

Witness Name: Elizabeth Thomson

Statement No.: 1

Exhibits: AS1

Dated:03.01.2024

## **UK COVID-19 INQUIRY**

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### **WITNESS STATEMENT OF Elizabeth Thomson**

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I, Elizabeth Thomson, will say as follows: -

#### **Structure, people and process**

1. Amnesty International is a global movement of over seven million people who stand up for humanity and human rights. Amnesty International UK (AIUK) is part of the worldwide Amnesty movement and is used as a collective name for AIUK Section (Limited Company) and AIUK Section Charitable Trust. Amnesty Scotland is comprised of a small team of staff members based in Edinburgh, and is part of the AIUK Section. Key individuals within the team whose roles were relevant to work on the Covid-19 pandemic were the Scotland Programme Director, Naomi McAuliffe and Campaigner, Elizabeth Thomson.

#### **Liaison and Communication with the Scottish Government and Public Health Communications**

2. Amnesty Scotland met with the Scottish Government on two occasions relevant to the scope of this request. On 16 June 2020 then Programme Director Naomi McAuliffe joined a round table discussion with Minister Christina McKelvie on Covid response and human rights. During her contribution Ms. McAuliffe restated the points made in documents AS1/ 001 INQ000371654 and AS1/002 INQ000371656 regarding the importance of ensuring compatibility of any emergency measures with human rights standards. On August 31<sup>st</sup> 2020 Ms. McAuliffe and others met with the Scottish Government's Health Department regarding the Scottish 'track and trace' app. Ms McAuliffe spoke on the importance of privacy rights in relation to data collection and advised that the Scottish Government should ensure no data collected by the app was shared with law enforcement.

3. Amnesty Scotland also published briefings on the Coronavirus legislation introduced to the Scottish Parliament (The Coronavirus Scotland Act and Coronavirus No.2 Scotland Act), UK wide emergency legislation, and the Scottish Government's Vaccine Certification Scheme (AS1/001 INQ000371654, AS1/ 002 INQ000371656, AS1/ 003 INQ000371657, AS1/006 INQ000371660). Those briefings were sent to members of the Scottish Parliament and did not represent advice to the Scottish Government.

### **The Public Health and Coronavirus Legislation and Regulations**

4. Our approach to the emergency powers passed by the Scottish Parliament was to recognise the need for extraordinary measures that were appropriate, necessary and proportionate to prevent, treat and control epidemic disease, and that such measures were core to the right to health, and the positive obligation to protect life. Our position was that so long as these measures were of a duration strictly limited to the exigencies of the situation, subject to review, and amounted to the least restrictive options available given the legitimate aim pursued, that they would meet international human rights standards.
5. We also urged MSPs scrutinising the Bill to consider as a priority the particular impact of the pandemic, and the measures designed to combat it, on those who face additional barriers in adequately being able to protect themselves, or who may be disproportionately impacted by restrictions.
6. At this stage, we do not have a settled view on the significant question of the impact of the Scottish Government's response to the Covid-19 pandemic on human rights and at risk or marginalised groups, other than to say the impact of both the pandemic and the measures introduced to combat it were felt disproportionately by certain groups.
7. Our core strand of work relating to the pandemic was to campaign for the Scottish Government to establish a statutory public inquiry into its handling in Scotland to answer in detail whether the approach of the Scottish Government and public bodies had met rights standards. On this subject we wrote to and met with the relevant Cabinet Secretary, John Swinney, and the first and second inquiry Chairs. Our view was that the inquiry should take a clear human rights based approach, and that should be established in the terms of reference. We particularly highlighted the impact of hotel accommodation on asylum seekers after the tragic incident at Glasgow's Park Inn in June 2020, and met jointly with the Cabinet Secretary alongside the campaign group Refugees for Justice to ask that the scope of the Scottish inquiry include refugees and asylum seekers. Those calls were not met positively by the Cabinet Secretary or Lady Poole on the basis of the reserved nature of immigration. (AS1/ 004 INQ000371658 AS1/005 INQ000371659 and AS1/007 INQ000371661 AS1/008 INQ000371662, AS1/ 009 INQ000371663, AS1/ 010 INQ000371653, AS1/ 011 INQ000371655)

8. Amnesty Scotland was also represented by Naomi McAuliffe on the Independent Advisory Group on Police Use of Temporary Powers related to the Coronavirus Crisis, Chaired by John Scott QC and established in April 2020. The purpose of the Group was to provide extra advice given the extensive new powers granted to Police Scotland. Ms. McAuliffe's role was advisory in relation to a rights based and proportionate approach to utilising those powers.

### **Lessons Learned**

9. As previously stated, we do not have a settled position on the far reaching question of whether the Scottish Government's handling of the pandemic was proportionate and in line with rights standards. We consider it the role of both public inquiries to establish that. Key to that work will be gathering evidence of the lived experience of rights holders, with particular consideration given to those more likely to have been disproportionately impacted including disabled people, those receiving social care in the home, care home residents, frontline workers, people of colour, and women.
10. To the best of my knowledge i have disclosed all relevant documentation held by Amnesty Scotland in relation to the scope of this request. Amnesty Scotland holds no further substantive documentation related to our work on Covid-19, which concluded shortly after Lord Brailsford was appointed Chair of the Scottish public inquiry in late 2022.

### **Statement of Truth**

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

Signed: 

**Personal Data**

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**Dated:** \_\_\_\_\_03/01/2024\_\_\_\_\_