

Written evidence from Crest Advisory (STI0020)

INTRODUCTION

1. Crest Inquiries (part of Crest Advisory Ltd) is a leading provider of non-legal and/or secretariat support to statutory public inquiries in the UK. The advice and services we provide include media relations, digital and website management, stakeholder engagement, policy, research and hearings planning and management.
2. We have been commissioned by eight inquiries held under the 2005 Act since 2015, typically reporting to the secretary or deputy secretary. Our commissions have been from the Independent Inquiry into Child Sexual Abuse (2015-2017), the Undercover Policing Inquiry (2016-2020), the Grenfell Tower Inquiry (2017-), the Infected Blood Inquiry (2018), the Manchester Arena Inquiry (2018-2023), the UK Covid-19 Inquiry (2022-2024), the Lampard Inquiry (2024-) and the Omagh Bombing Inquiry (2024-).
3. To inform the Committee's work, Crest Inquiries submits the following as evidence of how the public perceives the efficacy and efficiency of inquiries held under the 2005 Act, based on polling we conducted between 2021 and 2023 and our interpretation of these results.
4. We welcome the opportunity to contribute to the Committee's work and hope that our evidence may provide helpful context to members when they consider others' responses to questions 1 (a & b) and 6 in particular.

SUMMARY

5. The polling we have conducted suggests that there is broad public support for how inquiries held under the 2005 Act typically approach and prioritise their work, despite inconsistent understanding of their powers and processes.
6. It also suggests the public recognises that statutory inquiries require significant time and resources to achieve their purpose and considers completing their work quickly or minimising cost to be lower priorities.
7. There is broad support for inquiries incorporating the 'human element' into the processes and scope of their work, providing support to victims and survivors who participate and examining the impact on them of the events under investigation.
8. The public is less convinced about the value of an inquiry and its ability to establish the facts the more historical i.e. not recent in nature the events within its terms of reference are.
9. This polling was conducted on three occasions. From 3-10 June, 2021,

from 11-14 July 2022, and from 7-12 June, 2023.

10. On each occasion 1,000 adults aged 16 and over were recruited through the online Dynata Insights Platform to be nationally representative of the UK in terms of age, gender and geographical distribution.
11. Responses were consistent across years except in instances where new questions were introduced. Consequently, for simplicity we cite primarily the results of the most recent survey conducted in July 2023.
12. The surveys were scripted by Crest Inquiries and hosted on the Dynata Insights Platform. Crest Inquiries determined the questions and paid for the fieldwork and analysis itself with no financial contributions from third parties.

Question 1: Does the 2005 Act provide the right framework for ensuring that inquiries are a) effective b) efficient c) appropriately overseen and d) followed up?

13. While our polling does not address this specific question, it is possible to infer from the results that a majority of the public believes the 2005 Act is effective since it endorses broadly the approach typically taken by inquiries to fulfilling their terms of reference.
14. Our research indicates that the public considers establishing the facts of an event as paramount, with 41% of respondents ranking it as their top priority from five options and a further 24% ranking it as their second priority.
 - 14.1. In comparison, 18% of people ranked making recommendations for the future the top priority and 25% ranked it second priority.
 - 14.2. This emphasis on truth-seeking may be particularly relevant for inquiries investigating non-recent events, where policy and practice have evolved over time potentially limiting the scope for recommendations.
15. However, there is evidence that the public is less convinced of the effectiveness of 2005 Act inquiries when applied to more historical i.e. non-recent events.
 - 15.1. 54% of respondents strongly agreed that there was value in inquiries examining events within the last 5 years. However, this figure more than halved to 24% for inquiries examining events 10 to 20 years ago.
 - 15.2. In a similar vein, 71% of respondents strongly or somewhat agreed it was possible to get to the truth of events which happened within the last 5 years, compared to 37% who strongly or

somewhat agreed it was possible to do this for events 10 to 20 years ago.

