



Equality and Human Rights Commission

Research report 126

Following Grenfell:
Grenfell residents'
access to public
services and
support



Equality and
Human Rights
Commission

Grenfell residents' access to public services and support

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Executive summary

This report, part of our Following Grenfell project, presents the lived experience of a group of people displaced, traumatised and distressed by the fire at Grenfell Tower. It shows the ongoing difficulties and uncertainty they have faced in accessing a range of advice and support services such as housing, immigration, welfare support and healthcare.

We produced this report as we want to ensure that the equality and human rights dimensions of the ongoing difficulties people are facing in the aftermath of the fire at Grenfell Tower are not overlooked. We hope this research will influence the official inquiry by supporting the arguments that survivors are making and help to give a voice to their experiences in the aftermath of the fire.

In May 2018, we commissioned Race on the Agenda (ROTA) to gather evidence of lived experiences of accessing services and support since the fire. This qualitative research considers how a person's characteristics, such as their ethnicity, age, gender or immigration status, combine to affect their experience. Their responses are framed within the context of the following human rights:

Right to adequate housing

The fire raises serious questions about whether or not Grenfell Tower provided safe and adequate housing. There were failures in the provision of basic services and suitable temporary accommodation. A year on from the fire, none of the respondents had moved into longer-term accommodation. There was poor recognition of additional needs and reasonable adjustments when making housing decisions, particularly for disabled people, older people, women and Muslim families. Residents described the dire state of both emergency and temporary accommodation when being rehoused, posing a threat to their physical and mental health. They felt pressure to accept unsuitable accommodation in some cases much further away, increasing people's vulnerability.

Right to life

The research provides examples of where various aspects of the right to life may have been compromised by the fire. There were particular concerns about a lack of appropriate planning for the evacuation of residents (including disabled residents) and confusion over the stay-put policy. The research raises questions about the adequacy of the information and advice given to residents on fire safety and whether residents were aware of potential threats to their lives and what to do in an emergency situation. There was poor availability of complaints mechanisms for residents, leaving many with no means of raising concerns about fire safety and later seeking redress. The right to enjoy a life with dignity is challenged by the poor experience of Muslim residents, who had no access to food and appropriate clothing, and disabled people, for whom special measures of protection were not always taken into account.

Freedom from torture, and cruel and inhuman or degrading treatment

There was a perception that mental health support services were poorly coordinated. It was unclear to respondents what the local Clinical Commissioning Group and mental health trusts had done to ensure that mental health services were equally accessible to everyone. The inadequate design and delivery of services in the aftermath of the fire, particularly the key worker approach, had delayed rehabilitation for those affected by the fire. This contributed to and exacerbated the harm that people have suffered.

Equality and non-discrimination

The experience of residents overwhelmingly reflects the poor design and delivery of services resulting in unequal service provision. The research provides examples of where responsible authorities did not make reasonable adjustments for disabled people and the extent to which accessibility was considered in housing decisions. It also raises questions about how relevant authorities showed they have due regard to the need to advance equality and prevent discrimination, particularly with regard to race and ethnicity and immigration status for families of the bereaved.

Children's rights

Our research shows that not enough is known about the children affected by the fire and how they have been treated since, particularly in terms of psychological support. Counselling offered in schools was described as inconsistent, and in some cases absent, with some schools unable to provide extra support for transferred pupils.

Parents questioned the schools' tendency not to connect behavioural issues with trauma. We cannot determine whether children were consulted on what information and support services they needed and what measures authorities have taken to meet those requirements. A year later, the residents reported that the situation had not significantly improved for their children.

The examples we have raised affect a group of people who have experienced considerable trauma and distress as a result of the fire and continue to face great uncertainty. We ask public authorities to take account of the issues highlighted in this research and to take steps to improve their services in the light of the survivors' experiences.

1 | Introduction

The Equality and Human Rights Commission set up a project to influence the Grenfell Tower Inquiry, other state bodies and the public about the equality and human rights issues raised by the fire and its aftermath.¹ We want to ensure that the equality and human rights dimensions of the ongoing difficulties people are facing in the aftermath of the fire are not overlooked. Since inception, the Following Grenfell project has heard from survivors, challenged the Royal Borough of Kensington and Chelsea (RBKC) about their rehousing policy and engaged with other public bodies about their Grenfell-related policies, including the local Clinical Commissioning Group and the Home Office.

As part of our work, in May 2018, we commissioned Race on the Agenda (ROTA) to gather qualitative evidence of the lived experience of survivors, as well as those who live in the immediate vicinity and have been displaced in the aftermath of the fire (see Appendix 1 for a detailed description of the methodology). This research presents their experiences of accessing support, ranging from access to advice and support services, such as housing, immigration and welfare support, to experiences of access to healthcare. We also present the knowledge, attitudes and practices of a number of stakeholders in response to the fire and how they have supported survivors and those who were displaced.

We hope this research will influence the official inquiry by supporting the arguments that survivors are making and help to give a voice to their experiences of the aftermath of the fire. We ask public authorities² to take account of the issues highlighted in this research and to take steps to improve their services in the light of their experiences.

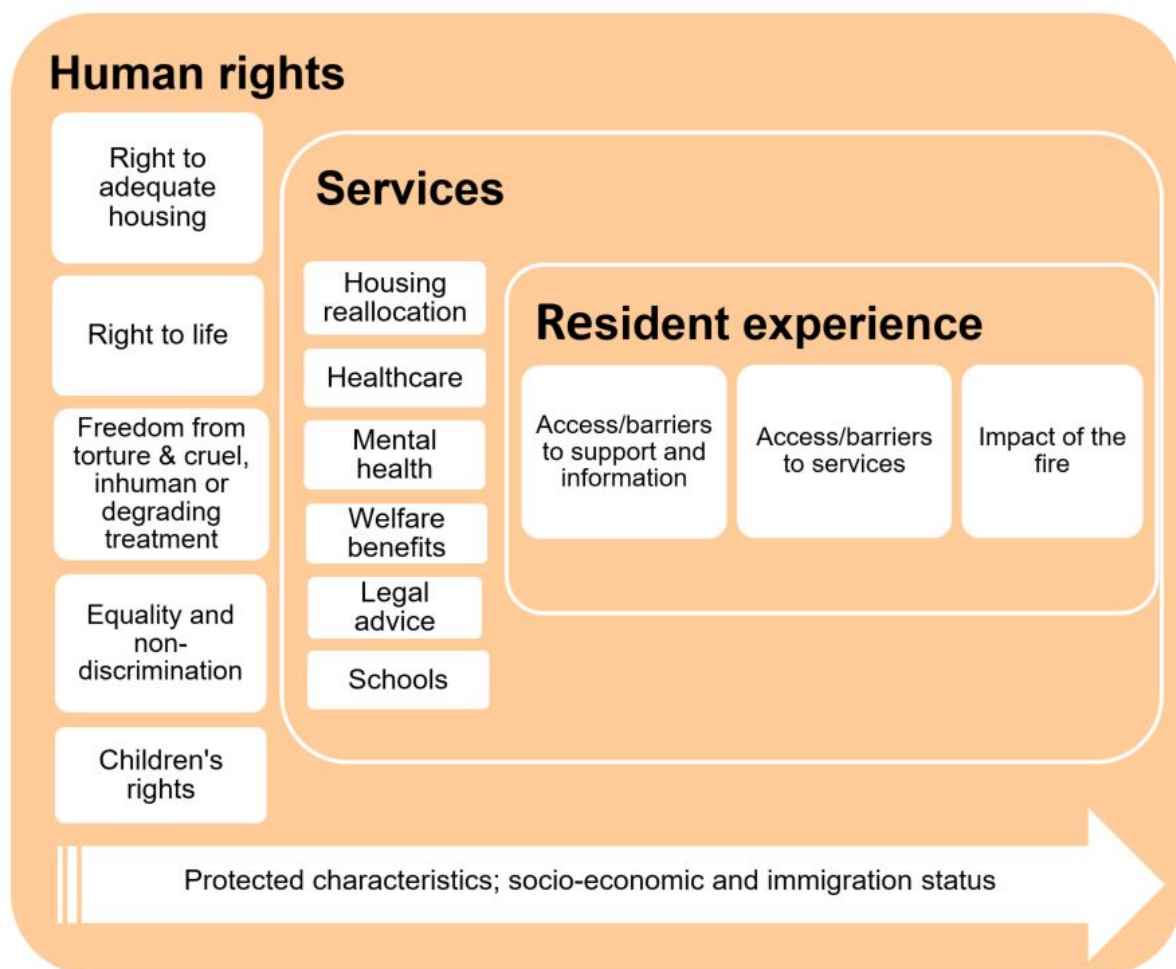
¹ We sought to be core participants in the Grenfell Tower Inquiry, but our application was declined.

² Such as local councils, emergency services, Government departments, NHS trusts; other types of organisations who are carrying out 'public functions' like private companies and charities; and other bodies who are delivering public services (services like housing, health and social care).

2 | Findings

The research describes residents' perceptions³ around access to support (across a number of services) in the aftermath of the fire, outlining examples of discrimination and issues relating to specific protected characteristics. It considers how a person's characteristics, such as their ethnicity, age, gender or immigration status combine to affect their experience. Their responses are framed within the context of the human rights shown in Figure 1.

Figure 1 Thematic framework



³ Quotes are verbatim and highlight where respondents displayed emotional/physical responses.

2.1 Right to adequate housing

People have a right to expect that their housing will be safe. In the UK, this right is protected through piecemeal legislation in the Housing Act 2004, the Landlord and Tenant Act 1985, the Environmental Protection Act 1990 and the Building Regulations 2010. In the wake of the Grenfell Tower fire, this legislation has been criticised as outdated, complex and poorly enforced.

International law gives stronger protections to housing rights, for example, in Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICECSR). The UN treaties on disabled people's rights, women's rights, children's rights and the rights of ethnic minorities all include rights relating to housing.

The right to housing is not explicitly included in the European Convention on Human Rights (ECHR), which is the only human rights treaty that is reflected in the UK's domestic law (through the Human Rights Act (HRA) 1998). The UK is also bound by the European Social Charter (1961). While the 1961 Charter does not contain an explicit guarantee of the right to housing, Article 16 guarantees the right of the family to social, legal and economic protection, and makes explicit reference to an obligation to protect family life and provide 'family housing'. The UK Government has not ratified the revised European Social Charter (1996), which does include a right to housing (Article 31(1)).

UK courts have accepted that international human rights treaties which have been ratified by the UK can be used as an aid to interpretation of relevant domestic laws (such as the Housing Act, the HRA or secondary legislation about the provision of suitable temporary accommodation).

What does the right to adequate housing mean for Grenfell residents?

The current legal framework in England does not guarantee the right to adequate housing and does not conform with international human rights standards. The right to housing has not been incorporated into UK law, which means that individuals who believe their right to housing may have been violated won't be able to take legal action against Government for breach of the right to housing.

The fire raises serious questions about whether or not Grenfell Tower provided safe and adequate housing. Until late 2018, the law in England did not impose enforceable obligations on landlords to ensure that housing was fit for human

habitation⁴ and tenants in social housing were unable to compel their landlord to take action to address hazards or disrepair. Access to justice continues to be impeded by limitations on legal aid for housing cases.

There are **seven key elements**⁵ of the right to adequate housing, set out by the UN Committee on Economic, Social and Cultural Rights (the independent body that monitors the protection of ICESCR rights). Adequate housing is not simply the shelter provided by having a roof over your head, but is somewhere you can live in security, peace and dignity. The research identifies examples of where, in the aftermath of the fire, the residents' experiences did not demonstrate that these standards were met.

1. Availability of certain facilities essential for health, security, comfort and nutrition, such as safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, site drainage and emergency services.

Provision of basic services

Respondents reported failures in the provision of shelter and basic facilities in the aftermath of the fire, resulting in many sleeping rough for days before any action was taken:

We weren't taken anywhere, we just had to fend for ourselves. So, all we could do is stay in the road. We were in the road - I was in the road. We were in the road, for a long, long time.⁶

Loads of people who were basically homeless, a lot of them had been sleeping rough in the area, very few had been given hotels and a lot basically had been asking and have been told no repeatedly.⁷

Even in the Walkways there was no heating. No hot water. Because Grenfell Tower...The boiler of Grenfell supplied the whole estate.⁸

⁴ The Homes (Fitness for Human Habitation) Act 2018 obtained Royal Assent on 20 December 2018.

⁵ Availability of certain facilities essential for health, security, comfort and nutrition; affordability of housing; accessibility; habitability; legal security of tenure; location; cultural adequacy.

⁶ Resident interview 3, female, White British.

⁷ Resident interview 12, male, White British.

⁸ Resident Interview 17, female, ethnic minority.

Initial relief was described as chaotic and disorganised with an overall confusion around knowing how and where to get 'official' help. Some respondents described how they relied on the goodwill of strangers for shelter:

...My neighbour who lives directly opposite me, he slept rough for 4 days and it was hot. I've got pictures and videos of him and my other neighbour sleeping on the grass outside this building... they didn't know what to do, they had nowhere to go.⁹

...And he said "Is that the tower near yours that's on fire?" And so I said yes it was and he said, "Well if you want to come and stay at mine I can come pick you up." And so I took myself and a neighbour of mine and her - Oh yeah, I took myself and a neighbour of mine and her then, three-year-old child, and we walked up to Holland Park station and we met him there and we spent the night at his place with him and his wife and his kids.¹⁰

Respondents felt there was a lack of access to the council's advisory services, which were set up on the second day after the fire, and that the responsible authorities were not ready or equipped to deal with an emergency on such a scale. They described a lack of communication between RBKC officials and residents, which left people unaware of where to go and without basic facilities:

It was chaos. There was no-one doing anything, there was no-one taking control, there was no council, there was no police, there was no-one. It was just volunteers, it was just the community. So, it just opened and then everyone had to just organise themselves. Where's the food going to go? Where's the drinks going to go? Where's the nappies going to go? Where's the creams going to go? There was no liaising with anybody whatsoever. It was just manic. And then people started bringing beds, so then someone made the decision, like, "right, we're going to make the tennis courts into bedrooms" so they can sleep there that evening...I think they [the council] turned up at about seven o'clock in the evening, the next day.¹¹

We came out in our pyjamas and that was it and no-one from TMO [Tenant Management Organisation] was coming to see us, to see if everyone is ok...¹²

It just seemed there was this institutional inadequacy when it came to this, they couldn't deal with anything like that whatsoever, they were so used to not having permission to do anything, that even when there was an emergency situation they just couldn't handle it.¹³

⁹ Resident interview 19, female, White Other.

¹⁰ Resident interview 12, male, White British.

¹¹ Community stakeholder interview 6.

