

Thursday, 30 May 2013

7 (In the presence of the jury)

8 DEPUTY CORONER MS MONAGHAN: Good morning, members of the
9 jury. After our little detour last night with
10 Mr Cooper, we are going back to the cabin crew to hear
11 evidence from the remaining members of the cabin crew
12 that we're going to hear from. We're going to start
13 with Louise Graham.

14 MS LOUISE GRAHAM (sworn)

15 Examined by THE CORONER

16 DEPUTY CORONER MS MONAGHAN: Can you give us your full name,
17 please.

18 A. Ms Louise Christine Graham.

19 DEPUTY CORONER MS MONAGHAN: You are going to have to keep
20 your voice up. I know it's difficult but it has to get
21 right across to the jury and across the stenographer so
22 do your best to keep your voice up.

23 A. Will do.

24 DEPUTY CORONER MS MONAGHAN: I know you have made some
25 statements in relation to this hearing.

1 A. Yes.

2 DEPUTY CORONER MS MONAGHAN: Mr Leese, could we have,
3 please, the blue volume number 4. I'll just take you to
4 those so you can help identify them for us. Page 57.
5 This is your first statement I think. It's dated
6 13 October 2010.

7 A. Yeah.

8 DEPUTY CORONER MS MONAGHAN: So you made that obviously very
9 soon after the incident on the plane?

10 A. Yes.

11 DEPUTY CORONER MS MONAGHAN: Can you tell us approximately
12 when you made that statement?

13 A. It was approximately an hour after the police came on
14 board.

15 DEPUTY CORONER MS MONAGHAN: So would it be on the next day,
16 in the sense that it was the 13th rather than the 12th?

17 A. Yes, it would have been in the early hours of the
18 morning. Late evening, early hours of the morning.

19 DEPUTY CORONER MS MONAGHAN: Thank you. Then if you can
20 turn, please, to page 62. That's the second statement
21 from you dated 7 December 2010.

22 A. That's right, yes.

23 DEPUTY CORONER MS MONAGHAN: Then we have a statement at
24 page 70.

25 A. Yes.

1 DEPUTY CORONER MS MONAGHAN: That's dated 17 October 2011.

2 A. Yeah.

3 DEPUTY CORONER MS MONAGHAN: Just about a year afterwards.

4 A. Right.

5 DEPUTY CORONER MS MONAGHAN: In the second paragraph of that

6 statement, you refer to some notes that you had made.

7 Do you see that, the second paragraph:

8 "DC Baker ..."

9 A. Yes, I have that.

10 DEPUTY CORONER MS MONAGHAN: At page 74, we have some

11 handwritten notes?

12 A. Yes.

13 DEPUTY CORONER MS MONAGHAN: Are those the notes that your

14 statement is referring to?

15 A. These are the notes that I wrote shortly after the first

16 statement.

17 DEPUTY CORONER MS MONAGHAN: Just so that we can be

18 absolutely sure, in the statement that I just showed

19 you, which was 17 October 2011, you refer to some notes?

20 A. Yes.

21 DEPUTY CORONER MS MONAGHAN: Are these the notes you refer

22 to there?

23 A. Yes.

24 DEPUTY CORONER MS MONAGHAN: When did you make these notes,

25 please?

1 A. It would have been about a month after, I think it was.

2 DEPUTY CORONER MS MONAGHAN: So about November?

3 A. Yes.

4 DEPUTY CORONER MS MONAGHAN: What year, just to be clear?

5 A. 2010.

6 DEPUTY CORONER MS MONAGHAN: The year of the incident?

7 A. Yes.

8 DEPUTY CORONER MS MONAGHAN: So about a month after the

9 incident you made these notes?

10 A. Yes.

11 DEPUTY CORONER MS MONAGHAN: Just so we're clear about that,

12 what caused you to make those notes?

13 A. British Airways put me in touch with a crisis counsellor

14 on the telephone and often in the case of counselling

15 they suggest you write -- write your thoughts and

16 feelings down, just to help.

17 DEPUTY CORONER MS MONAGHAN: That's h for us. Thank you.

18 Then you also made a statement which you provided to me

19 for this hearing?

20 A. Yeah.

21 DEPUTY CORONER MS MONAGHAN: That's a statement dated

22 14 May 2013?

23 A. Yes.

24 DEPUTY CORONER MS MONAGHAN: Thank you. Now we have dealt

25 with the background and the statements that you provided

1 to us, can you tell us at the date we're concerned with,
2 so October 2010, you were obviously employed as a member
3 of the cabin crew on the flight?

4 A. Yes.

5 DEPUTY CORONER MS MONAGHAN: How long had you worked for
6 British Airways by that time?

7 A. Since 1991, so at that time 20 years.

8 DEPUTY CORONER MS MONAGHAN: In that period, had you always
9 worked as cabin crew?

10 A. Yes.

11 DEPUTY CORONER MS MONAGHAN: By October 2010, what was your
12 status, your title?

13 A. The purser.

14 DEPUTY CORONER MS MONAGHAN: For those of us who don't
15 understand these things, what does that mean in the
16 context of cabin crew?

17 A. It means that you're in charge of a particular area of
18 the aircraft, so it would be either economy, club class
19 or first class, and in charge of the crew that were
20 working in that particular cabin, receiving checks,
21 making sure the service standards are met, safety
22 standards are met and --

23 DEPUTY CORONER MS MONAGHAN: So that would be effectively
24 a managerial role?

25 A. Yes, middle-management.

1 DEPUTY CORONER MS MONAGHAN: In terms of who would be above
2 you, who would that be?

3 A. That would be the cabin service director.

4 DEPUTY CORONER MS MONAGHAN: Peter Walsham in the context of
5 this flight?

6 A. Yes.

7 DEPUTY CORONER MS MONAGHAN: Thank you very much. We have
8 heard this and I think you were here for part of the
9 evidence yesterday and the day before?

10 A. Yes.

11 DEPUTY CORONER MS MONAGHAN: So you will have heard me ask
12 this question, I probably don't need to take it in a lot
13 of detail, did you have first aid training as part of
14 your role as cabin crew?

15 A. Yes.

16 DEPUTY CORONER MS MONAGHAN: Did that start with initial
17 training and then recurrent annual training?

18 A. Absolutely, yes.

19 DEPUTY CORONER MS MONAGHAN: Again, I don't think there's
20 any doubt about this, but just to be clear, did you have
21 training on life-saving?

22 A. Yes.

23 DEPUTY CORONER MS MONAGHAN: So that would have involved
24 identifying vital signs?

25 A. Yes.

1 DEPUTY CORONER MS MONAGHAN: Resuscitation techniques?

2 A. Yes.

3 DEPUTY CORONER MS MONAGHAN: CPR?

4 A. Yes.

5 DEPUTY CORONER MS MONAGHAN: And use of the defibrillator?

6 A. Right.

7 DEPUTY CORONER MS MONAGHAN: Is that right?

8 A. Yeah, that correct.

9 DEPUTY CORONER MS MONAGHAN: The defibrillator, as

10 I understand it -- this may always be so, I don't

11 know -- is what is described as an automatic

12 defibrillator?

13 A. Yes.

14 DEPUTY CORONER MS MONAGHAN: So it tells you when you put

15 the defibrillator pieces on a person whether or not you

16 should shock them?

17 A. Yes, it talks to you.

18 DEPUTY CORONER MS MONAGHAN: It tells you what to do at each

19 stage?

20 A. Yes.

21 DEPUTY CORONER MS MONAGHAN: Thank you. Just looking at

22 then the day that we're concerned with, from your

23 witness statement -- and again I don't think there's

24 a dispute on this so I can lead you to a degree --

25 I think there was a briefing before you boarded the

1 flight, is that right?

2 A. Yes.

3 DEPUTY CORONER MS MONAGHAN: Can you tell us who undertook
4 that briefing?

5 A. The cabin service director, Peter Walsham.

6 DEPUTY CORONER MS MONAGHAN: Was the captain there at that
7 stage?

8 A. He made a visit.

9 DEPUTY CORONER MS MONAGHAN: Can you tell us in broad terms
10 what the briefing would have and did involve?

11 A. It involved general things, which would be to do with
12 the service standards, but it also involved the --
13 advising us that we would be carrying a deportee on
14 board with three escorts.

15 DEPUTY CORONER MS MONAGHAN: Had you been on flights before
16 where a deportee would be carried?

17 A. Once, but it was sort of fairly insignificant in that
18 nothing ever happened. He just sat down quietly. And
19 various inadmissibles that didn't have the documents.

20 DEPUTY CORONER MS MONAGHAN: We heard about this at the
21 beginning of the week. There are categories of
22 deportees and the inadmissibles are essentially the ones
23 that, as I understand it, come without papers and
24 priority much sent straight back again?

25 A. That's right.

1 DEPUTY CORONER MS MONAGHAN: Tell me if I'm wrong about
2 this, but I get the impression that they're not
3 generally escorted?
4 A. No, they're not.
5 DEPUTY CORONER MS MONAGHAN: They are just shoved back?
6 A. Yes.
7 DEPUTY CORONER MS MONAGHAN: In terms of other deportees,
8 have you had any experience of an escorted deportee
9 before this time?
10 A. Just the once.
11 DEPUTY CORONER MS MONAGHAN: Do you remember where that was
12 to?
13 A. It was coming back from Japan.
14 DEPUTY CORONER MS MONAGHAN: Coming back from Japan?
15 A. Yes.
16 DEPUTY CORONER MS MONAGHAN: So you had an escorted deportee
17 coming back to the UK?
18 A. Yes.
19 DEPUTY CORONER MS MONAGHAN: So Japan had sent him back?
20 A. Yes.
21 DEPUTY CORONER MS MONAGHAN: Probably not terribly
22 significant in the context of this case, but in case,
23 how many escorts did he have with him?
24 A. Two.
25 DEPUTY CORONER MS MONAGHAN: Was that uneventful I think you

1 said?

2 A. Yes.

3 DEPUTY CORONER MS MONAGHAN: So this was the first escorted
4 deportee from the United Kingdom you had had?

5 A. Yes.

6 DEPUTY CORONER MS MONAGHAN: When you learned of the
7 deportee and the guards, were you given any instruction
8 or guidance as to the respective roles of escorts and
9 cabin crew and so on?

10 A. To not intervene in any way, they're the
11 responsibilities of the guards, to leave them to get on
12 with whatever they need to deal with and just to -- that
13 they are the sole responsibility of the guards.

14 DEPUTY CORONER MS MONAGHAN: Who told you that?

15 A. Peter Walsham.

16 DEPUTY CORONER MS MONAGHAN: When he said sole
17 responsibility, was that it?

18 A. He did also say that they can very often kick off before
19 take-off, that's perfectly normal, and that they'll
20 settle down. They always settle down after take off so
21 just ignore that and -- what else did he say? Yeah,
22 just to not intervene in any way.

23 DEPUTY CORONER MS MONAGHAN: Did he give you -- perhaps the
24 answer is obvious again -- any guidance about what to do
25 in an emergency situation?

1 A. No.

2 DEPUTY CORONER MS MONAGHAN: So you have your briefing?

3 A. Yeah.

4 DEPUTY CORONER MS MONAGHAN: Then can you talk us through
5 what happens next so far as you are concerned.

6 A. We left the briefing and started to walk through the
7 Terminal 5 to get to the gate and when I got to the gate
8 there was -- well, I didn't know he was a guard at the
9 time. I just saw he had an ID card and he nodded at me
10 as I walked past. I wasn't terribly sure who he was.
11 Then -- so we boarded aircraft. I went to the back of
12 the aircraft. The crew do all their various checks,
13 I receive their checks, start the galley preparations,
14 just sort of general duties. And then Peter made
15 an announcement to say that the deportee would be
16 boarding now. So at which point I was standing at the
17 very back of the aircraft, 4 left, and by this time the
18 other guard that was at the gate had joined them, joined
19 the other two, and all three walked down the aisle with
20 Mr Mubenga.

21 DEPUTY CORONER MS MONAGHAN: Was that before or at the same
22 time as the other passengers boarded?

23 A. Before.

24 DEPUTY CORONER MS MONAGHAN: So there were three guards and
25 Mr Mubenga?

1 A. Yes.

2 DEPUTY CORONER MS MONAGHAN: Did you see them sit down or
3 what happened then?

4 A. I saw them all walking down and I remember being quite
5 shocked because he was very, very calm and very well
6 presented. And they sat him down in the middle seat,
7 the second to the back row, and one guard sat either
8 side of him and then the guard that -- the one that
9 nodded at me came into the galley where I was doing my
10 preps and asked -- introduced himself. I can't remember
11 his name now, but introduced himself and asked if he
12 could have a big bottle of water and some glasses. So
13 I assume that's all they were going to be allowed to
14 have -- Mr Mubenga was allowed to have. Then I went on
15 to ask him, you know, out of curiosity, because I just
16 felt a bit nervous, that he had three guards with him
17 and also he wasn't handcuffed. So even though I haven't
18 got any experience of that I just thought it seemed
19 a bit strange. So I asked him why he wasn't handcuffed
20 and he said that he was -- because he's been very
21 compliant and very -- what's the word? Not compliant
22 but very calm and there didn't seem any reason to. Then
23 I went on to ask why he was being deported and he said
24 he couldn't say, but it's not -- nothing to do with any
25 wrong paperwork.

1 DEPUTY CORONER MS MONAGHAN: Just so the jury is clear, when
2 you say you gave -- he asked for glasses, I'm sure --
3 A. Plastic glasses, yes.

4 DEPUTY CORONER MS MONAGHAN: Just to be clear. So, as far
5 as you are concerned, what happened then?
6 A. Then shortly after that, and he was still standing, this
7 particular guard was still standing, my view wasn't all
8 that clear but I could see that Mr Mubenga was walking
9 towards the toilet on the right-hand side with two of
10 the guards initially.

11 DEPUTY CORONER MS MONAGHAN: When you say the right-hand
12 side, is that the A/B/C -- the J/K --
13 A. The J/K side.

14 DEPUTY CORONER MS MONAGHAN: The J/K side?
15 A. Yes. He was using his mobile phone. He was talking on
16 that and I could see there was a light on the phone, so
17 he was actually on the phone talking, and then he went
18 into the loo and then the guards kept the door open and
19 all three of them stood outside the toilet. I went up
20 to one of them and asked what was going on and he just
21 said he needs to use the bathroom, but he was still
22 standing in the bathroom. He wasn't actually using it,
23 I don't think.

24 DEPUTY CORONER MS MONAGHAN: Then what happened?
25 A. Then I -- just round the corner of where the toilet is,

1 the respective toilet, I sort of came round the corner
2 and feeling very nervous still and Ann-Marie came in and
3 asking me lots of questions, very panicky feeling, and
4 I started doing my little galley preps, things, just
5 getting on with general duties. And then all of
6 a sudden -- and all of a sudden I heard this horrific
7 howl.

8 DEPUTY CORONER MS MONAGHAN: A horrific?

9 A. Like howl and they all came -- all sort of tumbled on
10 top of him. I poked my head round the corner.

11 DEPUTY CORONER MS MONAGHAN: Pause there. I want to take it
12 slightly slower because you will know the story but we
13 need to hear it. When you say they sort of tumbled on
14 him, who tumbled on who?

15 A. The three guards enveloped him.

16 DEPUTY CORONER MS MONAGHAN: Who?

17 A. Mr Mubenga.

18 DEPUTY CORONER MS MONAGHAN: Mr Mubenga?

19 A. Yes.

20 DEPUTY CORONER MS MONAGHAN: So you heard this howl?

21 A. Yes.

22 DEPUTY CORONER MS MONAGHAN: Then you saw the guards
23 envelope him?

24 A. Envelope him, yes, get him down.

25 DEPUTY CORONER MS MONAGHAN: So they were pushing him down

1 at that stage?

2 A. Just sort of trying to like restrain him, I suppose.

3 Just sort of grabbed hold of him, at which point I ran
4 back into the galley -- ran to the back of the galley
5 because the thought -- it seemed like it was going to
6 spill over into the galley because they were so close.
7 They were kind of tumbling and I thought better of
8 that -- I'd better get out of the galley and so I ran
9 out of the galley to near where the toilet is on the
10 other side.

11 DEPUTY CORONER MS MONAGHAN: The A/B/C side?

12 A. The A/B/C side, yeah, and kind of nearly fell into it.

13 I was just really kind of lost control and there was
14 a passenger standing there at the time. Then I heard
15 Ann-Marie shouting on the other side -- on the J/K side,
16 "Move, everybody move". So I started shouting the same
17 because I think she possibly could see more than I could
18 because I'm on the other side. So the passengers did
19 start to move but a lot didn't. And then after that
20 I kind of moved down the A/B/C side halfway down the
21 cabin and there was still -- sorry, I didn't mention
22 about the passengers boarding. They were boarding.

23 DEPUTY CORONER MS MONAGHAN: Don't worry. I should have
24 asked you that, but we know that Mr Mubenga boarded
25 first, passengers boarded?

1 A. Yes.

2 DEPUTY CORONER MS MONAGHAN: That would have been before the
3 incident you are describing?

4 A. Yes, yeah. So there were a few passengers down there
5 and I spoke to a couple of them because they could
6 see -- they thought there was a fight going on.

7 DEPUTY CORONER MS MONAGHAN: Pausing there. Just to be
8 clear, because you probably raised it, had all the
9 passengers boarded at that stage?

10 A. No.

11 DEPUTY CORONER MS MONAGHAN: Carry on then.

12 A. So I was trying to kind of reassure a couple of the
13 passengers who thought it was -- who didn't understand
14 what was going on, but I was in a bit of a state myself
15 as well. Then I moved across the other side where --
16 sorry, in the meantime I'd called the CSD --

17 DEPUTY CORONER MS MONAGHAN: Peter Walsham?

18 A. Peter Walsham, yeah, and said, "We've got a real problem
19 down here". It didn't seem like they had stopped
20 boarding but it slowed down, boarding. And then after
21 that I went over to the other side of the cabin and
22 there was a dispatcher there -- sorry, the turn round
23 manager.

24 DEPUTY CORONER MS MONAGHAN: Mr Upton?

25 A. Mr Upton, yeah. He was there and I was very upset and

1 so was Ann-Marie and she said -- she asked me if she
2 could get off the aircraft. I said I don't have the
3 authority to do that but we can discuss that with the
4 captain really or the CSD, which I'm not sure she did or
5 not, but -- and then throughout this time I suppose it's
6 10, 20 minutes --

7 DEPUTY CORONER MS MONAGHAN: Pausing there. Ten or
8 20 minutes, for that time were they all in the J/K aisle
9 or did they move -- this is Mr Mubenga and the guards?

10 A. Yes.

11 DEPUTY CORONER MS MONAGHAN: You have said that they were
12 tumbling and enveloping?

13 A. No, by this time they had got him into the second to --
14 sorry, the back row.

15 DEPUTY CORONER MS MONAGHAN: So number 40, the crew row?

16 A. Yeah, the crew row, yes. They got him into there and
17 when I turned round to look, I could see what they were
18 doing.

19 DEPUTY CORONER MS MONAGHAN: Before we see what they were
20 doing, had you spoken to Peter Walsham before then?

21 A. Yes.

22 DEPUTY CORONER MS MONAGHAN: And you had said there was
23 something going on?

24 A. Yes.

25 DEPUTY CORONER MS MONAGHAN: What did he say?

1 A. "I'll come down and have a look."

2 DEPUTY CORONER MS MONAGHAN: Then you said that they got him
3 into the crew row?

4 A. Yes.

5 DEPUTY CORONER MS MONAGHAN: What happened, what did you see
6 there?

7 A. I could see two of the guards, one either side of him --
8 I couldn't actually see Mr Mubenga and I could see the
9 guard, the one that introduced himself, leaning over the
10 seat in front.

11 DEPUTY CORONER MS MONAGHAN: As to the two sitting next to
12 Mr Mubenga, were you able to see what they were doing?

13 A. You could see their backs and their shoulders.

14 DEPUTY CORONER MS MONAGHAN: What position were they in?

15 A. Well, they were -- you couldn't really see much apart
16 from the back of their heads, but they were either side
17 and very low and the guard -- the one that was standing
18 up -- was bending over the seat in front.

19 DEPUTY CORONER MS MONAGHAN: Okay. I think you said you
20 couldn't, but can you just tell us clearly. Could you
21 see Mr Mubenga at this stage?

22 A. No.

23 DEPUTY CORONER MS MONAGHAN: Just to be clear, did you see
24 his face?

25 A. No.

1 DEPUTY CORONER MS MONAGHAN: So does that mean you couldn't
2 see him at all?
3 A. I couldn't see him at all.
4 DEPUTY CORONER MS MONAGHAN: So you could only see the
5 guards?
6 A. Yes.
7 DEPUTY CORONER MS MONAGHAN: You have told us about the
8 guard in front, the seat in front, row 39 that would
9 have been?
10 A. Yes.
11 DEPUTY CORONER MS MONAGHAN: Leaning over?
12 A. Yeah.
13 DEPUTY CORONER MS MONAGHAN: Bending over the seat in front?
14 A. Yes.
15 DEPUTY CORONER MS MONAGHAN: Were you able to see what he
16 was doing or describe it?
17 A. He had his hands leaning over. I think it was one hand
18 actually and one hand on the headrest of the seat.
19 DEPUTY CORONER MS MONAGHAN: He had one hand on the headrest
20 and the other hand free?
21 A. Yes.
22 DEPUTY CORONER MS MONAGHAN: Leaning over?
23 A. Leaning over it, yes.
24 DEPUTY CORONER MS MONAGHAN: Can you see what he was doing
25 with that hand?

1 A. Well, because he had his back to me I couldn't actually
2 see. He was pushing -- it looked like he was pushing.
3 DEPUTY CORONER MS MONAGHAN: It looked like he was pushing?
4 A. Yeah.
5 DEPUTY CORONER MS MONAGHAN: But presumably if you couldn't
6 see Mr Mubenga you couldn't see any contact between the
7 hand and Mr Mubenga?
8 A. Well, the way I saw it because he had his arm on the
9 headrest, which was -- because he was -- it looked like
10 he was applying pressure because he was pushing down at
11 an angle.
12 DEPUTY CORONER MS MONAGHAN: Okay. You are going to be
13 asked about this so I am going to ask you about it.
14 A. Okay.
15 DEPUTY CORONER MS MONAGHAN: You will remember in the
16 statement that you made on the night, in the early hours
17 of the morning as you have told us, you talked about the
18 escort in front, the row 39 escort, as controlling the
19 deportee's head. Do you remember that?
20 A. Yes.
21 DEPUTY CORONER MS MONAGHAN: Can you help us with what you
22 meant by that or what you might have to say about that.
23 A. Well, after things went a bit quiet and I felt that
24 I was able to walk towards them, then I walked past the
25 guards and he had his hand on his head.

1 DEPUTY CORONER MS MONAGHAN: So you first saw them in the
2 way you have described, one arm on the head rest, one
3 arm over, two guards, couldn't see Mr Mubenga?
4 A. Yes.
5 DEPUTY CORONER MS MONAGHAN: Then when things seemed to
6 quieten down a bit you went back?
7 A. Yes.
8 DEPUTY CORONER MS MONAGHAN: You were able to see more, is
9 that right, as I understand it?
10 A. Yes.
11 DEPUTY CORONER MS MONAGHAN: The second time, when you were
12 able to see a little bit more, can you describe to us
13 precisely what you saw, please.
14 A. Again, you couldn't actually see Mr Mubenga but I could
15 see his hands -- arms behind his back.
16 DEPUTY CORONER MS MONAGHAN: Were they handcuffed?
17 A. Yes.
18 DEPUTY CORONER MS MONAGHAN: Does that mean he was leaning
19 forward?
20 A. Yes.
21 DEPUTY CORONER MS MONAGHAN: Carry on.
22 A. There was a bit of blood but I couldn't work out whose
23 blood it was.
24 DEPUTY CORONER MS MONAGHAN: Where did you see the blood?
25 A. On the arms, and I could -- I could see they were still

1 in the same position, which was pretty flat.

2 DEPUTY CORONER MS MONAGHAN: Mr Mubenga?

3 A. Yes.

4 DEPUTY CORONER MS MONAGHAN: So could you see Mr Mubenga at

5 that stage?

6 A. No, only his arms -- or wrists rather.

7 DEPUTY CORONER MS MONAGHAN: Sorry?

8 A. Just his wrists.

9 DEPUTY CORONER MS MONAGHAN: Presumably if you could see his

10 wrists, you could see his back or maybe I'm making

11 a wrong assumption?

12 A. No, I couldn't really see his back, just -- because they

13 were still on top of him.

14 DEPUTY CORONER MS MONAGHAN: So you saw his wrists. Are you

15 able, and you may not be able to -- if you can't answer

16 these questions, just tell me -- to give us any

17 indication about what, if any, space there was between

18 the wrists and the back? You may not be able to tell

19 us. Did his wrists look far away or close to or --

20 A. It's hard to say really.

21 DEPUTY CORONER MS MONAGHAN: That's fine. Don't tell us

22 anything you don't know. At that stage you say that --

23 you tell us what you have already seen. Still they are

24 leaning over I think. The row 39 man, what is he doing,

25 the one that is leaving over?

1 A. He still has his hand on his head.

2 DEPUTY CORONER MS MONAGHAN: So could you see Mr Mubenga's
3 head at that stage?

4 A. The back of it, yeah.

5 DEPUTY CORONER MS MONAGHAN: How far down was Mr Mubenga's
6 head? Are you able to give any idea?

7 A. Probably I'd say level -- if I could have seen his
8 knees, about that level.

9 DEPUTY CORONER MS MONAGHAN: So just impressionistically, it
10 looked about the same level as you would expect his
11 knees to be?

12 A. Yes.

13 DEPUTY CORONER MS MONAGHAN: What angle were you looking at
14 him from?

15 A. I was looking at him from -- I'm not sure I know what
16 you mean.

17 DEPUTY CORONER MS MONAGHAN: Sorry, say that's row 40 and
18 you're looking down the cabin?

19 A. Yeah.

20 DEPUTY CORONER MS MONAGHAN: You're Mr Mubenga?

21 A. Yes.

22 DEPUTY CORONER MS MONAGHAN: Where were you?

23 A. Here.

24 DEPUTY CORONER MS MONAGHAN: So immediately next to the row?

25 A. Immediately next to him, yes.

1 DEPUTY CORONER MS MONAGHAN: You can see his hands?

2 A. Yes.

3 DEPUTY CORONER MS MONAGHAN: You can see man in front

4 pushing down?

5 A. Yes.

6 DEPUTY CORONER MS MONAGHAN: Impressionistically it looks

7 like it's towards his knees?

8 A. Yes.

9 DEPUTY CORONER MS MONAGHAN: At that stage can you hear any

10 words being said?

11 A. Not at that stage. Before.

12 DEPUTY CORONER MS MONAGHAN: Did you hear any sounds?

13 A. Yes.

14 DEPUTY CORONER MS MONAGHAN: What was that?

15 A. They were like cries, howls.

16 DEPUTY CORONER MS MONAGHAN: Okay. Then if you can carry on

17 talking us through, please.

18 A. So after that, I went back into the galley and I think

19 yet again I rang Peter. After it must have been about

20 another 10 or 15 minutes, it was -- it was just like

21 stationary. Nothing was -- everyone was just in the

22 same position -- sorry, not everyone, the guards and

23 Mr Mubenga. Then I was having this conversation with

24 Ann-Marie trying to console her as well.

25 DEPUTY CORONER MS MONAGHAN: So she was upset?

1 A. Very.

2 DEPUTY CORONER MS MONAGHAN: When you say she was upset, so
3 we get an impression, was she crying or was she anxious
4 or was she --

5 A. Anxious, very anxious, and frightened. That's why she
6 wanted to get permission to get off the aircraft. So
7 after that, Peter Walsham made the announcement to do
8 the safety demonstration -- to close the doors.

9 DEPUTY CORONER MS MONAGHAN: Pause there then. So by that
10 stage, presumably, passengers had continued to come on?

11 A. Yes, yeah.

12 DEPUTY CORONER MS MONAGHAN: Were you aware of any gap in
13 the boarding, any --

14 A. Not particularly noticeable. Sometimes boarding can be
15 a bit slow and ...

16 DEPUTY CORONER MS MONAGHAN: So the boarding is complete?

17 A. Yes.

18 DEPUTY CORONER MS MONAGHAN: The second telephone call you
19 had with Mr Walsham, are you able to tell us what that
20 conversation was about?

21 A. The second one was about -- well, just very worried
22 about the situation and I felt if he could come down
23 again.

24 DEPUTY CORONER MS MONAGHAN: What did he say, if anything,
25 to you?

1 A. In the first conversation?

2 DEPUTY CORONER MS MONAGHAN: Well, tell me the first and
3 second just so we can divide them up.

4 A. We did have a conversation verbally before that.

5 DEPUTY CORONER MS MONAGHAN: Face-to-face?

6 A. Yes.

7 DEPUTY CORONER MS MONAGHAN: How did that go?

8 A. I went to the first class galley where he was with --
9 I think the lady purser was there as well and I was just
10 very, very concerned. And I kept saying to him,
11 "I don't feel comfortable about this. I'm not happy
12 about it", and then he explained to me that it was
13 normal and he'll be all right after take-off. He's had
14 a lot of experience with deportees when he was flying
15 out of Gatwick.

16 DEPUTY CORONER MS MONAGHAN: To anywhere in particular?

17 A. Jamaica. So I thought, well, okay, maybe everything is
18 okay, but I just kept saying to him, "I'm not happy
19 about it." And, anyway, he sort of reassured me that it
20 was all right. So then I went back and then shortly
21 after that the announcement was made for the doors to
22 automatic, which meant that we were going to be going.
23 So I take it Ann-Marie couldn't get off. And then we
24 started taxiing.

25 DEPUTY CORONER MS MONAGHAN: Right. Just in terms of the

1 movement of the plane, you left the stand then?

2 A. Yes.

3 DEPUTY CORONER MS MONAGHAN: Started the taxi. Was there
4 any delay in the movement or did it just go straight --
5 how did that work?

