

# Distributing Funds in a Disaster

Diana Leat Ph.D.

LONDON  
EMERGENCIES  
TRUST



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## Foreword

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2017 will be remembered by many people as the year in which a series of terrorist events in London and Manchester and a catastrophic fire at Grenfell Tower in North Kensington changed the lives of so many people, for those who lost loved ones, those who survived, their families and friends.

The trustees of the London Emergencies Trust recognised from the outset, when the first terror attack took place on Westminster Bridge and at the gates of Parliament on 22 March 2017 that they would need to put into practice the learning from the distribution of charitable relief funds after the 7 July 2005 London bombings. As other attacks took place the trustees were clear that they would need to build on that body of learning and commission a review of the experience, especially as responding to the fire at Grenfell Tower meant that the approach that they had taken needed to be reviewed and adapted to meet the needs of those affected by an equally calamitous event which challenged existing working assumptions.

Dr Diana Leat was commissioned to review the trust's experience and set out learning for the future. She had previously reviewed responses to disasters around the world in 2015 (*Responding to Disaster: the London Bombings Relief Charitable Fund*) setting that Fund's experience and response in the context of others. This had been produced for the 10th anniversary of the 7 July bombings, the point at which the former trustees of that Fund recognised that they might need to put their learning to the test again given events taking place across the world.

Many who were part of the response to the 2017 events have published or are producing reports with their own experience and recommendations for the future. I hope this report will add to that growing resource. This is particularly important at a time when calls are being made for a national framework for responses to the sorts of events experienced, whether at London Bridge and the other places in the capital where attacks took place, Manchester Arena or Grenfell Tower.

My thanks go to the many people and organisations that the London Emergencies Trust worked with who provided financial assistance for our operations, and services in kind or pro bono to help us meet our costs. Although we made sure donated funds were used to support beneficiaries, costs whether for salaries or running costs do have to be met and we were very fortunate in those who gave their support so willingly.

It is also important to remember the dignity with which survivors and families responded and that many put the charitable gifts they received from a generous public into projects and charities that would stand as a living memorial to those who lost their lives.

**Gerald Oppenheim**

Chair of the Board of the London Emergencies Trust  
November 2018

## Acknowledgements

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I would like to thank the trustees and staff of LET and members of the report advisory committee for their invaluable help and support in writing this report. Particular thanks are due to the people I interviewed who were extraordinarily generous with their time and their thoughts.

Building on the experience of London Bombings Relief Charitable Fund (LBRCF), London Emergencies Trust (LET) was formed as a dormant company in 2015; an application for charitable status was made with Charity Commission agreement that it would – having carried out its checks – grant charitable status immediately following an emergency (triggering LET's activation). In 2017 LET became active and took on the task of distributing charitable donations to the bereaved and injured following four terrorist attacks and the tragic fire at Grenfell Tower. A year later LET had distributed over £11 million.

This review was commissioned by the board of LET in order to reflect on LET's experience. The review is not an evaluation but rather seeks to identify the key dilemmas and challenges encountered by LET and likely to be of continuing relevance.

The unanimous view of all those interviewed was that LET did a very difficult job exceptionally well. LET was widely praised as 'calm', 'co-operative', 'helpful but not directive', 'adult about sharing' and so on.

# Key Points

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## Governance and staffing

- Forward planning and creation of a dormant company enabled LET to make a quick start.
- LET's trustees were experienced and respected in distributing disaster funds.
- The LET board contained senior lawyers and current or former charity CEOs.
- A high degree of trust between board members allowed for robust discussion on critical decisions and realism about making difficult decisions with imperfect information.
- LET had a small but flexible and experienced staff team. Staff were recruited with the particular mix of skills required for this complex form of grant making.
- The emotional challenges of this type of work for staff and trustees was recognised and counselling arranged to augment informal peer support.
- Infrastructure costs did not come out of public donations; raising these entailed additional pressure for LET. Covering infrastructure costs needs further consideration.

## Relationships

- LET worked in partnership with British Red Cross (the primary fundraiser for LET) and with a range of other local voluntary organisations, the NHS and the Metropolitan Police. Clear communication, trust and shared values are crucial in these relationships. Memoranda of understanding may be useful.
- One of LET's greatest strengths was said to be its willingness to work with others.

## Getting involved

- LET's involvement in each disaster required consideration. The definition of a disaster is not clear cut and for charity fundraising purposes will depend on a range of factors including the public's willingness to give.

## Clear focus and criteria

- LET focused on the bereaved and injured. It was clear about its remit and role, and firm in its commitment to careful process.
- Defining and identifying the 'bereaved' and 'injured' was not straightforward.
- As a charity operating under the law of England and Wales, in cases of bereavement LET trustees were guided by English Law intestacy rules (The Intestacy Act 1925) to identify who should receive funds. English laws relating to family and intestacy are arguably not well adapted to modern family life or to other cultures.
- Without the time and resources to assess individual needs, and seeking to get assistance to the injured quickly and easily, LET used as a proxy for injury the length of time spent in hospital. Due to changing medical practices these proxies may need further consideration.
- LET did not give grants to witnesses and for psychological trauma. Both are hard to identify but recognition of trauma clearly needs further thought.
- It is important to ensure that the voices of the bereaved are not lost. The bereaved may not be as numerous as survivors but are likely to be at least as traumatised, and also pre-occupied with other matters and with conflicting feelings about asking for and receiving money.

## Living with uncertainty and complexity

- In order to act quickly despite uncertainty over amounts of money raised and numbers of recipients LET made speedy initial payments which were then topped up as more information on numbers involved and amount of money raised became available.
- LET was under considerable pressure to distribute money quickly but was hampered both by the uncertainty above and by organisations' caution in sharing data; in addition it needed to consider families' own wishes and acknowledgement of death.
- Rules regarding sharing of personal data in an emergency need clarification. (This is now being addressed)
- Identifying and communicating with family members was complicated if the deceased came from overseas and/or had family outside the UK.
- When the next of kin was a minor LET, with the help of pro bono legal advice, created a trust to ensure that the child/young person would receive the money.
- For various reasons the narrative of immediacy may need to be challenged to recognise the vulnerability of recipients and to protect their best interests.

## Resources and skills

- Resourcing LET was a challenge. Fund distributors need to be able to start work immediately with adequate start-up operating costs.
- In an ideal world staff would combine knowledge of grant making and

local knowledge. Local knowledge is an undoubted advantage, but local knowledge and large capacity do not typically go together.

- Most voluntary organisations have some fundraising skills and capacity but grant making is not a common skill. Seconded and pro bono staff are helpful but identifying and building the right skill set for this very complex and unusual type of grant making is necessary.
- Staff doing disaster funding benefit from core grant making skills, but have to marry this to a number of other things – experience of close partnership working with statutory and charity bodies; understanding of charity law; personal resilience and skill in dealing with people experiencing trauma and upset; ability to be proactive, problem solving, act with great rigour at speed; as well as first class communication skills
- 'Peace time' relationships should be established such that the networks and knowledge for quick mobilisation of key staff are already in place, and funders need to invest in collaborative infrastructure. The wider work initiated by the Charity Commission to plan for a better response is an important start.

## Collaboration and communication

- Collaboration and co-ordination between agencies is critical in a disaster; these require credibility, authority, trust and legitimacy to work with other agencies from day one. The networks trustees and staff bring, as well as their skill in communicating and in relationship building, are very important.

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- There needs to be understanding that different agencies have different values, cultures, constraints and priorities which affect what they can and will do and things are done.
  - Explanatory material is needed for hospitals, police etc. on a distributor's role and purposes, governance, funding, criteria, terminology and information requirements. In addition, user-friendly and relevant explanations of the constraints of charity law need to be available.
  - Resilience planning should involve voluntary organisations as potential 'third' responders.
  - Communication of a distributor's role, remit and progress is a constant process; organisational memory cannot be assumed.
  - The scale and challenges of the modern media response need to be fully appreciated in advance.
  - The role, effects and regulation of on-line giving platforms need further consideration. Donors need to understand the importance of considering distribution mechanisms.
  - There is a potential tension between the privacy of beneficiaries and accountability for charitable funds.

### **More fundamental issues**

- Discussion and clarification is needed of a range of more fundamental issues raised by charitable giving and distribution in response to disaster: the role and effects of money; fairness; and finally, the roles of charity, the state and the private sector.

## Issues For Further Discussion

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### Key concepts

- Is the definition of a 'disaster/emergency' for charity purposes sufficiently clear and consistent, and how does it relate to definitions in the Civil Contingencies Act 2004?
- When it comes to beneficiaries are definitions of 'family' fit for purpose in a modern, multi-cultural society?
- Do we need to clarify the definition of medical 'treatment' – what it is and when it occurs?
- How do we define and assess psychological injury?

### Donors and recipients

- Whose expectations and needs come first? If donors fully understood the implication of their aggregate giving would they object to some considered, transparent 'diversion/re-allocation' of their gifts to wider needs of beneficiaries and the costs associated with that?
- Do donors understand the legal importance of how their gift is specified?
- Are donors encouraged to think about what others are doing, the combined effect of gifts and distribution mechanisms?
- Is more giving always a good thing? Some now suggest that the giving of things in an emergency should be strongly discouraged, are there circumstances in which the giving of more money should also be questioned?
- How can the tension between accountability to donors and recipients' privacy be managed?

- Is sufficient attention paid to safeguarding recipients of what may be significant sums of money?

### Roles and responsibilities of government, charity and private sector

- Do we need to clarify respective roles and relationships at a time of disaster?
- Where insurance payments and compensation are relevant what implications, if any, should this have for distribution of charitable gifts?

