

## **UK Covid-19 Inquiry**

### **Justice roundtable**

21 March 2022

London and online

The Inquiry held a justice roundtable. This transcript includes the main introduction and one of the two breakout discussions.

#### *Participants*

Caroline Hacker, UK Covid-19 Inquiry

Samantha Edwards, UK Covid-19 Inquiry

Alex Griffiths, UK Covid-19 Inquiry

Martin Hogg, Citizen Coaching and Counselling

Zoe Gardner, Joint Council for the Welfare of Immigrants

Andrew Dodsworth, Association of Her Majesty's District Judges

Malcolm Cree, Bar Council of England and Wales

Brigid Napier, Law Society of Northern Ireland

Helen Richardson, Magistrates' Association

John Mulholland, Law Society of Scotland

Richard Miller, Law Society of England and Wales

Mark Fairhurst, Prison Officers' Association

David Hamilton, Scottish Police Federation

Robert Thompson, Civil Court Users Association

Rachel Cairnes, Association of Consumer Support Organisations

David Hodge, Council of Circuit Judges

Michelle Rennie, Victim Support Scotland

**Caroline Hacker:** [00:01:05] Welcome everybody. Good afternoon. My name is Caroline Hacker and I am the Chief Operating Officer at the UK Covid-19 Public Inquiry. So, I'm sure you are aware, this is an independent inquiry and it's being chaired by Baroness Hallett. Baroness Hallett is a retired Court of Appeals judge and it's been set up to look at the UK's response to the pandemic. So, as I said, thanks so much for everybody for sparing the next hour and a half to be with us today. We really do appreciate it.

Just to start off with, we do recognise that the pandemic has affected everybody. And everyone will have a personal as well as a professional response to the pandemic. Today's meeting, we do recognise, may be difficult for some of you. So, I have a colleague here, Martin Hogg from Citizen Coaching and Counselling. And Martin's here today and he's available to support anyone during the meeting or afterwards who may need that little bit of extra support.

So, I'm just going to introduce Martin and let him tell you a little bit about the service that he can offer today.

**Martin Hogg:** [00:04:44] Thank you very much. My name is Martin Hogg from Citizen Coaching and Counselling. Anything that you say to me is private and confidential, not reported back to the Inquiry. We recognise that sometimes, people do need to take time out when they talk about things like this. So, I'll be available in the chat. You can just select and send a message directly to me in there. And if you need any support in following up even if it's tomorrow or the day after, then please, just make contact. The details are in your joining invite. Thank you.

**Caroline Hacker:** [00:05:35] Thank you, Martin. So, over the coming weeks, the Chair and the wider team at the Inquiry will be meeting a number of bereaved families and organisations that have been affected by the pandemic. So, these meetings are to consult on our draft Terms of Reference, which really set out what the Inquiry will investigate.

You all should have received the draft Terms with the agenda. So, it's really important that I'm very clear and upfront that these meetings in the next few weeks, they're not about giving evidence to the Inquiry. That will come later. What these are about is giving views on the Terms of Reference. And once those Terms of Reference are finalised, then the Inquiry can formally begin its work and start as an Inquiry proper, so to speak.

What we've done is we've grouped various organisations together according to theme, so themes around local government and obviously, justice, which is what you're all here for today. It's also worth noting that the public can, of course, give their views via our consultation website. And we do ask you to encourage your members or the people you represent to take part in the consultation.

Just in terms of a little bit of housekeeping before we start the meeting properly. This meeting is being recorded and a transcript of the meeting will be available on our website at the end of the consultation period. It will be used to inform the outcome of the consultation and the Chair's recommendations to the Prime Minister about what the final version of the Terms of Reference should and shouldn't contain.

As we stated in the invitation that we sent you ahead of this meeting, you should expect to be named on our website as part of the verbatim transcript that will be published. Please do let us know – you can let us know at the end of this meeting or just drop us an email if for any reason you don't wish to be named in the transcript.

So, just in terms of how we'll structure the meeting today, the bulk section of the discussion will be around the four questions that are contained in the consultation document. We have a number of participants. I think we're on about 15 or 16 participants. So, what we will do is split into two

break-out rooms. I will try to keep us to time as much as possible to ensure that we get time to discuss each of the questions and that you will get the opportunity to contribute.

I should also note that the chat function is available on Zoom. But because of time, we're not going to be able to respond to all the points that are put in the chat. But do be reassured that any points that you put in chat will be captured and they'll be fed into the overall account of today's meeting.

At the end of the session, I'll try to summarise one or two points. But as I said, we do have the transcript and that will be analysed properly to ensure everybody's views are captured and fed into the Chair's thinking. And as I mentioned, the Chair will then make recommendations to the Prime Minister about what the final Terms of Reference should contain. So, hopefully, that's all clear.

Just as a point of housekeeping, please do use the Zoom raising hand button just so I can keep track of who's wanting to come in. And do forgive me if I keep looking at my screen because I'm just trying to keep a track of who's wishing to raise a point.

Okay. Before we split into the two groups, what I'll quickly do is just go around for a few introductions, if that's possible. So, I've got Zoe Gardner, who is in my top left. So, Zoe, could I come to you, please?

**Zoe Gardner:** [00:09:26] Thanks, Caroline, and hi, everybody. My name is Zoe Gardner. I'm representing the Joint Council for the Welfare of Immigrants. We assist all migrants, refugees and asylum seekers at all different points of the immigration system. And really pleased and grateful to have been invited to feed in today. Thank you.

**Caroline Hacker:** [00:09:47] Thank you, Zoe. And I believe it's Andrew Dodsworth, is that correct? Hello?

**Andrew Dodsworth:** [00:10:05] That's me. Good afternoon. I'm Andrew Dodsworth. I'm President of the Association of Her Majesty's District Judges. That's the organisation that represents district judges in civil and family courts and I'm representing it.

