

INQUEST Parliamentary Briefing: Grenfell Debate

Main Chamber, House of Commons, 30 October 2019 at 12.00

At the Grenfell Tower Fire on 14 June 2017, 72 men, women and children lost their lives. A Public Inquiry was announced the very next day by the Prime Minister. It has been more than two years since the fire, which devastated people's lives.

Hearings of Phase 1 of the Inquiry concluded in December 2018. The delayed report, initially expected in spring 2019, will be published at 10am on 30 October. Ahead of the publication, this briefing outlines key considerations relevant to the Inquiry and its recommendations moving forward.

The Grenfell bereaved, survivors and residents, whilst grieving and traumatised, have been working tirelessly to ensure the same failings are never repeated. Bereaved families consistently report that their main objectives following a death are to find out the truth of what happened to their loved one, for those responsible to be held to account, and for meaningful structural change to protect lives and prevent future deaths.

Based on INQUEST's long running work supporting families bereaved by state related deaths and consultation with families [Family reflections on Grenfell: No voice left unheard](#), INQUEST recommends:

- 1. The establishment of a 'national oversight mechanism'.** An independent, public body with the duty to collate, analyse and monitor recommendations and their implementation arising from post death investigations, inquiries and inquests.
- 2. That the Government and Inquiry team listens to the voices of bereaved families** who have made practical and insightful suggestions for change to establish best practice, not just for this Inquiry but for future disasters and inquiries.
- 3. The reintroduction of The Public Authority (Accountability) Bill** to establish a statutory duty of candour on state authorities and officers and private entities whose activities impact on public safety.

1. National oversight mechanism

"Recommendations are only as good as their implementation. Time and time again lifesaving recommendations are left to gather dust, with no independent body tasked with the power to compel action to be taken or to audit progress. This fragmented and unaccountable system means that dangerous practices continue." **Deborah Coles, Executive Director, INQUEST**

There is an overwhelming case for the creation of a new independent body – a 'national oversight mechanism' - tasked with the duty to collate, analyse and monitor learning and implementation arising out of post death investigations, inquiries and inquests. This body must be accountable to parliament to ensure the advantage of parliamentary oversight and debate. It must also provide a role for bereaved families and community groups to voice their concerns and help provide a mandate for its work.

The Grenfell Inquiry Phase 1 report will make a series of important recommendations, which have the potential to save lives, if changes are properly implemented. However, there is currently no mechanism to ensure this will happen.

A 2017 [report by the Institute for Government](#) noted that since 1990 the UK Government and the devolved administrations have received 60 inquiry reports which feature 2,625 recommendations for change. The Inquiries Act 2005 does not make any provision for any monitoring or oversight of the implementation of such recommendations.

Following the Lakanal House tower block fire in 2009 where six people died, the [coroner made recommendations](#) about retrofitting sprinklers, reviewing the ‘stay put’ policy, and building regulations due to the spread of the fire on the exterior of the building. The All-Party Parliamentary Fire Safety and Rescue Group [wrote to ministers 21 times](#) between 2014 and 2017 to ask for the Lakanal House recommendations to be implemented. When the Grenfell Tower fire happened, they had still not been actioned.

This is regularly the case for the findings of investigations, inquests and inquiries following state related deaths more broadly. This means that dangerous practices endure, and recommendations are repeated when lives continue to be needlessly lost.

The need for a national oversight mechanism has been recognised by numerous reviews and organisations, including the 2017 [Independent review of deaths and serious incidents in police custody](#) (p.233) by Dame Elish Angiolini QC. She recommended that the government consider improved oversight, such as through an ‘Office for Article 2 Compliance’ which would monitor and report on recommendations arising from deaths. However, no action has yet been taken on this. See [INQUEST Briefing](#).

2. The voices of bereaved families

The government and Inquiry team must listen to the voices of bereaved families who have made practical and insightful suggestions for change to establish best practice, not just for this Inquiry but for future disasters.

In May 2019, a report released by INQUEST, [Family reflections on Grenfell: No voice left unheard](#), highlighted the shared frustrations and anger experienced by bereaved families following the Grenfell Tower fire. INQUEST organised a family consultation day, the first-time families had come together to reflect on their experiences. This evidence-based report contains their first-hand testimonies. Families of 55 out of the 72 who died contributed to the report.

INQUEST’s report provides invaluable insight into the experiences of bereaved families who reflected on the chaos and lack of organisation in the aftermath of the fire and were critical of the government response at both a local and national level.

