Dear Ms Hilsenrath

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

We write to you in response to your letter dated 11 January 2018 where you expressed concerns about the Prime Minister’s decision on 21 December 2017 not to appoint further panel members at this stage (“the Decision”). In particular, you have requested that the Prime Minister provide reasons for the Decision and full details of all steps taken by the Prime Minister to discharge her duty under section 149 of the Equality Act 2010 (“Public Sector Equality Duty”), including any related documents.

Our response to your questions is below. We have set out the relevant background to the Decision by the Prime Minister, taking particular care to explain the measures taken to address the Public Sector Equality Duty.

The relevant background to the Decision

1. On 22 June 2017, the Prime Minister announced to the House of Commons that there would be a judge-led inquiry to get to the truth of what had happened in the fire at Grenfell Tower, and who was responsible; and to provide justice for the victims and their families.

2. On 29 June 2017, the Prime Minister announced the appointment of Sir Martin Moore-Bick, a former Court of Appeal Judge, to chair the Inquiry. Her written statement to Parliament stated:
“The Inquiry will be established under the 2005 Inquiries Act, with full powers, including the power to compel the production of documents, and to summon witnesses to give evidence on oath. The Inquiry will be held in public. In relation to the appointment of the Chair, the Lord Chancellor asked the Lord Chief Justice for the name of a judge who, in his view, would be best suited to the task and available to start work immediately so that we can get answers to what happened as quickly as possible. The Lord Chief Justice recommended Sir Martin Moore-Bick, a highly respected and hugely experienced former Court of Appeal judge. I have accepted the Lord Chief Justice’s recommendation…

Before the Inquiry starts Sir Martin will consult all those with an interest, including survivors and victims’ families, about the terms of reference. Following that consultation he will make a recommendation to me. I will return to Parliament with the final terms of reference once this process has taken place. Then the Inquiry will begin its work. We must get to the truth about what happened. No stone will be left unturned by this Inquiry, but I have also been clear that we cannot wait for ages to learn the immediate lessons and so I expect the Chair will want to produce an interim report as early as possible.”

3. The Prime Minister determined not to appoint any other members to the Inquiry panel (“the Panel”) at that stage. She stated in her letter of appointment that any future decision to appoint Panel members would be taken in consultation with Sir Martin Moore-Bick (“the Chair”) and with his consent. Thus, she made it clear that the appointment of Panel members was a matter which would be kept under review.

4. On 10 August, the Chair wrote to the Prime Minister concerning the Inquiry’s Terms of Reference. In that letter, he stated that he was considering appointing assessors under section 11 of the Inquiries Act 2005 to provide him with assistance. He indicated to the Prime Minister that he thought it likely he would wish to appoint a diverse group of people, whose experience extended to the occupation and management of social housing and the administration of local government more generally, as well as to matters of a more technical scientific nature.

5. In that letter he also explained the importance of the Inquiry concluding its work as quickly as possible: “…there is an obvious need for my Inquiry to complete its work as quickly as possible in order to identify defects in the design, construction (including refurbishment) and management of the building that may exist elsewhere and put at risk others who live and work in similar high-rise structures. To give the Inquiry Terms of Reference which would cover all the matters requested by local residents and others would inevitably add significantly to the length of time needed to complete its work.”

6. The Prime Minister responded to the Chair on 15 August 2017, accepting his proposed Terms of Reference, and stating her own view that there was an “urgent need for the Inquiry to complete its work as quickly as possible, so that essential lessons can be learnt”. On 14 September 2017, the Prime Minister made a written statement to Parliament on the Inquiry’s terms of reference, in which she stated inter alia:

“Sir Martin has said that he is considering appointing assessors to assist him in his task. He considers it likely that he shall wish to appoint a diverse group of people whose experience extends to the occupation and management of social housing and the administration of local government more generally, as well as to matters of a more technical scientific nature. He also states that at a later stage, he may also wish to appoint
others to assist on particular aspects of the investigation. He will make his decisions public in due course. I have not appointed any other members to the Inquiry Panel at this stage. However, the Inquiries Act 2005 allows for appointments to be made, with the consent of Sir Martin, during the course of the Inquiry. This enables the composition of the Inquiry Panel to be kept under review.”

7. On 15 November 2017, the Inquiry announced the Chair’s appointment of three assessors to assist him, each with specific experience and expertise felt to be of value to the Inquiry. The assessors were:

(i) Joe Montgomery CB, appointed to assist the Chair in considering issues relating to community engagement and the occupation and management of social housing.
(ii) Joyce Redfern CBE, appointed to assist the Chair in identifying best practice among local authorities in relation to matters such as the management of finances and the procurement of services relating to the design and construction of residential buildings.
(iii) Professor David Nethercot OBE, appointed to assist the Chair in considering technical issues relating to the design and construction of Grenfell Tower and its refurbishment.

The Decision and the decision-making process

8. The Prime Minister carefully considered whether to appoint additional Panel members. On 21 December 2017, she wrote to the Chair, stating that she had determined not to appoint further Panel members to the Inquiry. She stated:

“As you know, I committed to consider the issue of panel members once you had appointed assessors to assist the Inquiry. Having regard to the assistance that may be provided by those assessors, and the Terms of Reference which it is the Inquiry’s role to deliver, I believe that the Inquiry has the necessary expertise to undertake its work. I am also very conscious of the need for the Inquiry to complete its initial report as quickly as reasonably possible. I therefore consider that additional panel members should not be appointed at this stage. In reaching this conclusion, I have had regard to the public sector equality duty as set out in Section 149 of the Equality Act 2010.

