

**IN THE UK COVID-19 PUBLIC INQUIRY
BEFORE BARONESS HEATHER HALLETT
IN THE MATTER OF:**

THE PUBLIC INQUIRY TO EXAMINE THE COVID-19 PANDEMIC IN THE UK

**SUBMISSIONS ON BEHALF OF
SOUTHALL BLACK SISTERS
PRELIMINARY HEARING
6 JUNE 2023**

Introduction

1. Southall Black Sisters ("SBS") is represented jointly by Public Interest Law Centre and leading and junior counsel. Their interest in the Inquiry, and specifically in Module 2, is in the disproportionate effects that the pandemic, and the government's response to it, had on those with protected characteristics under the Equality Act 2010, particularly women and girls¹.
2. Several of the written submissions below are developed in more detail by other CPs and SBS is happy to support those detailed submissions. For that reason, SBS will consider whether it is necessary for them also to make oral submissions at the hearing.

Chair's rulings

3. SBS welcomes the Chair's ruling of 9 March 2023, following the second preliminary hearing, that an expert on structural racism will be instructed to advise, and that further experts will be instructed to advise collaboratively on other equalities issues.

¹ Whilst SBS recognises that domestic abuse affects men and women, the majority of domestic abuse is perpetrated against women and girls. Accordingly, women and girls will predominately be the focus of our submissions.

We have submitted names of potential experts to the Inquiry.

4. SBS also welcomes the Chair's ruling, in response to the Cabinet Office's application to revoke her s.21 notice, of 22 May 2023. We believe that the decision upholds the principles of candour and transparency on government which underpin this Inquiry.

Cabinet collective responsibility

5. SBS notes the possibility of an application for restriction orders by the Cabinet Office. Our principal view is that Cabinet collective responsibility for decisions taken two or three years earlier, and where those decisions are the subject of scrutiny by a statutory Inquiry, should not operate as a reason to withhold relevant material. Without knowing the details of the documents, SBS assumes that those named would be public figures (Government Ministers or senior civil servants) and should be subject to the Inquiry's scrutiny. SBS assumes that there are no national security contents in the documents (and if there are, the Inquiry team is well placed to deal with them).
6. If the Chair, upon receipt of an application from the Cabinet Office, is minded to allow it, we consider that she should invite appropriate submissions from the CPs on the principle before ruling. We see no need for the invitation of submissions if she is minded to refuse it.

Volume and timescale for disclosure, R9 statements and witness statements

7. SBS is anxious that there remains a significant volume of material, perhaps 20,000 documents, to be disclosed, and that signed witness statements are likely to be disclosed by the end of July 2023. In light of the August break, and the relative imminence of 3 October 2023 when the hearing commences, SBS asks that documents, including witness statements, are disclosed on a rolling basis as soon as reviewed, rather than retained and disclosed together.

Potential witnesses

8. SBS notes the proposal to write in due course to all potential witnesses to give them advance notice.
9. SBS submits that evidence should be called from the non-state CPs. The experience of voluntary groups in the Violence Against Women and Girls sector about the effects of the pandemic and lockdown on women and girls (in particular, but not exclusively, in relation to the rise in domestic abuse) is, we submit, important in order to assess the government's decision-making concerning the first lockdown (March 2020 – July 2020) and subsequent lockdowns (regional lockdowns from July – October 2020, then national Tier lockdowns October 2020, then two national lockdowns from November 2020 and subsequent lockdown January 2021). In the case of subsequent lockdowns, SBS anticipates submitting that the government should learnt lessons from the first lockdown, but, potentially, failed to do so. The experience of the VAWAG sector on the ground during 2020 and 2021 should have been known to government and therefore should be heard by the Inquiry.
10. SBS submits that it would not be possible for the Inquiry to fulfil its terms of reference, and investigate the List of Issues without hearing evidence from the non-state CPs. Opening and closing submissions would not be sufficient and do not allow for direct testimony of the effect of the government's decision-making, and direct testimony as to the issues that the government should have anticipated prior to lockdown, and lessons learnt after the first lockdown.
11. SBS would appreciate a prompt indication of whether it is intended that a witness, on behalf of SBS and drawing on the experiences of the VAWAG sector, will be giving evidence.

Long Covid

12. SBS supports the submission made by the Long Covid Groups that Long Covid is a critical issue which should be subject to investigation in Module 2 is whether the UK's core political and administrative decision-makers adequately considered Long Covid and its impact in coming to their decisions. We note that women are slightly more likely to report symptoms of Long Covid than men and so an equalities issue potentially arises.²

Listening Exercise

13. The listening exercise should include a thematic report on domestic abuse in the context of the pandemic and the several lockdowns. SBS also asks whether any of the five expert researchers suggested by them in written submissions for the 1 March 2023 preliminary hearing have been, or are to be, instructed.
14. The webinar for Every Story Matters on 23 March 2023 indicates that respondents can complete the form in any language they choose, and the Listening Exercise will translate into English (or Welsh), and that the same will apply to respondents contributing on the telephone. SBS seeks confirmation that the form will also be available in different language, and which languages, so that respondents are able to read and understand it in their first language.

² ONS Coronavirus & the social impacts of Long Covid on people's lives in Great Britain: April – June 2021, at [Coronavirus and the social impacts of 'long COVID' on people's lives in Great Britain - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/conditionsanddiseases/articles/coronavirusandthesocialimpacts_of_long_covid_on_people_s_lives_in_great_britain/2021-06-13). 6.6% of women as against 5.8% of men reported symptoms of Long Covid. The reasons for the disproportionate effect are unclear, see Guardian, Why are women more prone to Long Covid, 13 June 2021: [Why are women more prone to long Covid? | Long Covid | The Guardian](https://www.theguardian.com/uk-news/2021/jun/13/why-are-women-more-prone-to-long-covid)

Liz Davies KC

Marina Sergides

Public Interest Law Centre

31 May 2023