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Mrs Lisa Spierling

Elizabeth Fraser

Mr. M. Warburton

Justice C Holmes
Commissioner
Queensland Floods Commission of Inquiry
PO Box 1738
Brisbane QLD 4001

Email: info@floodcommission.qld.gov.au

Submission to the Queensland Floods Commission of Inquiry

Lisa Spierling

Thank you for your investigations into the flooding and cyclone disasters in Queensland this year. I know a huge amount of work has been done by the Commission in gathering evidence since January.

I am writing on behalf of the community of Grantham where 12 of my close neighbours lived and where they died on 10 January and where dozens of Grantham residents suffered significant losses: their pets, their sense of safety, their homes, gardens, businesses and home town.

Since the flood event, I have moved house twice with my family of four school-aged children, negotiated insurance claims for my home and business, worked to demolish what remained of our horticultural business, begun to rebuild our business at a safer location and supported the families in our town who suffered deaths in their families.

I have read extensively about the events of 10 January 2011 however there are still remaining questions and concerns to which this community needs answers. The authorities which have these answers appear to be withholding important information [REDACTED]

[REDACTED]

Refusal by authorities thus far to explain important details of what happened on 10 January is causing great distress to many residents of Grantham who are still struggling to come to terms

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with deaths in their families and post-traumatic stress disorder and other psychological symptoms amongst adults and children as a result of having their lives suddenly placed in jeopardy by the violence of the 'wall of water' which hit our town.

As more and more detail has gradually emerged about failures at the state government and local government levels, it is becoming increasingly clear that serious failures compounded on that day which led to catastrophic and unnecessary loss of life. We deserve, at the very least, the truth. I have always believed (maybe naively) that the authorities would always be there to protect us. It has become clear now that the authorities had many hours to warn us of the impending disaster but they did not give adequate warning. As a parent I feel that I have a duty of care to protect my children but I was unable to fulfill my duty that day because of the lack of appropriate warnings to me and to all other Grantham residents. In order to begin to recover from this event, we need answers to our questions.

We therefore ask the Inquiry to pursue various lines of investigation which have not yet been explored but which need to be investigated to yield information which will pinpoint critical failures on the day so that these are identified and addressed in a timely manner. Urgency is now becoming a factor because of the continued development of another La Nina climate system this year.

This document is a synthesis of information from evidence to the Inquiry, evidence from the coronial inquest and other sources which outlines the basis for our concerns.

Elizabeth Fraser

My name is Elizabeth Fraser (Bess) and I lived at 8 ANZAC Ave Grantham, with my sister Brenda Ross and her carer Chris Face. My nephew Joshua Ross lived in the house directly behind joined by a gate at 7 William St. Grantham. On the day of 10 January 2011 the day the flood hit our town, Chris Barrett my partner had been keeping a watch on the creek. While he was in the yard cleaning up and trying to get items out from under my 20ft shipping container that was full and had moved 10ft over the fence from the flood the day before. I was washing and as the day went along the water started to rise. Chris Barrett said to me the creek has come up to where we had to move the cars. I told Josh to put things up on the beds and benches in 7 William St. just encase the water came up. I had been washing and went and said to Brenda that we were taking our cars up to the rail yard and that Chris Face needed to take Brenda's car and also that I would be back to finish the washing. That was the last time I saw my family alive. After getting up to the rail line we fussed about for a few minutes and went to go back down to the house to finish the washing. As I went to walk out of the gate the water was calm on the top but the turbulence was so strong underneath that it took my legs out from under me. This was not a normal flood.....! Not long after that my sister rang and in the conversation she said that they were all in her bedroom, carer Chris Face, Brenda Ross my sister and her only child Joshua and

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three dogs a cat and numerous birds. Joshua would go down to his mums house when the water would rise on other occasions as we had thought it was safer home to be in. I had asked where the water level was and she said it was up to her knees. That would have made it over 7ft high.

On the Wednesday the 12th of January , before we left Grantham [REDACTED] and myself went down to the house. Joshuas' house at 7 William St had 3 brick sides standing strong and the back wall which was made of timber had opened like a cat flap, but was still attached to the house and everything was gone from inside the house. Number 7 William St. was across the road from the creek about 20 metres away. Number 8 ANZAC Ave was no longer there the house was gone except for a trail of bricks and roof tiles that went across the road through two paddocks , over another road and across another open paddock. The total distance of 1.4km where the bathroom wall and the peak of the roof were found.

