

# MAYOR OF LONDON

**Michael Liebreich**  
Chairman and CEO  
Liebreich Associates  
[REDACTED]

**Our ref:** MGLA231219-9373

**Date:** 04 FEB 2020

*Dear Michael,*

Thank you for your further letter of 22 December 2019.

I am sorry that you remain dissatisfied with the information that has been provided to answer your concerns arising from the tram overturning at Sandilands in November 2016. The issues you raise have been addressed in correspondence, in response to numerous FOI requests, at meetings and in response to questions from the London Assembly and there is little that can be added to the extensive answers already provided.

I do not recognise the descriptions of the matters that you set out in your letter, nor do I share your views as to the implications or conclusions that are properly able to be drawn from the facts. I also see no basis for your suggestion that there has been a concerted effort within Transport for London (TfL) to divert attention away from the question of fatigue and safety management. TfL has worked assiduously to ensure this issue is addressed across all its operations. TfL will of course provide whatever further assistance or information may be required by the Rail Accident Investigation Branch (RAIB), British Transport Police (BTP) or the Office of Rail and Road (ORR). TfL is an Interested Person in the Coroner's Inquest and will do everything it can to assist the Inquest.

The report to the TfL Board sets out the factual explanation as to why TfL's audit of fatigue management processes within Tram Operations Limited was not issued to the external organisations investigating the Sandilands tram overturning incident immediately upon its completion. What happened, and why Internal Audit Report 17 780 was not provided at the time it was issued, has been clearly explained. There has been no "choreography". As you know, the RAIB subsequently updated its report and made reference to the audit report stating that 'the TfL audit report identified no evidence of additional factors, beyond those already discussed' and 'the conclusions of the TfL audit are consistent with its own findings that, at the time of the accident, TOL's management of fatigue risk was not in line with published industry practice, and that there was significant scope for improvement.'

In any objective view the RAIB investigation into the tragic overturning was thorough. I have full confidence that the RAIB, the BTP and ORR have been and will continue to apply expert, independent and impartial attention to the investigations that it is their statutory role to conduct.

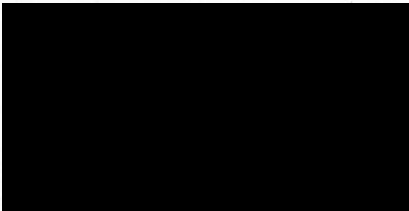
The circumstances surrounding the provision of Internal Audit Report 13 744 to Caroline Pigeon AM are set out in the response to her Mayor's Question 2019/20159.

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On one matter of detail, you assert in your letter that there has been an untrue statement made in response to a Mayor's Question from Caroline Pigeon AM. In 2014, the individual you have named was a member of the Internal Audit's Business Support team. In that role she worked on general administration of audit reports, including converting them to pdf for storage. She moved to Surface Transport as an Assistant Project Manager in early 2019. The eight-page document is shown in its Properties as having been created as an eight-page document, and therefore the statement that "The mistake arose when the audit report was converted from a word document to a pdf file for storage by the Internal Audit Team" is accurate.

I hope that you will agree with me that the most important steps to be taken now are to ensure that all of the recommendations made by the RAIB in their reports are implemented. TfL and I are committed to doing so and to improving safety across TfL's network. TfL looks forward to participating fully and transparently in the Coroner's Inquest, to assist her in conducting the inquiry that she has been authorised to carry out.

Yours sincerely,



**Sadiq Khan**  
Mayor of London