### Immediate and longer term

- Would it be helpful to distinguish between immediate and longer-term needs following a disaster?
- Money from the state might be better seen as the first response with charity money (which takes longer to raise) more focused on medium and longer term needs.
- Greater focus on longer-term needs would give recipients more time to consider future needs and shield them from some of the less welcome effects of receiving large sums of money at a time when they are most vulnerable. Distributors would be under less pressure to distribute as fast as possible and the timetable could more easily be explained to donors and the media. One disadvantage would be that distribution would take longer.

### **Distribution capacity and skills**

- The charity sector spends money and time on raising funds but much less attention is paid to distribution capacity and expertise.
- The sector's patchy distribution capacity on a national scale needs to be acknowledged and addressed.
- The fact that disaster grant making – especially to individuals – is very different from 'standard' grant making needs to be taken into account.
- The particular mix of hard and soft skills needed by disaster fund distributors need to be considered.
- How can accumulated knowledge, capacity and experience of disaster grant making to individuals best be curated and applied?

# Introduction

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## Purpose and scope of this report

This report was commissioned by the board of London Emergencies Trust (LET) as it neared the end of its operations in summer 2018. **LET had distributed over £11 million in just over a year to victims of four terror incidents and one catastrophic fire in London in 2017;** the board wanted to reflect on that experience in order to inform any future distribution activity. It was also keen that lessons learned by LET helped inform any future disaster response arrangements – in the UK and elsewhere.

There have been several reports on the charitable response to the Manchester and London terror attacks and the Grenfell fire (see, for example, Muslim Aid 2017, IVAR 2017, Victim Support 2017; Kerslake Report 2018). This report is primarily focused on the overall work of LET – and the challenges encountered – in responding to both the Grenfell fire and the four London terror incidents. The report does not deal with the response to the Manchester incident which was handled by the We Love Manchester Emergency Fund, and it does not deal with fundraising except as it impinged on LET's own work. LET was not primarily concerned with fundraising, its focus was on distributing charitable funds to the bereaved and injured.

The report is not an evaluation in the conventional sense of making judgements about 'success' and 'failure'; rather it briefly describes how LET worked and seeks to identify those dilemmas and challenges faced by LET and likely to be encountered in the distribution of charitable disaster funds in the future. This is not a 'how to do it' manual but rather a 'what to think about' guide. It is primarily based on LET's experience but informed by the wider literature on charitable responses to disasters.

The report has two main sections. Part One briefly describes LET and how it worked. Part Two identifies and discusses the key challenges and dilemmas faced by LET. The report ends with a brief conclusion and recommendations for further consideration.

Part 1.

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# LET and its Work

## The London terror attacks and Grenfell Tower fire

The genesis of London Emergencies Trust is described in more detail below. Briefly, LET was activated in response to the Westminster terror attack on 22nd March 2017 in which five people died and 16 were hospitalised; this attack was swiftly followed by attacks at Borough/London Bridge (3rd June 2017) resulting in eight dead and 24 hospitalised, Finsbury Park (19th June 2017) in which one person died and 10 were hospitalised, and Parsons Green (15th September 2017) resulting in 12 people hospitalised. In addition to these terror attacks, LET was also closely involved in the response to the catastrophic fire at Grenfell Tower (14th June 2017) in which 72 people died, 62 were hospitalised and over 100 households lost their homes and possessions.

LET's role in all five cases was to distribute charitable financial donations from the public, primarily focusing on helping the bereaved and injured (as outlined below, other organisations distributed funds for other purposes and from other sources).

### Disasters: the same but different

All disasters are similar in that they involve usually sudden and unexpected loss of life, injury, possessions or livelihood. But every disaster is different in nature, scope and cause. The five disasters considered here were different in cause, and in the nature and scope of their effects, even if for those directly affected the loss and pain were equal.

One of the peculiarities of the response to disasters in many societies is the unequal

recognition of disasters: smaller disasters occur more often and, in aggregate, affect more people but tend to attract much less attention. A further related issue is the definition of a 'disaster', and who decides on that designation for charity purposes (this is discussed in more detail below).

From a charity fundraising and distribution perspective, disasters tend to share some fundamental characteristics. There are fundamental problems of definition, identification and allocation; initial (and often continuing) lack of knowledge regarding amounts raised and numbers of potential beneficiaries; difficulties in obtaining reliable data about victims and other agencies involved; pressure to allocate money quickly; media scrutiny; problems of 'fairness' and problems concerning the nature of the 'gift'.

But the cases considered here clearly differed in some important respects. The cases differed in nature and scale of loss and numbers affected; the scale of the charitable response including total sums of money raised; involvement of social media; number of organisations involved; donor visibility and expectations; relationship between the victims e.g. the distinction between a community of residence and a 'community' of circumstance.

The literature on disasters usually distinguishes between man-made and natural disasters (although there are some who argue that all disasters are man-made in the sense that all disasters imply a failure to manage risk). But in considering the challenges of distributing charitable funds to disaster survivors another distinction may be more important: some disasters affect communities, others strike unrelated

individuals who happen to be in the wrong place at the wrong time. For example, the victims of the incident at Parsons Green had little in common except that they were travelling on the same train. Those involved in the Finsbury Park attack had more in common. The victims of the Grenfell fire had much in common – they shared a block and a neighbourhood, many of them knew each other and each other's circumstances, their children went to school together, they had established relationships and some common interests, and they talked to each other. Pre-existing relationships in communities hit by disaster may have some positive aspects – people can grieve together, support and inform each other and work together – but, as discussed, below they may add another layer of complexity in the response to disaster.

Finally, and arguably crucially, there is a difference between disasters in terms of perceived culpability; in some cases the disaster is perceived as having been someone or some organisation's fault/responsibility, in other cases the event is perceived, in insurance parlance, as 'an act of God'.

In the light of these differences it is tempting to see the Grenfell Tower fire as not comparable to the four London terror attacks, as a one-off catastrophe of debatable relevance to future charity emergency planning. Arguably, however, the only difference between Grenfell and a potential terror attack on, say, a block of flats is the final difference above – perceived culpability (and even this is debatable; after 9/11 there were issues regarding the culpability of the airlines, and in the UK there are now questions about hire car companies' responsibilities following terror attacks.

In some respects this report is heavily focused on Grenfell; that is partly true simply because Grenfell, for various reasons, raises the starkest and most complex dilemmas which might be encountered in other situations. The terror attacks in and of themselves raise particular issues alongside this.

## London Emergencies Trust

### Background

In 2005 the London Bombings Relief Charitable Fund (LBRCF) was created in order to distribute charitable gifts to those bereaved and injured (LBRCF 2015). LBRCF closed in 2007 but **in 2015 four former LBRCF trustees created London Emergencies Trust as a 'dormant' charitable company for distributing charitable gifts should any future disaster in London occur.**

London Funders (the membership body for London funders and investors in civil society) agreed to act as Company Secretary, ensuring that LET had appropriate governance structures and systems in place should activation be necessary. Following the Paris attacks in November 2015 Trust for London had suggested the need for a London emergency trust and was brought onto the board. City Bridge Trust (which had supported LBRCF) was also involved, in effect bringing with it the possibility of funding as well as the backing of the Corporation of London.

It was agreed that LET would become active when the Mayor of London declared an emergency and an appeal for charitable funds had been created. This happened shortly after the Westminster Bridge attack; as a result of forward planning, LET was able to start work immediately.

### Purpose

LET's formal objects were to:

- relieve sickness or disability, whether physical or mental, of victims of emergency incidents and their dependants;
- relieve financial need among victims of emergency incidents; and
- support such other exclusively charitable purposes as the trustees shall consider appropriate.

### Governance, funding and staffing

**Initially, LET was governed by a board of four (unpaid) trustees previously involved with LBRCF, the initiators of LET and experienced in the complex, somewhat unusual and often contentious work of distribution of charitable funds in an emergency.** As noted above, representatives of City Bridge Trust and Trust for London and later a representative from the British Red Cross (i.e. LET's partner body/fundraiser) joined; the board also asked someone who had survived the 7/7 London bombings to join them; 'someone who really knew what all this felt like from the receiving end'.

One of the several advantages of LET's origins in LBRCF and overlap in governance was that, although new, LET had a 'pedigree': 'LET was new but I think the Charity Commission trusted us because it trusted LBRCF – they knew who we were and how we worked'. The trustees were well known to the Commission. In addition, the board members' prior relationships was one factor in 'robust discussions – we would really spend time challenging each other and when we came to make a decision we accepted it wasn't always

perfect, but we were happy it was the best in the circumstances’.

LET’s funding and staffing are discussed further below. Briefly, all of LET’s infrastructure costs were raised from trusts, foundations and corporate donations supplemented by pro bono legal advice, accommodation and other resources. Staffing varied over time in the light of changing demands but, in summary, LET maintained a very small core staff taking on additional temporary help as necessary.

**No staff costs were met from public donations.**

After an initial phase working with 2 seconded staff, as the number of incidents increased LET decided to appoint Rob Bell as director. Rob had previous experience in both the civil service and charitable grant making, and fortuitously happened to be available.

**Role of LET**

LBRCF had had a partnership agreement with the British Red Cross in 2005. BRC launched an appeal, raised the funds and then passed them, in instalments, to LBRCF to distribute to the bereaved and injured in accordance with criteria agreed between the two organisations. Following the attacks in France, in late 2015 and through 2016, before activating LET, trustees and some former LBRCF staff had discussions with BRC about fundraising and other arrangements for any future emergency.

Like any partnership during an emergency the LET/BRC relationship developed in adversity and was not always plain sailing. Both organisations were working in a highly pressured environment and whereas distribution to the bereaved and injured at the four London terror incidents and the

Grenfell fire was LET’s sole focus, BRC was carrying on its normal operations as well as working closely with the We Love Manchester Emergency Fund. One major difference in the BRC/LET partnership in 2005 and 2017 was that in 2005 BRC had largely handled the case work whereas in 2017 LET ended up, in effect, taking on the case work function which had been allocated by BRC to dispersed case workers in remote locations.