6 A. Yeah, it stopped for a little while, a few minutes, and
7 I think there was an announcement.

8 DEPUTY CORONER MS MONAGHAN: Do you remember what that would
9 have been?

10 A. I think the captain said something about, "Sorry for the
11 short delay".

12 DEPUTY CORONER MS MONAGHAN: So you then start moving again,
13 do you?

14 A. Yes.

15 DEPUTY CORONER MS MONAGHAN: At this stage do you see
16 anything further or hear anything further so far as
17 Mr Mubenga is concerned?

18 A. See anything further? Well, it's -- it went quiet and
19 he had been saying things earlier.

20 DEPUTY CORONER MS MONAGHAN: Let's start where we left off.
21 You told us that -- the second sighting, if you like,
22 where you just described where you were in relation to
23 the witness box, that head down, impressionistically to
24 the knees and so on?

25 A. Yeah.

1 DEPUTY CORONER MS MONAGHAN: Did you see him or hear him
2 again after that?

3 A. Not after that.

4 DEPUTY CORONER MS MONAGHAN: At that stage, did you hear him
5 saying anything?

6 A. Not at that stage.

7 DEPUTY CORONER MS MONAGHAN: Did you hear him saying
8 anything at any stage?

9 A. Yes.

10 DEPUTY CORONER MS MONAGHAN: When was that?

11 A. Shortly after they had got him in his seat.

12 DEPUTY CORONER MS MONAGHAN: Okay. I thought you had said
13 at that stage you just heard him howling?

14 A. He was also shouting something about, "They're killing
15 me" or, "You're going to kill me. No, no, no. Can't
16 breathe", really, really loud. You could hear it the
17 whole length of the aircraft.

18 DEPUTY CORONER MS MONAGHAN: When you said us to a little
19 while ago that the first time you saw him in the seat
20 you heard him howling but didn't hear any words, you did
21 hear words at that stage?

22 A. Yes, yes.

23 DEPUTY CORONER MS MONAGHAN: So you say that he was saying,
24 "You're killing me"?

25 A. Yeah.

1 DEPUTY CORONER MS MONAGHAN: "No, no, no"?

2 A. Or, "They're going to kill me".

3 DEPUTY CORONER MS MONAGHAN: In relation to your first
4 statement on the early hours of the morning, I don't
5 think you recorded any of those words?

6 A. No, I don't believe -- I don't think I was actually
7 asked if I heard those words.

8 DEPUTY CORONER MS MONAGHAN: Right. You didn't volunteer
9 them?

10 A. No.

11 DEPUTY CORONER MS MONAGHAN: In the notes that you exhibit
12 with the second statement, so we can use those because
13 they're your own words, I think you do refer to those
14 things being said?

15 A. Yes.

16 DEPUTY CORONER MS MONAGHAN: Is that right?

17 A. Yes.

18 DEPUTY CORONER MS MONAGHAN: Okay. So you hear these words
19 being said. You see what has happened. Thereafter the
20 plane starts to taxi, a short delay probably, and then
21 what happens?

22 A. Then we were sort of going towards our seats for
23 take-off, but while we were still going towards the
24 runway taxiing at this stage, and so I was on the other
25 side of where I was standing before, which is near my

1 seat.

2 DEPUTY CORONER MS MONAGHAN: Which is that?

3 A. Which is the A/B/C side.

4 DEPUTY CORONER MS MONAGHAN: The A/B/C side?

5 A. Yeah. At that point they pulled him up.

6 DEPUTY CORONER MS MONAGHAN: You could see this, could you?

7 A. I could see this, yeah. They pulled him up. I can't

8 think where the guard that was in front was at this

9 stage, but the two ones either side -- that were sitting

10 at his side, they pulled him up.

11 DEPUTY CORONER MS MONAGHAN: Was Mr Mubenga saying anything

12 or making any noises at that stage?

13 A. No.

14 DEPUTY CORONER MS MONAGHAN: So they pulled him up upwards?

15 A. Yes.

16 DEPUTY CORONER MS MONAGHAN: Did he still have his handcuffs

17 on, did you see?

18 A. No.

19 DEPUTY CORONER MS MONAGHAN: Where were his arms, did you

20 see?

21 A. In front of him.

22 DEPUTY CORONER MS MONAGHAN: Were you able to see

23 Mr Mubenga's face at this stage?

24 A. Yes.

25 DEPUTY CORONER MS MONAGHAN: Are you able to tell us what he

1 looked like?

2 A. His head was right back and his eyes were sort of

3 rolling around a bit.

4 DEPUTY CORONER MS MONAGHAN: Anything else that was

5 noticeable?

6 A. Sort of dribbly stuff and a very strange smell.

7 DEPUTY CORONER MS MONAGHAN: Then what happened?

8 A. One of the guards had his hand on his wrist and the

9 other one his heart and the other one on his neck.

10 DEPUTY CORONER MS MONAGHAN: So you could see the third

11 guard by that stage?

12 A. Yeah.

13 DEPUTY CORONER MS MONAGHAN: Do you remember which guard had

14 the hand -- which guard on which position or --

15 A. I can't remember.

16 DEPUTY CORONER MS MONAGHAN: Okay.

17 A. The one that was in the black suit, the shorter one, was

18 the one that I could see and the one that I said, "Is he

19 okay?"

20 DEPUTY CORONER MS MONAGHAN: Can you tell us what happened

21 then?

22 A. Well, he started making these hand gestures and going --

23 DEPUTY CORONER MS MONAGHAN: Who did?

24 A. This particular guard, the one -- the shorter one.

25 DEPUTY CORONER MS MONAGHAN: The hand gestures, just

1 describe them again?

2 A. Well, he was going like, "Here we go again", as if to
3 say play acting.

4 DEPUTY CORONER MS MONAGHAN: Sighing and rolling his eyes?

5 A. Yes.

6 DEPUTY CORONER MS MONAGHAN: And swinging his hands up into
7 the air as if, "Here we go again"?

8 A. "Here we go again", yeah.

9 DEPUTY CORONER MS MONAGHAN: But they were checking for
10 a pulse at this stage?

11 A. Yeah.

12 DEPUTY CORONER MS MONAGHAN: Did you speak to any of the
13 guards at this stage?

14 A. Only to say, "Is he okay?" And he didn't actually reply
15 verbally but just the hand -- you know, non-verbal
16 communication with hand gestures.

17 DEPUTY CORONER MS MONAGHAN: Was the plane moving at this
18 stage?

19 A. Yes, because we were quite near to the runway because
20 we'd been told to take our seats so it was quite --

21 DEPUTY CORONER MS MONAGHAN: What happened then?

22 A. Then I made two calls to Peter Walsham, I think it was
23 two, and said they're saying to me that he's, you know,
24 pretending or faking, words to that effect, but he just
25 really doesn't look well. He doesn't look at all well.

1 DEPUTY CORONER MS MONAGHAN: What did Mr Walsham say?

2 A. He said, " I'll ring the flight crew and let them know
3 and I'll call you back".

4 DEPUTY CORONER MS MONAGHAN: Did he call you back?

5 A. Yes.

6 DEPUTY CORONER MS MONAGHAN: What did he say to you?

7 A. He said, "The captain said he's probably just come out
8 of RADA".

9 DEPUTY CORONER MS MONAGHAN: The captain said he's probably
10 just come out of RADA. What happened then?

11 A. I think I mentioned that to Ann-Marie. Well, I didn't
12 know what to do. Then shortly after that Ann-Marie got
13 out of her seat and ran over to my seat, which was
14 a good move actually because then I could hear what she
15 was saying. I picked up my phone and said that one of
16 the guards had said to her, "Can you get the paramedic.
17 We need to go back to the stand. Can you get the
18 paramedic. He's not very well". So she would have
19 relayed that to Peter Walsham because we're not allowed
20 to ring the flight crew directly and at that point the
21 aircraft stopped. I think I said something, "Can we not
22 bring the paramedics to the aircraft?" But -- so we
23 started to taxi back to the stand.

24 DEPUTY CORONER MS MONAGHAN: Did you speak to Claire Mullen
25 at any stage around this time?

1 A. I don't know who Claire Mullen is.

2 DEPUTY CORONER MS MONAGHAN: She, I think, may be called
3 number 3. Let me put it differently. Did you have
4 a discussion about a defibrillator with anybody?

5 A. Not that I remember, no.

6 DEPUTY CORONER MS MONAGHAN: There's some reference in the
7 documents, which we may hear about -- we'll see how it
8 goes. There's a suggestion that you may have telephoned
9 somebody and said that Mr Mubenga was faking a heart
10 attack.

11 A. No.

12 DEPUTY CORONER MS MONAGHAN: Is that something you remember?

13 A. No, I don't remember that at all.

14 DEPUTY CORONER MS MONAGHAN: You may have been offered
15 a defibrillator but said it wasn't necessary or refused
16 it?

17 A. I don't recall that conversation at all.

18 DEPUTY CORONER MS MONAGHAN: When you say you don't recall
19 it, as I said to other witnesses, as far as you are
20 aware, does that mean it didn't happen or that you just
21 don't remember everything? Could it have happened?

22 A. I don't -- I don't believe it happened, put it that way.
23 I don't remember that conversation in any shape or form.

24 DEPUTY CORONER MS MONAGHAN: Okay. Then what happened?

25 A. Then -- so we started to taxi back to the stand and then

1 that's when the paramedics arrived a little while after,
2 after we got back to the stand.

3 DEPUTY CORONER MS MONAGHAN: Did Mr Mubenga stay in the same
4 position during that period?

5 A. Yes.

6 DEPUTY CORONER MS MONAGHAN: Did you have any further
7 discussions with the guards?

8 A. No.

9 DEPUTY CORONER MS MONAGHAN: By the time the paramedics
10 arrived, are you able to say anything about what you
11 perceived the position to be with Mr Mubenga by that
12 stage?

13 A. The position -- physical position? He was still in the
14 same position in his seat, yes.

15 DEPUTY CORONER MS MONAGHAN: Did you have any perception
16 about whether he was breathing, whether he was
17 struggling to breathe or anything?

18 A. Well, no, because they still were indicating that he's
19 faking it, as in they were just sort of sitting there,
20 they've still got their hands on his pulse.

21 DEPUTY CORONER MS MONAGHAN: Then after the paramedics
22 arrived, can you tell us what happened then?

23 A. Well, they pretty quickly got him out of his seat.
24 I think they told the guards to get out of the way
25 because it was a very small, narrow aisle and that's

1 when they got him on the -- the paramedics got him onto
2 the floor in the aisle initially, and then I had to move
3 quite a few people. They pulled him into the galley
4 area and he was still flat and that's when they
5 started -- they were continuing, they were doing CPR the
6 whole time and then continuing in the galley area. And
7 I think -- I mean, I couldn't actually see at this stage
8 because there was a lot of police arrived. It was all
9 going on in the galley area with their own
10 defibrillator.

11 DEPUTY CORONER MS MONAGHAN: Did you have any further
12 discussion with the guards at that stage?

13 A. Yeah, one of them said to me, "Oh, it's a terrible
14 shame. He's been taken ill. He's got a family with
15 five children" and kind of, "Poor bloke" really. That's
16 what it was.

17 A MEMBER OF THE JURY: Ma'am, can I ask a question?

18 DEPUTY CORONER MS MONAGHAN: Certainly. Pause there. We
19 have a question from the jury.

20 (A note was received from the jury)

21 DEPUTY CORONER MS MONAGHAN: Thank you. I'll come to that.
22 Thank you very much.

23 So you had this discussion with the guards where
24 they said, you know, family man, et cetera. Anything
25 else with the guards?

1 A. He mentioned something about a button being missing and,
2 if I found it, to keep hold of it.

3 DEPUTY CORONER MS MONAGHAN: Anything else?

4 A. No.

5 DEPUTY CORONER MS MONAGHAN: Did you see a pillow around at
6 any stage?

7 A. No.

8 DEPUTY CORONER MS MONAGHAN: Around that area?

9 A. Well, there's pillows all over the place but -- so
10 I didn't actually physically see one but there would
11 have been one.

12 DEPUTY CORONER MS MONAGHAN: There will have been pillows
13 generally?

14 A. Yeah.

15 DEPUTY CORONER MS MONAGHAN: That's fine. Just a couple
16 more questions then. You told us at the beginning that
17 you had first aid training?

18 A. Yes.

19 DEPUTY CORONER MS MONAGHAN: As part of that first aid
20 training would you have been able to identify the
21 symptoms of a heart attack or how to determine whether
22 somebody might be having a heart attack?

23 A. Yes.

24 DEPUTY CORONER MS MONAGHAN: What would those symptoms be?
25 What would you be looking for?

1 A. Severe pain in the chest, could be radiating down to the
2 arms. They could go very pale. They possibly fall
3 unconscious, but generally the most significant symptom
4 is severe pain.

5 DEPUTY CORONER MS MONAGHAN: In terms of what you saw about
6 Mr Mubenga, did he look to you to be unconscious at the
7 time you saw him seated in the seat?

8 A. I didn't -- I didn't think he was unconscious.
9 I thought he might have just been taken very ill and
10 been sick.

11 DEPUTY CORONER MS MONAGHAN: You referred to a strange
12 smell?

13 A. Yes.

14 DEPUTY CORONER MS MONAGHAN: Can you give us any indication
15 as to what that smelt like?

16 A. Well, body fluids.

17 DEPUTY CORONER MS MONAGHAN: Which end, if you like?

18 A. The back, but then I was thinking but there's the toilet
19 there as well.

20 DEPUTY CORONER MS MONAGHAN: So it could be emanating from
21 there, you couldn't tell?

22 A. Yes.

23 DEPUTY CORONER MS MONAGHAN: You have had training and as
24 part of that training involves checking for vital signs
25 and so on where somebody might be unconscious?

1 A. Right.

2 DEPUTY CORONER MS MONAGHAN: Is that right?

3 A. Yes, yes.

4 DEPUTY CORONER MS MONAGHAN: I think the stuff I have read

5 indicates that you're trained about levels of

6 consciousness?

7 A. Yes.

8 DEPUTY CORONER MS MONAGHAN: Is that right?

9 A. Yeah.

10 DEPUTY CORONER MS MONAGHAN: And sort of stages through

11 which one might go?

12 A. Right.

13 DEPUTY CORONER MS MONAGHAN: Is that right?

14 A. Yes, yeah.

15 DEPUTY CORONER MS MONAGHAN: The need to check to determine

16 whether or not further intervention might be required?

17 A. Right.

18 DEPUTY CORONER MS MONAGHAN: Is that right?

19 A. Yes.

20 DEPUTY CORONER MS MONAGHAN: If somebody appears

21 unconscious?

22 A. Yes.

23 DEPUTY CORONER MS MONAGHAN: Or might be?

24 A. Yeah.

25 DEPUTY CORONER MS MONAGHAN: Did you consider intervening at

1 any stage to offer assistance to Mr Mubenga?

2 A. Well, I didn't know what to do. I was afraid. I was
3 afraid of the guard. I'd been told that I mustn't
4 intervene in any way. They were portraying this message
5 that he was faking it. The message that was received
6 from Peter indicated that he was -- this is typical of
7 what happens.

8 DEPUTY CORONER MS MONAGHAN: Did you think he was faking it?

9 A. Well, I didn't because that's why I rang and said, "But
10 I don't think he is. He really doesn't look well".

11 DEPUTY CORONER MS MONAGHAN: If you thought he wasn't faking
12 it, can you help us with why you didn't intervene?

13 A. I was too afraid.

14 DEPUTY CORONER MS MONAGHAN: Just, I think, then one last
15 question. You told us that the notes you prepared were
16 prepared about a month after the incident?

17 A. Yes.

18 DEPUTY CORONER MS MONAGHAN: In the circumstances you have
19 described?

20 A. Yeah.

21 DEPUTY CORONER MS MONAGHAN: During that period, that is the
22 month between the incident and the making of the notes,
23 did you see any press coverage?

24 A. Yes, it was -- for the first couple of days it was in
25 the press afterwards.

1 DEPUTY CORONER MS MONAGHAN: You read that?

2 A. Yes.

3 DEPUTY CORONER MS MONAGHAN: Do you think, reflecting

4 back -- and it's perhaps a normal thing to do so it's

5 not a criticism -- what you think is your memory of

6 events might have been affected by what you read in the

7 papers?

8 A. No.

9 DEPUTY CORONER MS MONAGHAN: Are you sure about that?

10 A. I'm sure about that.

11 DEPUTY CORONER MS MONAGHAN: In the month in between the

12 making of the statement and the incident, did you speak

13 to any members of staff, cabin crew or otherwise, that

14 were also involved in the incident or on the plane?

15 A. No.

16 DEPUTY CORONER MS MONAGHAN: Definitely not?

17 A. No.

18 DEPUTY CORONER MS MONAGHAN: After the incident on the 13th,

19 did you carry on your duties as normal the following

20 day?

21 A. No, not the following day.

22 DEPUTY CORONER MS MONAGHAN: Did you go back to work as

23 a cabin crew member?

24 A. Shortly afterwards, maybe a week.

25 DEPUTY CORONER MS MONAGHAN: Did you meet any of the people

1 that were involved in the incident on the night?

2 A. I did. I think about three months later I flew with one
3 of the crew members, but this was quite a long time
4 afterwards.

5 DEPUTY CORONER MS MONAGHAN: Who was that?

6 A. I could probably point her out but I think it was -- who
7 did I fly with? It wasn't you.

8 DEPUTY CORONER MS MONAGHAN: Point and tell us who you think
9 it was and we can ask her if she remembers.

10 A. Was it you with the red hair?

11 DEPUTY CORONER MS MONAGHAN: Don't worry. You don't need to
12 answer that. You think it's the woman with the light
13 blue jacket and the red hair possibly.

14 A. Possibly or maybe she's not there.

15 DEPUTY CORONER MS MONAGHAN: What I'm keen to explore with
16 you is whether there was any opportunity between the
17 night and the making of your notes a month later, or
18 thereabouts, any opportunity for you to have discussions
19 with other people who were on the plane that night?

20 A. No.

21 DEPUTY CORONER MS MONAGHAN: I think that's all the
22 questions I have for you. There will be some questions
23 from other representatives so if you would like to just
24 wait there.

25 Mr Blaxland.

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Examined by MR BLAXLAND

MR BLAXLAND: Ms Graham, I represent the family of Mr Mubenga. I think you have been quite badly affected by what you saw that day, is that right?

A. Yes.

Q. What I'm going to do, please, is just really go through with you some of the details that you have already provided to us with reference to the various statements that you have made because the members of the jury here, we have these statements, they don't have them. So I just want to go through them with you if you don't mind.

A. Right.

Q. Could you. Please have in front of you -- you probably do already -- the Lever Arch file with the statements in it. I am going to start, please, at page 57, which is 57 bottom right.

A. Yes.

Q. This is the first statement that you made. You have already told us that the date on it is 13 October?

A. Okay.

Q. This is the statement that you provided to the police that evening?

A. Yes.

Q. That night. Were you still on the plane?

1 A. No.

2 Q. When this was taken?

3 A. No, they took us off the plane, just myself and
4 Ann-Marie.

5 Q. Was she with you when you made the statement?

6 A. No. They took us separately.

7 Q. Do you remember, are we talking sort of midnight, after
8 midnight?

9 A. Yes, it would be around about that.

10 Q. So early hours of the morning?

11 A. Yes.

12 Q. How long had you been on duty for by that time? Was
13 that your first --

14 A. I think the briefing was about half past six in the
15 evening, I think so.

16 Q. All right. How were you feeling at that stage?

17 A. Pretty shattered.

18 Q. Do you remember how long it took for the statement to be
19 taken from you?

20 A. About an hour and a half.

21 Q. At that stage did you know that Mr Mubenga had died?

22 A. Yes.

23 Q. What I'd like to do, please, is just go through some of
24 the details with you. Could you turn to the second page
25 of the statement which is page 58. I just want to

1 consider the way in which you described it to the police
2 officer. It's in the form of a statement. Was it a man
3 or woman who was taking the statement from you?

4 A. A man.

5 Q. Did he ask you questions as you were going through it in
6 order to help write the statement?

7 A. Yes, yes.

8 Q. In the middle of the page, you said this, coming to the
9 important part of the incident:

10 "I continued with my duties in the galley and
11 a minute or so later I heard an almighty roar coming
12 from outside the toilet. I turned to look and saw the
13 three escorts enveloping the deportee."

14 The word that you used earlier on, enveloping?

15 A. Yes.

16 Q. "The noise was coming from the deportee. I can't
17 describe the noise. It sounded as if the male was
18 crazed. I found the noise terrifying. The three
19 escorts had bundled the male into row 40. It was hard
20 to the deportee but it was clear that a violent struggle
21 was taking place. Luckily no one was sat in row 40 as
22 these are staff rest seats. I would say I think the
23 noise the male was making was harrowing. It was so out
24 of the normal and sustained it sounded made up."

25 Pause there for a moment. Of course you had never

1 seen anything like this on a flight before, is that
2 right?

3 A. Yes.

4 Q. How long had you been working for British Airways?

5 A. 20 years.

6 Q. As cabin crew?

7 A. Yes.

8 Q. Just so that we understand, was it frightening because
9 you were worried that it might get completely out of
10 control?

11 A. Yes.

12 Q. And that you might be personally in danger?

13 A. Yeah.

14 Q. "I began liaising with the flight customer service
15 director who came down ..."

16 That's Mr Walsham?

17 A. Yes.

18 Q. "... as did the BA dispatcher."

19 And that's Mr Upton?

20 A. Yeah.

21 Q. "We remained in the area observing. The escorts now
22 were either side of the deportee who was sat in
23 seat 40E. These escorts appeared to be restraining the
24 male down into his seat."

25 A. Yes.

1 Q. That's the way you described it. I think you tell us in
2 fact you couldn't physically see Mr Mubenga?

3 A. Yeah.

4 Q. Is that right?

5 "They appeared to be struggling to do this as the
6 deportee appeared to be struggling against them."

7 That was your impression?

8 A. Yes.

9 Q. "The escorts appeared carry on their restraint of the
10 male. The third escort was stood in row 39 leaning over
11 and controlling the deportee's head."

12 A. Yeah.

13 Q. That expression "controlling the deportee's head", which
14 the learned coroner has already asked you about, was
15 that your expression? Was that an expression that came
16 from you?

17 A. Yes, because I would have thought if you're controlling
18 someone's head, if you're controlling it, you would have
19 to use -- if you're kind of -- it's difficult to
20 describe. If you use one hand it would suggest that
21 they're controlling it rather than steadying it.

22 Q. What you remember now is the use of one hand, is that
23 right?

24 A. Yes.

25 Q. At one point you saw it actually physically on top of

1 his head, is that right?

2 A. Yes.

3 Q. Doing what?

4 A. Pushing it down.

5 DEPUTY CORONER MS MONAGHAN: Was that at this stage or the

6 later stage that you describe?

7 A. That is the stage when I walked past this area.

8 MR BLAXLAND: What we see here, I think, is really quite

9 a short summary of what you saw in this first statement,

10 isn't it?

11 A. Yes.

12 Q. Is that right?

13 A. Yes.

14 Q. I am going to go back to reading the statement so the

15 members of the jury understand. After the sentence that

16 I've just read, "The third escort was stood in row 39

17 leaning over and controlling the deportee's head", you

18 said:

19 "I observed all this from about eight rows of seats

20 forward of the incident."

21 So you're in row J/K, is that right?

22 A. Yes.

23 Q. Sort of middle of the row as we look at it?

24 A. Yes, about halfway down.

25 Q. Halfway down, looking back. This first part of the

1 incident, did you see it all from that position?

2 A. Yes. What -- about the 15, 20 minutes?

3 Q. I am just coming on to that. Let's complete the

4 sentence:

5 "I observed all this from about eight rows of seats

6 forward of the incident for about 15 minutes."

7 A. Yeah.

8 Q. Throughout the time that you saw Mr Mubenga being

9 restrained, were you in the position that you have just

10 mentioned; in other words, sort of halfway down J/K?

11 A. Not continuously because initially I was on the other

12 side and then I walked across. So I would have been

13 going backwards and forwards.

14 Q. In that 15-minute period, did you ever see Mr Mubenga

15 himself from where you were?

16 A. No.

17 Q. So you never saw him sat up in the seat?

18 A. No.

19 Q. You then said:

20 "I then made my way back to the galley."

21 This is where you made the PA announcement for

22 passengers to move as far forward of the disturbance as

23 possible?

24 A. Yes.

25 Q. "Myself and my colleague Ann-Marie assisting moving

1 passengers. Throughout the time it took to move
2 passengers the male continued to make these harrowing
3 howls."

4 That is the way you have described it?

5 A. Yes.

6 Q. "This continued for another ten minutes or so on and
7 off. It then calmed down and I made my way back to the
8 galley."

9 You said:

10 "As I passed row 40, all appeared quite still and
11 I noticed an arm had some cuts on it. I didn't however
12 notice whose arm it was or the skin colour. I just
13 noticed some blood."

14 A. Yeah.

15 Q. You said:

16 "Whilst I was in the galley, all remained quiet.
17 I presumed the deportee had worn himself out."

18 I'm not going to read -- you then said:

19 "I was concerned that we had this man on our flight
20 but presumed that although the disturbance may flare up
21 again he's calm enough for us to fly."

22 So you had been frightened by what happened?

23 A. Yes.

24 Q. Is that right?

25 A. Yes.

1 Q. And concerned that it may continue?

2 A. Yeah.

3 Q. But, as far as you were concerned, the guard had got the
4 situation under control?

5 A. Yeah.

6 Q. That's what you were saying there?

7 A. Yes.

8 Q. Because you depended upon them --

9 A. Yeah.

10 Q. -- to control somebody who, as far as you knew, might
11 have been dangerous?

12 A. Yes, absolutely.

13 Q. "The aircraft began push back and taxi. After a few
14 minutes, as we taxied to the runway, all was still
15 quiet. I looked round the corner from the galley to
16 row 40. I saw the male sat in seat 40 unrestrained."
17 This is when you saw him with his head back.
18 You then said:
19 "I was concerned for the male but thought he may be
20 faking it. The escort officers then began checking for
21 a pulse."
22 Three sentences further down:
23 "We got the impression from the escorts that the
24 male was faking it."
25 A. Yes.

1 Q. You have described, I think, that one of them was
2 gesturing?

3 A. Yes.

4 Q. In the way that you have described. That essentially
5 was the description that you provided in the early hours
6 of the morning soon after the event. Now, you have been
7 asked by the learned coroner about whether or not you
8 saw or heard any media coverage about this.

9 A. Yes.

10 Q. Do you remember what you saw?

11 A. In the Guardian Newspaper it was on the front page
12 a couple of days later and a couple of other articles in
13 the paper, but what was my concern is I couldn't
14 understand why he was being deported.

15 Q. Did you read them all? Did you read through the
16 Guardian coverage of it?

17 A. Only what -- those few days after, a couple of days
18 after, yes.

19 MR BLAXLAND: I think the next record that you made was the
20 notes that had been referred to, of which we have
21 copies. They're at page 74 of this bundle. That's
22 where they start.

23 DEPUTY CORONER MS MONAGHAN: These were the notes I think
24 you said that you made about a month afterwards; yes?

25 A. Yes, okay. I've got that.

1 MR BLAXLAND: The reason I say I think that's the next
2 record you made, if you just flip back to page 62, we
3 have a further much more detailed statement that you
4 provided to the police on 7 December 2010?

5 A. I've got that, yes.

6 Q. But notes were made before that, were they?

7 A. Yes.

8 Q. Just so that we understand, the purpose of these notes
9 was to assist you in the recovery process, if you like?

10 A. Yes.

11 Q. British Airways had arranged some counselling for you
12 because it was clear that you had been affected by what
13 happened, is that right?

14 A. Yes.

15 Q. So the notes themselves contain a combination of your
16 memory but also what you were feeling at the time?

17 A. Yes.

18 Q. In order -- did you record these notes before you saw
19 a counsellor?

20 A. I was advised by the counsellor that it just helps.

21 Q. So you had a counselling session, is that right?

22 A. Yes, on the phone.

23 Q. Not a face-to-face session?

24 A. No.

25 Q. You were advised that it would be a good idea to write

1 it down?

2 A. Yes.

3 Q. So they're for you personally, is that right?

4 A. Yes.

5 Q. These weren't written for public consumption?

6 A. No.

7 Q. But at a later stage you felt it important to provide
8 them to the police, is that right?

9 A. Yes. Well, I didn't actually know they were going to
10 take them with them -- take my notes with them at the
11 time, but I was going through my notes while I was
12 giving the second statement.

13 Q. So that's the statement of 7 December that I've just
14 referred to?

15 A. Yes.

16 Q. So you had the notes with you when you made that
17 statement?

18 A. Yes.

19 Q. The police then took them away?

20 A. Yes.

21 Q. But the purpose of these notes wasn't to assist you to
22 make a further statement, they were really just to
23 assist you in coming to terms with what had happened, is
24 that right?

25 A. Yes, personally.

1 Q. What I'd like to ask you about -- I don't want to ask
2 you about what you have recorded about your feelings.
3 I just want to ask you about some of the details that
4 you have recorded in the notes, if you don't mind. They
5 may not all be in strict order. At page 77, which is in
6 our bundle, which is page 4 of the notes --

7 A. Yeah.

8 Q. -- you said this in relation to what you had heard
9 Mr Mubenga say:

10 "I heard [at the very bottom of the page] him cry
11 out so loud, 'They're going to kill me' at least two or
12 three times."

13 A. Yes.

14 Q. That hadn't appeared in the statement that you provided
15 to the police in the early hours of the morning, those
16 words. Are you sure that you actually heard that said?

17 A. Definitely, yes.

18 Q. So if somebody were to suggest that this was just
19 included because you read it in the newspaper, what
20 would you say to that?

21 A. That wouldn't -- that's not true at all because
22 I remember at the time thinking when he was calling at
23 one stage, "They're going to kill me", I didn't know if
24 he was referring to the guards or what would happen when
25 he arrived there.

