



IN THE UK COVID-19 PUBLIC INQUIRY

MODULE 7

SUBMISSIONS OF SCOTTISH COVID BEREAVED FOR THE SECOND PRELIMINARY HEARING

1. We are grateful to Counsel to the Inquiry for providing a detailed note setting out the matters which are to be addressed at the second Preliminary Hearing for Module 7, which will look at, and make recommendations on, the approach to testing, tracing, and isolation adopted during the pandemic. Scottish Covid Bereaved welcome the amendment to the draft outline of scope, in light of the Chair's ruling following the first Preliminary Hearing, to include specific reference to the approaches taken in all four nations.
2. Scottish Covid Bereaved have a great many concerns as to how the Test and Protect policies and strategies were developed and deployed in Scotland. A Rule 9 statement has been provided to the Inquiry setting out these concerns. Now is not the time to repeat all of those concerns but, put short, the Bereaved consider that testing capacity in Scotland, and indeed the wider UK, was inadequate at the start of the pandemic. Testing, tracing, and isolation was the key to protecting the most vulnerable in our society. It was the key to allowing relatives to visit vulnerable loved ones in care and hospital settings and, in many cases, to allowing them to be with loved ones in their final moments.
3. Scottish Covid Bereaved consider that, when the next pandemic comes, there requires to be a test, trace and isolation system in place that is adequate, efficient, and efficiently

resourced, so that it can be quickly put into operation when the time comes. The Bereaved were therefore pleased that the Chair has confirmed that Module 7 will consider the specific financial support in place as part of the TTI systems adopted, as one of the factors influencing compliance. Many of the Bereaved are concerned that a lack of funding meant that people required to go to work, whether symptomatic or not, and this may have directly affected their loved ones.

Disclosure to Core Participants and expert reports

4. It is appreciated that the disclosure process to Core Participants is ongoing, with seven tranches of disclosure made so far. The only request that Scottish Bereaved make is one which will by now be familiar to the Inquiry: for the disclosure process to be completed in sufficient time to allow Core Participants to properly consider the disclosed material.
5. Scottish Covid Bereaved are grateful to the Inquiry for disclosing the draft expert reports. The Bereaved have provided their observations on these reports and will provide the Inquiry with pre-Rule 10 questions in due course.

Provisional List of Issues

6. Scottish Covid Bereaved look forward to receiving the provisional lists of witnesses and issues in late February. The Bereaved have already provided the Inquiry with submissions on key lines of inquiry, highlighting, in addition to the matters identified by the Inquiry, issues surrounding the differing experiences of permanent and agency staff who worked in care homes, and discussions relating to DNACPR notices.

The Scottish Inquiry

7. As Scottish Covid Bereaved have previously highlighted, there is of course a Memorandum of Understanding between this Inquiry and the Scottish Covid-19 Inquiry. Both Inquiries are required to work together to minimise duplication of their investigation, evidence gathering and reporting. They are committed to providing clarity about how each Inquiry is discharging its Terms of Reference in relation to Scottish matters, and minimising duplication of work.

8. Scottish Covid Bereaved note that the Memorandum of Understanding is, understandably, drafted at a relatively high level. The Bereaved are having some difficulty in understanding where lines are to be drawn and which issues are to be dealt with by this Inquiry, and which are to be considered by the Scottish Inquiry. They would welcome any guidance that the Inquiry is able to offer in relation to this matter.

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