**Caroline Hacker:** [00:10:19] Thank you, Andrew. And Malcolm Cree, if I could come to you next, please.

**Malcolm Cree:** [00:10:24] Yes, good afternoon. I'm the Chief Executive for the Bar Council of England and Wales.

**Caroline Hacker:** [00:10:31] Great. Good to meet you. And then if I could just come further down - apologies, I'm not too sure who that is. But if I could come to you next, please.

**Brigid Napier:** [00:10:40] Apologies. It's Brigid Napier from the Law Society, President of the Law Society of Northern Ireland. We've got some technical difficulties here. So, thank you very much, Caroline, and very pleased to be here.

**Caroline Hacker:** [00:10:55] Great. It's good to have you. And if I may now come to Helen.

**Helen Richardson:** [00:11:01] Hi, my name is Helen Richardson. I'm here representing the Magistrates' Association. We're a membership organisation that represents magistrates across England and Wales.

**Caroline Hacker:** [00:11:10] Okay. Thank you, Helen. And John Mulholland, please.

**John Mulholland:** [00:11:18] Yes, thanks, Caroline. I was the President of the Law Society of Scotland at the time that the lockdown was introduced and I'm a member of the board of the society. I'm glad to be here. Thanks, Caroline.

**Caroline Hacker:** [00:11:32] Great. Thank you. And Richard Miller, if I could come to you, please?

**Richard Miller:** [00:11:37] Hello. I'm the Head of Justice at the Law Society of England and Wales. So, my role involves overseeing all working relations to, access to, and administration of justice.

**Caroline Hacker:** [00:11:48] Great. Welcome. Thank you. And Mark Fairhurst, please.

**Mark Fairhurst:** [00:11:53] Afternoon, everyone. I'm Mark Fairhurst, the national Chair of the Prison Officers' Association representing prison officers and related grades, and we have members in secure psychiatric hospitals and escort services as well.

**Caroline Hacker:** [00:12:06] Great. Thank you, Mark. And David Hamilton, please.

**David Hamilton:** [00:12:15] Good afternoon. David Hamilton, Chair of the Scottish Police Federation [inaudible]. And my apologies, I am a bit hoarse...

**Caroline Hacker:** [00:12:24] Sorry, David. You're breaking up quite a bit. Could I just ask you to try again?

**David Hamilton:** [00:12:32] Hello, it's David Hamilton. I'm the Chair for the Scottish Police Federation. Is that coming through okay?

**Caroline Hacker:** [00:12:37] I think so. Is it the Scottish Police Federation?

**David Hamilton:** [00:12:41] Right, that's correct, Scottish Police Federation. I'm afraid I'm still fighting [inaudible] with Covid. So, if I'm a bit hoarse, I apologise. It's not just my accent. It's the effects of this disease.

**Caroline Hacker:** [00:12:51] Okay. Well, welcome, David. Hopefully, we can hear you as we go forward. But if not, don't worry. We can contact you separately to get your views. Okay. And I've got R Thompson, which I believe is Robert.

**Robert Thompson:** [00:13:12] Hi there. Yes, it's Rob Thompson, Chair of the Civil Court Users' Association. Thank you.

**Caroline Hacker:** [00:13:18] Great. Welcome, Robert. And Rachel Cairnes.

**Rachel Cairnes:** [00:13:23] Hi, yes, I'm Rachel. I'm the Senior Policy and Public Affairs Advisor at the Association of Consumer Support Organisations or ACSO to keep it a bit shorter.

**Caroline Hacker:** [00:13:33] That's brilliant. Thank you very much. Have I missed anybody? No? Okay. We're going to move into breakout rooms. But before I do, I just want to introduce my colleague, Samantha Edwards, who'll be running one of the breakout rooms.

**Samantha Edwards:** [00:13:52] Hello. Thanks very much, Caroline. Samantha Edwards here. I'm the Director of Communications for the Inquiry setup team and I'll be moving next door in a minute to host the second of our two facilitated groups. So, you'll just need to bear with us while we move some of you into another Zoom room.

**Caroline Hacker:** [00:14:09] Okay. Thank you all. We're just going to pause for a couple of minutes while we split the group. So, if you could just bear with us. Thank you.

[Participants are split into two groups. Caroline Hacker chairs the discussion]

**Caroline Hacker:** [00:16:08] Hi, everybody. Can you hear me okay? Brilliant. Thank you very much. We're going to now have a bit more of an in-depth discussion focusing around the sort of detail in the Terms of Reference and just about how we, I suppose, really operationalise the Inquiry.

So, we have four questions and we should maybe have about 10 to 15 minutes on each. And you'll all get the opportunity to contribute to each question. So, what I'll do is I'll just kick us off with the first one. We've sent you the Inquiry's draft Terms of Reference. And so, the first question is: do you think these cover all the areas that should be addressed by the Inquiry? Who would like to go first?

**Brigid Napier:** [00:17:08] I wonder if I could speak, Caroline? Brigid Napier, Law Society of Northern Ireland. I know certainly these are very wide and comprehensive terms, but one of the things it obviously focuses on is the justice system. And I wonder whether it should really include the legal system as well. There's a slight difference in all of that. I mean, one of the initial problems we had was that organisations like our Land Registry in Northern Ireland simply put we're no longer here, we've got a closed sign on the door, which stopped all conveyancing processes moving forward. So, I think there's areas of the legal system in relation to, you know, the purchase of property, wills, probate, that type of thing which would need to be encompassed in that. So, I wondered what anybody else thought of that.

**Caroline Hacker:** [00:18:10] Okay. Thank you. Anybody else like to comment on that point or indeed anything else that they think the Terms of Reference should cover? Okay. Zoe, if I can come to you first.

**Zoe Gardner:** [00:18:35] I think there's a few others who put their hand up first but mine's really quick. So we're absolutely delighted to see migrants and asylum seekers specifically included in the Terms of Reference. That's exactly what we wanted. I guess if I was being picky and this is technically covered by migrants but I wanted to ensure that it was understood that that meant migrants of all different immigration statuses and none.