- 15.3. This suggests that inquiries may need to demonstrate and/or explain how they will be able to deliver their terms of reference more than they perhaps realise initially.
16. We found evidence that a majority of the public believes the 2005 Act is effective at preserving inquiries' independence from government.
 - 16.1. In 2023, 69% of respondents were somewhat or very confident that inquiries preserved their independence from the government. This compares to 64% in 2022 and 67% in 2021, suggesting that belief in the independence of inquiries has proved robust.
 - 16.2. This is notable given that 48% of respondents considered maintaining independence from government to be a high priority.
17. In terms of efficiency, it is possible to infer from our results that the public does not share the narrative (acknowledged in the Committee's call for evidence) that statutory inquiries cost too much and take too long.
 - 17.1. Our survey found 75% of respondents agreed with the statement that inquiries "*should investigate the event or events, as thoroughly as possible, even if it means the inquiry takes longer and costs more than was originally anticipated*".
 - 17.2. This sentiment is consistent across our surveys from 2021 and 2022, indicating that the public prioritises thoroughness over expediency and cost efficiency.
18. Additionally, our research has found consistently that timeliness and minimising cost were much less likely to be rated as high priorities than getting the evidence needed to reach conclusions, gaining the trust and confidence of people most affected by the events, and maintaining independence from government.
 - 18.1. "Minimising cost to the tax-payer" was considered a top priority by 29% of respondents. In comparison, "getting the evidence it needs to reach conclusions" was considered a top priority by 56% of respondents.
 - 18.2. In a similar vein, "timeliness i.e. completing its work quickly" was considered a top priority by 27% of people.
 - 18.3. Both minimising cost and timeliness were significantly more likely to be considered low priorities than maintaining independence from government, getting the evidence they needed to reach conclusions, transparency or gaining the trust and confidence of people most affected.

Question 2: Does the Act ensure the official core participants and wider stakeholders are sufficiently and appropriately involved in proceedings?

19. Our polling found majority support for a range of activities which inquiries typically undertake in order to facilitate the involvement of core participants and wider stakeholders giving evidence or attending hearings to observe proceedings.
 - 19.1. 66% of respondents agreed that hearings should be held at venues accommodating the needs of the most affected, and 60% agreed that counselling and psychological support services should be available on-site.
 - 19.2. 70% of respondents agreed inquiries should have a process for getting advice from those most affected on how best to work them.
 - 19.3. Many inquiries to our knowledge have an informal process to achieve this. Some e.g. the Independent Inquiry into Child Sexual Abuse established a Victim/Survivor Forum with terms of reference and staff assigned to facilitate meetings on a regular basis.
 - 19.4. 62% of respondents agreed that inquiries should help people bereaved pay tribute to their loved ones through a commemoration process.
 - 19.5. Commemoration hearings have been held by the Grenfell Tower Inquiry and the Manchester Arena Inquiry, notably.
20. However, it is possible to infer from our polling that there is public support for statutory inquiries to go further in how they involve core participants than is typical at present.
 - 20.1. Specifically, 71% of respondents agreed that inquiries should investigate how the events they are examining have affected people, and not just establish what happened, why and who was responsible.
 - 20.2. This view was shared consistently across different age groups and ethnicities and across men and women.
 - 20.3. While some inquiries have sought to understand the impacts of events on the individuals most affected e.g. the Independent Inquiry into Child Sexual Abuse, through its Truth Project, and the UK Covid-19 Inquiry, through the Every Story Matters programme, this is not standard practice.
 - 20.4. In addition, these activities do not provide evidence in the formal sense of the 2005 Act i.e. taken under oath and cannot provide the basis for recommendations by a Chair or Panel.

21. Finally, it is possible to infer from our polling that some core participants and wider stakeholders may at least initially struggle to participate in proceedings, given the evidence of poor public understanding of how a statutory operates in practice.

21.1. We found a substantial portion of respondents mistakenly believed that inquiries have juries, can award compensation, or impose fines. Specifically, in 2023 only 36% correctly identified as false the premise that an inquiry has a jury, compared to 23% who thought this was true and 41% who were unsure.

21.2. Additionally, only 23% correctly identified that inquiries do not have the power to award compensation, compared to 37% who thought that they do.

21.3. Furthermore, 23% of people wrongly thought that inquiries have the power to send people to prison, compared to 35% who identified this as incorrect.

21.4. This suggests strongly that all statutory inquiries have an interest in doing more to explain proactively and consistently their remit, their powers and what they can and cannot do to all of their audiences including core participants, wider stakeholders, the media and the general public

CONCLUSION:

22. This submission provides an overview of the polling Crest Inquiries has conducted since 2022 on how the public views the statutory inquiries established in order to address matters of serious concern to it, how these inquiries exercise their powers and prioritise their work, and spend taxpayers money. We would be happy to provide further material e.g. charts in support of our submission if helpful. We hope that this provides helpful context to the Committee as it considers submissions from a wider range of individuals and organisations with an interest in these matters.

17th April 2024