

Prefiguring truth: The limits of the Grenfell Tower Inquiry

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Abstract

Public inquiries operate as privileged instruments of sense-making, defined by a series of epistemological and methodological commitments. The Grenfell Tower Inquiry was established to uncover the truth of the fire in which seventy-two people died. This article interrogates the truth-seeking and truth-producing practices of the Inquiry. These shape the contours of the account of the fire that it has produced, predisposing it to particular forms of explanation whilst excluding others. We describe this as a process of *prefiguration* in which the scope and form of the Inquiry circumscribes and foreshadows its findings. This invites us to see the Inquiry as productive of the social reality it seeks to describe, raising important questions about how the Inquiry operated and its role in shaping public understanding of truth, accountability and justice in the aftermath of the fire.

1 | INTRODUCTION

On 14 June 2017, seventy-two people were killed and seventy injured by a fire at Grenfell Tower, a block of flats in North Kensington, London. The appalling spectacle of the fire demanded interpretation and response: what happened, and what should be done about it? Within a fortnight, Prime Minister Theresa May had announced the establishment of the Grenfell Tower

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Inquiry, promising the public that it would be the instrument ‘to get to the truth’ of these questions.¹

Public inquiries ‘are now a permanent fixture in public life’.² In recent decades, there has been a growth of public inquiries into an ever wider range of anxieties regarding dysfunctional governance.³ This has taken place in the context of declining public trust in other political processes to address an ever-widening sense of Britain in crisis.⁴ Public inquiries have myriad expectations to find facts, determine accountability, learn lessons, rebuild public trust, provide a space for catharsis, and reassure the public that ‘something is being done’.⁵ These functions are in service of the underlying purpose of public inquiries to resolve crises of confidence in the state’s capacity to provide security and control risk.⁶

Our concern in this article is how public inquiries operate as a privileged apparatus of sense-making. An extensive literature highlights sense-making as a social process through which public understanding is structured and organised. Central to this process is the role of familiar narratives and repertoires in organising unfamiliar events so that they may be processed and acted upon.⁷

This article interrogates the role of the Grenfell Tower Inquiry as one such truth-seeking and truth-producing instrument. We approach the Inquiry as a socio-legal event through which public understanding is being produced. In their promise to get to the truth of a social event or phenomena, public inquiries should be understood as exercises in social science. As with any project of social explanation, public inquiries are defined by a series of epistemological and methodological commitments; they embody a particular ‘way of knowing or learning’.⁸ Our argument is that despite public and political expectations, the Grenfell Tower Inquiry is not a value-free instrument. Instead, the Inquiry is predisposed to establishing a particular account of the fire as a result of its epistemic and methodological limits. We describe this as a process of *prefiguration*. By this, we refer to the ways in which the constitution of the Inquiry’s investigation circumscribes and foreshadows its findings.⁹ Through a series of decisions, assumptions, and omissions, the Inquiry *produces*, rather than *uncovers*, the truth of the fire. Put simply, the Inquiry is only capable of telling the truth that its methods permit, eliding other ways of understanding the Grenfell Tower fire. Notwithstanding many attempts to broaden the methodological pluralism and inclusivity of inquiries, elements of the Grenfell Tower Inquiry are representative of a tendency to privilege a

¹ T. May, ‘PM Commons Statement on Grenfell Tower: 22 June 2017’ (2017) <<https://www.gov.uk/government/speeches/pm-commons-statement-on-grenfell-tower-22-june-2017>>.

² E. Norris and M. Shephard, ‘How Public Inquiries can Lead to Change’ (2017) *Institute for Government*, p. 6 <<https://www.instituteforgovernment.org.uk/publication/report/how-public-inquiries-can-lead-change>>.

³ N. Critch, ‘Britain’s “Favoured Response” to Crises: A Critical Review of Existing Literature on Public Inquiries’ (2024) 19(4) *Br Politics* 553.

⁴ M. Flinders, ‘The New Politics of Public Inquiries’ (2025) 96(2) *Pol Q* 364, at 368.

⁵ Public Administration Select Committee, ‘Government by Inquiry: First Report of Session 2004–05, Volume 1’, pp. 9–10 <<https://publications.parliament.uk/pa/cm200405/cmselect/cmpubadm/51/51i.pdf>>.

⁶ O. D. Thomas, M. Tudor, and C. Pennell, ‘Public Inquiries into Conflict and Security: Scandals, Archives, and the Politics of Epistemology’ (2024) 26(4) *Br J Politics Int Relations* 1080, at 1085.

⁷ K. E. Weick, *Sensemaking in Organizations* (1995).

⁸ K. Walshe, ‘Public Inquiry Methods, Processes and Outputs: An Epistemological Critique’ (2019) 90(2) *Pol Q* 210.

⁹ This is the Ordinary Definition of Prefiguration. Our Use of This Term Does Not Refer to Debates Around ‘Prefigurative Legality’, see A. J. Cohen and B. Morgan, ‘Prefigurative Legality’ (2023) 48(3) *Law Social Inquiry* 1053.

certain type of judge-led, legalistic inquiry as the exemplary means of truth, accountability and justice.¹⁰

Our argument proceeds in the following sections. To begin, the article establishes the discordant state of the public discourse in the immediate aftermath of the Grenfell Tower fire. The Grenfell Tower Inquiry is established in order to adjudicate and ultimately resolve this uncertainty. The article then traces the reinforcing acts of prefiguration which occur across various stages of the Inquiry's investigation. The first section questions *why* a public inquiry was established in response to the fire. The second section examines the establishing of the terms of reference, which define *where* the Inquiry's investigation will focus. The third section considers *how* the Inquiry's investigation was conducted. We argue that each of these stages is defined by various forms or acts of prefiguration. In this sense, the prefiguration of the Grenfell Tower Inquiry is not a single achievement but rather occurs through a series of interlocking promises, decisions and practices. Each section demonstrates how the Inquiry's investigation is drawn towards or away from particular kinds of findings.

In sum, this article argues that a process of prefiguration serves to narrow and limit the kinds of understanding that the Inquiry can produce of the fire. As a result, the Grenfell Tower fire is made legible, through the logic of methodological individualism, as a consequence of individual actions, inactions, intentions and knowledge. Yet, a more systemic account of the fire is possible. Such an account would relocate the fire within a wider socio-economic context. As the Grenfell United survivors' group have argued, '[t]here's a reading of the inquiry hiding in plain sight... the system isn't broken, it was built this way'.¹¹ Our purpose in this article is to show how such an understanding is omitted and disparaged through the official workings of the Inquiry.

2 | THE RUSH TO MEANING

This section describes the initial state of public understanding in the immediate aftermath of the Grenfell Tower fire. The scale and violent nature of this event agitated social order in a way that both attracted public attention and demanded explanation. This precipitated a rush to meaning in which society sought to tame uncertainty in order to produce a collective understanding and response.¹² In such moments, public understanding tends to gravitate towards pre-existing, shared, and intuitive modes of sense-making.¹³ Each mode offers to resolve uncertainty through a means of interpretation. These inform an associated set of political practices that offer a sense of control, purpose and direction.

In the days and weeks following the Grenfell Tower fire, public understanding was marked by the absence of a shared or dominant meaning. Specifically, the modes of tragedy, scandal and crisis were widely invoked in an antagonistic struggle to interpret and respond to the Grenfell Tower fire. Each of these modes invite an account of *how* the fire happened, *whom* or what might be responsible for it, and *what* should be done in the aftermath (see Table 1). Three political statements made in this initial rush (imperfectly) illustrate each of these modes and the relationships between them.

¹⁰ D. Goodwin, L. Clarry, G. Williams, and S. Fovargue, 'What We Do and Do Not Know About Public Inquiries: A Narrative Review' (2025) *Contemp Social Sci* 1.