**Caroline Hacker:** [00:19:01] Okay. Thank you. Apologies, all the hands have gone up at once so it's difficult to see who was first. So, I'm just going to go in a random order. David, could I come to you, please? David, I think you're on mute. If you just say something? I don't know if it's your end, unfortunately. I wonder if it would be helpful if you dialled out and dialled back in again and I'll just go to someone else and we'll try that. Thank you. Okay. Helen, could I go to you, please?

**Helen Richardson:** [00:19:47] Yeah, just to build on the justice system/legal system distinction, there's obviously a lot of structures and things that are outside of the justice system. For example in family courts, there's also a lot of work on early family interventions and family mediation, which wouldn't necessarily be encompassed by justice if, you know, people aren't ever attending courts, etc., but they all have been impacted as well.

**Caroline Hacker:** [00:20:13] Okay. Thank you. John, if I may come to you.

**John Mulholland:** [00:20:28] Caroline, thanks. I just wanted to echo what Brigid said. Unfortunately, I was actually in post the day that they closed the land registers in Scotland and I still don't think I've recovered. I've still got a nervous twitch so, I agree with Brigid. I think we should expand that out to the legal system. I thought perhaps it would really encompass that in the general heading but not actually seeing it there, I would like to see that there if at all possible. Thanks.

**Caroline Hacker:** [00:21:07] Thank you. And Richard, over to you, please.

**Richard Miller:** [00:21:12] Thank you. Yes, I'd also endorse that view. I think from our point of view, there were numerous different aspects going on. So, take the criminal justice system for example, there was the issue of access to clients who are in custody. There was the issue of advising the police station. And then there were all the various stages of the court processes.

There were also issues for the solicitors and not-for-profit advice sectors in terms of engaging with clients. How do you do that remotely? That involved both how they organised their own services and things such as, how did the legal aid system work and what changes were needed to that to enable things to continue functioning.

Then there were the practical things such as the remote signature of wills because it became apparent very quickly that it was really difficult to sign a will with two witnesses present in the room who are also having to self-isolate. So, a whole range of issues that the legal sector faced and I think it is important that we try and capture as many of them as possible in the Terms of Reference.

**Caroline Hacker:** [00:22:19] Great. Thank you. I see a few more hands have just gone up. If I could just come to David, if that's possible. David Hodge.

**David Hodge:** [00:22:33] Thank you. I agree that the Terms of Reference need to be expanded from justice to legal systems. But it seems to me that we may need separate sub Terms of Reference to identify the areas that are going to be covered under each of the separate bullet points because otherwise, there's a danger that the Terms of Reference are going to become far

too cumbersome. So, I think we need to have separate agenda items under each separate bullet point.

**Caroline Hacker:** [00:23:13] Thank you, David. Andrew, if I could come to you.

**Andrew Dodsworth:** [00:23:21] I'd echo the point that's just been made. It was the point I was going to make myself. I think that the Terms of Reference are just far too wide. Arguably, it's covering everything that happened in the country and that, I think, is just going to be unmanageable.

Now, I'd also echo that it needs to be wider than the justice – wider than the legal system, sorry. It needs to encompass things like what was the effect on, for example, family courts, on CAF/CASS, on local authorities, social work, which are both integral to our work. And also, the ability of expert witnesses to, I mean, they couldn't see people readily and that had a significant impact on the work as well.

**Caroline Hacker:** [00:24:04] Thank you. David, I think we've got you back. Let's see if we can hear you this time.

**David Hamilton:** [00:24:11] Okay, hopefully. Can you hear me now okay?

**Caroline Hacker:** [00:24:13] Yes. That's much better.

**David Hamilton:** [00:24:14] Thank you. My apologies for earlier. I think my point I was wanting to make was the impact on the workforce. As mentioned within the health and care sector as to an examination of the people who are working in that sector in terms of workforce testing, PPE and so on. But that was also an issue certainly in policing and I suspect in other areas of the pandemic response as well in terms of how we properly equip and protect people. And I would suggest that that being weighed out slightly more than just from healthcare to a wider slate of industries would be helpful.

**Caroline Hacker:** [00:24:56] Great. Thank you. Okay. We've got a couple of people coming back in. So, Brigid, if I can go to you. I think you had a follow-up point possibly.

**Brigid Napier:** [00:25:07] Yes. I was just going to mention, one of the difficulties that we had in Northern Ireland was working with the court service. And I know they're not invited to participate in these discussions. And I'm wondering, was there any particular reason for that? I would have thought that they would have been an interested party.

**Caroline Hacker:** [00:25:31] Sorry, I'm busy scribbling away. No, that's a good point, Brigid. I think in terms of who we invited to some of these events, we had to be quite selective about who to bring forward. But there will certainly be the opportunity if they want to comment at all as part of the consultation process. So, the consultation is open for a month. So, we'd be happy to reach out to them and just direct them towards the consultation so that they can have their views heard. Would it be possible for us to pick that up after the meeting, Brigid?

**Brigid Napier:** [00:26:08] Yes, indeed. And the other party that I was considering that wasn't invited was the Bar Council of Northern Ireland and they may also wish to contribute.

**Caroline Hacker:** [00:26:17] Okay.

**Brigid Napier:** [00:26:18] But I'd certainly pick it up after the meeting. Thank you.

**Caroline Hacker:** [00:26:20] That sounds great. Thank you. Helen, I think you've been waiting patiently.

**Helen Richardson:** [00:26:26] Sorry, it's just a follow up on the workforce point and just to also encompass within that the voluntary sector so, magistrates themselves as volunteers but also the wide variety of voluntary organisations that, for example, operate in and around youth justice and family justice to assist court users, etc. They're sort of similarly impacted but weren't counted in the workforce per se.

**Caroline Hacker:** [00:26:52] Great. Thank you. Okay. Are there any other points that people wanted to raise on the Terms of Reference, particularly around if there's anything missing at all? Malcolm, I see you've got your hand raised.

