

UK COVID-19 INQUIRY

MODULE 3 - FIRST PRELIMINARY HEARING

**LEONARDO ROYAL HOTEL LONDON CITY,
8-14 COOPER'S ROW, TOWER HILL, LONDON EC3N 2BQ
28 FEBRUARY 2023**

SUBMISSIONS ON BEHALF OF SCOTTISH COVID BEREAVED

INTRODUCTION

1. We are grateful to counsel to the inquiry for once again providing a detailed note on the background to the setting up of the inquiry. Also, the input which the chair had in recommending the inclusion of an express mandate within the draft terms of reference to allow for the provision of interim reports, and the publication of urgent recommendations for consideration before the end of the inquiry, which it is to be hoped will avoid any unnecessary delay in their potential implementation.
2. We also particularly welcome the chair's recommendation that the inquiry be open to the accounts of the many people, including those members of Scottish Covid Bereaved, of their experiences during the pandemic, and any disparities on the impact which it had on them and their relatives.
3. Module 3 will of course consider the entirety of the United Kingdom, albeit there are differing healthcare structures across the four nations. This obviously has the potential to duplicate matters which will be explored within Module 2A relating to the strategic and overarching issues from the perspective of Scotland, and indeed matters which are bound to be considered by the separate Scottish inquiry. We note and welcome the intention to minimise any duplication of matters not only with the Scottish Inquiry but it is assumed also in relation to Module 2A.

4. Scottish Covid Bereaved particularly welcome the Inquiry's stated intention to draw on information provided to the listening exercise "Every Story Counts", when examining the general impact of governmental and societal responses to the pandemic, and many within Scottish Covid Bereaved look forward to contributing to that exercise in due course.

5. The scope of Module 3 is obviously wide and the members of Scottish Covid Bereaved appreciate that many of the issues which are of critical importance to them have been included in the 12 stated areas to be explored within this Module; the restriction on visiting relatives in hospital, provision for end of life contact, isolation of elderly patients, issues around testing, availability and suitability of PPE, the arbitrary imposition of do not attempt cardiopulmonary resuscitation instructions (DNACPRs), to mention but a few of these. It is also acknowledged that the list is not exhaustive and is provisional at this stage.

RULE 9 LETTERS AND DISCLOSURE

6. While we accept that core participants will not be provided with copies of the Rule 9 requests made by the Inquiry, we look forward to receiving and will welcome the monthly updates which will be provided by the solicitor to Module 3, together with disclosure to core participants of recoveries subsequent to intimation of the Rule 9 letters. Further, we hope to be, and will certainly aim to be, of assistance to counsel to the inquiry in identifying any additional and appropriate avenues of investigation, any other organisations and witnesses on whom letters ought to be served, or further topics to be included in the Module 3 hearings.

EXPERT WITNESSES

7. We look forward to receiving information on the identities of the experts who will be instructed to prepare reports in respect of the issues to be considered in Module 3, and the opportunity to provide observations on reports prior to their finalisation. The opportunity to provide suggestions as to who might be instructed to provide expert evidence and the areas in which they might be required to give evidence is also welcome.

**THE LISTENING EXERCISE - "EVERY STORY COUNTS", COMMEMORATION & PEN
PORTRAIT MATERIAL**

8. Scottish Covid Bereaved particularly acknowledge the interest expressed by the inquiry of its interest in hearing of their specific and very individual experiences. They look forward to those experiences being included in reports which will be fed into Modules where appropriate and relevant, and that these will be formally included as part of the Inquiry's record.
9. It will of course be obvious to the Inquiry that those members of Scottish Covid Bereaved have a particular interest in the opportunity to participate in the Commemoration Exercise "Every Story Counts", and look forward to taking part in that process and the Inquiry's recognition of the suffering of all those concerned. They look forward to hearing further details of the arrangements for the Commemorative Memorial and the ability to view that in due course at the hearing centre, during the public hearings and online on the Inquiry's website.
10. Those members of Scottish Covid Bereaved who wish to provide evidence on systemic failings which they consider relevant to their own individual circumstances, and how they were impacted by these, will endeavour to provide such evidence for the Inquiry's consideration and potential inclusion in Module 3. For example, and as referred to in counsel to the Inquiry's note, bereaved family members, those shielding, those suffering from post-covid conditions such as long covid sufferers, and healthcare workers, will all undoubtedly have relevant evidence to provide in relation to such issues, and will be able to provide "lived experience" of the issues as they affected them and their relatives.
11. That completes the submissions on behalf of Scottish Covid Bereaved in respect of Module 3 of the Inquiry and we look forward to learning of the date for the further preliminary hearing in due course, and particularly any update regarding the possible provision of listening rooms to relay future hearings.

COUNSEL TO SCOTTISH COVID BEREAVED

CLAIRE MITCHELL K.C.

KEVIN MCCAFFERY, ADVOCATE

KEVIN HENRY, ADVOCATE

AAMER ANWAR & CO, GLASGOW