

**IN THE MATTER OF THE GRENFELL TOWER INQUIRY**  
**BEFORE SIR MARTIN MOORE-BICK**

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**OUTLINE OF CLOSING SUBMISSIONS  
ON BEHALF OF BEHAILU KEBEDE**

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1. Introduction

- ◆ The core demands of the bereaved and the survivors
- ◆ The scope of Phase 1
- ◆ The urgent need for robust and decisive factual findings and recommendations

2. Cause and origin of the fire

- ◆ A reminder of what we submitted in our opening statement:
  - (i) Behailu Kebede did the right thing from start to finish;
  - (ii) The cause of the fire was accidental;
  - (iii) The importance of the Inquiry unequivocally declaring that Mr Kebede bears no responsibility, directly or indirectly, for the outbreak of the fire in his kitchen, its subsequent spread or its fatal consequences.
- ◆ The evidence adduced during Phase 1 on cause and origin
- ◆ How the evidence confirms the honesty and reliability of what Mr Kebede has always said

- ◆ The evidential significance of Mr Kebede turning off the main electrical switch before leaving his flat
- ◆ The evidential significance of Mr Kebede filming the fire in his kitchen as it spread to the external façade of the building on his mobile telephone whilst standing outside Grenfell Tower at ground level
- ◆ Why the Inquiry should make the following factual findings on cause and origin:
  - (i) The fire began in the southeast area of the Flat 16 kitchen;
  - (ii) The fire was electrical in nature;
  - (iii) The origin of the fire was in the Hotpoint FF175BP fridge freezer;
  - (iv) The cause of the fire was accidental.
- ◆ Dr Glover's evidence on the precise cause of the electrical fault within the Hotpoint fridge freezer that ignited the fire and tripped circuit breaker no. 7
- ◆ The prevalence of accidental dwelling fires caused by faulty electrical appliances and leads in general and by faulty fridges and freezers in particular
- ◆ Growing public concern about fridges and freezers with rear plastic casings

### 3. Non-compliance

- ◆ Grenfell Tower was not a borderline case
- ◆ Grenfell Tower was flagrantly non-compliant in multiple respects with the Building Regulations and Approved Document B
- ◆ The many fire safety deficiencies of Grenfell Tower

- ◆ The importance of Dr Lane's conclusion that the refurbished Grenfell Tower should never have been handed over to its residents in 2016 with such a combustible rainscreen cladding system

#### 4. The response of the firefighters

- ◆ Why this is a complex issue that requires careful, nuanced thinking
- ◆ What are the lessons that must be learned from the Grenfell Tower fire
- ◆ The importance of distinguishing between those in operational command and the rank-and-file firefighters
- ◆ The importance of recognising the impact of fire safety deregulation and funding cuts on the fire and rescue services
- ◆ The similarities and differences between the Grenfell Tower fire and other well-known high rise fires, domestically and internationally
- ◆ Whether or not the Grenfell Tower fire was unique and unprecedented
- ◆ Whether or not total building failure should have been reasonably foreseeable to the fire and rescue services
- ◆ The inadequacy of firefighter training on high rise fires, contingency planning, stay put and evacuation
- ◆ What should the firefighters have discovered about Grenfell Tower during their section 7(2)(d) familiarisation visits
- ◆ The dangers of over-simplifying what hypothetically might have happened if different decisions had been made and different actions had been taken

- ◆ Whilst lessons must be learned from the undoubted mistakes made on the night, the Inquiry must not degenerate into an attack on the fire and rescue services
- ◆ The fire and rescue services bear no responsibility for the transformation of Grenfell Tower during its refurbishment into a highly combustible, non-compliant death trap or for the total failure of the building during the fire

## 5. Stay put

- ◆ When should stay put have been abandoned, without the benefit of hindsight
- ◆ If stay put had been abandoned at or about 1.26 am, how were the occupants of Grenfell Tower to be told to evacuate immediately, how should the evacuation have been implemented and organised, how long would the evacuation have taken and what would have been the practical difficulties and environmental complications
- ◆ The history, logic and track record of stay put
- ◆ Is stay put fit for purpose or should it be consigned to the dustbin of history – in future, should the policy be, whenever there is a high rise fire, to tell the occupants to get out and stay out – or would this be throwing the baby out with the bathwater – what are the dangers of evacuating the entire building, whenever there is a high rise fire, regardless of the nature and extent of flame and smoke breach of the compartment of origin

**Rajiv Menon QC**  
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**6<sup>th</sup> December 2018**