In March 2017 LET was activated and the partnership with BRC began in earnest.

Donations to the Westminster attack came largely from private sources after BRC launched an appeal. After the London Bridge/Borough incident BRC created the UK Solidarity Fund as a fundraising platform for that attack and any future terrorist related incidents; the response to such attacks became automatic and no longer dependent on an announcement from the Mayor. LET’s involvement would be decided by the board of trustees in conjunction with BRC. Already involved in distribution to the victims of Westminster and London Bridge, in June 2017, after some deliberation, LET took on the role of distributing public donations to the bereaved and injured at Grenfell Tower (see below for further discussion of that decision). It subsequently became involved in the Parsons Green and Finsbury Park responses.

**Way of working**

At the outset LET decided to adopt the same broad principles as LBRCF 12 years previously. LET would distribute money to three broad categories of people: the bereaved, those hospitalised for one week or more, those hospitalised overnight. Later, in an uncertain operating and funding environment, LET

revised these categories changing 'overnight' into hospitalised for more than six hours but less than one week and adding another category: those hospitalised for between four and seven days.

In order to identify beneficiaries at the terror sites LET worked mainly through counter-terrorism Metropolitan Police Family Liaison Officer (FLO) coordinators, later developing relationships with individual FLOs in the most tricky cases. At Grenfell LET worked through homicide FLO's and 'key workers' (mainly social workers) who were allocated to those bereaved or otherwise affected by the fire. Payments were not means tested and LET's criteria had the advantage of being simple and objectively verifiable. Documentary evidence of eligibility was required but after developing a data release consent form LET was able to help people obtain evidence if necessary (e.g. hospital admission and discharge records). At Grenfell LET worked closely with three main funding partners – BRC, London Community Foundation / Evening Standard Dispossessed Fund and Kensington and Chelsea Foundation. It also worked with other organisations including the Rugby Portobello Trust (RPT) and the Clement James Centre distributing funds to 'survivor' households.

As discussed further below, LET's decision to become involved in distributing money raised by BRC for Grenfell was not straightforward. When considering the overall charitable response to Grenfell it is important to remember that this was a local authority owned and managed block (there were a small number of owner occupiers who, it might be argued, were in a particularly difficult position); the local authority had a duty to accommodate and re-house its tenants. In addition, it soon

became clear that any insurance payments would take months if not years to be decided. LET was criticised by some for sticking to its terror attack response role at Grenfell when the needs of the victims of the fire were different and much wider. LETs defence of this position was that this was where its expertise and capacity meant it could operate effectively; extending beyond injured and bereaved would have required a body that could do greater volume, and without the degree of specialism of LET. Had LET had more flexible capacity and been more mature and better resourced, it could have taken on the distribution of 'survivor funds', most likely in partnership with a locally based charity such as RPT. This report focuses on the work of LET but in the case of Grenfell in particular it is important to see LET's role in the context of the wider charitable and government response.

Most disaster grant distributors face a fundamental problem: initial lack of sound information about both the number of victims and the amount of money likely to be raised. **In all five cases LET was no exception. In order to act quickly despite this double uncertainty, LET decided to make speedy initial payments which would then be topped up as more information on numbers involved and amount of money raised became available.** Initial payments to the bereaved were £20,000 per family, £10,000 to those hospitalised for one week or more and £3,500 to those hospitalised for more than six hours but less than one week. As more information and money became available these payments were topped up at regular intervals.

### **From 7/7 to 2017**

It is worth briefly summarising here the difference between the challenges faced by LET in 2017 and those faced by LBRCF around 7/7. As one person noted: '7/7 was more straightforward – we knew who was affected fairly quickly, we were brought in to Gold Command quickly and there were good information flows; there were no social media, getting data was pretty simple, the world was less aware and demanding. Now there's more confusion around charitable giving, what we do, donor and beneficiary expectations about equality, parity, coordination and so on'. It is also worth noting that in 7/7 the Evening Standard worked alongside LBRCF whereas in relation to Grenfell the paper had its own fund and a prior relationship with London Community Foundation.

Part 2.

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# Disaster Distribution Challenges and Dilemmas

## Introduction

Arguably, there is no right way to distribute charitable funds in disaster situations; rather there are difficult choices with varying costs and benefits. The following discussion seeks to highlight the problems faced by charity distributors in disaster situations, as a guide to the challenges that have to be considered by future distributors.

## The key dilemmas and LET's response

Disaster fund distribution is in some important respects unlike 'everyday' charity grant making (e.g. by charitable foundations and others giving grants to applicant organisations and/or individuals).

In disaster charity fund distribution:

- both supply (i.e. total sum of money available) and demand (i.e. number and size of applications) are initially unknown and not in the distributor's control. How can the distributor respond quickly without overspending? LET responded by making quick basic payments which were topped up as more information became available.
- who qualifies as an applicant/potential beneficiary is conflicted and contested and proof of qualification may be difficult to obtain. LET responded by being clear about its remit to help the bereaved and injured, by developing proxy measures of levels of injury, by producing an information consent form which enabled it to obtain data on the applicant's behalf, and by being sensitive but diligent in relation to proof of death. After discussion LET did not generally include psychological trauma in its payments.
- there is unavoidable direct and indirect interaction with government and the corporate sector, including the state benefit system and sometimes private insurance. LET's payments were not means tested but it did ensure that an agreement regarding deductions from state benefits was re-established with DWP.
- distribution may transcend national borders over which the distributor has no control. LET responded by working with the police and other agencies at home and abroad to ensure that potential beneficiaries were contacted, and any monies securely transferred.
- distribution occurs in the public gaze under intense media scrutiny, and in the wider context of social media fundraising and comment. LET responded by being firm in its focus on the bereaved and injured and by continuing to employ all reasonable due diligence.
- applicants are likely to be physically, mentally and emotionally vulnerable. LET established good working relationships with Metropolitan Police Family Liaison Officers as well as conducting its own sensitive case work and working with other local agencies.
- distribution is emotionally fraught and may be legally and culturally contentious. Again, LET's response was to listen, understand and explain but to remain firm in its basic principles and process.

- the nature of the gift/transaction is sometimes unclear to applicants and recipients who, crucially, have not, in a sense, chosen this status. LET repeated its message that payments were a gift from the British public and not, in any way, compensation.
- donors want to know how their money was spent but the privacy of recipients needs protection. LET dealt with this by documenting the overall sums spent in various categories but scrupulously protecting the anonymity of recipients.
- LET also had to find ways of protecting minors and other vulnerable people potentially susceptible to exploitation.

Given these characteristics **charity fund distributors in disasters constantly have to negotiate a balance between supply and demand; speed and due diligence; clarity/specificity and flexibility; immediate versus longer term needs; donor intentions and beneficiaries' best interests; beneficiary privacy and public accountability.** Beneath these headline balancing acts there is a complex collection of fundamental dilemmas and challenges. These challenges tend to be most acute in the case of grants to individuals.

## Defining 'Disaster'

One of the first dilemmas for charity distributors is whether this is a disaster appropriate for charitable donations. This is more complex than might appear. The first issue is **what counts as a 'disaster'. All disasters are different and not all calamities are defined as a 'disaster'.**

The Civil Contingencies Act 2004 defines an emergency as:

- an event or situation which threatens serious damage to human welfare;
- an event or situation which threatens serious damage to the environment; or
- war, or terrorism, which threatens serious damage to security'.

For charitable fundraising purposes a disaster is usually defined by a local or central government announcement and/or a public appetite for giving. Some catastrophic events are not typically defined as disasters for fundraising purposes. For example, the Croydon tram crash of November 2016 in which seven people were killed and 62 injured was not a disaster for fundraising purposes; similarly, charity fundraising rarely, if ever, occurs for motorway pile-ups and train crashes. **As a general rule, it seems that charities define 'disasters' as events in which there is no obvious culpability and little likelihood of private/corporate payments.** The general public's likely willingness to give is obviously one factor in defining a disaster for fundraising purposes and perceptions of 'national' versus 'local' may also be relevant.

In the case of Grenfell the BRC did not immediately launch a fundraising appeal, in part because BRC generally waits to be

asked by the relevant authority and, in part, because it was not altogether clear that the fire came within BRC's usual criteria for a charitable appeal. When it became clear that there was huge willingness to give – and a proliferation of social media fundraising – BRC went into action. In considering charitable responses to disaster it may be worth asking whether the appetite for giving would have been there had this been a private block a mile down the road?

For fund distributors such as LET the decision to be involved is usually triggered by the announcement of a 'disaster' by a relevant authority and by the availability of charitable funds to be distributed (LET had a partnership agreement with BRC regarding fund distribution). So, for example, the Westminster Bridge attack became a 'disaster' for LET when the Mayor of London declared it such and BRC launched an appeal. Subsequently, LET decided to become involved on a case by case basis. It is worth noting here that a distributor's role may be uncertain if the sums raised/available for distribution are uncertain; this was initially the case after the Finsbury Park attack because of uncertainty regarding giving.

### **Becoming involved**

Defining a 'disaster' is the first of a long series of dilemmas for bodies such as LET.

LET's considerations prior to Grenfell are worth outlining in order to illustrate the general dilemmas in a decision to become involved in charitable fund distribution.

LET's board knew that the situation at Grenfell was 'chaotic': the role of the local authority unclear; cash distribution was disorganised, 'nobody knows who has had what from

whom', there was no register of who needed help and where they were to be found; 168 households were said to be homeless and had lost everything; identification was an issue.