**Malcolm Cree:** [00:27:07] Yeah, just very quickly. I agree with everything that everyone said. But if you're going to include the Bar Council of Northern Ireland, then you'd need the Faculty of Advocates of Scotland as well. And I also think that when it comes to the workforce for justice, it's got to cover HMCTS, the police, all the different parts of the judiciary as well as everybody else who worked/works in the court system, voluntary and paid.

**Caroline Hacker:** [00:27:33] Thank you. Okay. I'm just pausing on here. I'm sort of flicking between two screens to make sure that anyone's got their hands up or make sure everyone's been heard. John, I see you've got your hand raised.

**John Mulholland:** [00:27:56] Yeah, Caroline, it's just I think that we had – at the society, we had suggested that the Faculty of Advocates should perhaps be invited. And of course, we've got the SCTS, the Scottish Courts here so, again, they may be an interested party. In fact, I know they certainly will be coming because we had extensive engagement with them during the pandemic and still do at the moment, so.

**Caroline Hacker:** [00:28:25] Brilliant. Thank you. Okay. If there are no further comments on the draft Terms of Reference, I will move this on. John, you've still got your hand up. Is that from the last one? Okay, perfect. So, moving us on to our second question. We're really interested to find out which issues or topics that you think the Inquiry should look at first. So, over to you if you have a preference of order in terms of what the Chair should look at to begin with. David, I think you've just got your hand up.

**David Hamilton:** [00:29:20] Yes. Thank you. Just to get things started perhaps, I think we're kind of looking at this in terms of so what happens if this happens again next month, you know, if a bad variant came again, are we prepared for that? And in many ways, what the media still thinks has to be is, have we got a fast and ready plan for should we ever be hit with this again, heaven forbid, and can we respond quickly enough to that? And a lot of that is going back to maybe early days of looking at do we have proper resilience, PPE supplies and groups? Do we have quality controls within that? Have we got policies as to how to deal with things?

So, live and dynamic plans that can respond quickly to this. And we have been planning for this for 20 years and plans fell apart at first contact. And because there were too many assumptions



made about, well, we'll just get people PPE and actually, nobody followed through to find out, well, do we have PPE to give and so on. And so, it needs to be – I think there's a really valuable piece of work making sure that we're match fit for this happening quickly.

And then of course, there are issues that need to be addressed but they're not perhaps as urgent in terms of should this happen again. And the lessons that were learned from that aren't perhaps as urgent as things like that.

**Caroline Hacker:** [00:30:48] Thank you. Brigid, if I can come to you.

**Brigid Napier:** [00:30:52] Thank you. Just to clarify what David was saying there. I think that the first priority is to really look at the adequacy of the preparations that were made prior to the pandemic because, as David was saying, there was provision in place for about 20 years before that. But it seemed to me that the pandemic happened very quickly, albeit that there were some early warnings, particularly from Italy, we seem to be very ill prepared. So, I think we look at the preparations prior to the pandemic as a first step.

**Caroline Hacker:** [00:31:28] Thank you. And Zoe, if I could go to you.

**Zoe Gardner:** [00:31:36] Thanks, yeah. I think I'm very much sort of in agreement with what's been said so far. I mean, obviously, what this Inquiry will have to do is to find a balance between, you know, looking back and examining what happened in specific individual cases but also understanding how we can be better prepared for this in the future.

And so, we think that looking at the structural weaknesses that meant that significant groups of the population were exposed the minute a crisis hit because there was no fall back, no preparedness, no options available for them.

I mean, obviously, from my experience specifically, migrants have been in this situation where they're denied access to ordinary safety mechanisms and safety nets that protect us all throughout society. So, that meant that structurally, when a crisis hit, almost the entire group of them are immediately subject to huge risk. So, I think there are structural elements that leave us still exposed in the future that haven't been addressed so far. They're really the crux of the issue.

**Caroline Hacker:** [00:32:50] Thank you. And Mark, over to you.

**Mark Fairhurst:** [00:32:55] Yeah, thanks. Don't disagree with what's been said so far but something that is really vital moving forward if we ever encounter this again would have to be the effect of sick pay on workers. It didn't really affect my people that I represent because we remained on full pay throughout if we were absent due to Covid. But that's going to have a massive effect because if I'm a worker relying on £96 per week statutory sick pay, then I may have a choice. I either go into work symptomatic because I can't afford to live on that amount or I stay home and put myself into a real bad situation poverty-wise. So, that needs to be looked at.

And moving forward as well as a priority, we've got to sort out long Covid because in the public sector, the only public sector body that keeps staff on full pay if they're off because of long Covid is the NHS. Everybody else is subject to attendance management procedures, which again, has a massive knock-on effect for the workforce. So, I would like those prioritised as well. Thank you.

**Caroline Hacker:** [00:34:01] Thank you. David, if I could come to you.

**David Hodge:** [00:34:08] Thank you. It seems to me that the priority must be to look to the future and ensure that we have future resilience and learning from the lessons of the past is perhaps something that is of less importance. What I would therefore suggest is that in relation to the first series of topics, we should be focusing on preparedness and resilience, how decisions were made, communicated and implemented, and legislative and regulatory control because these will inform the way in which we deal with future matters.

**Caroline Hacker:** [00:35:00] Thank you. Zoe, I believe you've got your hand up.

**Zoe Gardner:** [00:35:05] Sorry, hand up again.

**Caroline Hacker:** [00:35:06] That's okay.

**Zoe Gardner:** [00:35:07] I just thought what Mark said was really important. I think in terms of that preparedness for the future that I think we're all highlighting and who is at risk, I think the frontline workers that were so, sort of, celebrated were particularly vulnerable to all of the impacts actually. And the sort of structural underpinnings of that, low pay, limited access to benefits, especially in the case of migrants, and, lack of PPE and so on, how that is a specific problem in those areas of work that actually keeps us going. So, I think, maybe that being at the forefront – generally speaking, are low-paid areas of work but that also were so important in our response to the pandemic.

