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Grenfell Tower Inquiry

By Email: solicitor@grenfelltowerinquiry.org.uk

26 March 2020

Dear Sirs

Re: Extension of Attorney General's undertaking in respect of Modules 1, 2 and 3 - J S Wright & Co Ltd.

Thank you for your letter of 20 March 2020 in which you explain why it is necessary for the undertaking to be extended to Osborne Berry Installations Limited (Osborne Berry).

At the outset we note that there are some similarities between the position of Osborne Berry and the position of our client, J S Wright & Co Ltd (JSW). JSW is also a small company with only 5 Directors, 2 of whom have provided witness statements to the Inquiry and may be called upon to give evidence in Module 3. They effectively represent themselves and embody the company simultaneously.

A number of other employees of JSW have provided statements to the Inquiry. They too are likely to be called to give evidence during Module 3. All JSW employees were carrying out work on Grenfell Tower in the name of the company and it is possible that each of them might have to be regarded as embodying the company for the purposes of some questions relating to acts that they personally carried out but on behalf of the company.

However, JSW is currently at a distinct disadvantage compared with Osborne Berry and with others involved in the early stages of Phase 2. As we are so far back from Module 3 hearings it is not possible at this time for JSW to make an informed decision about whether it should make an application to the Inquiry for the undertaking to be extended to include JSW.

Of particular importance is that the expert reports dealing with matters to be explored in Module 3 are not yet available. Therefore, JSW has no way of knowing at this time what, if any, criticisms will be made about the work carried out by JSW or made about JSW itself or any of its staff. Equally, JSW does not yet know which witnesses will be called during Module 3 either on behalf of JSW or otherwise. In addition we understand that disclosure relating to Module 3 has not yet been completed.

We therefore submit to the Inquiry that now is not the right time for JSW to make an application for an extension of the Attorney General's undertaking. However, if it is determined at a later date that JSW should be afforded that protection then JSW should be entitled to seek an extension and it will then make its application at the appropriate time.

Yours sincerely

Birmingham Exeter London Manchester Nottingham



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Stephanie McGarry
For and on behalf of Browne Jacobson LLP