¹¹ Grenfell United, 'Publication of the Phase 2 Report' (2024) <<https://grenfellunited.org.uk/latest/publication-of-the-phase-2-report>>.

¹² J. Edkins, 'The Rush to Memory and the Rhetoric of War' (2003) 31(2) *J Mil Sociol* 231.

¹³ J. M. Johnson, V. M. Basham, and O. D. Thomas, 'Ordering Disorder: The Making of World Politics' (2022) 48(4) *Rev Int Stud* 607.

TABLE 1 The modes of tragedy, scandal, and crisis

	Character of event	Logic of responsibility	Techniques of response
Tragedy	Unintended and unforeseen harm	Unlocatable and <i>non-just</i>	Recognition and/or deferral
Scandal	Transgression of social value	Locatable and individualised	Literal and/or symbolic exclusion
Crisis	Disruption of social order	Diffuse and decentralised	Revive (<i>status quo</i>) Revise (<i>revisionist</i>)

2.1 | Grenfell-as-tragedy

Tragedy, as a mode, is defined by two constitutive features: (1) an affirmation of the value of a community's loss and (2) a denial of human responsibility. In a statement to the House of Commons on 22 June 2017, UK Prime Minister Theresa May described the Grenfell Tower fire as 'one of the most *unimaginable tragedies* our country has seen in many years'.¹⁴

Firstly, to describe the fire as a tragedy is to recognise or confer value upon its victims and survivors. By refusing to allow this loss to go unnoticed or unmarked, May's statement affirms its collective value. The statement seeks to demonstrate more than a rhetorical commitment to this value, emphasising also a range of measures and initiatives through which this commitment is practically evinced. It is in this way that we can read the statement's detailing of a wide range of government-led responses, including rehousing, emergency financial support, specialist counselling, and the formation of a Victim Support Unit. The value of the loss is reflected in the scale and urgency of the responses to the fire designed to 'support the victims'.¹⁵

Secondly, describing the fire as an *unimaginable* tragedy invokes the idea of tragedies as being the result of unknowable and unforeseeable logics of cause and consequence. Tragedies are situated outside of the terrain of human comprehension and agency, as is implied by the language of the 'accident', 'natural disaster', or 'act of God'. Accordingly, tragedies fall outside of the terrain of justice and accountability; they are not *injustices* but rather constitute a form of *non-justice*: an event which 'mark[s] the limits of where justice could apply'.¹⁶

However, whilst May described the Grenfell Tower fire as 'unimaginable', elements of the wider statement can be read as exceeding the logic of a tragedy. This is not unusual. These modes are not deterministic but rather reflect general tendencies of interpretation and response that public understanding gravitates towards. An individual account may depart from elements of one mode or be haunted by elements of others. This contradictory adherence to and exceeding of the logic of tragedy is clear when May states:

... as *the scale of the tragedy* became clear, we quickly decided there had to be an independent public inquiry.... [I]t will be chaired by a judge *to get to the truth* about what happened and *who was responsible*...¹⁷

The idea that there may be responsible parties seemingly rejects the tragic denial of human responsibility. This element, however, is located in the future, not the present, in an unrealised and (as

¹⁴ May, *op. cit.*, n.1, emphasis added.

¹⁵ *Id.*

¹⁶ M. Lane, *The Birth of Politics: Eight Greek and Roman Political Ideas and Why They Matter* (2014) 37.

¹⁷ May, *op. cit.*, n.1, emphasis added.

yet) unknown form: the truth is something that we will *get to*; it is a tantalising possibility, prospect and promise. For now, it is simply *too soon to say* what the truth of the Grenfell Tower fire is. May therefore cautions fellow Parliamentarians to ‘be careful on *speculating* what caused this fire.’¹⁸

In the absence of an authoritative process that establishes the facts, the tragic mode presents itself as the only appropriate mode for the time being. The act of commissioning the Inquiry is an act of denial: the promise to get to the truth is simultaneously the assertion that the truth is not yet knowable.

2.2 | Grenfell-as-scandal

Scandal, as a mode, is defined by two constitutive features: (1) the identification of authored transgressions and (2) the denial of systemic responsibility. Demonstrating how these modes exist in conscious opposition to one another, Labour opposition politician David Lammy immediately insisted that the fire should be understood as a national scandal: ‘Don’t let them tell you it’s a tragedy. *It’s not a tragedy, it’s a monstrous crime.*’¹⁹

Scandals are prompted by a sense of transgression: that a line between the permissible and impermissible, which binds together a particular community, has been crossed.²⁰ With scandals, our sense of transgression relies upon notions of *dysfunction* and *malfunction*. Scandals are *dysfunctions* in the sense that they are presented as events in which social order is not functioning as it is meant to do. Read in this way, large-scale fires are not supposed to occur in modern, developed countries like the United Kingdom, with their attendant legislative provisions and health and safety protocols.²¹ The Grenfell Tower fire is therefore experienced as an event that is out of place and time, that shouldn’t be happening here and now.

Scandals are *malfunctions* in that dysfunction is attributed to the malign actions and inactions of identifiable ‘bad apples’. Unlike tragedies, scandals rely upon the revelation and denunciation of human agency: ‘Either actors were doing what they were not meant to be doing, or they were not doing what they were meant to be doing.’²² This sense of malfunction is clear in Lammy’s argument that the Grenfell Tower fire was an act of ‘[c]orporate manslaughter’: ‘For decades we have consigned people to live in overcrowded conditions that... in many cases, are *criminally unsafe.*’²³ In this way, Lammy locates harm outside of the normal operation of society; it is instead a consequence of legal wrongdoing.

Given these terms of problematisation, scandals often invite a focus on a set of practices which seek literally or symbolically to exclude actors or, at least, actions from society.²⁴ Lammy’s state-

¹⁸ Id., emphasis added.

¹⁹ D. Lammy, ‘This was a Monstrous Crime - There Must be Arrests After Grenfell Tower’ *Guardian* 15 June 2017 <<https://www.theguardian.com/commentisfree/2017/jun/15/crime-grenfell-tower-burning-homes-police-fire>>, emphasis added.

²⁰ J. M. Johnson, ‘Beyond a Politics of Recrimination: Scandal, Ethics and the Rehabilitation of Violence’ (2017) 23(3) *Eur J Int Relations* 703.

²¹ O. D. Thomas, V. M. Basham, and R. Crilley, ‘Death and Denial in the City: Making Sense of London Bridge and Grenfell’ (2025) 43(7) *Environ Plann C Politics Space* 1332.

²² Johnson et al., op. cit, n.13, p. 619.

²³ Lammy, op. cit, n.19.

²⁴ T. Bentley, ‘A Line Under the Past: Performative Temporal Segregation in Transitional Justice’ (2021) 20(5) *J Hum Rights* 598.

ment reflects this exclusionary logic in its most literal and punitive form when he argues that ‘there must be arrests after Grenfell Tower’.²⁵

As with May’s statement, Lammy’s also exceeds the scandalous mode. This is evident when Lammy situates Grenfell within a wider set of social and political contexts: from the state of social housing to the consequences of privatisation. In part, Lammy seems to be using the scandalous mode strategically: as a means of drawing attention to and addressing wider systemic features of UK society which, as we will see, is indicative of the ‘crisis’ mode. This can be seen when he argues:

If the preventable deaths of people burning in their homes are not a matter for the police then what is? If past disasters have taught us anything, it is that things change only when powerful people are put in the dock. So, for the sake of the victims, call it what it is: a crime of the most horrendous kind.²⁶

However, the basic notion that meaningful action on Grenfell would involve holding culpable individuals to account, through the criminal justice system, still holds to the scandalous mode. It is dependent upon a faith in the power of revelation and an individualised sense of accountability.