BRC identified itself four possible means for distributing funds:

1. the existing local community foundation: the advantage was that it was local, but the disadvantage was that it did not have the infrastructure and was perceived to be close to the Council.
2. A new cross-community body with an independent chair. 'This would bring in the local community but would take time to set up and raise issues about membership and conflicts of interest.
3. Invest in LET to scale up to do the job. The advantage is that LET ... has experience of giving grants to people in need and can formulate and run transparent grant schemes. The disadvantage is that, given the presence of two community foundations and the Evening Standard's Dispossessed Fund fundraising resources, LET could be seen as an interloper.
4. BRC sets up its own team and builds up its own resource and grants scheme'. A further consideration was what was being done with the £5m from government, and the considerable funds in Just Giving and similar social fundraising platforms.

With some additional resources it was felt that LET (with whom BRC already had a working partnership), working with London Funders, had the experience and the processes both to make grants and to coordinate and liaise with all other parties, even if at that point it lacked the staff and resources. Transparency of grant

making was seen as vital, necessitating a published scheme explaining the distributor's role and the likely processes and stages of distribution and LET already had this blueprint in place.

In light of these arguments LET trustees agreed that LET should extend its partnership agreement with BRC to distribute funds raised for Grenfell.

### Defining recipients

Deciding whether to become involved in distributing disaster funds is one thing, defining the focus and scope of distribution is another. LET had to decide how eligible recipients would be defined and then identified.

At Grenfell, some fund distributors initially operated with no very clear checks giving money on a first come first served basis; the advantage of this approach is that it is immediate, non-bureaucratic and appears humane, the disadvantage is that it is open to fraud, makes no distinction between degree of injury and may lead to some people receiving nothing because the money has run out. **LET adopted a more careful and considered approach – but this meant making difficult decisions about definitions.**

Distribution at Grenfell settled down into two main forms: Rugby Portobello Trust (RPT) dealing with survivors (one of the contentious issues here was how to define a 'household') and LET dealing with bereaved and injured. This was LET's specialist area which it knew was resource intensive, but where it had pre-existing relationships with the police and an understanding of the contentious issues including next of kin, evidence of identity, relationships, dealing with overseas victims,

and so on. Unfortunately, this division of labour was not understood by the wider public in part because there were repeated references to LET in a way that implied it was the principal distribution body (of all funds raised).

### Bereaved: next of kin and family

In theory identifying the bereaved should be relatively straightforward – in practice it is not. The first issue is identifying the dead.

At Grenfell this was enormously difficult because of the nature of the event, but **in any large-scale event there is likely to be uncertainty over the numbers of dead and those merely missing. Those distributing charitable funds also have to decide what proof of death will be required.** This would generally be a death certificate/coroner's report but again in some circumstances this may take weeks or months to obtain.

LET trustee Robin Allen QC produced a paper for LET on proof of death which was used to guide thinking. In the event, LET's approach in the most difficult cases was to accept circumstantial evidence no reasonable person would doubt that an individual had been in that building during the fire and not escaped; this might include details of phone calls made and police information showing no mobile calls, bank cards, social media activity since the fire. This was obviously all very sensitive information: 'we had to be careful because in some cases, some family members were at odds – some asking for money, others in denial that a relative had perished...we could not be seen to be deciding the latter...'.

In addition, identifying those bereaved eligible for charitable funds may involve issues concerning death (and injury) of emergency service workers when on duty and not on duty.

The second challenge is identifying who will count as 'bereaved'. Many residents at Grenfell felt they had all been bereaved, losing family, friends, community as well as their homes. But even if 'bereavement' is restricted to close family there are complex theoretical and practical issues to do with who counts as family/next of kin.

As a charity operating under the law of England and Wales **'In cases of bereavement, LET trustees decided that they wished to be guided in the first instance by English Law intestacy rules'** (The Intestacy Act 1925) to identify who should receive funds. This is generally either a surviving spouse, children, sibling(s) or parents. In some cases, families request that LET pay out funds in another way, and usually we are happy to do that if we are confident that family members all agree. The trustees are able to exercise their discretion to depart from Intestacy Act rules if there are specific issues to consider and have done so where this can be justified. In cases of family dispute, we work closely with the police, key workers, charities supporting families, and law firms. We are as flexible and careful as possible, but inevitably in some cases there may be relatives who feel they should have received more or concerned that another relative (and not them) received an award.' (LET briefing notes for London Assembly Jan 2018).

**English laws relating to family and intestacy are arguably not well adapted to modern family life or to other cultures.**

In a global society the legal next of kin (e.g. husband or father) may not have seen his wife/daughter for years. Conversely, the person the deceased might have identified as 'next of kin' has no legal status for intestacy purposes. 'Next of kin' is not a very

robust legal concept and there are no clear formulae to apply even though it is a term widely used by the police and medical staff. But while 'next of kin' is a somewhat loose term to be denied that status may be hugely hurtful. The constraints of the law need to be communicated clearly to beneficiaries.

Fund distributors also have to decide whether a payment for bereavement will be made to all relatives or to each family as one unit, and in the case of multiple bereavements will multiple payments be made. LET made payments to the family as a unit but this became contentious in several circumstances. For example, one surviving relative might claim for several people; or the surviving family might disagree on how the payments were to be allocated.

Identifying and communicating with family members was complicated if the deceased came from overseas and/or had family outside the UK. For example, in the London Bridge case two Australians, one Canadian and three French people were killed; at Westminster Bridge a US tourist and a young Romanian woman died and school children from Brittany and a South Korean national, among others, were injured.

**There were also complications in getting information about next of kin.** The bereaved and those working with them did not always understand the significance of the question and, in any case, immediate detailed interrogation of the family tree was not always possible or appropriate. In some cases, however, there were subsequent competing claims for the status of next of kin.

LET's work was further complicated by different cultural norms regarding definition of the 'head of the family'. For example, LET might be communicating with one person

speaking for the family in the UK who was then replaced by a more senior family member recently arrived from abroad. Yet more complications emerged if the next of kin of bereaved (or injured) were irregular migrants: would making payments fall foul of s25 of Immigration Act 1971?

**When the next of kin was a minor LET, with the help of pro bono legal advice, created a trust to ensure that the child/young person would receive the money;** this became a major issue and easily could be again.

The main challenges are around the type of trust, the costs associated with running it in the best interests of a child, and the reporting requirements, given that it could last for decades. LET had to do a great deal of work first to negotiate the pro bono arrangement with lawyers and then subsequently on each individual case; this is a highly complex, specialized and potentially costly (with ongoing trust administration costs) area of the law.

LET also had to have processes for verifying the identity of the bereaved. It generally operated on the assumption that police Family Liaison Officers implicitly verify the relative's documents when returning the application form and copies of passports (LET could not do this itself) but there were questions as to whether the same assumption should be applied to other key workers.

### **The 'Injured'**

Again, defining and identifying the injured may sound easy but in practice it is complex.

**The first problem is deciding what counts as 'injury' and, in particular, are witnesses and others suffering psychological trauma included?** Some, including Victim

Support (2017), suggest that witnesses should be treated as survivors and note the lack of charitable funds for dealing with psychological trauma but as the director of the French government body responsible for compensating victims of terrorism said, referring to the attack in Nice: "Should we support those who were traumatized by the attack and those who helped out or should we instead place them alongside the bystanders who filmed it on their cellphones?" (Negroni 2016).

LET trustees were keen to consider ways of recognising the emotional suffering of people affected, beyond those hospitalized. Having looked at the options to do this the board decided against setting up another scheme with criteria, instead making universal payment to displaced households from the Tower and the adjacent buildings, paid via RPT. 'LET couldn't find a satisfactory methodology that would allow it to identify those psychologically injured without creating a bureaucratic, stigmatising, unworkable funding programme that would ultimately be unhelpful to many people already receiving assistance from the NHS trauma support service'. Working through Rugby Portobello Trust and pooling funds with separate allocations by the Kensington and Chelsea Foundation, LET made payments of £5000 to 140 Grenfell Tower households, and £3000 to 25 Grenfell Walk households (a total of £773,000)' (LET briefing note 2018). These payments recognised trauma but sought to avoid a situation in which people had to prove it.

A further complication in considering payments to witnesses is the number involved. **In the case of the Grenfell fire it was suggested by local agencies that witnesses would have numbered several thousand.** In Manchester 14,000 people

attended the Ariana Grande concert; after much consideration the fund distributors there decided to limit trauma claims to those who were in the foyer area when the bomb was detonated – but this specification was only possible because of the particular circumstances. It is also worth noting that in Manchester the We Love Manchester Fund was able to work in very close co-operation with mental health and other clinicians. In addition, funds raised in London were, from a practical point of view, not sufficient to have enabled any meaningful distribution. At Grenfell, at least, the NHS was and is very involved. In Manchester there are long waits partly perhaps to do with the wide geographical dispersal of those involved.

Other categories of ‘injury’ might include those indirectly affected – for example, businesses around Borough Market after the London Bridge attack (who did receive help from other sources). While secondary effects are no doubt real the problem is defining a cut-off point. Again LET did not include secondary ‘injuries’.

Very broadly, there are two approaches in assessing ‘injury’: individual assessment or some objective proxy measure. The former is obviously hugely time-consuming, expensive and slow. LET adopted the latter approach initially working with the template created by LBRCF (i.e. those hospitalised for one week or more; those hospitalised for more than six hours but less than one week). But even this seemingly straightforward categorisation leaves considerable room for debate.

**Length of hospitalisation is a crude indication of length of treatment and severity of injury. The problem is that victim pathways and ‘treatment’ take different routes and forms.** Treatment may begin when

the ambulance arrives with triage on the spot, it may begin or continue on the journey to hospital and/or while waiting to be admitted. When does the clock start? Does ambulance travel time and time spent waiting to be admitted count or not? Recognising these difficulties after the Parsons Green incident LET decided to take the time of the incident plus 6 hours as its base line.