**Caroline Hacker:** [00:36:00] Thank you. Okay. John, over to you.

**John Mulholland:** [00:36:08] Yeah, thanks. While I appreciate the need just to look forward and how we may deal with a situation if it arose again but my own view, and certainly a few that had been asked expressed this, we were told at the very beginning that we were following the science and the science seemed to be different in each part of the UK. So, that led to different decisions being made and different steps being taken. I would like the Inquiry to look at what steps were taken to agree what science we were following, who we're listening to and who was given priority in terms of who we were listening to. So, because it seemed to me at some points that it became a kind of [inaudible] what the science actually was. So, I would like to see that one of the issues that is considered first of all.

**Caroline Hacker:** [00:37:14] Thank you. Okay. Did anybody else want to comment on that point just in terms of the topics that the Inquiry should look at first? No? Okay. I'm going to move us on then to our next question, which is just in terms of the timings and the various milestones around the Inquiry. So, one of the things that we're considering is if the Inquiry should set a proposed end date for its public hearings, which would then help ensure timely findings and recommendations or do you think we should be driven in terms of the amount of evidence we hear almost determines the timeframes? So, the question really is do you think we should put a proposed end date on the public hearings? And I think Brigid, you've got your hand up.

**Brigid Napier:** [00:38:17] Very much so, I do think there should be an end date. I think we need to be working towards an end date. I mean, I can understand that this is going to be a very fully encompassing investigation and inquiry. But I do think that there should be some deadlines. I mean, I think the average is around about two and a half years for these and I know that you're

not taking evidence until next year. But I would certainly impress upon the Inquiry that there should be a deadline.

I mean, one of the other points would be, is there a basis to issue an interim report? For example, some of the points were raised in relation to the last question, which is how prepared are we moving forward and in the future, is that something that could be dealt with by the Inquiry in terms of an interim report? Or alternatively, how ill-prepared we were when the pandemic hit, is that something that could be dealt with by way of an interim report?

**Caroline Hacker:** [00:39:21] Okay. So, Brigid, if I've heard that right, you would favour an end date but with interim reports coming through as we move through that process.

**Brigid Napier:** [00:39:34] Yes, yes, exactly.

**Caroline Hacker:** [00:39:36] Thank you. Zoe, over to you.

**Zoe Gardner:** [00:39:41] Yeah, just to really directly echo what Brigid said there. I totally agree that it needs an end date just to maintain focus, momentum. Yeah, I think it's really important that it isn't allowed to sort of be kicked into the long grass to any degree. And I also support what Brigid said about potentially interim reports being a really helpful thing because obviously, this is very wide ranging and advertently, as it should be, it will cover a lot of ground. But thematic interim reports might be a good approach in order to sort of, again, keep the process sort of clearly visible and accountable. But I think a hard end date is necessary.

**Caroline Hacker:** [00:40:33] Thank you. Richard, if I could come to you.

**Richard Miller:** [00:40:39] Yeah, a very similar view for me as well. I've been peripherally involved with some of the work around Grenfell. And there is a real feeling of that's been sort of dragging on forever and it looks like it's going for a good long while yet. I think people do want to see an end date, when they know that they're going to hear some answers.

And I was also thinking that perhaps sectoral reports might be worthwhile. As we've been discussing today, there are some specific issues around the justice system, which are, to a large extent, self-contained. There will be broader general messages around how public services overall responded. But I think there would be scope for separate reports that could be issued as the Inquiry is going along.

**Caroline Hacker:** [00:41:21] Thank you. Andrew, over to you, please.

**Andrew Dodsworth:** [00:41:28] Again, I'd echo much that's been said. I think you need more than just an end date, though. I would advocate that it's timetabled all the way through including the interim stages. Otherwise, I think it's just got the capacity to become unmanageable.

I've worked in a number of public inquiries in a former life as a Government lawyer and I just know they grow like Topsy and they never stick to timetables. And this is just so much bigger than anything, which I think has been attempted as a public inquiry beforehand.

**Caroline Hacker:** [00:42:01] Yeah. Thank you. I know that the Chair is very keen that we are completely open and transparent about milestones and so forth. So, I think that's definitely something that she would be recommending. David, can I come to you, please?

**David Hamilton:** [00:42:17] Yeah. Thank you. Yeah, again, the challenge here perhaps is the breadth of the remit, which the Inquiry has. And, you know, even producing interim reports does distract resources away from continuing the Inquiry in order to produce that. So, for me, we should still be doing something for interim reports but that also needs to be set against that priority list that we talked about in that earlier question.

The other question I had, which was really to see how this fits in with devolved administrations and their inquiries. So, I know in Scotland, for example, there's a separate public inquiry ongoing – just as we had during the actual pandemic, the potential for confusion and contradiction is pretty, you know, severe here.

And even in terms of things such as the justice system in itself, you know, different justice systems in different places, quite how the Inquiry captures all the different nuances and different dependencies and sub-dependencies thereafter will get challenged. [inaudible] my hats off to you guys, my sympathies because that's going to have an impact.

**Caroline Hacker:** [00:43:36] Thank you. You faded off a little bit towards the end there, David. But I think, yes, exactly, how we work with the devolved administrations. Like you say, Scotland has its own inquiry and I think it will be so important for us to be clear about what we're covering and so for example, what the Scottish inquiry is covering not only for clarity of purpose but also to ensure that the public stay engaged and have confidence in what we're all doing. So, I think that's a really good point. Andrew, you've got your hand up. I don't know if that's from before or if you want to come in, Andrew.