2.3 | Grenfell-as-crisis

The constitutive feature of crisis is the rejection of the neat differentiation between function and dysfunction. To interpret the Grenfell Tower fire through the crisis mode is to suggest that the fire is symptomatic of a wider structural arrangement. This was precisely the case made by the Labour opposition politician Chris Williamson, who argued that ‘neoliberalism... is to blame for the Grenfell Tower disaster’.²⁷

While May promised to discover what ‘went wrong’,²⁸ the crisis mode presents the discomfiting claim that nothing *went wrong*. Instead, for Williamson, a system produced precisely what it was configured to produce. Here, the fire is the result of function, not *dys*function. Whereas scandals are discrete and locatable, crises are diffuse and decentralised.

There are two general tendencies that emerge from a sense of crisis.²⁹ The first, a ‘status quo’ tendency, seeks to *revive* a system in distress. The second, a ‘revisionist’ tendency, seeks to *revise* a system in distress. For Williamson, neoliberalism is not *in* crisis; rather, neoliberalism *is* the crisis. In this reading, the Grenfell Tower fire is symptomatic of this wider crisis; hence, Williamson’s claim that ‘it’s time we put neoliberalism on trial for Grenfell’.³⁰ As such, we should look to revise, rather than revive, our social order in its aftermath. In short, Williamson is calling for a radical reckoning with the systemic arrangement of power, wealth and privilege: a system that must be defaced and dismantled.³¹

²⁵ Lammy, op. cit, n.19.

²⁶ Id.

²⁷ C. Williamson, ‘This is how Neoliberalism, led by Thatcher and Blair, is to Blame for the Grenfell Tower Disaster’ *Independent* 4 August 2017 <<https://www.independent.co.uk/voices/grenfell-tower-inquiry-deregulation-thatcher-tony-blair-fire-service-cuts-a7876346.html>>.

²⁸ May, op. cit, n.1.

²⁹ Johnson et al., op. cit, n.13.

³⁰ Williamson, op. cit, n.27.

³¹ On the concept of defacement, see M. T. Taussig, *Defacement: Public Secrecy and the Labor of the Negative* (1999).

For May, the rush to meaning should lead us to an Inquiry. For Lammy, the rush should lead us to prosecutions. For Williamson, the rush should lead us to a different society.

In summary, at stake in these readings is the meaning and significance of the fire. For some, it is an accidental, unintentional fire that began in a faulty fridge-freezer on the fourth floor of a tower block. It is a national tragedy confined to one fire, in one tower, in one city. For others, it is a scandalous story of culpability and wrongdoing: of transgressive actions and inactions that can be identified and could (and should) have been otherwise. The fire is also seen as reflecting a systemic politics of neglect and disposability. It is another site in a global story of austerity, neoliberalism and racialisation.

Between these accounts marks an antagonism over not only what Grenfell means but also what must be done in its aftermath. Tragedy necessitates rituals of public mourning and commemoration, as well as the provision of support for those impacted. Scandals demand the identification and prosecution (literally or symbolically) of ‘bad apples’. Crisis, by contrast, demands a more radical reckoning with an entire way of organising society. It is in relation to this pronounced social antagonism over the meaning of the Grenfell Tower fire that the Grenfell Tower Inquiry is introduced.

3 | WHY? THE PROMISE OF THE INQUIRY

This section explores the question of *why* there is a turn to the Grenfell Tower Inquiry as the primary instrument of sense-making. It argues that the appeal of the Inquiry resides in its promise to perform three crucial functions in shaping public understanding of the Grenfell Tower fire: (1) avoiding premature and hasty judgements, (2) discovering guilty secrets, and (3) producing an authoritative account. Taken together, the Inquiry holds the promise of transitioning public understanding from a state of agitation to the possibility of a collective and settled account. Our argument is that even at this stage, before the Inquiry has formally begun its work, elements of prefiguration are at play. Before its terms of reference have been set, before a witness has been called, before a question has been asked, a sense of what the truth of the Grenfell Tower fire is, and can be, is already being circumscribed by these promises.

The first promise of the Inquiry is its contrast with, and ending of, the unruliness of the rush to meaning. As Stephen Sedley has observed, one of the perceived strengths of public inquiries is their capacity to ‘funnel the arguments away from the anarchy and subjectivity of public debate into the apparently objective and orderly forum of a proceeding which the world can watch but in which nobody speaks unless spoken to.’³² They do so through the slow, patient, and meticulous gathering of evidence and testimony, which allows them to arrive at an informed and evidenced account of the truth.

This promise produces a deferral of the truth, something that can only be arrived at through the labour of the Inquiry. We are therefore invited to label other interpretations as premature, emotive, or partisan. This dynamic is conveyed by the journalist Juliet Samuel, who argued that the initial rush to meaning had:

... with *grotesque speed*, become an ideological battle. Even while the tower was still smoking, Labour politicians seemed to know exactly why it had happened. They

³² S. Sedley, ‘Public Inquiries: A Cure or a Disease?’ (1989) 52(4) *Mod Law Rev* 469, at 470.

rushed on to the airwaves to blame austerity and deregulation for the disaster – before an inquiry had even been called, let alone assessed the evidence. This is wrong.³³

In this way, the Inquiry performs a crucial discursive function in distinguishing between permissible (*deferred*) and impermissible (*rushed*) judgements. In a sense, the only permissible judgement in the present is no judgement at all.

The second promise of the Inquiry is predicated upon the anticipation of, and subsequent commitment to reveal, Grenfell's hidden truths. From its inception, the Inquiry was framed as an exercise in unearthing that which had been concealed. In this promise, the truth and the secret are taken to be synonymous: the truth is assumed to take the form of a secret. This expectation was at the forefront of May's announcement of the Inquiry: 'it should never have happened... we're going to *discover* why it did... *No stone will be left unturned* in this Inquiry. And for any guilty parties, there will be *nowhere to hide*.'³⁴ The promise of the Inquiry hinges upon a suspicion that secrets have been withheld and that the Inquiry is the instrument to discover them through patient excavation.³⁵

May's rhetoric activates and predates upon a generalised sense of suspicion. By this, we mean an atmosphere in which the public anticipate and expect the existence (and revelation) of secrets that will explain why a traumatic event occurred. A range of scholars have noted this. Eva Horn, for example, describes the public sphere as being shaped by a 'persistent feeling that there is always something' to discover.³⁶ Similarly, Jodi Dean describes an attitude in public understanding, in which:

The answer is the secret, or, more precisely, the secret is the answer... Once [the public] have the information, the truth, their judgement will embody the certainty they already have... The certainty with which the public knows in these cases indicates *in advance* that there is something for it to know. There is a secret. Someone is guilty.³⁷

Put simply, the effect of this promise is to render a hierarchy of visibilities and their respective credibility. That which we can immediately see is taken not to be the truth. The seeming evidence and appeals of the rush to meaning are taken to be superficial. By contrast, that which we cannot yet see is taken to be the truth. It is that which we must work to uncover.

Here, there is a contradiction between the first and second promises of the Inquiry: on the one hand, the *suspension* of, and commitment to *get to*, the truth that constitutes the first promise, and on the other, the presumptive form of truth-telling that is apparent in the second promise. The expectation of the guilty secret is already a form of answer: the truth of the fire lies in its hidden secrets. This is the first in a series of acts of prefiguration that work to shape the possible contours of the story that the Inquiry can tell.

³³ J. Samuel, 'Justice for Grenfell Tower is About Accountability, Not Ideological War' *Daily Telegraph* 18 June 2017 <<https://www.telegraph.co.uk/news/2017/06/18/justice-grenfell-tower-aboutaccountability-not-ideological-war>>, emphasis added.

³⁴ May, *op. cit.*, n.1, emphasis added.

³⁵ E. Horn, 'Logics of Political Secrecy' (2011) 28(7/8) *Theory, Culture Soc* 103, at 105.

³⁶ *Id.*, p. 118.

³⁷ J. Dean, 'Publicity's Secret' (2001) 29(5) *Pol Theory* 624, at 632.