1 Q. Thank you very much. I would like to ask you on that.
2 If you go to page 6 of the notes, you had said, the
3 third paragraph, "I still heard horrific cries and
4 screams", but specifically you said:
5 "A bit muffled [in relation to the sound the man was
6 making] but something comprehensible was, 'I can't
7 breathe. No, no, no' and, 'You're killing me'."?
8 A. Yes.
9 Q. The words "I can't breathe", is that something that
10 you're sure you personally heard, as opposed to
11 something that somebody --
12 A. Yes.
13 Q. So you heard that?
14 A. Yes.
15 Q. "No, no, no. You're killing me"?
16 A. Either, "You're killing me" or, "You're going to kill
17 me".
18 Q. Right. Then towards the bottom of that page, again in
19 reference to what you heard, you said:
20 "I looked back several times and still heard his
21 cries for help for about 20 minutes repeatedly say the
22 above [which is, 'No, no, no, you're killing me'] and,
23 'Help'."?
24 A. Yeah.
25 Q. Again, is that something you specifically remember him

1 hearing him say, "Help"?

2 A. That's part probably not, I can't be 100 per cent. But
3 I'm pretty sure, yes, because it was -- some of it was
4 so hard to actually hear that -- I mean, it was very
5 loud but hard to understand. I think he was saying
6 "help", yes.

7 Q. Then if you turn over the page, please, to page 7, four
8 lines down, just a very specific description of what you
9 had seen:

10 "I saw his arms were behind his back and his body
11 was being pressed down by two of the guards and another
12 one leaning over from the seat in front pressing his
13 head down."

14 A. Yes.

15 Q. That's what you recorded?

16 A. Yes.

17 Q. Then you have a paragraph in which you express what you
18 felt about it and what your impression was, but then,
19 about three-quarters of the way down that page, you say
20 this:

21 "His voice faded I would say after about 20 minutes
22 but they still continued for about another 20 minutes."

23 A. Yes.

24 Q. So we're talking here about an incident which, your
25 impression was, thinking about it, lasted for something

1 like 40 minutes?

2 A. It probably was about that long, yes. It's difficult
3 to, you know, give --

4 Q. Nobody is going to pin you down to times, particularly
5 because this is a note which you were making for the
6 purposes of your own emotional healing process, if you
7 like.

8 A. Yes.

9 Q. You remember distinctly the voice fading, do you?

10 A. Yes.

11 MR BLAXLAND: If I can then go to the statement that you
12 made on 7 December. Helped by this note that you made,
13 you provided a more detailed account, is this right?

14 DEPUTY CORONER MS MONAGHAN: It's page 70, Ms Graham.

15 MR BLAXLAND: It starts at page 62 actually.

16 DEPUTY CORONER MS MONAGHAN: I beg your pardon.

17 MR BLAXLAND: 7 December starts at page 62 because there was
18 yet another statement.

19 DEPUTY CORONER MS MONAGHAN: Thank you. It's page 62.
20 I took you to the wrong place.

21 MR BLAXLAND: Again this is a police statement, so
22 presumably you realised the importance of providing
23 a reliable account?

24 A. Yes.

25 Q. The importance of telling the truth?

1 A. Yes.

2 Q. So far as you were able to. Can we go to page 65,
3 please. I am just going to read through this with you,
4 if you don't mind. Again, going to the most important
5 part, picking it up after the incident had started. You
6 described the howls that you had heard. This is right
7 in the middle of this long paragraph. Then you said:

8 "I moved to the rear of the aircraft around row 34
9 area and stood and looked towards the security guards.
10 Whilst stood in all these areas described I saw the
11 security guard's shoulder moving towards the deportee.
12 I couldn't see their hands or arms but could see the
13 backs of their heads. The shoulder moving looked to me
14 as if they were exerting a lot of weight and pressure.
15 I could see guard 1 leaning over the seat and pushing
16 down. Again I couldn't see his arms or hands. When
17 I was in the area of row 27 I could still hear the
18 deportee shouting. He was still shouting, 'You're
19 killing me' or, 'You're going to kill me' or, 'They're
20 going to kill me' and, 'No, no, no'. As I got to the
21 area of row 34 the deportee became quieter. I couldn't
22 understand what was going on as the incident had been
23 going on for quite a long time. This part of the
24 incident lasted approximately 20 minutes. When I was in
25 the area of row 27 I was at a distance of approximately

1 10 to 15 metres. The visibility was good."

2 If you turn over the page, please, to page 66, you
3 said at the top of the page:

4 "I still couldn't see the deportee due to the
5 security guards holding him down. I then felt confident
6 enough to walk to the rear of the aircraft as it had now
7 gone silent. I've walked past row 40 where the deportee
8 is and stood there for a few seconds before going to the
9 rear of the aircraft. When I was stood by row 40 I saw
10 guard 1 placing his right hand on the back of the
11 deportee's head. The deportee's head was facing
12 downwards. I couldn't see his face. His chest and
13 stomach were horizontal with his thighs, although
14 I couldn't see the thighs as they were blocked by this
15 torso. Guard 1's other hand was resting on the back of
16 the seat."

17 Pause there for a moment and stop reading the
18 statement. Do you remember seeing a pillow at all at
19 that point?

20 A. Not particularly, no. Not especially. Not at that
21 point.

22 Q. I am just going to continue:

23 "The deportee's arms were handcuffed. His arms
24 appeared to be twisted. He was handcuffed to the rear
25 and his arms appeared to be raised in the air

1 approximately four to five inches from his hands to the
2 small of his back. I could not see his shoulders as
3 guards 2 and 3 ..."

4 Guards 2 and 3 I think are the two either side of
5 him?

6 A. Yes.

7 Q. Guard 1 I think is the man who is in the seat in front?

8 A. Right.

9 Q. "... were either side of him and were pushing him down.
10 I didn't see where his hands were. At some point
11 guard 1 relaxed his right hand which was on the
12 deportee's head. I couldn't remember seeing guards 2 or
13 3's faces as they appeared to be lower than the seats.
14 I did not hear the security guards saying anything ..."

15 A. No.

16 Q. Did you at any stage hear any of them saying anything?

17 A. I didn't actually, no.

18 Q. " ... and I couldn't hear the deportee saying anything."

19 A. No.

20 Q. "The deportee was not wearing his jacket and I could see
21 blood on his arms. Although passengers were moving
22 forward, a number of them remained in world traveller.
23 When I was stood in the area of row 40 [providing the
24 description which I have just read] this part of the
25 incident lasted approximately 15 seconds and I was

1 approximately two to three feet from the deportee."

2 Are you confident that that is an accurate
3 description of what occurred?

4 A. Yes.

5 MR BLAXLAND: Thank you very much.

6 DEPUTY CORONER MS MONAGHAN: You are next presumably,
7 Ms Hewitt. Can we take a break now rather than just as
8 you start off.

9 MS HEWITT: Yes.

10 DEPUTY CORONER MS MONAGHAN: We'll take our short
11 mid-morning break so we can stretch our legs and give
12 the stenographer a rest. We'll come back in
13 ten minutes.

14 Ms Graham, you may have heard me say this yesterday
15 to other witnesses. Because you are giving evidence,
16 please do not discuss this case with anybody during the
17 short break. Thank you.

18 (11.26 am)

19 (Break taken)

20 (11.40 am)

21 Examined by MS HEWITT

22 MS HEWITT: Ms Graham, I wonder if I can take you back to
23 your first statement as well, please. If you go in the
24 bundle to page 57, this is the statement you made very
25 shortly after the event.

1 A. Okay.

2 Q. If you go to the second page of the statement, so that's
3 page 58, the fourth paragraph, the first main paragraph
4 really, that's where your account of what we're talking
5 about really starts, isn't it?

6 A. Okay.

7 Q. I would like to take you through it as well, please.
8 You have described being in the galley. You say you
9 were continuing with your duties in the galley:

10 " ... and a minute of so later I heard an almighty
11 roar coming from outside the toilet. I turned to look
12 and saw the three escorts enveloping the deportee."

13 This is the start of the incident?

14 A. Yes.

15 Q. "The noise was coming from the deportee. I can't
16 describe the noise. It sounded as if the male was
17 crazed."

18 Was it a sort of noise you had ever heard before?

19 A. No.

20 Q. You couldn't liken it to anything?

21 A. It -- well, it was very, very loud.

22 Q. Yes?

23 A. And it was like a sort of a terrified noise.

24 Q. You say:

25 "I found the noise terrifying."

1 A. Yes.

2 Q. So you were instantly quite frightened by what was going
3 on?

4 A. Yes.

5 Q. "The three escorts bundled the male into row 40 [so the
6 back row], seats D/E/F. It was hard to see the deportee
7 but it was clear that a violent struggle was taking
8 place and luckily no one was sitting in row 40."

9 That was your impression of a degree of violent
10 struggle amongst these four men?

11 A. It was extreme, yes.

12 Q. Extreme. You say:

13 "I would say I think the noise the male was making
14 was harrowing. It was so abnormal and sustained that it
15 sounded made up."

16 What did you mean by that?

17 A. It sounded to me like someone's being tortured. It was
18 horrific. That's what it sounded like.

19 Q. So from --

20 A. In that sense abnormal. In that sense it sounded
21 abnormal because it was -- it was like a sound I'd never
22 heard before.

23 Q. So from the start it sounded abnormal in the way you
24 have just described it?

25 A. Yes.

1 Q. You say there that you began liaising with the flight
2 customer service director. You remained in the area
3 observing and the escorts were now either side of
4 deportee who was sat in the middle back seat?

5 A. Yes.

6 Q. "These escorts appeared to be restraining the male down
7 into his seat. They appeared to be struggling to do
8 this as the deportee appeared to be struggling against
9 them and they appeared to carry on their restraint of
10 the male."

11 The timescale for this, I know it's difficult. That
12 whole process of when you first heard the noise, there
13 was an ongoing violent struggle, escorts struggling to
14 get him into his seat and to sit him down, what's your
15 estimate of the timescale of that?

16 A. Perhaps not much more than a minute.

17 Q. As little as that?

18 A. Yeah.

19 Q. Did it not go on for quite a few minutes?

20 A. Between one and two minutes. It didn't seem to take
21 very long.

22 Q. The escorts were having difficulty, weren't they,
23 getting Mr Mubenga into the seat?

24 A. Difficulty? There were parts where it was very hard to
25 see because I was the other side.

1 Q. Were you in the galley area or --

2 A. Initially. Initially I was in the galley area and then

3 I moved across to the left-hand side.

4 Q. When you moved then into that left-hand aisle, when you

5 moved into that aisle, where were the four men then?

6 Had they reached the seats by that point?

7 A. When I left the galley area initially, I went to stand

8 at door 4 left which is a bit behind those seats so

9 visibility would have been quite difficult at that

10 point. So when I moved forward, when I heard Ann-Marie

11 shouting, I moved forward and that's when I could see

12 they were in the seats. So it's probably a minute,

13 two minutes.

14 Q. When you move forward they were in the seats?

15 A. Yes.

16 Q. So you hadn't seen the process by which they got

17 Mr Mubenga into his seat?

18 A. Only the little initial part outside the toilet.

19 Q. I think you just said then that when you moved forward

20 it was at the same time that you heard Ann-Marie telling

21 passengers to move forward, is that right?

22 A. Yes.

23 Q. So at that point at which passengers started to move was

24 the first point that you came into the aisle to be able

25 to see what was happening?

1 A. Yes.

2 Q. You say, going on with your statement:

3 "At that point the third escort was stood in row 39

4 leaning over and controlling the deportee's head."

5 You observed all this from eight rows of seats

6 forwards of the incident for about 15 minutes?

7 A. Yes.

8 Q. So was this before or after the passengers were moved?

9 A. It was during really. Some of the passengers were

10 moving, some of them were just remaining in their seats.

11 Q. So you came from the galley, went about eight seats up?

12 A. Yes.

13 Q. And looked back, did you?

14 A. Yes.

15 Q. You could see the third escort in the row in front

16 controlling the deportee's head?

17 A. Yes.

18 Q. Were you able to see or get any sense of whether

19 Mr Mubenga was moving and struggling at this time?

20 A. I couldn't see if he was moving, no.

21 Q. Could you see movement by any of the guards?

22 A. Yes.

23 Q. If I were to ask you whether you got an impression, for

24 example, that Mr Mubenga was trying to headbutt the

25 guards at that time, would you be able to say one way or

1 the other on that?

2 A. No.

3 Q. You wouldn't know?

4 A. No, sorry.

5 Q. What about if I asked you whether you were able to see
6 at all whether Mr Mubenga was trying to stand up from
7 his seat at that time?

8 A. I didn't see that.

9 Q. So what did you see from that position there? I'll go
10 to your later statements. I think your view was blocked
11 to some extent from your position back -- eight rows
12 forward?

13 A. Sorry, what was the question?

14 Q. Let me take you back. You say you didn't see Mr Mubenga
15 headbutting?

16 A. Yeah.

17 Q. Struggling in any way, can I ask you that?

18 A. I couldn't see him struggling.

19 Q. All right. Could you see the two guards sitting either
20 side of him at that time?

21 A. Yes. Well, I could see the backs of them.

22 Q. The backs of them?

23 A. Yes.

24 Q. I'll come back to that. Go back to your statement then,
25 if you would. You say:

1 "I observed all this from about eight rows of seats
2 forward of the incident for about 15 minutes."

3 You then made your way back to the galley where you
4 made the PA announcement for passengers to move as far
5 forward of the disturbance as possible.

6 Just on the sequence of events there, hadn't the
7 movement of the passengers forward already taken place?

8 A. Some of them had already moved, yes.

9 Q. But you made an announcement about it as well?

10 A. Yes because there was also a lady with a child.

11 Q. Was it at this point, when you moved back to the galley,
12 that you had the view of row 40 that you described to
13 the learned coroner earlier?

14 A. Yes.

15 Q. So it's at that point?

16 A. Yes.

17 Q. You say:

18 "Myself and my colleague Ann-Marie assisting moving
19 the passengers. Throughout the time it took to move the
20 passengers the male continued to make these harrowing
21 howls."

22 A. Yes.

23 Q. So that noise went on?

24 A. Yeah.

25 Q. "This continued for another ten minutes or so on and

1 off. It then calmed down and I made my way back to the
2 galley."

3 You say there:

4 "As I passed the row 40, all appeared quite still
5 and I noticed an arm had some cuts on it."

6 A. Yes.

7 Q. "I didn't however notice whose arm it was or the skin
8 colour of the arm. I just noticed some blood."

9 A. Yes.

10 Q. Then whilst you were in the galley all remained quiet
11 and you presumed the deportee had worn himself out?

12 A. Yes.

13 Q. Forgive me, there seem to be two points in there when
14 you went back to the galley. Can I be clear or can you
15 be clear, please, about which one it was when you had
16 a view of the officers and Mr Mubenga in row 40?

17 A. That would have been the first time I went back.

18 Q. When you gave this statement to the police, soon
19 afterwards, you were obviously trying to recall, weren't
20 you, what you had seen of the restraint?

21 A. Yes.

22 Q. And setting it out in this way as we have seen?

23 A. Yeah.

24 Q. You didn't say to the officers at the time at the point
25 at which you had quite a close view of the officers and

1 Mr Mubenga that you had seen them pressing his head
2 down?

3 A. I didn't say it in this statement, no.

4 Q. Why was that?

5 A. Well, to be honest, it was so, so shortly afterwards,
6 I was in a bit of a mess. And I suppose if I hadn't
7 been account that question, I might not have thought to
8 have said it.

9 Q. Can I press you on that a little because you were giving
10 the police at this point quite a careful account of what
11 you had seen about the restraint.

12 A. Yes.

13 Q. Weren't you?

14 A. Yes.

15 Q. You do expressly mention going back to the galley and,
16 as you say now, that's the point at which you now say
17 you could see quite clearly what was going on?

18 A. Yes.

19 Q. Did you not think it would have been important to
20 mention something such as you're now saying?

21 A. At the time -- yes, I think in retrospect it probably
22 would have been important to mention that.

23 Q. At the time, did you have in your mind any concern about
24 the way in which the officers were restraining
25 Mr Mubenga?

1 A. Yes.

2 Q. Why didn't you voice those to the police at the time?

3 A. The concerns?

4 Q. Yes.

5 A. I don't know why I didn't mention that.

6 Q. Can you think about that again then, please, because you
7 knew, you told Mr Blaxland, when you made this statement
8 Mr Mubenga had died.

9 A. Yes.

10 Q. If you had a concern at the time about the conduct of
11 the guards who had been restraining him, you would have
12 mentioned that to the police, wouldn't you?

13 A. I most likely did mention it. If it's not in my
14 statement, I would have mentioned it.

15 Q. You mentioned a concern about the guards, but the police
16 didn't put it in your statement; is that what you are
17 saying?

18 A. No, I'm not saying that they didn't put it in my
19 statement, but, the way I was in myself, I think it was
20 quite evident that this was pretty extreme.

21 Q. To be absolutely clear, I'm not suggesting to you that
22 this wasn't an extreme event.

23 A. Yes.

24 Q. And that it didn't upset you at the time. What I'm
25 trying to pinpoint with you is whether at the time you

1 had a concern about the conduct of the guards in the way
2 in which they had been restraining Mr Mubenga?

3 A. Did I have a concern?

4 Q. At the time?

5 A. Yes.

6 Q. What I'm asking you is why didn't you tell the police
7 about that during the hour and a half they were with you
8 taking a statement from you?

9 A. I don't know why I didn't mention that.

10 Q. What was your concern at the time?

11 A. At the time? The way they were holding him.

12 Q. In which aspect of the way they were holding him?

13 A. Well, when I looked towards the back of the aircraft
14 where I could see them, the guards -- there's one either
15 side and I describe that as it looked like they were
16 kneading him.

17 Q. Kneading him?

18 A. Yes.

19 Q. What do you mean by that?

20 A. Like that (Indicated).

21 Q. Pummelling?

22 A. Not punching, no.

23 Q. Pummelling?

24 A. Pummelling, yes.

25 Q. Pummelling?

1 A. Yes.

2 Q. So at the time you say you had a concern that the guards
3 were kneading and pummelling Mr Mubenga?

4 A. Yes.

5 Q. You knew he died?

6 A. Yes.

7 Q. You didn't mention that to the police?

8 A. No.

9 Q. Why not?

10 A. I don't know why I didn't mention that to the police at
11 the time. It didn't appear that that was what they were
12 trying to ask questions about. They were trying to ask
13 questions about the course of events, not the guards'
14 behaviour.

15 Q. They obviously wanted your account of what had happened
16 and they would want obviously, wouldn't they, anything
17 that you -- information you could provide them?

18 A. Yes.

19 Q. That may be relevant to how Mr Mubenga had died?

20 A. Well, I would imagine that's why they wanted another
21 statement, a second statement.

22 Q. No, but I am not asking you about your second statement.
23 I am asking you about the account you gave of the course
24 of an hour and a half to the police at the time.

25 A. Yeah.

1 Q. If you were concerned that you had seen pummelling, why
2 didn't you mention it?

3 A. Because I wasn't asked about the guards.

4 Q. Is the truth of it that at the time you had no concerns
5 whatever about the guards' conduct or the way in which
6 they had restrained Mr Mubenga?

7 A. Did I not have concerns did you say?

8 Q. What I'm putting to you is that at the time you had no
9 concerns about the way in which the guards had
10 restrained Mr Mubenga?

11 A. Yes, I did. I had serious concerns.

12 Q. Can I suggest to you that in fact the contrary was true,
13 and that at the time you praised the way they were
14 handling Mr Mubenga?

15 A. I didn't praise.

16 Q. Can I ask you to have a look in the bundle in front of
17 you. If you go to page 136, this is a page from
18 a statement made by Georgina Abrahams. Do you remember
19 her being on duty as part of the crew?

20 A. I wouldn't actually remember who was who.

21 Q. Do you remember then a female crew member -- different
22 part of the plane from you.

23 A. Okay.

24 MS HEWITT: If you look at her statement on page 136, she
25 says this. It's the top paragraph, main paragraph,

1 about two-thirds of the way down it. To pitch the
2 timing of when this happened, she says:
3 "Either just before the safety demo --"
4 DEPUTY CORONER MS MONAGHAN: I'm not with you.
5 MS HEWITT: The main paragraph, top paragraph, about just
6 before two-thirds, just under the first hole-punch.
7 DEPUTY CORONER MS MONAGHAN: Got it. Do you have that,
8 Ms Graham?
9 A. Yeah.
10 DEPUTY CORONER MS MONAGHAN: Thank you.
11 MS HEWITT: She starts with the timing:
12 "Either just before the safety demo or after..."
13 To pause there. The safety demo, is that
14 a reference to the demonstration that the crew give to
15 passengers once the doors --
16 A. I think I'm still lost again, sorry. 136?
17 DEPUTY CORONER MS MONAGHAN: Just under the first bullet
18 point, about three lines down, the line starts "the
19 guards" and then there's a full stop:
20 "Either just before the safety demo or after it
21 Louise came to the first class galley."
22 Do you have that?
23 A. I don't have, no.
24 DEPUTY CORONER MS MONAGHAN: You're on page 136?
25 A. Yes.

1 MS HEWITT: Are you in the right bundle?

2 DEPUTY CORONER MS MONAGHAN: Just below the hole-punch,
3 three lines down:
4 "Either before --
5 A. Yes, got it. Great. Thank you.

6 MS HEWITT: Take it stage by stage then. That first
7 sentence:
8 "Either just before the safety demo or after it
9 Louise came to the first class galley."
10 Just to pinpoint this in time, the safety demo, is
11 that the demonstration the crew would give to the
12 passengers?
13 A. Yes.
14 Q. After the doors have closed?
15 A. Yes.
16 Q. In preparation for take-off?
17 A. Yes.
18 Q. What to do in an emergency demonstration?
19 A. Yes.
20 Q. This witness is saying that it was either just before or
21 just after that time you went to the first class galley,
22 do you remember that?
23 A. Yes.
24 Q. If we try and tie this in with what was happening at the
25 back of the plane, this time around the time of the

1 safety demo, that will then be after the restraint that
2 you had witnessed?

3 A. Yes.

4 Q. So after you witnessed the restraint you went to the
5 first class galley?

6 A. Yes.

7 Q. This witness says:

8 "When I saw Louise she was very pale and I asked her
9 if she was all right. She was quite shaky and said she
10 wasn't sure if the deportee wasn't initially going for
11 her."

12 Do you remember saying that to someone?

13 A. No.

14 Q. "She said the deportee had come out of the toilet
15 shouting what she thought was, 'I'm going to kill
16 you'."?

17 A. No, sorry.

18 Q. She ran into the galley and realised that she'd cornered
19 herself."

20 A. Yes.

21 Q. Pausing there. When you went to the first class galley,
22 do you remember having any conversation about what had
23 been going on at the back of the plane?

24 A. Oh, yes.

25 Q. So there was some conversation?

1 A. Yes.

2 Q. Do you remember then talking about that initial time
3 when Mr Mubenga had made the noise and you had been in
4 the galley and been frightened?

5 A. Yes.

6 Q. Do you think you might have said that you were in the
7 galley and you felt you were cornered?

8 A. Yes.

9 Q. Do you think you might have said then that at that time
10 you had thought Mr Mubenga was saying, "I'm going to
11 kill you" to you?

12 A. I don't recall saying that.

13 Q. The witness goes on, if you look then. She says this,
14 and this is what I was putting to you a moment ago:
15 "She [that's you] only had praise for the way the
16 security guards had responded but stated that it took
17 all three of them to deal with the deportee."

18 A. Sorry, was that a question?

19 Q. Yes. Did you say that?

20 A. No, I don't think I did. I've got a bit lost again.

21 DEPUTY CORONER MS MONAGHAN: Pause there. Let's take this
22 slowly. Ms Hewitt is asking you at the moment about
23 what Ms Abrahams said you said to her.

24 A. Right.

25 DEPUTY CORONER MS MONAGHAN: She's just asked you about the

1 reference to, "I'm going to kill you" and she's now
2 asking you whether you told Ms Abrahams that you only
3 had praise for the way the security guards had responded
4 but that it took all three of them to deal with the
5 deportee?

6 A. I don't remember saying that.

7 DEPUTY CORONER MS MONAGHAN: As before, when you say you
8 don't remember, is that something that could have been
9 said or is that something you're sure you didn't say?

10 A. I'm sure I didn't say.

11 DEPUTY CORONER MS MONAGHAN: Okay.

12 MS HEWITT: She said that you then said:

13 "The security guards had put the deportee back in
14 his seat and Louise also stated that one of the security
15 guards had either cut or blood down one of his arms."

16 Then you went back to the world traveller and
17 I think the doors had closed at this point.

18 A. Yes.

19 Q. If, as you said a moment ago, what you had witnessed at
20 the back of the plane had caused you concern and
21 involved you seeing the guards pummelling Mr Mubenga --

22 A. Yes.

23 Q. -- why is it you didn't mention that in this
24 conversation at the time?

25 A. I don't know why I didn't mention it at that time.

1 I mentioned it on previous occasions when I went up to
2 the front.

3 Q. You see, the words that you only had praise for the way
4 the security guards had responded -- we haven't heard
5 from this witness yet so we'll see exactly what she
6 says -- were you complimenting the guards' conduct in
7 any way?

8 A. No.

9 Q. No?

10 A. No.

11 Q. You here appear to have referred quite expressly to one
12 of the security guards having either a cut or blood on
13 his arm?

14 A. Yes.

15 Q. Not Mr Mubenga?

16 A. That was very difficult to see. I just did see blood.

17 Q. All right. But at the time when you spoke to
18 Ms Abrahams do you think you may have said that the
19 blood or the cut you saw on someone's arm was on one of
20 the security guard's arms?

21 A. I don't remember because I couldn't tell myself whose
22 arm -- whose arm it was on.

23 Q. After being in the first class galley, you returned to
24 this part of the plane?

25 A. To the rear of the plane, yes.

1 Q. The rear of the plane, yes. Sorry, we have looked at
2 this. This is a plan of the rear section of the plane
3 in which you were working.

4 A. Yes.

5 Q. When you returned to the rear of the plane, I want to
6 try now and fix this in time. You have described
7 already seeing the guards lift Mr Mubenga back in his
8 seat and you're seeing his face at some point?

9 A. Yes.

10 Q. Was that after you had returned to the back of the plane
11 after being in the first class galley?

12 A. You mean when they pulled him up?

13 Q. Yes.

14 A. Was that conversation after or before?

15 Q. That's what I'm asking you.

16 A. I couldn't remember. I honestly couldn't remember if
17 that was before or after.

18 Q. When you did see that then, if I can ask you to go to
19 that -- and, again, if you want to go back to your
20 statement that you made at the time, that will be on
21 page 59 of the bundle. Picking up from precisely where
22 I left off in the statement, your next statement was:

23 "After a few minutes our cabin service director made
24 the announcement to close doors and the safety demo
25 began to play."

1 A. Okay, yes.

2 Q. So that looks as though it's about the same time, before
3 or after, that you had been in the first class galley?

4 A. Yes.

5 Q. You say:

6 "I was concerned that we had this man on our flight
7 but presumed that although the disturbance may flare up
8 again it was calm enough for us to fly. The aircraft
9 began to push back and taxi. After a few minutes, as we
10 taxied to the runway, all was still quiet and I looked
11 around the corner from the galley to row 40."

12 You looked into 40 again at this point?

13 A. Yes.

14 Q. "I saw the male deportee in seat 40E unrestrained."

15 A. Yes.

16 Q. What did you see that made you think he was now
17 unrestrained?

18 A. Because they were checking his pulse.

19 Q. You say:

20 "The male's head was right back with his mouth open
21 and his eyes rolling round and he appeared unconscious."

22 Can you be clear about this then: did you in fact
23 witness the point at which Mr Mubenga was pulled up into
24 that upright sitting position or did you first see him
25 sitting upright when you came around the corner?

1 A. I first saw him, rather than being pulled, but it was
2 a kind of at same time as being pulled and sitting up.
3 Sorry, that doesn't make sense, does it?

4 Q. Let me put it again, if it helps you. I know it's
5 difficult. If you think back now, did you actually see
6 the guards pulling him up and his face appearing for the
7 first time or when you first looked back into row 40 was
8 he already sitting up with his head back?

9 A. He was sitting up with his head back when I saw him.

10 Q. When you first saw him at this stage?

11 A. Yes, but they had his sort of -- it's kind of half and
12 half because his head kept flopping back. Sorry.

13 DEPUTY CORONER MS MONAGHAN: Pause there then, sorry.

14 I have the same problem with my glasses. They need to
15 be tightened. Did you actually see the guards pull him
16 up or not?

17 A. Not actually pull him up.

18 DEPUTY CORONER MS MONAGHAN: Okay.

19 A. No.

20 MS HEWITT: You say in your statement made at the time that
21 the male's head was right back with his mouth open?

22 A. Yes.

23 Q. And his eyes rolling around?

24 A. Yeah, rolling back.

25 Q. Rolling back?

1 A. Yes.

2 Q. The word "rolling" may suggest moving about, do you
3 understand why I'm saying that? Did you see
4 Mr Mubenga's eyes moving around or rolling around or
5 were they in a fixed position?

6 A. Well, because you could see the white of the underneath.

7 Q. So you felt they were raised a little?

8 A. Back.

9 Q. But moving?

10 A. No.

11 Q. You didn't mention to the police at the time that you
12 saw any dribble or saliva or any other liquid coming
13 from Mr Mubenga's mouth. You didn't, I don't think,
14 mention the smell.

15 A. No.

16 Q. That you mention now. Again, any reason why you didn't
17 mention that to the police at the time?

18 A. The smell? Well, I had doubts as to whether it was
19 coming from the toilets or from where.

20 Q. What about the saliva?

21 A. I didn't -- I don't believe I mentioned that to the
22 police, no.

23 Q. Why was that?

24 A. They didn't ask me.

25 Q. You do say that when you looked at him he appeared

1 unconscious?

2 A. Mmm.

3 Q. What made you think that?

4 A. Because he looked paler.

5 Q. Pale?

6 A. Yeah, and because of his eyes. He just looked floppy.

7 It's difficult to tell if he was unconscious or if he's

8 just floppy.

