

Written Submissions on behalf of Welsh Government

1. At the Preliminary hearing on 1 November 2022 the Welsh Government made brief oral submissions in which it expressed its commitment to the Inquiry. The First Minister has been very clear the Welsh Government will engage fully with the Inquiry so that the decisions it took in response to the pandemic are properly scrutinised. The Welsh Government reiterates that commitment today.
2. The Welsh Government is a unified and integrated Government, and the breadth of its functions relevant to this Inquiry is significant. The Welsh Government is working hard to ensure that the Inquiry is provided with the information it needs to be able to fulfil its functions.
3. The Welsh Government is working collaboratively with the Inquiry Team to ensure a continuing steady flow of statements in a timely and efficient manner. To date, the Welsh Government has provided 10 draft Rule 9 statements in response to Module 2B Rule 9 requests, and at the time of submission there are a further 20 Module 2B statements in the pipeline to be served in the coming weeks.
4. The Welsh Government understands the importance of disclosure to the Inquiry and is fully co-operating with the process of disclosure. It acknowledges that there have been some delays in the disclosure of MAs. However, to date 514 MAs have been disclosed and a process for the remainder is currently being agreed with the Inquiry. In addition, in the region of 5000 other documents have been disclosed by the Welsh Government.
5. The Welsh Government notes and supports the Inquiry's approach to expert evidence and would welcome confirmation that the reports will fully and properly reflect the Welsh devolution settlement.
6. The Welsh Government invites the Inquiry to set a date by which the experts' reports will be available to the Core Participants.

7. The Welsh Government also invites the Inquiry to set an early date by which it will issue a list of issues. Such a list will enable focused and efficient preparation by all Core Participants.
8. The Welsh Government agrees that a third preliminary hearing will be needed and suggests that this should be after the conclusion of Module 2A. By then the Inquiry and the Core Participants are likely to have learnt from the experiences of Module 2 and 2A, and matters both of substance and procedure are likely to have become clearer.
9. The Welsh Government notes that the hearing of Module 2B will begin on Monday 26 February 2024 and that the current proposal is that the hearings would end on Thursday 14 March 2024. The Welsh Government echoes the note of Counsel to the Inquiry that Module 2B has a *significant amount of ground to cover during its public hearing, and a relatively limited amount of time within which to do so*. The Welsh Government looks forward to hearing from the Inquiry how it intends to order the evidence to enable there to be an efficient and just determination of the issues at that hearing. The Welsh Government emphasises that sufficient time must be allowed to enable the Inquiry to do justice to its important work.
10. The Welsh Government looks forward to welcoming the Inquiry to Wales for the third preliminary hearing, and for the final hearing in 2024. It is important that the people of Wales have as much access to the Inquiry as possible. Accessibility is not simply about venue; it is also about language. The Welsh and English language have equal legal status in Wales. The Welsh Government is pleased to note that the Inquiry has recognised the importance of the equal status of the Welsh and English language and is committed to ensuring that submissions and evidence in Module 2 B can be given in either language.
11. At the preliminary hearing on 29 March 2023, the Welsh Government would like to make brief oral submissions which they estimate can be accommodated within 15 minutes. The substance is likely to be in response to the written submissions on behalf of the other Core Participants.

12. The Welsh Government is likely to want to make closing submissions at the final hearing and may wish to say something briefly in opening.

13. The Listening Exercise - (“Every Story Matters”) and Commemoration are both very important. In Wales, we acknowledge the impact of the pandemic on our people and on every aspect of their lives. It is important that everyone has the time and space to reflect. For that reason, last year, the First Minister announced the sites of three commemorative woodlands to be planted to remember those who have lost their lives to Covid-19 in Wales. These have been designed and taken forward with the involvement of local communities, including the planting of the trees which is taking place this month.

Ruth Henke KC