¹² Resident interview 13, male, ethnic minority.

¹³ Resident interview 12, male, White British.

There was also a sense of confusion about how decisions were made and the consistency and reasoning behind these decisions:

They say, mum, we are not eligible for accommodation. And the person came with him and said, I'm sorry, you are in the finger blocks, you're not priority, go to friends or family. I look at him at the time. Shocking, in that situation, I was upset, had been crying, up all night, I look at him in surprise and say, first of all, I didn't come to you, you came to me. Second, if you don't have family, what do you have to do?¹⁴

The initial sense of confusion in the aftermath of the fire did not dissipate and continued for many weeks and months after the fire. A year on, respondents described their confusion over the provision of basic facilities:

...you would ring up and explain the situation, you'd be promised a call back, it would never happened, then when you called back again you either couldn't get through or you would have to re-explain the situation and you'd be promised a call back.¹⁵

Provision of suitable temporary accommodation

Under homelessness legislation, temporary accommodation has to be provided for eligible applicants in priority need, and anyone who is living with the applicant or would normally do so.¹⁶ That accommodation has to be suitable (for all the household) and there are also restrictions on how long such accommodation can be provided in bed and breakfast hotels. Respondents provided many examples of how unsuitable the accommodation provided was. They also mentioned the amount of time they were without settled accommodation:

I mean hotels was going on for weeks, it literally was going on for weeks and weeks and weeks.¹⁷

The number of people who have been in temporary hotel accommodation for more than six weeks and that is a government target, you know, people shouldn't be in hotel accommodation for more than six weeks.¹⁸

Even the house I'm [in] now, is not contract. I do not know when I'm going to move.¹⁹

¹⁴ Resident interview 1, female, ethnic minority.

¹⁵ Resident interview 12, male, White British.

¹⁶ Part 7, Housing Act 1996.

¹⁷ Resident interview, 12, male, White British

¹⁸ Resident interview 12, male, White British.

¹⁹ Resident interview 10, female, Muslim, ethnic minority.

The unsuitability of accommodation was raised by several respondents, from a lack of basic facilities to the size of the places offered; places not being ready for habitation or needing repairs, and properties being offered that had not yet been vacated:

Well every time I tried to, my shower now, it's like it's a cold shower... when I first moved in the boiler wasn't working, the boiler wasn't working, I still don't think it is working probably now but they thinking it's temporary, he's not going to be there for long so...it's crazy.²⁰

Because let's say there was a family of say six living in a one bedroom property in the tower, so it was already overcrowded. The offer they would make to them initially would be a one bedroom - and they would say "Well look, it's like for like" but then they could tick a box and say, "look we've made an offer to them"... I think something like we're almost at 50% who still haven't moved, even of the ones who've been offered properties and accepted them, is because the properties still haven't been voided and made ready for the next tenant...repairs and whatnot, that need to be done before someone can actually move in and inhabit the place.²¹

She was telling me, you are not entitled to five bedrooms. I took her the letter from the council and everything and she called the person from council and everything done, they sent me from council another letter to say, you are not entitled to five bedrooms, you are entitled to four bedrooms. And I am surprised. How did they come to this point? In their own letter, they send the form for you to fill out, they say, under sixteen they can share a room if they are two girls or two boys, same sex. But I have two girls which is nineteen and seventeen, my son is twenty-one, almost twenty-two. He is not under sixteen. The other one is five. So, which one does have to share a room?²²

Provision of suitable longer-term accommodation

A year on from the fire, none of the respondents had moved into longer-term accommodation; all were still in emergency or temporary accommodation.²³ This was combined with a sense of not knowing how long they would be there, resulting in people being in unsuitable accommodation for long and indefinite periods of time. Some respondents described being pressured to return home or take unsuitable

²⁰ Resident interview 13, male, ethnic minority.

²¹ Resident interview 12, male, White British.

²² Resident interview 10, female, Muslim, ethnic minority.

²³ North Kensington Law Centre, 'Out of 204 households from [#Grenfell](#) Tower and Walk 53 are in emergency accommodation, 41 are in temp and 110 are in permanent accommodation. Of 129 evacuated from wider area 9 are in emergency accommodation, 74 are in temp and just 1 has moved into permanent accommodation (as of 9 Aug)'. [Tweet](#) [accessed: 10 August 2018].

offers, coupled with little or no advice about their rights and the consequences of that decision. As a result, there was a strong sense of frustration among respondents. This was made worse by a lack of robust complaint mechanisms and perceived inaction of housing services, so much so that some residents felt complaining was futile:

I did complain, no one listen. I did complain...when complain, no one listens, when I did complain, I talked to solicitor, about the housing situation, no one listens, housing officer I don't have, I don't ask for nothing. Housing officer to talk about my situation, I need one person, to talk me where I am, what will happen to me next, how I need to do it. Where I need to do, how much the rent I need to pay, because I'm worried, you know...²⁴

Treatment by protected characteristic

Respondents described how the specific needs of women with children and Muslim women were not considered, leaving some in a desperate situation.

The facilities in the Westway Sports & Fitness Centre and the Portobello Rugby Trust were perceived as unsuitable. One respondent who took refuge at the Westway Sports & Fitness Centre – as a Muslim woman (who was pregnant at the time of evacuation) – did not feel comfortable staying in such a public space, which would require her to remain veiled. Equally, she was fearful that her young child would wander off if she fell asleep there:

No, I didn't want to stay there. No, I went there. I'd put my head down and my one year old would wander off. Who would watch him? Because I was so tired we ended up going to my sister's house. One of my sister's house and we stayed there. That's it. Had I had no family I would have had no choice but to stay there. We were just so tired. You know.²⁵

She and her children had been evacuated from their home and were left without access to basic necessities for two days after the fire:

The whole area was cordoned off, there was no way to access anything. So, we had no money. We had no nothing. I took nothing with me. Nothing. You know it was the night. I took the baby in the pram and ran out. Whatever we took I took my bag with me. That's it. My other son needed formula. Needed, you know, nappies. These stuff that normal necessities and I had nothing. Because I thought we were going to be able to go back home. Because my house wasn't on fire. It was the tower that was on fire. But because everything was all cordoned off. That's it. That's it, I started getting things family, friends. And then umm... two days later umm I don't who it... I

²⁴ Resident interview 10, female, Muslim, ethnic minority.

²⁵ Resident interview 15, female, ethnic minority, pregnant at time of fire.

found out that the Westway had to relief. People were bringing things like nappies and all that kind of stuff.²⁶

There were also concerns about how pregnant women were being supported as one stakeholder, responsible for providing support at the Westway, described:

...there were like, pregnant women that didn't have anywhere to stay so I would take them down to the Sports Centre and get them help and those days it could have been seven a day.²⁷

The experiences of residents raise questions about how language and disability were considered. In the wake of the fire, two sites providing statutory services were set up at the Ruby Portobello Trust and the Westway Sports & Fitness Centre, before The Curve Community Centre was set up. However, there was a failure to take into account the language needs of some of those affected, for example, the lack of translated signage and information, which affected ability to access services:

I think the reason for the lack of action from the council and from the TMO is so unforgivable is that there are so many people with disability or whose first language isn't English where they have to be guided and they have to be informed as to where to go and to be effectively led if you will to a place of safety and if somebody in authority isn't going to be there to guide you and to be with and to assure it's the sort of thing that can never ever happen again, it really is...²⁸

But the point is, I had that support and er this is why my experience isn't even as bad. As bad as it was, it wasn't as bad many of the people who don't have the language skills, don't know their rights, don't know how to enforce those rights as well as I happen to at that time.²⁹

2. Affordability of housing, so that costs associated with housing should be at such a level that they do not compromise the satisfaction of other basic needs. This means that Government should, for example, establish housing subsidies for those unable to obtain affordable housing and protect tenants against unreasonable rent levels or rent increases.

Inappropriate 'eligibility' tests for financial support

There was a lot of confusion around the financial help available to residents in the aftermath of the fire. Some of the evacuated residents interviewed did not know they

²⁶ Resident interview 15, female, ethnic minority, pregnant at time of fire.

²⁷ Community stakeholder interview 6.

²⁸ Resident interview 4, trauma group.

²⁹ Resident interview 19, female, White Other.

were entitled to emergency payments³⁰ or were refused payments because they were unable to produce identification. One respondent highlighted how those administering the services did not take his rights and circumstances into consideration:

Every property, if you could show you had one of these addresses, tower address will get you £5000, a Walkways address would get you £500, and you could go and pick this up. But then there were logistical issues around that, because they'd ask for ID. And so for people from the tower, they definitely had nothing, because literally they'd run out with nothing at all. And even people such as myself, from the Walkways, we had like two minutes notice... if you didn't have a driving licence set in your wallet, and you hadn't picked up your wallet, how many people think to pick up their passport? Or you know two utility bills and a bank statement, in order to prove who you are? And they were asking for this kind of ID, at the time, and it was absolutely ridiculous, the way that this was dealt with.³¹

One respondent, who had been trying to make sense of the rules around how much money each individual or household was entitled to, reported inconsistencies in information from the council and eligibility for cash payments. He felt suspicious about how enquiries were being handled, with some people being told they were entitled to less money (£270 instead of the £500, as indicated on the RBKC website). When speaking to a council worker, he commented:

I went "so, so, where's this policy, where you've suddenly decided to say that single people are only entitled to this, where's it written down?" And the guy I spoke to, he was [a named employee] I have that call recorded as well, he worked in finance at RBKC, he wasn't one of the staff drafted in, from say Camden or Ealing, even he was like "oh well I was just told it this morning" so then I said: "Who told it to you?" "I was told by a manager..." "Which manager told you this? At what time were you told this?" I was like "Come on, you work for the council, when is there anything done if it's not written down and agreed? And where's your written policy?" And I said "It, and it just so happens that the person you're saying it to, is someone who has poor English" I went "Please don't make me make this an equalities issue".³²

One council worker described how, in the aftermath of the fire, key workers would physically take cash to families; she recalls that money did go missing.³³ She felt that more funding was available within the first six months following the fire, after which

³⁰ A £5,000 payment was made by the council to former residents of Grenfell Tower and Grenfell Walk, as well as personal insurance payments for the loss of personal items.

³¹ Resident interview 12, male, White British.

³² Resident interview, 12, male, White British.

³³ Conversations with stakeholders (these were not recorded on request of those being interviewed for fear of reprisal).

she felt the council made it more difficult to get funding because of fears of fraud. She also reported that many key workers raised early concerns about how payments were being allocated, for example, to false claimants, but being told by the council (their employer) to: 'keep your mouth shut – just give it to them' because the council feared this would damage their reputation.³⁴

3. Accessibility, guaranteed by housing law, policies and practice, with a particular focus on the specific needs of disadvantaged groups, such as older people, children, disabled people or people with a terminal illness.

Among the key elements of the right to housing, and the protections in the UN Convention on the Rights of Persons with Disabilities and the UN Convention on the Rights of the Child, is the accessibility of housing. It is the Government's duty to make sure accessible housing is available at an affordable cost for everyone. Social housing programmes should offer housing that is accessible.

Recognising additional needs and making reasonable adjustments

Respondent accounts highlighted that disabled people had additional needs as a result of the fire which were not adequately assessed and/or met. One respondent, a full-time carer for his wife, recounted what happened to them after the fire:

Grenfell was on the 14th. And my wife had a medical assessment on the 19th. It was before she was told about her brothers, confirmed that they were dead. So, I said we are not going to lose this appointment, we have to go. We could have pick up the phone and said "we're not coming" but no, let's go. We went, they recognised she's suffering from epilepsy, she's got phobia she's got back problem, she's got arthritis, now and then instead of ..., and they didn't consider the suffering that she went through and when we told the assessor about my wife losing her brother, his wife, and three kids she didn't care. So they degrade her from support group to the working support group. Can you believe that?!

³⁵

He went on to report an escalation of problems while he and his wife went through the assessment system, as his wife's health deteriorated:

The Department of Work and Pensions! The assessor didn't recognise, what my wife is going through! And then, when we got the news, that they degraded her from one thing to another, we went along, they didn't - they

³⁴ Conversations with stakeholders (these were not recorded on request of those being interviewed for fear of reprisal).

³⁵ Resident interview 5, male, ethnic minority.

said we've got to appeal...appeal to who? My wife's condition worsened, I wrote them a letter, nothing! They gave her an appointment last Monday to attend work training scheme. I said, "Are you mad? Are you out of your mind?" and this is the system. This is the system I'm telling you, this is the system.³⁶

Another respondent commented that 'the system' had prevented him from accessing treatment:

I tried to book an appointment to see someone for, I don't know, how many weeks, then I was fed up with the system. The person in charge called me, in the evening, seven or six o'clock, almost closing time, he said, what's the problem? I said, I tried to book an appointment – but in one month? You know the situation, I can't go to sleep, my medicine has run out, I had that neck problem because of the tension, you're thinking too much, it gives you this neck and shoulder problem. He said, if you're not happy, go and find yourself a doctor, change.³⁷

Taking account of disabled people's needs in accommodation decisions

Resident accounts highlight how the accommodation which people with health problems or disabilities had been allocated had adversely affected their wellbeing. One resident, who used a wheelchair, gave a graphic account of the difficulties faced by himself and others, as a direct result of a failure by the authorities to respond to their particular circumstances:

Basically, if you were an able bodied person or a family, they could find you somewhere, but if there was any kind of issue, that you have accessibility issues, or you needed to be in a certain area for certain things, like they wanted to put certain people say in South London, but whereas like people, older people who had to go to say their ...blood and.... What's the clinic, at the hot... at the hospital, nearby, so they had to go vascular clinic to get warfarin, every day or something. So it was impractical to put them in, say Waterloo, to then be expected to come to St Mary's hospital, in Paddington every day. Anything like that, that was non-standard, it was absolutely beyond them. You know, you were in a wheelchair, absolutely beyond them. All of these things were absolutely beyond them.³⁸

A lady who's paraplegic, in a wheelchair, and she's got no facilities in her emergency housing, she's in a room with her young children, she's got to come here to come here to cook, she's got to go to the local baths to shower and it is absolutely, it is more than disgraceful.³⁹

³⁶ Resident interview 5, male, ethnic minority.

³⁷ Resident interview 1, female, ethnic minority.

³⁸ Resident interview 12, male, White British.

³⁹ Focus group 4, trauma group.

