaxland is exploring, not at all, it's       13         12       DEPUTY CORONER MS MONAGHAN: Do you want to do that again, 15       complete successfully complete, removals?       13         14       A. Yes.       11       The answer is:       14  | 24  | She asked you directly whether or not you felt under any   | 24  | "Answer: To say other than the fact that we're going  |
| 1       said you didn't feel under any pressure. She then       1       There was then a discussion about how much you         2       reminded you of something that you had said in your       2       personally would have lost as a result of the flight         3       interview. I want to return to it, if you don't mind.       4       if st at page 175.         5       DEPUTY CORONER MS MONAGHAN: It's volume 2 blue, 175.       6       MR BLAXLAND: It's really starting at page 176, three lines         6       MR BLAXLAND: It's really starting at page 176, three lines       6       Q. But that's right, isn't it, that you would have it's         7       down. The officer, Mr Byrne:       7       in the statement, ty you presumably were telling the         8       "Is there any pressure placed on the DCOs to       9       Omplete, successfully complete, removals?"         10       A. Sorry, which page?       1       MS HEWITT: I am not seeking to detract from the important         12       DEPUTY CORONER MS MONAGHAN: He's not quite there yet. 176.       12       point that Mr Blazland is exploring, not at all, it's         13       three: entries down from the top. Do you have that?       13       just at the start of that passage, where it starts:         14       "Is there any pressure placed on the DCOs to       15       DEPUTY CORONER MS MONAGHAN: Do you want to do that again,         15       DE   | 25  | pressure to get a removal, to complete a removal. You  | 25  | to lose the money if we didn't go."   |
| 2       reminded you of something that you had said in your       2       personally would have lost as a result of the flight         3       interview. I want to return to it, if you don't mind.       3       being abandoned and it was calculated it would be about         4       It's at page 175.       5       DEPUTY CORONER MS MONAGHAN: It's volume 2 blue, 175.       6       A. It's in the statement, yes.         6       MR BLAXLAND: It's really starting at page 176, three lines       7       in the statement, but you would have it's         7       down. The officer, Mr Byrne:       7       in the statement, but you presumably were telling the         8       "Is there any pressure placed on the DCOs to       8       police the truth?         9       complete, successfully complete, removals?"       9       A. If the job hadn't gone, then we wouldn't have got paid.         10       A. Sorry, which page?       10       DEPUTY CORONER MS MONAGHAN: He's not quite there yet. 176.       11       MS HEWITT: I am not seeking to detract from the important         12       DEPUTY CORONER MS MONAGHAN: He's not quite there yet. 176.       12       point that Mr Blaxland is exploring, not at all, it's         13       three: entries down from the top. Do you want to do that again.       15       complete successful removals successful y complete         16       Mr BlaxLALAND: Certainly.       17   |   | Page 97  |   | Page 99   |
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|----------|---|----|---|
| 1        | don't go ahead. Just to be absolutely clear about it,       | 1  | Q. Right. You were still doing it, weren't you?             |
| 2        | it seems to me and I will certainly be corrected if         | 2  | A. We did not force Mr Mubenga down in his seat.            |
| 3        | anybody thinks I'm wrong, when it comes to this point       | 3  | Q. When you came when it eventually had you done it         |
| 4        | and the witness is being asked, "Is there any pressure      | 4  | before?   |
| 5        | placed on?", the answer, "Other than the fact that we       | 5  | A. Done what before?  |
| 6        | don't (inaudible)"; in other words, other than the          | 6  | Q. Forced somebody down in their seat.                      |
| 7        | things we've just been talking about:                       | 7  | A. He was not forced down in his seat. I have never forced  |
| 8        | "Right, any external then, outside the removal team,        | 8  | anybody down.   |
| 9        | is there any pressure?"                                     | 9  | DEPUTY CORONER MS MONAGHAN: He said he didn't I think       |
| 10       | A little later on when the answer comes, "Other than        | 10 | the question is probably put differently. Has there         |
| 11       | the money", that is against the background of that          | 11 | been any time we know what you say about                    |
| 12       | having all been previously discussed at length in the       | 12 | Mr Mubenga where you have or you have seen anybody          |
| 12       | interview. It does seem to me that is an important          | 12 | push a detainee down into the seat?                         |
| 14       | context, but, as I say, I don't seek to detract from        |    | *   |
| 14       | where Mr Blaxland is going on it as long as it's            | 14 | A. I've never seen that happen, no.                         |
|          | understood that that had already been discussed in the      |    | DEPUTY CORONER MS MONAGHAN: And you have never been         |
| 16       | -   | 16 | involved in such a thing?                                   |
| 17       | interview. I hope I am not confusing matters by             | 17 | A. I have never been involved in anything like that.        |
| 18       | DEPUTY CORONER MS MONAGHAN: I understand the point          | 18 | MR BLAXLAND: But you have seen detainees being bent forward |
| 19       | Mr Blaxland is pursuing at the moment which is simply       | 19 | in their seats with no ill-effects in the past, haven't     |
| 20       | importantly, which we have already explored, that if        | 20 | you?  |
| 21       | a deportation doesn't go ahead you lose what could be       | 21 | A. Only for the application of handcuffs.                   |
| 22       | a significant amount of money?                              | 22 | Q. Sorry?   |
| 23       | A. That's correct, yes.                                     | 23 | A. Only because the handcuffs have been applied. I have     |
| 24       | DEPUTY CORONER MS MONAGHAN: £170 is not a small amount of   | 24 | never seen anybody forced forward or down in their seat.    |
| 25       | money, given what your earnings were?                       | 25 | Q. Had you got to the position where you just ignored the   |
|          | Page 101  |    | Page 103  |
| 1        | A. That's correct, yes.                                     | 1  | training because you thought it was a load of nonsense?     |
| 2        | DEPUTY CORONER MS MONAGHAN: You can pick this up again this | 2  | A. Ignored what training?                                   |
| 3        | afternoon if you want to as well, Ms Hewitt.                | 3  | Q. The training about the positional asphyxia.              |
| 4        | MR BLAXLAND: Indeed, to underline that, the expression that | 4  | A. I didn't ignore any training.                            |
| 5        | you used, to repeat it, when it came to the point is        | 5  | Q. Sorry?   |
| 6        | "I have to do my utmost to make sure that we get the job    | 6  | A. I didn't ignore any training.                            |
| 7        | away so the boys get paid and that we get paid". Of         | 7  | Q. You felt that everything you did on that day was         |
| 8        | course if the captain tells you to get off the plane,       | 8  | perfectly correct, did you?                                 |
| 9        | you lose money, don't you?                                  | 9  | A. Yes.   |
| 10       | A. That's correct, yes.                                     | 10 | Q. Although, to be fair to you, Mr Tribelnig, when you were |
| 11       | Q. You do your utmost to avoid the captain telling you to   | 11 | specifically asked that question, as we were reminded,      |
| 12       | get off the plane, don't you?                               | 12 | you did raise the question as to whether or not he          |
| 13       | A. The context that this was responding to or replied to is | 13 | should ever have been put in his seat in handcuffs,         |
| 14       | it's not a case of utmost with regards to the captain on    | 14 | didn't you, as something else you could have done?          |
| 15       | the aircraft, utmost to make the correct times, the         | 15 | A. And I said to you before, at that time there was no      |
| 16       | correct pick-ups, the right time, the right stand, the      | 16 | other option.   |
| 17       | right aircraft.   | 17 | Q. Right. Would you do the same again?                      |
| 18       | Q. Well, just to go back to something I explored with you   | 18 | A. Depends on the circumstances you're in.                  |
| 19       | earlier. You said you hadn't heard the expression           | 19 | Q. Would you ever do the same again after that experience?  |
| 20       | "carpet karaoke" before this incident happened, but you     | 20 | A. As I say, it would depend on the situation you're in.    |
| 20       | did understand, because you had been told, that, call it    | 20 | Q. But even though it was dangerous                         |
| 21       | carpet karaoke or call it something else, there had been    | 21 | DEPUTY CORONER MS MONAGHAN: He has answered that, hasn't    |
| 22       | a practice of detainees being forced down in their seats    | 22 | he?   |
| 23<br>24 | to shut them up. You knew that, didn't you?                 |    |   |
|          |   | 24 | MR BLAXLAND: Thank you.                                     |
| 25       | A. We've been made aware of that, yes.                      | 25 | DEPUTY CORONER MS MONAGHAN: That's it, Mr Blaxland?         |
|          | Page 102  | 1  | Page 104  |

| 1       MR BLAXLAND: Yes, thank you.       1       to say, "I can't breathe" during the re         2       DEPUTY CORONER MS MONAGHAN: Who is next? I don't know if       2       A. That's in the statements, yes.  |  |
|--|--|
|  | straint.   |
|  |  |
| 3 you have had discussions amongst yourselves. There's so 3 Q. That is. Your evidence is that Jimm   | ny was shouting but  |
| 4 many of them, members of the jury, I lose track about 4 you can't recall what he was saying?   |  |
| 5 what order we're going in. 5 A. I can't remember exactly what he   |  |
| 6 MR SANDERS: Madam, I don't have any questions. Thank you. 6 Q. May I just refer you to one of the bu   | • •  |
| 7 DEPUTY CORONER MS MONAGHAN: Mr Matthewson? 7 bundle 5. I am going to ask you to tu   |  |
| 8 MR MATTHEWSON: Just a couple. 8 you understand what document it is t   |  |
| 9 Examined by MR MATTHEWSON 9 at. On that page, do you see there's a   |  |
| 10     MR MATTHEWSON: Mr Tribelnig, first, you were asked earlier     10     sheet which tells us what this documents  | -  |
| 11 on about the text messages that you had received on to 11 says:   |  |
| 12 your phone and I think in some cases you had forwarded 12 "Use of Force PowerPoint Printed  | Version."  |
| 13on to others.13Do you see that?  |  |
| 14A. That's correct, yes.14A. That's correct, yes.   |  |
| 15Q. Mr Blaxland, and indeed the coroner, read out some of14A. That's correct, yes.15Q. If you go over the page, you will see  | e a slide So this  |
| 16 those texts to the jury.<br>16 is a PowerPoint presentation we're lo  |  |
| 1010131013101017A. I read the text messages.17says, "Use of Force Principles". Do  | e  |
| 17       IN Fred the ext messages         18       Q. Of course you did. Then I think Mr Blaxland read some         18       A. Yes.   | you see that?  |
| 10Q: of course you due. Then I during the plantatic role solide16A. Tes.19out during the course of his questioning of you.19Q. Is this a PowerPoint presentation th  | at you recognize?  |
| 20       A. That's correct, yes.         20       Is it something that you have seen?  | at you recognise?  |
|  | ve would have had  |
| 21 Q. These text messages. People that you said you forwarded [21] A. This, I think, is the presentation v   |  |
|  |  |
| 22 them on to, you were asked whether or not those people 22 <b>during the initial course and our re</b>   | totmana 117 Van  |
| 22them on to, you were asked whether or not those people22during the initial course and our regime23were from G4S. I think your response was three or four23Q. Page 119, please. In fact if we start   |  |
| 22them on to, you were asked whether or not those people22during the initial course and our response and our response was three or four23were from G4S. I think your response was three or four23Q. Page 119, please. In fact if we start24of them were?24see there's a title slide, "Handling course  | nfrontational  |
| 22them on to, you were asked whether or not those people22during the initial course and our response was three or four23were from G4S. I think your response was three or four23Q. Page 119, please. In fact if we start24of them were?24see there's a title slide, "Handling constructions" and there's a slide on page25A. Yes.25situations" and there's a slide on page   | nfrontational  |
| 22them on to, you were asked whether or not those people22during the initial course and our response and our response was three or four23were from G4S. I think your response was three or four23Q. Page 119, please. In fact if we start24of them were?24see there's a title slide, "Handling course  | nfrontational  |
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| 22them on to, you were asked whether or not those people22during the initial course and our response and our response was three or four23were from G4S. I think your response was three or four23Q. Page 119, please. In fact if we start24of them were?24see there's a title slide, "Handling con25A. Yes.25situations" and there's a slide on pagePage 105   | nfrontational  |
| 22       them on to, you were asked whether or not those people       22       during the initial course and our response and our response was three or four         23       were from G4S. I think your response was three or four       23       Q. Page 119, please. In fact if we start         24       of them were?       24       see there's a title slide, "Handling conservations" and there's a slide on page         25       A. Yes.       Page 105       25         1       Q. Do you mean three of the four of the people that you       1       "How judgment is affected by stress"?  | nfrontational<br>e 118 entitled,   |
| 22       them on to, you were asked whether or not those people       22       during the initial course and our response and our response was three or four         23       were from G4S. I think your response was three or four       23       Q. Page 119, please. In fact if we start see there's a title slide, "Handling constraints" and there's a slide on page Page 105         25       A. Yes.       25       situations" and there's a slide on page Page 107         1       Q. Do you mean three of the four of the people that you       1       "How judgment is affected by stress"?         2       were forwarding these texts on to were fellow employees       2       A. Yes.   | nfrontational<br>e 118 entitled,<br>e I want to ask  |
| 22       them on to, you were asked whether or not those people       22       during the initial course and our response and our response was three or four         23       were from G4S. I think your response was three or four       23       Q. Page 119, please. In fact if we start see there's a title slide, "Handling constructions" and there's a slide on page 105         25       A. Yes.       25       situations" and there's a slide on page 107         1       Q. Do you mean three of the four of the people that you       1       "How judgment is affected by stress"?         2       were forwarding these texts on to were fellow employees       3       Q. Then just over the page this is the on   | nfrontational<br>e 118 entitled,<br>e I want to ask  |
| 22them on to, you were asked whether or not those people22during the initial course and our response and our response was three or four23were from G4S. I think your response was three or four23Q. Page 119, please. In fact if we start24of them were?24see there's a title slide, "Handling consistuations" and there's a slide on page25A. Yes.25situations" and there's a slide on page20Page 1051"How judgment is affected by stress"?2were forwarding these texts on to were fellow employees3at G4S?3A. Some of them were and some of the messages I received4Some of them were is a question at the top   | nfrontational<br>e 118 entitled,<br>e I want to ask  |
| 22them on to, you were asked whether or not those people22during the initial course and our response was three or four23were from G4S. I think your response was three or four23Q. Page 119, please. In fact if we start24of them were?24see there's a title slide, "Handling considered and there's a slide on page25A. Yes.25situations" and there's a slide on page26Page 1051"How judgment is affected by stress"?2were forwarding these texts on to were fellow employees3at G4S?3A. Some of them were and some of the messages I received3Q. Then just over the page this is the on5had come from fellow G4S employees.5which says or asks:  | nfrontational<br>e 118 entitled,<br>e I want to ask  |
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| 22them on to, you were asked whether or not those people22during the initial course and our response was three or four23were from G4S. I think your response was three or four23Q. Page 119, please. In fact if we start24of them were?24see there's a title slide, "Handling constructions" and there's a slide on page25A. Yes.25situations" and there's a slide on page20Page 10525at G4S?1Q. Do you mean three of the four of the people that you1"How judgment is affected by stress"?2were forwarding these texts on to were fellow employees3at G4S?3A. Some of them were and some of the messages I received3Q. Then just over the page this is the on4A. Some of them were and some of the messages I received5which says or asks:6Q. There was one very obvious one with G4S in his name,6"What does adrenaline do for us?"7wasn't there, but there were others?7Do you see that?  | nfrontational<br>e 118 entitled,<br>e I want to ask<br>p of the slide  |
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| 22them on to, you were asked whether or not those people22during the initial course and our re23were from G4S. I think your response was three or four23Q. Page 119, please. In fact if we start24of them were?24see there's a title slide, "Handling cor25A. Yes.2526Page 105251Q. Do you mean three of the four of the people that you12were forwarding these texts on to were fellow employees33at G4S?34A. Some of them were and some of the messages I received45had come from fellow G4S employees.66Q. There was one very obvious one with G4S in his name,77wasn't there, but there were others?88A. Yes.89Q. But the other people who were not G4S employees were99Q. Do you remember being told about the  | nfrontational<br>e 118 entitled,<br>e I want to ask<br>p of the slide<br>effects of  |
| 22them on to, you were asked whether or not those people23were from G4S. I think your response was three or four24of them were?25A. Yes.26Page 1051Q. Do you mean three of the four of the people that you2were forwarding these texts on to were fellow employees3at G4S?4A. Some of them were and some of the messages I received5had come from fellow G4S employees.6Q. There was one very obvious one with G4S in his name,7wasn't there, but there were others?8A. Yes.9Q. But the other people who were not G4S employees were10just personal friends of yours, were they?   | nfrontational<br>e 118 entitled,<br>e I want to ask<br>p of the slide<br>effects of  |
| 22       them on to, you were asked whether or not those people       22       during the initial course and our re         23       were from G4S. I think your response was three or four       23       Q. Page 119, please. In fact if we start         24       of them were?       24       see there's a title slide, "Handling cor         25       A. Yes.       25         9       Q. Do you mean three of the four of the people that you       1       "How judgment is affected by stress"?         2       were forwarding these texts on to were fellow employees       3       at G4S?         4       A. Some of them were and some of the messages I received       3       Q. There is a question at the top         5       had come from fellow G4S employees.       6       "What does adrenaline do for us?"         7       wasn't there, but there were others?       8       A. Yes.         9       Q. But the other people who were not G4S employees were       9       Q. Do you remember being told about the         10       just personal friends of yours, were they?       11       A. I would have been cove  | nfrontational<br>e 118 entitled,<br>e I want to ask<br>p of the slide<br>effects of<br>ered as part of the   |
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| 22       them on to, you were asked whether or not those people       23       were from G4S. I think your response was three or four       23       Q. Page 119, please. In fact if we start         24       of them were?       23       Q. Page 119, please. In fact if we start         25       A. Yes.       24       see there's a title slide, "Handling corestitations" and there's a slide on page Page 107         1       Q. Do you mean three of the four of the people that you       2       A. Yes.         2       were forwarding these texts on to were fellow employees       3       at G4S?         4       A. Some of them were and some of the messages I received       3       Q. Then just over the page this is the on         5       had come from fellow G4S employees.       3       Q. There was one very obvious one with G4S in his name,       7         7       wasn't there, but there were others?       8       A. Yes.       9         9       Q. But the other people who were not G4S employees were       9       Q. Do you remember being told about the         10       just personal friends of yours, were they?       11       A. I would be it would have been cove         12       Q. Of course G4S hasn't operated this contract for a couple       13       Q. Now, there are two lists, "Positive effect         13       of years but it was operating it at the time. At t  | nfrontational<br>e 118 entitled,<br>e I want to ask<br>p of the slide<br>effects of<br>ered as part of the<br>cts" and<br>f the negative   |
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| 22them on to, you were asked whether or not those people22during the initial course and our re23were from G4S. I think your response was three or four23Q. Page 119, please. In fact if we start24of them were?24see there's a title slide, "Handling cor25A. Yes.253at G4S?1"How judgment is affected by stress"?2were forwarding these texts on to were fellow employees3Q. Then just over the page this is the on4A. Some of them were and some of the messages I received3Q. There was one very obvious one with G4S in his name,37wasn't there, but there were others?8A. Yes.3Q. Do you remember being told about the8A. Yes.9Q. But the other people who were not G4S employees were9Q. Do you remember being told about the10just personal friends of yours, were they?11A. I would be it would have been cove12Q. Of course G4S hasn't operated this contract for a couple13Of years but it was operating it at the time. At the13Q. Now, there are two lists, "Positive effect13of years but it was operating it at the time. At the13Q. Now, there are two lists, "Positive effect14time it would issue you with telephones, wouldn't it?14"Negative effects of adrenaline". One or15A. We had work phones, yes.15effects that is listed is auditory exclusion16Q. This Blackberry telephone upon which these texts were16see that?1  | nfrontational<br>e 118 entitled,<br>e 118 entitled,<br>e I want to ask<br>p of the slide<br>effects of<br>ered as part of the<br>cts" and<br>f the negative<br>n. Do you   |
| 22       them on to, you were asked whether or not those people       22       during the initial course and our response was three or four         23       were from G4S. I think your response was three or four       23       Q. Page 119, please. In fact if we start see there's a title slide, "Handling consistuations" and there's a slide on page 107         1       Q. Do you mean three of the four of the people that you       2       A. Yes.         2       were forwarding these texts on to were fellow employees       3       at G4S?         4       A. Some of them were and some of the messages I received       3       Q. Then just over the page this is the on you about there is a question at the top         5       had come from fellow G4S employees.       6       "What does adrenaline do for us?"         6       Q. There was one very obvious one with G4S in his name,       7       Do you see that?         8       A. Yes.       8       A. Yes.       9         9       Q. But the other people who were not G4S employees were       9       Q. Do you remember being told about the adrenaline during incidents of this sort?         11       A. That's correct, yes.       1       A. I would have been cove         12       Q. Of course G4S hash' operated this contract for a couple       13       of years but it was operating it at the time. At the       13       Q. Now, there are two lists, "Positive effect <td>nfrontational<br/>e 118 entitled,<br/>e I want to ask<br/>p of the slide<br/>effects of<br/>ered as part of the<br/>cts" and<br/>f the negative<br/>n. Do you<br/>is? Do you remember</td>   | nfrontational<br>e 118 entitled,<br>e I want to ask<br>p of the slide<br>effects of<br>ered as part of the<br>cts" and<br>f the negative<br>n. Do you<br>is? Do you remember   |
| 22       them on to, you were asked whether or not those people       22       during the initial course and our response was three or four         23       were from G4S. I think your response was three or four       23       Q. Page 119, please. In fact if we start see there's a title slide, "Handling constructions" and there's a slide on page Page 105         1       Q. Do you mean three of the four of the people that you       1       "How judgment is affected by stress"?         2       were forwarding these texts on to were fellow employees       3       Q. Then just over the page this is the on you about there is a question at the top         5       had come from fellow G4S employees.       3       Q. There was one very obvious one with G4S in his name,       6       "What does adrenaline do for us?"         7       wasn't there, but there were others?       8       A. Yes.       9       Q. Do you remember being told about the adrenaline during incidents of this sort?         11       A. That's correct, yes.       9       Q. Do you remember being told about the adrenaline during incidents of this sort?         12       Q. Of course G4S hasn't operated this contract for a couple       1       "Negative effects of adrenaline". One or effects that is listed is auditory exclusion is see that?         13       of years but it was operating it at the time. At the       13       Q. Now, there are two lists, "Positive effect maine". Training.         13       Q.   | nfrontational<br>e 118 entitled,<br>e 118 entitled,<br>e I want to ask<br>p of the slide<br>effects of<br>ered as part of the<br>cts" and<br>f the negative<br>n. Do you<br>is? Do you remember<br>t it.   |
| 22       them on to, you were asked whether or not those people       22       during the initial course and our response was three or four         23       were from G4S. I think your response was three or four       23       Q. Page 119, please. In fact if we start see there's a title slide, "Handling constructions" and there's a slide on page Page 105         24       of them were?       24       see there's a title slide, "Handling constructions" and there's a slide on page Page 107         1       Q. Do you mean three of the four of the people that you       1       "How judgment is affected by stress"?         2       were forwarding these texts on to were fellow employees       3       Q. Then just over the page this is the on you about there is a question at the top         5       had come from fellow G4S employees.       6       "What does adrenaline do for us?"         7       wasn't there, but there were others?       8       A. Yes.         8       A. Yes.       9       Q. Do you remember being told about the adrenaline during incidents of this sort?         11       A. That's correct, yes.       1       A. I would bace. it would have been cove         12       Q. Of course G4S hasn't operated this contract for a couple       13       A. I would have phones, yes.         12       Q. Of course G4S hasn't operated this contract for a couple       13       A. I would have bephones, wouldn't it?  | nfrontational<br>e 118 entitled,<br>e 118 entitled,<br>e I want to ask<br>p of the slide<br>effects of<br>ered as part of the<br>cts" and<br>f the negative<br>n. Do you<br>is? Do you remember<br>t it.<br>en?  |
| 22       them on to, you were asked whether or not those people       22       during the initial course and our re         23       were from G4S. I think your response was three or four       23       Q. Page 119, please. In fact if we start         24       of them were?       23       Q. Page 119, please. In fact if we start         24       of them were?       24       see there's a title slide, "Handling conservations" and there's a slide on page         25       A. Yes.       25       situations" and there's a slide on page         2       were forwarding these texts on to were fellow employees       3       at G4S?         4       A. Some of them were and some of the messages I received       4       Yes.         3       Q. There was one very obvious one with G4S in his name,       7       What does adrenaline do for us?"         7       wasn't there, but there were others?       8       A. Yes.         9       Q. But the other people who were not G4S employees were       9       Q. Do you remember being told about the adrenaline during incidents of this sort?         11       A. That's correct, yes.       1       A. Yes.         12       Q. Of course G4S hasn't operated this contract for a couple       13       A. We had work phones, yes.         12       Q. This Blackberry telephone upon which these texts were       13   | nfrontational<br>e 118 entitled,<br>e 118 entitled,<br>e 118 entitled,<br>e 1 want to ask<br>p of the slide<br>effects of<br>ered as part of the<br>cts" and<br>f the negative<br>n. Do you<br>is? Do you remember<br>t it.<br>en?<br>u're hearing tends to                                    |
| 22       them on to, you were asked whether or not those people       22       during the initial course and our relation of the were form G4S. I think your response was three or four         23       were from G4S. I think your response was three or four       23       Q. Page 119, please. In fact if we start see there's a title slide, "Handling color set there's a title slide on page Page 107         1       Q. Do you mean three of the four of the people that you were forwarding these texts on to were fellow employees       1       "How judgment is affected by stress?"?         2       were form G4S employees.       3       Q. There was one very obvious one with G4S in his name, relation stres on there, but there were others?       3       Q. There was one very obvious one with G4S employees were       9       Q. Do you remember being told about the adrenaline during incidents of this sort?         1       A. That's correct, yes.       1       I. Would have been cover       12       Q. Now, there are two lists, "Positive effect refects of adrenaline". One or effects that is listed is auditory exclusion in the set that was in a work phone or a personal phone?       14       A. We had work phone or a personal ph | nfrontational<br>e 118 entitled,<br>e 118 entitled,<br>e 118 entitled,<br>effects of<br>ered as part of the<br>cts" and<br>f the negative<br>n. Do you<br>is? Do you remember<br>t it.<br>en?<br>u're hearing tends to<br>o particulars.   |
| 22       them on to, you were asked whether or not those people       22       during the initial course and our re         23       were from G4S. 1 think your response was three or four       23       Q. Page 119, please. In fact if we start         24       of them were?       23       A. Yes.         25       A. Yes.       24       see there's a title slide, "Handling co         26       A. Yes.       25       situations" and there's a slide on page         2       were forwarding these texts on to were fellow employees       3       at G4S?       3       Q. Then just over the page this is the on         3       at G4S?       3       Q. Then just over the page this is the on       4       you about there is a question at the top         5       had come from fellow G4S employees.       6       "What does adrenaline do for us?"       7       Do you see that?         8       A. Yes.       8       A. Yes.       9       Q. Do you remember being told about the         10       just personal friends of yours, were they?       11       A. Iwaub be it would have been cove         12       Q. Of course G4S hasn't operated this contract for a couple       13       Q. Now, there are two lists, "Positive effect         13       of years but it was operating it at the time. At the       13       Q. Now, there  | nfrontational<br>e 118 entitled,<br>e 118 entitled,<br>e 118 entitled,<br>e 1 want to ask<br>p of the slide<br>effects of<br>ered as part of the<br>cts" and<br>f the negative<br>n. Do you<br>is? Do you remember<br>t it.<br>en?<br>u're hearing tends to<br>p particulars.<br>u were in the |