9 Q. Your next sentence after that, if you want to have

10 a look on page 59, about halfway down:

11 "I was concerned for the male but thought he may be

12 faking it."

13 A. Yes.

14 Q. What made you think that at that time?

15 A. Because of the hand gestures from one of the guards.

16 Q. We haven't got to that stage yet, had you? You're

17 describing coming round the corner, looking at

18 Mr Mubenga, you thinking he appeared unconscious, but

19 you thought -- you thought -- he may be faking it.

20 A. I wasn't sure if he was or not.

21 Q. No, no, but what put the thought into your own mind,

22 before you say there was any contact with the guards,

23 that he may be faking it?

24 A. Because that seemed to be the general consensus of

25 opinion from the flight crew and the CSD and from the

1 guards.

2 Q. When you say "the general consensus of opinion", are you
3 there then referring back to what may have been said
4 earlier in this incident?

5 A. Yes.

6 Q. Was that something that Peter Walsham had said to you?

7 A. Yes.

8 Q. What you say at the time that you saw the officers do,
9 you say:

10 "The escort officers then began checking for a pulse
11 on the deportee."

12 A. Yes.

13 Q. All three of them did this, you saw?

14 A. Yes.

15 Q. One of the males -- one on the male's neck?

16 A. Yes.

17 Q. One guard on the male's chest?

18 A. Yes.

19 Q. Was that listening to the chest?

20 A. He had his hand on his chest.

21 Q. Can you remember whether Mr Mubenga's shirt was opened
22 or not at that point?

23 A. It was more undone.

24 Q. Mr Mubenga's shirt was undone?

25 A. Yes.

1 Q. The guard who you described as having his hand on his
2 chest, did you at any point see him putting the side of
3 his face or his ear to the chest?

4 A. I didn't see that.

5 Q. One, the third guard, was looking on the male's wrist?

6 A. Yes.

7 Q. So they were all looking for a pulse?

8 A. Yes.

9 Q. You say:

10 "I was now leaning more to believing that male was
11 in trouble and unwell."

12 A. Yes.

13 Q. So the impression you were gaining from what the guards
14 were doing was that maybe there really was a problem?

15 A. Yes.

16 Q. You then say:

17 "I called our cabin services director who came down
18 and he looked at the male."

19 Up until that point, had you had conversation with
20 the guards?

21 A. No.

22 Q. No. You said then:

23 "We got the impression from the escorts that the
24 male was faking it."

25 A. Yeah.

1 Q. The "we" there, is that a reference then to you and
2 Peter?

3 A. Yes.

4 Q. Peter Walsham?

5 A. Yes.

6 Q. You say:

7 "The CSD went back down the cabin and I returned to
8 the galley."

9 Just over the page, over to page 60, about halfway
10 down, you move on a little bit but you say this:

11 "As we made our way back to the stand, the escorts
12 were continually trying to find a pulse on the male.
13 One of them had said that he thought he found a faint
14 pulse."

15 Do you remember that?

16 A. Yes. Actually he did, yes.

17 Q. And that the escorts looked very concerned themselves?

18 A. Yes.

19 Q. They were looking concerned?

20 A. Yes.

21 Q. They were continuously looking for a pulse?

22 A. Yeah.

23 Q. You don't suggest anywhere in this statement, do you,
24 Ms Graham, that at any point in this period the guards
25 were making jokes or grinning or smirking?

1 A. I don't suggest it in this statement?

2 Q. No.

3 A. No, I haven't, not in this statement.

4 Q. What you said to the police at the time was that they
5 were looking very concerned and constantly looking for
6 a pulse?

7 A. Yes.

8 Q. Checking for pulses. Is there any truth in the
9 suggestion that they were joking or grinning or smirking
10 at the time?

11 A. By their hand gestures. By the way they were indicating
12 to me, "Here we go again".

13 Q. How do you grin by a hand gesture?

14 A. Well, both.

15 Q. Let me go back to the question I asked you then. Is
16 there any truth in the suggestion that they were
17 grinning at the time?

18 A. Yes. Not grinning, not smiling, but it was more like,
19 "Here we go again", that sort of -- not making a joke of
20 it.

21 Q. Not making a joke?

22 A. No.

23 Q. So there would be no truth in the suggestion that they
24 were joking at the time?

25 A. They weren't joking but they didn't seem -- the body

1 language and the facial expressions suggested that it
2 was, "This is something that just seems to keep
3 happening".

4 Q. We'll come back to that. The summoning of Peter Walsham
5 to come to the back of the plane at this stage --

6 A. Yes.

7 Q. -- is this right, that you made the call to him asking
8 him to come back?

9 A. Yes.

10 Q. And the reason you made the call was because the guards
11 had said, "We want to go back to the stand because we
12 want Mr Mubenga to be seen by paramedics"?

13 A. Yes, that's right.

14 Q. You yourself did not contact Peter because of any
15 concern that you had about Mr Mubenga at that stage?

16 A. The guards didn't say that to me, "We want to go back to
17 the stand".

18 Q. Was it you who telephoned Peter Walsham?

19 A. Yes.

20 Q. Why did you telephone him?

21 A. To say that -- to come back down to the aircraft.

22 Q. Yes, but why did you make that telephone call?

23 A. For some assistance.

24 Q. Was it because the guards had said, "We want to go back
25 to the stand because we need paramedics"?

1 A. Yes.

2 MS HEWITT: What I was putting to you just a moment ago is
3 that that's the only reason you rang --

4 DEPUTY CORONER MS MONAGHAN: Pause there. There's
5 a question from the jury.

6 (A note was received from the jury)

7 DEPUTY CORONER MS MONAGHAN: Sorry to interrupt you there,
8 Ms Hewitt, but just in case it's on the same issue and
9 we move on. We'll just leave it for a moment. It's
10 further on.

11 MS HEWITT: If you want to interrupt me at the appropriate
12 stage, please do, ma'am.

13 DEPUTY CORONER MS MONAGHAN: I will do, yes. You were just
14 asking about why she rang Peter Walsham and so on.

15 MS HEWITT: Yes. In answer to that very question, the
16 answer is this, isn't it, you rang Peter Walsham because
17 the guards said, "We want to go back to the stand"?

18 A. Yes.

19 Q. Again, if it were suggested by you later that you
20 yourself had decided to ring Peter because you were
21 concerned about the appearance of Mr Mubenga, that's not
22 the case, is it?

23 A. I did call Mr Walsham to say that they're making out
24 that he's not -- that he's faking it but he really
25 doesn't look well.

1 Q. Let me ask you about that then. You say the reason you
2 rang Peter Walsham was because the guards were making
3 out he was faking it but you thought he didn't look
4 well?

5 A. Yes.

6 Q. Well, that simply is not what they had said at all, is
7 it? The point in time we're looking at now, this
8 aeroplane was taxiing?

9 A. Yes.

10 Q. Towards take-off?

11 A. Yeah.

12 Q. And you were sitting in your seat?

13 A. Yeah.

14 Q. Belted in, ready for take-off?

15 A. Yes.

16 Q. The telephone call to Peter Walsham to come back was
17 effectively a telephone call to stop the flight, wasn't
18 it?

19 A. That telephone call wasn't made by me to stop the flight
20 to get the paramedics.

21 Q. The consequences of the telephone call was that the
22 plane was going to stop the flight and go back to stand?

23 A. Yes.

24 DEPUTY CORONER MS MONAGHAN: Pausing there. Did you ring
25 Peter Walsham and say, "Stop the plane" or anything of

1 that sort? I'm not quite clear about that.

2 A. I didn't personally ring him.

3 DEPUTY CORONER MS MONAGHAN: You didn't ring Peter Walsham

4 to say, "There's an issue", let's leave it neutral at

5 the moment, "and we may need to go back to the stand" or

6 anything?

7 A. Yes.

8 DEPUTY CORONER MS MONAGHAN: That was somebody else, was it,

9 or not you anyway?

10 A. No, it wasn't me.

11 MS HEWITT: Let's try and do it this way and let me take you

12 to Georgina Abrahams' statement again.

13 DEPUTY CORONER MS MONAGHAN: We haven't heard from

14 Georgina Abrahams of course at the moment.

15 MS HEWITT: Then the much more direct way is we have heard

16 from Mr Walsham. His evidence, so you can comment on

17 it, was that you telephoned him to say that the guards

18 were concerned about Mr Mubenga, they wanted to go back

19 to the stand because they wanted him to be seen by the

20 paramedics. Mr Walsham said that was the first

21 telephone call he had received from you in relation to

22 Mr Mubenga's medical condition, not the restraint

23 earlier but his medical condition.

24 A. That could well have been mistaken because it was my

25 phone. I didn't make the call but it was my phone by my

1 seat.

2 Q. Who did make the call?

3 A. Ann-Marie.

4 Q. Why did she use the phone by your seat?

5 A. I would imagine so she can communicate to me as well.

6 Q. Don't tell me what you imagine. You were sitting in
7 your seat?

8 A. Yes.

9 DEPUTY CORONER MS MONAGHAN: Pause there. Ann-Marie does
10 say that in her statement.

11 MS HEWITT: There is --

12 DEPUTY CORONER MS MONAGHAN: I'm just saying we don't want
13 to let the witness think there's something inconsistent
14 said by Ann-Marie.

15 MS HEWITT: No. It's your phone then that was used?

16 A. Yes.

17 Q. You say that Ann-Marie used your phone?

18 A. Yeah.

19 Q. Were you still sitting there in your seat beside your
20 phone when she used your phone?

21 A. Yes.

22 Q. So you heard what she said to Peter?

23 A. Yes.

24 Q. Did she say at that time, "The guards want to go back to
25 the stand because they want Mr Mubenga to be seen by

1 paramedics"?

2 A. Yes.

3 MS HEWITT: Is Mr Walsham correct when he says that that is
4 the first call he had received about Mr Mubenga's
5 medical condition?

6 DEPUTY CORONER MS MONAGHAN: Well I think she can only
7 say -- she can't say whether anybody else telephoned,
8 can she? She can only say -- did you telephone? Or did
9 she hear any other telephone calls.

10 MS HEWITT: From your phone, was that the first phone call
11 that was made?

12 A. From my phone, yes.

13 Q. Had you telephoned Peter Walsham from any other phone?

14 A. Throughout the --

15 Q. No, in relation to Mr Mubenga's medical condition?

16 A. No, no.

17 Q. So we can take it that the first call that was made from
18 your phone by Ann-Marie was triggered by the guards
19 saying, "We want to go back to the stand"?

20 A. Yes.

21 Q. When that phone call had been made, Peter Walsham then
22 came back, didn't he, quite quickly?

23 A. Yes.

24 Q. Were you there in the vicinity when he arrived?

25 A. Yes.

1 Q. Did he say anything to you about what was happening?

2 A. Not that I can remember. I think we had a conversation
3 about what stand we might go back to. I don't remember
4 much of the conversation when he came back -- not when
5 he came back on that occasion.

6 Q. At that time, when he had come back, did Peter Walsham
7 say to you that he thought Mr Mubenga was faking a heart
8 attack?

9 A. He didn't personally say that to me.

10 Q. Did you hear him say that to anybody?

11 A. No.

12 Q. Certainly the guards did not say to you, did they, that
13 Mr Mubenga was faking a heart attack?

14 A. No, they didn't say that to me.

15 Q. No. So the decision was made to go back to stand.
16 Whilst the plane was moving, it's at this point that
17 Claire Mullen has suggested and told the jury that you
18 telephoned her. The jury has heard it as oral evidence
19 but let me take you to the statement so you can see it
20 and read it. It may be easier for you.

21 Go to page 117 of the bundle. This, Ms Graham, is
22 within the statement of Claire Mullen.

23 A. Okay.

24 Q. It's the second paragraph down. She says:
25 "We put the doors to automatic and took our seats

1 for take-off. The aircraft pushed back and taxied out
2 and at about 20.10 the aircraft stopped. My intercom
3 phone rang and Louise told me, 'We are going back to
4 stand because we think he's faking a heart attack'."

5 A. If -- I mean, I don't recall saying that, but if she
6 does think I said that, then I can't deny it, but that
7 was the impression that I was getting along that he was
8 faking it.

9 Q. So you were getting that impression from someone?

10 A. Yeah.

11 Q. That word "we think", "we think he's faking a heart
12 attack", that "we" referred to there would be you and
13 Peter Walsham, wouldn't it?

14 A. Probably, yes.

15 Q. It's not guards because the guards had never mentioned
16 faking a heart attack?

17 A. Not to me, no.

18 DEPUTY CORONER MS MONAGHAN: Just in relation to
19 Peter Walsham, when he came up, did you see
20 Peter Walsham move towards Mr Mubenga in any way?

21 A. I didn't see that, no.

22 DEPUTY CORONER MS MONAGHAN: Did you see him try and take
23 a pulse from Mr Mubenga?

24 A. No.

25 DEPUTY CORONER MS MONAGHAN: Did you see him touch

1 Mr Mubenga?

2 A. No.

3 MS HEWITT: Then the remainder of that paragraph, again

4 Ms Mullen has already given this evidence to the jury.

5 Can you see this, Ms Graham, that in this same

6 conversation, Ms Mullen says that she said to you:

7 "Do you want the defib?"

8 The defib is a reference to the defibrillator?

9 A. Yes.

10 Q. Do you remember her asking you that?

11 A. I don't remember her asking me that.

12 Q. Might she have?

13 A. She might have.

14 Q. And that you said, "No"?

15 A. Yeah.

16 Q. Might you have said that?

17 A. I might have done.

18 Q. It may be obvious but I ought to ask it. The

19 defibrillator, what's that used for?

20 A. That would be used for heart attacks.

21 Q. Your view of Mr Mubenga at this time you have said is

22 that when you first saw him he appeared to you to be

23 unconscious?

24 A. Yes.

25 Q. With his eyes back?

1 A. Yeah.

2 Q. Maybe dribbling. How had his appearance changed in any
3 way up until this point when Mr Walsham had come back
4 and you, it appears, may have made a telephone call to
5 Claire Mullen?

6 A. No, it hadn't changed.

7 Q. When Claire Mullen said to you then, "Do you want me to
8 bring the defib?" why did you say, "No"?

9 A. Well, I didn't believe he'd had a heart attack.

10 Q. How did you know whether he was faking or not, if there
11 was anything wrong with him and, if so, what was wrong
12 with him? How did you form any view on any of those
13 matters?

14 A. Because of what had happened prior to when I saw his
15 face, I didn't see how it could be possible that he'd
16 had a heart attack.

17 Q. You didn't know whether there was anything wrong with
18 him or not?

19 A. I wasn't sure. I wasn't sure if there was something
20 wrong or if it wasn't real.

21 Q. If there was something wrong, you didn't know what it
22 was?

23 A. Yeah.

24 Q. Can I ask you this though: you must have thought at that
25 point, as the decision has just been made that the plane

1 is going to go back to the stand --

2 A. Yes.

3 Q. -- that that going back to the stand and waiting for the
4 paramedics to come on board would take some time?

5 A. Yes.

6 Q. 10 or 15 minutes, would you expect that to have been at
7 the time?

8 A. Yeah, probably about that.

9 Q. Why was it then that you didn't say to Claire Mullen,
10 "Well, I don't know if we need it but, yes, you had
11 better bring it back down just in case" or, "Actually
12 I could do with someone back here to help me sort out
13 what may be going on"?

14 A. Well, getting the defib would be one of the last things
15 in the medical action plan. So the passenger would have
16 to be assessed first before you would use the defib.

17 Q. Yes.

18 A. And so I took it as, well, because of the way the guards
19 were indicating to me that he's faking it, it wouldn't
20 necessitate having a defib.

21 Q. So is this really your evidence, Ms Graham, that it's
22 because of something the guards were indicating to you
23 that you decided to take no action yourself and said,
24 "No, don't bother bringing the defib"?

25 A. Well, what happened is I was beginning to doubt my own

1 judgment. I was thinking on one hand: is he faking it?
2 On the other hand, he looks really ill. And I did
3 portray that to the cabin services director.

4 Q. I am not going to suggest to you that the guards didn't
5 themselves think that he might be faking it. That
6 evidence has been given. But what is very clear,
7 I suggest to you, about what they were saying to you and
8 to the rest of the crew is, "We don't know whether he's
9 faking it or not"?

10 A. Yeah.

11 DEPUTY CORONER MS MONAGHAN: Did they say that?

12 MS HEWITT: Yes. I think that was Mr Walsham's evidence
13 yesterday so perhaps I can put it on that basis as well.

14 DEPUTY CORONER MS MONAGHAN: Okay.

15 MS HEWITT: Because this is a communal conversation, isn't
16 it, that's going on?

17 A. Yes.

18 Q. But, "We want to go back to the stand so he can be
19 checked over by paramedics"?

20 A. Yes.

21 Q. They were not saying to you, "He is faking it", were
22 they?

23 A. They weren't saying that to me.

24 Q. No. When you said to Claire Mullen -- when she said,
25 "Do you want the defib?" and you simply said, "No", it

1 was because you thought he was faking a heart attack?

2 A. It wasn't because I thought he was faking a heart
3 attack. It was because I was guided also by the
4 judgment of Peter that thought that.

5 Q. When Peter left the area, quite quickly I think, in
6 order to make arrangements for going back to the stand?

7 A. Yes.

8 Q. He then didn't return?

9 A. No.

10 Q. So from the moment the decision was made to go back to
11 the stand until the point when you were on the stand and
12 the paramedics were about to arrive, as far as crew were
13 concerned -- was it just you and Ann-Marie who were in
14 this part of the plane?

15 A. Yes.

16 Q. What were you doing during that period, about 10 or
17 15 minutes, something like that?

18 A. Yeah.

19 Q. What were you doing?

20 A. We're strapped in. We have to remain strapped in when
21 we're taxiing.

22 Q. So you stayed in your seat strapped in?

23 A. Yes.

24 Q. Did you see Mr Mubenga at all during that period?

25 A. No.

1 Q. You had been asked about the notes that you made
2 subsequently.

3 A. Yes.

4 Q. Can I ask you about what was happening in the days and
5 the weeks, those few weeks, between 12 October itself
6 and your making the notes which I think you made on
7 30 November you say in one of your statements. Does
8 that sound about right?

9 A. Yes.

10 Q. So about six weeks later.

11 A. Mmm.

12 Q. You clearly were very upset by the event as a whole?

13 A. Yes.

14 Q. By presumably learning that Mr Mubenga had died?

15 A. Yes.

16 Q. Were you, when you were thinking about what had
17 happened, concerned at all about your view of the matter
18 at the time, by which I mean that at the time you had
19 thought he had faking it and of course it subsequently
20 became clear that he was in fact unwell and that he
21 died?

22 A. I don't -- sorry, I don't really understand.

23 DEPUTY CORONER MS MONAGHAN: I think you are being asked
24 during that period, did you reflect on what you might
25 have felt was your own responsibility? I'm not saying

1 you would have been right to but, in the way that
2 happens after a tragic event, you are going to be
3 thinking, "What did I do? Should I have done something
4 else"?

5 A. Yes, I most likely did. You know, regretting doubting
6 my own judgment really.

7 MS HEWITT: During that six-week period, were you at work at
8 all? What was your working situation?

9 A. I was off for a little while.

10 Q. Was that because of the incident?

11 A. Yes.

12 Q. How long was that, that you were off?

13 A. I think it was about a week.

14 Q. But certainly at some point during that period you had
15 had a telephone call about counselling or discussing the
16 effect it had on you?

17 A. Yeah.

18 Q. The notes you told Mr Blaxland were made at the
19 counsellor's suggestion?

20 A. Yes.

21 Q. That was 30 November. I think you saw the police again
22 a week later on 7 December?

23 A. Yes.

24 Q. Were they partly in preparation for that as well or not?

25 A. No. I mean, it might have been just to kind of refresh

1 my mind.

2 Q. In the statement you made very recently for the
3 coroner -- I can you to it if you need to -- you say in
4 there that in fact the contents of the notes are more
5 accurate than what appeared in your statement?

6 A. Yes.

7 Q. Is that right?

8 A. Yes.

9 Q. I want to take you to your notes, please. So if you go
10 to page 74 of the bundle. There are 11 pages of notes
11 I think?

12 A. Yes.

13 Q. This is your own handwriting, is it?

14 A. Yes. I think there's a couple of scribbles down the
15 side from my mother.

16 Q. From your mother?

17 A. Yeah, a couple of little -- I think there was, yes.

18 Q. We'll come to those then. The statement you made for
19 the coroner was very recent, just a few weeks ago
20 I think?

21 A. Yes.

22 Q. Where you were saying that what these notes contained
23 are the accurate versions of events?

24 A. Yes.

25 Q. So that is how you see it now, is it?

1 A. Yes.

2 Q. When you look back at these notes that you made then,
3 you think, yes, this is what happened?

4 A. Yes.

5 Q. Let me take you to a few things you say within it.
6 First of all, the second page, page 75 of your bundle,
7 you make a point initially that you were shocked by
8 Mr Mubenga's appearance when you first saw him?

9 A. Yes.

10 Q. When he was getting onto the plane?

11 A. Yeah.

12 Q. You were shocked because he was dignified and well
13 presented?

14 A. Yes.

15 Q. Why did that cause you shock?

16 A. I suppose sometimes you make judgments, which is unfair,
17 and I was expecting him to be looking pretty rough or
18 agitated. That's what I had a pre-conceived idea of and
19 that's why I was shocked, because he looked very, very
20 respectable and presentable.

21 Q. The next paragraph in your notes, you said:
22 "I had no idea why he was being deported or indeed
23 anything about him. One can only assume in these
24 circumstances the worst and that he must have done
25 something pretty awful, i.e. a terrorist, a rapist,

1 insane or a killer, et cetera."

2 Is that something that was in your mind at the time?

3 A. It did cross my mind the simple fact because there was
4 three guards.

5 Q. Over the page, you make reference to the conversation
6 you had with the guard initially when he wanted the
7 bottle of water?

8 A. Yes.

9 Q. You were trying to find out from the guard precisely why
10 it was that Mr Mubenga was being deported?

11 A. Yes.

12 Q. He wouldn't tell you?

13 A. Yeah.

14 Q. He said, "I can't tell you that"?

15 A. Yeah.

16 Q. Why was it you wanted to know why he was being deported?

17 A. Out of curiosity, out of interest, to make a risk
18 assessment. Was there likely to be -- you know, was
19 there any reason for me to be more concerned than I am.

20 Q. You go on to say -- I think you touched on it today --
21 that you were also, and you use the word at the bottom
22 of page 7 sick, shocked and unnerved because Mr Mubenga
23 went to use the toilet?

24 A. Yes.

25 Q. Again, was that because you were very fearful of what

1 might happen, even before anything did happen?

2 A. Well, I thought it was unusual to do that. It was more
3 the mobile phone that unnerved me, rather than needing
4 to use the bathroom.

5 Q. You say:

6 "A couple of minutes after they boarded I noticed
7 Jimmy walk towards the toilet using his mobile phone."

8 A. Yes.

9 Q. That's the part that shocked you?

10 A. Yes.

11 Q. You go on over the page, both you and Ann, that's
12 Ann-Marie, is it?

13 A. Yes.

14 Q. Were unnerved by this.

15 A. Is this page 77?

16 Q. Page 77 now, yes. Then you have the section where you
17 describe hearing the almighty roar at the start of the
18 incident?

19 A. Yes.

20 Q. What you describe as a massive brawl happening after
21 that?

22 A. Yes.

23 Q. Go over the page to page 78. The way you describe that
24 initial part here in your notes, the second paragraph,
25 you said there was the brawl. You describe it here as

1 three against one. That's three guards against

2 Mr Mubenga, is that what you're referring to?

3 A. Yes.

4 Q. You say:

5 "I ran out of the galley. I was literally horrified
6 and so shaken I could hardly breathe and control my legs
7 or arms. My mouth went dry and at one point I thought
8 I was going to faint. I knew someone is going to get
9 very badly hurt here and it could be me if I don't get
10 out of the way."

11 Then this:

12 "The guards' reaction and violence almost sent me
13 into some kind of spasm that I find hard to describe.
14 I still think about it. I'm still shocked by my own
15 responses. These men frightened the living daylights
16 out of me."

17 A. Yes.

18 Q. Can I suggest to you that that is quite different from
19 your reaction at the time. I take you back to what you
20 had said to Georgina Abrahams, that you were frightened
21 by the noise and what was happening from Mr Mubenga?

22 A. Yes.

23 Q. But you were full of praise for what the guards had done
24 in controlling him?

25 A. I don't remember praising them.

1 Q. But here, at this point, you are saying something
2 different, aren't you? That the guards' reaction and
3 their violence had upset you?

4 A. Yes.

5 Q. When had you first thought of that?

6 A. These are feelings, as well as an account, and I did
7 feel terrified.

8 Q. Yes. If we go the page to page 79 and your account
9 after that of your feelings about what the guards had
10 done. Is it right, and we can look at it in a bit more
11 detail, that what you record here is feelings that you
12 are very critical of what the guards were doing, the
13 that you horrified by what they were doing?

14 A. Yes -- no, not that I was worried that they were going
15 to hurt me. I wasn't thinking that, but it could tumble
16 over.

17 Q. Well --

18 A. Inadvertently be hurt.

19 Q. You go on to say, don't you, at page 79 now, that when
20 you looked back you remember thinking to yourself, "What
21 the hell are they doing?"

22 A. Yes.

23 Q. Over the page -- in fact page 81 -- about halfway down,
24 you say you watched in horror. You were beginning to
25 feel that these guards seemed to be taking

1 unconditional, relentless pleasure in what they were
2 doing?

3 A. No, I'm sure they weren't taking pleasure in it at all.

4 Q. Why did you write that then?

5 A. It's just a thought that might have crossed my mind,
6 that sometimes you can associate them with, say,
7 bouncers and they sometimes enjoy that, but I'm sure
8 they didn't, but it was just a thought that crossed my
9 mind.

10 Q. You say then, after that, and this is -- I think you
11 were present in court when I asked the captain,
12 Mr Fenech-Soler, about this?

13 A. Yeah.

14 Q. You went on to say that so horrified were you, at the
15 bottom of page 81:

16 "I expressed my concern so many times throughout
17 that I was not taken seriously by anyone in authority,
18 most of all the captain, and many others and I felt at
19 a complete loss or terrified and neglected. Myself and
20 Ann stood alone to deal with this situation and I was
21 ridiculed by the captain in so much as when I expressed
22 my concern about Jimmy's well-being he responded by
23 saying that it was more likely he had just come out of
24 RADA than prison."

25 A. Mmm.

1 Q. When did you speak to the captain about that?

2 A. That was what was relayed back to me.

3 DEPUTY CORONER MS MONAGHAN: By whom?

4 A. Peter Walsham.

5 MS HEWITT: So you don't suggest that you spoke to the
6 captain?

7 A. I didn't personally speak to the captain.

8 MS HEWITT: You say:

9 "I expressed my concerns so many times. I was not
10 taken seriously by anyone in authority, most of all the
11 captain ..."

12 You didn't speak to him yourself.

13 DEPUTY CORONER MS MONAGHAN: She has just said that.

14 MS HEWITT: You say this, now page 82, that when we get to
15 the stage that you were sitting, waiting for the
16 take-off:

17 "I was just about to take my seat for take-off,
18 despite my concerns."

19 Then you say this:

20 "Myself and Ann ..."

21 That's Ann-Marie?

22 A. Yes.

23 Q. "... said to each other, 'I cannot believe what is
24 happening' and we made a pact with each so quickly that
25 if anything should go wrong we will be together."

1 A. Yeah.

2 Q. Can you explain what that is a reference to? What
3 happened?

4 A. That we would be there to support each other if we
5 needed each other or if anything else goes wrong.

6 Q. What was said between you and Ann-Marie?

7 A. That -- I can't remember the exact words that were said,
8 but just to reassure each other that we would be there
9 for each other if need be because up until this point
10 I think we felt quite alone.

11 Q. Then if we go to the bottom of the page, again at this
12 stage, page 82, here we get the comments about the
13 guards grinning and such like. You say:

14 "I stand and looked in complete shock as one of the
15 guards looked at me, not guard 1, but the other, in
16 a black suit, with a smile on his face and tutting as if
17 to say, "Here we go again". They suggested he was
18 pretending, grins and smerks, a job well done. At last
19 they'd shut him up and they can get on with their
20 mission."

21 There's a clear reference there, isn't there, to
22 grins and smerks at this stage?

23 A. Yes.

24 Q. But you agreed, I think, earlier that didn't take place?

25 A. The expressions on this particular guard's face

1 indicated to me that he didn't think there was a problem
2 and that this was an act.

3 Q. You said a little bit earlier:

4 "Well, I definitely wouldn't suggest they were
5 joking at this point."

6 A. No.

7 MS HEWITT: But in your later statement -- do you have that
8 in front of you? It's not in the bundle.

9 DEPUTY CORONER MS MONAGHAN: Mr Leese will give it to you.

10 (Handed)

11 A. Thank you.

12 DEPUTY CORONER MS MONAGHAN: How long are you likely to be,
13 Ms Hewitt?

14 MS HEWITT: Madam, possibly five minutes or so, I would
15 hope.

16 DEPUTY CORONER MS MONAGHAN: Then we'll --

17 MS HEWITT: If you were happy to sit for a while, I could
18 try to finish it.

19 DEPUTY CORONER MS MONAGHAN: We'll try to finish before
20 lunch then but she's been in the box for quite a long
21 time.

22 MS HEWITT: Yes. Your latest statement, paragraph 21. Can
23 you see there the suggestion that the guards were
24 smiling and joking at this point. So quite recently you
25 used the word "joking" about their behaviour at this

1 stage?

2 A. Sorry, where?

3 DEPUTY CORONER MS MONAGHAN: Paragraph 21. Do you have

4 that, Ms Graham?

5 A. Yes, I have that.

6 DEPUTY CORONER MS MONAGHAN: The last two sentences, you

7 say:

8 "During this time the guards were looking at me as

9 though to say here we go again. They each had hands on

10 pulses and they were smiling and joking as if they could

11 feel a pulse and implying he was making it up."

