

## **North Kensington Law Centre:**

### **Submission to the Consultation on the Terms of Reference of the Grenfell Tower Inquiry**

#### **About us**

North Kensington Law Centre is a not-for-profit provider of legal services in West London. Our offices are immediately adjacent to Grenfell Tower. Founded in 1970, we were the first law centre in the UK. A number of our clients resided in the tower and the surrounding low-rise flats before the fire. Since the disaster, we have been providing daily free legal clinics and specialist legal support for survivors from Grenfell Tower and residents from the Lancaster West Estate. We have assisted over 150 households which have been affected by the fire.

This submission to the consultation on the terms of reference to the Grenfell Tower Inquiry represents North Kensington Law Centre's view regarding the issues we believe should be covered and what specific questions should be answered.

#### **1. Scope of the Inquiry**

It is our view that the terms of reference of the inquiry should have regard to the following broad issues:

- Kensington & Chelsea Tenants Management Organisation's interaction with local residents, local politicians and the local authority, including the handling of specific complaints regarding fire safety in Grenfell Tower.
- The role of arms-length management organisations (ALMOs), such as the Kensington & Chelsea Tenants Management Organisation, in providing social housing services across the country, and the degree to which they are accountable both to local residents and local authorities.
- The design, planning, construction and modification of the building, as well as the procurement and tendering process, and the extent to which fire safety procedures factored into this.
- The impact of reductions in legal aid provision on residents' ability to raise legal concerns around fire safety.
- The immediate response of the local authority, the activation of Gold Command, the Task Force and central government.
- The immediate response of the emergency services.
- The provision of temporary and permanent housing for Grenfell Tower survivors and others displaced.
- The conduct of legal professionals in the aftermath of the fire.

#### **2. Specific Questions**

Based on our expertise and our experience in delivering legal services for Grenfell survivors in recent weeks and for the community in North Kensington for years, it is our view that the inquiry should seek to answer the following specific questions:

a) Legal Aid

- Did the reduced scope of Legal Aid following the Legal Aid, Sentencing and Punishment of Offenders Act 2012 prevent former Grenfell Tower residents from raising concerns about fire safety prior to the fire?
- Has the reduced scope of Legal Aid inhibited Grenfell residents' ability to access justice after the fire?

b) The aftermath of the fire

The responses of the local authority, Gold Command, the emergency services and central government to the fire have been well documented. In the days immediately following the fire, the local authority's presence on the ground was extremely limited; they failed to provide the required leadership and organisation that the situation warranted. Learning the lessons from the authorities' responses will be vital to ensuring that any mistakes are not repeated in the future.

Further, the aftermath of the fire will have had a prolonged influence on Grenfell survivors' experience and exacerbated their trauma. The interaction between the various public authorities and residents in this period is fundamental to the community's experiences of the tragedy, and will have had a significant bearing on many important aspects of their future.

*i) Housing and other support services*

- Why at the time of writing have so few offers of housing been accepted by those displaced by the fire?

**OUR CLIENTS' EXPERIENCES: HOUSING OFFERS**

- Many of the offers made to our clients were unsuitable and not of a satisfactory standard.
- Some of our clients were offered accommodation which:
  - had the wrong number of bedrooms;
  - was based on a licence agreement rather than leases;
  - was outside of Kensington & Chelsea, despite this being specifically requested;
  - was in a tower block, despite low rise accommodation being specifically requested; and
  - was in a state of disrepair, including leaks and damp.
- A number of our clients also had viewings that were cancelled at the last minute.

- Did the setting of a timetable for issuing of housing offers impact on the performance of local authority housing officers in making those offers? Did this timetable act as a catalyst for securing temporary or permanent accommodation, did it have no impact, or did it increase the number of unsuitable offers made, thereby reducing residents' trust and confidence in the authorities and slowing down the process? Did all residents receive a suitable offer within the time frame set out by the government?

**OUR CLIENTS' EXPERIENCES: HOUSING OFFER DEADLINE**

- In the days after the fire, the government announced that all households displaced by the fire would receive an offer of temporary or permanent housing within three weeks. Immediately prior to this deadline, some of our clients were given vague details of properties by key workers and housing officers, only for these to be withdrawn and be told that the properties were not available. This meant these individuals were unduly stressed and unable to accept these offers.