I am pleased that you are taking care in gathering evidence from those most affected by the tragedy, so that they are given a chance to share their experience. I know that you agree with me that it is of paramount importance that the Inquiry provides an opportunity for the bereaved, survivors, and the community to be heard and for lessons to be learnt from their views and experiences. I would encourage you to continue working with the community affected by the fire and to consider a full range of options to foster closer engagement in the future.

I was particularly pleased to hear you propose at last week’s hearing the establishment of an advisory panel of those affected by the fire. The Independent Inquiry into Child Sexual Abuse has established such a panel, and it is closely involved in the work of that Inquiry, providing advice and guidance to the Chair. Clearly, it is for you, as the Chair of the Independent Inquiry, to decide how best to take this forward, in consultation with the Grenfell Tower community. But I believe that such a panel could play a very beneficial role in putting those most affected at the heart of the Inquiry and enabling them to ensure that their views and experiences are heard.
I know that you understand how important it is, particularly for the survivors, the families of the victims and others most affected by the tragedy, that the Inquiry completes its initial report as quickly as reasonably possible. I am very grateful for the work that you and your team have undertaken to date, and look forward to receiving a further update in due course on the Inquiry’s progress…”

9. The Prime Minister was well aware when taking the Decision that there was deep mistrust on the part of the community, many of whom felt that they had been let down by those in authority. Appointing a diverse panel was one of the options she considered as a possible means of addressing this. She took into account the view of many of the Grenfell residents with core participant status that a more diverse panel should be appointed.

10. Reaching this Decision, the Prime Minister fully took into account her duty under s.149 of the Equality Act 2010 (the Public Sector Equality Duty “PSED”). She had regard to the fact that those most affected by the fire come from a diverse ethnic and religious community; and that having an Inquiry team that demonstrably understands and reflects the diversity of those most affected by the fire could help to foster good relations, and advance equality of opportunity, between persons who share a relevant protected characteristic and those who do not, by securing the confidence and engagement of those community members most directly affected.

11. She also took into account the following matters:

   (a) The Inquiry’s Chair, Sir Martin Moore-Bick, is a highly respected and experienced former Court of Appeal Judge and former Vice President of the Civil Division of the Court of Appeal. He brings very considerable breadth of experience to the Inquiry, as well as particularly extensive knowledge of relevant law. He has the technical skills, range of expertise and broad experience necessary to give rigorous consideration to all the matters set out in the terms of reference, and to satisfy the needs of the Inquiry as the sole panel member.

   (b) That position is strengthened with the appointment of assessors and expert witnesses. The assessors appointed by the Inquiry have many years of experience in their respective areas of expertise, and their appointment was made in recognition of their professional standing. Each is well-respected in their individual field, and each will be unafraid to raise concerns or draw attention to any difficult issues that may arise through the Inquiry. Whilst assessors, expert witnesses and panel members all have different roles in the Inquiry, the assessors and expert witnesses will bring their experience working with diverse communities to the Inquiry, which will no doubt be valuable to the Inquiry Chair.

   (c) Both Joyce Redfearn and Joe Montgomery have directly relevant experience of working with and meeting the needs of diverse communities through their local authority, housing, and regeneration roles. Joe Montgomery has previously worked very closely with disadvantaged and racially and religiously diverse communities as an Executive Director for Regeneration at Lewisham LBC, as Chief Executive of the Deptford City Challenge, and while leading the Government’s Neighbourhood Renewal Unit. He is extremely well placed to understand the importance of fostering good relations between those who share a protected characteristic and those who do not, by helping to secure the confidence and engagement of those community members most directly affected. He also has experience of community
engagement in relation to social housing, and is well equipped to provide advice on the social context in which the disaster occurred.

(d) Further, the Chair of the Inquiry has proposed the establishment of an advisory panel of those affected by the fire. The Independent Inquiry into Child Sexual Abuse has established such a panel, and it is closely involved in the work of that Inquiry, providing advice and guidance to the Chair. An advisory panel of a similar type would be an additional mechanism for achieving the aims of the PSED in this context. It could play a beneficial role in putting those most affected at the heart of the Inquiry, and enabling them to ensure that their views and experiences are heard.

(e) Having regard to all of these factors, the Prime Minister was not satisfied that it was necessary to appoint additional panel members in order to eliminate discrimination, harassment, victimisation, or any other conduct prohibited under the Equality Act 2010.

(f) Whether to appoint additional Inquiry panel members for the matters in PSED must also be measured against the risk of delay to the work of the Inquiry. It is vital that the Inquiry conducts as expeditious an investigation as possible, not only to provide answers for all those affected by the tragedy who wish properly to understand what went on that night, but also to identify any ongoing risks that may be pertinent to other high-rise buildings of a similar nature. The Chair of the Inquiry, the Metropolitan Police and the Crown Prosecution Service are also all concerned to ensure that the Inquiry does nothing to undermine any future prosecution. It is therefore of the first importance that the Inquiry is able to complete its work swiftly, and is able to respond in an agile way to other ongoing investigations, while ensuring effective delivery of a timely outcome.

