



Solicitor Team
UK Covid-19 Public Inquiry

15 December 2022

Dear Solicitor Team

We write further to the Inquiry's Rule 9 request dated 7 November 2022. We set out our responses to the Inquiry's request for information below. In accordance with the Inquiry's email of 16 November 2022 we have prepared our responses without substantive legal advice and, in particular, have not yet provided to our legal team all documents we consider relevant for them to review and advise accordingly whether these, or other documents, ought to be provided to the Inquiry team. However, we trust the following assists and we are able, in due course, to provide a statement to the Inquiry and further submissions on the issues raised in the Inquiry's Rule 9 questionnaire.

1. A brief overview of the history, legal status and aims of the organisation or body. Please explain whether the work of the organisation or body is UK wide, or is instead confined to England, Scotland, Wales or Northern Ireland only.

Disability Wales/Anabledd Cymru is a registered charity and company limited by guarantee (Registered Charity no: 517391; Registered Company no: 0199862) formed in 1972. It is the Welsh national association of Disabled People's Organisations, striving to achieve rights and equality for all Disabled people in Wales. Its core role is to represent the views and priorities of its members to government, with the aim of informing and influencing policy.

2. A brief description of the group(s) which the organisation or body supports or represents.

Disability Wales has 100 member organisations across Wales, 29 of which are full member Disabled People's Organisations.



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info@disabilitywales.org

www.disabilitywales.org



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3. A brief overview of the work of the organisation or body in supporting or representing the relevant group(s) between January 2020 and Spring 2022 as it relates to the response to Covid-19 of (a) the UK Government; (b) the Scottish Government; (c) the Welsh Government; and/or (d) the Northern Ireland Executive.

Disability Wales assisted Disabled people in Wales during the pandemic by regularly updating information on its website and social media platforms; responding to individual enquiries; creating a programme of online activities and information sessions; distributing £163k in emergency grants (NET and Welsh Government) to 9 DPOs in Wales which provided frontline services and support to Disabled people during lockdown.

Disability Wales also lobbied against policies and regulations introduced by government in response to the pandemic that had a disproportionate impact on the Disabled community.

In April 2020, Disability Wales submitted responses to the Welsh Government's rapid consultations on supporting people with care needs during the pandemic, and suspension of section 15 of the Coronavirus Act in November 2021.

As a Wales Disability Reference Group member, Disability Wales helped to secure over 1,400 signatures to a [statement](#) addressed to the Chief Medical Officer for Wales, highlighting concerns over the failure of government to take measures to minimise the impact of Covid on Disabled people with pre-existing health conditions. Disability Wales also arranged surveys and focus groups to inform Covid-19 consultations, through its participation in stakeholder groups including the Disability Equality Forum (DEF) and Covid-19 Moral and Ethical Advisory Group.

4. A list of any articles or reports the organisation or body has published or contributed to, and/or evidence it has given (for example to Parliamentary Select Committees) regarding the impact on the group(s) which the organisation or body supports or represents of the response to Covid-19 by (a) the UK Government; (b) the Scottish Government; (c) the Welsh Government; and/or (d) the Northern Ireland Executive. Please include links to those documents where possible.

In April 2020, Disability Wales submitted responses to the Welsh Government's rapid consultations on supporting people with care needs during the pandemic. Disability Wales also submitted responses to the Welsh Government, on the suspension of section 15 of the Coronavirus Act in November 2021.

During the first lockdown, Disability Wales' Chief Executive attended various meetings

with the Welsh Government as part of the 'Disability Equality Forum' which was chaired by the Deputy Minister and Chief Whip, Jane Hutt MS. In the four months following the announcement of the first lockdown, the Deputy Minister convened the Forum five times. The meetings were attended by other Government Ministers and senior Welsh Government officials including the CMO, where the latest Covid-19 policy developments were discussed and they would take comments and questions from members and feed these back with the aim of informing guidance.

Disability Wales' Chief Executive chaired the Disability Equality Forum Steering Group which co-produced the 'Locked Out – Wales' report on the impact of Covid-19 on Disabled People.

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The Welsh Government accepted the Locked Out report's findings and recommendations and established the Disability Rights Taskforce in 2021 to respond to these recommendations and to advise on the drafting of a Disability Rights Action Plan.

5. The view of the organisation or body as to whether the group(s) it supports or represents was adequately considered when decisions about the response to Covid 19 were made by (a) the UK Government; (b) the Scottish Government; (c) the Welsh Government; and/or (d) the Northern Ireland Executive. Please also explain the reasons for the view expressed by the organisation or body in this respect.