The final promise of the Inquiry is that it is the correct mechanism to uncover these secrets. Public inquiries operate as instruments of independent and ‘authoritative sensemaking’.³⁸ It is well-established that statutory, judge-led approaches are regarded as the ‘gold standard’ for public inquiries and investigations.³⁹ They utilise methodological procedures and evidentiary standards, grounded in legalistic and so-called forensic questioning of witnesses and the production and interrogation of an archive of evidence, that create the conditions through which secrets are rendered visible. The methodology of public inquiries presupposes that truth exists in hidden places: the documents, the minds and memories of individuals, which will be extracted through the slow excavation of testimony and evidence. They are a spectacle of revelation. The methodologically individualist approach of public inquiries functions here to fulfil the second promise: there *are* authors of the trauma and through an inquiry’s forensic labour, they *will* be identified. Through this dramaturgy, public inquiries reaffirm the promise that secrets exist and can be reached. The architecture of the public inquiry is calibrated to satisfy the expectations and suspicions that animate its creation.

On the one hand, the work of the Inquiry is positioned as part of a collective endeavour to search for the truth and justice, uniting the state with survivors, victims and their families. That ‘something is being done’ reassures the public that the state is on their side. It is often noted that a crucial function of public inquiries is ‘rebuilding public confidence after a major failure by showing that the government is making sure it is fully investigated and dealt with.’⁴⁰ Speaking at its formal opening, the Chair of the Inquiry, Sir Martin Moore-Bick, explicitly positioned it as being on the side of the community: ‘... we share a common goal. We are *all* searching after the truth’.⁴¹ This assertion of shared purpose allows the state to reaffirm itself as the guarantor of truth, justice, and security.

On the other hand, the work of the Inquiry is set apart from the wider public. This is not to deny the variety of ways in which survivors and wider communities are ostensibly and materially involved. However, at the same time, public inquiries are acts of specialised labour conducted by those who possess the technical expertise and dispassionate distance required to produce authoritative findings. This is encapsulated in Moore-Bick’s account of the Inquiry:

... former residents of the tower and other local people feel a great sense of anger and betrayal. That is entirely natural and understandable, but if the inquiry is to get to the truth of what happened, it must seek out all the relevant evidence and examine it calmly and rationally.⁴²

For Moore-Bick, the promise of the Inquiry is that it, *and only it*, possesses the means to transform the rawness of experience into refined judgement. Contrasting with the epistemic unruliness of the rush to meaning, and in an act of epistemic sovereignty, the Inquiry claims a monopoly upon orderly knowledge production. Here, the state is defined not simply as that which claims the monopoly of violence but also as that which claims the monopoly of *interpreting* violence.

³⁸ A. D. Brown, ‘Authoritative Sensemaking in a Public Inquiry Report’ (2004) 25(1) *Organiz Stud* 95.

³⁹ S. Cooper and O. Thomas, ‘Judge-led Public Inquiries in the UK: The Gold Standard?’ in *New Directions in Royal Commissions & Public Inquiries: Do We Need Them?* S. Prasser (ed), (2023) 299–320.

⁴⁰ Public Administration Select Committee op. cit, n.5, p. 9.

⁴¹ M. Moore-Bick, ‘Grenfell Tower Public Inquiry, 14 September 2017’ (2017) *Grenfell Tower Inquiry*, p. 29 <<https://assets.grenfelltowerinquiry.org.uk/inline-files/Transcript-of-Inquiry-opening-14-September-2017.pdf>>, emphasis added.

⁴² Id., p. 10–11.

4 | WHERE? THE TERMS OF REFERENCE

This section addresses the question of to *where* the instrument of the Grenfell Tower Inquiry is applied. A critical stage in the configuration of public inquiries is the establishing of their terms of reference.⁴³ These determine what is to be investigated: the object of analysis is defined, and the area of competency, in which expert practitioners can produce authoritative knowledge, is delineated.⁴⁴ This section argues that in defining these parameters, the terms of reference operate as a pivotal act of prefiguration. Specifically, the terms of reference delimit the Inquiry as an instrument of sense-making: defining what can and cannot be considered. This section illustrates the omission-by-design of the answers that cannot be given to the questions that will not be asked.

On 29 June 2017, May announced the appointment of Moore-Bick to lead the Grenfell Tower Inquiry. May pledged that Moore-Bick would consult with ‘all those with an interest, including survivors and victims’ families, about the terms of reference.’⁴⁵ Consultations about the terms of reference are not unique to the Grenfell Tower Inquiry but are symptomatic of a longer term shift towards ostensibly participatory modes of public inquiry.⁴⁶ This trend reflects an increasing recognition of the importance of establishing procedural legitimacy and the symbolic role of inclusion in restoring public trust.⁴⁷ This development must also be understood as a response to the frequent use of judicial reviews to challenge public inquiries perceived as unduly narrow.⁴⁸

Following the consultation, Moore-Bick drew May’s attention to a noteworthy dynamic in the responses: ‘... it has become clear that many of those who have been affected by the fire and some others feel strongly that the scope of the Inquiry should be very broad’.⁴⁹ As Emma Ireton argues, ‘those directly affected by the subject matter of an inquiry [are] often driven by a desire for an inquiry to produce as *full an account as possible* of the events being investigated and the *broader circumstances* in which those events took place.’⁵⁰ Moore-Bick, however, decided that such broad terms of reference were incompatible with the instrument of the public inquiry, explaining that ‘on careful reflection’ the Inquiry was ‘not the best way of satisfying their wishes.’⁵¹ What we see here is a decisive shift away from May’s promise that the Inquiry will leave ‘[n]o stone will be left unturned’.⁵² In another act of prefiguration, Moore-Bick is now deciding which stones will be left unturned.

Moore-Bick offers two reasons for this judgement: *urgency* and *suitability*. On *urgency*, Moore-Bick argues that broader terms of reference ‘would inevitably add significantly to the length of

⁴³ Walshe, op. cit, no. 8, p. 210.

⁴⁴ P. Tuitt, ‘Law, Justice, and the Public Inquiry into the Grenfell Tower Fire’ in *After Grenfell: Violence, Resistance and Response*, D. Bulley, J. Edkins, and N. El-Enany (eds) (2019) 119.

⁴⁵ T. May, ‘Grenfell Inquiry Chair: Statement by the Prime Minister’ (2017) <<https://www.gov.uk/government/speeches/grenfell-inquiry-chair-statement-by-the-prime-minister>>.

⁴⁶ E. Ireton, ‘Public Inquiries: Irreconcilable Interests and the Importance of Managing Expectations’ (2023) 45(3) *J Social Welfare Fam Law* 212, at 213.

⁴⁷ Statutory Inquiries Committee, ‘Public Inquiries: Enhancing Public Trust’ (2024) <<https://publications.parliament.uk/pa/ld5901/ldselect/ldstating/9/9.pdf>>.

⁴⁸ F. Barrett, ‘Judicial Review and Public Inquiries: Procedure, Case Studies and Some Observations on the (Long) Covid Inquiry’ (2022) 27(4) *Judicial Rev* 288.

⁴⁹ M. Moore-Bick, ‘Grenfell Tower Inquiry - Terms of Reference’ (2017) <<https://www.gov.uk/government/publications/grenfell-tower-inquiry-terms-of-reference-published>>.

⁵⁰ Ireton, op. cit, n.46, p. 222–223, emphasis added.

⁵¹ Moore-Bick, op. cit, n.49.

⁵² May, op. cit., n.1.

time needed to complete its work.⁵³ For Moore-Bick, to do such work would undermine the underlying urgency which motivates the Inquiry, noting: ‘there is an obvious need for my Inquiry to complete its work as *quickly as possible*’.⁵⁴

It is important to recognise here how the Inquiry is defined by the circulation of contradictory temporal imperatives. On the one hand, the Inquiry is defined by a *refusal of urgency*. As we have already argued, a core promise of the Inquiry is that it will end the rush to meaning. This promise functions through the delegitimation of premature interpretations, which should defer to the meticulous process of the Inquiry. On the other hand, the Inquiry is defined by a *statement of urgency*. The imperative for the Inquiry to ‘complete its work as quickly as possible’ excludes understandings of the Grenfell Tower fire that may have emerged through broader terms of reference.