|          |  |          | 5   |
|----------|--|----------|---|
| 1        | things and you may not because of the adrenaline flowing         | 1        | "It will point out that any force was used in   |
| 2        | through you?   | 2        | a reasonable, necessary and justified manner  |
| 3        | A. That is I believe that is a possibility, yes.                 | 3        | proportionate to that threat."  |
| 4        | Q. But just to be clear, this is training that you remember      | 4        | Do you see that?  |
| 5        | having and this term "auditory exclusion" is something           | 5        | A. Yes.   |
| 6        | that you do remember?  | 6        | Q. You understand the point that Mr Blaxland was making and   |
| 7        | A. I would have seen this as part of the training, yes.          | 7        | actually it's a fair point that, if you take that   |
| 8        | Q. I want to move on to a third point and I want to refer        | 8        | sentence out of context, it appears to be saying that in  |
| 9        | to green volume 8, if I may. Page 5 is a document that           | 9        | every report you have to say that force was used in   |
| 10       | Mr Blaxland referred you to and asked you questions              | 10       | a reasonable way. Do you see that?  |
| 11       | about.   | 11       | A. Please explain.  |
| 12       | DEPUTY CORONER MS MONAGHAN: This is the report writing.          | 12       | Q. All right. What Mr Blaxland was saying is if you read  |
| 13       | Thank you. The jury don't have this, yes.                        | 13       | this sentence and it's talking about report that you  |
| 14       | MR MATTHEWSON: It may be that I'm being a bit dim but could      | 14       | will complete after an event, what you're told is it,   |
| 15       | we just, for the benefit of the jury, if they hadn't             | 15       | the report, will point out that any force was used in   |
| 16       | picked up on this I may not have done. Do you                    | 16       | a reasonable, necessary and justified manner  |
| 17       | remember you were referred to documents previously that          | 17       | proportionate to the threat.  |
| 18       | you said were distributed around the workplace on notice         | 18       | A. Yes.   |
| 19       | boards and so on?  | 19       | Q. Do you see that?   |
| 20       | A. Yeah, the notices.  | 20       | A. Yes.   |
| 21       | Q. Yes. To be honest, I can't remember if this was you or        | 20       | Q. I think Mr Blaxland's point is this doesn't give you any   |
| 22       | Mr Duckers that covered this. Can you help us. This              | 21       | option when you're writing your report to say anything  |
| 23       | document entitled, "Training Matters", is this                   | 23       | other than the force used was reasonable, proportionate   |
| 24       | a document that would have been given to you? Is it              | 23       | and so on?  |
| 25       | a document that would have been given to you? Is it              | 24       | A. That's correct, yes.   |
| 25       | Page 109   | 25       | Page 111  |
|          | - <del></del>  |          |   |
| 1        | of training or is it a document that was just put up on          | 1        | Q. Do you follow?   |
| 2        | the walls in the hope that you would look at them some           | 2        | A. Yes.   |
| 3        | day?   | 3        | Q. But of course you see the sentence before it:  |
| 4        | A. I think this may have been given to us during training,       | 4        | "Your report must be clear, specific and as accurate  |
| 5        | a copy of this.  | 5        | as possible"?   |
| 6        | Q. So can you just flesh that out a bit. Would a trainer         | 6        | A. Yes.   |
| 7        | say, "In addition to the materials that you have and             | 7        | Q. Do you see that? Now, as a result of your training and   |
| 8        | we've seen, here are some up-to-date briefing notes that         | 8        | as a result of the training you were given in relation  |
| 9        | we'd like you to look at" or would you be taken through          | 9        | specifically to report-writing techniques, were you left  |
| 10       | it point by point? How would you come to know what's on          | 10       | with the impression by your training that you were  |
| 11       | this document?   | 11       | entitled to say anything other than the truth in those  |
| 12       | A. I can't remember as part of the initial training              | 12       | reports?  |
| 13       | package. I would imagine that we would have gone                 | 13       | A. No.  |
| 14       | through it.  | 14       | Q. When indeed you sat down to draft those reports, did you   |
| 15       | Q. Certainly in answer to Mr Blaxland's questions your           | 15       | write the truth or did you write what you thought G4S   |
| 16       | answers certainly were that you were familiar with the           | 16       | wanted you to write or whatever anybody else wanted you   |
| 17       | concepts that are in these documents or certainly this           | 17       | to write?   |
| 18       | document?  | 18       | A. I wrote the truth based on my experience.  |
| 19       | A. Yes.  | 19       | Q. Is that the case with the report written in relation to  |
| 20       | Q. Now, do you remember Mr Blaxland referred you to five         | 20       | Mr Mubenga?   |
| 21       | paragraphs in, the paragraph starting, "Your report"             | 21       | A. Yes.   |
|          |  | 22       | Q. Fourthly, can I ask you once again about your training.  |
| 22       | Do you see that:   |          |   |
| 22<br>23 | Do you see that:<br>"Your report must be clear, specific"        | 23       | You were referred it's probably best to refer to this   |
|          | -  | 23<br>24 |   |
| 23       | "Your report must be clear, specific"                            |          | You were referred it's probably best to refer to this   |
| 23<br>24 | "Your report must be clear, specific"<br>A. That's correct, yes. | 24       | You were referred it's probably best to refer to this so there's no confusion to bundle blue 2, page 184. |