How does a brick home fall apart like this ? Why is there no direct communication between the three emergency agencies?

Please help me find the answers to this and to all our other questions to help us get the closure we need for our friends and family and this will help in our healing process as a community. Also helping us with such a great tragedy never happening again with finding the areas that have lapsed and or need to be changed.

Failures in Disaster Management Preparedness

1. In September 2010 the state government received a warning from a flood risk management audit. It found there was '*No clearly identified lead agency responsible for overall strategic co-ordination of flood management policy across Queensland,*' and '*No consistent approach for flood modeling and planning.*'¹ The audit warned that this could have a '*catastrophic impact.*'
2. There was no uniform state-wide information and communication technology. Councils, police, emergency services and government agencies were using different communication systems. SMS messages to residents at risk in some cases malfunctioned, were not initiated at all or contained confusing and contradictory messages.
3. On 25 October 2010 a letter, Premier Anna Bligh wrote to Paul Lucas, the Department of Community Safety and director-general Jim McGowan warning of the potentially dangerous summer to come:

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‘Given the increased risk associated with the coming season, it is imperative that there is no complacency within agencies’

Departments were asked to review their roles in a disaster, review their, *‘business continuity’* plans and ensure senior staff were either rostered on or on call over the holidays. Agencies had to ensure they were ready to assist in an emergency, including, ***‘the provision of accurate, timely, coordinated and consistent warnings to any community under potential threat.’***

4. **There was no Disaster Management Plan** – very little work has been done on this since amalgamation of Lockyer Valley shires into the Lockyer Valley Regional Council. Council staff member [REDACTED] stated in an email on 14 September 2010 that
*‘Since amalgamation little work has been done to improve LVRC’s disaster response capability.’*²
5. There was **no evacuation plan** in place for the Lockyer Valley Regional Council area.
6. There had not been a Local Disaster Management Group meeting for 12 months, a violation of the Disaster Management Act which stipulates meetings must be held every six months.
7. Despite Anna Bligh’s warning letter in October 2010, only half the council staff was on duty over the Christmas break.
8. Grantham was flooded on the 26 December 201, then again on 6 January and again on 9 January 2011.
9. The Local Disaster Management Group was closed at 3am on 10 January despite the town of Grantham and surrounding areas still being flooded. The Local Disaster Management Group was not reopened until 12.15pm on the 10 January 2011.
10. Independent weather watchers started posting concerns on the online weather forum <http://forum.weatherzone.com.au/> at 12.01pm and then at 12.16pm. Meteorologist Anthony Cornelius posted to the forum that Sandy Creek in Grantham might be of concern. There was another post at 1.10pm
‘Anthony, do you think the (Bureau of Meteorology) is on the case with that (storm) cell. If not you probably know who should be told about it. Those rain rates between Esk, Crows Nest and Toowoomba are truly frightening. I fear that there could be a dangerous flash flood very soon particularly in Grantham. Am I overreacting?’

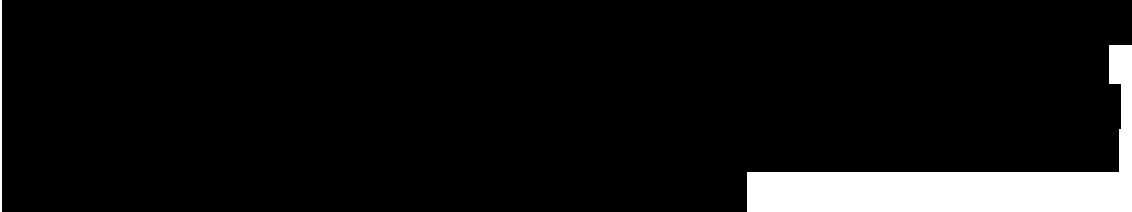
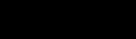
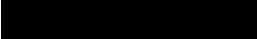
Another post at 1.41pm by Adam warned of a ‘wall of water’ but there was no public warning from official sources.

² Exhibit 160 Queensland Floods Commission of Inquiry.