Here, we see the first promise (*to end the rush to meaning*) being broken in order to uphold the second promise (*to uncover the truth*). The promise to be slow and meticulous is broken due to the urgent need to uncover guilty secrets, which are deemed too dangerous to remain undiscovered. Crucially, both temporalities are acts of prefiguration through which various forms of interpretation are precluded from the Inquiry.

On *suitability*, Moore-Bick argues that ‘the inclusion of such broad questions within the scope of the Inquiry would raise questions of a social, economic and political nature which in my view are *not suitable for a judge-led inquiry*’.⁵⁵ On the one hand, the Inquiry is defined by a *statement of suitability*. As we have already argued, a core promise of the Inquiry is that it will deploy a repertoire of legalistic methods in order to produce an authoritative and objective account of the fire. These methods are precisely calibrated in order to uncover guilty secrets that expose the authors of wrongdoing.

On the other hand, the Inquiry is defined by a *refusal of suitability*. Moore-Bick’s comment asserts the limits of what forms of truth the Inquiry can adequately and appropriately investigate. This reflects a longstanding trend in which the chairs of public inquiries refuse to investigate matters that do not fit within a methodologically individualist frame.⁵⁶ There is an institutional aversion to systemic lines of inquiry that defy logics of authorship and to making judgements deemed ‘political’.⁵⁷ If, as Walshe has argued, public inquiries are forms of social analysis,⁵⁸ then here we see their tendency to overlook structural arrangements or social processes.⁵⁹ Other forms of social analysis are possible,⁶⁰ but they will not be conducted within the confines of the Grenfell Tower Inquiry.⁶¹ These understandings are, by design, excluded at this point.

⁵³ Moore-Bick, op. cit, n.49.

⁵⁴ Id., emphasis added.

⁵⁵ Id., emphasis added.

⁵⁶ B. Leveson, ‘An Inquiry into the Culture, Practices and Ethics of the Press, Volume 2’ (2012) *Leveson Inquiry*, p. 719 <<https://www.gov.uk/government/publications/leveson-inquiry-report-into-the-culture-practices-and-ethics-of-the-press>>.

⁵⁷ On the Wider ‘Juridification’ of Politics, see J. M. Johnson, V. M. Basham, and O. D. Thomas, “‘Mr Rules’: Keir Starmer and the Juridification of Politics’ (2025) 20(2) *Br Polit* 272.

⁵⁸ Walshe, op. cit, n.8.

⁵⁹ Critch, op. cit, n.3.

⁶⁰ For a systemic account of the Grenfell Tower fire, see I. Danewid, ‘The Fire This Time: Grenfell, Racial Capitalism and the Urbanisation of Empire’ (2019) 26(1) *Eur J Int Relations* 289; see also K. Na’eem, ‘Free Market Discourses and the Use of Combustible Materials on Grenfell Tower’ (Forthcoming) *J Social Legal Stud*.

⁶¹ Moore-Bick Does Not Reject the Merits of Systemic Analysis, But Suggests This ‘Could More Appropriately be Examined by a Different Kind of Process or Body’, see Moore-Bick, op. cit, n.49.

Here, we see the unravelling of the second promise's conflation of the *truth* and the *secret*. If we refuse this conflation and hold that there may be forms of truth that are not reducible to the logic of the authored, guilty secret, then we see here how the second promise (*to uncover the truth*) is being broken in the name of the third promise (*to utilise legalistic methods*). In another act of refiguration, in order to uncover the guilty secret, the Inquiry abandons the search for a wider possible truth.

The agreed terms of reference overwhelmingly focused on authored actions and inactions: designs, decisions, compliance, management, arrangements, and responses. This approach depends on the identification of discrete points of failure, such as a defective fridge, the use of dangerous cladding, and inadequate inspections. In this way, the Inquiry enacted a performative 'cut', producing agentic causal chains more amenable to judgement through the elision and conversion of messy webs of causality.⁶²

This can also be seen in the organisation of the Inquiry's investigation into two 'phases'. Phase 1 focused on 'the factual narrative of the events on the night of 14 June 2017', whereas Phase 2 'examine[d] the causes of these events, including how Grenfell Tower came to be in a condition which allowed the fire to spread in the way identified by Phase 1.'⁶³ Ostensibly, these are two distinct temporal phenomena: the fire as an event with immediate causes and responses, and the fire as an event with 'underlying causes'.⁶⁴

Both these temporal phases are spatially delimited, with the investigation funnelled into discrete and linear chains of cause and consequence, which centre the fire as the main anchor point. Specifically, Phase 2 seeks to investigate the underlying causes which produced the physical condition of the Grenfell Tower, as relating to the spread of the fire. It is about the production of a discrete material environment. This myopic focus only permits the Inquiry to make observations in its Final Report on these terms:

We conclude that the fire at Grenfell Tower was the culmination of decades of failure by central government and other bodies in positions of responsibility in the construction industry to look carefully into the danger of incorporating combustible materials into the external walls of high-rise residential buildings and to act on the information available to them.⁶⁵

Through the relationship between Phases 1 and 2, the Inquiry's investigation comes to be defined by a backward-tracing spatio-temporal logic of causality: beginning with the fire and working backwards, seeking to identify the sequence of decisions, omissions or failures that caused the fire. This is reflective of Eyal Weizmann's account of how a juridical epistemology 'seeks to establish a linear string of causal relations between intentions, actions and victims, or between, so to speak, the two ends of a smoking gun'.⁶⁶ The spatio-temporal configuration of Phases 1 and 2

⁶² M. de Goede, 'Speculative Values and Courtroom Contestations' (2015) 114(2) *S Atlantic Q* 355; J. Bowsher, *The Informational Logic of Human Rights: Networked Imaginaries in the Cybernetic Age* (2022).

⁶³ Grenfell Tower Inquiry, 'About' (n.d.) <https://webarchive.nationalarchives.gov.uk/ukgwa/20250320101638mp_/https://www.grenfelltowerinquiry.org.uk/about>.

⁶⁴ The National Archives, 'Records of the Grenfell Tower Inquiry' (n.d.) <<https://www.nationalarchives.gov.uk/help-with-your-research/research-guides/records-of-the-grenfell-tower-inquiry>>.

⁶⁵ M. Moore-Bick, A. Akbor and T. Istephan, 'Grenfell Tower Inquiry: Phase 2 Report, Volume 1' (2024) *Grenfell Tower Inquiry*, p. 9 <https://assets.publishing.service.gov.uk/media/66d817aa701781e1b341dbd3/CCS0923434692-004_GTI_Phase_2_Volume_1_BOOKMARKED.pdf>.

⁶⁶ E. Weizman, *Forensic Architecture: Violence at the Threshold of Detectability* (2017) 119.

must therefore be understood as an act of *dis-location*: the forcible separation of acts from their locatability within the systems and contexts that both enable and constrain agency.

By design, the spatio-temporality of crisis, a decentralised and diffused spatial terrain, and its attendant process-oriented and historicising temporalities, are now beyond the scope and terms of the Inquiry. Instead, we are left with the spatio-temporal register of scandal: a spatiality of authored actions and inactions, and an attendant temporality of discrete moments or discrete linear chains of events. We are not the first to make this observation. For example, Aoife Nolan criticised the ‘human rights blindness’ of the terms of reference, which ‘shut the door on considering systemic questions about long-term structural inequality and socio-economic marginalisation’.⁶⁷

To raise this concern is to advocate for another ‘way of knowing, or learning’,⁶⁸ one that would be attentive to ‘indirect forms of causality, [that are] multidirectional and distributed over extended spaces and time durations.’⁶⁹ Such an approach would address the cuts and dislocations performed by the Inquiry, ‘reconnect[ing] the multiple threads that linear juridical protocols have torn apart.’⁷⁰ This would, for example, necessitate the investigation of how residents were rendered structurally vulnerable. As another act of prefiguration, the terms of reference erase the possibility of finding such a truth.