When the ‘treatment’ clock starts is one thing, when it stops is another. LET spent considerable time and energy getting entry and exit forms from hospitals. This may have been seen by some as overly bureaucratic but LET obviously had to be confident about the veracity of claims. There were two issues here; one related to Data Protection legislation and is discussed further below, the other concerned hospitals’ different methods of processing major incident victims. Some hospitals use paper records, some use direct electronic input, some do and some do not record a patient’s leaving time.

**Other difficulties arise from the use of length of hospitalisation as a proxy for severity of injury.** For example, some people may have stayed in hospital for less than a week but needed to return as an in-patient or out-patient. Recognising these problems LET agreed to accept such claims if a causal link between the incident and the hospital stays could be established.

Finally, there were problems concerning people who visited a GP instead of hospital, those who ought to have received hospital treatment but did not, and those attending hospital days or weeks later with symptoms medical staff did not attribute to the incident.

Overall, LET had to deal with the fact that hospitalisation is an easy but crude measure

and, as several interviewees noted, some better measure is needed. In general, LET struggled with two types of case: those where the 'facts' and legitimacy of the claim were unclear and those where it saw good reasons to go outside its own guidelines – but this, in turn, raised questions about potentially setting a precedent. To address these difficulties LET created a panel to consider contested cases; the Chair of LET did not sit on the panel and could hear both sides of a case if necessary.

There were also potential issues regarding undocumented migrants. LET's policy on this was to focus on whether or not the person had been affected by the incident – their immigration status was not LET's business.

There was a view that 'Maybe we need to start being more robust, tougher about things. Maybe we should say it's about life changing effects, about the worst affected'. 'We can't make moral judgements but maybe we need to be upfront about people behaving badly – there are liars, there are fraudsters and distribution is tough – and, you know, maybe someone should come out and say some families do behave badly. Perhaps we really need to start telling it like it is'. On the other hand: 'It was at times very difficult for LET staff – people we were dealing with were acting with the most extraordinarily honour and grace around payments, despite the unimaginable grief, then reading about fraud cases in the press...at times it felt that no one was talking about the quality of the bereaved, the noble ways funds were being used to honour the dead, since that was private and we were honour bound to respect that'.

## Obtaining information

Getting information in chaotic, emergency situations is always difficult for everyone involved. It was initially difficult at the four terror incidents and remained difficult for some time at Grenfell. For good reasons, data protection legislation deliberately makes information flow more complex and controlled. To cater for emergency situations the Civil Contingencies Act 2004 allows for sharing of data between 'responders' with different rules relating to category 1 and category 2 responders. LET needed access to hospital and other data in order to verify applicants' eligibility for fund distribution but voluntary organisations currently come into neither category (there was a suggestion that the 2004 Act needs to be revised, but there also appeared to be some confusion about what the rules on data protection in an emergency situation actually are; at the time of writing this is now being addressed by government).

Two other factors made it even more difficult for LET to obtain data. First, the relative newness of the data protection legislation, and awareness of it, meant that some hospitals, and others including charities, were hyper-cautious about sharing data. Second, at Grenfell the sheer number of charities involved made it even harder for authorities and charities to decide with whom to share data.

Hospital staff were understandably reluctant to provide information on, for example, a person's length of stay but the person needed this confirmation in order to verify their application to LET. **Some hospitals were more willing to share data than others and this meant that some applications could be verified more quickly than others.** 'Hospitals needed reassurance that it was ok to share.

Emergency planners may not be the best point of contact; ‘business as usual’ may be a better route – getting to people who are used to giving out information and know what you can and can’t do’.

One of the most challenging factors was the variability in practice; this meant that some survivors got paid within hours, others within weeks. It depended where they were taken to, and from whom LET requested data. This had serious reputational impact for LET. For relatively small sums, LET could look inefficient or, worse, capricious. Despite several requests, Gold Command failed to help LET on this matter.

When a hospital was slow or reluctant to provide data, some applicants telephoned the hospital A and E department requesting verification; A and E staff resented the time spent on these calls and, perhaps did not understand why the information was so important to the patient. Some hospital staff were said to have felt ‘harassed’. As one person remarked: ‘It’s crucial to get the right information to claimants about who to contact, not A and E nurses. Then that raises a question about how proactive hospitals should be contacting people about money available?’.

**LET’s subsequent Subject Request Form was a critical development because this enabled LET to obtain data on behalf of the applicant.**

It was not only sharing of data about individuals that was important. LET’s ability to obtain information on up to date estimates of casualties was an important factor in its ability to release funds – if latest figures were lower than initially expected numbers then more funds could be made available.

Information sharing between voluntary organisations was also crucial – especially at Grenfell where there was so little information and so many organisations and funds. Again, the relative newness of the data protection legislation may have made organisations over-cautious and contributed to lack of co-ordination. The way in which LET worked with others to create trust between organisations was frequently noted: ‘I think they encouraged us to be adult about it. We had the same goal in the end – did we really need to consult lawyers at every step?’. But one person commented: ‘It’s hard to be working in a chaotic emergency and trying to build relationships and trust – you need those at the start’.

**The need for information sharing in a chaotic emergency was a constant theme in interviews, as was LET’s general style and openness to sharing.** ‘If you don’t share information you leave things wide open for fraud. LET shared and it was flexible – for example, at Grenfell it didn’t make people go through the trauma of going down to the Sports Centre; LET came to us’.

Finally, it is worth noting a **potential tension between the privacy of the beneficiary and accountability for charitable funds.**

The media, donors, the general public and the recipients themselves understandably want transparency regarding how the money was spent and who got what. But revealing that a bereaved person received £x, in effect, reveals that someone has just received £x – this not only raises issues about privacy but may also have safeguarding implications for the beneficiary. Over the weeks, this was an issue of increasing concern for LET.

In addition, where there is the potential for such different outcomes of applications in one

small, tight knit community, the grant maker (LET) may face significant reputational issues with charges of unfairness and so on.

### Infrastructure and resources

LET had a legal structure – but how could it create and, crucially, resource a functioning infrastructure in next to no time? How to create the ‘right’ structure and resourcing for a fund distribution body is hotly contested. It would be costly to have a body sitting around waiting for an emergency to arise but, as one interviewee noted, **‘While there’s a cost in having something ready, the problem with pop-ups is they don’t pop up in time’**. LET’s prior creation as a dormant body under the wing of London Funders was an attempt to address this problem. LET as a legal structure with a broad mission and a skeleton trustee body was ready to swing into action at short notice. While this was undoubtedly useful LET had no financial resources, no organisational infrastructure and no staff.

City Bridge Trust and Trust for London immediately offered LET some resources – financial and staff – but **resourcing LET continued to be a challenge**. As one interviewee said: ‘You’re asking people to do organisational set up, tech set up, office set up, make relationships, get finance, do case work and so on, and so on – and you’re asking them to do it NOW and with a tiny team’. When later in the year Goldman Sachs Gives offered LET financial support for infrastructure costs ‘It was such a relief I nearly cried’.

**In an ideal world staff would combine knowledge of grant making and local knowledge. Community foundations might be seen as possessing these two**

**qualities but there was a general feeling among interviewees that community foundations do not have the necessary national coverage:** ‘The voluntary sector over promises and under delivers’. In addition to community foundations’ patchy geographical coverage there was an argument that: ‘Community foundations aren’t up to death and destruction grantmaking’; ‘Reading a story in the paper and then the death certificate is on your desk – not everyone can cope with that’.

In the four terror incidents and the Grenfell fire in London there were at least two relevant community foundations. London Community Foundation was working with the Evening Standard on a wider agenda, and Kensington and Chelsea Foundation (KCF) (most relevant in relation to Grenfell) was a small organisation which honestly admitted that it did not have the capacity to take on a task of this magnitude. KCF did, however, play a hugely important role well above its normal operations: ‘KCF trustees are used to giving around £50k but at today’s meeting alone we are giving £1.6m – there’s no ‘usual’ anymore’. In total KCF raised £7 million – the same amount as BRC with a fraction of the staff, and on the Saturday after the fire gave £110,000 to five local organisations for immediate distribution. ‘We could take the risk because we knew them’. **Local knowledge is an undoubted advantage but local knowledge and large capacity do not typically go together.**

The Rugby Portobello Trust (part of a national organisation, but with a strong local presence in the Grenfell area) freely admitted that it was out of its depth on some issues. As the Director noted: “When Rob turned up I thought Thank Heaven The LET have arrived – I didn’t realise that the LET was a couple of

people'. RPT also became a major distributor of funds in the Grenfell area despite having never done grant making before. RPT commented on LET's collegiate approach and its 'invaluable' advice along RPT's very steep grant making learning curve. It is also worth noting that RPT could probably only have taken on the role it did because it had the finance team of a national organisation behind it.

One person noted another issue: 'The local-is-best idea is fine as far as it goes but it's really much easier if you're slightly detached. We had already worked with people and had relationships with them and we would be working with them again. **Money ruins relationships – it was good to be separate from the difficult decisions about money**'.

RPT's comment above illustrates a broader problem. **Most voluntary organisations have some fundraising skills and capacity but grant making is not a common skill.** Furthermore, grant making in emergency situations is grant making at its most complex. Several interviewees commented on the differences between grant making to organisations (the more common task for grant making bodies) and to individuals. 'It would be good if we shared skills between individual and organisational grant making – they are different ways of thinking, behaving and so on'.

Seconded and pro bono staff are obviously helpful but may not have the skill set required. Getting the right people involves careful selection and may require paying for them. 'But where will these people magically come from? **We need to build a skill set for this type of grant making**'. In addition, it was suggested, that this type of grant making requires people skills over and above grant

making, 'dealing with people not in your sector, people traumatised, with empathy and accountability; explaining processes and making them easy'. (In other areas, such as legal advice, existing skills may be sufficient and pro bono services welcomed).

It was widely acknowledged that staff recruitment was a key factor in LET's work. Having said that, it was also acknowledged that 'Everyone involved was learning on the job.'