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11. The Bureau of Meteorology issued a flood warning for ‘moderate to severe flooding’ in the Lockyer Creek at 4.16 pm. This was upgraded to a top priority flash flood warning at 5pm. By then it was too late for Grantham residents.
12. At 1.50pm on 10 January the Lockyer Valley Regional Council’s **Face Book page** posted ‘*There has been some major flash flooding around the Murphy’s Creek and Withcott areas with water flowing heavily across the Warrego Hwy at Withcott.*’ However council officers did not distribute this information via ABC radio, television or online news outlets.
13. At 2.35pm the Perry family phoned 000 and reported that they had been swept off the bridge at Helidon.
14. A channel 7 helicopter filmed the Perry family and said that the people downstream need to look out.
15. The police and council workers made their way to the Grantham School on two occasions but never brought a medic to assist with the injured people, even after repeated requests by Lisa Spierling for professional medical help. In the Inquiry’s Interim Report noted that the Grantham School was not an appropriate evacuation site because it didn’t have showers. No mention was made of the lack of medical help.

Questions.

1. What time were the workers at Wagners quarry in Grantham sent home? Who alerted them to the danger?
2. Why was no medical help sent to the Grantham School on the evening and night of 10 January despite repeated requests for help and emergency medications by Lisa Spierling to the policeman at the school?
3. 
4. Whilst acknowledging this was an unprecedented event, why was there a lack of even a basic level of response from authorities, as there had been in the previous weeks?
5. After the floodwater receded from Grantham on the evening of 10 January,   walked around the southern section of Grantham rescuing people from trees and houses with nothing more than the light from a mobile phone. A civilian

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[Redacted]

[Redacted]

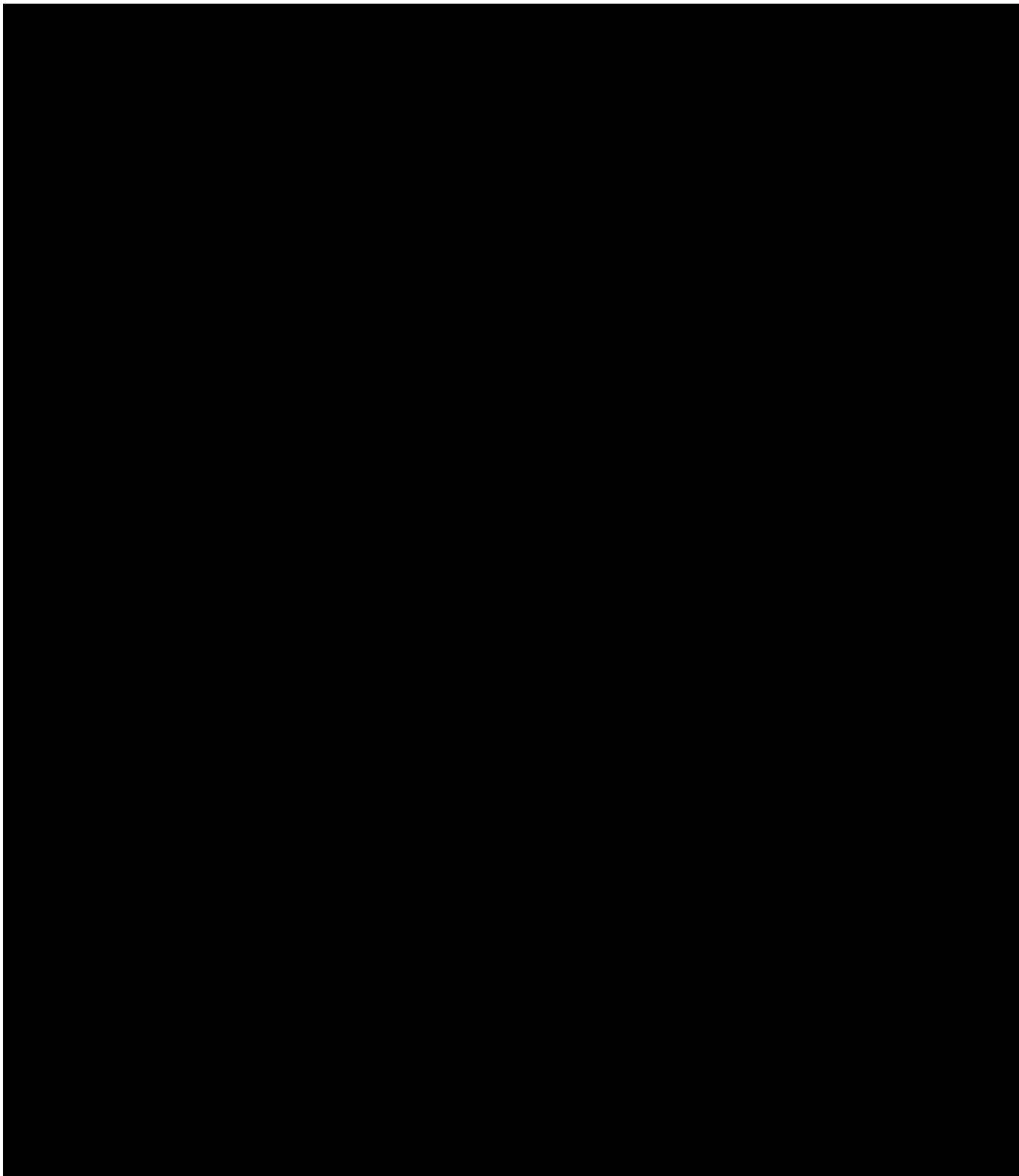
[Redacted]

