



Grenfell is becoming our worst corporate scandal

We now know the Kingspan cladding firm rigged tests — even after the fire

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How fortunate for the executives of Kingspan that their interrogation at the Grenfell Tower inquiry last week coincided with the arrival in the UK of the Covid-19 vaccine and a possibly terminal crisis in our trade negotiations with the EU. Otherwise the questioning of the Irish insulation firm's director of technical, marketing and regulatory affairs, Adrian Pargeter, by the inquiry's chief counsel, Richard Millett QC, would surely have led the TV news.

Still, it is odd that this encounter made no appearance on the main bulletins, because what emerged was shocking, even by the standards of what we have already learnt in the course of the inquiry. It now transpires that in 2018, as the government began to formulate its response to the fire that killed 72 of the

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insulation was inside the cladding — engaged in a campaign to persuade MPs and government ministers that its own product was no more dangerous than a non-combustible one.

The purpose, obviously, was to maintain its share of a vast and growing market (since thermal cladding of buildings is part of a state-mandated drive to reduce CO₂ emissions by making them more energy-efficient). But it did not just hire the lobbying firm Portland to fix meetings with legislators in which, to quote the PR outfit itself, “there is immeasurable value in getting Kingspan’s manifesto in front of these decision-makers”. In July 2018, Kingspan presented to the Ministry of Housing, Communities and Local Government and to the relevant parliamentary select committee the results of tests it had conducted on insulation made by the rival firm Rockwool, whose wire-based product is not combustible, but is less thermally efficient.

[These tests were deliberately rigged.](#) Or, to quote an internal email from a Kingspan technician revealed at the inquiry: “I have introduced as many weak features/details as possible to ensure it has the best chance of performing poorly.”

The inquiry counsel put it to Pargeter: “Kingspan, even in ... the face of an investigation into fire safety after Grenfell, was doing its best to ensure that the science was secretly perverted for financial gain. That has been your own approach and Kingspan’s general approach for years. It’s still going on ... Did you see the aftermath of the Grenfell fire as something of a commercial opportunity?” Pargeter, who appeared icily calm during these exchanges, said he did not.

His calmness was all the more impressive, in its way, a day earlier, when he was questioned about text messages between

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Chalmers, the year before the Grenfell conflagration: they joked about the way the firm had managed to get its Kooltherm K15 insulation categorised as “class 0” — that is, appropriate for use in buildings higher than 18 metres — in part by using a different material in the official tests from what was actually being sold. Chalmers: “Doesn’t actually get class 0 when we test the whole product tho. LOL.” Moss: “WHAT. We lied? Honest opinion now.” Chalmers: “Yeahhhh ...”, and later in the conversation, “All lies, mate ... Alls we do is lie here.”

When asked by the inquiry counsel: “Do you accept that a culture of lying about the fire safety of products is particularly serious, because you are taking risks with people’s lives?”, Pargeter responded, deadpan: “I don’t believe we are lying. I can’t explain why they’re describing it as such in that way between the two of them.”

A week earlier the inquiry heard that when a constructor questioned whether Kooltherm K15 was suitable for a highrise, the Kingspan executive Philip Heath emailed a friend: “I think [they] are getting me confused with someone who gives a dam [sic].”

It was astute of Kingspan’s founder, Eugene Murtagh, and his son Gene (now in charge of the business) to have cashed in shares worth £98m in the weeks before the inquiry got its teeth into this matter. [Eugene Murtagh is a billionaire](#), having built up his company from a one-man operation in County Cavan in the 1970s, into a mighty multinational business, before handing the reins over to his son. Indeed, in October the Irish Times named Gene Murtagh its “business person of the month”, noting that “sales have jumped more than 300% to €1.65 billion since [he] took charge in 2005”. Not a mention of Grenfell.

It’s true that the firm continues to deny any culpability for the deaths of those 72 men, women and children. It is also the case

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Kooltherm K15. The rest was provided by Celotex, a French company, and the cladding panels as a whole by the US firm Arconic. The Arconic employees the inquiry most wants to question are based in France (Claude Wehrle, Claude Schmidt and Gwenaëlle Derrendinger). They have refused to give oral evidence on the grounds that something called the French Blocking Statute prevents them from “sharing commercial or technical information to establish evidence in foreign courts”. But as the inquiry’s counsel observed, there has been “only one successful prosecution under the French Blocking Statute in the 51 years since that statute was enacted”.

It does not take a cynic to surmise that the reason for their refusal to be questioned may lie elsewhere.

The prosecution that does loom will be one in this country, when the Metropolitan police have gathered all the necessary evidence. In respect of Kingspan, given the relatively small amount of Kooltherm K15 on the tower, the authorities will need to piece together the intricate jigsaw of exactly where it was installed — for example, whether it was in the cladding outside flat 16, where the conflagration on the outside of the tower began — in order for a prosecution for gross negligence manslaughter, or even corporate manslaughter, to get off the ground.

For the families of the Grenfell residents who died in such horrifying circumstances, the wheels of justice must be grinding all too slowly. And the victims are not just to be measured in the dead, but also the almost two million people who live in flats they cannot sell, as the cladding that surrounds them has now been exposed as potentially lethal.

Even this uninvolved observer was reduced to shuddering fury when seeing what emerged last week at the inquiry. So it is hard to imagine the feelings of families now trapped in unsellable

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properties, let alone those of the relatives of the Grenfell residents for whom this was a death trap.

It turns out that the depravity, at a corporate level, was worse even than we could have imagined.

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