This letter contains an account of the factors the Prime Minister took into account in the Decision and the decision making process. All documents referred to in this letter are enclosed for your ease of reference.

We consider this letter is a full response to your request but please do contact me if I can be of further assistance.

Yours faithfully

Robert Norgrove
For the Treasury Solicitor

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Enc
Introduction

With permission, Mr Speaker, I would like to make a statement on the disaster at Grenfell Tower.

I would like to start by apologising to the Leader of the Opposition for the short notice he has had of this statement.

I received an important update in the hour before making this statement which I felt was essential to bring to the attention of the House this morning.

Mr Speaker, what happened in the early hours of last Wednesday morning was one of the most unimaginable tragedies our country has seen in many years.

As of this morning, 79 people have been confirmed dead or listed as missing presumed dead – and with work still ongoing to recover the bodies, sadly the death toll may rise further.

We already know that many children are among the dead and that in some cases whole families perished. And those who survived have lost loved ones, friends, neighbours, and in many cases, everything they own.

Mr Speaker, it should never have happened. In a few moments I'll say how we're going to discover why it did.

But as I said yesterday, that initial failure was then compounded by the fact that the support on the ground in the initial hours was not good enough.

As Prime Minister, I have apologised for that second failure and taken responsibility for doing what we can to put it right.

On my first visit to North Kensington I met with the emergency services. These extraordinary men and women put their lives on the line in an effort to save others - and my first responsibility was to check they had all the resources they needed.

I then visited Chelsea and Westminster Hospital, where I met some of the most seriously injured survivors.

It was from that experience that I decided we had to have an emergency fund.

I also met a group of residents in Kensington who I then invited to come to Downing Street last weekend. I returned to Kensington again last night to hear directly from them about the progress that we are making.

Mr Speaker, what became clear very quickly is that the Royal Borough of Kensington and Chelsea could not cope – and it is right that the Chief Executive Officer has now resigned.

It is also why I set up the Grenfell Tower Recovery Task Force, which I have been chairing personally.

But this is not just about the steps we take in the first few weeks, it is about a lasting commitment that we are making to supporting the families affected, long after the television cameras have gone.
So let me set out in detail the steps that we are taking to support the victims and rehouse those who have lost their homes.

**Supporting the victims**

Mr Speaker, on Friday morning the government established a central command centre under the leadership of John Barradell, the Chief Executive of the City of London and former lead for London Local Government on resilience, and Eleanor Kelly, Chief Executive of the London Borough of Southwark.

On behalf of the whole House I want to thank John and his team for all the work they are doing.

I also want to pay tribute to the fantastic response from London boroughs – including a number of chief executives who are currently working at the command centre – as well as the Mayor of London and leading figures from a number of councils from outside London.

I want to thank the army of volunteers who stepped in to provide shelter, sustenance, comfort and practical support.

And I want to thank my Communities Secretary and the Ministers for Housing and Planning; the Minister for London and the Minister for Policing and the Fire Service for the work they have been doing.

Mr Speaker, there are currently around 600 people working on the site and in the immediate area who are working to provide support to the victims.

The Westway Sports Centre has been transformed into an emergency community hub, staffed by 40 officials from 6 government departments. They are making sure people have essential documents like driving licenses and passports that are fundamental to carrying on with their lives.

They have also been joined by experts from organisations such as Transport for London, Citizens Advice and the Red Cross, NHS mental health staff, nurses, care managers, and a GP.

Anyone affected by the blaze can walk in and access the support they need – and so far there have been almost 700 visits to the centre.

The centre’s on-the-ground work is supplemented by the Victim Support Unit, whose emergency helpline provides a single point of contact for victims who need to deal with multiple government services in the wake of the disaster.

Each family whose home was destroyed is receiving a £5,000 down-payment from the emergency fund so they can buy food, clothes and other essentials. And outreach workers are seeking to make sure everyone gets the money they’re entitled to.

We are also paying all additional adults over 16 in these households £500 in cash. Other cash payments are being paid out by the council on a discretionary basis, for example to those whose home has been severely impacted but not permanently destroyed.

As of midday on Wednesday we had made payments of over £700,000.
It is absolutely essential, Mr Speaker, that people understand they can keep the money they receive - these grants are not loans and they will not be expected to repay a single penny. Neither are they waiving any legal rights as a result of accepting this financial help.

The payments will be disregarded for means-tested welfare payments, so no-one in receipt of benefits will see their benefits cut if they accept emergency support.

And I would also like to reassure people that we will not use this tragic incident as a reason to carry out immigration checks on those involved or on those providing vital information to identify victims or those assisting with the criminal investigation.

We will make sure that all victims, irrespective of their immigration status, will be able to access the services they need, including healthcare and accommodation.

In terms of local schools, Kensington Aldridge Academy, the school right next door to the tower, remains closed. However, all its pupils have already been accommodated at other schools in the area.

The Department for Education is working with OFQUAL to ensure that children who are sitting their GCSEs receive an appropriate exam dispensation.

And specialist counselling has been offered to local schoolchildren and also to teachers affected by the fire.

Re-housing

Turning to re-housing, Mr Speaker, 151 homes were destroyed in the fire, most in the tower itself but also several in the immediate vicinity.

All those who have lost their homes have been offered emergency hotel accommodation; and all will be offered rehousing within 3 weeks.

Already 164 suitable properties have been identified and they are being checked and made ready for people to move into.