| <ol> <li>A. Yes.</li> <li>Q. In the second paragraph, in response to the question:         <ul> <li>So accord paragraph, in response to the question:                 <ul> <li>A. That's correct. You have the issues of the other</li> <li>passengers on the aireraft and other potential hazards arround you.</li> <li>A. That's correct. You have the issues of the other</li> <li>passengers on the aireraft and other potential hazards arround you.</li> <li>Q. Thank you, Finally, in relation to the money that you were paid by the hear. You are oulp paid by the</li> <li>make senteme that I you are oulp and by the</li> <li>a dependation was terminated by you would have to be</li> <li>restrained. We would thny - he would have to be</li> <li>in this you would part that maight affect the way if an adopt you would have to bether was and you would part that affect the way if an adopt you would have to be in a wing affect the way if an adopt you would have to be in a wing you would part that mainig that free the way in a which you were given or that there was an</li> <li>a. No. If addin't affect the way if affect the way if any out would have outberwise dup you would part to be water minute that you would also are more, they yous and they affect the way if any out would have outberwise dup you would part to be water minute that you would part to be water minute that you would part to be you would you wave cond they be water way to be abacked up one</li></ul></li></ul></li></ol>  |    | -   |    |  |
|---|----|---|----|--|
| <ul> <li>"So at the point of him, oh let's say then if you</li> <li>a removal, if this happens again, what would you do</li> <li>differently?"</li> <li>The whole section has been read out. It's only the</li> <li>last sentence that I want to adk you about - well, in</li> <li>fact it's probably better if I just remind you what it</li> <li>says:</li> <li>"Initially we would then have to make the jodgment</li> <li>monther of noursy out actually worked so that if</li> <li>a deportation was terminated you would bese thours</li> <li>the value on the weap in the function in the form that the big the function of the many in which you were paid.</li> <li>We there on to we've go to pacify lim by sticking him</li> <li>into his seat which seems to be the main area of</li> <li>concern. Can we get him in to the front stack before we</li> <li>the training that you ace that?</li> <li>Q. What you appear to be saying there is suggesting that</li> <li>the training that you were given or that there was an</li> <li>a No, it failer the way in which you were given or that there was an</li> <li>a No, it failer the way in the wey in a whole may in what would have one, you paced that you</li> <li>were saying that if s' rue that- you accept dhat you</li> <li>would have one, you so solid to use these words</li> <li>built's words to that fifter?</li> <li>A. No, it failer the way in a whole may one at the participant in the set of many one at the set of work, you</li> <li>a criticism of the fact that the training that you had actually</li> <li>a criticism of the fact that the training that you had actually</li> <li>a criticism of the fact that the training you had</li> <li>a criticism of the fact that the training you had</li> <li>a criticism of the fact that the training that you had you had</li> <li>a criticism of the fact that the training you had</li> <li>a creceived from your trainers at life the qualify of training th</li></ul>  | 1  | A. Yes.   | 1  | A. That's correct. You have the issues of the other    |
| <ul> <li>"So at the point of him, oh ler's say then if you do at a removal, if this happens again, what would you do do differently?"</li> <li>The whole section has been read out. It's only the fact if's probably better if 1 just remind you what it says: a bout out any to about - well, in fact it's probably better if 1 just remind you what it says: a bout out any to about the set of the main to about you about the set of the main to the front systeking him in to the front stack before we haven't been trained in."</li> <li>The whole section has been read out. It's only the fact it's correct, yes.</li> <li>This sait which seens to be the main area of the concert. Can we get him in to the front stack before we haven to be asying their it's run that - you accepted that you is were sysing that it's run that - you accept that you were given on that there was an about you avoid to the strenger of about the training that you were given on that there was an about you would get put back into the pool and it's run that - you accept that you are given to the training that you were given on that there was an about you would get put back into the pool and its a criticism either?</li> <li>A. No, it didn' affect the way it didn's fifter?</li> <li>A. No, it didn's fifter?</li> <li>A. Think is are wore you're coming from, yes.</li> <li>You were also be the distiction if marwing, or was it something tels?</li> <li>A. No, it didn's fifter?</li> <li>A. No, it didn's fifter?</li> <li>A. No was at something tels?</li> <li>A. No, it didn's affect the way in a simple analogy. Is what Page 113</li> <li>Training that you were given to the training you had a acriticism either particular restations were most likely to have sizes of this and fifterent marking, or was it something class?</li> <li>A. No, it didn's fifter the way in a simile dud the quality of training that you had accenter on possibly thre globs backed on you more several occusions to the instructors at G4S, and were now</li></ul>  | 2  | Q. In the second paragraph, in response to the question:    | 2  | passengers on the aircraft and other potential hazards |
| 4       a removal, if this happens again, what would you do       4       Q. Thank you. Finally, in relation to the money that you were paid.         5       differently?"       The whole section has been read out. It's only the       7         6       The whole section has been read out. It's only the       7         7       fact it's probably hetter if 1 just remind you what it       8       a deportation vas terminated you would lose the hours         9       That's correct, yes.       9       A. That's correct, yes.         10       Thitially we would try he would have to be       10       A. That's correct, yes.         11       one of hours you cutually worked out a set of a lob was terminated but if that you would have to be revise earned, do you see?       10         12       whether or not we've got to pactly him by sticking hum       10       A. That's correct, yes.         12       on we again. This is all working on stuff that       10       A. No. That's our asswgraph tait's true ther way it did my job.         13       A. This is all working on stuff that       10       A. No. That's our assugraph tait's true ther any out did'n use these words         14       Q. What you appear to be saying there is suggesting that'       10       We way out did'n use these words         15       A. Thit's low envery our coning from, yes.       A. Thit's low envery our coning from, yes. <t< td=""><td></td><td>"So at the point of him, oh let's say then if you</td><td>3</td><td>around you.</td></t<>  |    | "So at the point of him, oh let's say then if you           | 3  | around you.  |
| 5       differently?"       5       were paid, we understand the way in which you were paid.         6       The whole section has been read out. It's only the last sentence that I want to ask you about well, in fact it's probably better if I just merinid you what it says:       5       were paid, we understand the way in which you were paid.         7       Initially we would try he would have to be the main area of the one would have observise aermed, do you see?       10         11       restrained. We would then have to make the judgment were paid. We anderstand the way in which seems to be the main area of the one would have observise aermed, do you see?       10         12       operation was terminated you would have observise aermed, do you see?       10         13       A. No, it didn't affect the way it did my joh.         14       concerer. Can we get him in to the front has tack before were in the training that you appear to be saying there is suggesting that       13       A. No, it didn't affect the way it did my joh.         16       would have observed to the training that you had been given in a beacted for another one at potentially short one say out a bia keed way you a bia backed up one be built to wool how out here?         14       notice.       20       A. From what I remember, how the system used to work, you would have observed to way point any job well down you could have observed to a atome of manage arriting the say out a bia keedb         15       received from your trainers at G4S (or (h) whether it as a criticism either you way a  | 4  |   | 4  | -  |
| 6       The whole section has been read out. It's only the       6       You were paid by the bour. You are only paid by the         7       Isst serience that I want to ask you about - well, in       7       adeportation was terminated you would lose the bours         9       says:       a deportation was terminated you would lose the bours         9       'Initially we would then have to make the judgment       1       Q. There's been a suggestion that that might affect the way it did my job.         10       'Initially we would then have to make the judgment       1       Q. There's been a suggestion that that might affect the way it did my job.         11       concern. Can we get him in to the front stack before we       1       A. No it did's uffect the way it did my job.         15       sith in down again. This is all working on stuff that       'A. No, it have one yrou did't use those words         16       A. Yes.       'A think I see where you're coming from, yes.         17       O you see that?       'A. I think I see where you're coming from, yes.         24       Q. Now. any out il us whether that is a criticism either       'A think I see where you're coming from, yes.         24       Q. Now can you tell us whether that is a criticism either       'A to ual would have one, yoo goold't use those words         25       a criticism of the fact that the training you had       a criticism of the fact that the training wou had actual  |    |   | 5  |  |
| 7       last sentence that I want to ask you about well, in       number of hours you actually worked so that if         8       fact it's probably better if I just remind you what it       a deportation was terminated you would lave the hours         9       Thitially we would try he would have to be       that you would have otherwise earned, do you see?         10       That's correct, yes.         11       restrained. We would then have to make the judgment         12       whether or not we've got to pacify him by sticking him         13       into his seat which seems to be the main area of         14       concern. Can we get him in to the front stack before way         15       sit him down again. This is all working on stuff that         16       we haven't heen trained in."         17       Do you see that?         18       A. Yes.         19       Q. What you appear to be saying there is suggesting that         10       restraining that you had been given in         11       received from your traines that?         23       A. I think I see where your coming from, yes.         40       Non. Thave no problems at all with the quality of         11       received from your trainers at G4S or (b) whether it was         2       a criticism of the fact the the inining you had         31  | 6  | -   | 6  |  |
| 8         fact it's probably better if 1 just remind you what it<br>9 says:         a deportation was terminated you would how the hours<br>9 that you would have otherwise carned, do you see?           10         Triniially we would try he would have to be<br>11         Trestrained. We would then have to make the judgment<br>12         0. That's correct, yes.           11         whether or not we've got to pacify him by sticking him<br>13         10. That's correct, yes.         10. A. No, it didn't affect the way it did my job.           12         whether or not we've got to pacify him by sticking him<br>13         10. A. No, it didn't affect the way it did my job.           14         concern. Can we get him in to the front stack before we<br>14         10. A. No, it didn't affect the way it did my job.           16         we haven't been trained in."         10. What you appear to be saying that it we that you accepted that you           17         Do you see that?         11. the sevence you're given of that there was and<br>absence or a lack of training that you had been given in<br>22. A. If think 1 se whether you're coming from, yes.         21. A. Think 1 se wether you're coming from, yes.           23         A. Think 1 se wether you're coming from, yes.         21. you're saying that it you had been given in<br>22. a critism of the fact that the training you had<br>a arctrai? Do you see the distinction 1'm drawing, or<br>33. received just didn't really cover the interior of<br>4 arccarl? Do you see that sith let that we<br>34. a chicks and you would as the problems at all with the quality of<br>44. would have got any oucan pick pan ablack cab<br>44. a chicks or dones that w   |    | -   | 7  |  |
| <ul> <li>9 says:</li> <li>9 that you would have otherwise earned, do you see?</li> <li>10 This is all would try he would have to be intervent, yes, in the probability of training that you had at the the probability of training that you had at the there it was it something else?</li> <li>11 Proceed from your trainers at G4S or (b) whether it was a raticitism of the fact that the training you had at the there it was it something else?</li> <li>12 No. That has not you see that?</li> <li>13 A. I think I see where you're coming from, yes.</li> <li>14 Proceed from your trainers at G4S or (b) whether it was a raticitism of the fact that the training you had at the trough of course you dougt you fact use the system used to work, you would have on problems at all with the quality of training that you had actually progenerate training that you had actually of training that is delivered by the instructors at G4S.</li> <li>14 Proceed from your trainers of G4S or (b) whether it was a raticitism of the fact that the training you had at the profit way to any optic the instructors at G4S.</li> <li>14 Proge 115</li> <li>11 received from your trainers of G4S or (b) whether it was a raticity of the fact that the training you had at the profit you are more doing something else. Is that you had been trained to doi; it in other words, in a materiaft, you werend to doing it in the time to that you are more doing something else. Is that you had you was to angle the analyou that have of the there way on any doi you early of any on any doing wou was to angle that the profit you was to angle the proting back of any on ang</li></ul>       |    | -   | 8  |  |
| <ul> <li>Initially we would try he would have to be</li> <li>Thitially we would try he would have to be</li> <li>Initially we would then have to make the judgment</li> <li>whether or not we're got to pacify thin by sticking thin</li> <li>into his seat which seems to be the main area of</li> <li>concern. Can we get him in to the front stack before we</li> <li>stim down again. This is all working on stuff that</li> <li>A. Yes.</li> <li>O. What you appear to be saying there is suggesting that</li> <li>the training that you were given or that there was an</li> <li>absence or a lack of training that you had been given in</li> <li>relation to this point. Do you see that?</li> <li>A. Thik I see where you're coming from, yes.</li> <li>Q. Now, can you tell us whether that is a criticism either</li> <li>(a) of the quality of the training from, yes.</li> <li>Q. Now, can you tell us whether that is a criticism either</li> <li>received from your trainers at G4S or (b) whether it was</li> <li>a criticism of the fact that the training you had</li> <li>a received just didth "cally cover the interior of</li> <li>was it something else?</li> <li>A. No have no problems at all with the quality of</li> <li>training that is delivered by the instructors at G4S.</li> <li>I have no argument with thatal. I had mentioned on</li> <li>several coarse when you were restraining people on</li> <li>an advictuar training specific training in the</li> <li>particular areas that we are most likely to have issues</li> <li>with.</li> <li>Q. Because of course when you were restraining people on</li> <li>an area do course when you were restraining people on</li> <li>an area do course when you were restraining people on</li> <li>an area do course when you were restraining people on</li> <li>an area do you have wats are most likely to have sizes</li> <li>that you had serine environment.</li> <li>Q. Your point is</li></ul>  |    |   | 9  |  |
| 11       restrained. We would then have to make the judgment       11       Q. There's been a suggestion that that might affect the way         12       whether or not we've got to pacify him by sticking him       13       A. No. I didn't affect the way it did my job.         13       into his sead which seems to be the mini area of       14       Q. That has been your answer, but yesterday, I think, you         14       concern. Can we get him in to the front stack before we       15       sh No. No. I didn't affect the way it did my job.         15       A. Yes.       16       Q. That has been your answer, but yesterday, I think, you         16       would lose money if a job was terminated but I think       would lose money if a job was terminated but I think         16       would have one, two, possibly three job backed up ou       would have one, two, possibly three job backed up ou         23       A. I think I see where you're coming from, yes.       24       Now, can you tell us whether that is a criticins mither         2       (a) of the quality of the training that you had actually       Page 113       Page 115         1       received from your trainers at GAS or (b) whether it was       2       diver. Ja passenger and         3       a criticism of the fact that the training you had       2       diver. Ja passenger and         3       a criticism of the fact that the training you had       2 <td></td> <td>-</td> <td>10</td> <td></td>  |    | -   | 10 |  |
| 12       whether or not we've got to pacify him by sticking him       12       in which you do your job.         13       into his seat which seems to be the main area of       14       Q. That has been your answer, but yesterday. I think, you         16       we haven't been trained in."       14       Q. That has been your answer, but yesterday. I think, you         16       we haven't been trained in."       17       the noy us aid your answer, but yesterday. I think, you         17       Do you see that?       17       the noy us aid you would get put back into the pool and         18       A. Yes.       17       the noy us aid you would get put back into the pool and         18       A. Sets.       18       selected for another yob or you didn't use those words         19       Q. What you appear to be saying there is suggesting that       18       selected for another yob or you didn't use those words         21       absence or a lack of training that you had been given in       20       Form what I remember, how the system used to work, you         22       A. It fhink I see where you're coming from, yes.       21       audit as get you you any pich was as a simple analogy. Is what         23       a circrafy Do you see that?       23       could be selected for another one at potentially short         24       Q. Now, can you tell us whether that is a cirticism of thef fact that the training   |    |   |    |  |
| 13       into his seat which seems to be the main area of concern. Can we get him in to the front stack before we first of the vary it did my job.       13       A. No. it didn't affect the way it did my job.         14       concern. Can we get him in to the front stack before we first we that -you accepted that you first we that -you accepted that you first we that -you accepted that you were saying that ifs true that -you accepted that you are saying there is suggesting that       13       A. No. it didn't affect the way it did my job.         16       we haven't been trained in."       14       O. That has been your answer, houge start that we tak into the pool and         17       Do you see that?       15       we can you did use those words         18       A. Yes.       18       Selected for another job or you didf't use those words         19       Q. What you appear to be saying there is suggesting that       18       selected for another job ary ou didf't use those words, you and absecked up one         12       relation to this point. Do you see that?       24       Now, can you cill us whether that is a criticism of the fact that be training that you had actually Page 113       26       Q. Now, can you cill us whether that is a criticism of the fact that the training you had as a criticism of the fact that the training you had actually Page 115       2       setted for another job ary oud and that we at that we are most fill of the say on that you appent to be say on the sate of a say of the another pose sate of a say of the anothy pose anot any oud and we are say anothy and that we are most fi  |    |   |    |  |
| 14       concern. Can we get him in to the front stack before we       14       Q. That has been your answer, but yesterday, I think, you         15       sit him down again. This is all working on stuff that       10       were asying that it's true that - you accepted that you         16       we haven't been trained in."       10       would lose money if a job was terminated but I think         17       Do you see that?       11       then you said you would get put back into the pool and         18       A. Yes.       12       the training that you were given or that there was an       asence or a lack of training that you had been given in         20       New, can you tell us whether that is a criticism either       21       A. From what I remember, how the system used to work, you         23       A. I think I see where you're coming from, yes.       22       C. Forgive me for perhaps using a simple analogy. Is what         24       Q. Now, can you tell us whether that is a criticism either       23       a criticism of the fact that the training you had         3       a criticism of the fact that the training you had       3       received from your trainers at G4S or (b) whether it was       1       you're saying that, yes, let's say you're a black cab         2       a criticism of the fact that the training you had       1       you're saying that, yes, let's any you're a black cab         3       a creceived fro   |    |   |    |  |
| 15       sit him down again. This is all working on stuff that       15       were saying that if's true that you accepted that you         16       we haven't been trained in."       10       would lose money if a job was terminated but 1 think         17       Do you see that?       17       then you saidy you would get put backs tho the pool and         18       A. Yes.       18       selected for another job or you didn't use those words         19       Q. What you appear to be saying there is suggesting that       10         20       the training that you had been given in       21         21       claim to this point. Do you see that?       22         23       A. I think I see where you're coming from, yes.       22       cloim the quality of the training that you had actually<br>Page 113       22       Selected for another one at potentially short         24       Q. Now, can you tell us whether that is a criticism of the fact that the training you had       23       Cloim the fact that the training you had         25       (a) of the quality of the training you had       1       you're saying that, yes, lefs ay you're a black cab         2       intraining that is delivered by the instructors at G4S.       1       you're saying that, yes, lefs ay you're a black cab         2       with.       1       you're saying that, yes, lefs ay you're a black cab       2  |    |   |    |  |
| 16       we haven't been trained in."       16       would lose money if a job was terminated but I think         17       Do you see that?       16       would lose money if a job was terminated but I think         17       Do you see that?       17       the training that you were given or that there was an         18       A. Yes.       18       selected for another job or you didn't use those words         19       Q. What you appear to be saying there is suggesting that       18       selected for another job or you didn't use those words         20       A. T think I see where you're coming from, yes.       20       A. From what I remember, how the system used to work, you         23       A. I think I see where you're coming from, yes.       21       would have one, two, possibly three jobs backed up one         24       Q. Now, can you tell us whether that is a criticism either       22       Q. From what I remember, how the system used to work, you         25       (a) of the quality of the training that you had actually       Page 113       Page 115         1       received from your trainers at G4S or (b) whether it was       1       you're saying that, yes, let's say you're a black cab         2       a criticism of the fact that the training you had       1       you're saying that, yes, let's say you're a black cab         3       received joust ddin't realily cort the interior of   |    | -   |    |  |
| 17       Do you see that?       17       the nyou said you would get put back into the pool and         18       A. Yes.       18       selected for another job you didn't us those words         19       Q. What you appear to be saying there is suggesting that       18       selected for another job you didn't us those words         11       absence or a lack of training that you had been given in       20       A. From what I remember, how the system used to work, you         21       relation to this point. Do you see that?       20       A. Form what I remember, how the system used to work, you         23       A. I think I see where you're coming from, yes.       20       A. Form what I remember, how the system used to work, you         24       Q. Now, can you tell us whether that is a criticism either       21       could base elected for another one at potentially short         25       (a) of the quality of the training you had       a criticism of the fact that the training you had       1       you're saying that, yes, let's say you're a black cab         3       a criticism of the fact that the training you had       1       you're saying that, yes, let's say you're a black cab       2       driver. If a passenger terminates their journey halfway         3       a criticism of the fact that the training you had       a criticism of the fact that the training in the       1       you're saying that, yes, let's say you're a black cab  |    |   |    |  |
| 18       A. Yes.       18       selected for another job or you didn't use those words         19       Q. What you appear to be saying there is suggesting that       18       selected for another job or you didn't use those words         20       the training that you had been given in       20       A. From what I remember, how the system used to work, you         21       A. I think I see where you're coming from, yes.       20       A. From what I remember, how the system used to work, you         23       A. I think I see where you're coming from, yes.       21       behind the other. At any point any job went down you         23       A. I think I see where you're coming from, yes.       22       behind the other. At any point any job went down you         24       A. From what I remember, how the system used to work, you       would have one, two, possibly three jobs backed up one         25       (a) of the quality of the training that you had actually       Page 113       Page 115         1       received from your trainers at G4S or (b) whether it was       1       you're saying that, yes, let's say you're a black cab         2       a criticism of the fact that the training you had       1       you're saying that, yes, let's say you're a black cab         3       received from your trainers at all with the quality of       rarining that so delivered by the instructors at G4S.         6       A. No. I have  |    |   |    |  |
| <ul> <li>a. Form what I remember, how the system used to work, you would have one, two, possibly three jobs backed up one would have one, two possibly three jobs backed up one would have one, two, possibly three jobs backed up one would be selected for another one at potentially short and the other. At any point and the training the training the training in the inset is delivered by the instructors at G4S.</li> <li>a have porbiems at all with the quality of training in the ine post the interior diversed is the way in a bit of experimentation.</li> <li>before the have have areas that we are most likely to have issue stat.</li> <li>G. Have you even orgonemist with</li></ul>     |    | -   |    |  |
| 20       the training that you were given or that there was an absence or a lack of training that you had been given in relation to this point. Do you see that?       20       A. From what I remember, how the system used to work, you would have one, two, possibly three jobs backed up one while the other. At any point any job went down you could have one, two, possibly three jobs backed up one while dotter. At any point any job went down you could have one, two, possibly three jobs backed up one would have one, two, possibly three jobs backed up one would have one, two, possibly three jobs backed up one optimation to this point. Do you see that?         24       Q. Now, can you tell us whether that is a criticism either (a) of the quality of the training that you had actually Page 113       20         2       a criticism of the fact that the training you had actually Page 113       20         1       received from your trainers at G4S or (b) whether it was 2 a criticism of the fact that the training you had a strang?       1         3       received just didn't really cover the interior of 4 aircraft? Do you see the distinction I'm drawing, or 5 was it something else?       1       yours asying that, yes, left says over a black cab 2 errors or a orgument with that all. I had mentioned on 9 several occasions to the instructors at a G4S. I have no argument with that all. I had mentioned on 9 several occasions to the instructors that I felt that we reas most likely to have issues with.       1       your would you ever compromise the safety of any 9 detailee or any member of staff because you thoughyou 10 might get adia little bit less if you didn't?         11       partrelaw areas that we are most likely to have issues wit  |    |   |    |  |
| 21       absence or a lack of training that you had been given in       21       would have one, two, possibly three jobs backed up one         23       A. I think I see where you're coming from, yes.       22       behind the other. At any point any job went down you         23       A. I think I see where you're coming from, yes.       23       could be selected for another one at potentially short         24       Q. Now, can you tell us whether that is a criticism either       could be selected for another one at potentially short         25       (a) of the quality of the training that you had actually Page 113       Page 115         1       received from your trainers at G4S or (b) whether it was       a criticism of the fact that the training you had       driver. If a passenger training that you another passenger and         3       received just didn't really cover the interior of       would have got but you can pick up another passenger and         4       aircraft? Do you see the distinction I'm drawing, or       5       earn the same amount of money doing something else. Is         6       A. No. I have no problems at all with the quality of training that is delivered by the instructors at G4S.       7       A. You would sou ever compromise the safety of any         9       decause of course when you were restraining people on       a aircraft, you weren't doing it in the circumstances       8       Q. Have two questions if I can just ask you         16       <  |    |   |    |  |
| <ul> <li>relation to this point. Do you see that?</li> <li>A. I think I see where you're coming from, yes.</li> <li>Q. Now, can you tell us whether that is a criticism either</li> <li>(a) of the quality of the training that you had actually Page 113</li> <li>received from your trainers at G4S or (b) whether it was</li> <li>a criticism of the fact that the training you had</li> <li>received from your trainers at G4S or (b) whether it was</li> <li>a criticism of the fact that the training you had</li> <li>received from your trainers at G4S or (b) whether it was</li> <li>a criticism of the fact that the training you had</li> <li>received just didn't really cover the interior of</li> <li>a ircraft? Do you see the distinction I'm drawing, or</li> <li>was it something else?</li> <li>A. No. I have no problems at all with the quality of</li> <li>training that is delivered by the instructors at G4S.</li> <li>I have no argument with that al. I had mentioned on</li> <li>several occasions to the instructors that I felt that we</li> <li>needed particular training specific training in the</li> <li>particular areas that we are most likely to have issues</li> <li>with.</li> <li>Q. Because of course when you were restraining people on</li> <li>a aircraft, you weren't doing it in the circumstances</li> <li>that you had been trained to do it; in other words, in</li> <li>a very large dojo, I think about twice the size of this</li> <li>A. It's an obviously large room. Obviously you're not</li> <li>going to have mats around you all the time but the area</li> <li>is pretty much a sterile environment.</li> <li>Q. Your point is that it's all very well doing it in</li> <li>a large dojo with mats, but it's a different matter when</li> <li>you have seats in the way in a kind of a confined space</li> <li>A. It's an obviously large room. Obviously you're not</li> <li>a large dojo with mats, but it's a different matter when</li> <li>you have seats in the way in a kind of a confined space</li> <li>A. It's an obviously in a different matter</li></ul>       |    |   |    |  |
| <ul> <li>A. I think I see where you're coming from, yes.</li> <li>Q. Now, can you tell us whether that is a criticism either</li> <li>(a) of the quality of the training that you had actually<br/>Page 113</li> <li>received from your trainers at G4S or (b) whether it was</li> <li>a criticism of the fact that the training you had</li> <li>a criticism of the fact that the training you had</li> <li>received just dift really cover the interior of</li> <li>a ircraft? Do you see the distinction I'm drawing, or</li> <li>was it something else?</li> <li>A. No. I have no problems at all with the quality of</li> <li>training that is delivered by the instructors at G4S.</li> <li>I have no argument with that all. I had mentioned on</li> <li>several occasions to the instructors that I felt that we</li> <li>needed particular training - specific training in the</li> <li>particular areas that we are most likely to have issues</li> <li>d. It's an obviously large fooi. I think about twice the size of this</li> <li>courtorom in fact?</li> <li>A. It's an obviously large room. Obviously you're not</li> <li>going to have mats around you all the time but the area</li> <li>you have seats in the way in a kind of a confined space</li> <li>you have seats in the way in a kind of a confined space</li> <li>and reg dojo with mats, but it's a different matter when</li> <li>you have seats in the way in a kind of a confined space</li> <li>and the other particular problems that an aircraft</li> <li>you have seats in the way in a kind of a confined space</li> <li>A. It's an obviously large nopiolems in a aircraft</li> <li>you have seats in the way in a kind of a confined space</li> <li>and the other particular problems that an aircraft</li> <li>ther training van poilems that an aircraft</li> <li>ther training the training that and arcraft</li> <li>ther training that is all very well doing it in</li> <li>a large dojo with mats, but it's a different matter when</li> <li>you have seats in the way in a kind of a confined space</li> <li>A. It's an obviously</li></ul> |    |   |    |  |
| 24       Q. Now, can you tell us whether that is a criticism either         25       Q. Forgive me for perhaps using a simple analogy. Is what Page 113         1       received from your trainers at G4S or (b) whether it was a criticism of the fact that the training you had actually received just didn't really cover the interior of a aircraft? Do you see the distinction I'm drawing, or       1       you're saying that, yes, let's say you're a black cab         2       a criticism of the fact that the training you had       1       you're saying that, yes, let's say you're a black cab         3       received just didn't really cover the interior of       3       through, of course you don't get the full fare that you         4       aircraft? Do you see the distinction I'm drawing, or       5       eant the same amount of money doing something else. Is         6       A. No. I have no problems at all with the quality of       training that is delivered by the instructors at G4S.         8       I have no argument with that all. I had mentioned on       9       several occasions to the instructors that I felt that we         10       needed particular training specific training in the       1       A. You would still earn money doing something else, yes.         13       Q. Because of course when you were restraining people on       1       A. No.         14       a aircraft, you weren't doing it in the circumstances       1       MR MATTHEVON: Thank you very much. </td <td></td> <td></td> <td></td> <td></td>   |    |   |    |  |
| 25       (a) of the quality of the training that you had actually Page 113       25       Q. Forgive me for perhaps using a simple analogy. Is what Page 115         1       received from your trainers at G4S or (b) whether it was a criticism of the fact that the training you had received just didn't really cover the interior of aircraft? Do you see the distinction I'm drawing, or swas it something else?       1       you're saying that, yes, let's say you're a black cab         2       aircraft? Do you see the distinction I'm drawing, or swas it something else?       3       through, of course you don't get the full fare that you         4       wauld have got but you can pick up another passenger and seame amount of money doing something else. Is       6         5       w. No. I have no problems at all with the quality of training that is delivered by the instructors at G4S.       7       A. You would still earn money doing something else. Is         8       I have no argument with that all. I had mentioned on several occasions to the instructors that I felt that we with.       9       detainee or any member of staff because you thought you         10       meight get paid a little bit less if you didn'?       1       A. No.         12       with.       10       DEPUTY CORONER MS MONAGHAN: Are there any other questions if 1 can just ask you         14       a very large dojo, I think about twice the size of this courtroom in fact?       1       MR MATTHEWSON: Thank you about them. First         15       may body  |    |   |    |  |
| Page 113       Page 115         1       received from your trainers at G4S or (b) whether it was       1       you're saying that, yes, let's say you're a black cab         2       a criticism of the fact that the training you had       1       you're saying that, yes, let's say you're a black cab         3       received just didn't really cover the interior of       4       driver. If a passenger terminates their journey halfway         4       aircraft? Do you see the distinction I'm drawing, or       5       was it something else?       6         6       A. No. I have no problems at all with the quality of       7       training that is delivered by the instructors at G4S.       7       A. You would sull earn money doing something else, yes.         8       I have no argument with that all. I had mentioned on       9       detainee or any member of staff because you thought you         10       needed particular training specific training in the       10       might get paid a little bit less if you didn't?         11       particular areas that we are most likely to have issues       1       A. No.         12       DEPUTY CONONER MS MONAGHAN: Are there any other questions         14       an aircraft, you weren't doing it in the circumstances       15         15       that you had been trained to do it; in other words, in       16       DEPUTY CONONER MS MONAGHAN: Then we'II break for lunch.<  |    | -   |    |  |
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| <b></b> |   | some questioning. |
|---------|---|-------------------|
| 1       | trying to speak to Mr Mubenga and pretty much ended up    | 1                 |
| 2       | pleading with him to try and calm him down.               | 2                 |
| 3       | DEPUTY CORONER MS MONAGHAN: Did you hear Mr Mubenga say   | 3                 |
| 4       | anything?   | 4                 |
| 5       | A. No. As I said, there was lots of shouting and lots of  | 5                 |
| 6       | noise.  | 6                 |
| 7       | DEPUTY CORONER MS MONAGHAN: Secondly, the issue with your | 7                 |
| 8       | work telephone. On the night, 12 October and              | 8                 |
| 9       | 13 October, did you have your work phone with you?        | 9                 |
| 10      | A. I would have had it while I was at work and I think,   | 10                |
| 11      | yes, I probably would have had it up until the point it   | 11                |
| 12      | was taken off me.   | 12                |
| 13      | DEPUTY CORONER MS MONAGHAN: Which was 18 October or       | 13                |
| 14      | thereabouts?  | 14                |
| 15      | A. Yeah. I'm pretty sure after the incident I just turned | 15                |
| 16      | the phone off.  | 16                |
| 17      | DEPUTY CORONER MS MONAGHAN: So your employers didn't take | 17                |
| 18      | it back from you?   | 18                |
| 19      | A. No.  | 19                |
| 20      | DEPUTY CORONER MS MONAGHAN: You turned it off and waited  | 20                |
| 21      | and then gave it to the police when they asked for it?    | 21                |
| 22      | A. Yes.   | 22                |
| 23      | DEPUTY CORONER MS MONAGHAN: That's great. Thank you very  | 23                |
| 24      | much. That's it. We'll now break for lunch until          | 24                |
| 25      | 2 o'clock, members of the jury, and we'll carry on with   | 25                |
|         | Page 117  |                   |
|         |   |                   |

|          | Page 121   |          |   |
|----------|--|----------|---|
|          | Page 121   | 1        | Q. Then you sit him up and he doesn't respond, and his eyes |
|          |  | 2        | are open?   |
|          |  | 3        | A. His eyes were open, yes.                                 |
|          |  | 4        | Q. It's at that point that you check his pulse?             |
|          |  | 5        | A. At that point we were checking his pulse. I can't        |
|          |  | 6        | remember now whether or not we checked it before while      |
|          |  | 7        | he was still in the down position.                          |
|          |  | 8        | Q. Right. Were you the first person to check his pulse if   |
|          |  | 9        | you can recollect?  |
|          |  | 10       | A. I think I may have been, yes.                            |
|          |  | 11       | Q. That was the pulse in the neck, is that right?           |
|          |  | 12       | A. That's right, the one to the side of the jaw bone.       |
|          |  | 13       | Q. I think you estimate in your interview that it was about |
|          |  | 14       | 1 to 2 minutes maximum after the plane had started          |
|          |  | 15       | moving that you did this check, is that about right from    |
|          |  | 16       | your recollection now?                                      |
|          |  | 17       | A. I can't remember an exact time.                          |
|          |  | 18       | Q. Does that sound roughly right?                           |
|          |  | 19       | A. The plane was moving back, I would say possibly, yes.    |
|          |  | 20       | Q. The pulse you detected was weak at that point?           |
|          |  | 21       | A. Yes, again, I'm not entirely sure what a pulse is        |
|          |  | 22       | supposed to feel like, but I would imagine, after such      |
|          |  | 23       | a struggle, it would have been faster, stronger and         |
|          |  | 24       | racing.   |
|          |  | 25       | Q. Did you ever recheck the pulse, that's what I'm not      |
|          |  | <u> </u> | Page 123  |
| 1        | (In the presence of the jury)  | 1        | clear about, you personally?                                |
| 2        | Examined by MS BALLARD   | 2        | A. I checked the pulse. I'm sure Terry and then Colin also  |
| 3        | MS BALLARD: Good afternoon, Mr Tribelnig. My name is   | 3        | checked his pulse as well. I possibly rechecked his         |
| 4        | Ms Ballard and I ask questions on behalf of the London   | 4        | pulse before I actually went round to speak to the crew,    |
| 5        | Ambulance Service.   | 5        | just to be doubly sure.                                     |
| 6        | I'd like, please, just to clarify your pulse and   | 6        | Q. If you had have done, would that also have been in the   |
| 7        | breathing checks and when they actually took place in  | 7        | neck?   |
| 8        | respects of movements of the aircraft; all right?  | 8        | A. Yes.   |
| 9        | A. Okay.   | 9        | Q. The breathing check that you and is it Mr Hughes         |
| 10       | Q. So the plane starts moving, the lights are dimmed and   | 10       | performed?  |
| 11       | it's at that point that Mr Mubenga stops struggling, is  | 11       | A. I remember Mr Hughes performing it as well, yes.         |
| 12       | that right?  | 12       | Q. You think possibly you did as well, I think?             |
| 13<br>14 | <ul><li>A. That's correct, yes.</li><li>Q. The impression you formed was that he had sort of given</li></ul> | 13       | A. Yes.   |
| 14       | up the fight, so to speak, he had realised where he was  | 14       | Q. That was done with the sweat of the brow on the hand?    |
| 15<br>16 | going and he was calming down?   | 15       | A. That's correct, yes.                                     |
| 10       | A. Resigned himself, yes.  | 16       | Q. Is the reason that you did that to check the breathing   |
| 17       | Q. You try and speak with him and there's no response?   | 17       | because the breathing wasn't obvious?                       |
| 19       | A. That's correct, yes.  | 18       | A. I can't remember why we did the check. It was just to    |
| 20       | Q. So he's sat up and his eyes are open?   | 19       | carry out. We had a pulse and we just wanted to make        |
| 20       | A. At the time initially when we tried to speak to him   | 20       | sure that he was still breathing.                           |
| 21       | his head was still down and he was still leaning against   | 21       | Q. Your assessment of his breathing at that point was that  |
| 23       | the pillow.  | 22       | it was shallow, is that right?                              |
|          | Page 122   | 23       | A. It was shallow. It was low, yes.                         |
|          | -  | 24       | Q. It was what, sorry?                                      |
|          |  | 25       | A. It was shallow and low, as in not what I would have      |
|          |  |          | Page 124  |