There were, there were times I was on the phone two, two, two and a half, three hours trying to just arrange hotel accommodation for someone, so that they could be in the same hotel their mum was in, when them and their mum lived together, and they were their mum's carer because she was bed bound. So what good is it the mum's in a hotel in South Kensington and they're in a hotel in Hammersmith, it's just not gonna work is it? And there were so many issues like that, it was absolutely ridiculous.⁴⁰

4. Habitability, meaning that inhabitants must be provided with adequate space, protected from cold, damp, heat, rain, wind, or other threats to health or structural hazards, to guarantee their physical safety. Where social housing is designed in a way that constitutes a fire hazard, or where responsible public bodies do not take sufficient measures to ensure that private rented housing is of a decent standard, the right to adequate housing may be violated.

Accessibility of housing for disabled people and older people

Grenfell raises many questions about the suitability of the housing in the tower, for example, placing older vulnerable and disabled people on upper floors. Many of the people killed by the fire were older people who were housed at height. Respondents described how they witnessed some of the difficulties faced by older people during the evacuation process.

One respondent ensured his neighbour's evacuation, firstly onto the road and eventually to a nearby centre, after she was told to stay in her flat and in the absence of any statutory provision:

It was the police I think..., it was some time before - really they came to us I think. And they told everyone to go in and close their doors. Um ..., so we went in - and shut our doors. And then about five minutes later they were banging on the door, telling us we have to go. And that was it really. I, and he was going on at me "hurry up, hurry up" [...My neighbour, I had to make sure she was coming out with me. She's in her 80s so I couldn't go without her.⁴¹

He was telling his son that he couldn't breathe and then - his son turned round to a friend of his and said "My dad has, has passed away" because the last words he said was that he couldn't breathe...He was, he was an old man.⁴²

⁴⁰ Resident interview 12, male, White British.

⁴¹ Resident interview 3, male, ethnic minority.

⁴² Resident interview 5, male, ethnic minority.

One bereaved, disabled, older respondent, who resides in one of the tower blocks on the Silchester estate, noted how frequently the lift in his building was out of service. On one particular occasion he was forced to cancel a doctor's appointment as he was unable to walk down 14 flights of stairs. Since the Grenfell fire, he has been discussing what the exit strategy would be for his family should a fire take place in his tower block:

I can't walk down the steps from the fourteenth floor. And every day we discuss with my children, I told them "If fire came here, just leave me and go..." you see? Because... and they say "No, we can't leave you..." So we are always discussing this issue and I don't know how can... and I told them because I can't go fourteen floors. If then people... it is, it is twenties... twenty floors in the building. There are five floors above me and each floor there are five- four apartment. So, if I go down and I stop in the middle, the people behind me will not be able to pass. So, we discussed all these issues. So, the only things is, you have to leave me and go and I will struggle...⁴³

Habitability and health

Many residents described the dire state of both emergency and temporary accommodation when being rehoused posing a threat to their physical and mental health:

But my daughter, she hasn't got no bed they don't bring, they don't bring my daughter bed. They bring me her mattress.⁴⁴ [8 months after the fire.]

I went to the apartment and that apartment, everyone think is amazing, next to High Street Kensington but it was nightmare. There is a damp and have the roof, the apartment was not in good condition. There is full of mice, full of thing and later on, I called my Key Worker and I said to her, look you need to come to the apartment, you need to come and view it by yourself, picture is not enough. I sent her picture, I have still the picture and later when she came, literally she sitting in sofa, mice past her leg... The property look like full of mice...and later on she say to me, no Monday I book your emergency. Monday she book me, because it was Friday when she visiting us, I couldn't take it, weekend I went, I went to my sisters, I stayed with my sister.⁴⁵

Some respondents commented that the housing they had been offered exacerbated trauma and negatively affected their mental health, for example, anxieties about living in a high-rise building or seeing a burnt out building:

⁴³ Resident interview 8, male, ethnic minority, disabled.

⁴⁴ Resident interview 20, female, ethnic minority.

⁴⁵ Resident interview 10, female, Muslim, ethnic minority.

They put me on the 7th floor which set me off I mean, I didn't even realise it was just really weird you don't think things affect you as much as they do but as soon as they said 7th floor I started having anxiety attack and I never had anxiety issues in my life so I didn't even know what was happening erm and that made it all a lot scarier...it kept getting worse...I said look I can't stay here it was a small room, I was, couldn't even open the window. Just thinking about it now, getting a bit much actually.⁴⁶

But the thing for me is, as soon as you open the living room window, there is another building that has been burned again. And I didn't notice that, the first day, as I didn't go to the next room window and when you go and just - your eyes see that building and suddenly you feel like... Oh my god. My five year old, whenever he goes next to the window, he says, mum, did anyone die in this building? Were there kids? And he keeps that question, because, for him to see something like this, reminds him again of that situation and he keeps asking, is anyone's grandpa there, is anyone's... and I try to keep to keep him away, or make him not to go there, but it's not something you can try to do, because as I said, there's no curtains or blinds or anything and you can see straight in front of you. I tried to tell them but no-one listens.⁴⁷

One stakeholder⁴⁸ explained how, in the immediate aftermath of the fire, members of the Gypsy and Traveller community at the Stable Way site informed her of how hot ash and debris from Grenfell Tower was falling onto their site. They feared that it would cause another fire. Many residents mentioned that being so close to the fire affected their breathing; one mother was particularly concerned after her child began vomiting. RBKC did not move the Gypsy and Traveller community to another site and instead offered them breathing masks and counselling to deal with the trauma – only one person took up the offer of counselling. Another respondent described the Traveller community as sitting on 'prime real estate', and assumed that this was why they were unwilling to move, but did not mention the lack of other sites in the borough to which they could move the community.

5. Legal security of tenure, guaranteeing legal protection against forced eviction, harassment and other threats to all persons – whether living in private rental accommodation, social housing, owner-occupation, emergency housing, informal settlements or otherwise.

Pressure to accept unsuitable accommodation

⁴⁶ Resident interview 19, female, White Other.

⁴⁷ Resident interview 1, female, ethnic minority.

⁴⁸ Stakeholder interview 21.

None of the respondents had accepted permanent accommodation, but some expressed that they felt a pressure to return home or to take unsuitable offers:

There's a lady from the tower, who's in a wheelchair, and she's been pressured now to accept a flat. I can give you her details actually. I'll give you her first name, I won't share all of her details. But she's in a wheelchair and she got children, and basically she been pressured now to accept a flat. Even though the flat that she's been offered, isn't wheelchair accessible, she can't..., so yeah, the property they're moving her into, there are rooms in the property her wheelchair literally won't fit into, and she's been told oh don't worry, we'll get a carer in to look after you, help you out with the kids. So she's being made more helpless than she already is.

Or there's like the lady in the wheelchair where basically she's been told "Well look, we're not going to pay for your hotel beyond 31st of May so you know - that's it. So either you take this place or you are intentionally homeless and we'll deal with you under that" And even in those circumstances you know, they've not considered their responsibilities under the equalities act, they've not even just considered it from a humanitarian or compassionate perspective, how to deal with people like that. It makes no sense whatsoever.⁴⁹

Because let's say there was a family of say six living in a one bedroom property in the tower, so it was already overcrowded. The offer they would make to them initially would be a one bedroom - and they would say "Well look, it's like for like" but then they could tick a box and say, "look we've made an offer to them". And again, it was just pure stupidity and the issue I know with a lot of people who even have accepted properties that they've been offered at the moment, the reason a lot of them haven't moved in, I think something like we're almost at 50% who still haven't moved, even of the ones who've been offered properties and accepted them, is because the properties still haven't been voided and made ready for the next tenant. So there are still issues that need to be dealt with in there, repairs and what not, that need to be done before someone can actually move in and inhabit the place.

One White British, older woman, who lives on her own, spoke about being under pressure to accept permanent accommodation outside the borough due to shortage of housing within the borough:

Well they've said now ..., that there's not many properties left. And the best properties have gone - that's what they've told me. Um ..., this, you know - now. This is going to be permanent. And this is where you're going to stay for the rest of your life. It's not that easy just to say - oh yes, I'll take that. I can't do it. And I know a lot of the area in this borough. Years ago I did, - named organisation- had a little bathing service and I worked on that and I

⁴⁹ Resident interview 12, male, White British.

went out bathing the elderly and I saw a lot of places, I went a lot of ..., and every time now, looking at flats I think, yes, I know that one. You know [laughs] it seems everywhere I go I've either lived there or - well I have lived in most of it [laughs] but yeah. It's, it's just huge - huge - huge shock really. All of it [blows nose]....

She's [key worker] been with us a few times when I've been looking at the properties. And she just walks around and looks and just says "Oh you'll like this. That bus will take you to work." And "Oh - you've got good connections here" [laughs] No I don't - you know ..., all the time! I came back crying one, one afternoon after being out with them.⁵⁰

Another respondent described the process of moving from emergency accommodation (after eight months) to temporary accommodation. On declining the first option because of an anti-social neighbour, the landlord supported this decision and even wrote to the key worker to verify the unsuitability of the accommodation. She was not given an option to view the second property and was told to 'take it or leave it':

No, no. Only they show me one and this is the second one.... I'm scared you know people throwing, the music and you know. And they said, they offer me the another accommodation which is Kings Cross and yeah and they told me you can't see that place you take it or leave it.⁵¹

6. Location, allowing access to employment options, health care services, schools, childcare centres and other social facilities.

Some respondents described being placed in unsuitable temporary accommodation much further away from the vicinity of Grenfell Tower, raising issues of isolation and loneliness and increasing people's vulnerability. This was particularly true for older residents. One stakeholder reported that some older people, who were moved from emergency to secondary temporary accommodation, became 'quite isolated' and distressed being in an unfamiliar area:

...over time we're beginning to hear reports of people who have been moved out of initial emergency accommodation and now are in their second temporary accommodation, sometime quite isolated. There was a lady there for example, at the meeting...whose mother,... was now housed in a flat somewhere, quite distressed, you know, she's quite elderly, doesn't know that particular area very well.⁵²

⁵⁰ Resident interview 3, female, White British, older.

⁵¹ Resident interview 20, female, ethnic minority.

⁵² Stakeholder interview 9.

An older ethnic minority couple⁵³ (whose first language was not English) would regularly spend their days at sitting at The Curve (a local community centre that provides help with statutory services). This is because they were lonely after being placed in accommodation further away and with little language support. They hoped to meet other residents from the area.

Religious provision

The interviews highlighted a failure to take into consideration the needs of Muslim residents and bereaved family members (who were observing Ramadan and fasting until sunset) when planning and delivering services in emergency accommodation in both 2017 and 2018. Many of these residents were placed in hotels with no access to cooking facilities or refrigerators. Instead, they had to rely on 'community kitchen' initiatives such as those held at Al Manar Mosque and the Henry Dickens Community Centre, where residents were able to use the kitchen facilities to prepare meals for their families. However, not all residents were able to access these services.

One bereaved Muslim woman did not have cooking facilities at her B&B and did not feel safe enough travelling to the mosque to have her Iftar (the meal at which Muslims break their fast). She was left feeling isolated and was unable to benefit from RBKC's Ramadan meal initiative (which involved key workers delivering meals to specific hotels) because of a disagreement between the Home Office and RBKC about her immigration status and who was ultimately responsible for her.

Another interviewee referred to the help that a Muslim charity and local businesses had given in organising food and somewhere for residents, the bereaved, and people who volunteered in the relief effort, to eat. He was critical of the council's lack of understanding:

And we were all fasting and we were mostly Muslims and they tell us we have to vacate the premises in about an hour which is was 7 and they ask us to - to vacate at 8-o'clock and I was personally shocked and no-one wanted to say anything so I went - I said "Listen, we have to have a meal" they said "You had a meal" I said "Who? Who did you speak to? Did you speak to us? No." I said "Listen this is Ramadan, let these people, we've arranged for a breakfast to be served here and once that breakfast is served then we will go we're not going, we're not going to occupy the premises, people are waiting for news from their loved one, you can't just kick them out like that." And then they accepted and then we had a big breakfast, we invite

⁵³ Resident interview 17, ethnic minority, older.

them to have breakfast with us, which they did and then we collect everything and we went. The next day, they didn't allow no-one in.⁵⁴

Access to education and other services

One respondent explained that ordinary, everyday activities such as taking her children to school, getting her business back on track and sorting out debt problems had been made more difficult as a result of being housed further away:

Already I am paying a lot of money for transport. Transport, they didn't provide anything. Everything is about five, six pounds to go from school by bus, go back to work, go from there to pick up my son, take him back here, it's almost six pounds every day, but they said no. I said OK. Financially the shop, the business is not doing well and on top of that you have to spend a lot of money to get around.⁵⁵

Another respondent described the problems around her daughter's access to school, both since the fire and a year on. On being placed in emergency accommodation in Waterloo she had to cover the high cost of travelling back into West London to drop her daughter off at school. While still in emergency accommodation she asked her key worker to help with the application process for her daughter's place at secondary school. She was surprised that her daughter was offered a place in North London, and feels let down by her key worker:

No I asked the address, can I put my old address or I put my sister one and she say no, put in the hotel one. That's why they give me all the way this, in that area....I told her that this area, what I choose, she say 100% she going to get, but she left, she do nothing yet.⁵⁶

People often turned to community volunteers to help with appeals for access to local schools and nursery places:

A couple haven't been able to get their children into schools... for example, someone had put their hotel name, hotel address on the application form, so then, that child was given a school in Lambeth because they were in a hotel in Waterloo. So, I'm going to be doing appeals for them and it's stuff like that. And also, like, there's people from the Tower who didn't have time to apply for their kids to go to nursery obviously because of what happened and so when the time came, they said, "sorry, there's no spaces".⁵⁷

⁵⁴ Resident interview 5, male, ethnic minority, Muslim.

⁵⁵ Resident interview 1, female, ethnic minority.

⁵⁶ Resident interview 20, female, ethnic minority.

⁵⁷ Community stakeholder interview 6.

7. Cultural adequacy, in the sense that the construction of housing must appropriately enable the expression of cultural identity and diversity of housing. Crucially, the fundamental human rights principles of human dignity and non-discrimination require the right to housing to be ensured to all people irrespective of income, access to economic resources or any other ground of discrimination.