In the longer term, everyone whose home was destroyed will be guaranteed a new home on the same terms as the one they lost.

Sixty-eight of those will be in a brand-new low-rise block that has just been built by Berkeley Homes. The developer has generously offered to turn over the entire block at cost price.

Contractors are on-site now, working 24/7 to speed up fit-out so that the first families can move in this summer.

Within the wider cordon area, many more homes were damaged by smoke or water or have lost gas, heating and hot water. Emergency hotel accommodation is available for anyone who does not want to remain in a damaged property and over 100 hotel rooms have already been provided.

We are also putting in place practical support to help accelerate necessary repairs and yesterday drew on expertise from the army to assist with this.

Some survivors have said that they want to leave the local area, and we will of course support that...
and help them find a home elsewhere.

But I want to be absolutely clear - nobody is being forced to move somewhere they don’t want to go.

And if any Honourable Member thinks they know of anyone being treated in this way – they should contact my office in Downing Street with the details.

**Public inquiry**

Mr Speaker, as the scale of the tragedy became clear, we quickly decided there had to be an independent public inquiry.

As I said to the House yesterday, it will be chaired by a judge to get to the truth about what happened and who was responsible – and to provide justice for the victims and their families who suffered so terribly.

All those with an interest – including survivors and victims’ families – will be consulted about the terms of reference. And we will pay for legal representation for those affected.

Listening to survivors last night, it is also became clear that they want support to come together as a group to have their voices heard, and the government will play its part in helping them to do so.

Mr Speaker, for too long residents have been overlooked and ignored. We will ensure they are involved in every step of this process.

No stone will be left unturned in this Inquiry. And for any guilty parties, there will be nowhere to hide.

I am also clear that we cannot wait for ages to learn the immediate lessons – and so I expect the chair of the inquiry will want to produce an interim report as early as possible.

**The safety of other tower blocks**

Mr Speaker, I know that many others living in tall residential buildings will have concerns about their safety after what happened at Grenfell.

All social landlords have been instructed to carry out additional fire safety checks on tower blocks and ensure the appropriate safety and response measures are in place. This is being done in co-operation with local fire and rescue services.

We have also taken steps to make private landlords aware and made our checking facilities available to them for free.

The House should of course be careful on speculating what caused this fire.

But as a precaution, the government has arranged to test cladding in all relevant tower blocks.

Mr Speaker, shortly before I came to the Chamber, I was informed that a number of these tests have come back as combustible.

The relevant local authorities and local fire services have been informed, and as I speak they are...
taking all possible steps to ensure buildings are safe and to inform affected residents.

Immediately after this statement, the Department for Communities and Local Government will contact any MPs whose constituents are affected. And the Communities Secretary will provide a further update later today.

Mr Speaker, we can test over 100 buildings a day, and the results come within hours.

I urge any landlord who owns a building of this kind to send samples for testing as soon as possible. Any results will be communicated immediately to local authorities and local fire services.

Landlords have a legal obligation to provide safe buildings and where they cannot do that we expect alternative accommodation to be provided.

We cannot and will not ask people to live in unsafe homes.

Learning the lessons

Mr Speaker, it is clear that the Royal Borough of Kensington and Chelsea were not able to cope with the scale of the tragedy. So we will also develop a new strategy for resilience in major disasters – which could include a new Civil Disaster Response Taskforce that can help at times of emergency.

Finally, Mr Speaker, we must learn some of the lessons of this and previous disasters where bereaved families have not had the support they need. So we will introduce an independent public advocate for public disasters.

A strong independent voice for victims, acting on behalf of bereaved families and supporting them at public inquests and inquiries.

Conclusion

Mr Speaker, in the past week a lot of remarkable people have gone above and beyond to help deal with the fire and its aftermath.

First and foremost, of course, are the incredible men and women of the emergency services who did so much to save so many lives. I can’t imagine the kind of bravery it takes to run into a burning building and head upstairs when any normal person would be heading for the exits.

But we’ve also seen sterling work from people across the public sector – teachers, nurses, staff from various local authorities, civil servants – who are doing all they can to help.

We’ve seen incredible acts of generosity from private businesses. And we’ve seen the people of this great city and this great country stepping up to help in any way they can – donating money, clothes, toys and food, volunteering their time and so much more.

But above all, I want to pay tribute to the people of Kensington. They have opened their hearts and homes to people affected by the fire, coming together and showing what a real community looks like.
The selfless actions of local people and the courage and resilience of the survivors should give us all pause for thought.

For right now, our focus is on supporting the victims, finding homes for those made homeless and making sure this country’s housing stock is as safe as possible.

But as we move forwards so we must also recognise that for too long in our country, under governments of both colours, we simply haven’t given enough attention to social housing.

And this itself is actually a symptom of an even more fundamental issue.

Mr Speaker, it shouldn’t take a disaster of this kind for us to remember that there are people in Britain today living lives that are so far removed from those that many here in Westminster enjoy.

That in this tower just a few miles from the Houses of Parliament, and in the heart of our great city, people live a fundamentally different life, do not feel the state works for them and are therefore mistrustful of it.

So long after the TV cameras have gone and the world has moved on, let the legacy of this awful tragedy be that we resolve never to forget these people and instead to gear our policies and our thinking towards making their lives better and bringing them into the political process.

It is our job as a government – and I believe as a Parliament – to show we are listening and that we will stand up for them.