- How did the local authority ensure that housing officers and key workers were adequately briefed as to the latest Grenfell-specific housing policy announcements? Did this impact on the delivery of housing services in the aftermath of the fire? What further steps could the authorities have taken to ensure that undertakings made by the government and the local authority were delivered consistently and effectively to the housing officers implementing them?
- Did the local authority's housing department have adequate capacity, in terms of numbers of personnel and their training, prior to the fire? If not, did this negatively impact on the local authority's ability to handle the crisis?

**OUR CLIENTS' EXPERIENCES: HOUSING OFFICERS**

- Some of our clients received advice from housing officers that they would be deemed intentionally homeless if they refused offers of accommodation, despite ministers saying this would not be the case.
- Some of our clients were asked to undertake several housing needs assessments.

- Were key workers accessible and sympathetic to the situation faced by Grenfell survivors and those who had been displaced by the fire? Did they receive adequate and specific training for their role supporting individuals suffering from trauma?
- Did staff from the local authorities outside Kensington & Chelsea who were brought to assist in the recovery under Gold Command meet reasonable performance standards?
- Was the activation of Gold Command delayed? If so, what were the reasons for this, and what impact did this have on local government's ability to respond to the crisis?

**OUR CLIENTS' EXPERIENCE: KEY WORKERS**

- Key workers have been insufficiently accessible and providing inconsistent advice, which failed to reflect a proper understanding of survivors' trauma and the complexities of their situation.
- Some of our clients had to make a number of follow up calls with key workers to ensure one was appointed to them.
- Some of our clients were appointed key workers from outside the local authority. These key workers were often very overstretched, who thereafter handed back their duties to a Kensington & Chelsea key worker. This meant there was a lack of continuity for these residents.
- Some of our clients were wrongly told they would not require a key worker as they previously had a social worker. It took up to one month for these individuals to be appointed a key worker.

- Were communications from the local authority and the government effective in relaying clear messages to residents in North Kensington?

**OUR EXPERIENCE: COMMUNICATIONS**

- We often only found out about policy announcements from central and local government after they had been made publicly. This made it difficult to be able to prepare and advise our clients accordingly as we had not had prior sight of the policy. Furthermore, the information contained within these communications was often unclear, causing greater confusion amongst residents rather than reassurance.

- Were those placed in temporary accommodation provided with access to proper support services, such as childcare, healthcare, mental health services, therapy and counselling services, and other activities, in a timely way?
- Were satisfactory translation and interpretation services for individuals with limited English language skills provided to help these individuals understand their housing options?
- What was the rationale behind which organisations were invited to provide advice to survivors and those displaced at the Westway Sports & Fitness Centre? Once this was set up, what mechanisms, if any, were put in place to review the provision of support at the Westway, and subsequently at the Curve?

*ii) Immigration*

- Why did it take three weeks for the 12 months' leave to remain visa policy to be introduced?
- Was the Home Office's policy to allow undocumented survivors of the fire the right to apply for 12 months' leave to remain successful in encouraging individuals previously unknown to the authorities to come forward?

**OUR CLIENTS' EXPERIENCES: 12 MONTH LEAVE TO REMAIN VISA**

- The number of our clients who have been able to apply for the 12 months' leave to remain policy is relatively small. Of these individuals, to date we are aware of only one who was previously entirely unknown to the authorities.

*iii) The Metropolitan Police*

- Was the conduct of Metropolitan Police Family Liaison Officers of sufficiently high quality? Did they demonstrate the requisite standard of care and understanding given the highly traumatic nature of these events?
- Have the Metropolitan Police been conducting witness interviews that meet the required standards?
- Did the Metropolitan Police provide translation and interpretation services for individuals with limited English language skills?
- Were all individuals who came into contact with the Metropolitan Police informed they could access independent legal advice of their choosing?

**OUR CLIENTS' EXPERIENCES: POLICE**

- We have heard reports that:
  - the Police have been conducting excessively long witness interviews;
  - the Police have been interviewing individuals without offering them legal representation, and, in some cases, advising them they should not be receiving legal representation.
- Family Liaison Officers have been reluctant to involve legal advisers and other external agencies in the coronial process, notwithstanding many families' trauma and lack of understanding of the process in which they were taking part.

c) The conduct of lawyers and legal practitioners

- Following the reported allegations of malpractice from certain legal professionals, are there further steps that the regulatory bodies could have undertaken or could still take in order to enhance public confidence in the legal profession?
- Have these allegations eroded public confidence and trust in the legal profession?