

Government Legal Department
Litigation Group
One Kemble Street
London WC2B 4TS

By email:

Robert.Norgrove@governmentlegal.gov.uk

11 January 2018

Your ref: Z1729746/RAN/B6

Dear Mr Norgrove

Grenfell Tower Public Inquiry: Prime Minister's Decision dated 21 December 2017

I am writing in response to the Prime Minister's decision dated 21 December 2017 not to appoint additional panel members to the Grenfell Tower Public Inquiry pursuant to section 7 of the Inquiries Act 2005 'at this stage.'

We understand that you are dealing with this matter under the above reference number. Please let us know if this is not the case with details of the person with whom we should be corresponding.

The Commission is concerned about the failure to appoint further panel members to ensure a greater diversity of experience in the Inquiry. The Commission has made representations to the Inquiry about the constitution of the panel: (<https://www.equalityhumanrights.com/en/following-grenfell>). We are concerned that a lack of diversity could prove a serious blow to the long-term authority and credibility of the inquiry. We believe that it is vital this

is addressed to ensure public confidence is not undermined before the inquiry has started its hearings.

In our submissions, we have observed that while legal and forensic expertise on the part of the Inquiry's decision-makers is essential, it may not be sufficient to meet the objectives behind the establishment of the Inquiry.

While we welcome the appointment of assessors and acknowledge the potential contribution to the Inquiry of expert witnesses and the proposed advisory panel, we believe the Inquiry also requires a decision-making panel – in the manner of the Independent Inquiry Into Child Sex Abuse - with broader knowledge and experience to improve public confidence and gain the trust that it requires within the communities affected by the tragedy. Assessors and witnesses provide a critical technical expertise but they do not play a decision-making role. A panel could provide expertise and understanding when, for example, the Inquiry is looking at the broader issues, such as the relationship of the residents and the local authority and the needs of the survivors in the aftermath of the fire.

We understand the Prime Minister's desire not to cause delay to the Inquiry's work. Promptness is an essential feature of the State's obligation to investigate under Article 2 of the European Convention on Human Rights. Given the Inquiry's projected timetable for commencement of hearings, it does not appear that panel appointments would introduce delay.

It is the Commission's view that if the Inquiry is to be sufficiently thorough and public concerns properly allayed, the panel must include people with professional knowledge and experience of the social realities relevant to the fire and the surrounding circumstances, including events immediately afterwards. Such people should have knowledge and experience, in particular, of the affected communities and the diversity within them and the way in which such communities are served by public authorities. These communities will include ethnically diverse groups, women, children, people of faith, migrants, disabled people, and economically and socially disadvantaged people. It appears to the Commission that Sir Martin Moore-

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Bick sitting alone will not be able to meet the need for such knowledge and experience in the carrying out of the work of the Inquiry.

The Commission asks that the Prime Minister provide reasons for her decision not to appoint further panel members. We understand from her statement that she had due regard to section 149, Equality Act 2010 ('Public Sector Equality Duty'). We request full details of all the steps taken to discharge the duty and that you provide the Commission with any related documents.

Given the urgency of the issue for the ongoing conduct of the Inquiry, we would be grateful for a response by 15 January 2017.

Yours sincerely,



Rebecca Hilsenrath

Chief Executive

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