And that is what I am determined we should do.

And I commend this Statement to the House.

Published 22 June 2017

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28 June 2017

THE PRIME MINISTER

Dear Sir Martin,

You have agreed to be the Chairman of the Public Inquiry into the Grenfell Tower tragedy, which is being established and held under the provisions of the Inquiries Act 2005 ("the 2005 Act").

This letter serves as the formal written instrument of your appointment as Chair to the said Inquiry for the purposes of 4(1) of the 2005 Act.

You have agreed to consult the victims, family members and other interested parties on the Terms of Reference for the Inquiry with the intention of providing me with your recommendations. I will then reflect those recommendations in the final Terms of Reference, which will be published. I will write to you again when I set out the final Terms of Reference and confirm the Inquiry setting-up date.

It is not proposed to appoint any other members to the Inquiry Panel at this stage. As agreed, you will now discuss draft Terms of Reference with victims, family members and other interested parties. Any future decision to appoint panel members will be taken in consultation with you and with your consent.

I would be grateful if you would confirm in writing your agreement to these terms of appointment.

I am copying this letter to the Lord Chief Justice, for his information.

Yours sincerely,

The Right Honourable Sir Martin Moore-Bick
I am announcing today the appointment of Sir Martin Moore-Bick to head the Public Inquiry into the Grenfell Tower fire. The Inquiry will be established under the 2005 Inquiries Act, with full powers, including the power to compel the production of documents, and to summon witnesses to give evidence on oath. The Inquiry will be held in public.

In relation to the appointment of the Chair, the Lord Chancellor asked the Lord Chief Justice for the name of a judge who, in his view, would be best suited to the task and available to start work immediately so that we can get answers to what happened as quickly as possible. The Lord Chief Justice recommended Sir Martin Moore-Bick: a highly respected and hugely experienced former Court of Appeal judge. I have accepted the Lord Chief Justice’s recommendation.

I am determined that there will be justice for all the victims of this terrible tragedy and for their families who have suffered so terribly.

The immediate priority is to establish the facts of what happened at Grenfell Tower in order to take the necessary action to prevent a similar tragedy from happening again. But beyond that immediate focus it is also important that all the wider lessons from both this catastrophe, and the inspections of other buildings around the country that followed it, are identified and learnt.

Before the Inquiry starts Sir Martin will consult all those with an interest, including survivors and victims’ families, about the terms of reference. Following that consultation he will make a recommendation to me. I will return to Parliament with the final terms of reference once this process has taken place. Then the Inquiry will begin its work.

We must get to the truth about what happened. No stone will be left unturned by this Inquiry, but I have also been clear that we cannot wait for ages to learn the immediate lessons and so I expect the Chair will want to produce an interim report as early as possible.
Grenfell Tower Inquiry

The Rt Hon. Theresa May,
Prime Minister,
10 Downing Street,
London SW1A 2AA

August 2017

Dear Prime Minister,

Grenfell Tower Inquiry – Terms of Reference

Under section 5 of the Inquiries Act 2005 (the Act) you are responsible as the minister sponsoring the Grenfell Tower Inquiry for establishing its terms of reference and specifying its setting up date. You asked me to consult the victims, family members and other interested parties on the scope of the terms of reference with a view to providing you with my recommendations.

I have carried out the consultation you requested which took the form of meetings with local residents and other interested parties as well as an invitation to respond to a consultation document posted on the Inquiry’s web site. Over 550 written responses were received, all of which have been acknowledged and carefully considered. A brief summary of those responses is enclosed. In the light of them I recommend that you set Terms of Reference for the Inquiry in accordance with the enclosed draft, which cover, among other things, not only the fire itself, but matters such as the history of the building, its most recent refurbishment, the state of building and fire regulations, and aspects of the relationship between the residents of the tower and the local authority, including in the days immediately following the fire. I also recommend that a setting up date be specified as soon as possible so that the Inquiry can begin its work. If it can do so promptly, it should be possible for me to hold a preliminary hearing in mid-September. I hope to be able to provide you with an initial report dealing with the cause of the fire and the means by which it spread to the whole building by Easter next year, although the precise timing may depend on the how long it takes for the forensic fire investigation to be completed.

I have also been giving some thought to the desirability of appointing assessors under section 11 of the Act to provide me with assistance. If you accept my recommendations on the Terms of Reference, I think it likely that I shall wish to appoint a diverse group of people whose experience extends to the occupation and management of social housing and the administration of local government more
generally, as well as to matters of a more technical scientific nature. At a later stage I may also wish to appoint others to assist on particular aspects of the investigation.

As a result of the consultation it has become clear that many of those who have been affected by the fire and some others feel strongly that the scope of the Inquiry should be very broad and should include an examination of social housing policy and all aspects of the relationship between the residents of the Lancaster West estate on the one hand and the local authority and the tenant management organisation on the other. Many also feel very strongly that it should examine whether the response of local and central government to the disaster was and continues to be appropriate or adequate and whether arrangements should have been in place for responding to a disaster of this magnitude.

I can well understand why local people consider that these are important questions which require urgent examination. I share their concerns, but on careful reflection I have come to the conclusion that the Inquiry you have asked me to conduct is not the best way of satisfying their wishes for two reasons:

(i) First, there is an obvious need for my Inquiry to complete its work as quickly as possible in order to identify defects in the design, construction (including refurbishment) and management of the building that may exist elsewhere and put at risk others who live and work in similar high-rise structures. To give the Inquiry Terms of Reference which would cover all the matters requested by local residents and others would inevitably add significantly to the length of time needed to complete its work.