**Andrew Dodsworth:** [00:44:11] No, it's a legacy hand, sorry.

**Caroline Hacker:** [00:44:16] Okay. Did anybody else have anything that they wanted to add about an end date? Helen.

**Helen Richardson:** [00:44:27] Hi, and sorry, not quite about an end date but just to raise a sort of semi-counterpoint on sectoral style reports and the self-contained issues. I think that looking at the bullet points, I'd be slightly sort of cautious about sectoral reports or at least aware that siloing those off might be missing some of the points.

For example, housing and homelessness is separate from prisons and other places of detention. But obviously, there's a significant overlap from release from detention into homelessness. Similarly with the closure of educational institutions, there's a very big impact from education into the family justice system and into the youth justice system and then subsequently into the adult justice system as you're getting towards the end of the youth justice system.

And even then within justice, it's sometimes very easy to try and section off into family, into youth, into adult. But actually, from experience, it's much more fluid than that and I'd be slightly concerned just to be aware of that side of it. It can sometimes cause issues in and of itself.

**Caroline Hacker:** [00:45:35] That's a good point about that sort of intersectionality between different areas. Okay, if there's nothing else on that one, I'll move us on to our last question. So, the last question that we're really keen to hear your views on is, sorry, Mark, did you have your hands up, particularly if you had a point on the last one?

**Mark Fairhurst:** [00:46:00] No, it's just in relation to the last question, when you're ready. Thank you.

**Caroline Hacker:** [00:46:03] Okay, great. You're first in. So, yes, so the question is around how we should design the Inquiry and how we should really run the Inquiry so that we're making sure that bereaved people and those who have suffered harm really have their voices heard. So, we're keen to do this as inclusively as possible. So, it'd be really good to hear your views on that. Mark, over to you.

**Mark Fairhurst:** [00:46:31] Yeah, thanks. This is just such a massive, massive task considering the amount of people who've been affected in that way. I think you just need to make it as accessible as you possibly can for the general public who've been affected to take part. You've done that in one way by providing a link for people to, you know, answer the questionnaire that's online. But I think you've got the perfect example here today of what can be achieved. And that's to invite those people who've been affected on to weekly or monthly Zoom meetings so en masse, wherever they are in the country, you can access them and they can have their voices heard, maybe give time slots when people have accepted that invite so you don't overrun or you don't have too many on a call. But that's the only way I can think of getting this Inquiry so accessible that everybody who wants their voices heard can have their voices heard. Thank you.

**Caroline Hacker:** [00:47:29] Thank you, Mark. Zoe, over to you.

**Zoe Gardner:** [00:47:34] Thanks. So, yeah, it's a huge task. And I'll focus on the area that we're particularly concerned about. Obviously, we know that black and minority ethnic people have been disproportionately impacted by bereavement during this crisis. And obviously, a significant minority of those people will be migrants or of migrant backgrounds.

We think it's really important, therefore, that community outreach is done in a way that recognises some of these people's hesitancy or reservations about engaging with formalised procedures, Government bodies, authority broadly spoken. And that makes you sort of community outreach, community groups, community champions in order to spread the word and create trust for people to be able to come forward and share their stories in spaces that they know are safe because they're mediated by trusted groups.

Also, sort of a consideration to be given to contributions in highly spoken community languages of the UK, not just in English. And I would also ask there to be a consideration of making sure it's possible to include the voices of undocumented migrants as well. So, among all different migrant groups, there may be that hesitancy that I mentioned to come forward to any sort of formalised process. Among undocumented migrants, anonymity is, you know, that being a cast-iron guarantee is an extremely important prerequisite for anyone to share their experience.

Yeah. So, I think community outreach via trusted mediators is a really important way to reach some of the groups that have been the most impacted but will have the most barriers to sort of engaging with a process like this.

**Caroline Hacker:** [00:49:37] Thank you. David, if I could come to you and then John.

**David Hamilton:** [00:49:44] Thank you. On a human level, this seems, of course, the right thing to do. But I think we have real concerns regarding what the Inquiry then becomes. I don't think there's – probably any of us can think of anybody who's not in that bracket of bereaved or has suffered harm. And there is a danger here that let's say if you invite millions into a process that would absolutely keep going forever. And that's not in anyone's interest. So, there's a bit of clarity to the purpose of that kind of humanitarian act, if you like, of asking people to share that, is it part of that kind of bereavement process and natural justice or is it actually to inform what the Inquiry is doing? And, you know, if it's got a purpose in terms of making things better for the future, which is for us what a lot of these public inquiries should be aiming for and aspiring to, then that's one thing. But if it's going to be about, you know, giving out that kind of human opportunity for people to express their grief, then that runs contrary to an efficient achieving of the initial objectives.

So, I think with caution, is what we would feed back to the Inquiry on this. It cannot be everybody and it has to be either through advocacy groups and there has to be a clear understanding of what that looks like in the early stage. This can't become a process where every single person who fits that category can come in and say their piece because, if nothing else, it will dilute the impact of it and not give them satisfaction. So, there is certainly a role for it but I think the Inquiry needs to be clear what its principle objectives are and, again, going back to that priorities word, what is it we're trying to achieve quickly and so we can learn from this so we're ready for the next thing. Thank you.

**Caroline Hacker:** [00:51:52] Thank you. John, if I could come to you.

**John Mulholland:** [00:52:01] Yes. Thanks, Caroline. David has effectively articulated some of the things that I was going to say. And I think he makes a good point in the sense that the wider the participation, the more unrealistic an end date becomes because you then have so many people. It becomes difficult to say realistically when you can conclude the Inquiry.

Basically, the other thing I wanted to say was it may seem odd for a lawyer to not want an inquiry, which is legalistic in its performance and the way it's conducted. I know that a number of the colleagues on the call have great experience of public inquiries. But I wonder if there's any way of us not making it look as though it's a normal type of inquiry because I think that would put people off. I think it will dilute the very humanity that we're trying to get at, which I think is one of the objectives because we're dealing with a human catastrophe, really. I can't give you any suggestions regarding how that might look at the moment but I wonder if it's something that we may aspire to.