5 | HOW? THE LAW OF THE INSTRUMENT

If the only tool you have is a hammer, it is tempting to treat everything as if it were a nail.⁷¹

This section interrogates the question of *how* the instrument of the Grenfell Tower Inquiry functions to produce truth. We argue that the Inquiry’s legalistic method of investigation is defined by the ‘law of the instrument’. By this, we mean the Inquiry’s methodological style (the *hammer*) is productive of the reality it seeks to investigate. It is not the case that there is a stable, prior reality upon which this methodology gets to work. As John Law and John Urry have argued, ‘certain kinds of social realities are performed into being’ through different methodologies.⁷² Put simply, methods ‘make social realities and social worlds’.⁷³ This is another form of prefiguration in which the truth of the Grenfell Tower fire is made to conform to that which the method permits it to tell.

The Inquiry is underpinned by methodological individualism. This is performed through the dramaturgy of quasi-judicial procedures: the questioning and examination of witnesses, the comparison of individual testimonies with one another and with an official archive, and the

⁶⁷ A. Nolan, ‘Human Rights and the Grenfell Tower Inquiry’ *London Review of Books*, 4 November 2019 <<https://www.lrb.co.uk/blog/2019/november/human-rights-and-the-grenfell-tower-inquiry>>; see also, I. Khan, ‘Grenfell Tower Public Inquiry, 5 June 2018’ (2018) *Grenfell Tower Inquiry*, p. 162 <https://webarchive.nationalarchives.gov.uk/ukgwa/20250320101638mp_/https://prodgti.s3.eu-west-2.amazonaws.com/documents/transcript/Transcript-of-opening-statements-5-June.pdf>.

⁶⁸ Walshe, op. cit, n.8, p. 210.

⁶⁹ Weizman, op. cit, n.66.

⁷⁰ Id.

⁷¹ A. H. Maslow, *The Psychology of Science: A Reconnaissance* (1966) x.

⁷² J. Law and J. Urry, ‘Enacting the Social’ (2004) 33(3) *Economy Soc* 390, at 395.

⁷³ Id., p. 390.

establishing of an authoritative account.⁷⁴ In this setting, knowledge is extracted from individuals to reconstruct a sequence of (in)actions, evaluated through a triad of questions: did the person break the rules, did they know they were doing so, and could they have acted differently?⁷⁵ These questions presume a model of the subject as a fully rational, morally autonomous agent, or the ‘responsible individual’.⁷⁶ This is the *hammer*.

The persistence of this approach, as a credible method for establishing truth and responsibility, rests on an epistemological conviction in the existence of the guilty secret.⁷⁷ As we have argued above, these methods promise to uncover hidden truths by exposing an interior world that exists within every person: what they knew, intended or foresaw. This legitimises a mode of social inquiry in which responsibility is imagined as something latent within the subject and retrievable through interrogation. In this way, the truth-seeking task of the Inquiry becomes a matter of revealing authorship.⁷⁸ Here we see the Inquiry’s temptation to treat everything as a *nail*.

Through a focus on one of the core participants of the Inquiry, the construction firm Rydon, we can see how the working of the Inquiry’s method produces a dis-located account of the Grenfell Tower fire. Rydon outbid other contractors to undertake the refurbishment of Grenfell Tower. The Inquiry was told how they underestimated the costs of this project as a result of employee error.⁷⁹ Subsequently, Kensington and Chelsea Tenant Management Organisation (TMO) formally requested that Rydon conduct a process of ‘value engineering’ (VE) to make this already erroneously low bid cheaper. In internal communications, Rydon employees talked of how they would ‘have to work a little bit harder [to find] some significant VE savings’.⁸⁰ These would amount to just over £1 million. As part of the process, Rydon decided to recommend that a more expensive zinc cladding be replaced with the hazardous aluminium composite material (ACM), keeping some savings and passing some back to TMO.

Over several days, Rydon’s contracts manager was questioned about this process. The questions posed by the Lead Counsel for the Inquiry Richard Millett KC indicate and foster a concern with unearthing actions, intentions and knowledge:

What *steps did you take* during the value engineering process in general that quality or functionality were not sacrificed in favour of cost savings?⁸¹

Was *the plan* at Rydon to keep the TMO in the dark about the real extent of savings which could be made by the ACM switch and then pocket the difference to make up the shortfall made by [the estimating] error?⁸²

⁷⁴ Thomas et al., op. cit, no.6.

⁷⁵ P. Ricoeur, *The Just* (2000) 25.

⁷⁶ A. Norrie, *Law and the Beautiful Soul* (2005).

⁷⁷ O. D. Thomas, ‘Revealing (In)Security: Scandals, Guilty Secrets, and the Promise of Counter-Forensics’ (Forthcoming) *Security Dialogue*.

⁷⁸ Ricoeur, op. cit, no.75, pp. 11–35.

⁷⁹ R. Millett, ‘Grenfell Tower Public Inquiry, 20 July 2020’ (2020) *Grenfell Tower Inquiry*, pp. 129–134 <https://webarchive.nationalarchives.gov.uk/ukgwa/20250320101638mp_/https://prodgti.s3.eu-west-2.amazonaws.com/documents/transcript/Transcript%2020%20July%202020.pdf>.

⁸⁰ Id., p. 132.

⁸¹ Id., p. 110, emphasis added.

⁸² Id., p. 163, emphasis added.

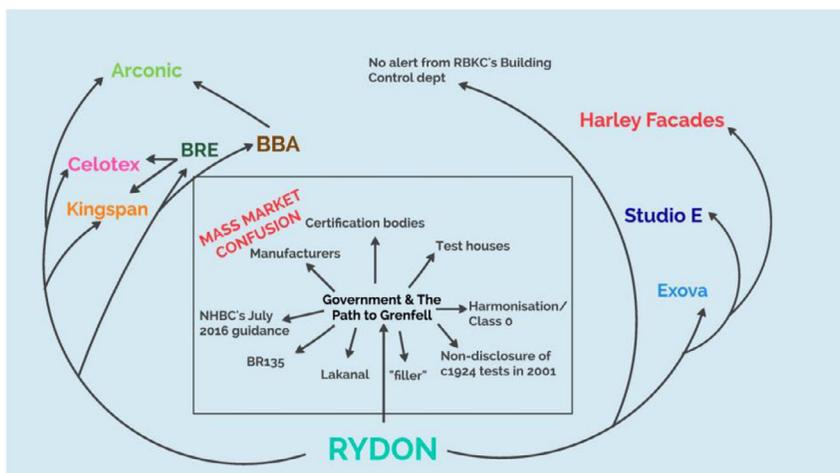


FIGURE 1 Rydon's account of blame according to Millett.⁸⁶

*Were you ever aware that face-fixed and cassette systems in fact have different fire classifications with different test results?*⁸³

Other participants were similarly cross-examined as the Inquiry's method sought to establish who did what, when, and who knew about it. The responses by numerous core participants to Millett's questions are emblematic of Lawrence Freedman's observation that in judge-led public inquiries, participants are told by their lawyers that they 'must say: "yes", "no", or "I can't remember"'.⁸⁴

In his closing statement to the Inquiry, Millett argued that throughout the Inquiry's investigation, Rydon sought to deflect responsibility by claiming that it was operating within a fundamentally broken regulatory and commercial environment, and that its role in the fire must be understood in light of failures beyond its control. It blamed government for creating a flawed regulatory regime that allowed widespread confusion about safety standards and permitted unscrupulous manufacturers to exploit these weaknesses; it claimed this environment enabled companies like Celotex, Kingspan, and Arconic to misrepresent the safety of their products; it accused certification bodies (BBA, BRE), fire safety consultants (Exova), and designers (Studio E) of providing flawed or misleading guidance; and it claimed that its subcontractor Harley Facades had failed to ensure regulatory compliance. Figure 1 is a diagram shown to the Inquiry by Millett to illustrate Rydon's strategy of blame avoidance. For Millett, Rydon had made the case that they weren't 'to blame for anything' but had instead portrayed themselves as a 'victim'.⁸⁵

⁸³ R. Millett, 'Grenfell Tower Public Inquiry, 21 July 2020' (2020) *Grenfell Tower Inquiry*, p. 10 <https://webarchive.nationalarchives.gov.uk/ukgwa/20250320100732mp_/https://prodgti.s3.eu-west-2.amazonaws.com/documents/transcript/Transcript%2021%20July%202020.pdf>, emphasis added.