12 A. Yes.

13 MS HEWITT: I think you agree, you have accepted, that is

14 not the case, there wasn't joking by them at this stage?

15 A. It's not actually joking but they didn't seem very

16 concerned at this time.

17 DEPUTY CORONER MS MONAGHAN: You have described the --

18 A. The hand gestures and body language, yes.

19 DEPUTY CORONER MS MONAGHAN: I think we have heard that.

20 MS HEWITT: The reason I take you through those notes to

21 look at the matters that are in there is for this

22 reason, Ms Graham, and to suggest this to you. By the

23 time you made these notes, six weeks or so after the

24 event, whether because you were made unwell or had

25 obviously a reaction to what had happened at the time,

1 whether because you had been going over and over these
2 matters to think now, how could this have come about?
3 What's gone wrong here?

4 A. Yeah.

5 Q. You are saying a number of things, aren't you, which are
6 not accurate in relation to what in fact happened and --

7 A. In my notes?

8 Q. In your notes, yes.

9 A. I wasn't expecting those notes to get taken by the
10 police anyway. I mean, they can't be as precise as
11 a statement I would give to the police.

12 Q. What I'm suggesting to you is that what was in your mind
13 and what you were writing down were matters that were no
14 longer accurate, an accurate reflection of what had
15 happened, and this also, that to a real extent you were
16 looking at: something must have gone wrong, what has
17 gone wrong and who is to blame here? And you were
18 looking to see who was to blame for what you thought
19 must have gone wrong. Would that be fair?

20 A. Looking to see who to blame?

21 Q. Yes, because what I'm suggesting is that in the way in
22 which you describe the horror of what you were seeing
23 and the way you were making complaint and you had
24 concern, in your mind you're looking to blame, are you
25 not? Looking at what has gone wrong?

1 A. Looking to blame somebody you mean?

2 Q. Yes.

3 A. Not really. I was very angry.

4 Q. What I'm suggesting to you is that with these matters in
5 your mind, which were not an accurate reflection of what
6 had happened, the statements that you made to the police
7 a week later and your subsequent statements have been
8 affected by this thinking that you had, haven't they?

9 A. Been affected by them?

10 Q. Yes.

11 A. I don't believe so.

12 MS HEWITT: Madam, I have some final points I need to put
13 just on the account in the statement.

14 DEPUTY CORONER MS MONAGHAN: How long do you think you'll
15 be?

16 MS HEWITT: I will do it quickly, if that is all right.

17 DEPUTY CORONER MS MONAGHAN: Thank you.

18 MS HEWITT: Let me take you then just to the statement you
19 made a week after these notes. So that's the statement
20 of 7 December.

21 DEPUTY CORONER MS MONAGHAN: Why do we say they were a week
22 after?

23 MS HEWITT: In one of the witness's statement, and I'll find
24 the reference, she says that she made the notes on
25 30 November.

1 DEPUTY CORONER MS MONAGHAN: Thank you. That's fine. Thank
2 you.

3 MR ANTROBUS: It's page 67.

4 DEPUTY CORONER MS MONAGHAN: Thank you very much.

5 MS HEWITT: So your statement, Ms Graham, page 62, your
6 statement of --

7 A. 62?

8 Q. 62, 7 December. What we have in this statement then is
9 a much longer and more detailed account of what you say
10 you saw?

11 A. Yes.

12 Q. Than you gave at the time?

13 A. Yeah.

14 Q. As far as what you record about the restraint, can
15 I take you to page 65. About halfway down, do you see
16 to the right-hand side you are describing your movements
17 around. Then you go on to say what you could and
18 couldn't see:

19 "The howls continued while I spoke to the
20 dispatcher."

21 Do you see that part?

22 A. Yeah.

23 Q. "I then moved to the rear of the aircraft, now row 34
24 area, and stood looking towards the guards."

25 So this is when you're forward a bit of the --

1 A. Yes, yes.

2 Q. What you say is:

3 "I saw the security guard's shoulder moving towards
4 the deportee."

5 A. Yes.

6 Q. "I could not see their hands or arms but could see the
7 back of their heads and the shoulder moving looked to me
8 as if they were exerting a lot of weight and pressure
9 and I could see guard 1 leaning over and pushing down
10 against but I couldn't see his arms or hands."

11 A. Mmm.

12 Q. Then:

13 "The deportee was shouting 'You're killing me,
14 you're going to kill me, no, no, no.'"

15 As you got to the area of row 34, it became quieter.
16 Taking it on a little bit further:

17 "When I was in the area of 27L I was at a distance
18 of approximately 10 to 15 metres. Visibility was good
19 because the lights were on but the deportee was blocked
20 due to the seats between me and him, plus a few
21 passengers and security guards."

22 Then at 27L a distance of 20 metres. Visibility was
23 good but your view was blocked due to the seats,
24 passengers and security guards. Yes?

25 A. Yes.

1 Q. Then ditto really at 34. You say:

2 "My view was still obscured due to the seats and
3 there were no passengers in front of me but I still
4 couldn't see the deportee ..."

5 You say:

6 "... due to him being held down by the guards."

7 A. Yes.

8 Q. Up until that point and until the point that in fact you
9 are close to row 40, you describe being able to see --

10 A. Yes.

11 Q. -- you have a blocked and obscured view to some extent?

12 A. To some extent.

13 Q. When you then get to row 40, is this the view that you
14 say you had for about 15 seconds?

15 A. Yes.

16 MS HEWITT: You looked down. You say:

17 "I was standing by row 40. I saw a guard placing
18 his right hand on the back of the deportee's head. The
19 deportee's head facing downwards [and you couldn't see
20 his face] and his chest and his stomach were down."

21 Then this --

22 MR BLAXLAND: She says horizontal with his thighs actually.

23 MS HEWITT: Yes. Then this:

24 "The deportee's arms were handcuffed and his arms
25 appeared to be twisted ..."

1 Is that right?

2 A. Yes.

3 Q. "Handcuffed to the rear and arms appeared to be raised."

4 You also describe the officers either side of him

5 having their heads down and low as well?

6 A. Yes.

7 Q. Were you able to see where Mr Mubenga's face was at this

8 time?

9 A. I couldn't see his face.

10 Q. You couldn't see his face. Could you see from his body

11 where his face must have been is what I'm trying to ask

12 you?

13 A. Yeah.

14 Q. It was low down towards leg level?

15 A. Yes.

16 Q. You describe his arms being twisted?

17 A. Yeah.

18 Q. Could it have been that when it was down at that level

19 his face was towards the legs of one of the guards

20 sitting beside him?

21 A. His head could have been towards one of the legs?

22 Q. His face towards one of the legs of the guards sitting

23 beside him?

24 A. Could that be possible?

25 Q. Yes.

1 A. I suppose it could be possible.

2 Q. You said I think in answer to a question the coroner
3 asked you that when you saw the wrists you weren't able
4 to judge whether they were closer to you or further
5 away?

6 A. Who, the guards?

7 Q. Mr Mubenga's wrists.

8 A. Yes.

9 MS HEWITT: That's right, is it?

10 DEPUTY CORONER MS MONAGHAN: I'm not understanding the
11 question.

12 MS HEWITT: This morning, I think, madam, you asked --

13 DEPUTY CORONER MS MONAGHAN: How far back the handcuffs were
14 from his back, didn't I?

15 MS HEWITT: Yes. I think you asked whether they were closer
16 to your side or further away from your side and I think
17 your answer was that you couldn't tell then?

18 A. Yes.

19 Q. But when you used the description that his arms were
20 twisted, was that twisted to one side?

21 A. No. I don't know, that's really difficult -- twisted to
22 one side?

23 Q. Yes.

24 A. As opposed to in the middle of his back?

25 Q. Yes.

1 A. It was hard to tell.

2 Q. As far as the guard in the seat in front was concerned,
3 you describe him having one hand over and one hand on
4 the seat?

5 A. Yes -- arm.

6 Q. Arm on the seat?

7 A. Yeah.

8 Q. You were asked whether you remember seeing a pillow at
9 this stage?

10 A. Yes.

11 Q. I think your answer was, well, not particularly -- or
12 not especially I think you said?

13 A. Yes.

14 Q. Could there have been a pillow held in place on the back
15 of the seat where the guard was leaning over?

16 A. A pillow on the back of the seat?

17 MS HEWITT: Yes. The back of the headrest where the guard
18 was leaning over?

19 DEPUTY CORONER MS MONAGHAN: Did you see one?

20 A. I didn't see one, no.

21 MS HEWITT: Could it have been there and you might not have
22 seen the?

23 A. There's so many pillows that it would be difficult to
24 tell.

25 Q. The other hand of the guard who was leaning over, you

1 describe his hand as being on Mr Mubenga's head?

2 A. Yes.

3 Q. Do you remember seeing it on his jacket at all?

4 A. No.

5 Q. Are you sure about that?

6 A. I didn't see it on his jacket.

7 MS HEWITT: Madam, would you give me a minute?

8 DEPUTY CORONER MS MONAGHAN: Yes.

9 MS HEWITT: I don't want to go on much longer into lunchtime
10 but I wonder whether --

11 MR MATTHEWSON: Madam, I should say that I have a few
12 questions as well.

13 DEPUTY CORONER MS MONAGHAN: I'm not suggesting she's going
14 to finish before lunch. I'd like to get Ms Hewitt's
15 evidence done before lunch, given that Ms Hewitt has
16 already had an hour and a half-plus with Ms Graham and,
17 as you can see from the timetable, we are already well
18 beyond that which we could have anticipated.

19 MS HEWITT: The final point really, I think, madam, was that
20 you also suggest, don't you, Ms Graham in this statement
21 that you made on the 7th, page 66, and I think then
22 subsequently, that it was you who initiated the contact
23 with Mr Walsham subsequently, when Mr Mubenga became
24 unresponsive?

25 A. Yes.

1 Q. Again, why did you suggest that then to the police?

2 A. Why didn't I suggest that?

3 Q. Why did you suggest it, given it wasn't the case?

4 A. Because I'm referring to the call that I made to say he
5 doesn't look well. Sorry, I don't understand.

6 MS HEWITT: I think I'm going to leave it, madam, simply
7 because, as you say, the length of time. I have made
8 the points I think -- could you give me one moment? No.
9 Thank you very much.

10 DEPUTY CORONER MS MONAGHAN: Members of the jury, 2.15 then,
11 as you have started lunch a little later.

12 (

8 (1.21 pm)

9 (Luncheon Adjournment)

10 (2.15 pm)

7 (The witness returned)

8 (In the presence of the jury)

9 DEPUTY CORONER MS MONAGHAN: We're now going to carry on
10 with Ms Graham. Mr Matthewson, I think you're next, are
11 you?

12 MR MATTHEWSON: Yes, thank you.

13 Examined by MR MATTHEWSON

14 MR MATTHEWSON: Ms Graham, I think you have provided, so
15 we're clear, five accounts in all?

16 A. Yes.

17 Q. The first was the police statement that you wrote in the
18 hours after the event?

19 A. That's right, yes.

20 Q. The second was handwritten notes, and I am going through
21 them chronologically, that you prepared about six weeks
22 later?

23 A. That's right.

24 Q. The third was the second police statement, is that
25 right?

1 A. Yes.

2 Q. About two months after the incident?

3 A. Yes, it was.

4 Q. We can look at the dates if you like. The fourth
5 account is your third police statement which is around
6 about a year after the event?

7 A. Right.

8 Q. Then your fifth and final statement was the one that you
9 prepared for the coroner this month?

10 A. Right.

11 Q. Is that as far as you understand it?

12 A. Yes, I think so.

13 Q. Are there any other accounts that I haven't covered?

14 A. No. I remember being interviewed --

15 Q. Can you direct your answers to the jury.

16 A. I remember being interviewed, was it three or four?
17 There was the day of the event, a couple of months
18 after -- yes, that's correct.

19 Q. So, as far as you're aware, we have everything?

20 A. Yes.

21 Q. I want to ask you about the duration of the restraint.
22 I can take this fairly shortly because obviously you
23 have been asked a lot of questions already, but the
24 period of restraint, and when I say the period of
25 restraint I'm talking about the time from which Jimmy

1 initially shouted out and was bundled into row 40.

2 A. Yes.

3 Q. And the period when the aircraft came back to the stand?

4 A. Right, yes.

5 Q. That's what I mean when I say period of restraint. Do

6 you follow?

7 A. Yes.

8 Q. Is this correct: during that time you were moving about

9 the plane?

10 A. Yes.

11 Q. All right. Do I understand correctly that you started

12 in the galley at the back of the plane on the far right?

13 A. That's correct.

14 Q. That's right, is it?

15 A. Yes.

16 Q. You made your way really during the course of the

17 restraint in a big circle, ending up back at the galley,

18 is that right?

19 A. That's correct, yes.

20 Q. I think from time to time you were stopping and talking

21 to various people and so on?

22 A. Yes.

23 Q. Throughout that period I think it's right to say that

24 you never claimed that you had a clear and unobstructed

25 view of the restraint itself, apart from when you walked

1 right past it, right past row 40, on the way back down;
2 is that correct?
3 A. Yes.
4 Q. Is that fair, a fair description?
5 A. Yes, yes.
6 Q. Because during your statements -- I won't take you to
7 them -- you take care a number of times to say,
8 "I couldn't really see clearly what was going on"?
9 A. Yes.
10 Q. The best view that you had of the restraint, is that the
11 15 seconds that you speak about in your statement?
12 A. Yes.
13 Q. So you have gone from the galley down forward on the
14 L/H side, the left side?
15 A. Yes.
16 Q. The A/B/C?
17 A. Yeah.
18 Q. Then did you go in front or behind of that sort of
19 bulkhead on the far left?
20 A. Yes, across the cross.
21 Q. So where the letters F/E/D are, that's where you would
22 that walked, is it?
23 A. Yes.
24 Q. Then tracking back up towards the galley on the top
25 side, the right side?

1 A. Yes.

2 Q. You wouldn't say, would you, that the restraint was
3 carried out in your full view?

4 A. Not completely.

5 Q. Because that would be misleading?

6 A. Yes.

7 Q. That's not what you said in your statements?

8 A. No.

9 Q. Have you read through all of the five accounts that you
10 have given?

11 A. Yes.

12 Q. Do you accept the thrust of what Ms Hewitt was saying to
13 you that there are inconsistencies between those five
14 accounts?

15 A. There would be some inconsistencies.

16 Q. Can I take you to page 59 of the bundle, please. This
17 is your first police statement. About a third of the
18 way down, there's a slightly longer paragraph, the
19 fourth paragraph down. Do you see that?

20 A. Yes.

21 Q. Do you see the last two sentences of that:
22 "I saw the male deportee sat in seat 40E
23 unrestrained. The man's head was right back with his
24 mouth open and his eyes rolling around. He appeared
25 unconscious."

1 A. Yes.

2 Q. Is it fair to say that was the first time that you were
3 seriously concerned about his well-being?

4 A. I was pretty concerned the whole time.

5 Q. Well, is this before or after the plane pushed back that
6 you saw this? It's not a trick. If you backtrack
7 through that paragraph -- just read through it. I don't
8 want to take an unfair point.

9 A. Yeah, this would have been after we pushed back.

10 Q. Fine. So you see what you think is Mr Mubenga
11 unconscious after you pushed back?

12 A. Yes.

13 Q. But do you see earlier on in your statement,
14 two paragraphs beforehand, two sentences:
15 "Whilst I was in the galley all remind quiet.
16 I presumed the deportee had worn himself out."

17 A. Yeah.

18 Q. Do you see that?

19 A. Yes.

20 Q. Do I take it that this is broadly chronological, so
21 things that happen in that sentence happened before all
22 of the things in the later sentence? Is that right?

23 A. Yes.

24 Q. So when you were in the galley you had done your circuit
25 of the plane?

1 A. Yeah.

2 Q. Correct?

3 A. Yes.

4 Q. You thought at that time -- you presumed that Mr Mubenga
5 had gone quiet because you thought he had worn himself
6 out?

7 A. Yes.

8 Q. That's what you appear to be saying?

9 A. Yeah.

10 Q. So it doesn't seem to be you were concerned that he was
11 quiet because he was ill?

12 A. Not at that stage.

13 Q. No. It's only after that that you look at him, see that
14 from your perception he's unconscious --

15 A. Yes -- unwell.

16 Q. But if you had thought, just prior to that, that he had
17 just worn himself out, isn't it fair then to suggest
18 that the first time you were seriously worried about him
19 is when you thought he looked unconscious, after the
20 plane had pushed back?

21 A. Seriously worried, yes.

22 Q. Even after that, if you look at the sentence underneath
23 the paragraph we've been looking at:

24 "I was concerned for the male but I thought he may
25 be faking it."

1 A. Yeah.

2 Q. So even at that stage you still thought he might be
3 faking it?

4 A. I thought there was a possibility.

5 Q. Over the page, page 60, so again the first sentence:
6 "I was concerned at this."
7 You have just said that he was not restrained
8 anymore, not handcuffed anymore.

9 "I was concerned at this as to why they had removed
10 them, having had such a struggle."

11 A. Yeah.

12 Q. What was your concern?

13 A. My concern regards that, why they'd removed his cuffs,
14 was -- besides being very confused as to why they had,
15 that I was in two minds to thinking, well, has he just
16 calmed down now and he's okay -- has he just calmed down
17 and, you know, worn himself out or is there is something
18 really wrong because of -- they're checking the pulses.

19 DEPUTY CORONER MS MONAGHAN: Were you perhaps frightened
20 that he might get up and cause another fuss?

21 A. I thought that it could be a possibility.

22 MR MATTHEWSON: So do I take it from that that after the
23 plane pushed back, after you had looked at him and
24 thought he looked unconscious and after you saw him not
25 restrained with handcuffs, you still thought (a) that he

1 might be faking it and (b) that he might get up and
2 start kicking off again?

3 A. Yes.

4 Q. You see, in your subsequent statements, if you direct
5 your answers to the jury, please, the picture you paint
6 is a different one. It's of you becoming concerned at
7 a much earlier stage and that your concerns were falling
8 on deaf ears.

9 A. Yes.

10 Q. Do you see the inconsistency?

11 A. Yeah.

12 Q. Can you explain it?

13 A. My concerns at the time was that something really awful
14 is happening and I thought someone's going to end up
15 getting very badly hurt and -- sorry, what was the end
16 of that question?

17 Q. Well, on the one hand you have your witness statement
18 produced in the hours after the event when presumably
19 matters were fresh in your mind?

20 A. Yeah.

21 Q. You have later statements which appear to be
22 inconsistent with that statement.

23 A. Okay.

24 Q. I'm asking you if you have any explanation for that
25 inconsistency?

1 A. Any explanation for that inconsistency? I think it was
2 a matter of how the questions were being asked. In some
3 cases I was asked an awful lot more questions than other
4 times. The first one was the briefest of them all,
5 still in an absolute state of shock at the time, and
6 after -- subsequent statements, on one occasion was
7 taken by two police officers. So there were, you know,
8 a lot more questions. And it was just a lot more
9 complex because I think that's why they came back
10 because they wanted to establish things that they hadn't
11 already asked me.

12 Q. It's not things that hadn't been covered, is it? It's
13 things that are covered in both statements, i.e. the
14 time at which you became concerned for Mr Mubenga?

15 A. Yes.

16 Q. Both covered, but in the first statement it appears from
17 what you have just said and from your first statement
18 that your concerns weren't really raised until after the
19 plane pushed back but in your subsequent statements it
20 seems to be earlier. So it's not a case of it not
21 appearing in your first statement and only appearing in
22 your second.

23 A. Yes.

24 Q. They are different. They appear in both but they are
25 different. The timings are different. Do you see?

1 A. Yeah. Do you mean when I concerned -- raised my
2 concerns with the CSD?

3 Q. It may be that I'm not making myself very clear. In the
4 immediate aftermath of the incident you are asked to
5 make a statement?

6 A. Yes.

7 Q. I think you have just told us that you were asked only
8 a short number of questions?

9 A. Yeah.

10 Q. How would that cause you to mix up your timings? Do you
11 see what I mean?

12 A. Right.

13 Q. Immediately after the incident your appear to be saying
14 that you weren't concerned until push back or weren't
15 seriously concerned?

16 A. Yeah.

17 Q. Later, after you had thought about it, that evidence
18 changes, the time at which you become concerned is drawn
19 forward?

20 A. Yeah, I see what you mean. The timing of things
21 I believe that at that time, being in a bit of a state
22 of shock as well, you know, there may have been some
23 inaccuracies, but once I began to work it out and
24 logically because of how long I know it would actually
25 take to, you know, from boarding to push back, it would

1 always take approximately 40 minutes so that's --

2 Q. Sorry, I am interrupting you.

3 A. That's why I came to the conclusion that perhaps the

4 first time I gave the account of the times may not have

5 been as accurate as the second time.

6 Q. All right. Because you have a go, don't you, about

7 a year after the accident of putting very precise times

8 on when things happened?

9 A. In the third statement?

10 Q. The third police statement you go down to seconds, do

11 you remember doing that?

12 A. To seconds?

13 Q. Yes. We'll go to it in a moment.

14 A. I did actually read that. I don't know why it says

15 seconds. I don't know.

16 Q. We'll come to it in just a moment. A year after the

17 event, you sit down and produce a third police

18 statement?

19 A. Yeah.

20 Q. In which you put very accurate timings to things?

21 A. Yeah.

22 Q. You accept that's what you did?

23 A. Well, a year later would probably be less accurate

24 because it would be harder to remember.

25 Q. I think we're agreeing violently. What I'm suggesting

1 is this: immediately after the incident, when things are
2 fresh in your mind, you're more likely to have
3 an accurate recall of what has just happened?

4 A. Yes.

5 Q. Than later, is that fair?

6 A. Yes.

7 Q. Do you think that might be an explanation for the
8 differences in this case?

9 A. Possible, yes.

10 Q. Because if you look at the times -- I don't know if you
11 have compared the timings in your first and third police
12 statements, put them side-by-side, totted up the times.
13 Have you done that exercise?

14 A. No.

15 Q. In the first statement, the circuit that you do from
16 galley to galley, round the plane, takes at least
17 40 minutes if you tot up all the times?

18 A. To do the circuit?

19 Q. Yes. We can go through them if you want to. I am
20 perfectly prepared to accept I might have added them up
21 wrong but I believe that, if you add up the timings you
22 give, the amount of time that it took you to make that
23 circuit was at least 40 minutes.

24 A. Yes, it would have been approximately that, yes.

25 Q. But if you look at your statement made a year later, the

1 third police statement, that circuit looks as if it
2 doesn't take you more than 15 minutes. Let's look at it
3 because I don't want to take an unfair point. If you
4 turn to page 70 of the bundle --

5 A. 70?

6 Q. That's right. I am starting in your third paragraph.
7 You describe that the CSD made a PA announcement. Can
8 you remind the jury what CSD stands for?

9 A. Cabin services director. He's in charge of all cabin
10 crew.

11 DEPUTY CORONER MS MONAGHAN: Peter Walsham?

12 A. Peter Walsham.

13 MR MATTHEWSON: He makes an announcement about the fact that
14 there's a deportee on board?

15 A. Yes.

16 Q. What I'm not going to do is fix you to clock times
17 because there may be some discussion about that. Would
18 you mind if I took you through in terms of just minutes
19 from the point that Mr Mubenga boards and we'll just go
20 in time elapsed since that?

21 A. Yes, absolutely.

22 Q. All right. From boarding the aircraft, second sentence,
23 to taking their seating it took the deportee and
24 security guards approximately one minute. So we're
25 one minute in. It then took about three or four minutes

1 before the deportee was escorted to the toilet. So
2 we're up to maximum of five minutes. The deportee was
3 in the toilet for one to two minutes. So we're up to
4 seven minutes, is that right?

5 A. Yes.

6 Q. Over the page, from the struggle, the second sentence,
7 outside -- by the way, if I read this out and there's
8 a sentence I miss out or any of the statement I miss out
9 and you want to read it out, do so.

10 A. Okay.

11 Q. "From the struggle outside the toilet to the deportee
12 being pushed into seat 40E I estimate it look less than
13 a minute."

14 So we're up to a maximum of eight minutes?

15 A. Okay.

16 Q. It goes on:

17 "It took me about two to three minutes to move the
18 passengers out of world traveller."

19 So we're maximum of 11 minutes?

20 A. Yes.

21 Q. "At some point after we'd moved the passengers forward
22 Ann-Marie said she was going to speak to the CSD. As
23 previously stated I spoke to the dispatcher in the area
24 of R3. This conversation lasted approximately
25 two minutes."

1 To be fair to you, there might be a little bit of
2 time in there that you haven't quantified. You then say
3 that the conversation with the dispatcher took you
4 two minutes, which would take us up to 13 minutes, plus
5 any time between moving the passengers forward and that
6 conversation taking place. Can you help us roughly how
7 long that was?

8 A. To move the passengers? Probably --

9 Q. From the time at which you finished moving the
10 passengers, i.e. the two to three minutes is over, and
11 the time when your conversation with the dispatcher
12 starts. How many minutes are we looking at?

13 A. 15 in total.

14 Q. This may be what is missing from this statement and what
15 has caused the confusion. So there's a gap between --
16 when you say, "At some point after we had moved the
17 passengers forward Ann-Marie said she was going to speak
18 to the CSD", there's a 15-minute gap there, is there?

19 A. Right.

20 Q. I am asking you --

21 A. There appears to be, yes.

22 Q. All right. When we follow the timings along, so we're
23 up to I think 27 minutes, is that right?

24 A. Yes.

25 Q. I think we're up to 13, plus we add in the 15?

1 A. Yeah.

2 Q. "As previously stated I spoke to the dispatcher."
3 So that was two minutes.

4 "As previous stated I then walked to the area of
5 row 34. This took approximately 10 to 12 seconds."
6 So the time it took you from speaking to the
7 dispatcher to walking to the area of row 34 is about
8 10 to 20 seconds?

9 A. Yes, because I spoke to a couple of passengers on the
10 way.

11 Q. So we're still under 27 minutes.
12 "When I moved to row 34 I can remember seeing that
13 some of the passengers, mainly male passengers, hadn't
14 moved to world traveller plus."
15 In order to short-circuit this, if you add up all
16 these times we're going to come to a period of less than
17 half an hour?

18 A. Okay.

19 Q. Forgive me, of about half an hour.

20 A. Right.

21 Q. So it's the 15 minutes, which is all the time you have
22 in here, plus the 15 minutes that you just told us
23 about?

24 A. Okay.

25 Q. Obviously that's shorter than the 40 minutes in your

1 first statement?

2 A. Yes.

3 MR MATTHEWSON: Quite a lot shorter than the accounts given
4 in other statements in which you suggest it's even
5 longer than that. Do you see the inconsistency in your
6 timings?

7 DEPUTY CORONER MS MONAGHAN: You're suggesting in this
8 statement she has 15 minutes and 15 minutes as
9 30 minutes and in one statement she's got 40 minutes and
10 in another she's got a longer period?

11 MR MATTHEWSON: I think it's about an hour and ten. My
12 point is somewhat weakened by the addition of the
13 15 minutes. On the face of this statement you have
14 15 minutes accounted for, and you have explained there
15 is an extra 15 minutes, but the point is the same one.
16 Are you prepared to accept that your first account is
17 likely to be more accurate?

18 A. Of the timing?

19 Q. Of timings.

20 A. Yes.

21 Q. But in all respects, surely?

22 A. Yes.

23 Q. Where your subsequent statements disagree with your
24 first statement, do I take it from that that you would
25 say: go by my first statement?

1 A. That I would say go by my first statement?

2 Q. Would you say to us where we find inconsistencies
3 between the statements the best bet would be to look at
4 your first one?

5 A. When it's fresher in my mind?

6 Q. Yes, is that fair?

7 A. Yes, yeah.

8 Q. In your first statement, do you agree that there is no
9 suggestion whatsoever that the officers did anything at
10 all wrong?

11 A. It wasn't mentioned in the first statement.

12 Q. So anybody reading that statement couldn't have
13 concluded that the officers did anything wrong because
14 you hadn't said it?

15 A. Yeah.

16 Q. It's only in later accounts that you have introduced the
17 idea of them doing something blameworthy, isn't it?

18 A. Well, it wasn't an idea.

19 Q. All right. It's your evidence that they were into
20 a something that was blameworthy?

21 A. Yeah.

22 Q. But it's something that wasn't in your first statement?

23 A. No, it wasn't in the first statement.

24 Q. I won't ask you at length about this, but can you just
25 help the jury understand this. You are being

1 interviewed by the police. You know somebody has died?

2 A. Yes.

3 Q. The police need to get to the bottom of what happened?

4 A. Yes.

5 Q. It might have been an accident, it might have been
6 something sinister, you just don't know?

7 A. Yeah.

8 Q. They have to find out?

9 A. Yes.

10 Q. The only way they are going to find out is by talking to
11 people like you?

12 A. Yes.

13 Q. If you felt that someone was blameworthy or culpable,
14 you would have said so if that's what you honestly
15 thought?

16 A. It was very, very late at night. I was very upset and
17 at the time I thought it was quite obvious, that it
18 wasn't something I needed to even mention. I mean, if
19 someone has just died on board at the hands of somebody
20 else, then there must be something wrong.

21 Q. You serious really thought that the police wouldn't be
22 interested to know about your account that somebody was
23 to blame or blameworthy?

24 A. Well, they didn't ask at the time so --

25 Q. So you thought you would keep quiet about it?

1 A. I didn't mention it, no.

2 Q. You see, in one of your later statements, and to be fair
3 to you this is a private note, you do talk about the
4 officers taking pleasure in the restraint. It was put
5 to you by Ms Hewitt?

6 A. Yes.

7 Q. I think you accept that that's just untrue?

8 A. They didn't take pleasure in it. I'm not suggesting
9 that. I mean, as I said, these were my personal private
10 notes.

11 Q. Why write it down? I know it's a private note, but why
12 write down something like that that's just not true?

13 A. Well, because I was guided by -- not taking pleasure in
14 it, I mean that was exaggerated, but by the hand
15 gestures of them. They didn't seem to be very worried.