Treatment of residents in social housing

All respondents raised concerns about the changes that have taken place over the last few years, around the management of social housing in RBKC and the impact it has had on how social housing residents are perceived and treated. They expressed a consensus that their voices have not been heard at both a policy and practice level. There was an overwhelming sense that this continues to be the case – even in the aftermath of the fire. Some respondents described how they have lived in dire conditions prior to the fire and how their complaints were addressed before or after the fire:

The [Lancaster West] estate was infested with mice. We tried. No cleaning was being done. Nothing. Any job you wanted to be done you had to fight tooth and nail for it, any kind of works and kind of repairs. Also, the hot water and heating most weekends it would just stop working. 'Oh we are working on.' A lot of interruptions towards the last few years. It was really bad... Stuff you know. You know you're paying for the service charges... why are we not getting the services fully.⁵⁸

A lot of people have, even the people who was in the tower, they was complaining, a lot of things. And no one listened to them... I don't know if you heard about the child who fell down from the tower, eight years ago... I heard about it from the tenant, they speak, they say the child fell from the tower you know and he dead because the window was not safety, ... long the procedure, procedure take long time, to make them to change window. Window was not safety. They complaining about lifts sometimes not working, you can't imagine you live in 24th floor and your lift is not working. They used to have I think only one lift, they don't have a lot of, there is a lot, a lot, a lot safety.⁵⁹

One resident made reference to changes in management which had adversely affected residents in social housing. She felt there had been an absence of communication over matters of rent or changed circumstances:

⁵⁸ Resident interview 15, female, ethnic minority pregnant at the time of fire.

⁵⁹ Resident interview 10, female, ethnic minority.

Before it became a TMO, the council, we could see that people in social housing were treated with care, so if somebody hadn't paid, was in arrears with their rent, or their service charges or whatever, the housing officer would make an appointment, approach a member of that family, try to discuss, find out ..., what were the issues, help or signpost the person. Was it loss of income, redundancy? Was it birth of a child, what was the problem, and there was help. When we had the council managing the stock and when we had the TMO. But as things progressed into the ALMO era, if somebody was in arrears with their rent, after a certain date for example, specified date, a threatening letter would automatically come out from the computer and send to the client, to the social housing resident.⁶⁰

2.2 Right to Life

The right to life is one of the fundamental guarantees in international human rights law. In many respects it is a prerequisite to, and closely linked with, the enjoyment of all other rights.

The right to life is protected under international and European human rights treaties, including Article 6 of the International Covenant on Civil and Political Rights (ICCPR) and Article 2 of the European Convention on Human Rights (ECHR). The UK Government has signed up to these treaties and has to abide by them at all times.

Article 2 of the ECHR is particularly important in the UK as it has been incorporated into domestic law by the Human Rights Act 1998. This means that all UK governments and public bodies – central, local and devolved – including all public officials, have to take appropriate measures to safeguard life by making laws to protect people and, in some circumstances, by taking active steps to protect people if their lives are at risk. If they do not do this, they will be acting unlawfully and can be taken to court.

The right to life applies equally to everyone. It is often referred to as an 'absolute right' that cannot be interfered with.

⁶⁰ Resident interview 11, female, White Other.

How is the right to life relevant to Grenfell residents?

The right to life is of direct relevance to the Grenfell Tower fire and the work of the Grenfell inquiry. The research provides examples of where various aspects of the right to life may have been compromised by the fire. The Grenfell inquiry will be largely responsible for discharging the state's obligation to investigate potential violations of the right to life in light of the fire at Grenfell Tower. However, in order to fulfil that duty, there must also be consideration of broader systemic issues, which may raise questions relating to state responsibility for the fire.

The adequacy of the building regulations, and the system of monitoring and supervising compliance with the regulations

A key issue in the Grenfell inquiry will be whether the building regulations banned the use of polyethylene-based cladding in high-rise residential blocks, due to the risk of fire associated with it. If the building regulations did ban its use, questions will be asked about the adequacy of the systems for monitoring and supervising compliance with those regulations, including in council buildings, to ensure that cladding was installed safely. Both scenarios raise questions about whether the UK has met its duty to protect life. Additional issues arise concerning fire safety regulations, including the installation of fire sprinklers in high-rise buildings.

Respondents expressed particular concerns about a lack of appropriate planning for the evacuation of residents (including disabled residents):

...there should have been plans in action because of all the council property in [Kensington and Chelsea] and other boroughs, you've got a very high percentage being high rise flats and there should be a plan in action for what should happen for what should happen in the case of an emergency, fire or otherwise, so they should know how to actually house those people who were evacuated and they should know how to feed them and so forth and there's been nothing about that and as far as looking after people with disability, again they have been woefully short in the way they have actually handled the situation.⁶¹

One respondent, who lived in a high-rise flat next to Grenfell Tower, described discussing fire safety in the past with his family and recalled receiving information about a 'stay-put' policy:

And every day we discuss with my children, I told them "If fire came here, just leave me and go..." you see? Because... and they say "No, we can't leave you..." So we are always discussing this issue.

⁶¹ Focus group 4, trauma group.

The other thing, they wrote us a... statement saying... "If you feel safe, stay inside." If there is a fire, how can you feel safe?

Interviewer: So they say stay in place? So it's the stay in place policy?

Yeah... close the door... yeah... yeah... stay inside your flat. If... if there is a fire, and you feel, safe... it is written like that... If the person feel safe, shouldn't go out. And that's what happened in the... on the people because the... so many young people came from the mosque because they want to go and bring people down. Help people down. But the police and the... the fire brigade they... they didn't allow them to do that.⁶²

This policy was affirmed on the night of the fire:

M1: It was inaccessible for the firemen from the off, there's loads and loads of stuff you can bring up, the firemen couldn't get in there you know, it was inaccessible for them.

F: and people were told to stay in the building...⁶³

I actually called my friend who is living at the twenty third floor, the top floors at Flat [x]. Because my husband remind me, said, did you call them? I said, actually I forgot, because we were panicked. When I called her, she was in the house still. I said, why are you in there? She said, because the officers told us, advised us to stay in.⁶⁴

Another respondent recalled that residents had always been concerned about fire safety, and had expressed this, but received no response from the council or the TMO:

But speaking to the resident I know, like I said, residents that did live there, they were concerned, they were concerned and they weren't listened to.⁶⁵

...none of the doors were fire safety, none of the doors ...there was none, that's the whole point, there was no access, same like for the fire engine stuff, there was no access, years ago there used to be a football pitch, there used to be a car park and everything, TMO just gone ahead and done things like, no one could get through. So once again, I come back to neglect.⁶⁶

Information and advice given to residents on fire safety

The adequacy of the information and advice given to residents on fire safety raises potential issues relating to the positive duty to protect life, that is, whether residents

⁶² Resident interview 8, male, ethnic minority.

⁶³ Focus group 4, trauma group.

⁶⁴ Resident interview 1, female, ethnic minority.

⁶⁵ Focus group 4, trauma group.

⁶⁶ Resident interview 13, male, ethnic minority.

were aware of potential threats to their lives and what to do in an emergency situation.

On the night of the fire, observations of residents confirm how the fire service operated a 'stay-put' policy:

I was there until 5 o'clock in the morning I was supporting people who had family I saw the first survivors who came out. I spoke to them and I was surprised that nobody was coming after them and they explained to me that the fire services arrived and they turn everybody behind them they turned them back to them, to their flats.⁶⁷

This confusion revolved around if and how residents from neighbouring buildings were being evacuated:

So, I ..., I understand that we needed to evacuate but nobody has actually asked the residents to be evacuated...some people went to temporary accommodation into emergency accommodation but the majority of the people were left behind they were people who were housebound, living on the third and fourth floor. People who had lung difficulties. So, there was no reliable safety guidance, given to the residents. But instead most of the people from Bramley House were receiving mixed messages about their safety from a variety of sources.⁶⁸

Not all residents of Bramley House received the message to evacuate. Those who remained in their homes were at considerable risk:

So what they said is "Get a small bag, and leave the building" but they didn't kind of, knock the doors to tell people."

So the tower continued to consume for 48 hours as you know with a series of loud explosions and the noise was resonating to Bramley House, all the debris was falling on our balconies. In the courtyard on the roof, the entire area, you know ..., was covered with ..., debris and people who stayed behind they did not feel safe. But it was [as] if the residents didn't matter to anybody. We were not made aware of any assistance available at the time. Nobody came to check if the residents were OK until much later, when myself and a colleague of mine, prompted relevant health sources including the CNWL [Central and North West London NHS Foundation Trust] to assist the needs of the people in Bramley House.⁶⁹

Despite raising concerns about safety – both on the night of the fire and in the days that followed – residents described their confusion about fire safety procedures:

⁶⁷ Resident interview 11, female, White Other.

⁶⁸ Resident interview 11, female, White Other.

⁶⁹ Resident interview 11, female, White Other.

...when you see someone in uniform you expect them to take charge and you expect them to look after you, you're meant to feel safe and he didn't make me feel less safe, but he didn't reassure me in any sense. If anything it was like a nuisance, having to stop my evacuation, stop walking out to explain to him that he needs to hold these doors open 'cause if they shut, people can't get through them 'cause we didn't have the fobs...⁷⁰

...in certain blocks so if you're going from one block to another you wouldn't [have access] ... you need a fob...And if you didn't do that you'd have to go out in the garden which was close to the fire, I mean, there was debris falling and stuff ... So we had to go out the way we went but having to stop and explain that to a police officer you know, he, there should've been a procedure in place or a button you could press to open all the doors or something like that. And if one of our neighbours he actually had the initiative to, he took people's doormats from outside their homes and blocked the doors with it, with them so that it would be left open for others.⁷¹

...the day of the fire so the day after the fire, I received a call from KCTMO [Kensington & Chelsea Tenant Management Organisation] from an employee. And I explained about the residents in Bramley House who were warned that there was a potential risk, that the tower could collapse and fall on Bramley House but no procedure, no evacuation procedure was in place and the residents didn't know where to seek help. I also explained about people who were frail, housebound and no help was offered to them. [Despite this, it wasn't until ..., so the incident was on Tuesday, waking up Wednesday so I got the phone call on Wednesday and it wasn't until Sunday ... I found out, that there was some kind of assistance centre.⁷²

Availability of complaints mechanisms for residents

The question of whether residents had access to a complaints mechanism, were able to take legal action to raise concerns about fire safety effectively, and whether their complaints were acted upon, will be relevant to the positive duty to protect life.

One factor that may have had an impact on the ability of residents to seek redress is whether their residence was officially recognised by the council as affected by the fire. One respondent described how a building adjacent to Grenfell Tower was not listed as affected until two weeks after the fire. This affected residents' ability to seek help and support:

But I also found out that Bramley House was not accepted as being affected by Grenfell fire which was not the case, we were very affected.

⁷⁰ Resident interview 19, female, White Other.

⁷¹ Resident interview 19, female, White Other.

⁷² Resident interview 11, female, White Other.

So, I was confused, perplexed, because I knew the reality and what the TMO was saying was not really making sense. So, together with a colleague of mine, we started making enquiries ..., we started speaking to the RBKC to the TMO, local councillors. So, two weeks later we were listed as an affected building - yeah? But the idea that we were not, we were not listed as an affected building in the first place, is very puzzling. Because we're only 85 metres away. We were at risk because of the tower for the potential for the tower to fall on our building, all the debris and everything else the gases, everything we were breathing.⁷³

The right to enjoy a life with dignity

The right to life includes the right to enjoy a life with dignity. The United Nations Human Rights Committee, which monitors the protection of the rights included in the ICCPR, has stated that the right to life must not be interpreted narrowly: 'The duty to protect life also implies that states should take appropriate measures to address the general conditions in society that may eventually give rise to direct threats to life or prevent individuals from enjoying their right to life with dignity'.⁷⁴ An example of such a measure is the provision of adequate shelter and housing. As the UN Special Rapporteur on housing explained, '[I]ived experience illustrates that the right to life cannot be separated from the right to a secure place to live, and the right to a secure place to live only has meaning in the context of a right to live in dignity and security, free of violence.'⁷⁵

The fire occurred during the Muslim holy period of Ramadan, during which observers fast during daylight hours and break their fast (Iftar) after sunset.

Although food was provided for those who needed to break their fast at the Westway Sports & Fitness Centre (from local mosques and businesses), this was not the case at the subsequent hotel accommodation:

Now, there was no information or anything about what to do but I had to pray, the first thing. When I got up, there is no place to pray. When my husband came, he said, did you break your fast? I said no, because I have been sleeping. By twelve o'clock, eleven, he and my son went outside, they brought some food, juice, water, my son was hungry, the little one, completely. But they brought in some food.⁷⁶

⁷³ Resident interview 11, female, White Other.

⁷⁴ UN Human Rights Committee (2018), [General Comment No. 36 on the right to life \[DRAFT\]](#) [accessed 14 August 2018].

⁷⁵ UN Special Rapporteur on adequate housing (2016), ['Adequate housing as a component of the right to an adequate standard of living'](#), A/71/310 [accessed: 14 August 2018].

⁷⁶ Resident interview 1, female, ethnic minority.

In the rugby club (Rugby Portobello Trust), the council was not prepared for the need to provide food for Iftar. One respondent clarified that food for the Iftar was supplied by Muslim charities and the local community, not the council:

And we were all fasting and we were mostly Muslims and they tell us we have to vacate the premises in about an hour which is was 7 and they ask us to - to vacate at 8-o'clock and I was personally shocked and no-one wanted to say anything so I went - I said "Listen, we have to have a meal" they said "You had a meal" I said "Who? Who did you speak to? Did you speak to us? No." I said "Listen this is Ramadan, let these people, we've arranged for a breakfast to be served here and once that breakfast is served then we will go we're not going, we're not going to occupy the premises, people are waiting for news from their loved one, you can't just kick them out like that." And then they accepted and then we had a big breakfast, we invite them to have breakfast with us, which they did and then we collect everything and we went. The next day, they didn't allow no-one in.⁷⁷

A Muslim respondent described not having access to appropriate clothing:

Just sometimes they'd just assume that you couldn't speak English because of the way you were dressed. And then, when you spoke it they were ok "oh!" you know.

Interviewer: Did you have access to hijabs and clothing that was appropriate for you?

No, not that I was aware of. And there wasn't sizes and you know - and stuff like that.⁷⁸

Not being treated with dignity and respect was a common theme for all the respondents who had tried to access healthcare. One respondent who attended a relative's GP appointment as an interpreter described her experience of requesting a sick note. She said that the GP appeared to lack sensitivity and left the bereaved mother distraught following the appointment:

"You're milking the system, he died six months ago, you can't be going around the same system, you can't do that."⁷⁹

This was despite the GP's knowledge of the client's history, including that she had fled a war-torn country. The interviewee was taken aback by the GP's treatment of her relative, which she felt was due to her race:

⁷⁷ Resident interview 5, male, ethnic minority.

⁷⁸ Interview 15, woman, ethnic minority.

⁷⁹ Resident interview 18, female, ethnic minority.

