

Grenfell Tower inquiry

Grenfell bereaved and survivors bring multimillion pound case to high court



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More than 800 bereaved and survivors from Grenfell Tower and 102 firefighters are seeking up to tens of millions of pounds in compensation from organisations involved in the disastrous refurbishment in a case that reaches the high court on Wednesday.

The victims of the fire on 14 June 2017 and emergency responders have filed civil claims against defendants including Arconic, the US metals giant that made the combustible cladding, Rydon, the main contractor, and the Royal Borough of Kensington and Chelsea, landlord of the 24-storey west London council block.

The bereaved and survivors allege 23 defendants “separately and cumulatively led to or contributed to the disaster” that killed 72 people and left hundreds homeless. The firefighters, some of whom claim they cannot work again as a result of the trauma, are seeking “damages for personal injury and loss ... caused by the negligence and/or breach of statutory duty of the defendants”.

The sprawling case will be handled by Ms Justice Barbara Fontaine, the senior master of the Queen’s Bench division. It is the first time Arconic, as well as the insulation manufacturers Celotex and Kingspan, the cladding contractor Harley Facades and other consultants, have

faced court action in the UK over the deaths. The Kensington and Chelsea Tenants Management Organisation, which ran the building and was responsible under the law for fire safety, is also being sued.

“They have had it coming and it is long overdue,” said Nabil Choucair who lost his mother, sister, brother-in-law and three nieces in the fire and is among the claimants. “It’s been four years and nothing has been done. I only wish it was sooner.”

He stressed the case was not about money, rather achieving the limited accountability offered by civil law amid widespread frustration in the Grenfell community at the pace of justice. The police investigation into possible corporate manslaughter offences is not expected to make charging recommendations until after the public inquiry publishes its final report, which may not be until the end of 2022.

“The families that were lost were priceless,” said Choucair. “I would rather have my family back than any amount of money in the world, but that isn’t going to happen.”

The hearing is expected to result in a stay of proceedings of up to nine months, which is being requested by lawyers for several of the claimants. That will allow time to explore out of court settlements and for further evidence to emerge from the public inquiry.

The inquiry has already heard that senior Arconic staff warned internally that the polyethylene core cladding it was selling was “dangerous” two years before the fire. In 2007, an Arconic executive attended a seminar where a cladding expert raised the question of a manufacturer’s responsibility if a “building made out of polyethylene core” cladding were to catch fire, killing “60 to 70 persons”. Celotex, which made most of the combustible foam insulation rigged a safety test with fire-retardant panels to boost the insulation’s fire performance, but the modifications were left out of marketing literature, the inquiry also heard. A former executive described it as “a fraud on the market”.

“Despite it now being over four years since the Grenfell Tower tragedy and the inquiry detailing multiple failures on the part of all the parties involved in the refurbishment of the tower, no defendant has yet admitted liability and our fight continues,” said Vincent Reynolds, lawyer for the firefighters at Thompsons Solicitors.

Thirty-one police officers who attended the blaze and worked inside the charred building subsequently are also claiming damages for psychiatric injuries.

A spokesperson for the borough said it was participating fully in the case “no matter what the outcome means for us”. It said it was in discussions to “design an alternative dispute resolution process” in a process being steered by retired appeal court judge Sir Stephen Irwin.

Arconic said it was “fully participating” in the high court process. Celotex, Kingspan and Rydon declined to comment.