16 Q. So you would accept that your later accounts contain
17 exaggerations?

18 A. In my real statements -- you mean not the handwritten
19 one?

20 Q. I'm talking about your handwritten statement. You have
21 just used the word exaggeration, your word. You
22 accept --

23 A. I wouldn't -- I've not exaggerated in the police
24 statements at all.

25 Q. So we have different accounts. The official police

1 statements you say are what is true and the handwritten
2 notes contains exaggerations?

3 A. That was an exaggeration, but that was the only
4 exaggeration there was. I mean, at the time I was
5 feeling quite angry about the whole situation and
6 I wondered if -- you know, thoughts like that did cross
7 my mind.

8 Q. Is it right that the notion or the idea that the
9 officers did something wrong is a gloss that you have
10 added after the event?

11 A. No, that's not correct.

12 Q. Is there any reason that you're prepared to tell the
13 jury why it might be to your advantage that the officers
14 did something wrong?

15 A. Why it might be to my advantage?

16 Q. That they are found to have something wrong?

17 A. It wouldn't be to my advantage all.

18 Q. Are you bringing any litigation in the wake of this
19 incident?

20 A. I'm considering it.

21 Q. Have you instructed a solicitor?

22 A. Yes.

23 Q. Who is it that you're considering pursuing?

24 A. I'm not sure at the moment.

25 DEPUTY CORONER MS MONAGHAN: Would you give your answers to

1 the jury.

2 A. It's something I'm looking into for the reasons that --

3 I don't know if you know the reasons but I've not been

4 able to work. I've been suffering quite badly, huge

5 financial losses because of it. And I probably won't be

6 able to go back to my work again in which case it's very

7 hard to find any work. And I am considering possibly,

8 but right at this moment what is important is also part

9 of my healing process for the truth to come out. And if

10 I can, you know, get some kind of future together,

11 that's -- then I probably would.

12 MR MATTHEWSON: Could you just say who is it that you are

13 thinking of pursuing?

14 A. I'm not considering either party at the moment -- either

15 one party at the moment.

16 DEPUTY CORONER MS MONAGHAN: Some of that might be

17 privileged, I don't know.

18 A. Yes.

19 DEPUTY CORONER MS MONAGHAN: She said she is thinking about

20 litigating. I don't want to get into difficult

21 discussions about where the lines are drawn there.

22 MR MATTHEWSON: I certainly won't ask about anything that is

23 privileged. But you have written to a party, haven't

24 you, threatening to sue --

25 A. I have written to who?

1 MR MATTHEWSON: You have written to a party threatening to
2 sue them, haven't you?

3 A. Yes.

4 DEPUTY CORONER MS MONAGHAN: Can you give the answers to the
5 jury.

6 A. Yes, I have.

7 MR MATTHEWSON: That's a little bit more than thinking about
8 it, isn't it? You have threatened it?

9 A. I haven't pursued anything. There has been some
10 correspondence definitely but I haven't made a decision
11 one way or the other.

12 Q. Who is it that accompanies you in court today?

13 A. Who is, sorry?

14 Q. Who accompanies you in court today?

15 A. My solicitor.

16 Q. Is it the solicitor who is going to be acting in this
17 litigation if it goes ahead?

18 A. Yes.

19 Q. The party that you have written to and threatened legal
20 proceedings with is S G4S, isn't it?

21 A. Yes.

22 DEPUTY CORONER MS MONAGHAN: Answers to the jury, sorry,
23 Ms Graham.

24 A. Yes, it is.

25 MR MATTHEWSON: What would be the aim of your legal action?

1 A. What would be the aim?

2 Q. What would be the result of the litigation?

3 A. Compensation.

4 Q. Money?

5 A. Yes.

6 Q. In order to succeed in getting your money, you're going
7 to have to prove that the officers did something wrong,
8 aren't you?

9 A. No.

10 Q. You don't think so?

11 A. I wouldn't have thought I had to prove that the officers
12 are wrong. I have to prove the effect it has had on me.

13 DEPUTY CORONER MS MONAGHAN: I don't know what course of
14 action we're even speaking about so I don't know what
15 cause of action would lie against G4S. If you want me
16 to go off and do an advice, I can, but --

17 MR MATTHEWSON: Madam, it's important.

18 DEPUTY CORONER MS MONAGHAN: I think what's important is
19 that she's considering litigation, she's written to G4S
20 laying that on the table, and what she hopes to achieve
21 is compensation. I mean --

22 MR MATTHEWSON: Yes. It's a personal injury action, isn't
23 it?

24 A. Yes.

25 Q. As I said, I suggest that you know full well that you

1 would have to prove that G4S by its officers did
2 something wrong. If they didn't do anything wrong,
3 there's no point in suing them, is there?

4 A. The psychological damage of the actions that happened on
5 board that aircraft --

6 DEPUTY CORONER MS MONAGHAN: Ms Graham, please give your
7 answers to the jury or they won't be able to hear you.

8 A. The psychological damage of the whole incident that
9 happened on board the aircraft, that's what's caused me
10 to -- the condition that I've been in. Am I answering
11 the question?

12 MR MATTHEWSON: Not really. You're not a lawyer --

13 DEPUTY CORONER MS MONAGHAN: I think what Mr Matthewson is
14 fairly saying to you is that if you think you may have
15 a right to compensation against G4S, it would seem
16 inevitable that you would have to prove they had done
17 something wrong.

18 A. I have been told that I don't have to prove they have
19 done something wrong.

20 DEPUTY CORONER MS MONAGHAN: This is the difficulty we get
21 into. You have made clear what the position is,
22 Mr Matthewson. I don't want to blur the lines.

23 MR MATTHEWSON: May I just put the question in this
24 way: I suggest that you know full well that you have to
25 prove that somebody is to blame?

1 A. I didn't -- I don't know that.

2 Q. Is it fair to say this, that your later accounts might
3 be coloured by the fact that you are thinking about
4 compensation?

5 A. No, they're not.

6 Q. Were you thinking about compensation in the hours
7 following the event when you made your first report?

8 A. No, not at all.

9 MR MATTHEWSON: Thank you very much.

10 MR ANTROBUS: You will be very pleased to hear very few
11 questions from me, Ms Graham.

12 DEPUTY CORONER MS MONAGHAN: Actually I have one. It might
13 be better if I ask mine first just in case you want to
14 come back on it. Could Ms Graham be given green
15 volume 1, please. Just one question, Ms Graham. Start
16 with page 47.

17 A. That is very tiny.

18 DEPUTY CORONER MS MONAGHAN: Let me tell you what I think it
19 is, or what we have heard it is, and then you can help
20 me. You're on page 47?

21 A. Yes, I am.

22 DEPUTY CORONER MS MONAGHAN: This is called the Joint
23 Procedures Manual.

24 A. Yes.

25 DEPUTY CORONER MS MONAGHAN: I think it's amongst other

1 things for cabin crew?

2 A. Yes.

3 DEPUTY CORONER MS MONAGHAN: Are you familiar with it?

4 A. Yes.

5 DEPUTY CORONER MS MONAGHAN: This talks about the medical
6 action plan?

7 A. Right.

8 DEPUTY CORONER MS MONAGHAN: Are you familiar with that?

9 A. Yes. I'm a bit out-of-date.

10 DEPUTY CORONER MS MONAGHAN: Let me help you. The documents
11 that we have seen, including the first aid documents,
12 indicate that where there is any issue about a medical
13 need, to put it like that, a team must be collected so
14 you have an assessor who will be the first person to
15 identify whether there's a difficulty?

16 A. Okay.

17 DEPUTY CORONER MS MONAGHAN: A possible difficulty, is that
18 right?

19 A. Yes.

20 DEPUTY CORONER MS MONAGHAN: Then you will have, secondly,
21 a collector?

22 A. Yeah.

23 DEPUTY CORONER MS MONAGHAN: That will be a person whose job
24 it is to make sure that you get round the plane and get
25 any equipment that might be needed?

1 A. Absolutely.

2 DEPUTY CORONER MS MONAGHAN: Is that right?

3 A. Yes.

4 DEPUTY CORONER MS MONAGHAN: Thirdly, you have a supporter
5 who will help the assessor in case there's anything to
6 do like CPR?

7 A. Yeah.

8 DEPUTY CORONER MS MONAGHAN: Then you will have
9 a communicator who will make sure that all the people
10 who need to know what is going on do?

11 A. Yes.

12 DEPUTY CORONER MS MONAGHAN: Which might be the flight crew?

13 A. Yeah.

14 DEPUTY CORONER MS MONAGHAN: Cabin services director,
15 whatever. When you were asked about the collection of
16 the defibrillator or the offer by the person whose name
17 immediately escape me, sorry --

18 MS HEWITT: Claire Mullen.

19 DEPUTY CORONER MS MONAGHAN: Thank you. When you were asked
20 about the offer by Claire Mullen to provide you with the
21 defibrillator, you said no and you said and that
22 wouldn't happen until the very end?

23 A. Yeah.

24 DEPUTY CORONER MS MONAGHAN: That's not the way I read
25 an action plan. Can you tell me if I'm wrong about

1 that. What it looks like is you will be doing
2 an assessment and if you find somebody might be
3 unconscious, you might be looking for somebody to
4 collect equipment that might be necessary to deal with
5 that?

6 A. What I mean by last is to begin with we have this
7 system -- procedure called Drs ABCD and the D at the end
8 stands for defibrillator. So I don't know if I confused
9 anybody with that. That's what I meant by that's the
10 last of the procedure.

11 DEPUTY CORONER MS MONAGHAN: Mr Antrobus.

12 Examined by MR ANTROBUS

13 MR ANTROBUS: I just want to ask you questions, Ms Graham,
14 in terms of the period when Mr Mubenga was sat upright.
15 He's not got any handcuffs on and you're concerned at
16 that point as to his health?

17 A. Yes.

18 Q. At that time and thereafter the guards were checking his
19 pulse?

20 A. Yes.

21 Q. In terms of who was assessing his condition, at that
22 time it was the guards, wasn't it?

23 A. Yes.

24 Q. They were the ones who were sat directly beside him?

25 A. Yeah.

1 Q. They are in direct contact with him?

2 A. Yes.

3 Q. Not you?

4 A. Mmm. No.

5 Q. They are the ones who have taken the judgment that the
6 plane needs to go back to the stand?

7 A. Yes.

8 Q. It wasn't relayed to you directly but it was relayed to
9 Ann-Marie McMillan?

10 A. Yes.

11 Q. So when we consider who is assessing Mr Mubenga's
12 health, who the assessor was, in practical reality at
13 this time it was those guards, wasn't it?

14 A. Yes.

15 Q. Did they say to you that they wanted first aid from you?

16 A. No.

17 Q. That they needed equipment?

18 A. No.

19 Q. That he wasn't breathing?

20 A. No.

21 Q. They said to you -- I can take it you to it if need be
22 but you have been taken to enough statements I think.
23 In your first statement you say, a few hours afterwards,
24 that they said to you that they had found a weak pulse,
25 a faint pulse?

1 A. Yes.

2 Q. That was all that they asserted as to his condition?

3 A. Yes.

4 Q. In terms of their body language -- leave aside some of
5 the other matters that have been discussed in
6 evidence -- were they giving any indication that this
7 was a medical emergency that needed immediate first aid?

8 A. No, none whatsoever.

9 MR ANTROBUS: Thank you.

10 DEPUTY CORONER MS MONAGHAN: Thank you very much, Ms Graham.
11 That is the end of your evidence.

12 MR BLAXLAND: Madam, there is one matter I do need to raise,
13 I'm afraid in the absence of the jury, before Ms Graham
14 is finally released.

15 DEPUTY CORONER MS MONAGHAN: When she's released?

16 MR BLAXLAND: Before she's released.

17 DEPUTY CORONER MS MONAGHAN: Would you like Ms Graham to
18 leave as well?

19 MR BLAXLAND: I think she should.

20 DEPUTY CORONER MS MONAGHAN: I beg your pardon, Ms Graham,
21 having promised you that you can go, you just need to
22 stay a little while. I'm terribly sorry. Would you
23 mind going outside. There's a jury question as well so
24 why don't we take a short two-minute break. Go outside,
25 don't speak about the evidence again. I'll see what has

1 happened with the jury and we'll call you back in. If
2 you wouldn't mind waiting outside, I don't think we'll
3 need to keep you here very long. Do we need the other
4 witnesses out as well?

5 MR BLAXLAND: No, we don't.

6 (The witness withdrew)

6 (The witness returned)

7 (In the presence of the jury)

8 DEPUTY CORONER MS MONAGHAN: Just one last question,
9 a question from the jury. Can you confirm who was in
10 charge of economy cabin on that night?

11 A. Myself.

12 DEPUTY CORONER MS MONAGHAN: Is that's everything? Thank
13 you. There are no other questions for you then,
14 Ms Graham. You're now free to leave.

15 A. Thank you.

16 (The witness withdrew)

17 DEPUTY CORONER MS MONAGHAN: Can we have Mr Kongketzas,
18 please.

19 MR KONSTANTINOS KONGKETZAS (sworn)

20 Examined by THE CORONER

21 DEPUTY CORONER MS MONAGHAN: Mr Kongketzas, can you give us
22 your full name, please.

23 A. My name is Konstantinos Kongketzas.

24 DEPUTY CORONER MS MONAGHAN: You'll know of course that
25 we're here to discuss the events of 12 October 2010.

1 A. Yes.

2 DEPUTY CORONER MS MONAGHAN: Can you tell me, please, what
3 was your role at that stage? What job were you employed
4 to do?

5 A. I'm been employed by British Airways to work as cabin
6 crew.

7 DEPUTY CORONER MS MONAGHAN: How long had you been employed
8 to be cabin crew by the time of October 2010?

9 A. I started working for British Airways on
10 21 February 2005.

11 DEPUTY CORONER MS MONAGHAN: On the night that we're
12 concerned with, what was your role on the aeroplane?
13 Which section were you employed to work in?

14 A. I was actually working at the front of the aircraft.
15 I was at doors 2 and I was working in Club World cabin.

16 DEPUTY CORONER MS MONAGHAN: Club World. We have heard this
17 from other witnesses so I don't think I need to spend
18 long with you, but can you just confirm that as part of
19 your training, including your recurrent or refresher
20 training, you had first aid and life saving training?

21 A. That is correct.

22 DEPUTY CORONER MS MONAGHAN: Before you started work on the
23 flight on 12 October, I think you had a briefing, is
24 that right?

25 A. We did, yes.

1 DEPUTY CORONER MS MONAGHAN: You have -- that's a statement
2 I think you made on 10 November 2010?
3 A. That's correct, yes, ma'am.
4 DEPUTY CORONER MS MONAGHAN: That's the statement you made
5 to the police?
6 A. Yes, ma'am.
7 DEPUTY CORONER MS MONAGHAN: You have refreshed your memory
8 from that, I'm sure?
9 A. Yes.
10 DEPUTY CORONER MS MONAGHAN: We have heard that there was
11 a briefing before boarding commenced?
12 A. Yes, there was a briefing.
13 DEPUTY CORONER MS MONAGHAN: Were you present at that
14 briefing?
15 A. I was, yes. Of course I was present at the briefing and
16 it was held by the CSD.
17 DEPUTY CORONER MS MONAGHAN: That was Peter Walsham?
18 A. Yes, it was.
19 DEPUTY CORONER MS MONAGHAN: During the course of that
20 briefing, as we have heard, you were informed that there
21 was going to be a deportee on the plane?
22 A. Exactly, yes.
23 DEPUTY CORONER MS MONAGHAN: Were you given any other
24 details about the deportee?
25 A. Not that I remember, no.

1 DEPUTY CORONER MS MONAGHAN: Were you told whether he was
2 going to be escorted or not?

3 A. Well, usually the deportees are escorted. There have
4 been sometimes where we have people that haven't been
5 allowed to enter the country and they were asked to
6 leave. For some reason I thought that it was the same
7 thing as deportees, but later on I found out that they
8 were not, that they were just dismissible -- I'm not
9 sure.

10 DEPUTY CORONER MS MONAGHAN: Inadmissible or something
11 similar. So you discovered that you were having
12 a deportee on this flight?

13 A. Exactly.

14 DEPUTY CORONER MS MONAGHAN: Were you expecting escorts on
15 there, do you know?

16 A. Probably, yes. I would expect or thought at that point
17 that there would be escorts, yes.

18 DEPUTY CORONER MS MONAGHAN: Had you had experience of
19 deportees on planes before that you were working on?

20 A. Yes, I did have something like -- well, like I said,
21 because I thought that people who were not allowed to
22 enter the country, I considered them as deportees, then
23 I would say I had something like ten flights, but actual
24 deportees now with escort I might have something like
25 three.

1 DEPUTY CORONER MS MONAGHAN: Had you ever experienced any
2 problems with a deportee before the night we're
3 concerned with?

4 A. Yes, I did have -- I was working at the back -- I don't
5 remember which flight and what destination -- with one
6 deportee. In fact I had actually another customer from
7 economy cabin coming to the galley. I was working in
8 economy at that point. And he complained to me because
9 the deportee was using an abusive language. So
10 I remember I went to the -- one of the G4S guards at
11 that point and I spoken to him because they're basically
12 responsible for them. And I spoken to him and I said,
13 "Listen, could you please tell him because I have
14 already had a complaint". So he promised me that he
15 will do whatever he can to keep him quiet.

16 DEPUTY CORONER MS MONAGHAN: Do you know what they did to do
17 that?

18 A. I don't know. Probably they had a word with him.
19 I don't know what he did.

20 DEPUTY CORONER MS MONAGHAN: So just in relation to that
21 incident, you have told us -- were you aware at all of
22 other problems arising with deportees?

23 A. Not that I know -- well, just stories that I've heard
24 from other crew, but I didn't never had a personal
25 experience with deportees.

1 DEPUTY CORONER MS MONAGHAN: Just in relation to the
2 briefing and picking up on a matter that you just raised
3 yourself. Were you given any guidance as to what cabin
4 crew's responsibilities for deportees might be, as
5 opposed to G4S?

6 A. No, we didn't have special guidance for that during the
7 briefing, no, we didn't have --

8 DEPUTY CORONER MS MONAGHAN: At any time did you --

9 A. During the briefing, no.

10 DEPUTY CORONER MS MONAGHAN: At any other time?

11 A. No.

12 DEPUTY CORONER MS MONAGHAN: Did you have any understanding
13 about what your responsibilities might be for the
14 deportee, as opposed to the G4S officers?

15 A. Well, as far as I know, as cabin crew, that the only
16 reason for the G4S to be there on the aircraft is to
17 look after the deportee. So that is it basically.

18 DEPUTY CORONER MS MONAGHAN: When you say that's it, does
19 that mean --

20 A. I mean, what I'm trying to say is that the reason why
21 the G4S are on the aircraft on that -- or any particular
22 day is to look after this particular passenger, this
23 deportee.

24 DEPUTY CORONER MS MONAGHAN: So did you understand from that
25 that you didn't, or the cabin crew wouldn't, have any

1 responsibility for him or ...?

2 A. Well, yes, at some point, yes.

3 DEPUTY CORONER MS MONAGHAN: Okay. Did you see Mr Mubenga,
4 the deportee, board the aircraft with the escorts?

5 A. Exactly. I seen him only once and that was when he
6 boarded the aircraft.

7 DEPUTY CORONER MS MONAGHAN: Are you able to describe his
8 demeanour, how he was?

9 A. He was very calm. He seemed polite. He didn't say
10 anything. The deportees and G4S always board the
11 aircraft first as pre-boards, as we say. And I was
12 standing very close to doors 2 left at that point where
13 it was the doors that we were actually boarding the
14 aircraft. So I was the one who approached them and
15 asked them for their boarding passes. I believe one of
16 the G4S guards passed me their boarding passes to check
17 them and I point them out to their seating, and that was
18 the only contact I had.

19 DEPUTY CORONER MS MONAGHAN: Precisely. I think we
20 understand that that was the only time you saw
21 Mr Mubenga or the guards?

22 A. Exactly.

23 DEPUTY CORONER MS MONAGHAN: I think however --

24 A. Sorry, I think -- I'm sorry to interrupt.

25 DEPUTY CORONER MS MONAGHAN: Don't worry. Please go ahead.

1 A. I think I seen the guards when they were leaving the
2 aircraft as well.

3 DEPUTY CORONER MS MONAGHAN: After the incident had
4 happened?

5 A. After the incident.

6 DEPUTY CORONER MS MONAGHAN: I am sorry, I should have said
7 before the incident happened. I think that was the only
8 time you saw them?

9 A. Exactly, yes.

10 DEPUTY CORONER MS MONAGHAN: At some point during the course
11 of the period thereafter, I think you heard
12 Peter Walsham make an announcement, is that right, over
13 the tannoy?

14 A. I'm sorry, which part are you referring to, madam?

15 DEPUTY CORONER MS MONAGHAN: If you look at page 3 of your
16 statement.

17 A. Yes.

18 DEPUTY CORONER MS MONAGHAN: The bottom paragraph, you say:
19 "Peter then made an announcement on the PA."

20 A. Yes, he did make an announcement asking for
21 passengers -- because we were still boarding the
22 aircraft at that time. I mean, boarding had -- sorry,
23 boarding was actually interrupted for a few minutes but
24 there was still passengers that they were trying to get
25 in their seat. So what Peter did was make

1 an announcement asking for those people -- for those
2 passengers that were about to sit in World Traveller
3 cabin to move to -- to move to the front of the aircraft
4 towards World Traveller Plus and Club World cabin.

5 DEPUTY CORONER MS MONAGHAN: Did you speak to anybody at
6 that stage about what had happened?

7 A. Yes, I've spoken to Claire.

8 DEPUTY CORONER MS MONAGHAN: What did Claire say to you?

9 A. She said -- her exact words I think was, "Oh the
10 deportee kicked off".

11 DEPUTY CORONER MS MONAGHAN: Did Dario say anything to you?

12 A. That was later on when -- because later on after what
13 happened we continued boarding like we normally do. So
14 I got involved in pre-flight drinks and things that we
15 have to do in the Club World cabin when I was working
16 and then later on I was at the galley at some point, and
17 I was occupied, and Dario came over and said, "Oh, you
18 have to see the way that the deportee is restrained".
19 So that was it. That was the only comment.

20 DEPUTY CORONER MS MONAGHAN: You didn't go back and have
21 a look?

22 A. I didn't go back because -- I had at the back of my head
23 to go back later on, but because in Club World cabin
24 where I was working before the flight we have a lot of
25 things to do, like hanging jackets and doing a lot of

1 things. So I was thinking that when I finished that
2 I might go, but later on I got so involved with my
3 security duties and everything and I didn't go.

4 DEPUTY CORONER MS MONAGHAN: That's fine. You having done
5 your duties and boarding having taken place, the
6 aircraft then began to move from the stand, is that
7 right?

8 A. Exactly. We had the command from the CSD to arm the
9 doors and for the cabin crew to take our seats for
10 take-off.

11 DEPUTY CORONER MS MONAGHAN: After the plane begins to move
12 from the stand, did anything significant happen so far
13 as you're concerned?

14 A. Well, I was sitting in my seat and I was doing my silent
15 review and I heard a lot of communication, of phone
16 communication. We have a high low chime and we do know
17 that there is a lot of calling going on. However, this
18 particular aircraft, the Boeing 777 as we call it, it
19 doesn't have an open line, for example, so I couldn't
20 just pick up the phone and overhear the conversation.
21 You know, nobody called my door, I was sitting at
22 doors 2 right. So -- but I did hear a lot of
23 communication between the crew. I didn't know what was
24 said.

25 DEPUTY CORONER MS MONAGHAN: Did Peter Walsham say something

1 to you at any stage?

2 A. We were pushing back and I saw Peter walking down and
3 I look at him and said, "What happened?" because we were
4 strapped in ready for take-off and he said, "Well, the
5 deportee probably is faking a heart attack".

6 DEPUTY CORONER MS MONAGHAN: Probably faking a heart attack?

7 A. Exactly, yes.

8 DEPUTY CORONER MS MONAGHAN: Did anything significant happen
9 so far as your involvement was concerned after that?

10 A. I didn't witness anything, no.

11 DEPUTY CORONER MS MONAGHAN: That's absolutely fine. Thank
12 you. Just wait there. There may be some questions for
13 you, but thank you.

14 MR BLAXLAND: I have no questions.

15 Examiné by MS HEWITT

16 MS HEWITT: Madam, one very short matter and it arises for
17 your note out of what can be seen on page 157 of the
18 witness bundle. I am not going to put it in that form
19 actually to the witness, but the one sentence towards
20 the bottom of the page.

21 Can I ask you this, please: that night did you stay
22 in a hotel locally?

23 A. I did yes, after a few hours we were told to night stop
24 in a hotel and we operated the next day.

25 Q. While you were in your room resting, were you contacted

1 by the media at all?

2 A. No, I did not.

3 MS HEWITT: Thank you.

4 MR MATTHEWSON: No questions.

5 MR ANTROBUS: Not from me.

6 DEPUTY CORONER MS MONAGHAN: Thank you very much for your
7 assistance, Mr Kongketzas. That's your evidence. Thank
8 you. You're now free to leave, although you're equally
9 welcome to stay of course.

10 (The witness withdrew)

11 DEPUTY CORONER MS MONAGHAN: Can we have Ms Woods.

12 MS LORRAINE WOODS (affirmed)

13 Examined by THE CORONER

14 DEPUTY CORONER MS MONAGHAN: Can you give us first of all
15 your full name?

16 A. Lorraine Patricia Woods.

17 DEPUTY CORONER MS MONAGHAN: Can you tell us, please, by the
18 time of the incident we're concerned with, on
19 12 October 2010, how long had you been employed by
20 British Airways and what was your role?

21 A. Just over 15 years and I was cabin crew on the night in
22 question, although I've done leadership roles in
23 previous flying experience within British Airways.

24 Q. So in terms of your broad cabin crew career, by that
25 working on a flight in some capacity, how long had you

1 been undertaking that role?

2 A. Undertaking the role on the night in question?

3 DEPUTY CORONER MS MONAGHAN: No, during your career? Was

4 the whole of your career at British Airways?

5 A. Yes, the whole of it was at British Airways but I was at

6 a subsidiary where I had a cabin crew for two years,

7 then managerial for three years, then I was transferred

8 and I'd further ten years of being cabin crew.

9 DEPUTY CORONER MS MONAGHAN: You heard me ask this to the

10 previous witnesses, but can you just confirm, please,

11 for us that you had had the first aid life saving

12 training?

13 A. Yes.

14 DEPUTY CORONER MS MONAGHAN: And recurrent annual training?

15 A. Yes.

16 DEPUTY CORONER MS MONAGHAN: Dealing with those same issues?

17 A. Yes, that's correct.

18 DEPUTY CORONER MS MONAGHAN: Coming then, please, to the

19 night we're concerned with. Can you tell us what your

20 role was on the flight on 12 October?

21 A. Yeah, I was working position number 7 which is based at

22 door 3 right on the aircraft. I was working in the

23 economy cabin where the deportee was seated.

24 DEPUTY CORONER MS MONAGHAN: So you were in the same cabin?

25 A. The same cabin, yes.

1 DEPUTY CORONER MS MONAGHAN: Before the boarding took place,
2 we have heard already that there was a briefing by
3 Peter Walsham?
4 A. Yes.
5 DEPUTY CORONER MS MONAGHAN: During the course of that
6 briefing, as we understand it, cabin crew were informed
7 that there was going to be a deportee on the plane?
8 A. That's correct.
9 DEPUTY CORONER MS MONAGHAN: Were you informed at that time
10 that there were going to be escorts accompanying the
11 deportee?
12 A. I can't remember, but normally through my experience of
13 deportees there are escorts accompanying them.
14 DEPUTY CORONER MS MONAGHAN: Before that night, had you had
15 much experience of deportees or --
16 A. Yes, I've carried quite a number of deportees on board.
17 DEPUTY CORONER MS MONAGHAN: Are you able to tell us usually
18 how many guards there would be or did it vary?
19 A. No less than two.
20 DEPUTY CORONER MS MONAGHAN: Was it commonly two or usually
21 three?
22 A. No, more often two.
23 DEPUTY CORONER MS MONAGHAN: Had you experienced any
24 difficulties with deportees?
25 A. No.

1 DEPUTY CORONER MS MONAGHAN: Everything had gone smoothly?

2 A. Yeah. They were normally quite compliant.

3 DEPUTY CORONER MS MONAGHAN: So just looking then, please,

4 at the occasion we're concerned with. Did you see the

5 deportee board with the escorts?

6 A. I did, yes.

7 DEPUTY CORONER MS MONAGHAN: Was there anything eventful

8 amount that that you can tell us about?

9 A. No, normal. I wished them good evening and went and

10 took my position at door 3 because after that regular

11 boarding would commence.

12 DEPUTY CORONER MS MONAGHAN: They boarded first, as we have

13 heard?

14 A. They boarded first, yes.

15 DEPUTY CORONER MS MONAGHAN: They went presumably to the

16 back of the plane as we have already heard about?

17 A. Yes.

18 DEPUTY CORONER MS MONAGHAN: Then, can you tell us, boarding

19 continued?

20 A. Yeah, boarding continued.

21 DEPUTY CORONER MS MONAGHAN: Then what happened next so far

22 as you're concerned?

23 A. Okay, boarding continued and then I heard disturbance

24 from the rear of the aircraft at door 4. I was at

25 door 3 and I heard my colleague Louise shout, "Move

1 forward". So I looked around and she was moving the
2 passengers that had boarded at the rear forward, so
3 I continued to do the same from door 3. I moved them
4 forward into the World Traveller Plus cabin.

5 DEPUTY CORONER MS MONAGHAN: Did you ask what was happening?

6 A. No. Initially when I heard the disturbance I called
7 Peter at door 2 left, the CSD, and I had said who I was,
8 where I was calling from and that the deportee had
9 kicked off. And he said, "Shall I stop boarding?" and
10 I said "yes".