(ii) Secondly, the inclusion of such broad questions within the scope of the Inquiry would raise questions of a social, economic and political nature which in my view are not suitable for a judge-led inquiry. They are questions which could more appropriately be examined by a different kind of process or body, one which could include persons who have experience of the provision and management of social housing, local government finances and disaster relief planning. It could operate in parallel with the Inquiry and would be welcomed by many.

I therefore recommend that the Inquiry’s Terms of Reference should not extend to the broader questions to which I have referred. Nonetheless, the responses to the consultation have persuaded me that they should include the response of local and central government in the days immediately following the fire. The purpose of paragraphs (i)(a)-(h) of the enclosed draft is to identify the main focus of the Inquiry’s work without limiting its ability to pursue any avenue of investigation which it considers appropriate.

Royal Courts of Justice, London WC2A 2LL

General enquiries: contact@grenfelltowerinquiry.org
Grenfell Tower
Inquiry

There is one other matter that I need to mention. It has become apparent that many former residents of Grenfell Tower and others who may have been in the building at the time are likely to be able to give valuable evidence of the circumstances surrounding the fire, if they can be persuaded to co-operate with the Inquiry. I have been told that there may be some who are reluctant to do so because of concerns about their long-term immigration status. I therefore urge the Government to take all necessary steps to dispel those fears and encourage as many people as possible to come forward to assist the Inquiry.

Yours sincerely,

[Signature]

Royal Courts of Justice, London  WC2A 2LL
General enquiries: contact@grenfelltowerinquiry.org
Grenfell Tower Inquiry
Recommended Terms of Reference

The Inquiry’s Terms of Reference are

(i) to examine the circumstances surrounding the fire at Grenfell Tower on 14 June 2017, including

(a) the immediate cause or causes of the fire and the means by which it spread to the whole of the building;

(b) the design and construction of the building and the decisions relating to its modification, refurbishment and management;

(c) the scope and adequacy of building regulations, fire regulations and other legislation, guidance and industry practice relating to the design, construction, equipping and management of high-rise residential buildings;

(d) whether such regulations, legislation, guidance and industry practice were complied with in the case of Grenfell Tower and the fire safety measures adopted in relation to it;

(e) the arrangements made by the local authority or other responsible bodies for receiving and acting upon information either obtained from local residents or available from other sources (including information derived from fires in other buildings) relating to the risk of fire at Grenfell Tower, and the action taken in response to such information;

(f) the fire prevention and fire safety measures in place at Grenfell Tower on 14 June 2017;

(g) the response of the London Fire Brigade to the fire; and

(h) the response of central and local government in the days immediately following the fire;

and

(ii) to report its findings to the Prime Minister as soon as possible and to make recommendations.
Grenfell Tower Inquiry

Summary of Responses to the Consultation on Terms of Reference

The consultation exercise ran from 5th July to 4th August 2017. The Chairman invited written submissions and held three public consultation events, one for companies, organisations and civil society generally and two for former residents of Grenfell Tower and other local residents. Transcripts of all three events are available on the Inquiry’s website.

The consultation received 554 written responses, all of which have been treated as private communications. Respondents included family members of those who died in the fire, former residents of the tower, other local residents, professional organisations, charities, businesses, trade unions, Members of Parliament and members of the public.

All submissions were considered in full and their contents have been analysed together with suggestions made at the public meetings. This document summarises the submissions that were made by a significant proportion of those who contributed to the consultation.

A majority of respondents said that the Inquiry should not be unduly constrained but should have as broad a remit as possible, in order to allow it to cover all possible causes of the fire and all relevant circumstances surrounding it. In addition, the following specific suggestions were made by those who responded in writing:

- Approximately 50% of respondents said the terms of reference should cover questions such as whether building regulations and related legislation and ministerial guidance were adequate, whether they had been complied with and whether those responsible for compliance understood their responsibilities. A number of pieces of legislation were identified, including building regulations both locally and nationally, the Construction Design and Management Regulations 2015, the Fire Safety Order 2005 and associated guidance, the Housing Act 2004 and product standards generally. Several responses said the Inquiry should consider changes in legislation, both why they had been made and, in some cases, why they had not been made. Several respondents suggested that the Inquiry should look at regulations relating to fire safety in other countries.

- Approximately 40% of respondents said the terms of reference should cover the aftermath of the fire and the response of public authorities. Specific suggestions included looking at communication with those affected, rehousing and the coordination of the relief effort. There was strong support for this at the public consultation meetings for local residents.

- Over 30% of respondents asked that the terms of reference should cover the design and construction of the building and the subsequent refurbishments, including the design process itself, the procurement of contractors and the qualifications and training of those making decisions. Most referred specifically to the installation of cladding and insulation, but several also referred to the installation of gas in the building. Many of
those who contributed at the public consultation meetings spoke about the recent refurbishment exercise.

- Over 30% of respondents suggested that the terms of reference should cover the fire precautions for the building, including features such as escape routes and fire alarms, and also the advice given to residents and any evacuation plans in place. Several respondents said the Inquiry should look, in particular, at the arrangements for ensuring the safety of disabled or elderly people.