³ Michael Usher. Torn Apart. Sixty Minutes. 11 February 2011.

⁴ Trent Dalton. Lockyer Valley mayor Steve Jones fought the floods and saved lives. Courier Mail. 9 April 2011.

⁵ Steve Jones. Transcript of Evidence 28 April 2011. Queensland Floods Commission of Inquiry.

⁶ Interim Report of the Queensland Floods Commission of Inquiry. p 238.



⁷ Trent Dalton. Lockyer Valley mayor Steve Jones fought the floods and saved lives. Courier Mail. 9 April 2011.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Discrepancies in the Interim Report of the Queensland Floods Commission of Inquiry

1. We have read the Inquiry's **Interim Report** and we are deeply worried about some of its findings. Whilst the task was very large, there are what we believe to be some errors. When Lisa Spierling has asked about how to have these amended, she has been told repeatedly that the Inquiry '*can only go by the evidence put before us*'. Six months has not been a long enough time to investigate an event that covered a region bigger than France and Germany combined, an area that includes the state capital and several major regional cities and several rural areas in which 23 lives were lost in one day. The breadth of the Inquiry has made it difficult to inquire into details in each area yet the existence of the Inquiry has severely narrowed the scope of the Coronial investigation.

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2. The Inquiry has spent very little time thoroughly investigating why 12 lives were lost in Grantham due to a large body of very deep and fast floodwater flowing along a road and striking houses.
3. The Inquiry has spent very little time investigating why the people who died in Grantham did not receive warning when there was ample time for appropriate warnings to be given. Lisa Spierling has been told by Commission staff that this inquiry is a ‘receptacle inquiry’ and that they will only go by the evidence put before them. The lack of probative investigation begs the question as to whether some authorities and individuals have withheld evidence which might cast them in a bad light.
4. The Interim report of the Inquiry has found that *‘A swift water technician and two auxiliary firefighters were called in for duty at the Gatton station. They attended a water rescue at Murphys’ Creek at 1.40pm.’* It then goes on to say *‘The fire service has also provided some evidence of contact made with auxiliary brigades and volunteer rural fire brigades in the South East region on the morning of 10th January to warn of severe weather forecasts and check availability to report for duty’.*⁸

Question

16. Why it is the LDMG did not reopen until 12.15pm on the 10th of January despite auxiliary brigades being called in during the morning?

5. *‘The commission explicitly sought information from the fire service to respond to the allegations that it did not respond adequately to the events of 10 January 2011. The commission also provided the fire service with draft findings on this point indicating that it was not able to come to a conclusive view about the allegations without this information. The fire service has provided the commission with some evidence in response to the allegations. Unfortunately, whether through unwillingness or inability it has not provided sufficient detail for the commission to reach clear factual findings on the allegations, for the purposes of this report.’*⁹ This statement from the Flood Commission is the reason why we have raised concerns about authorities or individuals only showing a selection of documents so as not to show them in a bad light.

⁸ Interim Report. QFCI. p 173.

⁹ Interim Report. QFCI. p. 174.

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8. The Interim Report (section 7.2.4 **Lockyer Valley disaster response – agency response Rescue**) found that

‘At 2.30pm, the SES controller directed the Gatton SES group to undertake door knocking at Grantham, in the expectation that flooding there would be of the type the town had been experiencing intermittently in preceding weeks. They left Gatton for that purpose at 2.50pm, stopping to warn one household on the Gatton side of Grantham as to the possibility of water rises, but then found themselves unable to get into Grantham because of the rising water.’