Welsh Government provided opportunities for Disabled People's Organisations including Disability Wales to engage with and discuss policy developments related to Covid-19, most notably through the Disability Equality Forum.

The Chair of the Forum, the then Deputy Minister and Chief Whip **NR** MS, commissioned members to produce a report into the impact of Covid-19 on disabled people. It is believed to be the first report of its kind commissioned and published by a national government in the UK. As well as being evidence-led, the Locked-out Report was coproduced by disabled people.

Notwithstanding the opportunities for stakeholder engagement with Welsh Government, the report highlighted that 'the coronavirus pandemic amplified pre-existing socio-economic inequalities in society and their influence on health outcomes'.

The Locked-out report details evidence of disabled people experiencing medical discrimination, restricted access to public services and social support, exclusion from public spaces and public life, restrictions on independent living and an erosion of basic human rights, as a consequence of the pandemic.

The report highlights the ONS data that revealed that 68% of deaths from COVID-19 were among disabled people in Wales and outlines how factors including discrimination, poor housing, poverty, employment status, institutionalisation, lack of PPE, poor and patchy services, inaccessible and confusing public information and personal circumstances, significantly contributed to this figure.

It presents evidence suggesting that disabled people feel their lives are less valued in Welsh society. This is particularly reflected in their experiences of discrimination and exclusion when trying to access public services during the pandemic. Examples include, disabled people being unable to access public transport, maternity services, GP surgeries, emergency telephone helplines and vital pandemic-related public information, to name a few. Many disabled people reported confusion, helplessness, abandonment, isolation, fear and frustration.

Throughout the evidence gathering for the Locked-out Report, there was a persistent theme voiced by disabled people in Wales. Many expressed the view that it was not necessarily the attitude and commitment of Welsh Government to disabled people that is the problem but the implementation gap between policy and practice. The lack of engagement with disabled people in local service planning and policy development has led to even greater exclusion, ranging from lack of access to shops and suitable housing to timely and appropriate health and social care.

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We provide these comments to assist the Inquiry with our views which are formed on the basis of our experience and knowledge of events to date and with only limited legal advice. However they are only preliminary comments provided without sight of disclosure or evidence.

6. Whether the organisation or body raised any concerns about the consideration being given to the group(s) which it supports or represents with (a) the UK Government; (b) the Scottish Government; (c) the Welsh Government; and/or (d) the Northern Ireland Executive, when the Government(s) and/or Executive were making decisions about their response to Covid-19. Please provide a list of any such correspondence or meetings with the UK Government, Scottish Government, Welsh Government and/or the Northern Ireland Executive, including the dates on which the body or organisation wrote or such meetings were held, to whom the correspondence was addressed or with whom the meeting was held, and any response received from the UK Government, Scottish Government, Welsh Government and/or Northern Ireland Executive addressing such concerns.

Please see the enclosed non-exhaustive chronology.

7. A brief summary of the views of the organisation or body as to any lessons, if any, that can be learned from any consideration which was given to the group(s) that the organisation or body supports or represents by (a) the UK Government; (b) the Scottish Government; (c) the Welsh Government; and/or (d) the Northern Ireland Executive when they were making decisions about their response to Covid-19.

We provide these comments to assist the Inquiry with our views which are formed on the basis of our experience and knowledge of events to date and with only limited legal advice. However they are only preliminary comments provided without sight of disclosure or evidence.

One of the lessons for the Welsh Government is that they develop a compulsory code of practice to ensure that accessibility requirements are met as a standard part of its public procurement process. Where a move to remote public service delivery is being considered, there must be a requirement to 'Equality Impact Assess' proposed changes which, during the Covid-19 pandemic, did not take place.

We consider that in the event of another public health crisis such as the Covid-19 pandemic, the Welsh Government ring-fences the part of the Government's pandemic grant to local authorities that ensures children with Special Educational Needs (SEND) who stay at home receive appropriate and essential equipment, training materials and social care.

The pandemic highlighted an important lesson in the role of accurate and accessible information and communications, including the role of traditional media and social media.

The Welsh Government must also review the role of GPs and other medical professionals in the identification and categorisation of individuals at 'high risk' or 'shielding' groups during public health crises. Given the possibility that Covid-19 and its variants may be a feature of our lives for many years to come it is important that a policy that defines 'at risk' groups in Wales is socially shaped not just medically defined, as has previously been the case and that disabled people's organisations are involved in this process.

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If you require any further information at this stage, bearing in mind the above-mentioned caveats, please do not hesitate to get in touch with us via our legal representative, Shamik Dutta at Bhatt Murphy Solicitors.

Yours faithfully

Disability Wales



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