

IN THE MATTER OF THE INQUIRIES ACT 2005
AND IN THE MATTER OF THE INQUIRY RULES 2006

THE GRENFELL TOWER INQUIRY

**OPENING STATEMENT ON BEHALF OF
THE MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENT
PHASE 2, MODULE 1**

1. As throughout this Inquiry, the Department remains committed to understanding the causes of the fire at Grenfell Tower and the learning necessary to ensure a tragedy of its type and scale can never take place again. The Prime Minister has publicly confirmed that the government accepts in principle all of the recommendations of the Inquiry's Phase 1 Report and the Department continues to stand ready to assist the Inquiry in whatever ways it can.
2. Should the Inquiry find it helpful, the Department would of course be willing and able to provide details of the steps it has been taking and is continuing to take to ensure that people are safe in their homes, including by reference to the report of the Independent Review of Building Regulations and Fire Safety, chaired by Dame Judith Hackitt DBE FREng. The Department takes this opportunity to restate its position, as set out in its position statement on actions taken to address public safety following the Grenfell Tower fire, that it agrees with the Review's analysis and with its conclusion that the regulatory system is not fit for purpose. It reaffirms its commitment to bringing forward legislation to deliver meaningful and lasting change.
3. The Department however notes the focus of and key issues arising in Module 1 of Phase 2 of the Inquiry and the scope of this opening statement is limited accordingly.

4. In particular, the Department understands that during Module 1 the Inquiry will consider the Primary Refurbishment (Overview and Cladding), including by reference to Issues 2(a) and 4 of the List of Issues and to the list of key issues identified by the Inquiry.
5. In considering these issues, the Inquiry will wish to address the following topics.
 - (1) Who was responsible for compliance with the Building Regulations, and for the safety of the building more generally? What if any system(s) of oversight for compliance was in place and who was responsible for overseeing it?
 - (2) Did those involved in the refurbishment consider, identify and understand their own roles and responsibilities in relation to compliance with the Building Regulations, and for the safety of the building more generally?
 - (3) Did those involved in the refurbishment genuinely believe that responsibility for compliance with the Building Regulations, and for the safety of the building more generally, lay with Building Control?¹ If so, was that belief reasonably held?
 - (4) Did those involved in the refurbishment consider, identify and understand the relevant requirements of the Building Regulations, including in relation to fire safety?
 - (5) To what extent and in what respect, if at all, were those involved in the refurbishment who had any regard to the Building Regulations, Approved Document B or other guidance genuinely confused by their terms? Did they genuinely believe, as a result of any such confusion, that the

¹ The Inquiry will note that a number of witnesses assert that compliance with the Building Regulations was the responsibility of Building Control; see for example the statements of Bruce Soune, Andrzej Kuszell, Ben Bailey and Simon Lawrence.

refurbishment of Grenfell Tower complied with the Building Regulations and/or that it was safe? If so, was that belief reasonably held?²

- (6) Did those responsible for supplying, specifying and installing the cladding system have an adequate understanding of its properties, the correct mode of installation, and its suitability for use in a refurbishment of this type?³
- (7) To what extent and in what respect, if at all, was information provided by materials producers and/or suppliers materially misleading or confusing? To the extent that those involved in the refurbishment concluded that it complied with the Building Regulations and/or that it was safe, did they do so in reliance on that information? If so, was that reasonable?⁴
- (8) Were those involved in the refurbishment adequately trained and competent to undertake the work that they did?⁵
- (9) To what extent and in what respect, if at all, did prevailing culture or practice within the industry compromise compliance with the Building Regulations, and building safety more generally?

² The Inquiry will wish to consider this topic against the background of the findings set out in its Phase 1 Report, especially at Chapter 26.

³ For example, were the British Board of Agrément product sheet for the Reynobond Architecture Wall Cladding Panels or the Celotex RS5000 product sheet apt to provide assurance that they were suitable products to specify and install? The Inquiry will also wish to consider the circumstances of the substitution of Kingspan K15 for Celotex RS5000.

⁴ By way of example, Ray Bailey and David Anketell-Jones contend that they relied upon the British Board of Agrément product sheet for the Reynobond Architecture Wall Cladding Panels; and Bruce Soules suggests that he relied upon the RS5000 product sheet produced by Celotex.

⁵ For example, the British Board of Agrément product sheet for the Reynobond Architecture Wall Cladding Panels states that they should only be installed in accordance with the manufacturer's instructions and by installers trained and approved by the Certificate holder.