

Grenfell Tower Inquiry

Protocol on the Role of the Assessors

Introduction

1. The purpose of this protocol is to explain the role of an assessor appointed pursuant to section 11 of the Inquiries Act 2005 (“the 2005 Act”) and to provide guidance to assessors in fulfilling that role. It also refers to the powers of the Chairman in relation to the appointment of additional assessors as may be appropriate during the course of the Inquiry.

Role of Assessors

2. Once an Inquiry has been set up under the 2005 Act, section 11(2)(b) gives the Chairman the power to appoint people to act as assessors to assist the Inquiry. Before appointing a person to act in that capacity the Chairman must be satisfied that he or she has the expertise necessary to provide the particular assistance required. Assessors are paid a daily fee for their work on the Inquiry. Their role begins as soon as they are appointed.
3. The assessors’ function is to provide advice to the Inquiry Chairman. They are expected to familiarise themselves with the Terms of Reference and the areas that the Inquiry will seek to investigate (if they have not already done so) and to prepare themselves in advance of the hearings to understand the evidence that will be before the Inquiry bearing on their particular areas of expertise. That is likely to involve reading relevant documents, witness statements and in due course any experts’ reports. They may also be asked to advise the Chairman in advance of the hearing on matters such as potential avenues of Inquiry, presentation of the Inquiry’s work and steps to be taken in preparation for hearings.
4. Assessors will normally be expected to attend hearings when evidence is being taken in relation to matters within the scope of their expertise. When that is not possible, however, they will be expected to familiarise themselves with the proceedings from the transcripts.
5. Assessors are not expected to ask questions of witnesses, but before a witness is called they may suggest lines of questioning to Counsel to the Inquiry on matters falling within their expertise.
6. The Chairman may ask an assessor to give him any other assistance or advice in relation to any matter relevant to the Inquiry within the scope of his or her expertise.
7. The Chairman expects that most advice and assistance will be given informally, but if he obtains formal advice in writing from an assessor which he intends to take into account in reaching his decision, he will provide a copy to the Core Participants and publish it on the Inquiry’s website, unless he considers that it would be inappropriate

to do so. The Core Participants may submit observations about the advice to the Inquiry within 7 days of receipt.

8. No assessor may give evidence to the Inquiry and no assessor will be asked questions or be cross-examined at the Inquiry.
9. Although the Chairman may receive advice from the assessors, the findings of fact and any recommendations made in the report to the Prime Minister (including any preliminary report) are matters for his determination alone.

Appointment of Further Assessors

10. If the Chairman considers that he requires further assistance in relation to the whole or any part of the Inquiry, he may appoint one or more additional assessors at any time. A person will only be appointed as an assessor if it appears to the Chairman that he or she has the expertise that makes him or her a suitable person to provide such assistance.

Issued under the authority of the Chairman on 15 November 2017