In the report bereaved families outlined the following interim recommendations, with changes they wish to see which would guarantee the safety of residents in similar tower blocks;

- The ‘stay put’ policy to be abandoned for buildings over ten storeys high;
- Combustible cladding to be completely banned;
- Every tower block to be inspected by the Fire Brigade to ascertain the need for, and effectiveness of, dry/wet risers;
- First responders to receive improved and effective training, including control room staff;
- At least one aerial ladder to be available in each London borough;
- A duty on the government to implement interim recommendations (and future final recommendations) made by the Inquiry and a system for monitoring and following up on implementation.

Bereaved families also made the following recommendations for the Inquiry moving forwards:

- Re-examination of procedures for questioning witnesses to enable family lawyers to directly ask questions;
- Adoption of a duty of candour by public authorities and private entities;
- Seminars to un-pick technical jargon;
- Advance notice of hearings and prompt disclosure of legal papers;
- Support for employers enabling families to take time off work without losing annual leave entitlement.

3. The Public Authority (Accountability) Bill

The [Public Authority \(Accountability\) Bill](#) had its first reading in parliament on 29 March 2017. Originally sponsored by Hillsborough families, the Bill did not progress after the first reading due to the general election shortly after. It continues to receive cross party support and backing from those impacted by the Grenfell Tower fire.

The Bill would establish a statutory duty of candour for state and private bodies, and public funding for legal representation to put victims on a level playing field with public bodies. The Bill would:

- Set a requirement on public institutions, servants and officials or those carrying out functions on their behalf to act with candour and frankness which is in the public interest;
- define the public law duty on them to assist courts, official inquiries and investigations;
- enable victims to enforce such duties, and empower officials to ‘whistleblow’ where there is a cover-up;
- create offences for the wilful breach of certain duties;
- provide funding for victims and their relatives in certain proceedings before the courts and at official inquiries and investigations; and for connected purposes.

ABOUT INQUEST

INQUEST is the only charity providing expertise on state-related deaths and their investigation to bereaved people, lawyers, advice and support agencies, the media and parliamentarians.

INQUEST regularly consults with bereaved families and the INQUEST Lawyers Group. We organise listening days to ensure that the voices of the bereaved are heard directly, on their experiences of investigative and inquest/inquiry processes. INQUEST coordinates the Grenfell INQUEST Lawyers Group, consisting of lawyers representing those bereaved by the Grenfell Tower fire.

Our policy, parliamentary, campaigning and media work is grounded in the day to day experience of working with bereaved people. INQUEST’s specialist casework focuses on deaths in police and prison custody, immigration detention, mental health settings and deaths involving multi-agency failings or where wider issues of state and corporate accountability are in question such as, Hillsborough and the Grenfell Tower fire. INQUEST’s Executive Director, Deborah Coles, sits on the cross-government Ministerial Board on Deaths in Custody.

Grenfell Inquiry Timeline

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| 14 June 2017 | The Grenfell Tower Fire. |
| 15 June 2017 | PM announces a Public Inquiry into the disaster. |
| 29 June 2017 | Sir Martin Moore Bick appointed as Inquiry Chair. |
| 5 July 2017 | Inquiry launch consultation for Terms of Reference – this deadline was extended twice and closed on 4 August 2017. |
| 15 August 2017 | Terms of Reference announced. |
| 14 September 2017 | Formal opening of the Inquiry. |
| 30 November 2017 | Petition is launched by bereaved families calling for an independent diverse decision-making panel for the Inquiry. |
| 22 December 2017 | PM confirms she will not appoint a panel for the Inquiry. |
| 23 February 2018 | Petition for a panel reaches 100,000 signatures as public and legal pressure mounts. |
| 11 May 2018 | PM announces decision to appoint two panel members but only for Phase 2 of the Inquiry. |
| 21 May 2018 | The Public Inquiry opens with Commemoration hearings at the Millennium Hotel in Gloucester Road. |
| 4 June 2018 | Oral hearings for Phase 1 of the Inquiry begin at Holborn Bars. |
| 12 December 2018 | Oral hearings for Phase 1 of the Inquiry end. |
| 30 May 2019 | Two panel members appointed for Phase 2. |
| 30 October 2019 | Inquiry publishes Grenfell Phase 1 report. |
| 27 January 2020 | Phase 2 of the Inquiry is due to begin. |

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