



## Note regarding the Listening Exercise and Commemoration

### 1. Listening Exercise

- 1.1. The Inquiry's Terms of Reference include a requirement to listen to and consider carefully the experiences of bereaved families and others who have suffered hardship or loss as a result of the pandemic. Although the Inquiry will not consider in detail individual cases of harm or death, listening to these accounts will inform its understanding of the impact of the pandemic and the response, and of the lessons to be learned.
- 1.2. The Chair set out the Inquiry's approach to this in her [Opening Statement](#). She said this was a significant and important task, which the Inquiry would undertake in a number of different ways, including through a 'listening exercise' which would begin later this year.
- 1.3. She said that the listening exercise would be of great value to the Inquiry by gathering experiences of the pandemic from across the whole of the UK, including from those most affected and those whose voices are not always heard. It would provide an opportunity for people to tell the Inquiry about their experience without the formality of giving evidence or attending a public hearing, so that everyone feels able to contribute to the Inquiry, if they wish, and to be heard.
- 1.4. The Chair explained that her team was working on how to make this as easy as possible and further information is provided below and more will be shared as it is developed.
- 1.5. Experiences will be gathered, analysed and summarised by a research and analysis company(ies). The resulting report, rather than individual accounts, will be submitted to the Inquiry and disclosed to core

participants in relevant modules as evidence. This is expected to be of most relevance to those of the Inquiry's modules which examine the impact of the pandemic.

- 1.6. The Inquiry is designing the listening exercise in the hope that it will be able to obtain broad and representative information from anyone who wishes to contribute, i.e. both from the bereaved and anyone else who was impacted by the pandemic. It is being designed bearing in mind the potential for hundreds of thousands, if not millions, of people to contribute if they wish. This will help the Inquiry obtain a broad evidence base to assist it in reaching robust findings and recommendations.
- 1.7. Anyone will be able to share their experience with the Inquiry, which is looking at ways to make this accessible to as many people as possible. The listening exercise will help the Inquiry build an authoritative picture of life for the whole nation during this unprecedented time and help the UK better prepare for future pandemics.
- 1.8. Bearing in mind its importance to the Inquiry's architecture, and also of making sure it is robust and easy for anyone who wishes to participate, the listening exercise will take some time to design and test. It is important that the Inquiry gets this right. Procurement of specialist assistance to create the listening exercise is under way and this will help inform its implementation. As part of this work, the Inquiry will start trialling different approaches for the listening exercise shortly. This will include:
  - 1.8.1. in November 2022 an online platform which it will invite some people to use to share their experiences; and
  - 1.8.2. later in the winter and into the spring, targeted face-to-face sessions with specific groups in society.
- 1.9. Over time these trials will increase in scale until the listening exercise is running at full capacity next year. The Inquiry wishes to hear from a

cross section of society impacted by the pandemic - including the bereaved and those whose health has suffered from the disease (including long covid sufferers), those living with disability or health problems, the clinically vulnerable, and those whose family life, education, jobs, health and wellbeing and livelihoods have been significantly affected. The Inquiry will test different approaches with affected groups as it plans the listening exercise into the start of 2023.

- 1.10. The Inquiry expects people will share their experiences through a mix of online submissions via the Inquiry website, and in-person and virtual meetings. It is considering what support should be available for people when they are sharing their experiences with the Inquiry and depending on how they choose to engage. Initial indications are that most people will want to share their experiences online rather than in person.
- 1.11. When running at full capacity, the listening exercise will run alongside the Inquiry's module investigations and public hearings. Its approach will change to respond to the needs of the Inquiry and the public response. It will be designed to give an opportunity for the public to participate, with particular attention given to ensuring that the Inquiry can listen to those seldom heard. There will be practical support for people who need it to take part, including an accessible website, offline ways to get involved, and materials available in a range of languages.
- 1.12. Over time, the Inquiry may appeal to specific groups of people to take part in the listening exercise. In some cases, specific groups may be under-represented, have had experiences that are of particular research interest to the Inquiry's different modules, or individuals may need support to take part because they cannot take part online.
- 1.13. The listening exercise will support but not be part of the Inquiry's legal process. The individual experiences which people share will not be treated as evidence or individual testimony. Their experiences will be anonymised and reviewed by research specialists, and will be collated

into summary reports. Its value is in the data source this collection of thousands of individual experiences will provide.

- 1.14. It will be a non-legal process. Because reports from the listening exercise will anonymise information and there are no legal implications from taking part in it, legal representation to participate will not be necessary, and it is not intended that the Inquiry will fund legal assistance for people to participate. It will be an accessible process through which anyone can share their experience who wishes to do so.
- 1.15. Summary reports from the listening exercise will align with and feed into the Inquiry's modules, for example the Inquiry envisages starting this process with a report feeding into module 3 which relates to health systems. The summary reports will be disclosed to core participants in advance of the relevant module hearing and formally adduced in evidence so they form part of the Inquiry's record.

## **2. Commemoration**

- 2.1. The Inquiry's purpose is to examine, consider and report on preparations for and the response to the pandemic in England, Wales, Scotland and Northern Ireland. As part of this core function, it must listen to and carefully consider the experiences of the bereaved families and others who have suffered hardship or loss as a result of the pandemic. Given the scale of this hardship and loss, it wishes to provide opportunities for it to be commemorated as part of the Inquiry's process and for that commemoration to be linked to and part of its proceedings.
- 2.2. This commemoration will begin with the Chair leading a moment of reflection at the start of the Inquiry's first preliminary hearing on 4 October 2022 as acknowledgement of the fundamental change the pandemic had on our lives.
- 2.3. The Inquiry has received submissions from Bereaved Families for Justice asking for extensive pen portrait evidence also to be heard.

While the Inquiry recognises the value this can bring in an inquest or an inquiry performing the role of an inquest, and the heartfelt submissions that have been made, initial thinking is that this is unlikely to be possible or indeed appropriate in an inquiry such as this which is much more broadly drawn. The Chair does, however, think it appropriate to recognise the human suffering arising from the pandemic and to ensure this is reflected throughout the Inquiry's work. She has therefore asked her team to explore ways to recognise the human impact of the pandemic during the Inquiry's module hearings in a time-limited way so that hearing time can be devoted to establishing the facts and identifying lessons learned in a timely manner.

- 2.4. Given the breadth of the Inquiry's remit, the provisions of paragraph (b) of the [Terms of Reference](#) and the need to make timely recommendations about the pandemic, oral evidence at public hearings about individuals' losses or the circumstances of individual deaths is unlikely to be heard.
- 2.5. The Inquiry team intends to create a physical installation in its future Hearing Centre, which could be a static artwork or a more organic piece that grows over time, such as, for example, a book of commemoration or video wall. It is also looking at how the Inquiry website can be used for commemoration.
- 2.6. The Inquiry will do further work on this, to find the right solution. It wishes to work with representatives of those most affected to develop commemoration so it is suitable, and captures the right feelings and emotions. It is at the very early stages of planning commemoration across the hearings, and hearing centres and other places people might engage with the Inquiry. It will notify affected groups of its developing thinking, and involve them as appropriate, in coming weeks.

**13 September 2022**  
**Solicitor to the Inquiry**