

Grenfell Tower Inquiry

Protocol for the Receipt and Handling of Documents

Introduction

1. This Protocol addresses:
 - The production of documents to the Inquiry by core participants, providers of documents and the public.
 - The handling and receipt of such documents.

Aims

2. This Protocol is designed to facilitate the prompt delivery of documents to the Inquiry by ensuring that all core participants, providers of documents and the public are aware of and understand the Inquiry's procedure for the:
 - Provision of documents to the Inquiry and the handling of such documents.
 - Prompt delivery of documents to the Inquiry.

Definitions

3. In this Protocol:

“Document” means anything in which information of any description is recorded, whether in paper or in electronic form. It will include but is not limited to, contract documents, design plans, technical drawings, blueprints, reports, reviews, committee/board minutes, meeting/attendance notes, manuscript notes, memoranda, letters, leaflets, circulars, emails, legislation, policy documents/statements, photographs, video and audio recordings and physical evidence.

“CP” means Core Participant.

“Provider of documents (“POD”)” means any person, institution or organisation, which has been asked to provide documents to the Inquiry or which has provided documents to the Inquiry (and includes any CP who has been asked or required to provide documents to the Inquiry). For the avoidance of doubt, it includes Her Majesty's Government and any Department of State or Minister of the Crown.

“Relevant documents” are those which, having regard to the Inquiry's Terms of Reference, it is likely that the Inquiry panel would (if aware of their existence) wish to be provided with.

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Background

4. The procedure and conduct of the Inquiry are to be such as the Chairman of the Inquiry may direct (s.17 (1) Inquiries Act 2005 (“the Act”)), and are subject to the provisions of the Act and the Inquiry Rules 2006 (“the Rules”). In particular, attention needs to be drawn to the offences set out under s.35 (2) and s.35 (3) of the Act, namely that a person is guilty of an offence if during the course of the Inquiry

s. 35(2) he does anything that is intended to have the effect of: -

(a) distorting or otherwise altering any evidence, document, or other thing that is given, produced or provided to the Inquiry panel, or

*(b) preventing any evidence, document, or other thing from being given, produced or provided to the Inquiry panel,
or anything that he needs to know or believes is likely to have that effect.*

s. 35 (3)

(a) he intentionally suppresses or conceals a document that is, and that he knows or believes to be, a relevant document, or

(b) he intentionally alters or destroys any such document.

For the purposes of this subsection a document is a relevant document if it is likely that the Inquiry panel would (if aware of its existence) wish to be provided with it.

5. The procedures set out in this Protocol are not intended to cover every eventuality, and where the Chairman needs to make a decision as to the procedure or conduct of the Inquiry not covered by this Protocol, he will, in accordance with his obligations under the Act, act fairly and with regard to the need to avoid unnecessary cost.

Provision of Documents to the Inquiry

6. The Inquiry requests anyone who holds relevant documents to supply those documents to the Inquiry.
7. Any person who is in possession of relevant documents should contact the Inquiry as soon as possible so that the necessary arrangements can be made for receipt of those documents.
8. Wherever possible the Chairman intends to rely on voluntary co-operation for production to the Inquiry of the documents he considers necessary to fulfil his Terms of Reference.
9. The Chairman will normally make a request for voluntary production of documents by means of a letter from the Solicitor to the Inquiry to the person believed to have custody or control of them. The Chairman expects that all parties to whom a request of this kind is addressed will co-operate with the Inquiry and will provide all relevant material without the need for him to exercise his powers of compulsion of documents or evidence. However, the Chairman will consider exercising those powers if the response

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to such or any later request is, for example, refused, or incomplete, or not provided by the stated deadline.

10. PODs, including legal representatives, should provide documents requested by the Chairman, together with any other documents they consider to be relevant to the Inquiry's Terms of Reference, without delay and within the time limits specified by the Inquiry. PODs are required to undertake comprehensive, thorough and rigorous searches in response to a request for documents.
11. The Inquiry expects that once documents have been identified every care is taken to ensure that all such documents are preserved in their original form.
12. All documents provided to the Inquiry must be in original form or if not available, in the best available copies, intact and in unredacted form. Production must not be delayed on grounds that redactions are sought by a POD.
13. All documents should be accompanied by an inventory listing them and signed by or under the authority of the person providing them.
14. All documents should be provided electronically where possible. The Inquiry will be using an online document management review system and electronic documents should be provided either in their native format, for example Microsoft Word, Microsoft Excel, MSG email files/PST email containers, or by converting any proprietary file formats to Adobe PDF.
15. Where hard copy documentation is provided these should be digitised beforehand to multipage PDF format. If the document is mainly text based, this should be scanned in black and white and should only be scanned in colour where it is critical to the legibility of the document. Scanning settings should be set to 300 dpi (number of dots per inch as scanned) for both black and white and colour documents.
16. The Inquiry, being a public inquiry, seeks to be as transparent as possible. This means that it expects to disclose material to core participants and may (regardless of disclosure to any person) seek to use such material as part of its body of documentary evidence to which reference may be made by its experts or in its reports and as such may form part of the Inquiry record.
17. The Inquiry will work on the assumption that any material in its possession may be disclosed or used in the manner set out above. Should a POD seek to object to disclosure or use by the Inquiry, then it should identify its objection in full by reference to specific documents or categories of documents, and support it by legal submission in any covering letter accompanying the material explaining why this course should not be followed in the specific circumstances.
18. The Inquiry will publish a separate protocol dealing with the procedure with regard to the redaction of documents prior to disclosure to CPs or publication by the Inquiry.