| 1  | expected it to be.   | 1   | Q. Can you help us, please, with the speed of that. It  |
|--|--|---|---|
| 2  | Q. The circulation check you performed at that time is when  | 2   | appears from what you're saying that it was quite   |
| 3  | you squeezed the fingertips, you said?   | 3   | a quick response getting Mr Mubenga out of his seat?  |
| 4  | A. That was conducted possibly prior to the initial pulse  | 4   | A. Again, I don't really have any idea of time. I remember  |
| 5  | check and I think it was checked again after.  | 5   | the probe going on the finger and I think at the time   |
| 6  | Q. And it was checked by you?  | 6   | Mr Kaler was still sat in his seat. So he would have to   |
| 7  | A. Yes, I checked his fingers the first time.  | 7   | vacate his seat before they tried to remove him from  |
| 8  | Q. When you're squeezing the fingertips and watching for   | 8   | where Mr Mubenga was sat.   |
| 9  | the return of normal circulation, and you say that's the   | 9   | Q. When Mr Mubenga was removed from his seat, he was put on   |
| 10   | capillary refill?  | 10  | the floor and compressions were started. Did you see  |
| 11   | A. I think that's what it's called.  | 11  | that at all?  |
| 12   | Q. Do you know how long it took for the circulation, for   | 12  | A. I remember him being placed on the floor. I think at   |
| 13   | the fingertip to go pink again?  | 13  | that point I was moved away and I was stood the other   |
| 14   | A. I can't remember. Really I think it was pretty much   | 14  | side of the aircraft.   |
| 15   | straightaway.  | 15  | Q. Yesterday you offered up an explanation of a potential   |
| 16   | Q. Had you been taught that the importance of that test is   | 16  | cause for the rib fractures which you know have been  |
| 17   | assessing the speed with which the colour returns?   | 17  | suffered?   |
| 18   | A. No, I don't remember that, no.  | 18  | A. Yes.   |
| 19   | Q. So would you at the time, do you think, have been able  | 19  | Q. But just so I am correct in understanding, you have no   |
| 20   | to know whether it was greater or less than 2 seconds?   | 20  | medical background as you said I think on more than one   |
| 21   | A. I couldn't tell you. I can't remember, sorry.   | 21  | occasion?   |
| 22   | Q. You couldn't check his pallor, his paleness, could you?   | 22  | A. Yes, other than the first aider course.  |
| 23   | A. No.   | 23  | Q. I see. So that's complete speculation on your part?  |
| 24   | Q. And you couldn't check his pupil size at that point?  | 24  | A. That's the only explanation I can give for it.   |
| 25   | A. No.   | 25  | MS BALLARD: I am grateful, madam. Thank you.  |
|  | Page 125   |   | Page 127  |
| 1  | DEPUTY CORONER MS MONAGHAN: That was because the lights  | 1   | Examined by MR BALYSZ   |
| 2  | were dim, is that right?   | 2   | MR BALYSZ: Mr Tribelnig, just a number of questions on  |
| 3  | A. The lights were dim. Can I just explain that when I did   | 3   | behalf of British Airways really by virtue of   |
| 4  | the initial capillary check the reading light was on and   |   |   |
|  | the initial capitally check the reading light was on and   | 4   |   |
| 5  | I was able to see with that.   | 4 5   | clarification. You attended the flight together with  |
| 5<br>6   |  |   | clarification. You attended the flight together with<br>two of your colleagues, so there were three of you with   |
|  | I was able to see with that.<br>MS BALLARD: Thank you. Can I please just ask you now   | 5   | clarification. You attended the flight together with<br>two of your colleagues, so there were three of you with<br>Mr Mubenga?  |
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|    | ę   |    | ,<br>,  |
|----|---|----|---|
| 1  | A. Yeah, trained on how to handle or deal with a detainee,      | 1  | but you react by letting your training kick in."              |
| 2  | yes.  | 2  | How important was your training in a circumstance             |
| 3  | Q. How to handle him in the event that he tries to escape?      | 3  | such as that?   |
| 4  | A. That's correct, yes.   | 4  | A. It would be really, really important, yes. The training    |
| 5  | Q. And how to handle him in the event that he turns             | 5  | I'm referring to here is where we actually tried to           |
| 6  | aggressive and/or violent?                                      | 6  | contain the situation by grabbing hold of Mr Mubenga.         |
| 7  | A. That's correct, yes.   | 7  | Q. So you went automatically into training. Is the            |
| 8  | Q. Would the impression be correct from your evidence that      | 8  | impression correct, because these are your words, not         |
| 9  | you are in charge of Mr Mubenga, aren't you?                    | 9  | mine, that when your training kicks in you go almost          |
| 10 | A. I'm responsible for him, yes.                                | 10 | automatically into a mode to carry at your training and       |
| 11 | Q. I'd just like to take you unless I'm asked to do so          | 11 | the fear you felt leaves your mind?                           |
| 12 | I'm not going to start taking you through the various           | 12 | A. I wouldn't have said that, no.                             |
| 12 | pages, unless you want to. In your interview with the           | 12 | Q. Maybe I'm pushing it too far. It's your words. What        |
| 13 | police, page 68, and also in a statement which you              | 13 | I want to ask you about is would it be right to say that      |
|    |   | 15 | for those in that cabin at that time, who hadn't had the      |
| 15 | prepared or was prepared for you, page 229, you said the        |    |   |
| 16 | following. Let's have a look at page 68 first. I see            | 16 | benefit of the type of training that you had had,             |
| 17 | you turning to it, so let's look at page 68 first.              | 17 | firstly, and who hadn't had the experience of these           |
| 18 | Really I'm taking it piecemeal, just so that I'm not too        | 18 | types of similar incidents in the past, what they             |
| 19 | long on my feet. I will be happy read more if need be.          | 19 | witnessed occurring was very frightening?                     |
| 20 | In essence what you say here, a third of the way down           | 20 | A. I would imagine so, yes.                                   |
| 21 | the page:   | 21 | Q. We had a situation, is it right, that the jury get         |
| 22 | "When I say he lunged   | 22 | impression, where there are four grown men, for want of       |
| 23 | You are being asked about that initial stage. You               | 23 | a better phrase, to an onlooker fighting?                     |
| 24 | go to the toilet, you are coming back as you explained.         | 24 | A. That would probably be the impression that they would      |
| 25 | "When I say he lunged at me, yes, of course, I was<br>Page 129  | 25 | see, yes.<br>Page 131   |
| 1  | afraid of him at the time."                                     | 1  | Q. In addition to the fighting, to the onlooker, and I say    |
| 2  | DEPUTY CORONER MS MONAGHAN: I'm terribly sorry but are we       | 2  | the cabin crew and the passengers who had come on, they       |
| 3  | page 68?  | 3  | also have the addition of screaming and shouting?             |
| 4  | MR BALYSZ: Yes, page 68, witnesses volume 2, so it's            | 4  | A. Yeah, I would imagine so, yes.                             |
| 5  | blue 2.   | 5  | Q. Would it be right to say that the reason for your          |
| 6  | DEPUTY CORONER MS MONAGHAN: I am looking at the wrong           | 6  | training is that it's for you to deal with these types        |
| 7  | volume, sorry, my fault.  |    | of situations and try and contain them?                       |
| 8  | MR BALYSZ: I have been asked to read the question and           | 8  | A. That's what the training is geared around, yes.            |
| 9  | I will do. I'll take it from the top of page 68, if             | 9  | Q. I'm going to use an extreme example, during that period,   |
| 10 | I can, Mr Tribelnig. A question from                            | 10 | by which the three of you detention and custody officers      |
| 11 | Detective Constable Byrne:                                      | 11 | are grappling I'm trying to use a neutral phrase              |
| 12 | "Obviously the incident that happened afterwards is             | 11 | with Mr Mubenga, as you described, if somebody was to         |
| 12 | what we're going to talk about now. At any stage did            | 12 | intervene, even with the best of intentions to try and        |
| 13 | you feel threatened by him?"                                    | 13 | -   |
| 14 | That's the question you were asked. The answer you              |    | help you, without the type of training that you have,         |
|    |   | 15 | would it be fair to say that they would do more harm          |
| 16 | give is:  | 16 | than good?  |
| 17 | "Only when he lunged at me to start with.                       | 17 | A. There is potential to say that, yes.                       |
| 18 | "Question: Right.   | 18 | Q. They would expose themselves to risk?                      |
| 19 | "Answer: When I say lunged at me, yes, of course,               | 19 | A. That's correct.  |
| 20 | I was afraid of him at the time.                                | 20 | Q. They would expose you and your colleagues to risk?         |
| 21 | "Question: Right.   | 21 | A. Yes.   |
| 22 | "Answer: And then we had to kick into the training."            | 22 | Q. And they would expose Mr Mubenga to risk?                  |
| 23 | At page 229, so if we just go to page 229 together,             | 23 | A. That's correct, yes.                                       |
| 24 | about a third of the way down the page there, you say:          | 24 | Q. I want to move on from that extreme example, if I may,     |
|    |   | 0- | 1   |
| 24 | "I obviously felt threatened and afraid at the time<br>Page 130 | 25 | and move on to the question of first aid, medical<br>Page 132 |

| -  |  |  |  |
|--|--|--|--|
| 1  | attention. There comes a stage, you have told us about,  | 1  | called."   |
| 2  | where, about the time that the plane is being pushed   | 2  | A. Yes.  |
| 3  | back, Mr Mubenga stops struggling; is that right?  | 3  | Q. "While we waited, Mr Mubenga's airway was open."  |
| 4  | A. Yes.  | 4  | A. Yes.  |
| 5  | Q. At that stage, at that stage, do I understand your  | 5  | Q. "And we continued to monitor him."  |
| 6  | evidence correctly that you and your colleagues monitor  | 6  | A. That's correct, yes.  |
| 7  | him, i.e. check his pulse, to see if he is a neutral   | 7  | Q. So during that period where the aircraft is going back  |
| 8  | phrase okay?   | 8  | to the stand, you have asked for it to go back so  |
| 9  | A. Yes.  | 9  | paramedics can come on board?  |
| 10   | Q. Forgive the loose language. There then comes a stage  | 10   | A. That's correct.   |
| 11   | where you decide and listen to my words carefully  | 11   | Q. You haven't asked the British Airways crew to help you  |
| 12   | because ultimately it's your evidence. I don't want to   | 12   | with any first aid, have you?  |
| 13   | put words into your mouth; all right? There comes  | 13   | A. No.   |
| 14   | a stage where you decide that potentially Mr Mubenga   | 13   | Q. You have gone back and you and your colleagues have   |
| 15   | might not be okay?   | 15   | continued to monitor him, haven't you?   |
| 16   | A. My understanding is that I didn't know what was wrong   | 16   | A. While the plane is being pushed back to the stand, yes.   |
| 10   | with him. I wanted to get him to medical help as   | 17   | Q. During that period, and we can maybe deal with it fairly  |
| 17   | quickly as possible.   | 17   | g. During that period, and we can maybe deal with it fairly<br>shortly, you didn't feel it necessary for either  |
| 10<br>19   | Q. What you said to the learned coroner yesterday is that  | 10   | yourself or your colleagues to administer first aid to   |
| 20   | at that stage you spoke to the crew and asked for the  | 20   |  |
| 20   | plane to be brought back to the stand?   |  | Mr Mubenga?  |
| 21   | A. That's correct.   | 21<br>22   | A. At the time we felt he was in a position where it was   |
|  |  |  | literally get the medics on board to get him checked   |
| 23<br>24   | Q. The note I have is that you wanted him checked by paramedics?   | 23   | out. I didn't know what was wrong with him.  |
|  | •  | 24<br>25   | Q. You didn't know what was wrong with him, but your   |
| 25   | A. I asked for the plane to be put on a stand and for the<br>Page 133  | 25   | assessment and these are your words from this<br>Page 135  |
|  | 1460100  |  | 1 450 100  |
| 1  | paramedics to be called, yes.  | 1  | morning. You said:   |
| 2  | Q. The crew had no hesitation to do as you asked, did they?  | 2  | "At the time my assessment was he was still  |
| 3  | A. I spoke to the crew and then I returned back to stand   | 3  | breathing, he still had a pulse. He was still  |
| 4  | near to where Mr Mubenga was. I don't know what the  | 4  | breathing, he was still alive. I didn't know what was  |
| 5  | course of events was after that.   | 5  | wrong with him, I called for medical assistance,   |
| 6  | MR BALYSZ: When you went back, you deal with it at page 233  | 6  | i.e. wanted paramedics on board, and then we just  |
| 7  | of your statement. So let's have a look at that  | 7  | continued to monitor him."   |
| 8  | together.  | 8  | A. That's correct.   |
| 9  | MS HEWITT: It's a very long statement and the jury may   | 9  | O During that naminal at no atops did you call   |
| 10   |  | 1  | Q. During that period at no stage did you ask  |
| 10   | think there's lots they haven't heard of but it's  | 10   | British Airways for any assistance, did you?   |
| 11   | think there's lots they haven't heard of but it's<br>DEPUTY CORONER MS MONAGHAN: The statement's not 233 pages   |  |  |
|  | -  | 10   | British Airways for any assistance, did you?   |
| 11   | DEPUTY CORONER MS MONAGHAN: The statement's not 233 pages  | 10<br>11   | British Airways for any assistance, did you?<br>A. I was unaware of any assistance that they would be able   |
| 11<br>12   | DEPUTY CORONER MS MONAGHAN: The statement's not 233 pages<br>long, thankfully, and if it was we wouldn't make you  | 10<br>11<br>12   | <ul><li>British Airways for any assistance, did you?</li><li>A. I was unaware of any assistance that they would be able to assist us with.</li></ul>   |
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| 1        | A. It was an assessment for myself and for the team, yes.   | 1  | A. No.  |
|----------|---|----|---|
| 2        | Are you talking about for me?                               | 2  | Q. Because if you are right, if you are right, that he was        |
| 3        | Q. Yes.   | 3  | faking it, if the BA crew came in and said, "I don't              |
| 4        | A. It's an assessment I said. I didn't suggest that we      | 4  | care what you say as to his condition, we ought to put            |
| 5        | kept him in the seat. I just said we needed to keep         | 5  | him in recovery position," they would be potentially              |
| 6        | monitoring him.   | 6  | exposing themselves to risk, wouldn't they?                       |
| 7        | Q. There's no implied criticism of any of these questions   | 7  | A. Potentially, yes.  |
| 8        | that I ask you. I am just trying to clarify what            | 8  | DEPUTY CORONER MS MONAGHAN: Pause there. Can I ask                |
| 9        | occurred.   | 9  | a question about that?  |
| 10       | A. Okay.  | 10 | MR BALYSZ: Certainly, madam.                                      |
| 11       | Q. Had you felt it necessary to put him into the recovery   | 11 | DEPUTY CORONER MS MONAGHAN: As you're being asked                 |
| 12       | position, I presume you would have done so?                 | 12 | hypotheticals, I'd like to ask you one too. If a BA               |
| 13       | A. That's correct, yes.                                     | 13 | cabin crew person had come up to you and said, "I've had          |
| 14       | Q. But the reality is you felt he was safe in the seat with | 14 | a look at him and I think there's a problem; I think you          |
| 15       | his airway open, being monitored by your and your           | 15 | need to do something immediately, put him in the                  |
| 16       | colleagues?   | 16 | recovery position," whatever, what would your response            |
| 17       | A. That's right, yes.                                       | 17 | have been?  |
| 18       | Q. When I used that extreme example beforehand, as to       | 18 | A. I would have probably taken his advice, yes.                   |
| 19       | somebody not becoming involved in you restraining           | 19 | MR BALYSZ: You are giving that answer I suggest with the          |
| 20       | Mr Mubenga, when it comes to your assessments as to what    | 20 | benefit of hindsight. Have a look at page 165 of that             |
| 21       | is best for Mr Mubenga when it comes to first aid, it       | 21 | bundle. I am going to start actually from 164 so we get           |
| 22       | would be right to say that the same applies, doesn't it?    | 22 | the whole context. At the top of the page, DC Byrne               |
| 23       | A. I wouldn't say that, no.                                 | 23 | says:   |
| 24       | Q. It doesn't?  | 24 | "Right, did you think about placing him in another                |
| 25       | A. I wouldn't say that, no. How do I know that there's not  | 25 | position other than the seats?                                    |
| 20       | Page 137  |    | Page 139  |
| 1        | somebody else on the aircraft who is far more trained       | 1  | "Answer: No.  |
| 2        | than I am with access to other equipment?                   | 2  | "Question: No. Because even if I understand and                   |
| 3        | Q. Let's pause there for a moment. Mr Mubenga has just      | 3  | again I'm not arguing with you Stuart, I understand that          |
| 4        | been involved in a very violent incident.                   | 4  | the environment you're working is in confined.                    |
| 5        | A. That's correct.  | 5  | "Answer: Confined space.  |
| 6        | Q. An incident which you yourself say would have frightened | 6  | "Question: But there's still an aisle. Did you                    |
| 7        | those who witnessed it?                                     | 7  | consider placing him in a recovery position, for                  |
| 8        | A. That's correct, yes.                                     | 8  | example?  |
| 9        | Q. Mr Mubenga has gone quiet, hasn't he?                    | 9  | "Answer: No.  |
| 10       | A. Yes.   | 10 | "Question: Right. Despite your training, yeah?                    |
| 11       | Q. You yourself have not excluded the possibility that he   | 11 | "Answer: Despite training, yeah, we were.                         |
| 12       | might be faking it?   | 12 | "Question: The recovering position is a pretty basic              |
| 13       | A. That's correct, yes.                                     | 13 | part of first aid training. Is that a fair thing to               |
| 14       | Q. You yourself have made a decision, by virtue of          | 14 | say, do you think?  |
| 15       | explanations through answers, to not put him into the       | 15 | "Answer: Yeah, recovery position is."                             |
| 16       | recovery position?  | 16 | Let me pause there for a moment. Clearly you knew                 |
| 17       | A. That's correct.  | 17 | all about the recovery position, didn't you?                      |
| 18       | Q. Because if he is faking it, you would have the situation | 18 | A. Yes.   |
| 19       | erupt again, wouldn't you?                                  | 19 | Q. I carry on. DC Byrne:  |
| 20       | A. That's correct, yes.                                     | 20 | "You know the recovery position then, yeah?                       |
| 21       | Q. Those are decisions for you pursuant to your training to | 21 | "Answer: Yes, I know the recovery position.                       |
| 22       | make, aren't they?  | 22 | "Question: Okay.  |
| 23       | A. That's correct.  | 23 | "Answer: But my concerns would be if we placed him                |
| 24       | Q. It's not for the BA crew to come in and override those   | 24 | into a position or a recovery position on the floor and           |
| 24       |   |    |   |
| 24<br>25 | decisions, is it?   | 25 | he had recovered we could be all over the place again             |
|          | decisions, is it?<br>Page 138                               | 25 | he had recovered we could be all over the place again<br>Page 140 |