**Caroline Hacker:** [00:53:16] Thank you. Thank you. Malcolm, I think you were next in line.

**Malcolm Cree:** [00:53:22] I was just going to say, I agree with John and David.

**Caroline Hacker:** [00:53:27] Thank you. Okay. And then I think Richard and then Helen.

**Richard Miller:** [00:53:34] Thank you. Yes. Again, I was thinking about parallels with the Grenfell inquiry. And what they tried to do there was to strike a balance between, on the one hand, making sure that a voice was given to the people who were affected and the bereaved families. But at the same time, in order to manage things appropriately within the course of the Inquiry, they

tried to get people to group together for the purposes of representation. So, you had teams of lawyers who were focused on particular issues, common issues among those who've been affected to try and pull those together into groups so that that was more manageable.

So, I guess the parallel question here would be, are there particular themes about things that happened, experiences that people had, things that maybe went wrong with public services that led to the problems that people experienced that could be grouped together in a similar way to try and keep this as effective and streamlined as is possible in the circumstances.

**Caroline Hacker:** [00:54:37] Thank you. Okay. And Helen, over to you.

**Helen Richardson:** [00:54:43] I have two slightly separate points, the first being similar to Zoe's point made earlier but in relation to children. I think there's a tendency with public inquiries for it to feel like a very adult space. And obviously, children were severely impacted by the pandemic from education through to sort of my purview of the justice system but also, you know, earlier on in healthcare, etc. And having their voices directly heard rather than them filtered through the voices of adults, it's really extremely important not only to their engagement with this as planning for the future but also in terms of their individual rights to be heard.

And then the second completely separate point is one of terminology with the word bereaved. I'm conscious that in something like Grenfell, that it's normally they were bereaved because of the event of the Grenfell fire and whether or not the Inquiry encompasses those who were bereaved in other circumstances without Covid-19 on their death certificate but were still heavily impacted by the processes that surround death and caring for bereaved families during the pandemic.

**Caroline Hacker:** [00:55:58] Thank you. Brigid, over to you.

**Brigid Napier:** [00:56:04] Thank you, Caroline. You know, I was only going to agree with what Richard was saying that you have to have some sort of smaller group, participation from people. I don't know how, given the number of people involved - that's going to be a massive task.

But also, picking up from what Helen said you have small groups like children's groups and if you have it more sectional like that, then you can weave in the welfare support for each of those groups rather than trying to do it on a sort of an ad-hoc basis. But you can tailor welfare support for each of those particular groups. So, that seems to be the only base that you're going to be able to provide adequate support for the people participating in the Inquiry as well.

**Caroline Hacker:** [00:56:55] Thank you. I thought I had – Richard, did you want to come back in?

**Richard Miller:** [00:57:04] Sorry, no, legacy hand.

**Caroline Hacker:** [00:57:06] No problem. Just, oh, Andrew, over to you.

**Andrew Dodsworth:** [00:57:16] Sorry, just listening to everyone, it occurs to me that actually, I would question whether allowing bereaved people and those who've suffered harm is really part of the Inquiry if we wanted to be a useful inquiry that's going to teach us things. There's undoubtedly a role for allowing people to express their grief and their emotions about it but I think it has a real capacity to run the Inquiry.

And I'd also pick up on the point about what does bereavement mean in this case. From a personal point of view, you know, I lost close relatives during the pandemic not of Covid but, you know, they still died in hospitals where we weren't able to visit and the rest of it, which is, well, it's difficult. But I think this has the capacity to really let this run out of all sort of sensible control because the number of people who were bereaved, you know, of Covid is what, 160,000 – I've lost track of what figures have got to but, you know, 160, 170,000. If you have all of their relatives, you'll be going, you know, till kingdom come.

**Caroline Hacker:** [00:58:32] Okay. Thank you. Just in terms of, I think someone mentioned something about confidence and sectoral community confidence. And I didn't know, we've got a few more minutes, if anybody has any thoughts on how we can kind of give the sectors or communities that you represent confidence that we are listening and so that they can have confidence in the Inquiry and the work that the Inquiry is doing. I was wondering if you had any thoughts about that at all. Zoe.

**Zoe Gardner:** [00:59:13] Yeah, thanks. I mean, it's always tricky. And I think Grenfell has been raised here. I think that one of the things that is really important certainly to the communities that we work with is a sense of accountability. Too often, and it sort of goes to the discussion that's just been had here about, you know, what is the appropriate space for people to talk about their own personal experiences. Is it the right thing to feed into this Inquiry and so on? People who have had very difficult experiences because of their immigration status are often asked to share that pain and share those struggles and do not see much come back out of it and much be fed back to them about, well, where did that go and what was done with it.

So, I think, there are two things. One is what we've already discussed about there being sort of a clear and transparent deadline by which, you know, this will be concluded. Recommendations will be made. You know, recognition of what has happened will be published and transparency of the process and the sort of milestones within that, which I think you've mentioned is very important. But, yeah, just to emphasise that again that that's really important for getting trust in the system.

And then I think it goes to that conversation about having so many people that could feed in. And then, you know, if I say, well, you need to do it really, really sensitively, then, of course, that makes it longer and more difficult and that leads to the resource question again.

But if the experiences of individuals is going to be sought, then that needs to be done in a way that clearly communicates to them how their input is going to be used and it comes back to them about how their input has been used and what recommendations have come from it and, you know, to see themselves and their contributions as part of the process and not just sort of a time for them to relive trauma and then that to sort of disappear.

And I think, again, with the groups that we're concerned about, that could all be facilitated best through trusted community leaders, groups that are already working with those individuals so that they feel safe in order to share that experience and also, that there is a trusted voice that is, you know, has accountability to come back to them afterwards and to explain what is happening with that testimony that they've offered.