'Deciding to get involved and then finding the money for infrastructure are both difficult but then you have to find people who can actually do it – go from dormant to operational .... LET was very, very lucky that Rob was available – but people like him are not two a penny and it's a huge risk that wouldn't happen again'.

Several interviewees questioned whether the same civil society resources would have been mobilised had a disaster on the scale and complexity of Grenfell occurred in a place without London's rich voluntary sector infrastructure? It was also suggested that '**peace time relationships should be established such that the networks and knowledge for quick mobilisation of key staff are already in place**'. Funders, it was suggested, need to invest in collaborative infrastructure. The wider work initiated by the Charity Commission as a consequence of Grenfell to plan for a better response is an important start.

After its first few months, LET developed a flexible structure with three core posts – Director, Operations Manager, Administrator – plus caseworkers, paid and pro bono, added and subtracted as necessary. There was a view that BRC should co-locate its

support line workers with LET but BRC chose not to do this which, from LET's viewpoint, was unhelpful. Carefully designed common systems ensured continuity and consistency despite fluctuations in personnel.

As noted above, resourcing for LET's own work was a continuing challenge – this was not only about the availability of funding for distribution work but also because of the additional dilemma that 'we didn't want to be seen to be spending money', 'we started with nothing and my mindset stayed in that place'. The temporary status of LET was also said to be a factor in encouraging a 'shoestring' mentality. At Grenfell in particular LET would have liked to have people on the ground who could have gone to emergency centres to explain what was available.

Some interviewees emphasised **the importance of ensuring that funding is available for on-going work and for 'being ready' rather than having to make such arrangements in the press of an actual event.**

LET's board was widely praised: 'I think it was tremendously helpful to have a board that were both wise and experienced, but also emotionally intelligent enough to see Grenfell as different and act accordingly'. One of the potential dangers of a national body was said to be the danger of loss of wisdom of trustees and staff experienced in this type of work.

At the end of the day 'LET only worked because those involved went above and beyond'. This was seen as applying to trustees, staff and those who worked pro bono. As emphasised already this is not 'normal' grant making; staff are under intense pressure and sometimes hostile scrutiny while also subject to harrowing encounters

and events; those involved may need additional psychological support.

Before leaving the subject of infrastructure it is worth commenting on the differences between the approaches adopted in London and Manchester. In Manchester both fundraising and fund distribution were undertaken in a more centralised way with the local authority playing a key role. This was seen to have some advantages: 'No-one was ever really in charge in London versus in Manchester where the local authority was in charge'; 'The Chief of Police, the local paper, the local authority and so on were closely involved, they all know each other, there was power at the table. The model brought muscle – they could draw on social workers, housing and so on. They had access to layers and levels of knowledge'. Because the local authority was closely involved problems of data protection and data sharing discussed above were significantly reduced.

On the other hand, some argued that such a close relationship with the local authority has potential reputational and political risks and, in any case, would not be possible or appropriate in London. Manchester, it was argued, is a very special local authority and London local authorities have a different relationship with each other and with the Mayor. Manchester also has devolved responsibility for health and social care. (In addition, in the case of Grenfell it would have been impossible for the distribution to be undertaken under the Council's wing given lack of trust between residents and the authority).

## Relationships

Disaster fund distribution is done in a social and political context in which there is a range of other players. Other players include statutory, voluntary and corporate bodies – as well as the applicants/potential beneficiaries themselves.

## Beneficiaries and consultation

Most charitable grant making involves considering carefully, calmly composed applications from organisations and, less often, individuals who have chosen to ask for money. LET's fund distribution involved 'applicants' who were shocked and traumatised, far from calm and composed and who had not, in any obvious sense, chosen to be asking for help, and often did not understand what was and was not on offer.

One of the issues that arises in grant making is the extent to which beneficiaries (and, somewhat differently, donors) should be consulted about their needs, for what funds should be given, to whom and for how much. These are tricky issues for grant makers under any circumstances but in disaster situations combining trauma, grief, anger and high-profile public giving the issues become even more acute. At Grenfell, in particular, some people argued that those directly affected should have been in charge of decisions concerning allocation of funds. Some suggested that 'the money was given for us so it's our money and we should decide'. But **charity law requires that decisions are made by trustees for whom there can be no private, personal benefit**. The Charity Commission intervened to make this clear but some felt that this could have been done sooner. This raises a much wider issue about media and general

public lack of understanding regarding the constraints on charities, largely designed to protect the interests of both donors and beneficiaries.

Could those directly affected have been more involved in an advisory capacity? With its later tranches of money the Kensington and Chelsea Foundation consulted local people about how the remaining ('Grenfell') money should be spent, but, arguably, this would not have been feasible or appropriate in the immediate aftermath. As noted above, it was difficult to identify who could speak for one family – let alone the whole estate. As one interviewee directly involved commented: 'People talked about representation but who speaks for whom? About what and how? There were so many loud, angry, shouty voices – groups with different motives'; and someone from Grenfell United said: 'Grenfell United would have quickly become Grenfell DisUnited if we had got involved in distribution of money'.

In disaster situations there is another issue: **hearing the voices of the bereaved. The bereaved are not only likely to be less numerous than survivors but are also likely to be more traumatised, pre-occupied with other matters and with conflicting feelings about asking for and receiving money.**

At times, especially at Grenfell, 'there was a view that the money should go equally to all flats. The voices of the survivors were very strong – LET's board felt strongly that there was a danger that the voices of the bereaved were getting lost'.

Giving to the bereaved is, for some, an especially difficult issue: 'I'm not sure you could ever say you got it right. It's all gestures isn't it – saying "we note your bereavement hasn't gone away". I've no idea how you

put a price on it – beyond making sure it's significant'. (The importance of sums being 'significant' was also raised in relation to giving to those traumatised: 'Where you have several thousand witnesses what would they get? £10, £20 each.... what would that say?').

### Collaboration with other agencies

Response to a disaster necessarily involves collaborating with other agencies across sectors. Without collaboration and a degree of co-ordination there is likely to be a combination of under and over provision. But **collaboration and co-ordination are difficult not least because the nature, number and experience of other agencies is not in any one player's control, and to further complicate matters new players – with more or less understanding and experience – may come onto the scene. Different agencies will have different roles, priorities, processes, protocols, perspectives and constraints.** For example, as noted above, NHS staff were wary about breaching patient confidentiality, and the police were similarly anxious about data protection and public trust, as well as security.

One person said: 'Lots of people talk partnership – people say they are willing to pool for the good of the individual but they don't really mean it when it comes down to it'. Partnership means some loss of control, compromise and putting personal and organisational egos to one side. Collaboration and co-ordination also require credibility, authority and legitimacy to work with other agencies from day one. LET was a newcomer and an agency many people did not understand: was it a government agency, where had it come from, where did it get its money? And LET's title gave little away. As a

result, **LET had to build its credibility and relationships as it went along while at the same time getting on with the work.**

'There's something very important about the networks staff bring; their being (physically) present; about their skill in communicating and in relationship building; about them being both clear about their role, able to clarify and provide certainty to those charged with explaining to families; being flexible alongside this, and humane'.

Interviewees repeatedly talked about LET as 'collegiate, easy', 'they never told us what to do – they gave ideas and said maybe think about x.y, z', 'this was true partnership, true shared purpose'. Perhaps because LET was a temporary body it did not have to worry about protecting its brand and so could afford to put organisational reputation and demonstrable 'performance' to one side. At Grenfell, in particular, working in a complex and fraught environment 'we came to trust each other and genuinely work together – LET's style was a big part of that'.

Good working relationships with other agencies provided a degree of informal peer support for staff and trustees. Disaster grant making, by its very nature, is emotionally challenging for those involved (and these challenges are further heightened by media pressure); LET anticipated this and arranged for counselling for staff. Any future distributor would need to make similar arrangements.

More generally, there was a suggestion that **the various bodies responsible for London resilience planning spend considerable time on scenario planning but fail to weave in the role and responsibilities of the voluntary sector.** 'Voluntary organisations should be built into planning and involved in emergency practice events'. 'Gold Command

should have a senior voluntary sector person built in to the structure – not as a sort of add on'. In a disaster charities need to be able to rely on access to Gold Command and both parties need to be able to trust each other to deliver accurate information and services.

There was a suggestion that voluntary organisations should identify 'voluntary sector reservists, people who would be involved in case of an emergency. It would help to solve the problem of finding the right people without notice – and they could establish relationships with others likely to be involved in advance, in 'peacetime' '. The expectation was that these people would be seconded from their employing organisations to work together on an emergency. It is also worth noting here an initiative in Camden and Hammersmith and Fulham to recruit, train and vet volunteers in advance of an emergency to be ready for immediate deployment ([volunteercentrecamden.org.uk/camera/](http://volunteercentrecamden.org.uk/camera/)).

## Communication

### Charitable fund distribution in disaster situations is a minefield of misunderstanding and miscommunication.

Disaster situations are, at least initially, by their very nature chaotic – sound information is hard to come by and rumours abound. In addition, the media and general public's understanding of the constraints of charitable fund distribution is low, and beneficiaries' expectations may vary from zero to unrealistically high. As previously noted, the fund distributor will almost certainly not have information on either supply of or demand for money.

At Grenfell LET had to manage situations where those affected had made applications

for funding, supported by other charities. In some cases, those applying were ineligible or had not applied correctly. One incident in particular resulted in many dozens of applications being delivered to LET, following one charity's well-intentioned outreach work - done without LETs knowledge. Only a small proportion of applicants were eligible, and many applications were lacking critical detail. LET staff subsequently had to undertake painstaking detective work to locate and contact applicants many of whom had - in the words of an interviewee - "understandably assumed that because they'd been supported to apply by a charity, the question of whether they'd receive an award was just a formality."