⁸⁴ L. Freedman, 'How to Run a Successful Covid 19 Inquiry' (2021) *Institute for Government* <<https://www.instituteforgovernment.org.uk/events/covid-19-inquiry>>.

⁸⁵ R. Millett, 'Grenfell Tower Public Inquiry, 10 November 2022' (2022) *Grenfell Tower Inquiry*, pp. 58–59 <https://webarchive.nationalarchives.gov.uk/ukgwa/20241218002804mp_/https://prodgti.s3.eu-west-2.amazonaws.com/documents/transcript/Transcript%2010%20November%202022.pdf?VersionId=hLg4lPUtXtLtOOajtZlHX5jGMvwyxq>.

⁸⁶ R. Millett, 'Counsel to the Inquiry's Closing Presentation' (2022) *Grenfell Tower Inquiry*, p. 6 <https://webarchive.nationalarchives.gov.uk/ukgwa/20250325114841mp_/https://prodgti.s3.eu-west-2.amazonaws.com/Grenfell%20Web%20of%20Blame.pdf?VersionId=u4UrBx.EEpbYUh0w7ussLrNu5LoSp4pu>

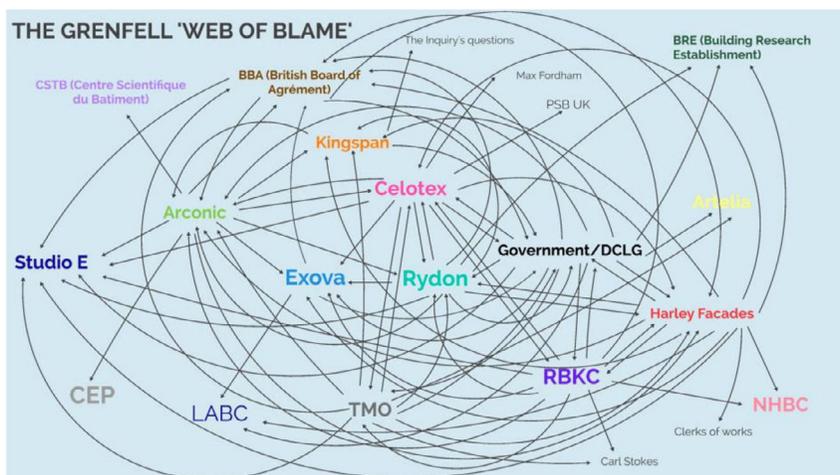


FIGURE 2 The Grenfell 'web of blame'.⁸⁸

Millett produced a similar diagram for each of the participants implicated in the fire, depicting how they explained and deflected their responsibility. These were subsequently overlaid as part of a diagram entitled, the Grenfell 'web of blame' (see Figure 2). Millett explained to the Inquiry that the web is 'what all of these different little maps of blame look like when merged'.⁸⁷

For our purposes, it is important to draw a distinction between two ways of interpreting and responding to the account of the Grenfell Tower fire that emerges from the web of blame.

The first, reflective of Millett's position, tasks the Inquiry with deciphering the complexity of the web of blame by locating and apportioning blame to culpable parties. It is an approach that focuses on the part, not the whole. Earlier in the hearing, Millett remarked that 'I had hoped that my task... would be made easier by candid admission of blame'.⁸⁹ Instead, he accused the participants of manufacturing 'casuistry', which 'is not helpful to [the panel] in working out who is to blame'.⁹⁰ The web of blame, he stated, reveals: 'a culture pervasive through these organisations of dissociation, blame-shifting and defensiveness to cover up incompetence, lack of skill and experience, false and unverified assumptions, and plain carelessness or lack of engagement'.⁹¹

Although the language of a pervasive culture may appear to indicate a more holistic approach, Millett instructs the Inquiry to make sense of this culture through methodological individualism. Specifically, he insists that the panel '[b]ased on a close study and analysis of the facts', 'can and... must' decide 'who is to blame for this tragedy'.⁹² To resolve the web of blame, a puzzle produced by the application of the Inquiry's methods, Millett recommitments the Inquiry to the continued application of its methods. This is most clearly illustrated when Millett explicitly asks the Inquiry to reject the more structural forms of explanation that emerged through the Inquiry's investigation:

There are certain common *structural themes* that persist across the evidence.... Now, those are *systemic* and they are *abstract ideas*. The fire, the last moments of those who

⁸⁷ Millett, op. cit, no.85, p. 77.

⁸⁸ Millett, op. cit, no.86, p. 15

⁸⁹ Millett, op. cit, no.85, p. 31.

⁹⁰ Id., pp. 32–33.

⁹¹ Id., pp. 37.

⁹² Id.

were trapped and doomed in and by that building, and the deaths that ensued, were anything but.

... It will therefore be crucial, when you come to consider the evidence, not to start with grand themes or preconceived narratives, but to work from what lies on the ground in front of you: the *myriad shards* of evidence, the emails, notes, minutes, slides, witness statements, reports, audits, certificates, which form the stories of how we got to Grenfell.⁹³

The assumption of this first approach is that guilty parties are hiding within the complexity of the web of blame, and can be located through the proper application of the Inquiry's methods.

The Inquiry's reports would ultimately reflect this first approach. The reports detail and apportion blame to a variety of organisations. Take, for example, Part 6 of the Phase 2, Volume 1 report on the 'refurbishment of Grenfell Tower'. On Rydon specifically, this part concludes that the firm 'bears considerable responsibility for the fire'.⁹⁴ This finding was based upon the identification of a series of actions, intentions and knowledge: they were 'complacent', 'gave inadequate thought', 'displayed a casual attitude' and 'failed to take proper steps'.⁹⁵ Similar findings were made in relation to both public and private actors for a range of failures, of *dysfunctions* and *malfunctions*: ignoring risks, downplaying concerns, and 'systematic dishonesty'.⁹⁶ Part 6 runs to only four pages, yet argues that in addition to Rydon: Studio E 'bears a very significant degree of responsibility for this disaster'; Exova 'also bears considerable responsibility'; Harley 'too bears a significant degree of responsibility for the fire'; RBKC 'bears considerable responsibility'; and the TMO 'must also take a share of the blame for the disaster'.⁹⁷

In this way, the Inquiry reproduces the web of blame, not as a diagram denoting blame avoidance, but rather as a map, which delineates accountability for the fire as individual failures. These findings are demonstrative of the performative 'cuts', described in the previous section, which produce agentic causal chains of responsibility. If, as we've argued, methods 'make social realities', then the reality produced by the first approach is one in which the Grenfell Tower fire is ultimately reducible to a scandalous logic of *rule-breaking*.