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This finding by the Commission is in conflict with information known by Lisa Spierling. She drove her Volkswagen Golf with three of her children into Gatton at around 2.40pm. It was a quick trip as she was mindful of the flooding and she had a cake in the oven. She returned at just after 3pm to Grantham. During this trip she did not see any SES or Police vehicles. Sandy Creek Bridge was open and there was no water covering the road. She has provided this information to the Inquiry in her original statement to the Commission which is on the Commissions' website.

[REDACTED]

In addition, phone records of [REDACTED] confirm the timing of a phone call he made on 10 January at 2:39pm to Lockyer Valley Regional Council (1300005872) when he spoke to a woman at the switch board to advise the Council that water was entering and rising rapidly at the toilet block at Helidon Park. Council staff transferred the call to the engineering department where he once again explained what was happening at the park. The female council worker told him said *'Okay, I will pass that information on.'* This phone call lasted for two minutes.

In addition, Murphys Creek resident [REDACTED] also phoned the LVRC at 1:51pm on 10 January warning them of the rapidly rising water at Murphys Creek. [REDACTED] property backs onto Murphys Creek. She told Council staff that she was very concerned about the speed and rise of the creek. She was subsequently contacted by an Australian Federal Police officer, [REDACTED]. He took a statement from her by phone and took the statement to her for signing. [REDACTED] says she phoned the council at 1:51pm, spoke to the main switch operator, explained the nature of her call and was put through to another lady to whom she explained where she lived and how alarmed she was at the rise of the water.

[REDACTED] phoned the Flood Commission soon before 1 August concerned that her statement had not appeared on the Commission's website. She told Lisa Spierling when she spoke to her on the evening of Oct. 28 that she was very upset every time it was stated by the authorities that they had no idea of the flash flood. It is still not on the website.

[REDACTED]

This timing is supported by information from two of the SES volunteers who were dispatched to Grantham on that day. One of these was a man known locally as [REDACTED], [REDACTED], and a woman [REDACTED].

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They told Lisa Spierling that by the time they reached Grantham, there was a shipping container floating down the Gatton-Helidon Road, so they turned around and left.

Lisa Spierling has been told by the Commission that where there are inconsistencies, the Commission will adopt the 'most credible witness'. We hope that in referring to who is more credible, that you are not dismissing the whole town of Grantham as unreliable despite the phone records which confirm timings [REDACTED]

9. Gary Dorr's statement dated 6 July 2011 indicates he received a call from the LDMG to attend the office around lunch time. The LMDG was already receiving calls about mass flooding in Toowoomba, Withcott and Murphys Creek. So by this time they are aware the situation. (Line 24.)
10. Mr. Dorr says he saw a picture message on a Lockyer Valley council officer's mobile, depicting flood waters over the toilet block at the Helidon Park (same as the message rung through by [REDACTED] at 2:39pm). This statement by Mr. Dorr seems to contradict the statement by the flood commission in the Interim Report. Section 7.2.4 at Line 28 *'it does not appear, though, that any detailed information about the state of the Lockyer Creek was conveyed to the local disaster group or the council. In particular, there is no record of their being alerted by anyone who saw the rapid rise in the creek at Helidon.'*

Gary Dorr is from the SES, a member of the local disaster group and [REDACTED] is an employee of the council.

18. Will the Commission amend their Interim Finding that *'it does not appear, though, that any detailed information about the state of the Lockyer Creek was conveyed to the local disaster group or the council. In particular, there is no record of their being alerted by anyone who saw the rapid rise in the creek at Helidon.'*

11. Gary Dorr continued:

(Line 29): *'This is when I realized that this flooding would reach Grantham.*

(Line 30): *'At 2:30pm I contacted the SES Gatton office and spoke to Dawn Carrillo to instruct her that they should warn residents of Grantham of the potential of flooding.*

This action was never entered into the LDMG log.

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(Line 34):' *I am aware that they left the office at 2:50pm. The initial plan was to use the Portable Audio system (PA) in the SES vehicle which is a Mazda two ton truck. They were to use the PA system to drive through Grantham and warn residents of danger of the floods.'*

This would be the first time this would have ever been used in Grantham. We have not spoken to one person who ever remembers a PA system being used to warn the residents of flooding.