- Over 30% of respondents said the terms of reference should cover the role of the Council and the Tenant Management Organisation, including any decisions made about construction work to the tower, their roles in the maintenance and management of the building and its fire safety procedures, the training and competence of staff and the emergency planning in place. There was very strong support for these themes at the public consultation meetings for local residents.

- Over 30% of respondents said the Inquiry should cover how the Council and the Tenant Management Organisation dealt with complaints, concerns and suggestions of residents, including questions of discrimination.

- Approximately 30% of respondents said the terms of reference should cover the response of the Fire Service and Police to the fire and their preparedness, including the equipment available, resourcing, and planning and whether the fire service had sufficient access to the building.

- Approximately 25% of respondents said the Inquiry should extend to the materials used in the building, the testing of them, and how they behaved in conjunction with each other.

- Approximately 20% of respondents said the Inquiry should consider the management of the building, including the maintenance of fire safety systems, inspections, including inspections of electrical equipment, and the conduct of fire risk assessments.

- Over 20% of respondents suggested that the Inquiry should cover the role of central government and government policies, in particular in relation to deregulation.

- Over 20% of respondents said that the Inquiry should cover the advice given to residents during the fire, and in particular the ‘stay put’ principle.

- Approximately 18% of respondents said the terms of reference should include housing policy, both nationally and locally and approximately 10% said that it should cover wider social policy, including racial and ethnic discrimination in the provision of services.

- About 12% suggested that the terms of reference should cover the role of regulators or expert bodies, both locally and nationally, including those responsible for building control.

Most of those who responded recognised that it was desirable to make recommendations as soon as possible to improve the safety of others living in high-rise
buildings. Apart from that, there was no consistent view about what should be the subject of an initial report and what should be left to a final report.
Dear Sir Martin

Thank you for your letter of 10 August, advising me of the outcome of the consultation and providing me with your recommendations for establishing the terms of reference for the Grenfell Tower Inquiry.

I am grateful to you for carrying out the consultation. The number of responses received shows consultation has been an important process, and it was clearly right to extend the process in the way you did to allow all those that wanted to contribute to do so.

The terms of reference you set out in your letter address the crucial issues of the cause and spread of the fire; the design, construction and refurbishment of Grenfell Tower; the scope and adequacy of the relevant regulations, legislation and guidance; the actions of the local authority and other bodies before the tragedy; the response of the London Fire Brigade to the fire and the response of central and local government in the aftermath. I am therefore happy to accept your recommendations for the Inquiry’s terms of reference without any amendment, and to announce an immediate start date of today, 15 August 2017.

The terms of reference do not address some of the broader social issues that some people have called for the Inquiry to consider. I understand your concern about the suitability of considering such broader issues in a judge-led Inquiry and the urgent need for the Inquiry to complete its work as soon as possible, so that essential lessons can be learnt. This mitigates against very broad terms of reference and I accept your reasons for focussing the Inquiry in the way you have.
Government has already announced independent reviews into building regulations and fire safety and these reviews will no doubt wish to keep you up to date with developments, which will be able to feed into the work of your Inquiry. Government will now consider how best to address the issues of social housing you have raised. What is clear is that there are a number of concerns, which have gone unheard for too long. The Housing Minister, Alok Sharma, will personally meet and hear from as many social housing tenants as possible both in the immediate area around Grenfell Tower, but also across the country, to help build up a comprehensive picture of some of the immediate issues facing tenants, as well as to identify any common concerns that must inform any national approach. There will be a further announcement on this work shortly.

Like you, I hope that as many people as possible will participate in this Inquiry so that you gain as accurate a picture as possible and that the lessons are learned to prevent a similar tragedy happening in the future. As you will know, the Government has already announced a 12 month amnesty to allow those who have been directly affected by the fire to be granted a temporary period of lawful residence in the UK, which will give them a firm legal footing to ensure they can access ongoing support, including social assistance, local authority housing support or any welfare benefits they may be eligible for.

I am grateful for the work that you and your team have put in to the consultation, and I am also grateful to the many people, professional organisations, charities, trade unions and others who contributed to the consultation, in particular the former residents of Grenfell Tower and the families of those who died – it is very important that their views are taken into account by the Inquiry.

The Right Honourable Sir Martin Moore-Bick
Grenfell Tower Inquiry Terms of Reference: Written statement - HCWS135

Made by: Mrs Theresa May (Prime Minister) Commons HCWS135

Grenfell Tower Inquiry Terms of Reference

On 15 August 2017, I announced the formal setting up of a public inquiry into the Grenfell Tower fire, to be chaired by Sir Martin Moore-Bick, and its terms of reference. This followed Sir Martin Moore-Bick’s letter to me of 10 August, which advised me of the outcome of the public consultation on the scope of the terms of reference, and his recommendations. I was happy to accept Sir Martin’s recommendations without amendment.

