

UNDER

THE COMMISSIONS OF INQUIRY ACT 1908

IN THE MATTER OF

ROYAL COMMISSION OF INQUIRY INTO
BUILDING FAILURE CAUSED BY
CANTERBURY EARTHQUAKES
KOMIHANA A TE KARAUNA HEI TIROTIRO
I NGA WHARE I HORO I NGA RUWHENUA
O WAITAHA

AND IN THE MATTER OF

THE CTV BUILDING COLLAPSE

**SYNOPSIS OF SUBMISSIONS ON BEHALF OF GRAEME JOHN CALVERT
IN RELATION TO THE CTV BUILDING**

Dated this 3rd day of September 2012

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MAY IT PLEASE THE COMMISSION –**Introduction**

1. These submissions are filed on behalf of Graeme John Calvert, one of the 3 Christchurch City Council building inspectors who inspected the CTV building (“ the building”) on 7 September 2010. These three inspectors were directed by their employer to inspect the building, and did so as well as their abilities, their training and the circumstances allowed.

Experience/Training

2. Mr Calvert, and Messrs Flewelling and Simson were not engineers, and did not have any in depth training as regards assessment of buildings subsequent to earthquakes. All three inspectors came from a background of the building trade, as opposed to engineering.
3. Although there had been some relatively brief training in terms of post earthquake inspection, this appears to have been insufficient to impress any particular specialist knowledge on any of the three inspectors involved. Effectively, all three inspectors drew upon their general knowledge and “commonsense” in undertaking assessment of buildings after the earthquake.
4. The evidence of Mr Simson is instructive –

“ 12. For my own part, I was inspecting against my knowledge of buildings to visually identify if there was any obvious damage or immediate risk of the buildings collapsing. The key issue for me was whether it was safe for people to be in a building. I saw the inspection as a screening test to sort out those buildings which were plainly dangerous, those which were safe and those where further investigation was required”. [Brief of Russell Simpson]
5. In the period between the 4 September earthquake and the inspection of the CTV building on 7 September, Mr Calvert was called upon to undertake a number of tasks, unrelated to inspection of multi level buildings. For instance – “... I was doing a number of things including marking for barriers and containers to protect roads and buildings.” [paragraph 22].

Instructions

6. All three inspectors were clear that they were instructed to look at the CTV building:
 - (a) Mr Calvert – *“I do not recall whether the CTV building was one of the buildings on the list of buildings for us to check or whether we were called up on our mobile by someone at the Art Gallery and directed to do that”* [paragraph 32]
 - (b) Mr Flewellen – *“The three buildings that we were instructed to assess were the Oxford Terrace Baptist Church, a small commercial building on the corner of Worcester Street and Latimer Square, and the CTV building”* [paragraph 11]
 - (c) Mr Simson - *“I do not recall who sent us out on the inspection or what specifically gave rise to the instruction to inspect these buildings. The instructions would have come from someone working in the Art Gallery. I assumed that there must have been some initial concern about the buildings we were sent to inspect”* [paragraph 10]

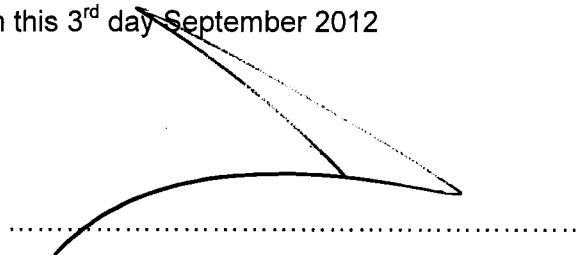
Building Inspection

7. As there was already a green level 1 assessment on the building, it seemed to the inspectors logical that if they had been sent to a building which already had a level 1 assessment that they were to carry out a level 2 assessment.
8. Although they had been sent without an engineer, they had been requested to assess the building. Consequently, it appeared logical to assume that they were being requested to carry out a level 2 inspection without an engineer. As employees tasked with a specific purpose, they were carrying out their instructions.
9. Their difficulties were compounded by the fact that a number of the levels of the building were locked and could not be inspected. Those levels that were accessible were inspected
10. It can be noted that it appears to be accepted that the building was already occupied prior to the inspection by the three building inspectors. All three building inspectors speak of people working in the building at the time of their arrival. Indeed, there was specific mention of a receptionist and a building manager.

11. Consequently, it seems that the level 1 placard had already led to at least partial occupation of the building.
12. One of the factors which was relevant in the assessment is that the occupants of the building appeared to have no concerns about the building. Reference to *“the building manager”* – *“He did not have any concerns about the building, we specifically asked him whether he had any concerns”* [paragraph 38 Mr Calvert's Statement of Evidence]
13. In addition, Mr Flewellen's evidence was that the building manager

“ ... told us that none of the occupants had raised any concerns about the safety of the building” [paragraph 21 Mr Flewellen's evidence]
14. This was to be a damage based assessment. At the end of their assessment, in the circumstances as they were, these building inspectors saw no obvious damage.
15. There is no evidence that they missed anything of significance in their assessment. This is obvious due to the fact that the inspection by Mr Coatsworth later that month, an in depth assessment by an engineer, found no particular cause for concern.

DATED at Christchurch this 3rd day September 2012

A handwritten signature in black ink, appearing to read 'S J Shamy', is written over a horizontal dotted line. The signature is somewhat stylized and slanted.

S J Shamy

Counsel for Graeme John Calvert