| 1   |  |  |  |
|---|--|--|--|
| 1 *   | trying to control and restrain him.  | 1  | ask the cabin crew, for example, to see if there was   |
| 2   | Yes?   | 2  | a paramedic or doctor on the plane as a passenger?   |
| 3   | A. Yes.  | 3  | A. No.   |
| 4   | Q. That was your concern, wasn't it?   | 4  | DEPUTY CORONER MS MONAGHAN: Thank you. Ms Hewitt.  |
| 5   | A. Yes.  | 5  | Examined by MS HEWITT  |
| 6   | Q. It goes on then:  | 6  | MS HEWITT: I have a few questions and I hope it will only  |
| 7   | "Right, but you've already decided at this stage   | 7  | be filling gaps, turning to matters just for   |
| 8   | that he's in distress, haven't you?  | 8  | clarification as opposed to going over anything that has   |
| 9   | "Answer: Yeah.   | 9  | already keen covered unnecessarily.  |
| 10  | "Question: You've actually decided he is in distress   | 10   | DEPUTY CORONER MS MONAGHAN: Of course.   |
| 11  | is the question?   | 11   | MS HEWITT: Mr Tribelnig, can I ask you first of all this.  |
| 12  | "Answer: Yeah. I'm not sure what's wrong with him.   | 12   | Could you tell the jury, please, what in October 2010  |
| 13  | I phone the paramedics. The paramedics are supposed to   | 13   | was your relationship with Terence Hughes,   |
| 14  | turn up to deal with the situation.  | 14   | Colin Kaler  |
| 15  | "Question: Right.  | 15   | DEPUTY CORONER MS MONAGHAN: Just pause there. I am sorry,  |
| 16  | "Answer: How I aimed to get round the situation was  | 16   | something is happening over there. Sorry, Ms Hewitt, to  |
| 17  | to keep him upright in the seat, to keep his head up, to   | 17   | interrupt you so soon, but I didn't want the jury to not   |
| 18  | keep his airway open so he could continue to breathe.  | 18   | be listening to what you are saying.   |
| 19  | We monitored his breathing. We monitored his pulse. We   | 19   | (A note was received from the jury)  |
| 20  | monitored his circulation. We had all three."  | 20   | DEPUTY CORONER MS MONAGHAN: Thank you. Can I just ask this   |
| 21  | A. Yes.  | 21   | because it a BA cabin crew question and in case  |
| 22  | Q. It would be fair to say, so far as you were concerned,  | 22   | Mr Balysz wants to come back? Sorry to interrupt you so  |
| 23  | you had the matter in hand?  | 23   | early on.  |
| 24  | A. Yes.  | 24   | The jury have asked:   |
| 25  | Q. The last thing I want to just deal with as well is that   | 25   | "Did British Airways cabin crew do the normal checks   |
|   | Page 141   |  | Page 143   |
| 1   | you weren't actually there in isolation, were you? Let   | 1  | for take-off, for example, seat belt on, table up, sat   |
| 2   | me explain that for a moment. There was cabin crew near  | 2  | upright?"  |
| 3   | you and around you, wasn't there?  | 3  | A. I can't remember. I would have imagine they would have  |
| 4   | A. There was crew around, yes.   | 4  | done. Whether or not they come past us, I'm not sure.  |
| 5   | Q. You also had the cabin services director come and see   |  |  |
|   |  | 5  | DEPUTY CORONER MS MONAGHAN: You have no recollection?  |
| 6   | you, didn't you?   | 5<br>6   | DEPUTY CORONER MS MONAGHAN: You have no recollection?<br>A. No.  |
| 6<br>7  | you, didn't you?<br>A. I don't remember him coming, but I would imagine he   |  |  |
|   |  | 6  | A. No.   |
| 7   | A. I don't remember him coming, but I would imagine he   | 6<br>7   | <b>A. No.</b><br>MR BALYSZ: Can I assist the jury with that, possibly  |
| 7<br>8  | A. I don't remember him coming, but I would imagine he would have been there.  | 6<br>7<br>8  | <ul><li>A. No.</li><li>MR BALYSZ: Can I assist the jury with that, possibly through a question. Mr Tribelnig, whilst this is all</li></ul>   |
| 7<br>8<br>9   | <ul><li>A. I don't remember him coming, but I would imagine he would have been there.</li><li>Q. You were talking to them, weren't you, and communicating</li></ul>  | 6<br>7<br>8<br>9   | <b>A. No.</b><br>MR BALYSZ: Can I assist the jury with that, possibly<br>through a question. Mr Tribelnig, whilst this is all<br>occurring, i.e. first of all the altercation and  |
| 7<br>8<br>9<br>10   | <ul><li>A. I don't remember him coming, but I would imagine he would have been there.</li><li>Q. You were talking to them, weren't you, and communicating with them?</li></ul>   | 6<br>7<br>8<br>9<br>10   | A. No.<br>MR BALYSZ: Can I assist the jury with that, possibly<br>through a question. Mr Tribelnig, whilst this is all<br>occurring, i.e. first of all the altercation and<br>thereafter from the stage that Mr Mubenga goes quiet and   |
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|  |  | _  |   |
|--|--|--|---|
| 1  | A. Yes.  | 1  | start doing your Use of Force Reports, that whatever you  |
| 2  | Q. As a result of that, you then leave your colleagues with  | 2  | put in your statement must be factually correct and it's  |
| 3  | Mr Mubenga and you yourself take it upon yourself  | 3  | your responsibility.  |
| 4  | forgive the double use of the word to go and speak to  | 4  | Q. You said you understood that you could face a criminal   |
| 5  | the passengers?  | 5  | liability for the use of force?   |
| 6  | A. To speak to some of the passengers, yes.  | 6  | A. That is made clear to you, yes.  |
| 7  | Q. And to explain what you were doing, the fact that they  | 7  | Q. Did that, in your understanding, apply to any use of   |
| 8  | may be hearing some noises, and really to try and  | 8  | force whatever or only if the use of force resulted in  |
| 9  | reassure them; isn't that the case?  | 9  | some injury or harm?  |
| 10   | A. That's correct, yes.  | 10   | A. Any use of force whatsoever.   |
| 11   | MR BALYSZ: Thank you, madam.   | 11   | Q. So even if there was no effect, no adverse effect from   |
| 12   | DEPUTY CORONER MS MONAGHAN: I hope not to interrupt you,   | 12   | the use, you still had to account for the use of force?   |
| 13   | Ms Hewitt, so soon.  | 13   | A. That's correct, yes.   |
| 14   | MS HEWITT: I will start again. My first question,  | 14   | Q. Would that include, for example, any decision made to  |
| 15   | Mr Tribelnig, was about the relationships, if you had  | 15   | handcuff a detainee?  |
| 16   | any, with the other two detention and custody officers,  | 16   | A. Yes. There was if I remember rightly, there were two   |
| 17   | Terence Hughes, Colin Kaler, as of October 2010. First   | 17   | ways of doing this. If you had a passive handcuff,  |
| 18   | of all, Mr Hughes, had you worked with him before on any   | 17   | there was a set form for a passive handcuff. If there's   |
| 19   | other jobs?  |  | _   |
|  | -  | 19   | any handcuffing which involved physically putting hands   |
| 20   | A. I can't remember any specific jobs that I worked with   | 20   | on somebody, it would require a use of force.   |
| 21   | him on. The chances are I would have seen him at some  | 21   | Q. So either way there would be paperwork to be filled in?  |
| 22   | point on maybe a charter job or something where there's  | 22   | A. There would be, yes.   |
| 23   | a load of us en masse.   | 23   | Q. Prior to this event, had you been required by G4S to   |
| 24   | Q. Was he a friend of yours, would you say?  | 24   | fill in incident reports or that paperwork in relation  |
| 25   | A. Somebody I knew.  | 25   | to any incident you had been involved in at all in which  |
|  | Page 145   | -  | Page 147  |
| 1  | Q. You just knew him?  | 1  | use of force had been adopted?  |
| 2  | A. Yeah.   | 2  | A. Any incident? Even on a charter flight, if you had to  |
| 3  | Q. The same question for Colin Kaler?  | 3  | deal with more than one passenger, you would fill in one  |
| 4  | A. We worked the same. Again, it was somebody that I knew  | 4  | per person stating what you did and when you did it.  |
| 5  | probably through work, maybe worked with him on  | 5  | Q. The form and the paperwork that you had to complete in   |
| 6  | a charter or something like that, but I don't remember   | 6  | relation to any use of force, did that require you to   |
| 7  | any specific jobs where I've been on the job with them   | 7  | record whether you yourself had suffered any injury in  |
| 8  | as such.   | 8  | the use of force?   |
| 9  |  |  |   |
|  | Q. I should ask the came question I think probably about   | 9  | A. I don't think there's anything in particular on the form   |
| 10   | Q. I should ask the came question I think probably about<br>Mr Duckers whom we heard from?   | 9<br>10  | A. I don't think there's anything in particular on the form<br>that states any injuries that you sustained.   |
| 10<br>11   |  |  |   |
|  | Mr Duckers whom we heard from?   | 10   | that states any injuries that you sustained.  |
| 11   | Mr Duckers whom we heard from?<br>A. Again, he's another person. He was in it as a driver.   | 10<br>11   | that states any injuries that you sustained.<br>Q. Is there a separate form that you have to fill in for if   |
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| 1  | MS HEWITT: That's the one, the file in which your statement | 1                                      | about any use of force, if when you are completing it   |
|----|---|--|---|
| 2  | is, Mr Tribelnig, your Use of Force Incident Report.        | 2                                      | you are aware of a specific injury that the detainee has  |
| 3  | It's page 15 of that file. There's a further document.      | 3                                      | suffered as a result, would you be required to make note  |
| 4  | It's headed, "Accidents/Near-miss Report". Do you have      | 4                                      | of that as well?  |
| 5  | that?   | 5                                      | A. That would be on the Use of Force Incident Report form.  |
| 6  | DEPUTY CORONER MS MONAGHAN: I don't think you're looking at | 6                                      | I think it's page 2. As you open the pages, there's   |
| 7  | the right page, are you?                                    | 7                                      | a section there that says, "Any injuries sustained to   |
| 8  | A. Sorry, 15, yes.  | 8                                      | the detainee".  |
| 9  | MS HEWITT: Does that remind you about this? This appears    | 9                                      | Q. So you knew about that paperwork. This incident of   |
| 10 | to be form that your yourself have completed in relation    | 10                                     | control and restraint with Mr Mubenga was taking place  |
| 11 | to these events on 12 October 2010 in which you record      | 11                                     | on aeroplane as you have described. You have said   |
| 12 | a minor abrasion to your right hand?                        | 12                                     | already in your evidence that you were I am putting   |
| 13 | A. That's correct.  | 13                                     | words I think into your mouth, but you were not always  |
| 14 | Q. Whilst restraining a detainee in the way you have        | 14                                     | aware of precisely who was there because you were   |
| 15 | explained a little bit earlier in your evidence?            | 15                                     | concentrating on what was happening. But were you aware   |
| 16 | A. Yes.   | 16                                     | that there were passengers around you as this situation   |
| 17 | Q. Was that a form then that you knew about prior to        | 17                                     | took place?   |
| 18 | 12 October 2010 or not?                                     | 18                                     | A. I was aware that there were passengers on the plane,   |
| 19 | A. Yeah, I think I said I think I had seen this form        | 19                                     | yes.  |
| 20 | before.   | 20                                     | Q. And members of the crew?   |
| 21 | Q. I didn't hear that, sorry?                               | 21                                     | A. Well, the crew would have been there otherwise we  |
| 22 | A. This is a form that I think I have seen before, yes.     | 22                                     | couldn't have been on the aircraft.   |
| 23 | Q. Certainly in relation to this incident, you have         | 23                                     | Q. When you're on a plane undertaking a deportation, have   |
| 24 | completed this form recording the injury you'd suffered?    | 24                                     | you ever known your actions, the actions of other   |
| 25 | A. Yes.   | 25                                     | detention and custody officers, for example, to be  |
|    | Page 149  |  | Page 151  |
| 1  | Q. A minor injury you had suffered in relation to           | 1                                      | filmed hu necessary on makile telephones?   |
| 2  | controlling Mr Mubenga?                                     | $\begin{vmatrix} 1 \\ 2 \end{vmatrix}$ | filmed by passengers on mobile telephones?<br>A. I can't think of any instances myself, but I have been |
| 3  | A. That's correct, yes.                                     | $\begin{vmatrix} 2\\ 3 \end{vmatrix}$  | made aware that sometimes it has been filmed on mobile  |
| 4  | DEPUTY CORONER MS MONAGHAN: Are you moving off from that?   | 4                                      | phones.   |
| 5  | MS HEWITT: Yes.   | 5                                      | Q. You are aware it could happen?   |
| 6  | DEPUTY CORONER MS MONAGHAN: There may be an explanation for | 6                                      | A. It could happen, yes.  |
| 7  | this, but just so we're clear. I think in the evidence      | 7                                      | Q. I ask you those questions because it was put to you by   |
| 8  | you gave earlier on today you said you had some             | 8                                      | Mr Blaxland that in effect, as this matter developed,   |
| 9  | abrasions, a little cut I think you described it as, and    | 9                                      | what you did was that you ignored your training in the  |
| 10 | a large bruise on your inner thigh?                         | 10                                     | way in which you acted towards Mr Mubenga, ignored it   |
| 11 | A. Yes.   | 11                                     | and acted contrary to your training, thereby putting  |
| 12 | DEPUTY CORONER MS MONAGHAN: I can't see this is not         | 12                                     | Mr Mubenga at risk of harm. I think it was suggested  |
| 13 | a trick question any reference to that in this part         | 13                                     | that really was because you were reluctant to abandon   |
| 14 | of the document.  | 14                                     | the deportation in case you lost money.   |
| 15 | A. The only thing I can see on here is the date it was      | 15                                     | A. That's how it was put, yes.  |
| 16 | dated was the date of the injury the date of the            | 16                                     | Q. The consequences for you of ignoring your training and   |
| 17 | occurrence and at that point I probably hadn't taken my     | 17                                     | doing something contrary to your training, deliberately   |
| 18 | clothes off, sorry.   | 18                                     | so, were what as far as you understood it in  |
| 19 | DEPUTY CORONER MS MONAGHAN: Thank you.                      | 19                                     | October 2010?   |
| 20 | MS HEWITT: It bears the date 12 October in two places. Can  | 20                                     | A. Sorry?   |
| 21 | you remember whether you did in fact complete that form     | 21                                     | Q. What would the consequences to you have been of  |
| 22 | recording your injuries before completing the Use of        | 22                                     | deliberately ignoring your training simply in order to  |
| 23 | Force Incident Report or can you not remember?              | 23                                     | make sure that a deportation went ahead and you didn't  |
| 24 | A. I don't remember, sorry.                                 | 24                                     | lose money?   |
| 25 | Q. Certainly when you're completing required paperwork      | 25                                     | A. The consequences of?   |
| 1  | Page 150  |  | Page 152  |

| 1        | Q. Of ignoring it.   | 1  | this to you, just to give you a clue forensic medical       |
|----------|--|----|---|
| 2        | A. Ignoring it, you would end up in a whole world of           | 2  | examiners have what I think they describe body maps,        |
| 3        | trouble.   | 3  | which are essentially bits of the body like that drawn      |
| 4        | Q. Is it something you would expect to get away with?          | 4  | on, so they can draw a picture, whatever, a sign            |
| 5        | A. No.   | 5  | wherever the injury is. If we have a look at yours,         |
| 6        | MS HEWITT: Can I ask you something about the control and       | 6  | Mr Tribelnig. It was the inside thigh, was it, did you      |
| 7        | restraint episode that took place itself then.                 | 7  | say?  |
| 8        | DEPUTY CORONER MS MONAGHAN: I wonder before you move on to     | 8  | A. That's correct. I can't remember which one. I think it   |
| 9        | that, so that you can come back to it if you need to,          | 9  | was my right thigh.   |
| 10       | just picking up on a question that you have already            | 10 | DEPUTY CORONER MS MONAGHAN: If we look at the external part |
| 11       | explored. So if you wouldn't mind, Ms Hewitt.                  | 11 | of your legs sorry, the back of your legs, at 192,          |
| 12       | MS HEWITT: Certainly.  | 12 | there's nothing there marked?                               |
| 13       | DEPUTY CORONER MS MONAGHAN: Can you turn up the red bundle.    | 13 | A. No, I know. I can see there's nothing marked.            |
| 14       | It's something you have already looked at. I want to           | 14 | DEPUTY CORONER MS MONAGHAN: Have you had a look through     |
| 15       | give you the opportunity if you need to ask some               | 15 | this?   |
| 16       | questions and clarify the questions. Turn up the red           | 16 | A. I haven't seen this before, no.                          |
| 17       | bundle, page 176. This an FME report, forensic medical         | 17 | DEPUTY CORONER MS MONAGHAN: Okay. Then at page 195          |
| 18       | examination report. It looks as though it's been               | 18 | that's Mr Hughes, so that doesn't help us.                  |
| 19       | undertaken just after 1.00 am on 13 October. That,             | 19 | MS HEWITT: It's the four pages starting at 189.             |
| 20       | again, records only a thumb injury in this case, but           | 20 | DEPUTY CORONER MS MONAGHAN: I took you to the wrong page.   |
| 20       |  | 20 |   |
|          | a scratch and pretty much what you have described              |    | I think the only map we have there, if you like, is at      |
| 22       | already on your right thumb or your right hand.                | 22 | page 192 which is the one I looked at. You can't see        |
| 23       | A. Yes.  | 23 | anything there?   |
| 24       | DEPUTY CORONER MS MONAGHAN: Again, it doesn't record any       | 24 | A. No.  |
| 25       | bruising.  | 25 | DEPUTY CORONER MS MONAGHAN: Do you remember pointing out to |
|          | Page 153   |    | Page 155  |
| 1        | A. I think I remember being in with this FME and I pointed     | 1  | the FME that the bruise was there?                          |
| 2        | out the bruise to him, but he didn't put it on the             | 2  | A. I remember pointing it to the FME that there's a bruise  |
| 3        | paperwork for what ever reason. I don't know why.              | 3  | on my leg, but for whatever reason it hasn't gone on the    |
| 4        | DEPUTY CORONER MS MONAGHAN: Are you sure about that?           | 4  | paperwork.  |
| 5        | A. Yeah, I pointed out the scratch because obviously           | 5  | DEPUTY CORONER MS MONAGHAN: Thank you.                      |
| 6        | I had to be stripped down to my underwear.                     | 6  | MS HEWITT: A few questions about the control restraint      |
| 7        | DEPUTY CORONER MS MONAGHAN: Pausing there, when you were       | 7  | itself. I am taking you then to the point after which       |
| 8        | examined by the forensic medical examiner, were you            | 8  | you have explained Mr Mubenga lunged at you. You have       |
| 9        | required to take your clothes off?                             | 9  | then described yourself and the two other detention and     |
| 10       | A. Yes.  | 10 | custody officers, all three of you, being involved in       |
| 11       | DEPUTY CORONER MS MONAGHAN: Was the bruise visible at that     | 11 | the control of Mr Mubenga standing up on the plane.         |
| 12       | stage?   | 12 | I want to ask you, please, to be clear, from your           |
| 13       | A. I think so, yes. I think it might have been at this         | 13 | perception, about the level of strength Mr Mubenga,         |
| 14       | point. I remember speaking to an FME and I pointed out         | 14 | first of all, was showing to you during that phase of       |
| 15       | the bruise, but for whatever reason it didn't go on to         | 15 | the incident.   |
| 16       | the paperwork. I can't remember if there was more than         | 16 | A. Mr Mubenga was a really strong person. It seemed to      |
| 17       | one.   | 17 | take quite long time to actually grab hold of him and       |
| 18       | DEPUTY CORONER MS MONAGHAN: Thank you. As I say, if you        | 18 | keep him in order to enable us to pull his arm out to       |
| 19       | want to deal with that then you're welcome to.                 | 19 | apply the handcuff before attaching the second cuff.        |
| 20       | MR BLAXLAND: Madam, to complete that, if you would forgive     | 20 | Q. There were three of you?                                 |
| 20       | me, because on that subject there are of course some           | 20 | A. Yes.   |
| 21       | medical drawings, as there very often are with this, at        | 21 | A. Yes.<br>Q. And one of him?                               |
| 22       |  |    |   |
|          | page 189 onwards which actually identify where the             | 23 | A. Yes.   |
| 24<br>25 | DEPUTY CORONER MS MONAGHAN: Let's look at that then<br>because | 24 | Q. Do you want explain that any more, given that you had    |
| 25       | because members of the jury, I don't need to give              | 25 | suggested it took some time to, for example, get the        |
|          | Page 154   |    | Page 156  |

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|   |   | -  |   |
|---|---|--|---|
| 1   | handcuffs on?   | 1  | were given in control and retrained was concerned you   |
| 2   | A. The three of us to physically control him and then try   | 2  | weren't making any criticism of the instructors who   |
| 3   | to bring his arms round, it was literally a case of grab  | 3  | taught you the techniques that you learned in the gym?  |
| 4   | hold of whatever limbs you could  | 4  | A. No, no criticism at all.   |
| 5   | DEPUTY CORONER MS MONAGHAN: You need to speak up.   | 5  | Q. So you understood the techniques you had been taught in  |
| 6   | MS HEWITT: I am sorry, I thought I was doing that.  | 6  | the gym?  |
| 7   | DEPUTY CORONER MS MONAGHAN: I'm having no trouble hearing   | 7  | A. Yes.   |
| 8   | you, but apparently the stenographer is.  | 8  | Q. But you said, I think, that your concern was about the   |
| 9   | MS HEWITT: I see. I'll direct my questions that way.  | 9  | application of those techniques in certain  |
| 10  | DEPUTY CORONER MS MONAGHAN: I can hear you, but thank   | 10   | circumstances?  |
| 11  | you.  | 11   | A. That's correct, yes.   |
| 12  | MS HEWITT: Your time estimate, I think you said you can't   | 12   | Q. You have referred already to the fact that the   |
| 13  | be sure of time?  | 13   | techniques were taught in a gym with a big open space   |
| 14  | A. No.  | 14   | and physically that's different from inside a plane?  |
| 15  | Q. You have also seem to have said that it was minutes  | 15   | A. Yes.   |
| 16  | rather than seconds, certainly, for the handcuffs to be   | 16   | Q. Can I ask you about this: when you did your training,  |
| 17  | placed on. During that time, again from your point of   | 17   | were you just watching people, instructors, do it or  |
| 18  | view, were you exerting real effort in order to control   | 18   | were you required to have go a yourself?  |
| 19  | and handcuff Mr Mubenga?  | 19   | A. We would watch how the instructors broke each move down,   |
| 20  | A. We had to put a lot of effort into controlling the arm   | 20   | step-by-step, and then we would then have a go  |
| 20  | to start with, to enable us to get handcuff on, and then  | 21   | ourselves.  |
| 22  | there was even more effort required to be able to   | 22   | Q. And do it yourselves. The instructors would watch you  |
| 22  | present the arm for further handcuffing.  | 23   | do it, presumably?  |
| 23  | Q. You were asked on behalf of British Airways about how  | 24   | A. That's correct, yes.   |
| 25  | this might have appeared to observers and perhaps   | 25   | Q. So in that learning scenario, who was it that acted as   |
|   | Page 157  |  | Page 159  |
|   |   |  | U   |
| 1   | especially observers who knew nothing about control and   | 1  | the person being restrained?  |
|   |   |  |   |
| 2   | restraint and such like. Was it, would you expect,  | 2  | A. It would generally tend to be one of the trainees.   |
| 2<br>3  | restraint and such like. Was it, would you expect, visually to have looked like a very physical process?  |  |   |
|   | • •   | 2  | A. It would generally tend to be one of the trainees.   |
| 3   | visually to have looked like a very physical process?   | 2<br>3   | A. It would generally tend to be one of the trainees.<br>Every now and again we would have one of the instructors   |
| 3<br>4  | visually to have looked like a very physical process?<br>A. Yes.  | 2<br>3<br>4  | A. It would generally tend to be one of the trainees.<br>Every now and again we would have one of the instructors<br>volunteer.   |
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| 3<br>4<br>5<br>6<br>7<br>8<br>9<br>10<br>11<br>12<br>13<br>14<br>15<br>16<br>17<br>18<br>19<br>20<br>21<br>22<br>23<br>24 | <ul> <li>visually to have looked like a very physical process?</li> <li>A. Yes.</li> <li>Q. The handcuffs you used and applied to Mr Mubenga were the rigid bar handcuffs. I don't think we have had this question. Did you have any choice about which handcuffs you used or are you provided with only one sort?</li> <li>A. No, we're only issued with the rigid bar handcuffs.</li> <li>Q. You have said already use of control and restraint, it's a three-man operation from the guards' point of view, the officers' point of view. This expression of controlling the head, is that something that is used when describing the technique itself? Is there a member of the three-man team who is in charge of controlling the head?</li> <li>A. In a general scenario you would have someone who would be responsible for the head.</li> <li>Q. And the other two members are responsible for what?</li> <li>A. Control of the limbs.</li> <li>Q. One right, one left?</li> <li>A. That's correct, yes.</li> <li>Q. A few short questions about the training when you are trained in control restraint. You said, I think, just</li> </ul> | 2<br>3<br>4<br>5<br>6<br>7<br>8<br>9<br>10<br>11<br>12<br>13<br>14<br>15<br>16<br>17<br>18<br>19<br>20<br>21<br>22<br>23<br>24 | <ul> <li>A. It would generally tend to be one of the trainees.<br/>Every now and again we would have one of the instructors volunteer.</li> <li>Q. A physical role play in that sense?</li> <li>A. Yes.</li> <li>Q. During that training, the person who was being restrained for training purposes, what level, if any, of resistance did they give during the training to the restraint?</li> <li>A. No level. They were compliant.</li> <li>Q. So you practised how the techniques should be carried out?</li> <li>A. Yes.</li> <li>Q. During your training then, was there any opportunity to practise how it would be in reality with someone who is actually resisting?</li> <li>A. I can't remember. During the training it was literally go through to make sure we understood step-by-step how each of the things moved. I never really dealt with a non-compliant in the gym on the mats.</li> <li>Q. The absence of an opportunity to test out the techniques in an environment such as an aeroplane, was that something that you mentioned at all to your training</li> </ul> |
| 3<br>4<br>5<br>6<br>7<br>8<br>9<br>10<br>11<br>12<br>13<br>14<br>15<br>16<br>17<br>18<br>19<br>20<br>21<br>22<br>23       | <ul> <li>visually to have looked like a very physical process?</li> <li>A. Yes.</li> <li>Q. The handcuffs you used and applied to Mr Mubenga were the rigid bar handcuffs. I don't think we have had this question. Did you have any choice about which handcuffs you used or are you provided with only one sort?</li> <li>A. No, we're only issued with the rigid bar handcuffs.</li> <li>Q. You have said already use of control and restraint, it's a three-man operation from the guards' point of view, the officers' point of view. This expression of controlling the head, is that something that is used when describing the technique itself? Is there a member of the three-man team who is in charge of controlling the head?</li> <li>A. In a general scenario you would have someone who would be responsible for the head.</li> <li>Q. And the other two members are responsible for what?</li> <li>A. Control of the limbs.</li> <li>Q. One right, one left?</li> <li>A. That's correct, yes.</li> <li>Q. A few short questions about the training when you are</li> </ul>   | 2<br>3<br>4<br>5<br>6<br>7<br>8<br>9<br>10<br>11<br>12<br>13<br>14<br>15<br>16<br>17<br>18<br>19<br>20<br>21<br>22<br>23       | <ul> <li>A. It would generally tend to be one of the trainees.<br/>Every now and again we would have one of the instructors volunteer.</li> <li>Q. A physical role play in that sense?</li> <li>A. Yes.</li> <li>Q. During that training, the person who was being restrained for training purposes, what level, if any, of resistance did they give during the training to the restraint?</li> <li>A. No level. They were compliant.</li> <li>Q. So you practised how the techniques should be carried out?</li> <li>A. Yes.</li> <li>Q. During your training then, was there any opportunity to practise how it would be in reality with someone who is actually resisting?</li> <li>A. I can't remember. During the training it was literally go through to make sure we understood step-by-step how each of the things moved. I never really dealt with a non-compliant in the gym on the mats.</li> <li>Q. The absence of an opportunity to test out the techniques in an environment such as an aeroplane, was that</li> </ul>  |