Another respondent felt she was not being taken seriously by her GP and other health professionals when expressing multiple health concerns, which included losing consciousness:

My personal GP was away on leave and they were the locum, and they were just laughing at me.⁸⁰

The effect of this was an overall perception of a lack of 'willingness to investigate' and ultimately a loss of faith and low sense of worth:

They just want to make quick decisions "oh, it's because of this or because of that" anything else apart from what is worrying me... So basically we have been, we have to fight for our basic needs, not just myself but other people. And it's like a betrayal, [you know, to have to, to beg to get your basic, recognition of your condition or how, what the impact was from what has happened around you. It is humiliating and it is demoralising ..., and - I don't think anybody wants to know. No. For me this is a failure to provide appropriate access to medical services and trauma support. Yeah.⁸¹

Special protection for disadvantaged people

The state's obligation to protect life includes, as a matter of priority, the protection of people whose lives have been placed at particular risk because of specific threats, or who are living in particular circumstances. This would include, for example, victims of domestic violence, children living on the street, homeless people, refugees, or lesbian, gay, bisexual and trans (LGBT) people. Disabled people are entitled to special measures of protection, to ensure that they can enjoy the right to life on an equal basis with others.

Respondents expressed concern that the needs of disabled people who were housebound and people with existing health conditions were not consistently taken into account by support services on the night of the fire:

I understand that we needed to evacuate but nobody has actually asked the residents to be evacuated... some people went to temporary accommodation into emergency accommodation but the majority of the people were left behind they were people who were housebound, living on the third and fourth floor. People who had lung difficulties. So, there was no reliable safety guidance, given to the residents. But instead most of the people from Bramley House were receiving mixed messages about their safety from a variety of sources.⁸²

⁸⁰ Resident interview 11, female, White Other.

⁸¹ Resident interview 11, female, White Other.

⁸² Resident interview 11, female, White Other

A resident described the effects on her health on the night of the fire:

...my physical health was very much affected. I had very sore eyes, very hot mouth and the top of my mouth and down to my throat, behind the ears. Itchiness, corrosive itchiness, cramps in the stomach, dizziness, lethargy... And I was not the only one, everyone that I spoke to they expressed having the same ..., symptoms or similar symptoms. Breathing problems...⁸³

She went on to describe how worried she was about her own health and the health of fellow residents, and how difficult it was to obtain breathing masks in the aftermath and days immediately after the fire. Although a few were provided by the British Red Cross and NHS they eventually had to purchase their own:

I went to find out to find out masks for people in Bramley Towers. There were people from different organisations, but when myself and my colleague realised that it was not enough, we had to purchase...we purchased more masks and we gave to people in Bramley House we thought that ..., they were the most serious cases. And of course we had ourselves. Just to find out much later that those masks were not really suitable for this kind of... especially if you have special conditions. So we were quite struggling on our own there, there was no help, no advice, nothing at all.⁸⁴

It was not until two-to-three months after the fire (and after their home was listed by the council as an affected building) that some residents' concerns about being able to breathe properly were addressed. Some requests for air purifiers were eventually met by the TMO, rather than the council, although people were still left without information about what type of air purifier to buy:

The first thing I asked was trying to find out, is how I could get an air purifier. Because with all my symptoms I could estimate that the breathing was the worst. And also, when I witnessed the amount of dust which came through. Because we don't have double glazing, a lot of dust came through the windows, the gaps. Even through the air extractors you know. So the filter was completely blocked, I had to change it every, almost every day it was getting completely blocked.

...It didn't happen immediately and it didn't happen for a long time. And eventually...um I got from the TMO a tiny small air purifier which was not suitable for the purpose I needed it. It doesn't filter out asbestos or particles or metal.⁸⁵

A year on, respondents described the apparent lack of planning on how to house and feed disabled people who were rehoused:

⁸³ Resident interview 11, female, White Other.

⁸⁴ Resident interview 11, female, White Other.

⁸⁵ Resident interview 11, female, White Other.

...as far as looking after people with disability, again they have been woefully short in the way they have actually handled the situation. where one finds a lovely, lovely lady who's paraplegic, in a wheelchair, and she's got no facilities in her emergency housing, she's in a room with her young children, she's got to come here to come here to cook, she's got to go to the local baths to shower and it is absolutely, it is more than disgraceful.⁸⁶

2.3 Freedom from torture and cruel, inhuman or degrading treatment

The right to be free from torture and cruel, inhuman or degrading treatment or punishment is established in the UN Convention Against Torture (CAT) and the International Covenant on Civil and Political Rights (ICCPR), at an international level, and the European Convention of Human Rights (ECHR), at a regional level.

The UK Government has ratified CAT, ICCPR and the ECHR. By doing so, it has committed to the human rights standards set out in these treaties under international law. This means that all UK governments and public bodies – central, local and devolved – and all public officials, have to take appropriate measures to protect people from torture and cruel, inhuman or degrading treatment. The right not to be tortured or subjected to cruel, inhuman or degrading treatment is absolute; it must never be limited or restricted in any way.

The UK has incorporated the ECHR into domestic law, through the Human Rights Act 1998 (HRA), but not the CAT or the ICCPR. This means people cannot rely on the provisions of CAT or ICCPR to bring claims in UK courts. However, the UK's domestic legal framework reflects many of the provisions or standards in these international human rights treaties, including the duty to investigate acts of torture and cruel, inhuman or degrading treatment as well as providing reparation to survivors of such acts.

⁸⁶ Focus group 4, trauma group.

How is the right to be free from torture and cruel, inhuman or degrading treatment relevant to Grenfell residents?

The survivors of the Grenfell Tower fire and many of those who witnessed it, or were otherwise affected by it, have suffered great harm.⁸⁷ As with the right to life, the state is required to take steps to avoid a risk of torture or cruel, inhuman or degrading treatment to individuals, or groups of individuals, about which public authorities knew or ought to have known. Therefore, many of the issues addressed in the right to life section also give rise to issues under the right to be free from cruel, inhuman or degrading treatment. These include: the adequacy of the building regulations, and the system of monitoring and supervising compliance with the regulations; the extent to which the UK Government was aware of the dangers posed by the cladding system; the adequacy of information and advice given to residents on fire safety; the availability of complaint mechanisms for residents; and the adequacy of the preventative measures adopted by the UK Government to prevent a further tragedy.

Under international human rights law, the right to be free from torture and cruel, inhuman or degrading treatment gives rise to both negative and positive obligations on the state. The negative duty requires the state (that is, all public bodies) not to interfere with the right to be free from torture and cruel, inhuman or degrading treatment. For example, it must prevent public authorities and officials from inflicting torture or cruel, inhuman or degrading treatment on individuals. The positive duty requires action by the state. The UK Government must put in place, and enforce, legislation to protect people from torture and cruel, inhuman or degrading treatment, to prevent torture and cruel, inhuman or degrading treatment, and to investigate, and prosecute where appropriate, violations of the right and provide redress. All of these elements are relevant in the context of the Grenfell Tower fire. Our research provides examples of where these obligations may not have been satisfied.

The UK Government's duty to provide for adequate rehabilitation measures

It is possible that people's experience after the fire may have increased the harm that they suffered. In light of the obligation to provide full rehabilitation to victims of cruel, inhuman or degrading treatment as soon as possible, the response of the UK Government in respect of medical treatment, particularly in relation to mental health,

⁸⁷ Inhuman treatment or punishment is treatment that causes intense physical or mental suffering. Degrading treatment means treatment that is extremely humiliating and undignified. Whether treatment reaches a level that can be defined as degrading depends on a number of factors, such as the physical or mental effects of the treatment, and the sex, age, vulnerability and health of the survivor.

adequate housing (see section 2.1), financial support and other care and assistance, is relevant to the right to be free from cruel, inhuman or degrading treatment.

Health services

There was a perception among respondents (particularly Gypsy, Roma and Traveller stakeholders), that mental health support services were not well managed. Although, in the year after the fire many mental health interventions had been established, services were perceived as being poorly coordinated, leaving a gap in local, tailored provision. Community and voluntary sector organisations, such as Action Disability Kensington and Chelsea and local ethnic minority and refugee-based community organisations, have responded to this gap by setting up mental health services which residents have found beneficial.

It was unclear to respondents what statutory sector health services, such as the CCG and the mental health trusts, had done to ensure that mental health services were equally accessible to everyone.

Respondents felt that there needed to be better monitoring of mental health services and referral pathways to appropriate health and community services. Some residents were signposted to various places but were unable to access the healthcare they needed:

I was going between GP, NHS drop-in, Red Cross, St Charles Hospital.⁸⁸

Others were not offered support until months after the fire, despite requesting it. In some cases the NHS held the wrong contact information so offers of support were lost:

I put my name down, I asked a thousand times, they are still sending me texts now for thinking I'm the hotel...I put my name down when I was in the hotel and no one came...yes NHS, they are still trying to give support, yeah I've had one or two nurse come to my, come to my place, I said I am ok. It's a bit too late, the offering they helping, six to eight months later, no point.⁸⁹

Some respondents questioned the appropriateness of mental health interventions in the immediate aftermath of the fire. There was a perception that health services had failed to reach out to those with existing mental health needs, such as those who have fled war-torn situations and suppressed trauma and those recovering from drug and alcohol abuse, and properly assess the impact the fire would have had on these groups. A year on and some respondents still question whether authorities providing

⁸⁸ Resident interview 11, female, White Other.

⁸⁹ Resident interview 13, male, ethnic minority.

mental health support are equipped with the specific skills needed in dealing with trauma:

There was an NHS table at the Westway. I felt that they weren't ready or didn't know how to deal with the trauma.⁹⁰

Yes, there has been a lot of mental health support but not everybody is a professional... it's a very specialised area and unless you know your job properly you can cause more harm than good.⁹¹

Some of the questions you asked is like, are you affected by the fire? No...Are you jumpy by um car horns?⁹²

She [mental health worker] just was talking to me about my health and my wellbeing and then she said have you been involved in fires in your past and she was asking me how Grenfell had affected me and when she asked me about fires in the past there were 7 fires, it was getting my son out of his bedroom and that was in my home and then my mum and dad's home throwing the cot out of the window and it was like 3 in the morning it caught fire, so it was like that happened to me but for someone else I felt more pain and sorrow but for myself no one got hurt I felt thank god my son was safe so...⁹³

[In response to counselling offered at the Curve.] So people are going to need more than one hour chats. People are going to need follow ups, certain people are going to need medications. ...You can't just put a plaster on a cancerous tumour and this is all any of the services seem to be - it's a band aid. We'll put a plaster on this thing, it doesn't matter, it's a broken leg but here's a plaster.⁹⁴

Residents described poor experiences with GPs, particularly in relation to referrals for support with trauma or health conditions that had emerged as a result of the fire:

My daughter went to her GP [regarding her son] and then her GP referred her to this organisation and they gave us someone called a Key Worker for her, nothing to do with us. So, this guy works for one day a week right. He'll come and lie and lie and lie, I don't know I'm sitting there listening..."I'm gonna do this, I'm gonna do the other" and he never done nothing.⁹⁵

One resident with post-traumatic stress disorder and neck pains explained that she was not able to get a GP appointment for weeks. She wanted to see a doctor face-to-face, but all she was offered were telephone appointments and medication

⁹⁰ Resident interview 15, female, pregnant at the time of fire.

⁹¹ Resident interview 11, female, White Other.

⁹² Resident interview 13, male, ethnic minority.

⁹³ Focus group 4, trauma group.

⁹⁴ Resident interview 12, male, White British.

⁹⁵ Resident interview 5, male, ethnic minority.

prescribed over the phone. When she complained she was told by the doctor to find another GP practice. ⁹⁶ Another resident whose health was affected by the toxic fumes from the fire recalled her poor experience with a GP:

The GP on one occasion said if you want to make more complaints you are free to do so and I said to her, well can we not try and communicate with each other and see how you can help me. But even when she agreed to help me, I later on found out that the referral letter she was making to the very hospitals I wanted she was not addressing the issue. ⁹⁷

By the time I arrived at the neurology and neurosurgery department for the MRI test, there was no request for MRI test. And in addition to that when I started talking with a consultant, I thought, what are you asking me, I'm here for something else. And he said - well, this is the referral letter, and I read it. So she was basically telling the consultant that I was very very tired and I went to sleep. And I said "it was an episode of complete loss of consciousness. First time in my life it happened... I tried to explain my story, exactly why I was there and he said "no, you are not, you don't need an MRI test" he said, and he also put in his report that I was very tired and I went to sleep. It is very rare, that two professionals are going to disagree with each other. ⁹⁸

Their frustration caused some respondents to complain about GP services, but they felt their complaints were treated dismissively.

Design and delivery of services in the aftermath of the fire

Respondents reported that the design and delivery of services in the aftermath of the fire, particularly the key worker approach (intended to provide individual case management to those affected by the fire) had delayed rehabilitation for those affected by the fire. They believed that this contributed to and exacerbated the harm that people have suffered.

In conversations with council workers, ⁹⁹ some stated that RBKC had not carried out Equality Impact Assessments or taken into consideration protected characteristics in designing services for those impacted by the fire. They gave the example of the high proportion of Arabic names among those who died, but stated that there was a distinct lack of Arabic-speaking members of staff within the Grenfell Response Team. They felt this had contributed to a lack of awareness of the different linguistic

⁹⁶ Resident interview 1, female, ethnic minority.

⁹⁷ Resident interview 11, female, White Other.

⁹⁸ Resident interview 11, female, White Other.

⁹⁹ During the fieldwork, ROTA spoke to multiple council workers employed by RBKC, who agreed to speak anonymously about experiences of service delivery in the aftermath of the fire.

and cultural needs of the Arab/Arabic speaking members of the community and had impacted on how responsive therapeutic or counselling services were designed – or not designed – for these groups.

Respondents also described the key worker system as ineffective, intrusive and difficult. They described how initial responses were chaotic, often relying on untrained volunteers, and/or were poorly managed:

I had a family that lost five members of their family and they were given a... their family liaison officer was a traffic police officer. Yeah...traffic police!¹⁰⁰

This was reflected in RBKC's publicly available council meeting reports which highlighted the significant failures with the key worker system,¹⁰¹ and by community workers who often had to provide support where key workers had failed:

If their key workers are supporting them, why am I doing all this for them? This is their key worker's job... I've come across a key worker, that was supporting a family and he worked one day a week. So you call them and they don't pick up, you text them, they don't text back and they don't get back to you. This is, this is every single person I've met, says the same thing, they cannot get through to their key worker. And when they do, they don't help.¹⁰²

Stakeholders described the poor coordination of key worker support. Families were often left with no support while key workers were on leave:

I think originally, there wasn't enough police to go round, there weren't enough social workers, there weren't enough key workers, so they were just getting anybody and because there weren't any FLOs [Family Liaison Officers] left, they were just getting police cops, and they were getting, you know, people that had been on the job for two weeks or something. But and I think it's incompetence as well. Because it was in the summer, you got appointed a key worker, and then they were on leave for two weeks. A week after the fire. Now, yeah I understand, fair enough, you might have booked your holiday, but I don't think that's good enough. So you've got a family who is grieving, who is living in a hotel, who have lost everything and they've got no support for two weeks because their key worker's in Spain. There wasn't anyone put in their place while they were gone. And why were they appointed this person if they were going on leave? Everyone was on leave nearly. Yeah. And when they were there, they don't pick up their phones.¹⁰³

¹⁰⁰ Community stakeholder interview 6.