There is, however, another way of approaching the web of blame. A second approach produces a different social reality, one in which what is hiding in plain sight is a system, not guilty secrets. This approach understands the Grenfell Tower fire through a reckoning with systemic phenomena. For example, it has been widely argued that the fire must be located within wider processes of the transformation of public goods and services (via corporatisation, commodification, and privatisation) into new sites of profit-making.⁹⁸ These are *functions*, not *dys-functions* or

⁹³ Id., pp. 29–31, emphasis added.

⁹⁴ Moore-Bick et al., op. cit, no.65, p. 22.

⁹⁵ Id.

⁹⁶ Id., p. 12.

⁹⁷ Id., pp. 20–23.

⁹⁸ G. MacLeod, 'The Grenfell Tower Atrocity: Exposing Urban Worlds of Inequality, Justice, and an Impaired Democracy' (2018) 22(4) *City: Anal Urban Change, Theory, Action* 460; W. Funnell and R. Jupe, 'The Architecture of Accounting and the Neoliberal Betrayal of Life' (2022) 89 *Crit Perspect Account* 1; S. Tombs, 'Home as a Site of State-Corporate Violence: Grenfell Tower, Aetiologies and Aftermaths' (2020) 59(2) *Howard J Crime Justice* 120; see also Na'eem, op. cit, n.60.

mal-functions of neoliberalism.⁹⁹ Such functions are not legible through the Inquiry's search for the blameworthy. These functions also provide the context in which the 'systematic dishonesty' of certain Inquiry participants can be understood. It has been shown that wherever regulatory systems set the threshold of legality, the principle of self-maximisation encourages market actors to find the most effective way of working just at the limits and, where possible, circumnavigating that threshold.¹⁰⁰

For example, this approach would encourage us to note that six months before the Grenfell Tower fire, the Royal Institute of Chartered Surveyors published a report endorsing value engineering.¹⁰¹ What this demonstrates is that in the immediate lead-up to the fire, value engineering was a standard industry practice. It has been argued that this has led to poor design and cheaper construction across the sector.¹⁰² A systemic approach requires attention, not only to actions, intentions and knowledge, but to understanding 'mass harm caused by routine practices'.¹⁰³

This second approach is not the other side of an either/or: in which you either understand the Grenfell Tower fire through agency or structure. The Inquiry's dis-location of the former from the latter is visible when Millett asks the panel 'not to start with grand themes or preconceived narratives' and when Moore-Bick decides that 'questions of a social, economic and political nature' cannot be considered. Although the Inquiry enacts a dis-location of the two, this second approach does not. The very idea that the individual can be separated from the social is a 'historically engineered separation' designed to insulate legal and moral responsibility from broader claims about social justice.¹⁰⁴

It is not just that the Inquiry does not engage with an alternative account; rather, the privileging of an individualist account makes alternatives appear less credible. It is presumed that all social phenomena can be explained as an aggregation of individual action, derived from statements about individuals' intentions, beliefs, and properties.¹⁰⁵ The web of blame is, quite literally, an illustration of this idea in which actors are dis-located from the social via an investigative model designed to unearth actions, intentions and knowledge. If one accepts such a premise, claims about a social or systemic harm that cannot be anchored to authorship appear fuzzy and abstract.¹⁰⁶ Not only is methodological individualism unable to accommodate the ways in which rationality is 'located in significant measure beyond the individual in the social realm',¹⁰⁷ it actively denies the possibility.

The effect is to preserve the legitimacy of existing institutional arrangements by treating systemic matters as outside the purview of inquiry. The Grenfell Tower Inquiry does not merely overlook structural violence; it is institutionally organised to exclude it. This forecloses critique

⁹⁹ P. M. Garrett, 'What Are We Talking About When We Talk About "Neoliberalism"?' (2019) 22(2) *Eur J Social Work* 188.

¹⁰⁰ S. Tombs, 'State-Corporate Symbiosis in the Production of Crime and Harm' (2012) 1(2) *State Crime J* 170; D. Whyte, *Ecocide: Kill the Corporation Before it Kills Us* (2020).

¹⁰¹ Royal Institute of Chartered Surveyors, 'Value Management and Value Engineering' (2017), p. 34 <https://www.rics.org/content/dam/ricsglobal/documents/standards/value_management_and_value_engineering_1st_edition_rics.pdf>.

¹⁰² S. Hodkinson, 'Grenfell Foretold: A Very Neoliberal Tragedy' in *Social Policy Review 30: Analysis and Debate in Social Policy* C. Needham, E. Heins and J. Rees (eds) (2018) 12.

¹⁰³ P. Hillyard and S. Tombs, 'From "Crime" to Social Harm' (2007) 48(1-2) *Crime, Law Social Change* 9.

¹⁰⁴ A. Norrie, 'From Criminal Law to Legal Theory: The Mysterious Case of the Reasonable Glue Sniffer' (2002) 65(4) *Mod Law Rev* 538, at 555.

¹⁰⁵ J. Elster, 'The Case for Methodological Individualism' (1982) 11(4) *Theory Soc* 453.

¹⁰⁶ Thomas, *op. cit.*, n.77.

¹⁰⁷ A. Norrie, *Crime, Reason and History* (2000) 12.

by turning the Inquiry into a site of individualised accountability, thereby shielding entrenched inequalities from meaningful scrutiny.

6 | CONCLUSION

This article has interrogated the Grenfell Tower Inquiry as a truth-seeking and truth-producing instrument. We have argued that through a series of prefigurative acts, the Inquiry's ability to seek and produce the truth of the Grenfell Tower fire has been severely restricted. In spite of the Inquiry's initial promise that '[n]o stone will be left unturned', we have demonstrated how a variety of stones *have* been left unturned through a series of acts, decisions, and methodologies. The truth produced by the Inquiry is one defined by methodological individualism in which the fire is conceived of as the aggregation of scandalous, individual (in)actions, intentions and knowledge. Other ways of investigating or understanding the fire are systematically excluded and denigrated. Tasked with seeking the truth, the Inquiry can be seen as failing its 'epistemic duty to victims, their families, [and] society as a whole, to know and understand what has happened and why'.¹⁰⁸ This constitutes a form of 'epistemic injustice'.¹⁰⁹

That the Inquiry has published its findings does not, however, mean that the public struggle over the meaning and significance of the Grenfell Tower fire is over. Although the Inquiry occupies a privileged position in public discourse, as an authoritative instrument of sense-making, it does not determine public understanding. In the course of the Inquiry and at its close, other readings of the fire have emerged. Many focused on the wider social, political, and economic contexts - on questions of race, class and poverty - in which the Grenfell Tower fire took place.¹¹⁰ Such readings hold the possibility for a rejection and resignification of a much wider terrain of harm than that captured by the Inquiry. This wider reading allows for entirely lawful forms of harm and violence - the 'lawful but awful'¹¹¹ - to be considered and not relegated. It raises questions about lawful neglect such as why other buildings are still covered in the same cladding that the Grenfell Tower was, but also why people die each winter as a result of living in cold and damp homes.¹¹² Viewed as such, the 'problems' we face are not a malfunctioning system that enabled bad people to do bad things, but the system itself, and how it was built. Put simply, the claim that 'the system isn't broken, it was built this way' still demands to be addressed.¹¹³

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¹⁰⁸ A. Williams, 'Public Inquiry into State Violence: The Epistemic Question' (2024) 10(3) *Crit Mil Stud* 388, at 401.

¹⁰⁹ Id.; see also M. Fricker, *Epistemic Injustice: Power and the Ethics of Knowing* (2007).

¹¹⁰ See, for example, footnote 60 and 98.

¹¹¹ N. Passas, 'Lawful But Awful: "Legal Corporate Crimes"' (2005) 34(6) *J Socio-Econ* 771.

¹¹² End Fuel Poverty Coalition, '4,950 Excess Winter Deaths Caused by Cold Homes Last Winter' (2024) <<https://www.endfuelpoverty.org.uk/4950-excess-winter-deaths-caused-by-cold-homes-last-winter>>.

¹¹³ Grenfell United, op. cit, n.11.