| 1  | A. I mentioned it on several occasions to various                    | 1                    | potential for more injury due to hard surfaces and  |
|----|--|----------------------|---|
| 2  | instructors.   | 2                    | stuff.  |
| 3  | MS HEWITT: If we return then to what you were doing on               | 3                    | Q. It may be I am asking an obvious question. There isn't   |
| 4  | 12 October, you have described already putting the                   | 4                    | on a plane a secure separate room, for example, at the  |
| 5  | handcuffs on. What you said  | 5                    | back that most passengers don't know about but which can  |
| 6  | DEPUTY CORONER MS MONAGHAN: Sorry, Ms Hewitt, Ms Ballard is          | 6                    | be used in these circumstances?   |
| 7  | behind you   | 7                    | A. No.  |
| 8  | MS BALLARD: I don't think any of the computers are picking           | 8                    | Q. Certainly if this journey was to go ahead at all, at   |
| 9  | anything up.   | 9                    | some point Mr Mubenga was going to have to sit in   |
| 10 | DEPUTY CORONER MS MONAGHAN: No.                                      | 10                   | a seat?   |
| 11 | MS BALLARD: I didn't know whether to raise it or not, so             | 11                   | A. Yes.   |
| 12 | apologies if I'm raising it out of turn. But it looks                | 12                   | Q. And keeping him in a standing position, for example,   |
| 13 | like the system has gone awry.                                       | 13                   | would not be an option for take-off and the journey   |
| 14 | (Discussion re Transcend malfunctioning)                             | 14                   | itself?   |
| 15 | DEPUTY CORONER MS MONAGHAN: It is probably sensible to get           | 15                   | A. No.  |
| 16 | this sorted out and then we can have a clear run. Is                 | 16                   | Q. So short of abandoning the process and I'll come back  |
| 17 | that   | 17                   | to that in a moment. Short of abandoning the  |
| 18 | MS HEWITT: I only then have about five minutes or so left.           | 18                   | deportation altogether, if it was to be continued you   |
| 19 | DEPUTY CORONER MS MONAGHAN: So there you are, members of             | 19                   | had at some point to put him in a seat; is that right?  |
| 20 | the jury. We were going to take a mid-afternoon break                | 20                   | A. That's correct, yes.   |
| 21 | anyway. We might as well do it now so we can kick-start              | 21                   | Q. You described trying and getting Mr Mubenga into the   |
| 22 | the system. Thank you very much.                                     | 22                   | seat in row 40. Again, if I can come back then briefly  |
|    |  | 23                   | to your training. As part of your control and restraint   |
|    |  | 24                   | training, did you have any direct guidance as to how  |
|    |  | 25                   | that was to be achieved in these circumstances?   |
|    |  |                      | Page 163  |
| 7  | (In the presence of the jury)  | 1                    | A. I don't believe so, no.  |
| 8  | DEPUTY CORONER MS MONAGHAN: Ms Hewitt.                               | 2                    | Q. But you adapt, do you, and do your best with the   |
| 9  | MS HEWITT: As I say, I will not be very much longer but              | 3                    | techniques that you have been given? Is that what it  |
| 10 | I wonder if I may go back to the beginning because it is             | 4                    | comes down to?  |
| 11 | an important matter. What I want to ask you and be                   | 5                    | A. Yes.   |
| 12 | clear about, Mr Tribelnig, is that through the course                | 6                    | Q. Having reached the stage then when Mr Mubenga was in his   |
| 13 | of your control and restraint of Mr Mubenga, to clarify              | 7                    | seat and handcuffed with his hands behind his back, can   |
| 14 | with you what you saw your options to be at each stage.              | 8                    | I ask you to be clear about this: what did you  |
| 15 | So before the break we had reached the point where,                  | 9                    | understand your options and your training to be in  |
| 16 | after the initial part, you had placed handcuffs on him?             | 10                   | relation to the handcuffing?  |
| 17 | A. Yes.  | 11                   | A. My options were, I was led to believe is to try to calm  |
| 18 | Q. You have been asked in your evidence then, therefore,             | 12                   | the situation down in order so that we can move the   |
| 19 | about what should happen next, your options at that                  | 13                   | handcuffs from the rear to the front.   |
| 20 | point, as to what you could do with Mr Mubenga having                | 14                   | Q. Calming the situation down, what options do you have   |
| 21 | handcuffed him. Can I ask you this: was there anywhere               | 15                   | there and what, if anything, did you do to try and keep   |
| 22 | on the plane, other than a seat, where you could take                | 16                   | him?  |
| 23 | him or keep him securely?  | 17                   | A. There were verbal communication. I was constantly  |
| 24 | A. Not really. I mean, there was potential for the rear              | 18                   | trying to talk to him, asking him, up to the point of   |
| 25 |  | 19                   | pretty much begging him, to calm down.  |
| 25 | galley, but, with crew and stuff moving around in there,             | 00                   |   |
| 23 | galley, but, with crew and stuff moving around in there,<br>Page 162 | 20                   | Q. Did you, during the course of this, see any stage at   |
| 25 |  | 21                   | which you thought there was an opportunity to move his  |
| 25 |  | 21<br>22             | which you thought there was an opportunity to move his handcuffs to the front?  |
| 23 |  | 21<br>22<br>23       | which you thought there was an opportunity to move his handcuffs to the front?<br>A. No.  |
| 23 |  | 21<br>22<br>23<br>24 | <ul><li>which you thought there was an opportunity to move his handcuffs to the front?</li><li>A. No.</li><li>Q. What would moving a detainee's handcuffs from the back</li></ul> |
| 23 |  | 21<br>22<br>23       | which you thought there was an opportunity to move his handcuffs to the front?<br>A. No.  |

| 1       A. I would release of the handbull's and then bringing the <ul> <li>and proton to you, as team leader, to tell the other revo</li> <li>officers to stop away?</li> <li>Q. So what, in head terms, would you expect to see from             <ul> <li>the situation before you thought it was safe to take</li> <li>A. We're never trained to stop away?</li> <li>A. Che of aggressive movement. Some sort of                 <ul> <li>acknord eigenet from this that he was going to be calting:</li></ul></li></ul></li></ul>  |    |   |                          |  |
|--|----|---|--------------------------|--|
| <ul> <li>J. So what in broad terms, would you expect to see from the situation before you shought it was safe to take the situation before you shought it was safe to take the situation before you shought it was safe to take the situation before you shought it was safe to take the situation before you shought it was safe to take the situation before you shought it was safe to take the situation before you shought it was safe to take the structure of the situation before you should be shou</li></ul> | 1  | A. It would release of the handcuffs and then bringing the  | 1                        | an option to you, as team leader, to tell the other two    |
| 4         Q. Again, the reason for that, as you motestand it?           5         that step?         S. Lack of aggressive movement. Some sort of         S. Lack of aggressive movement. Some sort of           7         acknowledgement from him that he was going to be calming         Prevent himself from thrashing himself around.           9         Q. Did you ever reach that stage?         9         A. Sorry, to prevent the defaince from thrashing inself around.           10         A. No.         Q. You was been asked about the period of time that the         11         Q. I said all of these options. I was asking you about were           11         B. You.         10         was been asked about the period of time that the         11         Q. I said all of these options. I was asking you about were           12         restrain in the seat went on. Links M Blackand         12         if the deportation should be abandoned at the           14         you to ensure that the restraint did no go on for too         14         decision of the cert or tho capitan of the plane. Again,           15         kag.         as far as your training was concerned, were you given           19         us total periods of time? In other works.         19         as abandoning the deportation for the plane. Again,           14         a Sum for mout raining and guidance, is that taught         13         circumstances in which you ought to start to consider  | 2  | arms from the rear back round to be placed in the front.    | 2 officers to step away? |  |
| 5       A. The reason, at lunderstand it, is to ensure that we         6       A. Lack of agressive movement. Some sort of a single ob calming a obvor. So that we could move the handcaffs.       5       A. The reason, at lunderstand it, is to ensure that we going to be calming a obvor. So that we could move the handcaffs.       8       Q. Your voice is dropping a hit.         8       0. D. Didy ou ver reach that stage?       0. S. Sorty, to prevent the detailsnee from thrashing around to to acuse himself ary further injury.         10       A. No.       10       Q. Sub ave been asked about the period of time that the (1)       Q. I said all of these options I was asking you about were to reach that stage?         11       Q. You have been asked about the period of time that the (1)       Q. I said all of these options I was asking you about were to reach that it restain the the stait well on up on for too       14       devision of the detainion and custody officers - so nor         12       restrain the stait well of up go on for too       15       order of the court or the captain of the plane. Again, and again, forn your training and guidance, is that taught       18       circumstances in which you onght to start to consider         13       suggested to you that "I. In term work, 19       9       about intell in the intell in term intell in the state option?       20       A. No. I've never seen a deportation were you given any 24         23       A. No.       restrain should never be for more than 15 minutes, 20       Q. I understand you ha   | 3  | Q. So what, in broad terms, would you expect to see from    | 3                        | A. We're never trained to step away.                       |
| 6     A. Lack of aggressive movement. Some sort of achowidegement from him that he was going to be calming a chowidegement from him that he was going to be chowidegement from him that he was going to be chowidegement from him that he was going to be chowidegement from him that he was going to be chowidegement from him that he was going to be chowidegement from him that he was going to be chowidegement from him that he was going to be chowidegement from him that he was going to be chowidegement from him that he was going to be chowidegement from him that he was going to be chowidegement from him that he was going to be chowidegement from him that he was going to be chowidegement from him that he was going to be chowidegement from him that he was going to be chowidegement from him that he was going to be chowidegement from him that he was going to be chowidegement from him that he was from him that he was goinged to be chowid                                 | 4  | the situation before you thought it was safe to take        | 4                        | Q. Again, the reason for that, as you understand it?       |
| 2       acknowledgement from him that is vas going to be calming       7       prevent himself from thrashing himself around.         8       0, Did you ever rach that stage?       0       0. A No.       10       A. No.         10       0, No have been asked about the period of time that the       11       Q. You voice is dropping a bit.         12       restraint in the seat went on. I think MF Blachand       12       if the deportation was to go shead. On the question of         13       suggested lo you that it was an he put i, incumbent on       13       whether a deportation should he abandmonet at the         15       long.       15       order of the court or the captain of the plane. Again,         15       long.       15       order of the court or the captain of the plane. Again,         16       as far as your training was concerned, were you given       18       aggin, from your rarining and guidance, is that taught       18       eiccurstances in which you onght to start to consider         10       to you in actual periods of time? In other words.       10       assign in thour your previous experience in October 2010, what of all the sort sort sing what I am         23       A. Fox to use the for more than 15 minutes,       20       A. No. I've never seen a deportation terminated by the seconts         24       of periods of the had you known extrinints to far for?       24       aski   | 5  | that step?  | 5                        | A. The reason, as I understand it, is to ensure that we    |
| 8     down, so that we could move the handcuffs.     8     Q. You voice is dropping a bit.       9     Q. Jod you ever reach that stage?     9     A. Sorry, to prevent the detainee from thrashing around to       11     Q. You have been asked about the period of time that the     11     Q. I said all of these options I was asking you about were       12     restraint in the seat wert on Lithins MF Blachand     12     if the deportation was to go aboad. On the question of       13     suggested to you that it was, as he put it, incumbent on     13     whether a deportation is to go aboad. On the question of       14     you to ensure that the restraint did no go on for too     14     decision of the deportation.     Action and Custody Officers - so not       16     A. Yes.     16     as Yas.     as far a your training was concerned, were you given       17     Q. When it cones to the length of time a restraint goes on,     17     any rules or guidance as to, first of all, the corts of       19     to you in actual periods of time? In other words,     19     abandoning the deportation?       21     aborn your previous experience in October 2010, what sort     21     abandoning the deportation?       22     A. No.     23     happen.     17     aking you is whether you had custally here yiven and actually here yiven and actually here yiven and actually convertinist for hours.       23     O Form your previous experience in Oct  | 6  | A. Lack of aggressive movement. Some sort of                | 6                        | protect or look after the detainee as much as possible,    |
| 9       Q. Did you ever reach that stage?       9       A. Sorry, to prevent the detainee from thrashing around to cause himself any further injury.         10       A. No.       10       cause himself any further injury.         11       Q. You have been asked about the period of time that the       11       C. Tsoil all of these options I was asking you about were         12       restraint in the seat went on. I think M Blakland       12       if the deportation should be abandoned at the         13       suggested to you that it was, as he put it, incumbent on       13       whether a deportation should be abandoned at the         15       long.       15       long.       15       order of the court or the captain of the plane. Again,         16       A. Yes       16       as far as your training was concerned, were you given       17         17       ayon have been in the institut angle       18       circumstances in which you ought to start to consider         10       to you in actual periods of inme? In other words,       10       asking you is whether you hand actually been given any         20       a non werstraints for hours.       20       A. No.       20       Inderstand you have said already you haven't scen it         21       aborniure, I hour?       24       asking you is whether you ought to consider it?       24         2 <t< td=""><td>7</td><td>acknowledgement from him that he was going to be calming</td><td>7</td><td>prevent himself from thrashing himself around.</td></t<>   | 7  | acknowledgement from him that he was going to be calming    | 7                        | prevent himself from thrashing himself around.             |
| 10       A. No.       10       cause himself any forther injury.         11       Q. You have been asked about the period of time that the       11       Q. I stid all of these options I was asking you about were         13       suggested lo you that it was, as he put it, incumbent on       13       whether a deportation was too go ahead. On the question of         14       you to ensure that the restraint did no go on for too       14       decision of the detention and custody officers - so not         15       onge.       15       order of the court or the captain of the plane. Again,         16       A. Yes.       16       as far a syour training was concerned, were you given         17       any rules or guidance as to, first of all, the sorts of       as far a syour training was concerned, were you given         18       again, from your training and guidance, is that taught       18       circumstances in which you ought to start to consider         19       a systain should never the for more than 15 minutes,       24       A. No.       20       A. No.         21       30-minute, 1 hour?       23       A. No.       24       asking you is whether you had actually been given any zerostand you have said already you haven't seen it appen. If you go back to your training, what I am         24       A. No.       25       C. For wour previous experience in October 2010, what sort       24  | 8  | down, so that we could move the handcuffs.                  | 8                        | Q. Your voice is dropping a bit.                           |
| 11       Q. You have been asked about the period of time that the       11       Q. I said all of these options I was asking you about were         12       restrinit in the seat went on. I think Mr Blavland       12       1       if the deportation was to go abead. On the question of         14       suggested to you that it was, as he yui, in unsubnet on       13       whether a deportation should be abandoned at the         15       long.       15       order of the court of the detention and custody officers - so not         16       A. Yes.       16       as far as yout training was concerned, were you given         17       Q. When it comes to the length of time a restraint goes on,       17       ary rules or guidance as to, first of all, the sorts of         18       again, from your training and guidance, is that taught       18       circumstances in which you ought to start to consider         19       astraint should never be for more than 15 minutes,       20       A. No.       Twe never seen a deportation training, what I am         23       Q. From your previous experience in October 2010, what sort       23       happen. If you go back to your training, what I am         24       of periods of time had you known restraints for hours.       25       express rules, or even jost general guidance, about the<br>Page 165         2       A. I we actual periods of time hathy was onte actual periods of time ha solad epositinon  | 9  | Q. Did you ever reach that stage?                           | 9                        | A. Sorry, to prevent the detainee from thrashing around to |
| 12       restraint in the scatt went on. I think Mr Blaxland       12       if the deportation was to go ahead. On the question of         13       suggested to you that it was, as he put it, incumbent on       13       whether a deportation should be abandoned at the         14       you to ensure that the restraint did no go on for too       14       decision of the detention and custody officers so not         15       long.       15       order of the court or the captain of the plane. Again,         16       A. Yes.       16       as far as your training was concerned, were you given 1         17       Q. When it comes to the length of time a restraint goes on,       17       any rules or guidance as to, first of all, the sorts of         18       astin should never be for more than 15 minutes,       19       abaNo. Twe never sen a deportation terminated by the         21       astraint should never be for more than 15 minutes,       21       asking you is whether you had caulally on haven't seen it         23       Q. From your previous experience in October 2010, what sort       23       happen. If you go back to your training, what I am         24       op riods of time had you known restraints to last for?       24       asking you is whether you had caulally neven whether and caulal prevent was to a solute the page 167         15       were sarialt should definitely happen, abandoned?       4       A von cesarialt in a re  | 10 | A. No.  | 10                       | cause himself any further injury.                          |
| 13       suggested to you that it was, as he put it, incumbent on       13       whether a deportation should be bandoned at the         14       you to ensure that the restraint did no go on for too       14       decision of the detention and custody officerss on tot         16       A. Yes.       15       order of the court or the captain of the phane. Again,         17       Q. When it comes to the length of time a restraint goes on,       17       any rules or guidance as to, first of all, the sorts of         18       again, from your training and guidance, is that taught       18       circurstances in which you ought to start to consider         19       to you in actual periods of time? In other words,       19       abandoning the deportation?         20       a restraint should never be for more than 15 minutes,       20       A. No. U've never seen a deportation terminated by the         21       assent you go back to your training, what I am       24       asking you is whether you had actually been given any         23       A. For known restraints to last for?       24       asking you is whether you had actually been given any         24       a periods of time had you known restraints to last for?       24       asking you is whether you had actually been given any         25       A. I we known restraints to hast for?       24       asking you cay to consider in?         2  | 11 | Q. You have been asked about the period of time that the    | 11                       | Q. I said all of these options I was asking you about were |
| 14       you to ensure that the restraint did no go on for too       14       decision of the detention and custody officers so not         15       long.       15       order of the court of the captin of the plane. Again,         17       Q. When it comes to the kength of time a restraint goes on,       17       any rules or guidance as to, first of all, the sorts of         18       again, from your training and guidance, is that taught       18       circumstances in which you ought to start to consider         20       a restraint should never be for more than 15 minutes,       20       A. No. I've never seen a deportation terminated by the         21       30-minute, 1 hour?       21       asknony out have said already you haven't seen it         23       Q. From your previous experience in October 2010, what sort       23       A. No.         24       of periods of time had you known restraints to last for?       24       asking you is whether you had actually been given any         25       A. No       restraint should AGMAHAN: In a seared position?       2       A. No         3       DEPUTY CORONER MS MONAGHAN: In a seared position?       1       circumstances in which you ought to consider it?         2       A. In a seated position.       3       Q. Or when it should definitely happen, ahandoned?         4       A. No taresearally in a rear stack position, but in <td< td=""><td>12</td><td>restraint in the seat went on. I think Mr Blaxland</td><td>12</td><td>if the deportation was to go ahead. On the question of</td></td<>   | 12 | restraint in the seat went on. I think Mr Blaxland          | 12                       | if the deportation was to go ahead. On the question of     |
| 15       long.       15       order of the court or the captain of the plane. Again,         16       A. Yes.       16       as far as your training was concerned, were you given         18       again, from your training and guidance, is that taught       18       as far as your training was concerned, were you given         19       to you in actual periods of time? In other words,       19       abandoning the deportation?         20       a restraint should never be for more than 15 minutes,       20       A. No. Tve never seen a deportation terminated by the         21       30-minute, 1 hour?       21       eccorts.       22       Q. I understand you have said already you haven't seen it         23       Q. From your previous experience in October 2010, what sort       23       happen. If you go back to your training, what I am         24       A No.       Yee known restraints for hours.       25       express rules, or even just general guidance, about the<br>Page 165         25       A. Is acated position.       21       circumstances in which you ought consider it?         2       A. In a seated position.       2       A. I doo't think so, no.         3       DEPUTY CORONER MS MONAGHAN: In a seated position?       1       circumstances in which you ought consider it?         2       A. I acate position.       2       A. I doo't think so, no.   | 13 | suggested to you that it was, as he put it, incumbent on    | 13                       | whether a deportation should be abandoned at the           |
| 16       A. Yes.       16       as far as your training was concerned, were you given         17       Q. When it comes to the length of time a restraint goes on,       17       any rules or guidance as to, first of all, the sorts of         18       again, from your training and guidance, is that taught       18       circumstances in which you ought to start to consider         19       to you in actual periods of time? In other words,       19       abandoning the deportation?         20       a restraint should never be for more than 15 minutes,       20       A. No. I've never seen a deportation terminated by the         21       30-minute, 1 hour?       21       abandoning the deportation?       20         22       A. No.       10       understand you have said already you haven't seen it         23       Q. From your previous experience in October 2010, what sort       21       asking you is whether you had actually been given any         24       of periods of time had you known restraints to last for?       22       Q. I understand you ought to consider it?         2       A. No.       Page 165       1       circumstances in which you ought to consider it?         2       A. In a seated position.       3       Q. Or when it should definitely happen, abandoned?         4       A. Not necessarily in a rear stack position, but in a seated position?       4   | 14 | you to ensure that the restraint did no go on for too       | 14                       | decision of the detention and custody officers so not      |
| 17       Q. When it comes to the length of time a restraint goes on,       17       any rules or guidance as to, first of all, the sorts of         18       again, from your training and guidance, is that tunght       18       circumstances in which you ought to start to consider         19       to you in actual periods of time? In other words,       19       abandoning the deportation?         21       a) ontinute, I hour?       21       abandoning the deportation?       22         2       A. No.       22       Q. From your previous experience in October 2010, what sort       23       periods of time had you known restraints to last for?       24       asking you is whether you had actually been given any         25       A. Ive known restraints for hours.       25       express rules, or ven just general guidance, about the Page 165         10       DEPUTY CORONER MS MONAGHAN: For hours in a seated position?       1       circumstances in which you ought to consider it?         2       A. In a seated position.       1       2       A. I don't think so, no.         3       DEPUTY CORONER MS MONAGHAN: For hours in a seated position?       3       Q. Or when it should definitely happen, abandoned?         4       A. Not necessarily in a rear stack position, but in a cast tack position, but in a nearetal position as to when it might be possible to sop       5       the length of time therestraint would last, did you, any post weith am  | 15 | long.   | 15                       | order of the court or the captain of the plane. Again,     |
| 18       again, from your training and guidance, is that taught       18       circumstances in which you ought to start to consider         19       to you in actual periods of time? In other words,       19       abandoning the deportation?         20       a restrini should never be for more than 15 minutes,       20       A. No. I've never seen a deportation terminated by the         21       30-minute, I hour?       21       escorts.         22       A. No.       22       Q. I understand you haven't seen it         23       O. From your previous experience in October 2010, what sort       23       happen. If you go back to your training, what I am         23       A. I've known restraints for hours.       25       express rules, or even just general guidance, about the         24       A. I a seated position.       21       circumstances in which you ought to consider it?         2       A. I as seated position.       3       Q. Or when it should definitely happen, abandoned?         3       A. No increasarily in a rear stack position, but in       4       A. No.         5       asseted position.       5       Q. As far as your expectation at the time in relation to         5       bePUTY CORONER MS MONAGHAN: So on a plane?       6       the length of time the restraint would last, did you,         7       A yeah. I hawa etauli prevelded II th   | 16 | A. Yes.   | 16                       | as far as your training was concerned, were you given      |
| 19       to you in actual periods of time? In other words,       19       abandoning the deportation?         20       a restraint should never be for more than 15 minutes,       20       A. No. I've never seen a deportation terminated by the         21       30-minute, I hour?       20       A. No.       120         22       A. No.       120       Q. From your previous experience in October 2010, what sort       23         23       O. From your previous experience in October 2010, what sort       23       happen. If you go back to your training, what I am         24       of periods of time had you known restraints to last for?       25       express rules, or even just general guidance, about the         25       A. Ta sacted position.       25       express rules, or even just general guidance, about the         26       A. I an sected position.       3       Q. Or when it should definitely happen, abandoned?         4       A. No freesesarity in a rear stack position, but in       5       Q. as far as your expectation at the time in relation to         5       a seated position.       5       Q. as far as your expectation at the time in relation to         6       DEPUTY CORONER MS MONAGHAN: So on a plane?       7       when you were dealing with this situation, have         7       A. Yeah. Thave actually trevelied all the way to the       8       an expectati  | 17 | Q. When it comes to the length of time a restraint goes on, | 17                       | any rules or guidance as to, first of all, the sorts of    |
| 20       a restraint should never be for more than 15 minutes,       20       A. No. 1've never seen a deportation terminated by the         21       30-minute, 1 hour?       22       Q. Tom your previous experience in October 2010, what sort       23         23       Q. From your previous experience in October 2010, what sort       24       Independent of you go back to your training, what I am         24       of periods of time had you known restraints to last for?       22       Q. I understand you have said already you haven't seen it         25       A. I've known restraints for hours.       24       asking you is whether you had actually been given any         25       c. Ir a seated position.       25       c. Ir circumstances in which you ought to consider it?         2       A. In a seated position.       1       circumstances in which you ought to consider it?         3       A. Not necessarily in a rear stack position, but in       3       a seated position.         5       DEPUTY CORONER MS MONAGHAN: So on a plane?       4       A. No.         6       the length of time the restraint would last, did you,       7         7       A. Yeah. I have actually travelled all the way to the       7       when you were dealing with this situation, have         8       corigon the handcuffs       10       calm own?       11         11       <  | 18 | again, from your training and guidance, is that taught      | 18                       | circumstances in which you ought to start to consider      |
| 21       30-minute, 1 hour?       21       escorts.         22       A. No.       22       Q. I understand you have said already you haven't seen it         23       Q. From your previous experience in October 2010, what sort       23       happen. If you go back to your training, what I am         24       of periods of time had you known restraints to last for?       24       asking you is whether you had actually been given any         25       A. I've known restraints for hours.       25       express rules, or even just general guidance, about the         7       A. In a seated position.       2       A. I don't think so, no.         30       DEPUTY CORONER MS MONAGHAN: For hours in a seated position?       4       A. No.         6       DEPUTY CORONER MS MONAGHAN: Soria plane?       6       the length of time the restraint would last, did you,         7       A. Yeah. Thave actually travelled all the way to the       7       when you were dealing with this situation, have         8       China with a main in handcuffs before because he refused       8       an expectation as to when it might be possible to stop         10       DEPUTY CORONER MS MONAGHAN: When you say it was in       10       calm down?         11       restraint, does that mean that there was some other hold       11       A. No.         10       carent the handcuffs?  | 19 | to you in actual periods of time? In other words,           | 19                       | abandoning the deportation?                                |
| 22       A. No.       22       Q. 1 understand you have said already you haven't seen it         23       Q. From your previous experience in October 2010, what sort       23       happen. If you go back to your training, what I am         24       of periods of time had you known restraints to last for?       24       asking you is whether you had actually been given any         25       A. I've known restraints for hours.       25       express rules, or even just general guidance, about the Page 167         26       A. In a seated position.       2       A. I don't think so, no.       3         3       DEPUTY CORONER MS MONAGHAN: For hours in a seated position?       3       Q. Or when it should definitely happen, abandoned?         4       A. Not necessarily in a rear stack position, but in       4       A. No.       5       Q. Sa far as your expectation at the time in relation to         6       DEPUTY CORONER MS MONAGHAN: So on a plane?       6       the length of time the restraint would last, did you,       7         7       A. Yeah. I have actually travelled all the way to the       7       when you way it was in       10       callm down?         11       restraint, does that mean that there was some other hold       11       A. My expectation was that we would calm him down enough         12       or just the handcuffs with the gentleman holding on to his arms.       14  | 20 | a restraint should never be for more than 15 minutes,       | 20                       | A. No. I've never seen a deportation terminated by the     |
| <ul> <li>23 Q. From your previous experience in October 2010, what sort</li> <li>24 of periods of time had you known restraints to last for?</li> <li>25 A. I've known restraints for hours.</li> <li>26 PEPUTY CORONER MS MONAGHAN: In a seated position?</li> <li>27 A. I a seated position.</li> <li>28 DEPUTY CORONER MS MONAGHAN: In a seated position?</li> <li>29 A. Not necessarily in a rear stack position, but in</li> <li>3 a seated position.</li> <li>3 DEPUTY CORONER MS MONAGHAN: For hours in a seated position?</li> <li>4 A. Not necessarily in a rear stack position, but in</li> <li>5 a seated position.</li> <li>6 DEPUTY CORONER MS MONAGHAN: So on a plane?</li> <li>7 A. Yeah. I have actually travelled all the way to the</li> <li>8 China with a man in handcuffs before because he refused</li> <li>9 to comply.</li> <li>9 DEPUTY CORONER MS MONAGHAN: When you say it was in</li> <li>10 DEPUTY CORONER MS MONAGHAN: When you say it was in</li> <li>11 restraint, does that mean that there was some other hold</li> <li>12 or just the handcuffs with the gentleman holding on to his arms.</li> <li>14 DEPUTY CORONER MS MONAGHAN: Have you ever held anybody in</li> <li>15 restraint for a similar period with handcuffs behind</li> <li>16 their back in a seated position?</li> <li>17 A. I can't remember.</li> <li>18 DEPUTY CORONER MS MONAGHAN: Thank you.</li> <li>19 MS HEWITT: The last but one point by the learned coroner,</li> <li>19 about whether that would also include guards having</li> <li>20 A Star as your explexible would also include guards having</li> <li>21 hands on the person being restrained. Can I ask you</li> <li>22 A I that point we thought he' d resigned himself to the</li> <li>23 whether it was an option simply to step away from</li> <li>24 A Star as your explexience, yes.</li> <li>25 on. Again, as far as your uraining goes, was it</li> </ul>   | 21 | 30-minute, 1 hour?  | 21                       | escorts.   |
| 24       of periods of time had you known restraints to last for?       24       asking you is whether you had actually been given any         25       A. Tve known restraints for hours.       Page 165         1       DEPUTY CORONER MS MONAGHAN: In a seated position?       1       circumstances in which you ought to consider it?         2       A. In a seated position.       3       Q. Or when it should definitely happen, abandoned?         4       A. Not necessarily in a rear stack position, but in       5       Q. As far as your expectation at the time in relation to         6       DEPUTY CORONER MS MONAGHAN: So on a plane?       6       the length of time the restraint would last, did you,         7       A. Yeah. I have actually travelled all the way to the       7       when you were dealing with this situation, have         8       China with a man in handcuffs before because he refused       8       an expectation as to when it might be possible to stop         9       to comply.       9       the trainit, in other words, when the situation might         10       DEPUTY CORONER MS MONAGHAN: When you say it was in       10       calm down?         11       restraint, does that mean that there was some other hold       11       A. My expectation was that we would calm him down enough         12       or just the handcuffs?       12       before we got anywhere near the runway to be abl   | 22 | A. No.  | 22                       | Q. I understand you have said already you haven't seen it  |
| 25       A. I've known restraints for hours.<br>Page 165       25       express rules, or even just general guidance, about the<br>Page 167         1       DEPUTY CORONER MS MONAGHAN: In a seated position?       1       circumstances in which you ought to consider it?         2       A. In a seated position.       3       Q. Or when it should definitely happen, abandoned?         4       A. Not necessarily in a rear stack position, but in       4       A. No.         5       a seated position.       5       Q. As fra as your expectation at the time in relation to         6       the length of time the restraint would last, did you,       7         7       A. Yeah. I have actually travelled all the way to the       7       when you were dealing with this situation, have         8       China with a man in handcuffs before because he refused       8       an expectation as to when it might be possible to stop         9       to compty.       9       the restraint, does that mean that there was some other hold       11       A. My expectation was that we would calm him down enough         12       or just the handcuffs with the gentleman holding on to his arms.       13       an over the handcuffs from the rear to the front and         14       DEPUTY CORONER MS MONAGHAN: Thank you.       14       obviously       5       Q. Why did you expect that to be the case?         16 <td< td=""><td>23</td><td>Q. From your previous experience in October 2010, what sort</td><td>23</td><td>happen. If you go back to your training, what I am</td></td<>   | 23 | Q. From your previous experience in October 2010, what sort | 23                       | happen. If you go back to your training, what I am         |
| Page 165Page 1671DEPUTY CORONER MIS MONAGHAN: In a seated position?1circumstances in which you ought to consider it?3A. In a seated position.2A. I don't think so, no.3DEPUTY CORONER MIS MONAGHAN: For hours in a seated position?3Q. Or when it should definitely happen, abandoned?4A. Not necessarily in a rear stack position, but in4A. No.5a seated position.5Q. As far as your expectation at the time in relation to6DEPUTY CORONER MIS MONAGHAN: So on a plane?6the length of time the restraint would last, did you,7A. Yeah. I have actually travelled all the way to the7when you were dealing with this situation, have8China with a man in handcuffs before because he refused8an expectation as to when it might be possible to stop9to comply.9the restraint; in other words, when the situation might10DEPUTY CORONER MS MONAGHAN: When you say it was in10calm down?11restraint, does that mean that there was some other hold11A. My expectation was that we would calm him down enought12or just the handcuffs with the gentleman holding on to his arms.13move the handcuffs from the rear to the front and14DEPUTY CORONER MS MONAGHAN: Have you ever held anybody in14obriously15restraint for a similar period with handcuffs behind15Q. Why did you expect that to be the case?16their back in a seated position?16A. At that point we thought he' dresigned himself   | 24 | of periods of time had you known restraints to last for?    | 24                       | asking you is whether you had actually been given any      |
| 1       DEPUTY CORONER MS MONAGHAN: In a seated position?       1       circumstances in which you ought to consider it?         2       A. In a seated position.       3       Q. Or when it should definitely happen, abandoned?         4       A. Not necessarily in a rear stack position, but in       3       Q. Or when it should definitely happen, abandoned?         4       A. Not necessarily in a rear stack position, but in       5       a seated position.       5         6       DEPUTY CORONER MS MONAGHAN: So on a plane?       6       the length of them the restraint would last, did you,         7       A. Yeah. Thave actually travelled all the way to the       7       when you were dealing with this situation, have         8       an expectation as to when it might be possible to stop       9       the restraint; in other words, when the situation might         10       DEPUTY CORONER MS MONAGHAN: When you say it was in       10       calm down?         11       restraint, does that mean that three was some other hold       11       A. My expectation was that we would calm him down enough         12       or just the handcuffs with the gentleman holding on to his arms.       14       before we got anywhere near the runway to be able to         13       A. The handcuffs with handcuffs behind       15       Q. Why did you expect that to be the case?         16       their back in a seated po   | 25 | A. I've known restraints for hours.                         | 25                       | express rules, or even just general guidance, about the    |
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| 2A. In a seated position.2A. I don't think so, no.3DEPUTY CORONER MS MONAGHAN: For hours in a seated position?3Q. Or when it should definitely happen, abandoned?4A. Not necessarily in a rear stack position, but in4A. No.5a seated position.5Q. As far as your expectation at the time in relation to6DEPUTY CORONER MS MONAGHAN: So on a plane?6the length of time the restraint would last, did you,7A. Yeah. I have actually travelled all the way to the7when you were dealing with this situation, have8China with a man in handcuffs before because he refused8an expectation as to when it might be possible to stop9to comply.9the restraint, in other words, when the situation might10DEPUTY CORONER MS MONAGHAN: When you say it was in10calm down?11restraint, does that mean that there was some other hold11A. My expectation was that we would calm him down enough12or just the handcuffs?12before we got anywhere near the runway to be able to13A. The handcuffs with the gentleman holding on to his arms.13move the handcuffs from the rear to the front and14DEPUTY CORONER MS MONAGHAN: Have you ever held anybody in14obviously15restraint for a similar period with handcuffs behind15Q. Why did you expect that to be the case?16the ir back in a seated position?16A. At that point we thought he'd resigned himself to the17A. I can't remember.17<  | 1  | DEPUTY CORONER MS MONAGHAN. In a seated position?           | 1                        | circumstances in which you ought to consider it?           |
| 3DEPUTY CORONER MS MONAGHAN: For hours in a seated position?3Q. Or when it should definitely happen, abandoned?4A. Not necessarily in a rear stack position, but in4A. No.5a seated position.5Q. As far as your expectation at the time in relation to6DEPUTY CORONER MS MONAGHAN: So on a plane?6the length of time the restraint would last, did you,7A. Yeah. I have actually travelled all the way to the7when you were dealing with this situation, have8China with a man in handcuffs before because he refused8an expectation as to when it might be possible to stop9to comply.9the restraint, in other words, when the situation might10DEPUTY CORONER MS MONAGHAN: When you say it was in10calm down?11restraint, does that mean that there was some other hold11A. My expectation was that we would calm him down enough12or just the handcuffs?12before we got anywhere near the runway to be able to13A. The handcuffs with the gentleman holding on to his arms.13move the handcuffs from the rear to the front and14DEPUTY CORONER MS MONAGHAN: Have you ever held anybody in14obviously15restraint for a similar period with handcuffs behind15Q. Why did you expect that to be the case?16their back in a seated position?16A. At that point we thought he'd resigned himself to the17A. I can't remember.17fact he was actually leaving.18DEPUTY CORONER MS MONAGHAN: Thank  |    | -   |                          |  |
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| 25       on. Again, as far as your training goes, was it       25       Q. The flight I think was due to take off at 8 o'clock, is   | 23 | whether it was an option simply to step away from           | 23                       | instance or  |
|  | 24 | Mr Mubenga once he was in the seat with the seat belt       | 24                       | A. Yeah, previous experience, yes.                         |
| Page 166 Page 168  | 25 | on. Again, as far as your training goes, was it             | 25                       | Q. The flight I think was due to take off at 8 o'clock, is |
|  | 1  | Page 166  |                          | Page 168   |

