

Grenfell Tower Inquiry

Protocol for considering applications for Core Participant status

What is a core participant?

1. The Chairman may designate a person, organisation or entity as a core participant. The designation of core participants is governed by criteria set out in Rule 5 of the Inquiry Rules 2006.
2. The Chairman may designate a person as a core participant at any time during the course of the Inquiry, providing that person consents to be so designated.
3. In particular Rule 5 (2) states that when deciding whether to designate a person as a core participant, the Chairman must in particular consider:
 - a. whether the person played, or may have played, a direct and significant role in relation to the matters to which the Inquiry relates,
 - b. whether the person has a significant interest in an important aspect of the matters to which the Inquiry relates; or
 - c. whether the person may be subject to explicit or significant criticism during the Inquiry proceedings or in the report, or in any interim report.
4. Those designated as core participants may participate in the Inquiry in a number of ways:
 - a. receiving in advance of hearings disclosure of evidence which the Chairman considers relevant to that core participant;
 - b. making an opening and closing statement at certain hearings;
 - c. suggesting lines of questioning to be pursued by Counsel to the Inquiry;
 - d. their recognised legal representative may apply to the Chairman to ask questions of a witness.
5. A core participant need not be a core participant for the whole of the matters in the terms of reference or for the entire duration of the Inquiry; they may just be a core participant for a specific part.

Applications for core participant status

6. Applications to be designated as a core participant must be made in writing to the Solicitor to the Inquiry and must clearly and briefly state the grounds upon which such designation is sought. The Chairman will give careful consideration to all such applications and, if he considers that further information is required before he can make a decision, he may require the applicant to provide such further information as he considers necessary. Further, if he considers it to be necessary, the Chairman may require an applicant to appear before him to make an oral application for core participant status.

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7. The Chairman may consider an application for core participant status at any time during the Inquiry.
8. If at any stage of during the course of the Inquiry the Chairman considers it appropriate to do so, he may invite a person, organisation or entity to become a core participant.

Call for Applications by 8 September 2017

9. Applications for core participant status should be submitted to the Inquiry in writing by 8 September 2017.
10. Where the Chairman requires an oral application to be made, the person or their legal representative will be notified no later than 3 clear days before the date of the hearing at which he will hear that application.

The survivors, residents and families of the victims of the Grenfell Tower fire

11. The Chairman is willing to grant core participant status to:
 - a. The survivors of the fire at Grenfell Tower;
 - b. All individuals who were residents of Grenfell Tower at the time of the fire; and
 - c. The families of those that died or those who were injured and as a result are unable to participate in the Inquiry.

Applications from these individuals may be brief, stating their name, former address and how they fall into one or more of these categories. In the case of families of the victims (i.e. category 11(c) above) the application should explain their relationship to the victim.

Content of applications

12. Applications should be submitted in writing to the Solicitor to the Inquiry by email to solicitor@grenfelltowerinquiry.org.uk or by post to:
Solicitor to the Inquiry,
Grenfell Tower Inquiry,
The Royal Courts of Justice,
Strand,
London,
WC2A 2LL
13. Applications should be submitted in English.
14. Applications should specify in what respects the applicant considers that they meet the criteria for designation. As a minimum, all applications should:

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- a. confirm that the applicant consents to being designated as a core participant, if their application is successful;
- b. indicate which of the matters within Rule 5(2) of the Inquiry Rules applies to the application and why;
- c. confirm whether the applicant is or wishes to be legally represented and, if so, the details of the lawyer concerned.

15. In relation to each person, organisation or entity making an application for core participant status, the application should not exceed 4 sides of A4 paper (1.5 line spacing) and in the case of the residents, survivors and the families of victims may be much shorter.

Legal Representation

16. The designation of a core participant's recognised legal representative is separate from the decision to designate a person as a core participant.

17. Where a core participant has appointed a qualified lawyer to act on their behalf, the Chairman must designate that lawyer as that person's designated legal representative in respect of the Inquiry proceedings or the relevant part of the Inquiry proceedings, as the case may be, in accordance with Rule 6 of the Inquiry Rules.

18. However, where two or more core participants each seeks to be legally represented and the Chairman considers that:

- a. their interests in the outcome of the Inquiry are similar;
- b. the facts they are likely to rely on during the course of the Inquiry are similar; and
- c. it is fair and proper for them to be jointly represented;

in accordance with the rule 7(2) of the Inquiry Rules 2006, the Chairman will direct that those core participants shall be represented by a single recognised legal representative.

19. Where the Chairman makes such a direction, core participants must agree the designation of a single legal representative. If they do not do so within a reasonable period, the Chairman will designate an appropriate lawyer who he considers has sufficient knowledge and experience to act in that capacity.

Applications for legal representation at public expense

20. Section 40 of the Inquiries Act 2005 allows the Chairman to make awards for the cost of legal representation and the attendance of witnesses subject to such conditions or qualifications determined by the Minister and notified to the Chairman. Under this section, the Chairman has the power to award expenses and legal costs to those who give evidence, whether or not they are core participants.

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21. Applications for an award of legal expenses in accordance with section 40 of the Inquiries Act 2005 should be made in accordance with the Inquiry's Costs Protocol and the Minister's determination under section 40(4) of the 2005 Act, which will be published on the Inquiry's website.