¹⁰¹ [Minutes of a meeting of the council held at Kensington Town Hall, Hornton Street, London W8 7NX on 27 September 2017](#) [accessed: 10 August 2018].

¹⁰² Community stakeholder interview 6.

¹⁰³ Community stakeholder interview 6.

A majority of respondents described feeling let down by their key workers and questioned their purpose. They felt confused about why requests for support were met dismissively:

This is the problem with the key worker, she doesn't help me at all. You know the only person I trust uh, she's the only I contact uh. She doesn't help me at all you know, you know I didn't understand why, why she's not help me. You know I ask, she say no, you not allowed, you not allowed, you not allowed you know. I don't understand why, the reason why she's behaving like this hmmm.¹⁰⁴

Respondents also described physical barriers to receiving certain services. For example, at The Curve, a broken lift meant some people would have been unable to access therapy and therapeutic services, and the crèche and meetings with the Home Office were both on the second floor.¹⁰⁵

Among respondents, there was a perception that people in key worker roles had received insufficient training in trauma, and that some situations had been handled without due sensitivity. One respondent, who lost her family in the fire and was granted core participant status in the inquiry, was supplied with a key worker who couldn't speak Arabic but initially failed to provide her with an interpreter. Instead, the key worker relied on the client's nephew to interpret, which ultimately led to her not receiving the benefits she was entitled to.¹⁰⁶

Another respondent was confused about the key worker's approach to dealing with her trauma and didn't see the benefit of being offered a spa treatment – which the key workers would also attend:

R3: I mean they had to do certain things and it's one was have a meal and I think one was to go to a spa or something like that as well. Cos both of them would ask me and both of them would come.

Interviewer: Did both of them, would both of them come with you to the spa?

R3: Yes, oh yes.

Interviewer: Did they explain why?

R3: No, they never...I thought I'd be rude to them and say "well why are you coming. You're sending me to have a nice relaxing spa, I don't want you beside me."¹⁰⁷

¹⁰⁴ Resident interview 20, female, ethnic minority.

¹⁰⁵ Community stakeholder interview 6.

¹⁰⁶ Resident interview 16, female, ethnic minority.

¹⁰⁷ Resident interview 3, female, ethnic minority.

The result of this was an overall lack of trust in statutory health services, with many respondents alluding to the inability or willingness of RBKC to meet their needs.

Immigration applications

Bereaved respondents, who had family abroad, described the challenges they faced around making immigration applications to enable them to attend funerals and inquiry hearings. The application processes failed to take into account the emotional and mental state of those involved or the urgency of their needs.

Respondents referred to immigration and consular officials who failed to recognise the extraordinary circumstances of the fire and who refused to allow this to influence any application decisions. This left bereaved family members separated and unable to support and comfort each other or to carry out essential religious observances.¹⁰⁸

One respondent, who lost his sister in the fire and was granted core participant status in the inquiry, described his experience:

When I got the news, after the burial I prepared my passport and went to the British embassy in Morocco.... I knocked the door I told them "I want to see someone here because I lost my sister in Grenfell Tower" Do you know what they told me? They told me "We have no news about this, we have no information to give you about this, we have nothing" ...It took one week and a half I mean, ten days to give me a visa. It was so difficult to get the visa at that time. And I arrived there... I wanted to bring my mum. And this is another story, this is when a story of the Home Office started again.

I asked my FLO, I told them I have to bring my mum to allow her to see my sister's neighbours and maybe it's gonna make her feel more comfortable. Yeah, they told me, "Yes". But it took nearly 25 or 20 days to give her the visa. And she's an old woman. She's 74 years old. So, so, I, continued to fight with the Home Office...

This is what I told people, they weren't at all helpful, I mean ..., the people who were helping me were the Moroccan embassy and friends of mine, my sister in London that's all. And it..., it...they were treating me as someone who is requested for a normal visa or a tourist visa... I filed for her six months visa, they gave her 20 days...they told me, "yes, yes, yes it's being processed, it's being processed" until the date she have to go back. And I couldn't break the law. I told my mum "What shall we do?" She told me "No, no, we go back"

¹⁰⁸ The contrast is particularly stark with the violations of Article 3 noted above: people were left in inhuman and degrading conditions, even though it breached Article 3, which constitutes an absolute right, because there was an emergency. Article 8 is a conditional right but no attempt was made to fulfil the spirit of it in dealing with immigration issues, even though it was an emergency.

So, I kept calling the Home Office, telling them, "you know tomorrow is the last day, what can we do, tell me" - no-one!...I took my mum to the airport, I was nearly on the plane and the, one of the Home Office person, called me and told me that they send me a letter and that she can stay, that she will not break the law, she ..., I told them "Listen, I am on a plane now, you cannot tell me - " I mean, they did it on purpose, they did it on purpose because in many times they did it on purpose, even for my visa extension for me, I went to The Curve, they took my photos, they took everything and said to me the extension would be easy. At the last time, the last day, they told me that they cannot, that I am not eligible to leave to remain or something like that. I said: "I don't want leave to remain, I just want to extend my visa, that's it."¹⁰⁹

He was being met with suspicion when applying for visa extensions and was accused of using the opportunity to stay in the UK:

The Curve, they took my photos, they took everything and said to me the extension would be easy. At the last time, the last day, they told me that they cannot, that I am not eligible to leave to remain or something like that. I said: "I don't want leave to remain, I just want to extend my visa, that's it." So, I'm not there because I have my work, and I have my family. I ..., and I explained to these people, "Take out the idea that we are, my mum and me want to stay in London. No, we don't want to stay in London. I'm 44 years old, at this age what I'm going to start my life. No. This is not my aim."¹¹⁰

Welfare benefits

Receipt of benefits is another example of a failure to recognise the specific needs of victims, and take into account their emotional and mental health. One respondent had been helping other residents to navigate the benefits system. She referred to a bureaucratic system which did not allow for any exceptions to be made for victims of the fire:

I just assumed that once you told them ohh I'd been in Grenfell...they'd be like, "yeah fine we're gonna waive you signing on" and he went "no I rang them this morning, and they said if I didn't turn up I'd be sanctioned. And I was like "Can you put a waiver for these people? Anyone who's in these postcodes to sign on." And they said "No, we've spoken to our manager, she won't allow waivers" And I went, "Are you serious?!" And she went "No, but everyone should just phone us and we'll deal with them all on a case by case basis."¹¹¹

¹⁰⁹ Resident interview 2, male, ethnic minority.

¹¹⁰ Resident interview 2, male, ethnic minority.

2.4 Equality and non-discrimination

The UK's domestic equality legislation, the Equality Act (EA) 2010, provides robust protection from discrimination in a range of contexts, including access to public goods, facilities and services (such as accommodation), and when in contact with public bodies. All public authorities have a duty under the EA 2010 not to discriminate against a person on the grounds of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Public Sector Equality Duty (section 149) requires public authorities to consider how their decisions and policies, for example, on the provision of services or resource allocation, affect people with different protected characteristics. The public body should also have evidence to show how it has done this. Public authorities are also obliged to make reasonable adjustments for disabled people (section 20). This means they must take reasonable steps to adjust their policies and practices and, sometimes, the physical features of a property.

The European Convention on Human Rights (ECHR) prohibits discrimination in relation to the enjoyment of the rights and freedoms protected by the ECHR.¹ The Human Rights Act (HRA) 1998 brought the ECHR into UK law. This means people can take Government or public bodies to court based on a violation of ECHR rights.¹ In addition, international human rights law prohibits all forms of unjustifiable discrimination, and imposes duties on the state to prevent discrimination. Relevant treaties which the UK has signed up to include the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), but also treaties relating to specific groups of people including ethnic minorities, women, disabled people and children.¹

The non-discrimination principle in international human rights treaties applies in the political, economic, social, cultural, civil or any other field. For example, both the ICCPR and ICESCR contain a provision that requires all of the rights set out under those treaties to apply without discrimination. Article 26 of the ICCPR also contains a general, free-standing prohibition of discrimination in law or in practice in any field regulated by public authorities, and on any ground 'such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status'.¹ The UK Government has ratified ICCPR and ICESCR, and has therefore committed itself to meeting the human rights standards set out in these treaties under international law. However, these treaties have not been transferred into domestic law.

What does 'equality and non-discrimination' mean for Grenfell residents?

A range of equality and discrimination issues arising from the Grenfell Tower fire were identified by respondents. There were fewer examples of direct discrimination than indirect discrimination¹¹² provided by residents, but both provide insight into the structural inequalities around the design and delivery of services and how they have impacted specific sections of the Grenfell community – including, disabled people, ethnic and religious minorities and migrants. As one resident observed:

There has been no consideration of equalities whatsoever. Everyone is being pushed into a one size fits all cookie cutter response and if your response in any way deviates from what that can deal with, then tough! Unless you happen to have someone who can fight on your behalf.¹¹³

Housing and the community

The fire at Grenfell Tower raises questions about whether the responsible authorities conducted equality impact assessments, consistent with the Public Sector Equality Duty, which sufficiently addressed the impact of decisions regarding the refurbishment and maintenance of the Grenfell Tower on people with protected characteristics.

¹¹² Direct discrimination means treating one person worse than another person because of a protected characteristic. Indirect discrimination occurs where a policy, practice or rule, supposedly applying to everyone equally, works to the disadvantage of people with a particular protected characteristic.

¹¹³ Resident interview 12, male, White British.

Stakeholders talked about how the historic lack of consideration of people with protected characteristics, particularly race and disability, had an impact on community relations and how much they 'trusted' the council.

The fact that people with limited mobility were living high up in Grenfell Tower, and faced greater difficulties escaping the fire, raises important questions about discrimination against certain groups, accessibility standards, and whether authorities assessed the impact on disabled people of allocating housing in Grenfell Tower.

This research provides examples of where responsible authorities did not make reasonable adjustments for disabled people living in Grenfell Tower and the vicinity (see section 2.1 Right to adequate housing).

Our recent inquiry into housing for disabled people found that only seven per cent of homes in England offer minimal accessibility features, and many local authorities were concerned that developers fail to comply with the accessibility standards in the Building Regulations. Yet only seven local authorities had taken any action against a developer in the last three years.¹¹⁴

This research also raises questions about the extent that accessibility was considered (see section 2.1 Right to adequate housing) and whether responsible authorities monitored the accessibility of Grenfell Tower to ensure evacuation was possible for all residents. Evidence in section 2.2 suggests confusion around an appropriate fire safety plan, evacuation procedures and information for older people and disabled people.

One resident observed that 'community' effort might go some way towards meeting needs but, for people less able, it was the duty of the council to give direction and assurance, and this was not happening in the way it should:

There are so many people with disability or whose first language isn't English where they have to be guided and they have to be informed as to where to go and to be effectively led if you will to a place of safety and if somebody in authority isn't going to be there to guide you and to be with and to assure it's the sort of thing that can never ever happen again, it really is, because it's one thing for the community but for those whose needs are that much greater or for those who have to be assured in terms of, be it pastoral or be it economy...where to go, where to live and so forth, if the council is not there, there is something very, very wrong.¹¹⁵

¹¹⁴ EHRC (2018), '[Housing and disabled people: Britain's hidden crisis](#)' [accessed: 12 September 2018].

¹¹⁵ Resident interview 4, trauma group.

Respondents highlighted the poor experience of residents in social housing (see section 2.1 Right to adequate housing) based on changes to the management of social housing. One resident, involved in his local residents' association for over 10 years, described the impact of tenant management organisations (TMOs) becoming arms length management organisations (ALMOs):

I was involved with different issues of residents. I can say that I was there at the inception of the TMO, I saw how it developed, how we benefited from it and how later on it changed into an ALMO and how things started going wrong.¹¹⁶

He described how inclusive the TMO felt when first conceived; ensuring tenants' and leaseholders' voices were heard within social housing:

The original TMO meant that residents can work together with housing officers and make decisions together. In order to achieve that...at the same time they offered the opportunity to residents, to attend, workshops training, later on conferences, national conferences so we could meet with other residents in other parts of the country and we could discuss common issues or find out achievements, how they got there, to share - like, um, like cross fertilisation of ideas if you like.¹¹⁷

He went on say how this changed when the TMO became an ALMO and how this contributed to a decline of resident consultation, raising questions about whether, in the aftermath of the fire, residents were able to meaningfully participate and be heard by the responsible TMO:

...also it had the characteristics of a business. It was like a company ... it also meant that they don't have to involve the residents in consultation, they don't...¹¹⁸

...consultation did not even happen in advance. It happened after things were decided and in some cases residents were not even consulted.¹¹⁹

And we could see the changes...we could see that people in social housing were treated with care, so if somebody hadn't paid, was in arrears with their rent, or their service charges or whatever, the housing officer would make an appointment, approach a member of that family, try to discuss, find out ..., what were the issues, help or signpost the person. Was it loss of income, redundancy? Was it birth of a child, what was the problem, and there was help. When we had the council managing the stock and when we had the TMO. But as things progressed into the ALMO era, if somebody was in arrears with their rent, after a certain date for example, specified date, a

¹¹⁶ Resident interview 11, male, ethnic minority.

¹¹⁷ Resident interview 11, male, ethnic minority.

¹¹⁸ Resident interview 11, male, ethnic minority.

¹¹⁹ Resident interview 11, male, ethnic minority.

threatening letter would automatically come out from the computer and send to the client, to the social housing resident. So these are some of the changes.¹²⁰

He described how social housing property began to deteriorate and how health and safety began to be undermined, as were the residents who then complained about these issues:

...and the people who were complaining were marginalised, they were demoralised, they were ..., how shall I say it...they were undermined and made to feel that they were talking stupid.¹²¹

Experiences and perceptions of discrimination

The research provides a range of resident and stakeholder accounts of discrimination. Their accounts raise questions about how relevant authorities showed they have due regard to the need to advance equality and prevent discrimination.

Council workers¹²² described how they felt that RBKC and the Home Office's response to the fire at Grenfell Tower had been overshadowed by racism. The fact that all frontline staff working in the Grenfell Response Team are from ethnic minorities, and the senior and managerial staff are White British, was perceived by them as a 'gap in the culture' and cited as a key reason why the council was not able to fully reflect the needs of the community in the design and delivery of services.