|  |  |  | , , , , , , , , , , , , , , , , , , ,   |
|--|--|--|---|
| 1                                      | that right?  | 1  | MS HEWITT: Can you give me one moment, madam.   |
| 2                                      | A. I can't remember now.   | 2  | DEPUTY CORONER MS MONAGHAN: Certainly.  |
| 3                                      | Q. We'll hear other evidence about that. The last few  | 3  | MS HEWITT: I think that covers everything, madam.   |
| 4                                      | questions then therefore. Once Mr Mubenga became   | 4  | DEPUTY CORONER MS MONAGHAN: Thank you very much.  |
| 5                                      | unresponsive, you have given evidence already about your   | 5  | MS HEWITT: Thank you.   |
| 6                                      | thinking and first aid matters. What has been mentioned  | 6  | DEPUTY CORONER MS MONAGHAN: Can this witness be released  |
| 7                                      | in the course of that is the possibility of feigning,  | 7  | then? Yes. Thank you very much, Mr Tribelnig. That's  |
| 8                                      | a deportee feigning or faking illness. Is that   | 8  | the end of your evidence. You're free to leave or to  |
| 9                                      | something that you had ever known to happen before   | 9  | stay as you wish, but you are formally released.  |
| 10                                     | 12 October 2010?   | 10   | A. Thank you, ma'am.  |
| 11                                     | A. I have seen people faking it, yes.  | 11   | (The witness withdrew)  |
| 12                                     | MS HEWITT: Final question  | 12   | DEPUTY CORONER MS MONAGHAN: Are we happy to start   |
| 13                                     | DEPUTY CORONER MS MONAGHAN: Before you do, Ms Hewitt, but  | 13   | Mr Hughes? There is no difficulty with starting   |
| 14                                     | to pick up on that. How common was it?   | 14   | Mr Hughes now? Is he here? Mr Hughes.   |
| 15                                     | A. As I think I mentioned before, things generally tend to   | 15   | MS HEWITT: He's not in court, but he's in the building.   |
| 16                                     | go in fits and starts.   | 16   | I hope he's waiting outside. He's ready.  |
| 17                                     | DEPUTY CORONER MS MONAGHAN: Fits and starts?   | 17   | DEPUTY CORONER MS MONAGHAN: I don't think we'll get very  |
| 18                                     | A. I couldn't give an exact rundown on how common.   | 18   | far, but I can do some of his background so we at least   |
| 19                                     | DEPUTY CORONER MS MONAGHAN: You did say that. How would  | 19   | can cover that before the morning.  |
| 20                                     | you be able to tell the difference between what's a fake   | 20   | MR TERENCE HUGHES (sworn)   |
| 20                                     | and what's real?   | 20   | Examined by THE CORONER   |
| 21                                     | A. Just by speaking to the guy, you would get some sort of   | 21   | DEPUTY CORONER MS MONAGHAN: Can you give us your full   |
| 22                                     |  | 22   | a name, please?   |
| 23<br>24                               | response from him one way or the other.<br>DEPUTY CORONER MS MONAGHAN: Thank you, Ms Hewitt. I think   | 23   | •   |
| 24<br>25                               | we dealt with this yesterday. Thank you.   | 24   | A. It's Terence Hughes, Ma'am.<br>DEPUTY CORONER MS MONAGHAN: Mr Hughes, I am going to start  |
| 23                                     | Page 169   | 25   | Page 171  |
|  | 1 4ge 107  |  | 1 uge 171   |
| 1                                      | MS HEWITT: The final couple of questions from me. After  | 1  | by asking a few questions about your background and your  |
| 2                                      | the event, we have heard you were taken to the police  | 2  | employment history. Can you tell us first, please, when   |
| 3                                      | station in the early hours of the morning, straight  | 3  | you first became a DCO?   |
| 4                                      | after the incident. Can you remember now when it was,  | 4  | A. August 2002.   |
| 5                                      | after leaving the plane, that you learned that   | 5  | DEPUTY CORONER MS MONAGHAN: At that stage, who were you   |
| 6                                      | Mr Mubenga had died?   | 6  | employed by?  |
| 7                                      | A. I think we were sat in the police station at the time.  | 7  | A. Loss Prevention International, LPI.  |
| 8                                      | Q. That evening, before you were allowed to leave?   | 8  | DEPUTY CORONER MS MONAGHAN: Can you just tell us firstly  |
| 9                                      | A. Before we left, yes.  | 9  | how you got that job?   |
| 10                                     | Q. We have heard already that management staff from G4S  | 10   | A. It was through an ex-naval rating that I knew. He was  |
| 11                                     | came to the police station and indeed made the   | 11   | doing it and I was a milkman at the time.   |
| 12                                     | arrangements for you to go to a hotel to stay that   | 12   | DEPUTY CORONER MS MONAGHAN: He put you in touch with them?  |
| 13                                     | night.   | 13   | A. He said to me that there were going to be employing  |
| 14                                     | A. That's correct, yes.  | 14   | people in this line of work and would I fancy it.   |
| 14                                     | Q. Your clothes, I think, had been taken from you as part  | 15   | DEPUTY CORONER MS MONAGHAN: Just before I come to what  |
|  |  | 16   | happened then, can you tell us you have told us you   |
| 16                                     |  | 1 i i  |   |
| 16<br>17                               | of the police investigation?<br>A. Ves.  | 17   | were milkman before that. Can you tell us something   |
| 17                                     | A. Yes.  |  |   |
| 17<br>18                               | <ul><li>A. Yes.</li><li>Q. Jan Beattie, I think we have heard her name, for</li></ul>  | 18   | more about your employment history. Had you done any  |
| 17<br>18<br>19                         | <ul><li>A. Yes.</li><li>Q. Jan Beattie, I think we have heard her name, for example, did she bring you some new clothes to wear?</li></ul>   | 18<br>19   | more about your employment history. Had you done any sort of work that was like a DCO job?  |
| 17<br>18<br>19<br>20                   | <ul><li>A. Yes.</li><li>Q. Jan Beattie, I think we have heard her name, for example, did she bring you some new clothes to wear?</li><li>A. I think they nipped off to one of local superstores to</li></ul>   | 18<br>19<br>20   | <ul><li>more about your employment history. Had you done any sort of work that was like a DCO job?</li><li>A. No, I served in the Royal Navy between 1977 and 2001,</li></ul>   |
| 17<br>18<br>19<br>20<br>21             | <ul> <li>A. Yes.</li> <li>Q. Jan Beattie, I think we have heard her name, for example, did she bring you some new clothes to wear?</li> <li>A. I think they nipped off to one of local superstores to get us up something to wear.</li> </ul>  | 18<br>19<br>20<br>21   | <ul> <li>more about your employment history. Had you done any sort of work that was like a DCO job?</li> <li>A. No, I served in the Royal Navy between 1977 and 2001, just short of 24 years in the navy.</li> </ul>  |
| 17<br>18<br>19<br>20<br>21<br>22       | <ul> <li>A. Yes.</li> <li>Q. Jan Beattie, I think we have heard her name, for example, did she bring you some new clothes to wear?</li> <li>A. I think they nipped off to one of local superstores to get us up something to wear.</li> <li>Q. She and others at G4S made the arrangements for where</li> </ul>  | 18<br>19<br>20<br>21<br>22   | <ul> <li>more about your employment history. Had you done any sort of work that was like a DCO job?</li> <li>A. No, I served in the Royal Navy between 1977 and 2001, just short of 24 years in the navy.</li> <li>DEPUTY CORONER MS MONAGHAN: What was your job then?</li> </ul>   |
| 17<br>18<br>19<br>20<br>21<br>22<br>23 | <ul> <li>A. Yes.</li> <li>Q. Jan Beattie, I think we have heard her name, for example, did she bring you some new clothes to wear?</li> <li>A. I think they nipped off to one of local superstores to get us up something to wear.</li> <li>Q. She and others at G4S made the arrangements for where you could stay, by this time in the early hours of the</li> </ul> | <ol> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> </ol> | <ul> <li>more about your employment history. Had you done any sort of work that was like a DCO job?</li> <li>A. No, I served in the Royal Navy between 1977 and 2001, just short of 24 years in the navy.</li> <li>DEPUTY CORONER MS MONAGHAN: What was your job then?</li> <li>A. I was a missile man, a gunnery rating. Then, on</li> </ul> |
| 17<br>18<br>19<br>20<br>21             | <ul> <li>A. Yes.</li> <li>Q. Jan Beattie, I think we have heard her name, for example, did she bring you some new clothes to wear?</li> <li>A. I think they nipped off to one of local superstores to get us up something to wear.</li> <li>Q. She and others at G4S made the arrangements for where</li> </ul>  | 18<br>19<br>20<br>21<br>22   | <ul> <li>more about your employment history. Had you done any sort of work that was like a DCO job?</li> <li>A. No, I served in the Royal Navy between 1977 and 2001, just short of 24 years in the navy.</li> <li>DEPUTY CORONER MS MONAGHAN: What was your job then?</li> </ul>   |

