



RULING FOLLOWING THE FIRST MODULE 8 PRELIMINARY HEARING ON 6 SEPTEMBER 2024

Background

1. On 6 September 2024 I held the first Preliminary Hearing in Module 8.
2. Prior to the hearing a Note from Counsel to the Inquiry was circulated to all Core Participants. Thirteen of the twenty five designated Core Participants filed written submissions. At the hearing, I heard oral submissions from Ms Clair Dobbin KC, Counsel to the Inquiry and from twelve of the Core Participants. The Note from Counsel to the Inquiry, the written submissions from Core Participants and a transcript of the hearing are available on the Inquiry website.
3. In this ruling I record my decision on those issues that I consider require determination or clarification.

Provisional Scope for Module 8

4. The provisional scope of Module 8 was published on 21 May 2024 and is available on the Inquiry's website [here](#). The Inquiry has also published, on its website, two versions of the provisional outline of scope designed to be accessible and understood by those under the age of 12 and those over the age of 12.
5. The provisional scope has been drafted in broad terms. It sets out examples of areas which will be included in the work of Module 8. These examples refer throughout to "children and young people" rather than seeking to identify certain groups of children

who will be the subject of consideration. As was explained by Counsel to the Inquiry, this was a deliberate choice of words. The language is intended to be inclusive and not, by implication, to exclude any group of children not mentioned.

6. The terms of the provisional scope do not limit the consideration of any specific group of children as part of the Inquiry's work. For example, recipients of Rule 9 requests have already been asked specific questions in relation to children who were clinically vulnerable or who are part of clinically vulnerable families and / or questions in relation to Long Covid. The fact that any specific group of children is not mentioned within scope has no bearing upon the work of the module. Having heard submissions from Core Participants, however, I have decided to amend the introductory wording slightly to include after the word 'disabilities' the words "children with health needs". This is consistent with the wording of this paragraph which is intended to indicate, in general terms, broad groups of children who fall within the module's work.
7. In response to the submissions from the Sutton Trust, I do not consider that I need to add any wording to the scope in relation to children who were from lower income families. The provisional outline of scope specifically refers to "*children from a diverse range of socio- economic backgrounds*" and "*the impact of the pandemic on the education of, and the early years provision for, children and young people (including further and/or higher education, apprenticeships).*" It is capable of including (for example) the question of whether there was equality of opportunity in terms of the ability of children to access education as well as the longer term impacts of the pandemic upon children from lower income families (at the time and now).
8. The Trades Union Congress ("the TUC") submitted in their written submissions and orally that the scope should be supplemented by including within it the position of and impact of the pandemic on education staff. I have carefully considered the question of whether to include within the scope for Module 8 a specific reference to the impact of the pandemic education staff. Despite the very persuasive way in which Mr Jacobs has argued the point, I am not persuaded of this. It is important that the focus of Module 8 is on children and not any one specific group of adults. The impact on adults across society will be considered in Module 10. As was made clear by Counsel to the Inquiry and I repeat the point, this is not to undermine in any way the contributions made by

educational professionals, particularly those who continued to teach; to keep schools running and to try to keep children safe during the pandemic.

9. I will keep the provisional terms of reference under review. If it appears to me that the work of Module 8 would be assisted by including the impact of the pandemic upon education staff (or indeed upon any of the groups of adults who continued to provide services to children) then I will reconsider the point.

Hearing from children.

10. There are a number of ways in which I will seek to understand the impact of the pandemic on children and young people. This includes gathering evidence through the usual investigative process for Module 8 and, where appropriate, gathering evidence from previous modules, from expert evidence, from accounts provided through Every Story Matters (including those who are now over 18 but were children during the pandemic) and the report from the Children and Young People's Voices Project.
11. In these ways, I am satisfied that I will gather sufficient information to understand how the pandemic impacted children and meet the Scope of Module 8. I do not therefore consider that it is necessary to hear witness evidence directly from children. I will keep this decision under review as the investigation progresses.

The Right Honourable Baroness Hallett
Chair of the Covid-19 UK Inquiry
17 September 2024