One White respondent described her perspective that 'White privilege' had enabled her to have a different experience to that of ethnic minority residents, although she still faced challenges with the council:

So I feel obliged and compelled to highlight that here because my experience, to be really crude, like you know the whole white privilege thing, it's horrible but it is a real thing I get away, I get a lot better treatment than a lot of my peers and it's unacceptable and that just has to be noted because there is a difference in experience what I had which was bad enough you know but to think that anyone had a worse experience based on those issues- factors is just intolerable, intolerable and I just can't deal with that and its infuriating yeah so that has to be put on record.¹²³

¹²⁰ Resident interview 11, male, ethnic minority.

¹²¹ Resident interview 11, male, ethnic minority.

¹²² During the fieldwork, ROTA spoke to multiple council workers employed by RBKC, who agreed to speak anonymously about experiences of service delivery in the aftermath of the fire.

¹²³ Resident interview 19, female, White Other.

One council worker felt there was 'racism in the council', giving the example of a case involving two men from similar circumstances (one was White, the other Black), but the former was being dealt with by the housing team and the latter was being referred onto the police.

Residents describe poor treatment by support staff, based on assumptions about their ability to speak English and the way they were dressed:

Just sometimes they'd just assume that you couldn't speak English because of the way you were dressed. And then, when you spoke it they were ok "oh!" you know. Not everybody but that's how I felt...¹²⁴

Immigration applications

Some respondents described official handling of immigration applications as 'racist'. This criticism was directed at Home Office officials and family liaison officers (FLOs – appointed to work with bereaved family members), who some respondents believed prioritised immigration control (of particular racial groups) over the needs of the grieving families they were assigned to support.

One male ethnic minority respondent, who lost his sister in the fire and was granted core participant status in the inquiry, paid £500 per visa application for himself and his mother to attend the official hearing. He felt his family were treated with a lack of dignity and respect because of their race, and expressed surprise and disappointment that this would happen in the UK:

But for them, they are treating people with the same way, in the same basket, they are putting people at the same basket. They are not considering each person with her own case. So, this is what make us, I said this very ..., this is a discrimination, they are, this is racist from them. This is not democracy at all. I felt very, very small ..., and it was, excuse the word, but me ..., me ..., I felt like we were rubbish for them..... So, I kept always with this feeling that, we are, I mean, this is a racist feeling, I'm feeling...¹²⁵

He felt particularly let down by his family liaison officer, who he felt was more concerned about getting him to leave the UK than enabling him to deal with his family trauma or exercise his rights:

...the FLO, the feeling I have from the FLO, that she was a nice person, that she was doing her job perfectly, but the aim was that they have to leave the country. Because she was, every time, the FLO and also the Key Worker were asking me, when I am leaving.....Yeah, every time telling me "What is

¹²⁴ Resident interview 15, female, ethnic minority, Muslim.

¹²⁵ Resident interview 2, male, ethnic minority.

your plan? ...this is the big question that came time to time ...and I understood from that, that something, there is something, they are aiming to reach. They want to reach something, they come in, they have to leave. They have to go out... They make you as a liar, they treat you as a liar. Not as a human being and ..., there is a difference between treating -- a British person, or another person. This is what I felt. So I don't know if other people felt, feel the same thing. But this is what I felt.¹²⁶

Design and delivery of services in the aftermath of the fire

The experience of residents overwhelmingly reflects how the poor design and delivery of services resulted in unequal service provision, often perceived as unfair.

The research raises questions under the EA 2010, around whether the responsible authorities conducted a thorough assessment of the impact of the fire on survivors and others affected, especially those with protected characteristics. It also raises questions around the appropriateness of measures that were taken by these authorities to address the impacts identified. For example, whether those affected by the fire have been provided with therapeutic services, such as confidential counselling and rehabilitation programmes (see section 2.3 Freedom from torture) – council workers stated that no equality impact assessments were carried out (see page 41) – and the extent to which rehousing policy has taken into account the needs of people with protected characteristics (see section 2.1 Right to adequate housing).

The confused decision making in the aftermath of the fire may have created new community tensions, and exacerbated existing tensions. The council's decision making around which buildings to list as affected by the fire (see section 2.2 Right to life) had implications on some residents' ability to seek immediate support and later redress. Residents of Grenfell Walk (adjacent to Grenfell Tower) felt particularly excluded:

...we live there, we seen it, we had to relive it throughout the night. They haven't got a statement of us, how could you not get a statement of people who live right there, the people who saw it, so you know what I mean. We, I came out, I, I got woken up by screams, I came out and I was doing my best to help people, not jump and all that stuff. No one's coming, no one's coming, got a statement of us, the inquiry has already started and we lived there. That's what I mean about Grenfell walk not being included. It's crazy but its reality...¹²⁷

¹²⁶ Resident interview 12, male, White British.

¹²⁷ Resident interview 3, female, White British.

...Grenfell Walk might have been treated differently, because when we were going to the meetings, it was like all for the tower. I wouldn't say me personally was treated different, but just Grenfell Walk was treated a little bit differently. I say, we're not, we weren't much different from the tower, we're survivors of this fire so we should have been granted what they got but it wasn't, so this is where we at now, waiting for what justice so not me personally but Grenfell Walk.¹²⁸

2.5 Children's rights

Children's human rights are protected through the same international treaties that protect the human rights of adults, including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the European Convention on Human Rights (ECHR). The UK Government has signed up to these treaties and is bound by their provisions under international law. The ECHR is binding in domestic law reflected into our law by the Human Rights Act 1998.

There is also a specialist international treaty which applies exclusively to children: the Convention on the Rights of the Child (CRC). The CRC is the first international instrument to set out the full set of rights applicable to children. It recognises that children are entitled to special protection and assistance and are rights-bearers. It is the most widely ratified human rights treaty.¹

The UK signed up to the CRC in 1991. Although the UK Government has neither directly incorporated the CRC into domestic law, nor ratified the third optional protocol to the CRC, which would allow children to bring individual complaints to the UN Committee on the Rights of the Child, the CRC has been interpreted and applied in domestic case law. There are also number of pieces of domestic legislation which give effect to children's rights. These include the Children Act 1989, the Children Act 2004, the Human Rights Act 1998 and the Equality Act 2010. All of this legislation defines a child as a person under the age of 18.

¹²⁸ Resident interview 13, male, ethnic minority.

How are children's rights relevant to Grenfell residents?

The children's rights issues highlighted by the Grenfell Tower fire relate to the provision of health care (including counselling and rehabilitation), safe and adequate housing, education, and the prevention of death, injury and illness. All of these issues require scrutiny of whether and how responsible authorities assessed the impact of the fire on children, and how they planned for subsequent services and budgetary or other policy decisions. Our research shows that not enough is known about the children affected by the fire and how they been treated since in terms of psychological support and their experience of housing and education.

Healthcare (including counselling and rehabilitation)

One of the starkest findings from the research is the absolute trauma experienced by children, both those who had lost family or friends and those who lived nearby:

...my son was like, grieving during that time and it was really difficult for him, every time we walk past the Grenfell he would be crying. Because he believed that his Uncle choked to death...and he's like, he would say one word and he would stop and he's trying to like hold it and he's swallowing his own saliva not to cry. You know he didn't want to show like he's emotional and he's upset and..., he would just be like. "Mum, I really hope that he didn't burn, I really hope this didn't happen, I really hope that other children didn't panic and cry, I really hoped they died like, you know, peacefully in their mum's laps. Mum, just imagine what would you have done if this happened to me." And it was many of the times "Mum you know, I will die for you" and "Mum you know if that happened do you think you would try and escape from the window? Mum do you think if we jumped do you think we would have saved..." it was thinking of possibilities they way you could have saved "Mum if you were in the building would have you run upstairs and saved the children?" and my son knew some of the kids that passed away in there, that he used to play around. So he was like "are they really gone? Is that the [x] family? Are they gone? Are the kids gone? Mum, are they dead?" It was really hard..., like [pause] [crying]¹²⁹

Although many of the children of respondents were offered some form of counselling, mainly via individual schools, some were not. There was also no way of knowing what the wider uptake of counselling was for children affected by the fire or when that counselling materialised. Some focus group respondents were also unsure:

W2: They don't know where to turn to, nobody is asking about these people or about these kids...I'm talking about my son. You can see the sadness in his face, I'm his mum, I'm close to him, I can tell, no, nobody, I never heard

¹²⁹ Resident interview 18, female, Muslim, ethnic minority.

of any, even a post came to my door say or even my son come with a letter to say I got this from school or I got this from somebody came to our school.¹³⁰

F: Yes, the curve, my daughter's getting support from the Curve. What's happened the night after the fire, well the next, because she inhaled a lot of smoke she was admitted in to hospital and they had to keep close observation on her and then later on because I was getting support, I can't remember, I've noticed my daughter was more...stayed in the home, not going out or anything and then I noticed that she wasn't responding that I would normally see her and then I think I can't remember how she got her support but I did say to her, you know, she really needs to get some help, so now she's getting help.¹³¹

Another respondent questioned the appropriateness of the type of counselling offered in schools – such as group settings – and how schools were managing children with behavioural issues as a result of their trauma:

...but my children they find it hard maybe, the way maybe they deal it, because my son refuse it [counselling]...he don't like it, he refused it. The privacy, I don't see it as privacy to my kids, because in front of the children, you have a problem.¹³²

I have only my younger son [4 years old] who, who recounts some now because he has problem issue. They know that, the school mention it. ...the guy who works in CAHMs he concerned about him, you know his behaviour change, I realise his behaviour change, he's not like before, he's angry very quick, he broke anything.¹³³

...since the fire she became worsen like she have anger issue, she angry from everything, the school don't understand this, yesterday she fasted, they give her detention, ...they say oh she shout with a boy because the boy come across to her, they know her, she be angry, they talk to her and the school don't understand why...¹³⁴

There were concerns about the ability of schools outside RBKC to provide extra support for children who had been transferred:

...so say the child might go to a school outside the borough, so the school the child might be in, might be in Brent or Ealing and those schools were not geared up at all or told what to do or anything like that.¹³⁵

¹³⁰ Focus group 4, trauma group.

¹³¹ Focus group 4, trauma group.

¹³² Resident interview 10, female, Muslim, ethnic minority.

¹³³ Resident interview 10, female, Muslim, ethnic minority.

¹³⁴ Resident interview 10, female, Muslim, ethnic minority.

¹³⁵ Resident interview 12, male, White British.

All of these points raise questions around whether the responsible authorities conducted a thorough assessment of the impact of the fire on child victims. Similarly, we cannot determine whether children were consulted on which information and support services they actually needed, or what measures authorities have taken to meet those requirements.

Whether children and their caregivers have been adequately informed of the availability of rehabilitative and therapeutic services is difficult to know. In some cases, ensuring children's right to a standard of living adequate for their physical, mental, spiritual, moral and social development has not been achieved. Respondents describe that trauma was an everyday experience for children in the vicinity of Grenfell Tower:

My five year old, whenever he goes next to the window, he says, mum, did anyone die in this building? Were there kids? And he keeps that question, because, for him to see something like this, reminds him again of that situation and he keeps asking, is anyone's grandpa there, is anyone's... and I try to keep to keep him away, or make him not to go there, but it's not something you can try to do, because as I said, there's no curtains or blinds or anything and you can see straight in front of you. I tried to tell them but no-one listens.¹³⁶

They also stress the ongoing impact a year later, and there are some children who are not receiving any support:

M3: I think, there are so many children going to the same school and are still affected and they've got nowhere to turn and they don't know....I was going to say they just don't know where to turn because there aren't the services available [people agreeing].¹³⁷

Housing

There is varying evidence on the extent to which the best interests of children in Grenfell Tower were identified, assessed and taken as a primary consideration by the responsible authorities, when allocating homes to families made homeless due to the fire.

One respondent, with young children, was deemed ineligible for accommodation because they were living in one of the finger blocks (next to Grenfell Tower), while other members of her family were offered hotel accommodation because they had been living in Grenfell Tower. She was homeless, as her home was deemed unsafe:

¹³⁶ Resident interview 1, female, Muslim, ethnic minority.

¹³⁷ Focus group 4, trauma group.

...the finger-blocks, the flats had been blocked completely. They said it wasn't safe to enter. We were in the church. In the church there is a part that is carpet. I just lay down there and my little one, my five year old was playing there. I thought, just let me lie down here for a minute. ...my oldest, he is twenty one. He was giving the details, then he said, they say, mum, we are not eligible for accommodation. And the person came with him and said, I'm sorry, you are in the finger blocks, you're not priority, go to friends or family...I look at him in surprise and say, first of all, I didn't come to you, you came to me. Second, if you don't have family, what do you have to do? He said, I'm sorry.¹³⁸

Another respondent described how lots of local residents were offering their homes as temporary accommodation, but said that she was reluctant to move her family into a stranger's home:

...one lady I remember, she was really begging, she said, let's go. I said, I can't. First of all, I don't know you, second, with kids, how can I feel comfortable in another's home? Anyway, that lady, she went and came back and said, over here's not safe for the kids, people are getting...more and moresome of them are smoking, some of them are drunk...¹³⁹

A resident and volunteer was angry at the lack of official coordination of council staff and volunteers. This meant that there was no real screening of people who were in direct contact with children:

Do I have a police check? Have I been DBS checked? Have I been cleared for POVA Protection of Vulnerable Adults - I mean could be Ian Huntley for all these people know, but the point is, I'm saying it but you know, I could be a child molester, I could be a diabolical evil person and yet the only choice that people have is to come to me.¹⁴⁰

A year after the fire, the uncertainty around finding a permanent place to stay was taking its toll:

...all of a sudden they say, tomorrow you move but at least much better than the hotel. For my kids, I move now in two former, like different from the one in High Street Kensington, its good condition house, I'm happy in it but we don't feel at home. I don't feel at home...Then they find me the one in Kensington...I ask the property to be empty, because I want my children belong. More than five month, six months we sleep in different mattresses, different table, different beds.¹⁴¹

¹³⁸ Resident interview 1, female, Muslim, ethnic minority.

¹³⁹ Resident interview 1, female, Muslim, ethnic minority.

¹⁴⁰ Resident interview 12, male, White British.

¹⁴¹ Resident interview 10, female, Muslim, ethnic minority.