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|--|---|--|---|--|
|  | time ripped us all off. He went missing with all the  |  | A. Control and restraint. We had to do a quick cuff day   |  |
| 2  | money and I managed to get myself a job as a milkman.   | 2 and I used the rigid bars. We had to do driver training  |   |  |
| 3  | DEPUTY CORONER MS MONAGHAN: That was presumably for   | 3  | in the various vehicles we were using.  |  |
| 4  | a fairly short time before you took up work with LPI?   | 4  | DEPUTY CORONER MS MONAGHAN: Let's break that down a little  |  |
| 5  | A. Yes, approximately six months I was doing that job for.  | 5  | bit, if you can. The first aid training, how long did   |  |
| 6  | DEPUTY CORONER MS MONAGHAN: When you found employment with  | 6  | that last?  |  |
| 7  | LPI, can you tell us something about the recruitment  | 7  | A. I think it was about a week.   |  |
| 8  | process?  | 8  | DEPUTY CORONER MS MONAGHAN: The control and restraint?  |  |
| 9  | A. Yeah. The recruiting day that we went to, it was on  | 9  | A. The same again, approximately a week.  |  |
| 10   | a Sunday. We went up to Aldershot to the office and we  | 10   | DEPUTY CORONER MS MONAGHAN: The cuff that was a day?  |  |
| 11   | were given various scenarios. They did checks on us.  | 11   | A. That was a day.  |  |
| 12   | They were asking us questions about our feelings towards  | 12   | DEPUTY CORONER MS MONAGHAN: The driver training?  |  |
| 13   | immigrants in general. It was just basically getting  | 13   | A. It was over two to three days for the various vehicles,  |  |
| 14   | a grasp of the job that we were being offered and you   | 14   | the vans, the cars. And then we on top of that had to   |  |
| 15   | had to put forward scenarios that you've been involved  | 15   | do airside training as well at Stansted, Heathrow and   |  |
| 16   | in in the past year. Oh, grief, I can't remember.   | 16   | Gatwick to get our airside driving qualifications.  |  |
| 17   | DEPUTY CORONER MS MONAGHAN: Perhaps I can help you. I know  | 17   | DEPUTY CORONER MS MONAGHAN: So this whole process took  |  |
| 18   | it's quite a long time ago now. You had your day which  | 18   | approximately?  |  |
| 19   | was on a Sunday?  | 19   | A. Oh, good grief, six to eight weeks.  |  |
| 20   | A. Yes.   | 20   | DEPUTY CORONER MS MONAGHAN: Six to eight weeks?   |  |
| 21   | DEPUTY CORONER MS MONAGHAN: Was that a sort of interview or   | 21   | A. Yes.   |  |
| 22   | did you have to have an interview after that?   | 22   | DEPUTY CORONER MS MONAGHAN: Did you start work immediately  |  |
| 23   | A. The whole day was interview-based and then part of that  | 23   | after that?   |  |
| 24   | day I had to go for a one-on-one with one of the senior   | 24   | A. It was it was within about three or four days of   |  |
| 25   | members of the company and he asked me some indepth   | 25   | that, yes.  |  |
|  | Page 173  |  | Page 175  |  |
| 1  | questions with reference to how I felt about the job  | 1  | DEPUTY CORONER MS MONAGHAN: You hadn't presumably   |  |
| 2  | that may be offered to me at the end of the day.  | 2  | undertaken any DCO role before then?  |  |
|  |   |  |   |  |
| 3  | DEPUTY CORONER MS MONAGHAN: That included asking you how  | 3  | A. No.  |  |
| 3<br>4   | DEPUTY CORONER MS MONAGHAN: That included asking you how you felt about immigrants or immigration in general?   | 3  | A. No.<br>DEPUTY CORONER MS MONAGHAN: They didn't let you do  |  |
| 4  | you felt about immigrants or immigration in general?  | 4  | DEPUTY CORONER MS MONAGHAN: They didn't let you do  |  |
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| 1  | know how much it was?  | 1   | DEPUTY CORONER MS MONAGHAN: What happened then?   |
|--|--|---|---|
| 2  | DEPUTY CORONER MS MONAGHAN: Yes, please.   | 2   | A. Devastated.  |
| 3  | A. It was £996 a month and we were paid approximately £3.40  | 3   | DEPUTY CORONER MS MONAGHAN: I am sure it must have been   |
| 4  | an hour.   | 4   | terribly shocking, and I don't mean to any sense  |
| 5  | DEPUTY CORONER MS MONAGHAN: Was that your only income at   | 5   | trivialise that, but did you continue employment with   |
| 6  | that time?   | 6   | somebody else as a DCO or were you unemployed?  |
| 7  | A. No, because I'd done my 22 years in the navy, man time,   | 7   | A. No, I was unemployed.  |
| 8  | I got my naval pension.  | 8   | DEPUTY CORONER MS MONAGHAN: How long were you unemployed  |
| 9  | DEPUTY CORONER MS MONAGHAN: Can you tell us how much that  | 9   | for?  |
| 10   | is?  | 10  | A. Approximately two months, two and a half months.   |
| 11   | A. After tax then it was £470 a month.   | 11  | DEPUTY CORONER MS MONAGHAN: Did another DCO opportunity   |
| 12   | DEPUTY CORONER MS MONAGHAN: Just to give us an idea,   | 12  | then arise?   |
| 13   | because that was some time ago, what is it now?  | 13  | A. LPI contacted me and said that the work was picking up   |
| 14   | A. It's now £290 a month.  | 14  | again because the company that had won the contract,  |
| 15   | DEPUTY CORONER MS MONAGHAN: It has gone down?  | 15  | they were having trouble fulfilling it. They didn't   |
| 16   | A. Because of my earnings within this job now and paying   | 16  | have enough manpower and LPI were given more jobs, so   |
| 17   | 40 per cent tax on that, because I'm earning over  | 17  | they needed more people.  |
| 18   | £32,000 a year.  | 18  | DEPUTY CORONER MS MONAGHAN: So you went back to work with   |
| 10   | DEPUTY CORONER MS MONAGHAN: Okay. So at that stage you're  | 19  | LPI?  |
| 20   | paid a retainer. You're employed by LPI?   | 20  | A. Yes, I did.  |
|  | A. Yes.  | 20  | ,   |
| 21<br>22   |  | 21  | DEPUTY CORONER MS MONAGHAN: After a break of a couple of<br>months?   |
|  | DEPUTY CORONER MS MONAGHAN: And when you're working for  |   |   |
| 23   | them are you undertaking escorting duties?   | 23  | A. Yes.   |
| 24   | A. It was escorting duties, driving duties. We had   | 24  | DEPUTY CORONER MS MONAGHAN: Was the work exactly as it had  |
| 25   | something in place then called a floating DCO,   | 25  | been before or did it change?   |
|  | Page 177   |   | Page 179  |
| 1  | a detainee custody officer, at the airport with  | 1   | A. No, it was exactly the same.   |
| 2  | a vehicle in case any teams on the ground got stuck in   | 2   | DEPUTY CORONER MS MONAGHAN: You were performing exactly the   |
| 3  | traffic or they were going to be late for whatever   | 3   | same functions?   |
| 4  | reason. Then we had someone at the airport to help them  | 4   | A. Exactly the same functions.  |
| 5  | out, collect travel documents.   | 5   | DEDUTY CODONED MC MONACUAN, COM 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1,  |
| 6  |  |   | DEPUTY CORONER MS MONAGHAN: Still employed by LPI?  |
| -  | DEPUTY CORONER MS MONAGHAN: Right. But you undertook   | 6   | A. Yes.   |
| 7  | DEPUTY CORONER MS MONAGHAN: Right. But you undertook<br>escorting duties as well?  | 6<br>7  |   |
| 7<br>8   |  |   | A. Yes.   |
|  | escorting duties as well?  | 7   | A. Yes.<br>DEPUTY CORONER MS MONAGHAN: Were you still on a retainer?  |
| 8  | escorting duties as well?<br>A. Yes, I did.  | 7<br>8  | <ul><li>A. Yes.</li><li>DEPUTY CORONER MS MONAGHAN: Were you still on a retainer?</li><li>A. No. We went back on a paid by the hour because we</li></ul>  |
| 8<br>9   | escorting duties as well?<br>A. Yes, I did.<br>DEPUTY CORONER MS MONAGHAN: That was overseas escorting?  | 7<br>8<br>9   | <ul> <li>A. Yes.</li> <li>DEPUTY CORONER MS MONAGHAN: Were you still on a retainer?</li> <li>A. No. We went back on a paid by the hour because we weren't actually full-time I was only being used</li> </ul>   |
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# Mubenga Inquest

| -  |   |          |   |
|----|---|----------|---|
| 1  | accreditations.   | 1        | I live, back down Aldershot way, Bagshott. And my old       |
| 2  | DEPUTY CORONER MS MONAGHAN: How long did you continue in            | 2        | boss asked me if I'd like to go down and join them down     |
| 3  | employment with LPI after that?                                     | 3        | there, and I jumped at the chance.                          |
| 4  | A. I think it was about another year and a half. Year and           | 4        | DEPUTY CORONER MS MONAGHAN: So you went to work at ITA?     |
| 5  | a half, two years, just short of two years.                         | 5        | A. ITA.   |
| 6  | DEPUTY CORONER MS MONAGHAN: Then what happened?                     | 6        | DEPUTY CORONER MS MONAGHAN: In about 2006?                  |
| 7  | A. Then Securicor LPI ceased to trade and we were TUPE'd            | 7        | A. Yes, it was.   |
| 8  | across to Securicor.  | 8        | DEPUTY CORONER MS MONAGHAN: By that stage were you still    |
| 9  | DEPUTY CORONER MS MONAGHAN: TUPE'd across means that you            | 9        | a DCO or had you we know you became an SDCO at some         |
| 10 | were automatically employed by Securicor?                           | 10       | point. Were you by that stage a senior custody officer      |
| 11 | A. Transferred straight across.                                     | 11       | or still a DCO?   |
| 12 | DEPUTY CORONER MS MONAGHAN: Because LPI lost the contract,          | 12       | A. I think I became an SDCO at ITA. I'm not really sure     |
| 13 | Securicor won it presumably?  | 12       | offhand. I can't remember.                                  |
| 13 | A. Yes.   | 13       | DEPUTY CORONER MS MONAGHAN: Can you tell us what the        |
|    | A. Tes.<br>DEPUTY CORONER MS MONAGHAN: When you commenced work with | 14       | -   |
| 15 | •   |          | process was for becoming an SDCO?                           |
| 16 | Securicor, were you employed on a retainer basis or on              | 16       | A. It was having more knowledge of the airport and the      |
| 17 | a zero hours contract?  | 17       | various immigration rooms where you pick up travel          |
| 18 | A. I TUPE'd on the zero hours contract.                             | 18       | documents. We had to do a couple of days airside to         |
| 19 | DEPUTY CORONER MS MONAGHAN: And you continued to be                 | 19       | learn how to get to the various rooms to pick up travel     |
| 20 | employed on that basis?   | 20       | documents, do ticketing. And I was shadowed on a couple     |
| 21 | A. Yes, I was.  | 21       | of occasions by a senior to make sure I was doing the       |
| 22 | DEPUTY CORONER MS MONAGHAN: No break in your employment?            | 22       | job properly. He wouldn't be flying, but he would come      |
| 23 | A. No break in the employment.                                      | 23       | round the airport with me to make sure I knew what I was    |
| 24 | DEPUTY CORONER MS MONAGHAN: Did you get any further                 | 24       | doing.  |
| 25 | training with Securicor?  | 25       | DEPUTY CORONER MS MONAGHAN: So it was more about gathering  |
|    | Page 181  |          | Page 183  |
| 1  | A. No. We did the continuation training or every                    | 1        | experience of the process, was it?                          |
| 2  | three years I had a refresher for first aid because                 | 2        | A. Yes, it was.   |
| 3  | I was just coming out-of-date for that. So I had                    | 3        | DEPUTY CORONER MS MONAGHAN: You didn't have to undertake    |
| 4  | a first aid refresher in 2005. I can't remember what                | 4        | any special training?                                       |
| 5  | month it was.   | 5        | A. No.  |
| 6  | DEPUTY CORONER MS MONAGHAN: What about the control and              | 6        | DEPUTY CORONER MS MONAGHAN: Or assessment?                  |
| 7  | restraint training that you had had in 2002, was there              | 7        | A. No.  |
| 8  | any refresher for that?   | 8        | DEPUTY CORONER MS MONAGHAN: So you then went to work for    |
| 9  | A. Every year we had a one day refresher.                           | 9        | ITA. Did you have any additional training with them?        |
| 10 | DEPUTY CORONER MS MONAGHAN: One day?                                | 10       | A. No, not at all.  |
| 10 | A. One day.   | 11       | DEPUTY CORONER MS MONAGHAN: What happened then?             |
| 11 | DEPUTY CORONER MS MONAGHAN: Where did that refresher take           | 12       | A. We were there for the same again, I think about two, two |
| 12 | place?  | 12       | and a half years before they went into liquidation.         |
|    | -   | 13<br>14 |   |
| 14 | A. It varied. Sometimes it was in Aldershot at the army             | 14<br>15 | It's a big story to do with the owners there and the        |
| 15 | camp. Sometimes there was a section up by the                       |          | company collapsed.  |
| 16 | dentist. There was like a dojo, a training room we used             | 16       | DEPUTY CORONER MS MONAGHAN: What happened then?             |
| 17 | there with the mats.  | 17       | A. Then we were approached by G4S, because Securicor had    |
| 18 | DEPUTY CORONER MS MONAGHAN: I'll come back to what your             | 18       | joined up with Group 4 and became G4S, and a couple of      |
| 19 | training was. To follow that through, you worked at                 | 19       | the managers from G4S approached us. They knew that we      |
| 20 | Securicor for how long?   | 20       | were going to be out of work and offered us a job.          |
| 21 | A. Approximately 11 months, 10, 11 months.                          | 21       | DEPUTY CORONER MS MONAGHAN: You worked at G4S then until    |
| 22 | DEPUTY CORONER MS MONAGHAN: Then what happened?                     | 22       | the events we're concerned with?                            |
| 23 | A. All our managers and a lot of our staff from the old             | 23       | A. Yes.   |
| 24 | days at LPI, there were starting up a new company called            | 24       | DEPUTY CORONER MS MONAGHAN: That presumably was still on    |
| 25 | ITA and they were based closer to Portsmouth where                  | 25       | a zero hours contract, was it?                              |
| 1  | Page 182  |          | Page 184  |

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| 1   | A. Yes, it was.   | 1   | beyond what their duty required of them", do you mean   |
|---|---|---|---|
| 2   | DEPUTY CORONER MS MONAGHAN: So only paid for the hours that   | 2   | for using force in circumstances where it wasn't  |
| 3   | you did?  | 3   | permitted?  |
| 4   | A. Yes, ma'am.  | 4   | A. No, it was the language that an officer used in one job.   |
| 5   | DEPUTY CORONER MS MONAGHAN: At that stage, were your duties   | 5   | DEPUTY CORONER MS MONAGHAN: What was that?  |
| 6   | principally overseas escorting or other roles?  | 6   | A. He swore at a detainee in the presence of an immigration   |
| 7   | A. No, we did in country driving, transferring from   | 7   | officer.  |
| 8   | detention centre to detention centre, picking up at   | 8   | DEPUTY CORONER MS MONAGHAN: Do you know the words he used?  |
| 9   | centres, delivering to the airport for other teams,   | 9   | A. Yes, I do.   |
| 10  | hospital watches.   | 10  | DEPUTY CORONER MS MONAGHAN: Can you tell us?  |
| 11  | DEPUTY CORONER MS MONAGHAN: So a variety?   | 11  | A. He said, "You're fucking going."   |
| 12  | A. A variety of different jobs, yes.  | 12  | DEPUTY CORONER MS MONAGHAN: He was dismissed for that?  |
| 13  | DEPUTY CORONER MS MONAGHAN: Can I come then first of all to   | 13  | A. He was dismissed for that.   |
| 14  | the training you had originally when you started in   | 14  | DEPUTY CORONER MS MONAGHAN: You have told us about the fact   |
| 15  | 2002. You told us that you had control and restraint  | 15  | that people could be disciplined and dismissed. Are you   |
| 16  | training and first aid training?  | 16  | aware of any circumstances where a DCO was dismissed or   |
| 17  | A. Yes.   | 17  | disciplined for using force in circumstances where it   |
| 18  | DEPUTY CORONER MS MONAGHAN: Firstly, as to the control and  | 18  | wasn't permitted?   |
| 19  | restraint, how was that delivered? Was it   | 19  | A. No.  |
| 20  | presentations, lectures? How did that work?   | 20  | DEPUTY CORONER MS MONAGHAN: Just so I am clear then I'm   |
| 21  | A. It was presentations, lectures, hands-on in  | 21  | sorry to press you on this, Mr Hughes, but it may be  |
| 22  | a gymnasium-type room, learning the different techniques  | 22  | important. You haven't been able to give us an example  |
| 23  | for handcuffing.  | 23  | of when somebody was disciplined or dismissed for using   |
| 24  | DEPUTY CORONER MS MONAGHAN: Handcuffing?  | 24  | force when they ought not to have. Did you understand   |
| 25  | A. Yes.   | 25  | what could happen to you if you did use force when it   |
|   | Page 185  |   | Page 187  |
| 1   | DEPUTY CORONER MS MONAGHAN: And other forms of restraint?   | 1   | wasn't permitted?   |
| 2   | A. Yeah, break away techniques, pain compliance.  |   |   |
| _   | A. Tean, break away teeninques, pain compnance.   | 2   | A. Yes.   |
| 3   | DEPUTY CORONER MS MONAGHAN: Holds, were you taught about  | 2<br>3  | A. Yes.<br>DEPUTY CORONER MS MONAGHAN: What was that?   |
|   |   |   |   |
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| 1  | over your employment, did you have any immediate            | 26 | I'll let the jury go now. |          |
|----|---|----|---------------------------|----------|
| 2  | training or was it just the ordinary refresher training     |    | 5 7 6                     | Page 191 |
| 3  | carrying on in the usual way?                               |    |                           |          |
| 4  | A. Just the refresher training.                             |    |                           |          |
| 5  | DEPUTY CORONER MS MONAGHAN: No fresh training immediately?  |    |                           |          |
| 6  | A. No. No, I was still in date.                             |    |                           |          |
| 7  | DEPUTY CORONER MS MONAGHAN: Did you become aware of any     |    |                           |          |
| 8  | different policies in place for G4S as compared to ITA,     |    |                           |          |
| 9  | Securicor and IPL?  |    |                           |          |
| 10 | A. LPI. No, I wasn't made aware of any different laws or    |    |                           |          |
| 11 | rules.  |    |                           |          |
| 12 | DEPUTY CORONER MS MONAGHAN: So, so far as you were          |    |                           |          |
| 13 | concerned, things just carried on as they had always        |    |                           |          |
| 14 | been?   |    |                           |          |
| 15 | A. Yes.   |    |                           |          |
| 16 | DEPUTY CORONER MS MONAGHAN: I think I'm going to come to    |    |                           |          |
| 17 | the training tomorrow morning because I don't want to       |    |                           |          |
| 18 | start what might be an important line of questioning.       |    |                           |          |
| 19 | That does mean you have been the witness box for a very     |    |                           |          |
| 20 | short time, but I'm suggesting we stop now. The reason      |    |                           |          |
| 21 | I'm suggesting we stop now is because I want to get into    |    |                           |          |
| 22 | the detail of your training tomorrow and don't just want    |    |                           |          |
| 23 | to start and have to stop immediately.                      |    |                           |          |
| 24 | So you have been in the witness box for a short             |    |                           |          |
| 25 | time, but you'll understand, I hope, why that is.           |    |                           |          |
|    | Page 189  |    |                           |          |
|    |   |    |                           |          |
| 1  | A. Yes, I do.   |    |                           |          |
| 2  | DEPUTY CORONER MS MONAGHAN: It was importance for us to get |    |                           |          |
| 3  | something of your background before we get down to the      |    |                           |          |
| 4  | detail. So we're going to stop now with your evidence.      |    |                           |          |
| 5  | Mr Hughes, I have said this to all the witnesses so         |    |                           |          |
| 6  | you're not being treated in any way differently.            |    |                           |          |
| 7  | Because you're giving evidence, it means you mustn't        |    |                           |          |
| 8  | discuss this case or your evidence with anybody             |    |                           |          |
| 9  | overnight. Is that clear?                                   |    |                           |          |
| 10 | A. I understand.  |    |                           |          |
| 11 | DEPUTY CORONER MS MONAGHAN: No discussion of the evidence   |    |                           |          |
| 12 | while you are giving it to us. Thank you very much.         |    |                           |          |
| 13 | We'll stop now for the moment. Ms Hewitt, did you           |    |                           |          |
| 14 | want to say something?                                      |    |                           |          |
| 15 | MS HEWITT: I am wondering about the starting time, given    |    |                           |          |
| 16 | what there is to get through tomorrow.                      |    |                           |          |
| 17 | DEPUTY CORONER MS MONAGHAN: Would there be any difficulties |    |                           |          |
| 18 | starting at 9.30 tomorrow? We will try and start at         |    |                           |          |
| 19 | 9.30 tomorrow. If you could be ready for a 9.30 start,      |    |                           |          |
| 20 | I'd really appreciate it. I can tell you that towards       |    |                           |          |
| 21 | the end of next week it is going to get into a rhythm       |    |                           |          |
| 22 | and we're not going to be quite so busy and you then        |    |                           |          |
| 23 | have a Bank Holiday weekend. So I hope you will get the     |    |                           |          |
| 24 | opportunity to have a bit of a rest. It's just the          |    |                           |          |
| 25 | first bit we're struggling to get through.                  |    |                           |          |
|    | Page 190  |    |                           |          |