(Line 36) '*But before they could get into Grantham, the water was coming across the road and rising fast so they couldn't drive through and the PA system wasn't working'* There are several witness statements indicating that the flood was not in town until at least 3:30pm-3:45pm. Grantham resident [REDACTED] recounts in his statement how he rode his push bike from the Grantham shop over the Sandy Creek bridge after Sandy Halliday's phone call from her sister at 3:31pm, which he overheard. We also have photos that are date and time stamped showing Gatton-Helidon Rd. at 4:09pm clear of water but with water only in ANZAC Ave and Mr. Warburton still standing in ankle deep water out the front of his business.

12. The Interim Report found that, '*At 2:30pm, the SES controller directed the Gatton SES group to undertake door knocking at Grantham, in the expectation that flooding there would be of the type the town had been experiencing intermittently in preceding weeks.*'¹⁰

The commission sourced this finding to Gary Dorr's statement. There is no-where in his statement that Gary Dorr writes that he thought the town was in for the kind of flooding that had been experienced in the town in preceding weeks.

Question

19. Will the Commission amend this finding?

13. There is conflicting evidence about when the LDMG activated on 10 January.

Exhibit 165, an EMQ sitrep gives the reactivation time for the group as 9am.

¹⁰ Interim Report. Absence of warning. Section 7.2.5 Lockyer Valley Regional Council response. p. 239.

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Exhibit 163, a LVDMG running log gives the time the group reopened at 12.15pm.

However, a senior Gatton police officer, has told Lisa Spierling that the LMDG was reopened at 6.30am.

Question

20. At what time was the Local Disaster Management Group reactivated on 10 January?

14. Exhibit 170, Flood warning report.

The LVRC radio and website summary does not mention its Face Book page post at 1.50pm stating, *'There has been some major flash flooding around the Murphys Creek and Withcott areas with water flowing heavily across the Warrego Hwy at Withcott.'*

Inconsistencies in the Lockyer Disaster Management Group Log

In the LDMG log at 12.30pm on 10 January a person named [REDACTED] mentions forced evacuations from Grantham.

1.

Question

21. Was an evacuation order made for any residents of Grantham? If so, who made the order and when? How were residents informed of the evacuation order? Who effected the evacuations?

At 12:40pm [REDACTED] (SES) mentions [REDACTED] (media rep, for LVRC) to contact WIN news about evacuations.

Question

22. To whom is [REDACTED] referring as being evacuated?

At 1:35pm it is mentioned that Steve Jones is reporting heavy rain at Withcott.

At 1:50pm [REDACTED] reports 150mm in Murphys Creek in the past hour, extremely heavy rain and that Sgt Howard Glass was stuck in Toowoomba.

2:00pm Steve Jones is reported to be stuck in middle of Biggs Rd, Withcott.

2:10pm [REDACTED] mentions the Mathews from Murphys Creek

2.:20pm Steve Jones reports cars had floated into the newsagent from Freedom Fuels and that at Postmans Ridge, houses had been washed away.

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3:10pm Flooding predicted for Gatton.

4:07pm [REDACTED] was asked to door knock Grantham with a warning to residents.

Question

23. Given the above warnings, the LDMG is hearing about widespread very heavy rain, flooding in Toowoomba, Spring Bluff which had swept two people from their house, Murphys Creek and Withcott and that flooding was predicted to continue downstream. In addition, the call from [REDACTED] at 2.39pm and the call from [REDACTED] at 1.51pm and the picture message on [REDACTED] phone before 2.30pm.

If nothing had been done to warn Grantham residents by 3.10pm when the warning was issued for Gatton, there was still another 45 minutes when warning could have been given to Grantham which would have allowed people to evacuate to higher ground.

Why did the LDMG delay issuing a warning to Grantham residents until almost an hour after issuing a warning further downstream for Gatton residents?

This is a critical question because by the time the 4.07pm door-knock was requested, everyone who perished was already dead in Grantham.

Inconsistencies re evidence of Exercise Orko

1. This exercise on 2 – 4 November 2010 simulated an extreme rain event in EMQ's South West region.

Evidence is conflicting as to whether Lockyer Disaster Management Group chairman Steve Jones attended this exercise.

