

IN THE MATTER OF THE UK COVID-19 INQUIRY

BEFORE BARONESS HEATHER HALLETT

**SUBMISSIONS ON THE EVIDENCE OF DR SIMON CASE
ON BEHALF OF JUST FOR KIDS LAW,
SAVE THE CHILDREN FUND &
THE CHILDREN'S RIGHTS ALLIANCE FOR ENGLAND**

1. The children's rights organisations ("CROs"), Just for Kids Law, Save the Children Fund and the Children's Rights Alliance for England, make brief submissions herein on the evidence heard by the Inquiry from Dr Simon Case on 23rd May 2024. Dr Case was Permanent Secretary in 10 Downing Street leading on the Covid response between 22nd May and 9th September 2020, when he became Cabinet Secretary.
2. Dr Case gave evidence about the governmental structures that he considered would be useful in times of crisis. He recommended a structure that immediately steps into action when you have a national civil emergency¹ and the XO/XS model alongside a Taskforce.² He commented that within such a model, an issue to "crack" was the way in which diverse opinion and thought should feed in, and how you balance the need for small meetings with the need to make sure you have all the views you need "around that table."³ He suggested that this may be an issue that the Inquiry should consider. The CROs agree. We welcome the concession that this remains an unresolved issue and invite the Inquiry to pay close attention to it in the Module 2 report.

¹ 36/63/4-8

² 36/64/15-19

³ 36/64/20-36/65/17

3. The CROs have addressed the issues of how children’s rights should be considered within any decision-making process in our written Module 2 Closing Submissions and do not intend to repeat them herein. However, we do hope to assist the Inquiry by making three short points directly relevant to Dr Case’s concern about how to “crack” the issue of ensuring that diverse matters are considered by any XO/XS model, in particular in relation to the impact of government decisions on children and young people:
- a) Firstly, Dr Case accepted that having the Minister for Disabilities or the Minister for Equalities within XO/XS would be helpful.⁴ The CROs endorse the suggestion that ensuring an individual with a specific remit for a vulnerable group is at the table is invaluable (whether that be in the Taskforce or in XS). We ask the Inquiry to endorse our recommendation that a Cabinet-level Minister with a remit for children be involved in any recommended crisis Taskforce, as neither the Minister for Disabilities, nor the Minister for Equalities, holds that responsibility.⁵
 - b) Secondly, whilst Dr Case was admirably concerned about ensuring a greater diversity amongst decision-makers, the CROs remind the Inquiry that children will never be part of such decision-making body. Consequently, such diversity will never ensure that the voices of children are directly heard, which makes the need to ensure structures are put in place all the greater, both to consult children, where appropriate, and to ensure that their rights are upheld.
 - c) Finally, an embedding of children’s rights within a Taskforce⁶, as could be achieved by incorporating the UNCRC into any decision-making, and in particular by ensuring that Child Rights Impact Assessments are carried out within the Taskforce, and the results fed into an XO/XS small group structure, would ensure that such rights and any impacts upon them are not overlooked.

⁴ 36/169/4-14

⁵ See our written Module 2 Closing Submissions, §111-118.

⁶ One of the recommendations that we have asked the Inquiry to make is to embed children’s rights in decision-making. This is explored in detail at §131-137 of our written Module 2 Closing Submissions.

4. We hope the above is of assistance to the Inquiry's considerations.

**RAJIV MENON KC
JENNIFER TWITE**

**Garden Court Chambers
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6th June 2024