**Caroline Hacker:** [01:01:57] Thank you. David, over to you.



**David Hamilton:** [01:02:02] Thank you. Yeah, I agree with a lot of what was just said there. I think one of the challenges I see is that different groups have different things that are important to them. So, from my group, which is the police officers, their particular issue might be, for example, the PPE they had or priority on [inaudible] vaccines which weren't given to them. No, that's a tiny, tiny, tiny part of this whole exercise. But it's something which means a lot to them. And I guess, every one of us here who's representing different groups will have people who have different views and different, if you like, things that are important to them.

So, that management of expectation at the beginning is really important as to what it is going to do and not do so that if it's going to be higher level and macro, then that's fine. And I think it can only be that way in truth. But we need to get that clear from the outset. You know, well, if it gets into the micro level of things, then again, it can be here forever. So, I think it's maybe just defining very clearly what it isn't is as important as what it is.

**Caroline Hacker:** [01:03:16] Thank you. Okay. Did anybody else want to comment on anything around the Inquiry design just in terms of how we ensure people's voices are heard? Any more tools that you may have seen that you think actually, that looks really, really good and this is possibly applicable to how we work or anything extra that you wanted to add? No? Brigid.

**Brigid Napier:** [01:03:53] I was only going to come back, Caroline, to the initial point in the first question, which is a clarification around whether this is dealing with the justice system or whether it's dealing with the legal system. And I think that needed to be looked at in terms of exactly what the Inquiry is going to cover because there's a lot of practical issues which relate to the legal system as opposed to just the justice system. So, it was just a reminder of that point.

**Caroline Hacker:** [01:04:21] Thank you. Okay. If anybody else has got anything else on any of those questions, then please do let me know. If not, what we'll do is we'll bring the other breakout group back and just hear a couple of points from them and then we'll move to a close. So, if I could just ask everyone just to bear with us for a couple of minutes while we reconvene the two breakout rooms and we'll go from there. So, thank you all very much. And if you just give us a few minutes, we'll get everybody back together.

[All participants are brought back into one space]

**Caroline Hacker:** [01:06:03] Thanks, everyone. So, I've got Samantha Edwards who was facilitating the other breakout group. And Samantha's just going to give us a few points from the other group.

**Samantha Edwards:** [01:06:17] Thanks very much, Caroline. So, I fear probably the people that joined me on my session may not be with us because I let them go early and then we're going to re-join. But I think they'll be fine if they don't hear the summary.

So, we actually had a very quick discussion. And I think the first point, of course, was, and it's come up in other groups, is the fine balance of when it comes to a Terms of Reference document, do you keep a very, very topline mention of areas to cover or do you drill down and go into more

detail. And we talked briefly about the difficulty of the danger of if you have an awful lot of detail, what happens if you miss something and you can't go back versus, if it's so high level, does it really feel relevant and do people actually know that kind of things will be looked at under that space. So, we talked about that.

There was a very, very clear steer from the group that an end date should be sought. They would never have suggested what that end date should be. They said, you know, how long it should be, I think, is for you guys to determine. But, you know, I think it is important to set out really, really clear milestones, to make that available, to keep people updated on progress, etc.

In terms of what should be done first, I don't think anyone had a strong view. So, we didn't talk significantly about that.

And then lastly, we talked a little bit about how do we involve people? How do we keep people kind of updated? How do we make sure that different people's experiences are shared throughout the Inquiry? And there was definitely appetite for that and the different kinds of ways that you could do that. So, and certainly some volunteers and willingness to be involved in helping to both shape and also provide that evidence at a later point. So, a really good discussion but very much kind of short and sweet from my side.

**Caroline Hacker:** [01:08:17] Thank you. And just to summarise what we talked about for the benefit of those on the call. So, certainly, on the first point when we were covering the draft Terms of Reference, we had a really interesting discussion around justice versus legal and making sure that as well as justice, we're including the legal system, recognising issues such as the family courts, land registry, for example, which were all impacted by the pandemic so, making sure we include that when we're talking about the Terms of Reference.

We also talked a bit about what to look at first. And there were various responses around that. I think one of the key points that came through was about making sure that we're looking at the future and future resilience almost as a priority. I think recognising we're not out of the pandemic yet and being really conscious that we need to make sure we're match fit, I think, was a phrase that was used.

Finally, in terms of an end date, I think, there was very much a firm yes, we should have an end date in order to maintain focus, which seemed to be very popular. And also, recognising though that there is that opportunity to be producing interim reports so that we're keeping people engaged but also, just being very careful that we're not missing any of those sort of intersectional issues between say, the health sector and the care sector, for example.

And then finally, a point that came through around how the Inquiry should be designed and run to ensure bereaved people will be heard. I think there was a really good point actually, which hasn't been mentioned before in these discussions was to recognise what do we mean by bereaved because obviously, you could have suffered a bereavement during the pandemic, which was not necessarily a Covid-related death but you might have lost a loved one or you might have been involved in providing services to those bereaved. So, just thinking about that in the broader context.

And recognising as well that I think if we are going to hear from different groups, it's really important that we are feeding back what we've heard and how we will use what we've been told. So, making sure that we really, really kind of close that loop in that respect.

So, I think those are the main points I drew from our group. Needless to say, as we said at the beginning, we have got a transcript. The call has been recorded so it will be analysed in terms of that information that everyone's given and it will be fed back to the chair so that she could make sure that she's analysing what she's heard and so that when she sees the Prime Minister in the next few weeks, she could be really clear about the recommendation she has around the Terms of Reference for the Inquiry.

So, I think that's probably all we need to cover today other than to say a massive thank you to all of you for sparing the time this afternoon and for engaging in the conversation. It's very much appreciated. As we said at the beginning, this is very much the start for us. It is very much about getting those Terms of Reference right. And when the Inquiry starts in earnest, there will be a lot more opportunity to feed in with evidence.

And just finally for me, just a reminder to say that Martin, who is a counsellor who's working with us, is available after the call in case anybody would like to speak to Martin at all. Other than that, a huge thank you and have the rest of a good afternoon. Thank you very much.

[END OF TRANSCRIPT]