11 DEPUTY CORONER MS MONAGHAN: How did you know the deportee
12 had kicked off?

13 A. From the disturbance I heard at the back. There was
14 nobody else at the rear of the aircraft, only a mother
15 and child, and I looked and I could see scuffling.

16 DEPUTY CORONER MS MONAGHAN: Just before we look, you have
17 said you heard something. What did you hear?

18 A. I heard shouting. I heard shouting, something to the
19 effect of, "I don't know what I'm going to do".

20 DEPUTY CORONER MS MONAGHAN: Anything else?

21 A. No. Just Louise's voice then, "Can everyone move
22 forward. Move forward".

23 DEPUTY CORONER MS MONAGHAN: You then said you saw a scuffle
24 I think you described it as?

25 A. Yes.

1 DEPUTY CORONER MS MONAGHAN: Are you able to give us
2 a better description of that?

3 A. Well, it was just basically the escorts and the deportee
4 were involved in a scuffle. And my concern was for the
5 aircraft safety, the doors and the passengers and my
6 crew members also.

7 DEPUTY CORONER MS MONAGHAN: Of course. Did you see where
8 the guard were, the escorts were, relative to Mr Mubenga
9 or --

10 A. Yeah, I'm sure it was actually down by door 4 right
11 where the scuffle was occurring, near the last row of
12 seats.

13 DEPUTY CORONER MS MONAGHAN: The position of each of them,
14 could you tell or was it --

15 A. No, I couldn't tell, no.

16 DEPUTY CORONER MS MONAGHAN: So you start to move passengers
17 down, tell Peter Walsham. You agree that he should stop
18 boarding?

19 A. Yes.

20 DEPUTY CORONER MS MONAGHAN: Then what happened?

21 A. I moved passengers into the forwards cabins and I turned
22 around and at one stage, there was a few passengers that
23 remained seated. I tried to get them forward. And as
24 I turned around from door 3 I turned to the rear of the
25 aircraft and I could see one of the guards in row 39 and

1 the two other guards were astride and Mr Mubenga was in
2 the middle seat in row 40 echo. One of the guards --
3 one of the -- the guard in the row in front was pushing
4 down.

5 DEPUTY CORONER MS MONAGHAN: Pushing down, could you see
6 what he was pushing down on?

7 A. I couldn't see where Mr Mubenga was at this stage. So
8 it could only be him in front that he was pushing down
9 on as there was the guard either side astride in the
10 last row. I could see them.

11 DEPUTY CORONER MS MONAGHAN: Looking first at the guards
12 side-by-side, before we come to the man in front. The
13 guards side-by-side, could you see what they were doing?

14 A. No, I couldn't see what they were doing in the last row.

15 DEPUTY CORONER MS MONAGHAN: Could you see how they were
16 positioned?

17 A. No. I could just see that they were seated on the aisle
18 seats and there was somebody in the middle.

19 DEPUTY CORONER MS MONAGHAN: Could you see their heads?

20 A. I could see their heads, yeah, the sides of their
21 bodies.

22 DEPUTY CORONER MS MONAGHAN: So I just ask that because they
23 were visible to you?

24 A. Yes, they were in -- yeah, my peripheral view.

25 DEPUTY CORONER MS MONAGHAN: How close to them were you?

1 A. I was at door 3 and they were just in front of door 4.

2 DEPUTY CORONER MS MONAGHAN: So you could see -- that's the
3 economy cabin there?

4 A. Yes.

5 DEPUTY CORONER MS MONAGHAN: Can you give us an idea. You
6 see we have the J/K, H/J/K, whatever it is, and the
7 A/B/C down the bottom?

8 A. Yes.

9 DEPUTY CORONER MS MONAGHAN: Can you tell us whereabouts you
10 were in relation to that, please?

11 A. I would have been at the top of that there on the door,
12 the cross aisle there.

13 DEPUTY CORONER MS MONAGHAN: Near 40?

14 A. Sorry, yeah, I was actually 40 -- that's where the two
15 guards were seated and I was at row 26.

16 DEPUTY CORONER MS MONAGHAN: So you were quite some way
17 further down. You were at the other end of the cabin?

18 A. Yeah, the other end of that cabin, yes.

19 DEPUTY CORONER MS MONAGHAN: The other end of that cabin?

20 A. Yes.

21 DEPUTY CORONER MS MONAGHAN: Just to give us an idea, can
22 you tell us by reference to, say, this room, what the
23 distance would have been between you and row 40?

24 A. Maybe from this table back to the end of the room.

25 DEPUTY CORONER MS MONAGHAN: Did you have a clear view of

1 what was happening there or was there any obstructions?

2 A. No, because there wasn't many passengers in the rear
3 cabin at the time so I did have quite a clear view but
4 it was only for two or three seconds that I saw.

5 DEPUTY CORONER MS MONAGHAN: You have told pus the two
6 guards. You said you didn't see Mr Mubenga?

7 A. No.

8 DEPUTY CORONER MS MONAGHAN: So could you see Mr Mubenga --
9 the top of Mr Mubenga's head, for example?

10 A. No.

11 DEPUTY CORONER MS MONAGHAN: You couldn't see him at all?

12 A. I couldn't see him at all.

13 DEPUTY CORONER MS MONAGHAN: You saw the guard in front
14 pressing down?

15 A. He was in the row in front in the E seat, 39E.

16 DEPUTY CORONER MS MONAGHAN: In the middle?

17 A. In the middle.

18 DEPUTY CORONER MS MONAGHAN: Leaning over?

19 A. Leaning over, pressing downwards.

20 DEPUTY CORONER MS MONAGHAN: Just so I am clear and the jury
21 is clear, if you were back there, so you have a rear
22 view, how can you be sure that you saw him pushing down?
23 What would have been --

24 A. It was the way his arms were positioned and he was quite
25 a big guy so -- there was some force exerted there,

1 yeah.

2 DEPUTY CORONER MS MONAGHAN: Did you see any handcuffs?

3 A. I did see handcuffs, yes. I think it relates there, in
4 my statement I said after Peter came down to assess the
5 situation and then boarding recommenced, I didn't hear
6 any further noises and then I walked from door 3 right
7 to 3 left down to 4 left and I passed Mr Mubenga on the
8 way.

9 DEPUTY CORONER MS MONAGHAN: Was that before you saw the
10 pushing down?

11 A. That was after.

12 DEPUTY CORONER MS MONAGHAN: So at that stage you saw
13 Mr Mubenga handcuffed?

14 A. I saw him handcuffed, yes.

15 DEPUTY CORONER MS MONAGHAN: Could you tell us what the
16 position of his arms was?

17 A. He was in the stack position.

18 DEPUTY CORONER MS MONAGHAN: Behind his back?

19 A. Yeah, behind his back and his head was down.

20 DEPUTY CORONER MS MONAGHAN: Are you able to recall now how
21 far his head was down?

22 A. Well, I couldn't see his face so ...

23 DEPUTY CORONER MS MONAGHAN: In your witness statement that
24 you made to the police on 25 November, or the statement
25 that we have, you said that when you saw the third guard

1 in 39E, facing the deportee, he had his hands and arms
2 over the back of the seat but you couldn't see what they
3 were doing, as you have said. You have now added
4 a manuscript note, haven't you, to that statement?

5 A. Yes, I don't know how that was left out.

6 DEPUTY CORONER MS MONAGHAN: Let me just read it. In your
7 original statement you say:

8 "I saw the third security guard kneeling up, facing
9 the deportee who was bent over in the row behind. This
10 guard had his hands and arms over the back of the seat
11 but I couldn't see what he was doing with them."

12 A. Yes.

13 DEPUTY CORONER MS MONAGHAN: You have added a note that
14 says:

15 "At some stage during this commotion I did see one
16 of the security guards press down on the deportee from
17 row 39E."

18 A. Yes.

19 DEPUTY CORONER MS MONAGHAN: That's what you have just told
20 us about?

21 A. Yes.

22 DEPUTY CORONER MS MONAGHAN: Now, first of all, it isn't it
23 your original statement. Are you able to help us with
24 why that might be?

25 A. I don't know but I definitely remember saying it to the

1 police because I saw it.

2 DEPUTY CORONER MS MONAGHAN: The statement, I anticipate,
3 would have been signed. I don't have a signed copy here
4 but I can certainly do a search if I need to. Do you
5 remember signing the statement?

6 A. I do and I remember I got an awful long flight and
7 I read through it. So had it been omitted, I wouldn't
8 have really noticed at that stage but I definitely did
9 see that.

10 DEPUTY CORONER MS MONAGHAN: Did you sign the typed version
11 order written version, do you remember?

12 A. I think it was the typed version.

13 DEPUTY CORONER MS MONAGHAN: So you would have made the
14 statement a while before?

15 A. Yes.

16 DEPUTY CORONER MS MONAGHAN: It would have been typed-up and
17 then brought back to you to sign?

18 A. Yes.

19 DEPUTY CORONER MS MONAGHAN: I just have a couple more
20 questions. You have told us what you have told us
21 already. You have said something about a headrest in
22 relation to seat 40 in your statement. Are you able to
23 help us with that?

24 A. Yes.

25 DEPUTY CORONER MS MONAGHAN: Can you explain that to us,

1 please.

2 A. Could I just reiterate on the arms behind the headrest
3 after I saw Mr Mubenga in the stack position, I did
4 mention to the policeman at the time -- I think he was
5 fiddling with the tray mechanism.

6 DEPUTY CORONER MS MONAGHAN: Who?

7 A. The tray table.

8 DEPUTY CORONER MS MONAGHAN: Who?

9 A. The guard in front, 39E. That's why his hands were
10 behind the seat. There was -- he was fiddling with
11 something, but they weren't near Mr Mubenga at the time.

12 DEPUTY CORONER MS MONAGHAN: So at that point, when you saw
13 the handcuffs, you didn't see the man pushing him down,
14 you saw him fiddling with the table?

15 A. Yes.

16 DEPUTY CORONER MS MONAGHAN: Did you see the table down at
17 any stage?

18 A. I can't remember.

19 DEPUTY CORONER MS MONAGHAN: Just on that then, to close
20 that line up, can you remember -- you have told us he
21 was in the back stack?

22 A. Hmm, hmm.

23 DEPUTY CORONER MS MONAGHAN: Were his arms resting on his
24 back or were they sticking out or ...?

25 A. From what I saw, they were resting, yeah.

1 DEPUTY CORONER MS MONAGHAN: We'll come back to the cushion
2 then, if you wouldn't mind.

3 A. Yes, certainly.

4 DEPUTY CORONER MS MONAGHAN: Just explain to us what you
5 saw?

6 A. When I went to secure the cabin for take-off, there was
7 a protruding piece of metal on the side where you can
8 lay your head. The cushion had gone off that. So
9 I thought that that was -- that would be a danger to
10 somebody if anything else happened. So I looked for the
11 cover to put it back on, which I couldn't find, so
12 I took a headrest off one of the seats and just covered
13 it over.

14 DEPUTY CORONER MS MONAGHAN: Did you ever see that, what
15 might have been the missing cushion, again?

16 A. No, because I looked after landing -- after everyone had
17 got off and I still couldn't find it.

18 DEPUTY CORONER MS MONAGHAN: What happened next so far as
19 was relevant to our concerns?

20 A. Yeah, I was looking for that and I saw the security
21 guards at that stage and they were taking a pulse from
22 Mr Mubenga. There was one guy still in front, two guys
23 either side on the D and F seat, Mr Mubenga in the
24 centre seat. One of them was holding his head up. His
25 eyes were half closed, kind of rolling around, and they

1 were checking for a pulse on his neck.

2 DEPUTY CORONER MS MONAGHAN: Did you see what position his

3 mouth was in?

4 A. I didn't, no.

5 DEPUTY CORONER MS MONAGHAN: What was the man in front

6 doing, 39?

7 A. He was looking for the pulse and the guy behind was

8 supporting the head.

9 DEPUTY CORONER MS MONAGHAN: Did you see Peter Walsham come

10 on the scene at any stage?

11 A. No.

12 DEPUTY CORONER MS MONAGHAN: You didn't see him come out

13 all?

14 A. No.

15 DEPUTY CORONER MS MONAGHAN: I think that was the end of

16 your involvement or anything that you saw in particular?

17 A. I felt intimidated by the security guards because when

18 I looked for the missing piece of cushion from the

19 seating they said to me, "We'll sort that". They

20 didn't -- they didn't want me in the area.

21 DEPUTY CORONER MS MONAGHAN: They gave you the brush off?

22 A. Yeah.

23 DEPUTY CORONER MS MONAGHAN: So that was the end of your

24 involvement?

25 A. That was the end of my involvement, yes.

1 DEPUTY CORONER MS MONAGHAN: Just a couple of things then.
2 Given the training that we know you had and we have
3 heard that others in the cabin had, did it occur to you
4 that you should undertake an assessment and gather
5 together the medical action plan?
6 A. No, not at that stage. I wasn't dealing with the
7 casualty. I didn't know the situation. I didn't assess
8 him at all medically. It was out of my control. The
9 security guards, it was their situation. They had to
10 control the situation.
11 DEPUTY CORONER MS MONAGHAN: So you didn't think about
12 intervening?
13 A. I didn't think about intervening, no. I felt
14 intimidated by them and, no, I didn't think about
15 intervening.
16 DEPUTY CORONER MS MONAGHAN: Asking for a defibrillator or
17 whether it was needed, anything of that sort?
18 A. No, because I didn't know -- I didn't assess the
19 casualty so I didn't know what the problems were, if
20 any.
21 DEPUTY CORONER MS MONAGHAN: I think that's everything
22 I need to ask you. Just pause there. That's everything
23 I need to ask you. Just stay there because there will
24 be some questions. I wonder if we should just take
25 a short break now, if you wouldn't mind, for the

1 stenographer. We'll take a short break. We'll come
2 back. I don't think we'll have very many questions for
3 you but you will need to come back after the short
4 break, Ms Woods. As I have said to other witnesses, you
5 may have heard, because you're now giving your evidence
6 please make sure you don't discuss the evidence with
7 anybody during the break.

8 A. Yes, certainly.

9 DEPUTY CORONER MS MONAGHAN: Thank you very much.

10 Ten minutes then, please.

11 (3.35 pm)

12 (Break taken)

13 (3.45 pm)

14

2 (In the presence of the jury)

3 Examined by MR BLAXLAND

4 MR BLAXLAND: Ms Woods, I represent the family of Mr Mubenga
5 and I just have a very few questions for you. I just
6 want to try, if I can, to sort out the sequence of
7 events. You described seeing an incident in which the
8 guard who was in row in the front was leaning forward
9 and you thought pressing down on whoever was in front of
10 him. Just so that we understand it, you saw that, did
11 you, from your position near -- was it door 3 which is
12 near the letters C/B/A on our plan?

13 A. Hmm, hmm.

14 Q. That's right?

15 A. It would be the opposite side. It would be J/K.

16 Q. Fine, but that end. I just wanted to establish that

17 that description that you provided was when you were in
18 that position?

19 A. Yes.

20 Q. Right. There came a time when you walked up to the far
21 end, much closer to where the deportee, Mr Mubenga, was
22 with the guards, is that right?

23 A. Yes.

24 Q. When was that, please?

25 A. That was when boarding had just about finished and

1 Peter, the CSD, had come down to assess the situation
2 because my colleague, France, was back from the boarding
3 door so she could cover doors 3. So that's when I could
4 be released and I walked down to get a drink of water
5 and just to see how things were.

6 Q. What did you see at that point?

7 A. At that point that's when I saw Mr Mubenga in the stack
8 position, the head bent over. I couldn't see his face.
9 A guard either side in row 40, Mr Mubenga in 40E. And
10 there was a guard in 39E, maybe the same guard, that had
11 been in that position earlier on and his arms were over
12 the seat. He was fiddling around with back of the seat.

13 Q. All right. Can I just ask you to look at your
14 statement, please. It's page 124 in our bundle. It's
15 page 3 of your statement. It's just this point about
16 the fiddling with the locking mechanism on the tray.

17 A. Hmm, hmm.

18 Q. This is what you said and I'm looking at the paragraph
19 which is just below the lower of the two hole-punches:

20 "When I was alongside row 40 ..."

21 Do you see that?

22 A. Yes, I see it.

23 Q. It's about seven lines up. This is what you said in the
24 statement:

25 "When I was alongside row 40 I noticed the security

1 guard in front was trying to support the deportee's head
2 as he tried to get a pulse in his neck. He did this by
3 feeling his neck. I noticed that his eyes were rolling
4 back and fore and were half-closed."

5 That's a reference, is it, to Mr Mubenga?

6 A. Yes.

7 Q. Is that right?

8 A. Yes.

9 Q. Then you said:

10 "One of the guards was fiddling with the locking
11 mechanism on the tray in front of the deportee while the
12 other helped hold the head of the deportee."

13 So the --

14 A. Right, well, I knew it happened at some stage, the
15 locking mechanism, but obviously it was at that stage.

16 Q. The tray was up, was it?

17 A. The tray -- I can't confirm that. I know that there was
18 a lock that holds it upright, but that was being fiddled
19 with. And I can't confirm whether the tray was up or
20 down.

21 MR BLAXLAND: That's all I wanted to ask. Thank you.

22 Examined by MS HEWITT

23 MS HEWITT: I just have a couple of questions about the same
24 matter. You will understand, I hope, the reason perhaps
25 we are both particularly asking about your evidence

1 about Mr Mubenga being pushed down is because it doesn't
2 appear at all in your statement, does it?

3 A. No, no.

4 Q. So if I can be clear about what you are saying. We have
5 two views of the incident that you have described. The
6 first is when you're about as far away as from you to
7 the end of the room?

8 A. Hmm, hmm.

9 Q. You say there was a look then for two or three seconds?

10 A. Yes.

11 Q. It's at that time that your impression was of the guard
12 in front pushing down?

13 A. Yes.

14 Q. When you gave that evidence, just before the break, it
15 doesn't go on the transcript but what you did with your
16 hands was effectively hold your elbows out, put one hand
17 over the other and did a pressing down movement?

18 A. That's what I saw, yes.

19 Q. That's what you saw?

20 A. Yes.

21 Q. From this distance away, from the distance you are now
22 to the back of the room, on the plane, looking to the
23 back row, you have a guard leaning over the seat, you
24 say with his hands armed arms over the seat; is that
25 right?

1 A. Yes.

2 Q. How could you see then if his hands were over the seat
3 that his hands were like this one above the other and
4 pressing down?

5 A. Because the elbows were out. His elbows were out.

6 Q. You saw his elbows out?

7 A. Yes.

8 Q. Could you see though precisely what his hands were
9 doing?

10 A. I couldn't see precisely what they were doing, but with
11 the force -- there was a certain amount of force that
12 was being used. What else could he be doing?

13 Q. Could you see his hands at all?

14 A. I couldn't see what his hands were doing, but his
15 hands -- they were pressing down. But his head, I could
16 see his head, and this going on.

17 Q. You could see the guard's position?

18 A. I could see his position. I could see the elbows.

19 Q. But as far as what his hands, beyond his elbows, were
20 doing, they were behind him?

21 A. They were behind the seat.

22 Q. You couldn't see then either, could you, what his hands
23 were in contact with at that time?

24 A. No, no.

25 Q. When you say you walked towards the galley and got

1 nearer, it's at that point that I think you just said to
2 Mr Blaxland that you saw Mr Mubenga with his head
3 forward and, again, when you were giving this evidence
4 earlier you lent forward yourself to some degree. Where
5 was Mr Mubenga's head then? Was it towards effectively
6 the seat in front?

7 A. His head -- all I could see was the handcuffs at the
8 back and his head down. So I couldn't see his face.

9 DEPUTY CORONER MS MONAGHAN: How far down do you remember
10 his head being? Do you have any recollection of that?

11 A. It was quite far down because I could clearly visibly
12 see the handcuffs.

13 MS HEWITT: Was he resting on the seat in front, can you
14 remember?

15 A. I can't remember if he was resting or if he was far
16 down.

17 MS HEWITT: Thank you very much.

18 A. I could clearly see the handcuffs and not his face.

19 DEPUTY CORONER MS MONAGHAN: Thank you very much, Ms Woods.
20 That's very kind of you.

21 (The witness withdrew)

22 DEPUTY CORONER MS MONAGHAN: I think Ms Abrahams, if
23 I understand it right, needs to go today. Is that
24 right?

25 MS ABRAHAMS: No, I think Ann-Marie needs more than I do.

1 I can, if need be, come back tomorrow.

2 DEPUTY CORONER MS MONAGHAN: I think we would probably ask
3 Ms Abrahams to come back tomorrow. What do you think?

4 I have completely misjudged it so --

5 MR ANTROBUS: I think our preference would be Ms McMillan,
6 given that she's more urgent.

7 DEPUTY CORONER MS MONAGHAN: I think Ms McMillan might be
8 longer. That's my concern realistically. She has been
9 mentioned a few times. Do we have time to get through
10 one of them? We have time to get through one of them,
11 you think? Do any of you, members of the jury, have
12 a pressing commitment that means you can't stay a bit
13 later? Do we think we could get through Ms McMillan now
14 then within a reasonable period?

15 MS ANN-MARIE MCMILLAN (sworn)

16 Examined by THE CORONER

17 DEPUTY CORONER MS MONAGHAN: Can you give us your full name,
18 please.

19 A. My full name is Ann-Marie McMillan.

20 DEPUTY CORONER MS MONAGHAN: Keep your voice up, if you can.
21 You have been here all day, I think, or much of the day,
22 so you'll know roughly how it goes?

23 A. Yes.

24 DEPUTY CORONER MS MONAGHAN: First of all, can you tell us
25 how long by the time we're concerned with, October 2010,

1 you had been employed by British Airways?

2 A. For 32 years.

3 DEPUTY CORONER MS MONAGHAN: 32 years?

4 A. Yeah.

5 DEPUTY CORONER MS MONAGHAN: For the whole of that time were

6 you employed as cabin crew?

7 A. For 22 of those years as cabin crew.

8 DEPUTY CORONER MS MONAGHAN: On the night in question, what

9 was your role in the cabin?

10 A. I was a member of the main cabin crew with general

11 duties and I was number 8. In that position I would

12 have been held at door 4 right which is on the J/K/H

13 side of the aircraft.

14 DEPUTY CORONER MS MONAGHAN: Before we come to the night

15 itself in more detail, you will have had, I assume, the

16 first aid and life saving treatment that we have heard

17 about?

18 A. Yes.

19 DEPUTY CORONER MS MONAGHAN: You will have been aware of,

20 for example, the need for a medical action plan where

21 there was some initial assessment giving rise to

22 a concern?

23 A. Yes.

24 DEPUTY CORONER MS MONAGHAN: And about the existence of

25 a defibrillator?

1 A. Yes.

2 DEPUTY CORONER MS MONAGHAN: You will have known how to
3 identify vital signs, for example?

4 A. Yes.

5 DEPUTY CORONER MS MONAGHAN: Before the flight, as we
6 understand it, and as we have heard, there was
7 a briefing by Peter Walsham?

8 A. Yes.

9 DEPUTY CORONER MS MONAGHAN: Can you tell us what you were
10 told during the course of that briefing?

11 A. My recollection is the only thing that we were told that
12 there was a deportee on board the aircraft. I don't
13 remember being told that there was any escorts with him,
14 but from my limited past experience of deportees I would
15 presume there would have been at least one escort with
16 him.

17 DEPUTY CORONER MS MONAGHAN: Had you had much experience of
18 deportees on planes by that stage?

19 A. Even with the use of flying personally, no.

20 DEPUTY CORONER MS MONAGHAN: Have you had any?

21 A. I had had two that I can definitely recollect but they
22 were on local -- they wouldn't have been called
23 a deportee then, but I have had prisoner and escorts on
24 local flights but I have not had any experience with
25 deportees.

1 DEPUTY CORONER MS MONAGHAN: So they would have been
2 internal within the United --
3 A. Between Glasgow and London.
4 DEPUTY CORONER MS MONAGHAN: So this was your first deportee
5 proper?
6 A. Yes.
7 DEPUTY CORONER MS MONAGHAN: At the briefing, were you given
8 any guidance about what your role would have been, if
9 any, in relation to the guards or the deportee?
10 A. No.
11 DEPUTY CORONER MS MONAGHAN: Have you ever been given any
12 guidance about the respective roles of cabin crew,
13 escorts and deportees in those situations?
14 A. Not to my recollection, no, not specific rules of
15 jurisdiction.
16 DEPUTY CORONER MS MONAGHAN: In your own mind, were you left
17 with any idea about what your role might be or not?
18 A. In my understanding of it, I thought all jurisdiction
19 was down to the people escorting people on the aircraft.
20 DEPUTY CORONER MS MONAGHAN: When you say jurisdiction, by
21 that do you also include care?
22 A. Not care in as much as the care I would have given would
23 have been that of a normal passenger as far as meals or
24 things like that. He would have been given no alcohol.
25 That was the only thing that I can --

1 DEPUTY CORONER MS MONAGHAN: So in terms of making sure he
2 stays where he's supposed to stay and goes to Angola,
3 you understood that would be the role of the escorts?
4 A. Yes.
5 DEPUTY CORONER MS MONAGHAN: But in terms of ordinary
6 passenger care, apart from alcohol, did you understand
7 that you would maintain a usual cabin crew role?
8 A. If it was a normal situation, remained normal, yes.
9 DEPUTY CORONER MS MONAGHAN: As we have already heard and
10 there's no issue with this, Mr Mubenga boarded with the
11 three guards first?
12 A. I didn't see him boarding. I was in the galley at this
13 time so --
14 DEPUTY CORONER MS MONAGHAN: At the rear of the plane?
15 A. At the rear of the plane so I was -- I was standing just
16 behind the seats, just right at the -- it would be
17 row 39, J and H. I'm getting confused here. If I'm
18 looking down the aircraft, I'm standing on the
19 right-hand side of the aircraft.
20 DEPUTY CORONER MS MONAGHAN: So you would be in the K/J --
21 H/J/K?
22 A. Yes.
23 DEPUTY CORONER MS MONAGHAN: At the end?
24 A. Yes, and he was already seated. The first time I saw
25 Mr Mubenga he was already seated with two guards either

1 side and one in the row in front.

2 DEPUTY CORONER MS MONAGHAN: That was the first time you had
3 seen him?

4 A. That was my first sight of him.

5 DEPUTY CORONER MS MONAGHAN: At that stage, was there
6 anything memorable or --

7 A. Nothing untoward at all. I did make a subconscious
8 observation that he appeared tall, of an athletic build,
9 and a calm person.

10 DEPUTY CORONER MS MONAGHAN: So can you tell us then,
11 please, what happened next so far as you're -- can you
12 talk us through what happened.

13 A. Okay. He was talking on his mobile phone in his seat,
14 which I didn't think anything about, and then I didn't
15 notice -- I think a few passengers then came on the
16 aircraft, one of which was a mother and small little
17 boy, and I was helping them. And the next time I looked
18 behind me the seats where the four males had been
19 sitting were empty and I looked behind me and Mr Mubenga
20 was in the rear wash room, the toilet, and the three G4S
21 guys -- gentlemen were outside and the door was slightly
22 ajar because the G4S guy that was closest to the toilet
23 had his foot slightly in the door of the toilet and
24 I could hear Mr Mubenga speaking on his phone.

25 DEPUTY CORONER MS MONAGHAN: I was going to ask you how you

1 knew Mr Mubenga was in there, but you could hear him?

2 A. I could hear him having a conversation.

3 DEPUTY CORONER MS MONAGHAN: Then can you talk us through

4 what happened next, please.

5 A. I wondered why he was being allowed to speak in the

6 toilets. First of all, my -- I have to admit I was

7 uneasy in the fact that there seemed to be three guards

8 with Mr Mubenga and I wondered why they were allowing

9 him to speak. He had been speaking on his phone in the

10 cabin. Why he was then being allowed to have a further

11 conversation, whether it was a continuation of that call

12 or further conversation, in the toilets, why he just

13 wasn't being allowed to go there for what that purpose

14 is and come out and go back to his seat.

15 DEPUTY CORONER MS MONAGHAN: So you had those thoughts?

16 A. I had those thoughts.

17 DEPUTY CORONER MS MONAGHAN: Then what happened?

18 A. Then I turned back to the cabin and a few moments later

19 there was an absolutely horrendous -- well, there was

20 a noise first of all which I thought -- the toilet doors

21 are only hinged lightly and I -- the noise that I heard

22 I thought he had fallen or that there was -- it was as

23 if he -- someone of -- a hefty noise as if someone had

24 fallen against a door and then this unbelievably

25 inhumane noise that I can't describe. The power in the

1 voice was unbelievable.

2 DEPUTY CORONER MS MONAGHAN: Was it a distressed sound or --

3 A. It was a very deep distressed sound but it didn't sound
4 as if it was human. It was so -- the power in the voice
5 was unbelievable.

6 DEPUTY CORONER MS MONAGHAN: So you hear that voice?

7 A. Yeah.

8 DEPUTY CORONER MS MONAGHAN: What happens?

9 A. Me personally, it absolutely made my heart thud and
10 I was frightened and my hands were shaking. And when
11 I -- when I heard the noise and turned round, my
12 observation was that I couldn't see Mr Mubenga but the
13 three G4S guys were -- I don't know that they were
14 kneeling but they were very, very low to the ground, the
15 three of them, over what must have been Mr Mubenga.

16 DEPUTY CORONER MS MONAGHAN: Was that in the aisle or in the
17 galley?

18 A. It was in -- right by the door. So if this is the
19 aisle, although the aisle had then gone into the
20 passageway at the back, it was closer to the door. It
21 was right outside the toilet.

22 DEPUTY CORONER MS MONAGHAN: So you see that melee or
23 whatever it is?

24 A. Yeah.

25 DEPUTY CORONER MS MONAGHAN: Then what happens?

1 A. The mother and child that were there, I lifted the
2 little boy out because I didn't know what was going to
3 happen. So I lifted him out of the way and the lady
4 went to try and get her luggage. I said, "Just leave
5 your luggage and come with me" and I moved her down the
6 cabin.