Yes he did

Lockyer Valley MP Ian Rickuss asked Police Minister Neil Roberts on 6 September 2011 who attended Exercise Orko. Mr. Roberts provided an Individual participant list including Steve Jones, Chairperson, LVLDMG and that **he attended for 6 hours.**

No he didn't

Steve Jones gave evidence that he did not attend. See Exhibit 161 **QFCI matters concerning the Lockyer Valley record interview with Steve Jones 7 April 2011** page

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66 line 38. Mr. Ainsworth from QFC mentions this exercise to Mr. Jones stating that he did not attend. Mr. Jones replies 'Mmm'.

Mr Callaghan (counsel assisting) also mentions to Mr Bundy of EMQ that Mr Jones did not attend Exercise Orko and he asks him his opinion on this matter. Transcript, 28 April 2011 page 101 line 50.

Question

24. Did Lockyer Disaster Management Group chairman Steve Jones attend this exercise?

25. On what basis did the Commission believe Steve Jones did not attend?

Lack of evidence from Lockyer Valley SES, QFRS and Police personnel.

1. Whilst the Commission has gathered evidence from senior officers in the SES, QFRS and Police Service, there appears to be very little information from SES, QFRS and QPS in the disaster zone on 10 January in the Interim Report. Lisa Spierling sought information about this omission on 10 October and was referred to Exhibits 116,117,144,145,174, and 182. She looked up each of these and none were by Lockyer Valley SES, QFRS or Police in the disaster zone on 10 January.

Question

26. Does the Commission have any statements, submissions of exhibits written by SES, QFRS or Police operating in the Lockyer Valley on 10 January?

27. If not, will you obtain statements from them?

2. The Commission's Interim Report found that 'a witness who lived at Upper Lockyer near the town (72 Peter Souter) said that at about 1:47pm he saw a wave of water in the creek breaking in the distance; and the force of the approaching water was ripping out trees in its path. And (74 Susan Haughey) '*A resident in the Murphys Creek township said that at about 2:00pm, water started coming down the road carrying rain water tanks and other large items*'. Another local resident is also referenced describing flooding at Postmans' Ridge at approximately 2:00pm.¹¹

¹¹ Interim Report. Flooding in the Lockyer Valley on 10 Jan 2011, p. 236.

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28. Will the Commission add an acknowledgement that several local people phoned the council to warn them, describing the speed and force of the water?

3. Gatton police officer [REDACTED] claims to have dispatched a crew to Helidon but they could not get through.

Questions

29. When did this crew attempt to get through to Helidon and which way did they go?
30. Does the Commission have any statements or submissions from the LMDG co-ordinator Gerry Franzmann and/or any of the other representatives of the LDMG eg Qld Police, QFRS.
31. Why did a person such as Gary Dorr only get interviewed in July, seven months after the disaster ?

Conclusion –Lisa Spierling

Several hundred Grantham residents have been rendered homeless by this disaster and are still living in rented houses, sheds or with relatives and are scattered many kilometres from their home town. Many have been unable to access information about the disaster and are still suffering, and will continue to suffer post-trauma-related conditions for many years.

Understanding what happened and why on 10 January is a major part of beginning to acknowledge what happened, resolve the losses of family members and friends, pets, homes, businesses and a life-time of collected possessions.

Whilst I was arguably less affected than many other people in Grantham, three of my children were terrified on that day that they would die and that their mother was missing, that their pet dogs were drowning, that our home and business were collapsing before our eyes and that our lives were threatened for a second time by a second wall of water which left us with no option but to risk running towards a creek we knew was flooded, hoping we could get to safety by crossing a railway bridge, negotiate water with power lines arcing across the surface and a shipping container that was heading for the bridge, our last avenue of escape.

Given the human cost of the disaster to Grantham, I am at a loss to understand why people are so reluctant to speak with us and to give us an opportunity to ask the questions that keep so many of

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us awake at night. Families of victims were told last week that the recent Inquest was neither the time nor the place to ask our questions. I am therefore directing the questions to the Inquiry and hoping that answers will be forthcoming.

I appreciate your attention to this important matter.

Yours sincerely

Lisa Spierling

End note.

I do not have available to me at the moment a scanner to include with this submission today [REDACTED] [REDACTED] statement and phone records. I am buying a scanner in the next week so I will be able to send this vital piece of information to you as soon as I can. I do apologies for this.