

# UK Covid-19 Inquiry: preliminary hearing on module 1, 14 February 2023

The UK Covid-19 Inquiry (the Inquiry) held a second preliminary hearing to further examine the scope and procedures for the public hearing for module 1. Module 1 will investigate government planning and preparedness, including resourcing, risk management, pandemic readiness and lessons learned from previous pandemics, and simulations and modelling. We set out below the key issues discussed in the hearing and where core participants (CPs) are pressing for change. A full transcript of the hearing can be found [here](#). If you have any questions or comments on this briefing, please contact Finola Kelly ([finola.kelly@nhsproviders.org](mailto:finola.kelly@nhsproviders.org)).

## Delays to the Inquiry timetable

The Inquiry reviews and agrees redactions to all witness and corporate statements, and responses to Rule 9 requests, before disclosing them to CPs. In particular the Inquiry seeks to remove the names of junior staff and those not involved in decision making. This process is leading to considerable delays and counsel to the Inquiry has recommended that the date for the first public hearing should be moved to early June. Counsel conceded that this would inevitably affect the timetable for other modules. CPs countered that delaying the start by a month won't give them sufficient time to review the documents they eventually receive, which in turn would hamper their ability to meaningfully participate in the Inquiry. They also say that four weeks is not sufficient time for the hearings and the counsel to the Inquiry invited the chair to look at that again. CPs also requested a third preliminary hearing for this module in late March.

## Disclosure

Of 160 requests for documentation made under rule 9, only 3 responses have been shared with CPs. CPs asked the Chair to consider accelerating the process on disclosure, asking for documents to be shared as early as possible and without redactions. To further facilitate their meaningful participation, they asked the Inquiry to disclose what information has been requested, and to provide CPs with a rolling list of witnesses and issues that they will be exploring. CPs also called on the Chair to ensure that disclosure is completed by end of March if the hearing is moved to June. The documentation management system being used also attracted criticism with CPs recommending changes and improvements.

## Instruction of expert witnesses

CPs have called for the appointment of a race expert to address issues of structural racism and discrimination, in particular to examine whether or not they were considered in pandemic preparedness. The counsel to the Inquiry advises that this is unnecessary as race is already within the scope of this module. CPs also want the Inquiry to appoint a witness to address the relevant and impact of austerity on preparedness, including the resources available and preparations made for infection control in hospitals.

## Listening exercise

Concerns were expressed about the listening exercise, 'Every Story Matters'. The Inquiry was asked to publish a clear plan, setting out how it will engage with the bereaved. Concerns were also raised about the companies involved, and additional reassurances were sought in the wake of recent media **reports** that some of the companies had worked on the government's response to the pandemic.

The Chair continues to be pressed to hear evidence directly from the bereaved. She was asked to consider calling a proportionate number of people who can provide the Inquiry with important direct evidence within the scope of module 1. An example given was the lack of measures in place to risk assess frontline workers, particularly people from ethnic minority backgrounds.

## Rule 10 of the Inquiry Rules 2006

Under rule 10 where a witness is giving oral evidence only counsel to the Inquiry and the Inquiry panel may ask questions of the witness. Counsel reassured CPs that they will be able to submit questions to the Inquiry under rule 10. CPs made a number of recommendations as to how this might work.

## Future modules

The lack of information on future modules received criticism, with CPs saying that it means the overall shape of the Inquiry, and how module 1 fits within that, remains unclear. The Chair said that the Inquiry was covering such a complex range of issue that she needs to have flexibility, but she committed to informing people as soon as possible.