Incidents like these contributed to the widespread sense that distribution of charitable funds was confused and had a negative impact on LETs reputation. It took many weeks to rectify, explain and build confidence amongst the cohort of applicants and their community.

In all five situations considered here LET had to work with the uncertainties above as well as with the fact that it was a new, unknown organisation whose status and nature was unclear to many people. As noted above, there were questions about who LET were, where they came from, who chose them, what their role was, where their money came from and what it was for – for example, was LET a government body providing compensation?

In addition to LET's own unclear image there were other communications complications. Communicating who and what you are tends to be seen as a one-off task rather than an ongoing, constant process. **The need to see communication of role and remit as a constant process is probably especially true in disaster situations** where agencies

are called upon and brought together relatively infrequently and where time is very short. 'We were sending out information and flyers etc. but they weren't being read or incorporated'. 'There's no substitute for having people on the ground, meeting people. It's about relationships'. 'Once I actually met ... (staff at LET) it was different – they were really on my radar then'.

Police Family Liaison Officers (FLO's) are one example of the communications challenges in disaster situations. The Metropolitan Police do not currently keep a team of trained FLO's on hand. Instead FLO's are part-time volunteers recruited from within the current changing team of officers. This has at least two important implications: first, police capacity to allocate FLO's in an emergency varies and, second, FLO's are 'new people almost every time, fished from a different pool' so that every volunteer has to be trained afresh.

Initially, the police did not fully understand LET's status and role, and also did not understand exactly what LET required from FLO's in terms of information and in messages conveyed to victims. For example, FLO's did not necessarily understand that LET money was not 'compensation', nor did they always appreciate the full significance of accurate family trees. When these issues became apparent LET worked with FLO co-ordinators to draft clear letters and FAQ's to be used in FLO communications with victims. What is needed for the future some suggested are 'protocols not tramlines' for police-distribution agency communications and working together.

In the event LET established good working relationships with the police which were hugely valuable. But the police were, of course, only one of many agencies with

whom victims were communicating. At Grenfell in particular there were multiple agencies and funds and, as noted above, communications and systems were often chaotic. 'People were told you could get money at ... but then it's run out. At community/victim interface level you need one person to hold all of the information about money because it's so complex'. There were also suggestions that there should be the capacity 'to build files on families so that they do not have to tell their story over and over again, one standard form used by every agency'. The latter suggestion makes sense but may be difficult to square with the remit/criteria used by different agencies and funds as well as raising major data protection issues. The 'everything under one roof' approach also has to be handled with care; when this was eventually done at Grenfell people reportedly found going to the Curve Community Centre intimidating (not least because one central point creates an easy target for journalists) and wanted to be accompanied.

Communications at Grenfell were complicated by poor information flows to and from Gold Command and the plethora of agencies working in different ways. High-pressure press and media scrutiny and a torrent of hostile social media comment forced both BRC and LET into diverting resources to reputation management and this hampered the ability of both organisations in coordinating their communications with each other in the initial period after the Grenfell Tower fire. It is clearly crucial that major players are willing to work together understanding each other's different and complementary roles.

A number of interviewees commented on the pressure they felt from the media who did not understand the constraints of

unknown supply and demand, charity law, difficulties in obtaining data, and so on.

**'This is the Playstation generation – they expected money to go out as fast as it came in'**. The fact that some funds adopted a 'first come, first served' approach contributed to this expectation.

The position of the Evening Standard with its own fund led some to suggest the need for a protocol on how the media should behave; one interviewee suggested 'there shouldn't ever be a need for a local paper to set up a separate fund' and reference made to the co-operative relationship between the Manchester Evening News and the fundraising and distribution effort in Manchester. (Nevertheless, the Kerslake Report is highly critical of the behaviour of the wider media).

There were, however, some suggestions that LET was not always good at explaining why it was working as it was, that there should have been better messaging at the outset. Arguably, LET did not have sufficient media capacity but this was said to be in part a result of the way in which LET's work was funded. 'There was no clarity about how LET was going to fund itself – this was a worry and it hampered public communication because LET didn't want to be accused of spending (public) donations on overhead. LET was really only adequately resourced because of the sheer dedication of the team but they couldn't do everything'. 'LET's chair was brilliant in the public space'.

LET's communications was informed by a few key principles: 'A hard line on what we're there for but flexible on how we do it. Having the confidence to be firm – this is how we do it. Being patient and persistent, dealing with queries immediately – that got

us out of the villain's enclosure'. Over time LET developed an easy, informative graphic and a sensitive tone.

At Grenfell the problem was compounded by the scale and nature of social media communications. At one point in 2017 280 organisations online had Grenfell in the name compared with three prior to the fire. As one person remarked: **'Online platforms are the Wild West of giving – a totally unregulated space'**.

There was another issue: LET wanted to foster good relationships between the various agencies and organisations involved, and that style of working made 'communications tricky – you can't blow your own trumpet but I suppose there were opportunities to be positive about ourselves that we could have taken'.

The lesson here is perhaps that the scale and challenges of the modern media response need to be fully appreciated in advance – this is not charitable giving and distribution as we generally know it.

Discussion of communications raised some fundamental questions about 'what's this money for?'. This is discussed further below but it is worth noting here that if the money were clearly designated as primarily for the recipients longer term needs then a. the purpose would be clearer and, crucially b. 'LET needn't be in such a hurry – if it's for the longer term then it's not necessary or even helpful to do it so quickly'.

This review now moves on to consider some more fundamental issues raised by charitable giving and distribution in response to disaster: the role and effects of money; fairness; and finally, the roles of charity, the state and the private sector.

## Money, fairness and charity

### The role and effects of money

Giving money to help those affected by a disaster may be an intuitive and obvious response but several interviewees raised questions about the role and effects of money.

**One set of queries concerned whose needs the giving of money satisfies.** There was a view that giving money was first and foremost about making the donor feel that she has ‘done something’. Certainly, in charity law the donor has a special place in that the money must be spent on whatever the donor gave it for (even if this is arguably not the most appropriate use of that money). As noted above, there is important work to be done in making donors and social media platforms aware of the importance of both how appeals are phrased and the fact that money has to be raised and distributed (i.e. fund raisers and donors need to think about not only how the money will be raised but also how and by whom it will be distributed. Ideally, this should be in place before any further incidents arise).

For those agencies receiving money for onward donation there were, of course, other issues. For example, Kensington and Chelsea Foundation went from handling 12 to 28,000 donations per month and this very small organisation ended up dealing with £7m i.e. the same amount as BRC.

While the role of money and its distribution needs more thought, several people also emphasised ‘it can’t be about giving things – **no one can deal with 210 tons of stuff!**’. Another person from a local organisation at Grenfell said: ‘We were given loads of stuff

– I can’t think of a single thing that was really useful’.

What about the recipients’ needs? Clearly, especially in the immediate aftermath of a disaster, money is undoubtedly very welcome – one less thing to think about. But there were a number of comments about the effects of money on recipients: ‘It’s bizarre that we think money is the solution’. ‘What message does it send? Here’s £xxxx – that’s ok then?’; ‘Just throwing money in makes me uneasy – money needs to be phased along with holistic support’.

There were also comments about the divisive effects of money. ‘Money caused more challenges than you can imagine – as the number of people around a family grew it got more complicated.’ ‘Money brings out the best and worst in human nature’. **‘Money solves some problems and makes other things more difficult’.** In order to go some way towards ameliorating some of these problems at Grenfell (where total sums of money received were sometimes relatively large) LET and others arranged provision of financial advice for recipients.

**One of the most difficult issues was what this money/gift was and what it was for.** LET consistently emphasised that the money was not ‘compensation’ – but, arguably, the fact that LET, in effect, operated a tariff may have confused this message. The money was not strictly related to need insofar as there was no investigation of a recipient’s assets, income and outgoings and there was no attempt to map other donations received by the victim when considering LET claims. LET took legal advice about this, with lawyers checking paperwork to ensure that LET did not drift into what could be construed as a compensation scheme.

For some recipients the nature of the money/gift was confusing. 'At Grenfell there were people who felt this was money to which they were entitled – people had given it for them and it was theirs; but, at the same time, other people saw it as 'death money' they didn't want and they had to be persuaded to accept it'. Somewhat differently, French victims (and their representatives) of the terror attacks had difficulty understanding the nature of the gift; in France, as discussed further below, the government is the primary provider of money for people in such situations and charitable gifts have to be declared in assessing state allocations. In short, **money and charitable gifts have different social and political connotations in different cultures and this needs to be taken into account in distribution processes.**

But perhaps **the greatest confusion concerned the purpose of the money – was it for immediate, everyday needs or to help people in the longer term?** 'In general', a BRC staff member explained, 'the purpose of BRC assistance is to get people back to where they were. We're working right at the bottom of Maslow's hierarchy of needs. It's not about improvement but immediate needs....'. But others suggested that it would be useful to distinguish between money for immediate needs (for example, those affected by the terror incidents might need hotels, transport, telephone calls and so on) and money for the longer term. LET did not place any restrictions on for what the money might be used but it might be helpful if recipients were given some suggestions regarding likely future expenses (e.g. funeral expenses, legal fees, convalescence etc.). There was also an issue about how/where the money was paid – because the money

was paid into the recipient's current account in some cases it merely automatically paid off an overdraft, leaving the victim with no immediate access to funds.

**Distinguishing between immediate and longer-term needs would, it was suggested, have various advantages.** The recipient might be in a better position to make more considered, calmer decisions about how best to spend the (longer term) money and might be better protected from some of the social pressures (e.g. for loans to others) that may come from sudden possession of a large sum. In addition, the distinction would further facilitate going at the pace of the family (e.g. some families did not want to receive any money until funerals were over, or until they were emotionally ready to come to terms with the loss).