Families were often split up. For example, in one family that had been evacuated the father returned home to sleep there because of a back problem, but the mother felt unable to move back home. This meant that the children were not living with their father:

My husband has a back problem and I keep telling them, from the beginning, he can't sleep on beds, he has to have the floor to sleep on. Over there is all wooden flooring. At home we have big carpets, something comfortable for him to sleep, but over there, we don't. My husband came there for a few nights but it was really difficult for him to relax or sleep and I said, it's better for you to go home. Now he is here with my son and I am there with my three kids. On top of everything that you are suffering, now the family is apart...I'm doing shopping for two houses now, one family become two households.¹⁴²

The research shows that the housing offered to families did not always allow for facilities for play and recreational activities. Children were struggling to play in cramped accommodation:

There is no place to sit, eat or move and for five year old to be in that place is impossible, after a few minutes he is jumping in the beds because he has no place to move and I was looking at his condition, and thought, he might hurt himself any time, I cannot stay here.¹⁴³

One respondent was frustrated about her children not being able to play outside, as well as the 'claustrophobic' conditions of the temporary school that her children are attending a year after the fire:

And they [the school] said, and what I didn't like is, 'if kids don't want to go out and play, they don't have to' that's when the child gets their free time, that's when a child burns off all their free energy from. If you're going to stop a child from going to play outside because the tower is still up there, or because of the thing, they don't have to, that's not - I'm not for that. That's where a child gets his - releases his energy and that's where he meets and mingles with his friends. So we are going to put them in another classroom so the child's effectively going to a school where it's going to be caged or you know, like which I'm not happy about that.¹⁴⁴

Education

The aftermath of the fire raises questions around how the responsible authorities ensured that children affected by the fire did not have their education disrupted.

¹⁴² Resident interview 1, female, Muslim, ethnic minority.

¹⁴³ Resident interview 1, female, Muslim ethnic minority.

¹⁴⁴ Resident interview 15, female, Muslim, ethnic minority.

Respondent reports highlighted the resilience of some children who, despite their experience, still showed up at school for their exams. However, there was also a lack of clarity around whether pupils could sit their examinations. One respondent described how her child's school said that she shouldn't take the exam because of her trauma, but it wasn't clear when she would be able to sit it. She also recalls how another child was refused entry to her exam because of her appearance and provides another example of children (in a similar state) who were allowed to sit their exams:

The youngest girl, she is seventeen, at the time she was sixteen, she had exam, GCSE, that morning at her Secondary School and she said, mum, I have to go for my exam. I said, how can you go, you don't like have, even clothes, shoes, what are you wearing, how can you go? The buses are blocked, the trains, everything is out, no-one can move their cars. She said, I have to, it's GCSE. I said, how can you go? She said, I will walk. She went there basically with pyjamas and slippers. I was worried, how can she go and come back in this situation? But she went. When she got to her Secondary School, they said, you'll not be able to do the exam because you didn't have sleep and in this situation if you do the exam, it won't be a good result you know. Just go home and forget about the exam.¹⁴⁵

There's a secondary school... The girl that went that did her exam and turned up in her pyjamas at [name of school] and they wouldn't let her do the exam... She went to school to do the exam, and- he's a dictator that man, he's really loathsome- he wouldn't let her in to do the exam 'cause she didn't have a uniform on... And she survived the tower, she'd been up all night, screaming and shouting like everybody and that... that child, young woman, had got herself together, gone to school to do her exam because she's done the studying, and he wouldn't let her in.¹⁴⁶

The Burlington Dale students who turned up in pyjamas, they just put them in blankets and let them do their exams.¹⁴⁷

Comments about the inflexibility of schools were also made by a number of respondents. They complained that schools were flagging bad behaviour and poor attendance to parents, without any consideration that this behaviour was linked to the trauma associated with the fire. One father recalls his experience with his son's school; the school eventually agreed to provide counselling, but one year later this has yet to happen. His son was being bullied, often waking up in the night, crying and refusing to go to school:

¹⁴⁵ Resident interview 1, female, Muslim, ethnic minority.

¹⁴⁶ Resident interview 8, male, Muslim, ethnic minority.

¹⁴⁷ Resident interview 8, male, Muslim ethnic minority.

He's very like, he's been very, very emotional but he got really like, he had an anger issue in school after that [the fire] happened. Straight like, maybe a week or so, he developed like an anger thing and the school were so quick to pick on it. Like, "oh, he's developing this and that and he's being this and that". And I was like, "excuse me, my son has just lost his uncle, do you not understand what that means? Where is the counsellor that you are supposed to provide him? Where is like his psychotherapist that was meant to speak to him? And like, and they were like sorry, we're terribly sorry, we didn't know...that he lost his uncle" But they did know, because the first thing I did was inform the receptionist because I couldn't be there... ..there were times when I didn't take him to school, a few days when I didn't take him to school and it's because he didn't sleep, and I can't take him in the school in the morning like...when he didn't sleep through the night. During the funerals, during when the family came, obviously we had to attend these services and he had to be with me. And there is no way that I would take him to the school and they really touch on that. They sent me letters from the council, like, they were very difficult, I've got a letter from the council to say like his attendance is terrible, like we need a meeting with so-and-so. There was..., it was really really stressful.¹⁴⁸

Some respondents questioned whether schools were considering how their child's academic progress had suffered as a result of the fire and trauma:

Education is becoming worsen for my kids, my daughter used to be highest in the class, I didn't see that now, she's behind. I push her, I said to her you need to do what you need to do, you need to do it. I try my best but it's not working.¹⁴⁹

A mother described her son's experience with a university after he could not attend his final year exams. The council had offered to pay for her eldest son's tuition fees, but they faced delays in receiving the payment. The university said that he could either take a 40 per cent pass or retake the entire year:

He went for the exam after. But they gave him only forty percent off. To just pass. But he said, I haven't done anything wrong. I know my work and I know it's worth more than forty percent. He tried to make the university understand but they didn't...They said, you will either have to take whole one year again or do the exam by forty percent...He said, I will do it again.¹⁵⁰

¹⁴⁸ Resident interview 18, female, Muslim, ethnic minority.

¹⁴⁹ Resident interview 10, female, Muslim, ethnic minority.

¹⁵⁰ Resident interview 1, female, Muslim, ethnic minority.

3 | Conclusion

More than 70 people died in the Grenfell Tower fire on 14 June 2017, in homes managed by the state. They included children, older people, disabled people and migrants. This research highlights how difficult it was for people to access help and support in the immediate aftermath of the fire and one year later. It paints a picture of confusion and complexity in accessing a range of services (see Appendix 2). This was exacerbated by the trauma of losing family and friends and the growing frustration about feeling ignored and forgotten, especially when reliant on the state.

The events surrounding the fire, and the treatment of residents and the community following the fire, raise serious human rights and equality questions around the right to adequate housing, the right to life, the support for people who have suffered inhuman and degrading treatment and discrimination, and the rights of children. It is also important to note that residents faced a whole host of challenges across all of these human rights rather than just one.

Our research only touches the surface of residents' experiences but suggests that the **housing** provided to residents (both in Grenfell Tower and after the fire) was often inadequate. It raises concerns about how far the various state bodies carried out their human rights duties to protect **life**, and suggest that the rights of particular specific groups (disabled people, older people and families with children) were not properly considered in fire safety arrangements. The research highlights a continued lack of support for people who have suffered **inhuman and degrading treatment**, particularly the inconsistent, and sometimes absent, immediate and long-term support such as medical treatment, counselling, mental health care and adequate housing. Our research provides examples of practices and policies that residents felt were **discriminatory**, particularly on the grounds of age, disability and religion or belief. It also highlights problems around specific support for **children**, including inconsistent, and sometimes absent, mental health support as well as a lack of consideration of how trauma affected their educational performance.

This research raises further questions around what is not known about those impacted by the fire. Many residents spoke about the effect on their physical health, and said that a year later they are still struggling to find support. There needs to be a

better understanding of the longer term physical impacts of the fire on people's health. Similarly, not enough is known about the impact of the fire on children.

The experiences of residents presented in this report expose an overall lack of coordination and organisation of services in response to the fire, both in the immediate aftermath and a year later. Their experiences show how difficult it was for them to feel heard and acknowledged, because of a lack of specialist and tailored support. The process of accessing support services was such a struggle that residents felt powerless and, in some cases, gave up altogether:

There has been no consideration of equalities whatsoever. Everyone is being pushed into a one size fits all cookie cutter response and if your response in any way deviates from what that can deal with, then tough! Unless you happen to have someone who can fight on your behalf.¹⁵¹

The examples we have raised affect a group of people who have experienced considerable trauma and distress as a result of the fire and continue to face great uncertainty. Under human rights legislation, public authorities, such as the Government and the Royal Borough of Kensington and Chelsea, have responsibilities to treat everyone with fairness, dignity and respect.

We are determined to make sure these duties are highlighted as the public inquiry progresses and the national debate around the Grenfell Tower fire continues.

¹⁵¹ Resident interview 12, male, White British.

Appendix 1: Methodology

Sampling and recruitment of residents

Residents selected for interview were chosen to be as representative a sample as possible of the population affected by the fire. These included:

- Residents who had not previously been represented, for example, in numerous interviews carried out by other parties who had spoken to, or alleged to represent, Grenfell Tower survivors.
- The views and voices of those who had been seriously traumatised by the fire but who were not themselves residents of Grenfell Tower – they had not received sufficient coverage and their experiences since the fire had not been documented.
- People whose stories had not hitherto been heard were enabled by: the linguistic facility of fieldworkers (Arabic and other languages); pre-existing community links with the Grenfell Tower, local population and relevant voluntary and community organisations and faith groups; and experience of conducting grassroots research on sensitive issues through established techniques.

Socio-economic and legal status was also considered when recruiting the sample, including:

- immigration status – to capture undocumented migrants and to ensure that people on temporary or expired visas were included in the sample
- employment status
- welfare claimant – to capture people with a low-income, and
- tenure – whether they were a council tenant, council leaseholder, freeholder or private tenant.

Individuals were identified through referrals from over 40 key community organisations who had access to, or represented, residents. Some interviewees were recruited through 'snowballing' techniques. Initial screening was carried out to identify accessibility and language needs for a full interview. We aimed to interview equal numbers of men and women. Due to time constraints and the need to recruit a

sufficient sample, there was a small disparity, with more women than men interviewed.

Profile of the sample interviewed

A total of 20 people were interviewed (16 individuals and four members of a focus group). Of the total number of people interviewed, nine were male and 11 female, one of whom was pregnant at the time of the fire. A majority (60%) were from an ethnic minority (12 ethnic minority, 3 White British, 2 White Other). Three members of the focus group were not specified. Eleven interviewees (55%) described their religion as Muslim, one as Christian; eight were not specified. Seven of those interviewed (35%) had a disability. Nearly two-thirds of those interviewed (65%) reported experiencing ongoing housing difficulties. A large number (45%) reported health problems. Two people were experiencing problems relating to their immigration status.

Stakeholder interviews

A significant number of organisations were involved in providing services and support to affected residents since the fire. The methodology sought to explore the stakeholder perspective, with regard to:

- establishing those who provided services to and supported individuals affected by the fire, and
- establishing those who were involved in local policy and decision making about services provided for residents.

Of the stakeholder groups identified, we chose to focus on statutory, official and legal, and voluntary groups. It was thought that the community organisation experience would be obtained through resident interviews. Representatives from four stakeholder groups were interviewed confidentially in face-to-face interviews. Their responsibilities included housing policy, children's services, education and benefits.

Interview methods

A guided interview technique was used for the face-to-face interviews with 20 residents, in community centres or other venues which met accessibility requirements or disability needs. An initial textual analysis of the narrative responses was carried out to identify and highlight recurring concepts and themes. The

interview data was then thematically analysed in relation to relevant legal principles in the equality and human rights framework.

Key themes explored were: personal experience of support in the aftermath of the fire; whether and how support processes were thought to be empowering/disempowering; whether access to information about support was easily available and understood; personal inclusion in the consultation; and key barriers to accessing services, provisions, consultation processes.

Experiences of specific services explored included: housing reallocation processes; access to healthcare, including mental health provision; access to welfare benefits; access to legal advice; and immigration status/Home Office/visa issues.

To gauge personal satisfaction with the support received, interviewees were asked how processes could be made more inclusive. To gain in-depth understanding of the residents' feelings in relation to the support services, interviewees were asked how they felt about their experiences with the local authority, regarding information provision, housing reallocation, processes, timescales and entitlements.

Data collection methodology

To ensure rigour and integrity in data collection, recording, analysis, protection and presentation, a data management plan was put in place, in accordance with current legislation and General Data Protection Regulation (GDPR) (EU) 2016/679. All interviews were audio recorded.

Meeting language and accessibility needs

An approach was developed to ensure that residents' language and accessibility needs were met. At the outset of the research, all participants were screened for both language (including sign language) and venue requirements so that appropriate spaces, interpreters and translators could be provided. Provision was made for interviewees' language requirements through ROTA's staff, trained volunteers and community sector partners who are able to interpret and translate a wide range of languages including: English, Somali, Arabic (various dialects including North African and Middle Eastern), Urdu, Tamil, Sinhalese, Tigrinya, Amharic, Portuguese, Spanish, Farsi, Dari, Pushtu, Bengali, Tagalog and Polish. Provision was made for interviewees' mobility and accessibility requirements through booking venues that

they could travel to (near to accommodation or work) or which they felt comfortable in, for example, a church, community centre, mosque or other venue.

Ethical considerations

The ethical integrity of this project was paramount as it involved vulnerable individuals. The following principles informed the project: respect for the dignity, rights, welfare and safety of research participants; ensuring informed consent/voluntary participation; protecting anonymity and confidentiality; and doing no harm.

The nature of this project meant that participants were hard to access. Access to participants was negotiated through established contacts with resident groups and community organisations, and via key informants. Interpreters were used, where appropriate, and the implications of using interpreters was considered during both the fieldwork and analysis. Steps were taken to avoid or minimise causing discomfort or stress to participants. Where participants requested help or advice they were directed to appropriate support services.

The purpose of the study was outlined to participants before interview. Participants were made aware of channels for complaint and their right to refuse or withdraw participation, the extent of confidentiality, and of how their data would be used. The research team were sensitive to respondents' cultural, religious and socio-economic backgrounds. All the data collection was overt. Written consent was sought from individuals or organisations for participation and archiving. All participants and transcripts were kept anonymous, data securely stored and access restricted.

The research was considered carefully in respect of:

- its potential benefits
- the risk of harm (to participants and researchers) and precautions for minimising these
- negotiating access to participants
- mechanisms of gaining informed consent
- arrangements for support of participants should they become distressed by the research
- the justification of payments to participants
- the use of interpreters
- procedures for maintaining anonymity, privacy and confidentiality
- secure storage and archiving of data, and

- the assessment of the need for further ethical assessment at a later date.

Interpreters were carefully selected and training sessions were undertaken with interpreters (interviewers and transcribers) to ensure full understanding of the project and its aims. Ethics advice and monitoring was sought on an ongoing basis from an academic supervisor, who has longstanding successful experience in research with ethnic minority communities, regeneration and housing.

Appendix 2: Map of (resident described) conflicting support pathway



Contacts

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