The Inquiry’s full terms of reference are:

(i) to examine the circumstances surrounding the fire at Grenfell Tower on 14 June 2017, including
   (a) the immediate cause or causes of the fire and the means by which it spread to the whole of the building;
   (b) the design and construction of the building and the decisions relating to its modification, refurbishment and management;
   (c) the scope and adequacy of building regulations, fire regulations and other legislation, guidance and industry practice relating to the design, construction, equipping and management of high-rise residential buildings;
   (d) whether such regulations, legislation, guidance and industry practice were complied with in the case of Grenfell Tower and the fire safety measures adopted in relation to it;
   (e) the arrangements made by the local authority or other responsible bodies for receiving and acting upon information either obtained from local residents or available from other sources (including information derived from fires in other buildings) relating to the risk of fire at Grenfell Tower, and the action taken in response to such information;
   (f) the fire prevention and fire safety measures in place at Grenfell Tower on 14 June 2017;
   (g) the response of the London Fire Brigade to the fire; and
   (h) the response of central and local government in the days immediately following the fire;

and

(ii) to report its findings to the Prime Minister as soon as possible and to make recommendations.

Sir Martin has said that he is considering appointing assessors to assist him in his task. He considers it likely that he shall wish to appoint a diverse group of people whose experience extends to the occupation and management of social housing and the administration of local government more generally, as well as to matters of a more technical scientific nature. He also states that at a later stage, he may also wish to appoint others to assist on particular aspects of the investigation. He will make his decisions public in due course. I have not appointed any other members to the Inquiry Panel at this stage. However, the Inquiries Act 2005 allows for appointments to be made, with the consent of Sir Martin, during the course of the Inquiry. This enables the composition of the Inquiry Panel to be kept under review.

My exchange of correspondence with Sir Martin is in the Library of the House. Sir Martin is holding a preliminary hearing later today where he will set out further detail on how he intends on conducting the Inquiry.
In addition to the work of the Inquiry, my Rt. Hon. Friend the Secretary of State for Communities and Local Government has already announced an Independent Review into Building Regulations and Fire Safety, led by Dame Judith Hackitt. This will urgently assess the effectiveness of current building and fire safety regulations and related compliance and enforcement issues, with a focus on multi occupancy high rise residential buildings. The Review will co-operate fully with the Inquiry. Sir Martin has set out his reasons for not looking into the broader social housing issues but, as he said in his letter, they should not be ignored and I am determined that these important questions are not left unanswered. As a first step, I have asked my Hon. Friend the Housing Minister (Alok Sharma) to personally meet and hear from as many social tenants as possible, as well as other residents of social housing estates, both in the immediate area around Grenfell Tower and across the country. The Housing Minister has already met a number of representative groups and will continue meet tenants during October and November.
Assessors

Three assessors, each with specific experience and expertise felt to be of value to the Inquiry, have been appointed under section 11(2)(b) of the Inquiries Act 2005 to assist the Chairman:

(i)  **Joe Montgomery CB**

Joe has been appointed by the Chairman to assist him in considering issues related to community engagement and the occupation and management of social housing, in particular in relation to the arrangements made by the local authority for receiving and acting on information relevant to the risk of fire at Grenfell Tower.

(ii) **Joyce Redfearn CBE**

Joyce has been appointed by the Chairman to assist him in identifying best practice among local authorities in relation to matters such as the management of finances and the procurement of services relating to the design and construction of residential buildings. She will also assist him in investigating the arrangements made by the local authority and Tenant Management Organisation for receiving and acting on information relevant to the risk of fire at Grenfell Tower, as well as the response of local government in the days immediately following the fire.

(iii) **Professor David Nethercot OBE, BSc, PhD, DSc, FREng, FIStructE, FICE, FCGI**

David has been appointed by the Chairman to assist him in considering technical issues relating to the design and construction of the building and its refurbishment.
Dear Sir Martin

Thank you for your letter of 13 November. I noted with interest the proceedings of the Grenfell Tower Inquiry’s procedural hearing of 11 and 12 December.

As you know, I committed to consider the issue of panel members once you had appointed assessors to assist the Inquiry. Having regard to the assistance that may be provided by those assessors, and the Terms of Reference which it is the Inquiry’s role to deliver, I believe that the Inquiry has the necessary expertise to undertake its work. I am also very conscious of the need for the Inquiry to complete its initial report as quickly as reasonably possible. I therefore consider that additional panel members should not be appointed at this stage. In reaching this conclusion, I have had regard to the public sector equality duty as set out in Section 149 of the Equality Act 2010.

I am pleased that you are taking care in gathering evidence from those most affected by the tragedy, so that they are given a chance to share their experience. I know that you agree with me that it is of paramount importance that the Inquiry provides an opportunity for the bereaved, survivors, and the community to be heard and for lessons to be learnt from their views and experiences. I would encourage you to continue working with the community affected by the fire and to consider a full range of options to foster closer engagement in the future.

I was particularly pleased to hear you propose at last week’s hearing the establishment of an advisory panel of those affected by the fire. The Independent Inquiry into Child Sexual Abuse has established such a panel, and it is closely involved in the work of that Inquiry, providing advice and guidance to the Chair. Clearly, it is for you, as the Chair of the independent Inquiry, to decide how best to take this forward, in consultation with the Grenfell Tower community. But I believe that such a panel could play a very beneficial role in putting those most affected at the heart of the Inquiry and enabling them to ensure that their views and experiences are heard.
I know that you understand how important it is, particularly for the survivors, the families of the victims and others most affected by the tragedy, that the Inquiry completes its initial report as quickly as reasonably possible. I am very grateful for the work that you and your team have undertaken to date, and look forward to receiving a further update in due course on the Inquiry’s progress. I will continue to instruct the Civil Service to provide whatever assistance and resource is needed to support your work.

Yours sincerely

[Signature]

The Right Honourable Sir Martin Moore-Bick