The immediate/longer term distinction would send a coherent message to donors and the media and would take the pressure off distributors. The disadvantage would, of course, be that the process would be extended along with the associated overhead costs. 'There's no question it would be harder in a way – we wouldn't be closing cases and we wouldn't be closing the organisation so quickly'. 'Spreading the money in instalments makes sense in many ways but is there a danger that people could come to rely on it and expect an annual addition'. 'If it were distributed in instalments then would that mean each tranche would have to be reviewed? Then you would be involved in making judgements. Do you really still need this money, and so on'. 'One solution might be to create trusts – with pro bono legal support – for each family which would release the money over a period. That might help with some safeguarding issues as well as, maybe,

some family problems'. But whether this would be feasible on a large scale and where there are non-UK victims is debatable.

### **Fairness to donors and victims**

As noted above, among other things charity law seeks to protect donors, ensuring, for example, that donations are spent as the donor intended. When spending money raised from the general public in response to a disaster this emphasis on the interests of donors frequently creates challenges for fundraising and distributing bodies.

For example, after 9/11 the American Red Cross was strongly criticised for diverting some money away from immediate needs of victims (for which the donor had presumably given) to longer term work.

In the five 2017 London incidents being 'fair' to donors raised some very difficult issues. The fundraising context had changed significantly since the London bombings appeals in 2005 – in particular, Just Giving and other social media fundraising platforms had come onto the scene. Several interviewees suggested that this new context requires a new debate about the balance between the interests of donors and recipients; **'There's a new fundraising laissez faire – how does that relate to fairness and who owns that debate?'; 'Donors don't understand the wider implications of giving – if they did maybe they would be happy that their money is spent differently'.**

Another aspect of the potential tension between donors' intentions and fairness to victims was the disparity in amounts given. Charitable appeals vary in the amount of money raised for a variety of reasons related and unrelated to the scale of the disaster and

the degree of loss. For example, donors are more likely to give to a flood in somewhere close to home or a place they have visited or identify with as compared with some place faraway and unknown; media coverage and emotional appeal also clearly play an important part in amounts given. As a general rule an appeal involving children will raise more than one focused on, say, older people.

Perhaps unsurprisingly the London terror incidents attracted differing media coverage and amounts of money. This clearly created a dilemma for LET as the distributing body: LET wanted to treat victims suffering similar loss/injury at the different sites in the same way but different sums of money were likely to be raised. **BRC created the UK Solidarity Fund as an effort to achieve parity between sites and victims.** The Fund – which raises money for victims of terror attacks – allows money raised to be allocated proportionately between incidents in order to ensure that everyone can be treated equally; but one person asked: 'So where do donors sit in that? Legally it's obviously fine – but do the donors really understand?'. How the appeal is worded is obviously crucial in this.

### **Fairness, transparency and privacy**

One of the most difficult issues in **balancing the interests of donors and recipients** is the tension between transparency and privacy. Donors expect to know how their money was spent but this may also mean that amounts received by beneficiaries are known (and from there it may be a short step to working out that someone received £xxxxx). This, arguably, not only fails to respect the recipient's privacy but may also make that person vulnerable to all sorts of pressures at a time when they are probably least well-equipped to cope.

## Fairness between victims

Being 'fair' to victims is possibly even more contentious than being 'fair' to donors. On the one hand, fund distributors need objective (measurable/verifiable) criteria with which to allocate (and, in effect, ration) money, and those criteria need to be publicly explainable and defensible. The result is a tariff in which £x are given for this and £y for that. Everyone in a similar category involved in the same incident is treated the same, and that is 'fair'.

On the other hand, there was an argument that **'Treating everyone the same doesn't work because everyone is on a different journey'** and 'circumstances alter cases'. Inevitably, LET had to deal with some difficult borderline or unusual cases; it tried to be flexible but was always aware that one consequence of a flexible decision was the possibility of setting a precedent and ensuring consistency with past and future decisions.

For some survivors: **'The lack of parity has been very, very hurtful. I know it's about donor intentions but donors don't understand the wider implications'**.

Perceptions of lack of parity were most likely to arise where victims of the same incident had access to different pots of money. A plethora of different charitable funds (including on-line appeals) obviously exacerbated this but it could also arise when a victim had access to other (e.g. occupational or privately raised) funds. Interestingly, the Charity Commission's publication of the table of funds raised for Grenfell was considered by some to be unhelpful: 'without any explanation of what this money was for etc. it really just made things worse'.

Parity between those involved in the same incident was one thing, parity between

incidents was another. As noted above, LET and BRC worked to ensure that victims of the four 2017 terror incidents were treated 'the same', but how did this compare with, say, the victims of the 7/7 London bombings? The disparity in amounts raised for the incidents in London and that in Manchester obviously led to other comparisons and resentments. Parity may well be desirable but arguably it is unlikely to be achieved – fundraising is not, and is never likely to be, 'fair'. Arguably, trying to achieve equity between charitable gifts may bring a distributor closer to the appearance of a tariff and a perception of beneficiary entitlement.

There is one other important point in relation to 'fairness'. The definition of a 'disaster' for charitable fundraising purposes has been discussed above. One implication of the highly selective application of 'disaster status' is, of course, that the amount of money received by a victim may vary dramatically depending on the cause of death or injury. The parents of a child killed in a hit and run accident may receive very much less compared with the parent of a child killed in a terror attack. This issue is discussed further in the next section.

## Between state and private

**The issue of 'fairness' inevitably leads into consideration of the place of charity between state and private.** As one person, bluntly stated: 'At the end of the day charity isn't fair ... if you want fairness that's what government is for'.

In 2005 LBRCF negotiated with the Department of Work and Pensions to ensure that any monies received from charitable sources would not affect benefit payments.

This arrangement continued for LET in 2017 (although there was some early confusion about application to gifts from other sources which may have slowed distribution, and there remain some queries over treatment of pass on gifts when families shared money between themselves). In some cases, as noted briefly above, there may be issues about where charitable donations fit in relation to occupational benefits.

It is worth noting here that the £5 million allocated by DWP for Grenfell victims' immediate needs has been subject to very little media attention. In the scrutiny of charitable distributions, the distribution of this money seems to have been overlooked.

There are also issues to do with private insurance. In some disaster situations the question of private insurance liability is obvious. For example, in the Queensland floods in 2011 insurance companies were pressured into clarifying their liabilities and, in addition, questions were raised in the media about charitable donations, in effect, taking the place of private insurance (Leat 2018).

In Cumbria the distributor for charitable flood relief funds does sometimes give small amounts to those who can claim insurance 'there are aspects of hardship other than financial and sometimes it's the gesture that matters to people – feeling someone cares'.

In some events additional complexity has been added by the Motor Insurance Bureau's decision to accept claims from those involved in terror attacks using a hired vehicle (from January 2019). As one person commented: 'It's getting more and more difficult..... CICA (Criminal Injuries Compensation Authority is the state body which distributes compensation for criminal injuries) isn't

designed to cope with terror attacks and now with the MIB ruling it means that if a vehicle was involved then you will be able to claim that as well – thousands of pounds probably – but if there was no vehicle or, say, you were just any ordinary stabbing then you don't get that. Maybe we need to start to read across from government to charity to private sector funds. Perhaps we have to start to codify – if x happens under y circumstances then .....'. To date CICA payments in both London and Manchester have received very little attention.

It is worth noting here that this is a long standing and contentious issue. For example, after 9/11 Congress not only 'adjusted' charity law (to enable gifts to those not in financial need) but also added a new pool of money with an open-ended program of financial benefits. The September 11th Victim Compensation Fund was for those killed or injured who agreed to waive the right to bring lawsuits against the airlines or any private or public body. Awards were also reduced by "all collateral sources" – life insurance, pension funds, government payments and so on. Initially, the Compensation Fund was going to include charitable payments as a reducing collateral source, but the charities threatened to withhold their payments in order to avoid government reducing its payments. Government realised that this would create huge delay and agreed to exempt charitable funds.

In this context **the French Guarantee Fund for Victims of Terrorism and other crimes (FGTI) is interesting.** FGTI was founded by the French government in 1986 following terrorist attacks in Paris; it seeks to provide 'full compensation' to victims drawing on a general fund of 1.4bn Euros financed by

a 4.30 Euro tax on property insurance contracts (known as the terrorism tax). FGTI is subject to many of the usual criticisms of disaster funds; sometimes criticised by victims and lawyers as opaque and under constant pressure to accelerate claims; following the Nice attack FGTI had to grapple with the definition of those 'involved' (Negrone 2016). Arguably, however, FGTI has the advantage of overcoming the lottery of charitable donations.

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## Final remarks

LET became active in 2017, born out of LBRCF (created in 2005). The environment has changed since 2005 and will go on changing. LBRCF was a valuable starting point for LET but circumstances alter cases and LET had to build and adapt. LET cannot be a blueprint for the future but it does provide much food for thought.

At the time of writing, the work convened and coordinated by the Charity Commission for England and Wales on developing a national infrastructure for charity fundraising and distribution in an emergency is moving forward, including proposals to Ministers for support. This is clearly an important development but much remains to be done.

**The experience of LBRCF and LET was of considerable value at the time of the Manchester attack and that knowledge, as well as that of others, needs to be curated and available for immediate dissemination. Loss of organisational memory is one of the underlying themes throughout this report.**

A national body would need to grapple with some of the more fundamental issues raised above concerning the role of charity, the definition of disaster, the nature of the gift and so on and, ideally, some consistent nationally agreed principles developed across different legal and regulatory regimes in the UK.

Fundraising is now recognised as a specialism requiring professional standards. Perhaps one of the greatest lessons from LET's experience is that **the perilous business of fund distribution to individuals (as well as organisations) needs the same recognition, respect and investment.**

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The London Emergencies Trust (LET) is a registered charity and came into being after the terrorist attack on Westminster Bridge in March 2017.