7 DEPUTY CORONER MS MONAGHAN: Then did you come back up?

8 A. I actually can't remember what I did then. I think --
9 I think I took the lady and her little boy into the next
10 cabin and I stayed with them because I actually did not
11 observe anything else of the -- I've got no recollection
12 of seeing Mr Mubenga being put in his seat after that
13 until later on.

14 DEPUTY CORONER MS MONAGHAN: We'll just come to that. At
15 that time you hear the roar and you take the child and
16 the mum down the cabin, had you seen or spoken to Louise
17 at that point?

18 A. I can't remember.

19 DEPUTY CORONER MS MONAGHAN: Then what happens?

20 A. Passengers -- so I've taken the child then. So the
21 boarding appears to be continuing so I didn't go back up
22 to where the gentleman was. I felt I had to make Peter
23 aware of the seriousness -- that I perceived the
24 situation from the noise that Mr Mubenga was making,
25 that powerful voice, so I went for -- I wasn't aware

1 that anyone else had spoken to him or anything. So
2 I made the decision to go to door 2 right and so I'm
3 standing at door 2 right and I look across to 2 left
4 where the boarding is and I indicated to Peter that
5 I would like to speak to him. So he disengaged from
6 boarding. And the dispatcher or turn round manager, as
7 they're known, was also at my side.

8 DEPUTY CORONER MS MONAGHAN: That was Mr Upton?

9 A. I wasn't aware of the gentleman's name.

10 DEPUTY CORONER MS MONAGHAN: The turn round manager?

11 A. Yes, Mr Upton, and I said that it seemed to be -- you
12 know, could this develop into a serious incident? I've
13 never experienced anything like this before. And
14 I think there must have been more passengers in the
15 cabin than I recollected a few minutes ago because
16 a gentleman who had been on the phone to his wife said
17 to me, "Is this man getting taken off the aircraft?"
18 I said, "I don't know, but I would expect so from what
19 had happened". Mr Upton and Peter Walsham assured me
20 that this was normal in their experience. So I'm
21 presuming that they obviously had observed situations
22 like this more than I had and I have, in conversations
23 with crew in the past, heard that passengers kick off
24 unbelievably.

25 DEPUTY CORONER MS MONAGHAN: Pause there. What did Mr Upton

1 and Mr Walsham say to you?

2 A. Mr Walsham said that was normally what deportees did, as
3 long as they were aware that the doors of the aircraft
4 were open and there was a chance that they would be
5 taken off the aircraft.

6 DEPUTY CORONER MS MONAGHAN: What was your response, if any,
7 to that?

8 A. I wasn't happy that he was not being taken off and
9 I think I actually may have said I was that close to
10 offloading myself.

11 DEPUTY CORONER MS MONAGHAN: Do you remember saying that
12 or --

13 A. I don't know if -- I certainly said it to other crew
14 members but I'm not sure if I said it to -- I'm
15 80 per cent positive I did say it to one or other of the
16 gentleman that were there.

17 DEPUTY CORONER MS MONAGHAN: Did you ask to get off or did
18 it not reach that stage?

19 A. No, I didn't, because it was -- my reasoning for saying
20 that was I was physically shaking.

21 DEPUTY CORONER MS MONAGHAN: Then what happened? Did you
22 walk back up towards your place at any stage?

23 A. I think someone said to me to go to the first class
24 galley and get a cup of tea. I did go to the first
25 class galley. I can't remember having the tea, but

1 I said I need to go back down to the back because I knew
2 that Louise was badly shaken. And when I went down to
3 tell Peter how serious part of it was because Louise did
4 have her back against door 4 left and she seemed in
5 a deeper state -- she seemed in quite a deep state of
6 shock.

7 DEPUTY CORONER MS MONAGHAN: So you went to the first class
8 galley and you decided you needed to go back for that
9 reason?

10 A. Yeah.

11 DEPUTY CORONER MS MONAGHAN: You walked up, did you, to the
12 back of the plane?

13 A. Yes.

14 DEPUTY CORONER MS MONAGHAN: Tell us what happened then.

15 A. Actually could I go back a few moments?

16 DEPUTY CORONER MS MONAGHAN: Yes, please do.

17 A. Before I reached door 2, although we had moved the
18 passengers that were -- or on my side I had removed --
19 although the mother and son had been moved, there was
20 other passengers as well and -- in the aisle and I said
21 to them to turn around and go back the way they had come
22 but they weren't comprehending, understandably, why they
23 were being asked to do this. And I raised my voice and
24 I said, "Please listen to me. Go back the way you
25 came". So I was kind of dealing with them and saying,

1 "Just sit wherever just now" and because they would then
2 be sitting in seats that weren't theirs and boarding was
3 continuing I had to say to Peter I thought the boarding
4 should stop to assess the situation.

5 DEPUTY CORONER MS MONAGHAN: Did boarding stop at that
6 stage?

7 A. I can't remember.

8 DEPUTY CORONER MS MONAGHAN: At some point boarding
9 continued one way or another?

10 A. Yes, it did.

11 DEPUTY CORONER MS MONAGHAN: Did you move back to the rear
12 of the plane?

13 A. I did move back to the rear of the plane but I'm now on
14 the aisle on the other side of the aircraft, on the
15 A/B/C side. And there was a lady that was -- an older
16 lady that was crying and she obviously had already been
17 attended to by someone else in the crew because she had
18 a cup of tea and I stopped and said to her was she okay.
19 I had a conversation with her and a few more passengers
20 asked me different things about, "Do you know what was
21 happening? Was Mr Mubenga being taken off?" And I said
22 no, he wouldn't be being taken off the aircraft and then
23 I stayed. Because the boarding had continued and a lot
24 of passengers were now seated, I would be doing my
25 safety demonstration on the A/B/C side of the aircraft

1 at door 3.

2 DEPUTY CORONER MS MONAGHAN: By that stage had the doors
3 shut?

4 A. I'm not sure.

5 DEPUTY CORONER MS MONAGHAN: Did you see Mr Mubenga at any
6 stage before then?

7 A. No, I didn't, no.

8 DEPUTY CORONER MS MONAGHAN: You did your safety
9 demonstration?

10 A. Yeah, and as I'm doing the safety demonstration I'm
11 looking towards door 4 and I remember not being able to
12 see him at all. I remember thinking: why can't I see
13 him?

14 DEPUTY CORONER MS MONAGHAN: Were you looking towards the
15 row that you thought he was in?

16 A. Yes.

17 DEPUTY CORONER MS MONAGHAN: I think you may have jumped
18 a bit. Where did you think Mr Mubenga was?

19 A. Well, I didn't -- I did know he was in his seat
20 because --

21 DEPUTY CORONER MS MONAGHAN: How did you know that?

22 A. Because the two guards were either side and the taller
23 of the three guards was standing at the seat looking --
24 well, his back was to me but the stance that he had
25 could only be because Mr Mubenga would be in the seat

1 and if the other two were either side, I'd made the
2 presumption that he's in that middle seat.

3 DEPUTY CORONER MS MONAGHAN: Where did you see that from?

4 A. From door 3.

5 DEPUTY CORONER MS MONAGHAN: Which is?

6 A. Around row 26 I think.

7 DEPUTY CORONER MS MONAGHAN: So the other end of the cabin?

8 A. To 40E, yes.

9 DEPUTY CORONER MS MONAGHAN: You were looking down there,
10 A/B/C, 26 to 40, did you have a clear, unobstructed or
11 obstructed view?

12 A. I had a clear view of people's -- the further back it
13 goes, I could only have a view of heads and shoulders.

14 DEPUTY CORONER MS MONAGHAN: So you saw --

15 A. So I saw the faces of the two security guards and the
16 whole back, because he was standing, of the third
17 security guard.

18 DEPUTY CORONER MS MONAGHAN: The position of the third
19 security guard, can you describe it to us?

20 A. In my observation he was just observing.

21 DEPUTY CORONER MS MONAGHAN: Was he sitting up?

22 A. He was standing upright.

23 DEPUTY CORONER MS MONAGHAN: So he wasn't leaning backwards
24 or leaning forwards?

25 A. No.

1 DEPUTY CORONER MS MONAGHAN: Where were his hands?

2 A. Because I had subconsciously made the observation that
3 he was just standing, I can't honestly say where his
4 hands were. But just his stance seemed relaxed.

5 DEPUTY CORONER MS MONAGHAN: Did you hear any noise at that
6 time coming from them?

7 A. No.

8 DEPUTY CORONER MS MONAGHAN: Any sounds coming from
9 Mr Mubenga so far as you could identify?

10 A. No.

11 DEPUTY CORONER MS MONAGHAN: So that was before your safety
12 demonstration, was it, or after?

13 A. During.

14 DEPUTY CORONER MS MONAGHAN: So you do your safety
15 demonstration. Does anything in particular happen
16 during that demonstration?

17 A. No.

18 DEPUTY CORONER MS MONAGHAN: Then what happens?

19 A. I've then checked all the seat belts and I didn't speak
20 to -- at the time I'm checking the seat belts the tall
21 G4S guard that was still standing should have been
22 making some movement to sit in his seat with his seat
23 belt fastened, but my reasoning for not telling him to
24 sit down was that I hadn't observed what had been
25 happening when I was out of the cabin. So I presumed

1 that he knew procedures and I didn't want to distract
2 him and I thought he's obviously going to sit down some
3 time soon but I'll just leave him at that moment in
4 time. So I went from door 4 right -- 4 left to 4 right
5 and changed my shoes into flats, what we call cabin
6 shoes. And I then noticed that Mr Mubenga -- I at no
7 time knew that he had been handcuffed. I was unaware
8 that he had been handcuffed, but I was alarmed when
9 I noticed that he only had the handcuffs on his left
10 hand.

11 DEPUTY CORONER MS MONAGHAN: By this stage, had the plane
12 started to taxi or not?

13 A. Yes.

14 DEPUTY CORONER MS MONAGHAN: So it started to taxi. Was
15 there any delay in the taxiing so far as you remember?

16 A. Not that I can remember. There may have been but not
17 that I can remember.

18 DEPUTY CORONER MS MONAGHAN: Have you had the opportunity to
19 refresh your memory from your statement?

20 A. No, I haven't.

21 DEPUTY CORONER MS MONAGHAN: If you look the page 2 of your
22 statement --

23 A. This is my own statement I have to look at?

24 DEPUTY CORONER MS MONAGHAN: Yes, looking at your statement.
25 We have it at page 105. Look at page 2 of your

1 statement.

2 A. I have two statements here.

3 DEPUTY CORONER MS MONAGHAN: The first one which is dated
4 11 October 2010, but we know that's a typographical
5 error.

6 A. Yes.

7 DEPUTY CORONER MS MONAGHAN: I think this was made
8 immediately after the incident?

9 A. Yes.

10 DEPUTY CORONER MS MONAGHAN: At the bottom of page 2 of that
11 statement, you said:

12 "I returned to my view seat at 4 right which is
13 beside the toilet ..."

14 Do you have that?

15 A. Yes, that's a typing the error but it's irrelevant
16 really. It's crew seat.

17 DEPUTY CORONER MS MONAGHAN: "The crew seat is forward
18 facing so I can see down the aisle. I put my seat belt
19 on and the captain made an announcement, whilst the
20 aeroplane was taxiing to the runway, stating that he was
21 waiting for a slot to take off in."

22 Had there been some taxiing by then or was that
23 still while you're on the stand? It looks like you're
24 taxiing at that point?

25 A. No, we're taxiing at that point.

1 DEPUTY CORONER MS MONAGHAN: Then there's a delay?

2 A. Yes.

3 DEPUTY CORONER MS MONAGHAN: Have I understood that

4 correctly?

5 A. Yes.

6 DEPUTY CORONER MS MONAGHAN: By that stage you're facing

7 forwards so you're looking towards the flight deck?

8 A. Yes.

9 DEPUTY CORONER MS MONAGHAN: So you're not looking backwards

10 towards Mr Mubenga?

11 A. Well, Mr Mubenga -- the row that Mr Mubenga is sitting

12 in is forward of me and slightly to the left.

13 DEPUTY CORONER MS MONAGHAN: I see. I see, so you're nearly

14 looking on him?

15 A. No.

16 DEPUTY CORONER MS MONAGHAN: Tell me what row you were

17 seated in?

18 A. I'm seated in -- I'm at four -- I'm seated here. I'm

19 seated in that seat.

20 DEPUTY CORONER MS MONAGHAN: So you have a view round the

21 corner essentially?

22 A. Yes. I can clearly see the side on view of the guard

23 that's sitting in the F seat and Mr Mubenga is next to

24 him.

25 DEPUTY CORONER MS MONAGHAN: What, if anything, then did you

1 see? You were talking about handcuffs before
2 I interrupted you.

3 A. Well, I couldn't -- it was before then that -- it was on
4 my way to my seat. So I must have been putting my shoes
5 on almost in line or slightly forward -- almost in line
6 with row 40 that Mr Mubenga and the two guards were in.
7 And I'm doing it like this and I've looked round to go
8 to my seat and I noticed that Mr Mubenga only has the
9 handcuffs attached to his left wrist.

10 DEPUTY CORONER MS MONAGHAN: Where are his hands at that
11 stage?

12 A. I can't be sure where his right hand was but the
13 left-hand one seemed to be resting on the armrest.

14 DEPUTY CORONER MS MONAGHAN: What position was Mr Mubenga
15 in?

16 A. He was sitting upright with his head back.

17 DEPUTY CORONER MS MONAGHAN: Did you get any sense of -- did
18 he look to you to be in difficulty or not?

19 A. No, he didn't look to me to be in difficulty.

20 DEPUTY CORONER MS MONAGHAN: He just looked like he was
21 sitting ordinarily?

22 A. His eyes were closed but I made the -- to me it was more
23 with exhaustion that -- because he was sitting.

24 DEPUTY CORONER MS MONAGHAN: Was his mouth open or closed,
25 do you remember?

1 A. It was -- I can't tell you. I think his mouth was
2 slightly open, as in, you know, he was just like, you
3 know.

4 DEPUTY CORONER MS MONAGHAN: What happened then?

5 A. So I sat down, fastened my harness in and there was
6 nothing untoward for I think a few moments. And then
7 the G4S guard on the 40F seat turned round and said to
8 me, "We don't like the look of him" but this was at
9 a critical stage of our departure and I said words to
10 the effect, "You need to be quite clear why you're
11 telling me this. Do you want us to go back to stand?
12 Have I to stop this aircraft taking off?" He must have
13 said yes to me. I don't collect what he said but he
14 must have said yes because then I immediately got out of
15 my seat and went to Louise's phone. And the reason
16 I went to Louise's phone is because it was such
17 a crucial point and her phone was in my vision, rather
18 than my own phone. It was take the harness off and
19 there's a phone there.

20 DEPUTY CORONER MS MONAGHAN: Did you understand that the
21 guards believe he was unwell at that stage?

22 A. Yes, unwell, yes. Nothing more than that.

23 DEPUTY CORONER MS MONAGHAN: Not dangerous or anything?

24 A. No.

25 DEPUTY CORONER MS MONAGHAN: But that there was something

1 medically or health-wise?

2 A. At no point did they convey to me any sense of urgency.

3 DEPUTY CORONER MS MONAGHAN: But did you think their request
4 was because they believed he was medically unwell?

5 A. Yes.

6 DEPUTY CORONER MS MONAGHAN: They might have asked you
7 can -- we need to do something because we think he's
8 going to be dangerous or something. But it wasn't that,
9 it was to do with health rather than danger?

10 A. Yes.

11 DEPUTY CORONER MS MONAGHAN: So you got the phone and who
12 did you ring?

13 A. I rang 1 left for the CSD, told him who I was and who
14 I was calling from and I said, "Peter, one of the G4S
15 guys has just said to me that he wants the aircraft to
16 go back to stand". He wants the aircraft to go back to
17 stand and -- because Mr Mubenga appears unwell.

18 DEPUTY CORONER MS MONAGHAN: At this stage what were the
19 guards doing, do you remember?

20 A. My view of them was blocked because where I'm holding
21 the phone from there's a total bulkhead there. So I'm
22 trying to convey to Peter the urgency of going back to
23 stand, that they have said to me that they want the
24 aircraft -- because I think there was only one aircraft,
25 perhaps, two, in front of us to take off. So you're

1 talking minutes before the aircraft would be going.

2 DEPUTY CORONER MS MONAGHAN: What did Peter say?

3 A. He said okay. I can't actually remember and I don't

4 think I've put it my statement, but I think he said,

5 "I'll speak to the captain" or words to that effect.

6 DEPUTY CORONER MS MONAGHAN: Did he at some point come to

7 the back of the plane?

8 A. Yes, his came back within minutes.

9 DEPUTY CORONER MS MONAGHAN: At that stage was there any

10 discussion with the escorts about the position?

11 A. As I went to -- as I went to the phone -- I don't know

12 if it was as I went to the phone, but in the time -- in

13 the time that elapsed before Peter came to the back of

14 the aircraft, I did hear someone -- but it came from the

15 bulkhead which I've spoken about, I think it was as

16 I was going to the phone I definitely heard someone

17 saying, "I can't find a pulse".

18 DEPUTY CORONER MS MONAGHAN: "I can't find a pulse"?

19 A. Yeah.

20 DEPUTY CORONER MS MONAGHAN: Do you remember Peter Walsham

21 engaging in any discussion of that sort?

22 A. As I heard that, Peter appeared and I said to Peter,

23 "I'm sure I've just heard one of them say they can't

24 find a pulse". And I'm now at door 4 left. So I can

25 see Mr Mubenga and Peter is there and he just said, "Let

1 me try". And I remember -- I don't remember anyone
2 coming out of the seat but I remember Peter leaning
3 across or making a move to take Mr Mubenga's pulse and
4 he said he could found a faint pulse.

5 DEPUTY CORONER MS MONAGHAN: Peter said he could find
6 a faint pulse?

7 A. Yeah.

8 DEPUTY CORONER MS MONAGHAN: Then what happened so far as
9 you know?

10 A. Very quickly the ground service medical people came on
11 board --

12 DEPUTY CORONER MS MONAGHAN: You went back to the stand?

13 A. We went back to the stand and the two that I can
14 remember, medical people, came on board and took
15 Mr Mubenga out of the seat and they had him at that
16 door, at 4 left. And there wasn't enough room there so
17 they took him into the galley where they attached defib
18 and they did CPR.

19 DEPUTY CORONER MS MONAGHAN: Just a couple more questions
20 then, please, for you. Just in terms of timing, do you
21 have any idea about how long the period was between the
22 original incident, the roar or the noise that you heard
23 emanating from Mr Mubenga, and the guards indicating
24 there was a problem?

25 A. As in to go back to the stand because they thought he

1 was unwell?

2 DEPUTY CORONER MS MONAGHAN: Yes.

3 A. Well, the boarding continued, we had the safety

4 demonstration, 30 minutes.

5 DEPUTY CORONER MS MONAGHAN: You have said about 40 in your

6 statement.

7 A. All right.

8 DEPUTY CORONER MS MONAGHAN: That was closer in time. So

9 that would be about right, would it?

10 A. Yes, I would think so.

11 DEPUTY CORONER MS MONAGHAN: Do you have any recollection of

12 where the table and the seat immediately in front of

13 Mr Mubenga might have been at any stage, up or down?

14 A. I think I've said in my statement that I thought it was

15 down but I can't -- thinking about it now, two and

16 a half years on, I can't remember clearly if it was up

17 or down. But if I have said that in my statement --

18 DEPUTY CORONER MS MONAGHAN: This is the statement dated

19 11 October 2011 so about a year later. It's page 2 of

20 your statement, page 110 for us. At the bottom last

21 two lines:

22 "I don't know whether it was at this stage or after

23 the demonstration that the table was down in front of

24 the deportee."

25 Do you see that on the last two lines of page 2?

1 It's the statement of 11 October 2011. Perhaps you
2 don't have that one.

3 A. I don't have that one.

4 DEPUTY CORONER MS MONAGHAN: Let me just read it to you --

5 A. I've got one of 11 October 2010.

6 DEPUTY CORONER MS MONAGHAN: No, it's the 2011 one. Can you
7 get out witness volume blue 4, page 110. Page 110 of
8 the bundle pagination, the last two lines:

9 "I don't know whether it was at this stage or after
10 the demonstration that the table was down in front of
11 the deportee, but I remember thinking that I hadn't seen
12 the deportee's face at any time so it must have been
13 down."

14 Can you help us with that?

15 A. I think it's a presumption that I've made. Because it
16 was a very stressful evening, I think it's perhaps
17 a presumption that I made because I couldn't see his
18 face that he was resting on the table. Because I didn't
19 know any of the -- I didn't see or observe any of the
20 things that other crew colleagues seem to have observed.
21 So I'm presuming that -- my interpretation of the
22 seriousness and it was really the noise and everything
23 that Mr Mubenga had made. I didn't see him being put
24 back into his seat or anything. So I'm presuming,
25 because it all seemed to have quietened down, that he is

1 resting on the table rather than --

2 DEPUTY CORONER MS MONAGHAN: You don't have any recollection
3 of actually seeing it in any event?

4 A. No.

5 DEPUTY CORONER MS MONAGHAN: That's fine. Do you remember
6 any reference being made by anybody to RADA?

7 A. Absolutely none. None.

8 DEPUTY CORONER MS MONAGHAN: Did it occur to you at the
9 time, given the guards were indicating to you that there
10 was an issue about Mr Mubenga's well-being, that you
11 ought to offer some first aid assistance or undertake
12 an assessment of any sort?

13 A. No, it didn't, because there did not -- in my
14 observations there was no urgency indicated to me by any
15 of these three gentlemen.

16 DEPUTY CORONER MS MONAGHAN: I think you had seen his
17 eyes --

18 A. I didn't see his eyes. His eyes were closed when I saw
19 him. He seemed to be not unconscious, in a relaxed
20 state when I observed him.

21 DEPUTY CORONER MS MONAGHAN: You have told us that you heard
22 somebody, who I think from your statement you presumed
23 to be an escort, say that they couldn't feel a pulse?

24 A. Hmm, hmm.

25 DEPUTY CORONER MS MONAGHAN: You see Mr Walsham apparently

1 check for a pulse and say that he could feel a faint
2 pulse.

3 A. I think he said, "I've found a faint pulse".

4 DEPUTY CORONER MS MONAGHAN: Yes. Did that not indicate to
5 you a need to undertake some form of assessment and
6 perhaps call for some immediate medical support?

7 A. Yes, but then the ground people -- medical people came
8 on board.

9 DEPUTY CORONER MS MONAGHAN: But there was presumably --
10 there would have been, wouldn't there -- a gap between
11 the guard saying, "We need to go back", you telling
12 Peter Walsham and the plane actually reaching the stand?

13 A. Yes, but when I heard them saying, "We can't find
14 a pulse", they're still quite calm in their demeanour.
15 So these people were medically trained as much as --

16 DEPUTY CORONER MS MONAGHAN: How did you know that?

17 A. A presumption. I would have -- just something that
18 I would know.

19 DEPUTY CORONER MS MONAGHAN: When you say you would know --

20 A. Something that I -- in the back of your head somewhere
21 you know these people are medically -- they've got first
22 aid training certainly to --

23 DEPUTY CORONER MS MONAGHAN: Did you know that or was that
24 an assumption?

25 A. It was an assumption.

1 DEPUTY CORONER MS MONAGHAN: I think that's all the
2 questions I have. If you just wait there, there may be
3 some others.

4 Examiné by MR BLAXLAND

5 MR BLAXLAND: Ms McMillan, I represent the family of
6 Mr Mubenga. There is only one point I would like to ask
7 you about really, which is your recollection or maybe
8 lack of recollection of the tray table. Can I just take
9 you to the second statement that you made which was
10 a year after the event, it has to be said. In our
11 bundle it's at page 111, the passage I want to take you
12 to. It's page 3 of the second of your two statements.

13 A. Page 111?

14 Q. Yes, 111.

15 A. Page 3 of 4.

16 Q. I'm going to ask you about the passage which appears
17 starting about four lines down. This right, isn't it,
18 that one of your responsibilities was to make sure that
19 everything was correct for take-off which means checking
20 that people's seat belts are done up, is that right?

21 A. Yes.

22 Q. And making sure that the tray tables are raised, that is
23 part of your responsibility?

24 A. Yes.

25 Q. What you said was this:

1 "I returned to door 3L and completed the safety
2 demonstration and subsequent checks. This included
3 walking back towards the rear along the left aisle
4 between rows 26 to 40 and checking that the seats were
5 back, tables were secure and seat belts were fastened."

6 So that just confirms what you have said?

7 A. Hmm, hmm.

8 Q. Then you said:

9 "When I reached row 40 and the deportee, it must
10 have been at this point that I noticed that the table
11 was down in front of the deportee."

12 So can we take it that this was something you were
13 specifically looking for?

14 A. Yes.

15 Q. Certainly a year later specifically remember having
16 seen?

17 A. Yes.

18 Q. That the table was down?

19 A. It must have been, yes.

20 Q. Is this right, because the guards were dealing with the
21 situation, you gave no instruction in relation to the
22 tray table?

23 A. That's correct.

24 Q. If it had been me sitting in that seat and my tray table
25 was down, you would have told me to put my table up?

1 A. Yes, I would.

2 Q. But because this was the situation that it was, you
3 didn't do that?

4 A. Yes.

5 Q. Because you let them get on with it, is that right?

6 A. Yes.

7 Q. I think, as you have said, the whole experience was --
8 you were very shaken up by it, is that right?

9 A. Yes, I was.

10 Q. To the extent that you have in general terms had some
11 difficulty piecing together the sequence of events and
12 things like that?

13 A. Yes.

14 Q. But being reminded about it now, you have a specific
15 memory of the tray being down?

16 A. Yes.

17 MR BLAXLAND: Thank you very much.

18 Examiné by MS HEWITT

19 MS HEWITT: Only on that last point, nothing else at all.

20 When you were giving your answers a moment ago to the
21 learned coroner, you said expressly I think that this
22 reference to the tray table being down was an assumption
23 or presumption on your part?

24 A. I did think at that time, but your colleague to your
25 left has made me think now that was my duty at that

1 time. I still really don't have a clear recollection of
2 it but putting that in -- if I've put it to paper, that
3 it must be true because that's what I was looking for at
4 the time. And I remember -- I subsequently remember
5 there was two things -- you know, I didn't think I had
6 any jurisdiction as far as our procedures were concerned
7 at that time and knew that the gentlemen would sit down
8 or the tray table would be put up before we actually
9 took off.

10 Q. Is this the situation, that the questions that have just
11 been put to you, would it be right to say it hasn't
12 actually triggered a memory of seeing it but you
13 understand the logic of what has been put to you?

14 A. The second. I understand the logic of what has been put
15 to me.

16 MS HEWITT: Thank you very much.

17 MR MATTHEWSON: No, thank you, ma'am.

18 Examiné by MR ANTROBUS

19 MR ANTROBUS: You were asked in general terms by the learned
20 coroner about the situation and the allocation of roles
21 and responsibilities between yourself and the guards.

22 A. Yes.

23 Q. Which you describe as a matter of jurisdiction. You
24 were asked about caring for the deportee and you said,
25 "If it was a normal situation, and it remained normal,

1 we would maintain a usual cabin crew role, other than
2 providing alcohol"?

3 A. Hmm, hmm.

4 Q. This couldn't have been a more abnormal situation after
5 the disturbance, is that right?

6 A. Yes.

7 Q. Not only that, it was also abnormal because the guards
8 were -- after the disturbance then made a request for
9 the plane to stop before it got to the runway and go
10 back to stand?

11 A. The first thing the guards said to me was, "I don't like
12 the look". He didn't ask me to get -- to stop the
13 aircraft or to go back to stand. The first thing he
14 said to me --

15 Q. You asked him?

16 A. -- was, I can't remember whether he said we or I, "Don't
17 look the like of him" and I specifically, because I knew
18 the time involved, asked him to be specific, "What is it
19 that you're asking me to do? Do you want this aircraft
20 to go back to the stand and not become airborne?"
21 I can't remember him saying "yes" or "no", but whatever
22 he said to me, he must have said "yes" because I then
23 lifted the phone to Peter.

24 Q. So that assessment was made by him in terms of the
25 condition of Mr Mubenga, reported to you. You asked the

1 question as to what you should do and, whatever he said,
2 your response was immediately then to ring
3 Peter Walsham?

4 A. Yes.

5 Q. Afterwards you then indicated that there was no sense of
6 urgency conveyed by the guards other than wanting to go
7 back to stand --

8 A. That's correct.

9 Q. -- or saying he's unwell?

10 A. That's correct. Because a few minutes had passed, you
11 know, where -- I think the captain made an announcement
12 a few minutes later that we were going back to the
13 terminal building because a passenger was unwell. That
14 announce machine was made on the aircraft and the
15 aircraft moved, you know, in the direction of going back
16 to the stand. And then Peter -- you know, Peter then
17 came up. And it was after I had had that conversation
18 or it was then I heard one of them not -- yes, it was
19 coherent but saying, "I can't find a pulse" but there
20 was still a calmness there, even though that is what he
21 had said. You know, I don't know whether it would be
22 because he was, you know -- it takes quite often a long
23 time to find someone's pulse.

24 Q. After the conversation and the discussion and Mr Walsham
25 coming back, and the discussion about the pulse, in the

1 period from then until the paramedics arrived, again,

2 was there any urgency conveyed by the guards --

3 A. No.

4 Q. -- that the situation had escalated?

5 A. No, not to my -- not to me and not in the general -- you

6 know, the area where I was, no.

7 MR ANTROBUS: Thank you.

8 DEPUTY CORONER MS MONAGHAN: Thank you very much. Thank you

9 very much, Ms McMillan, and I hope you enjoy your

10 grandson's birthday party. Thank you for staying.

11 (The witness withdrew)

12 DEPUTY CORONER MS MONAGHAN: Members of the jury, that's it

13 for today. So if we could have a 10 o'clock start

14 tomorrow, please, and we'll carry on with the

15 British Airways witnesses. Thank you very much for

16 sitting a bit later tonight.

17

3 (The court adjourned until 9.45 am on Friday, 31 May 2013)

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