

NEWSLETTER

ISSUE 1 – SUMMER 2022

Welcome to the first in a series of Scottish Covid-19 Inquiry newsletters, which we hope will be a useful source of information for people seeking to follow our progress and engage with us in the months and years ahead.

In my first update, I thought I would start from the beginning, when I was initially approached about chairing the Scottish Covid-19 Inquiry. It was in August 2021, around about the time Scottish Ministers were consulting the public on the Inquiry's Terms of Reference.

It was an honour to be asked to chair the largest inquiry of its kind in Scotland and I was under no illusions about the importance of this task and the challenges that lay ahead.

One of the first things I did, before accepting appointment, was to speak to the other inquiry Chairs in Scotland, and other people involved in inquiries, to learn from their experience. They were generous with their time and advice and I thank them for the valuable insights they shared.

It was also essential for me that the Inquiry had Terms of Reference I could work with because these establish the Inquiry's remit. Terms of Reference are drafted and issued by Scottish Ministers, and for this Inquiry were informed by the public consultation which preceded them. Once the Inquiry's initial Terms of Reference had been finalised, the Deputy First Minister made a statement in the Scottish Parliament on 14 December 2021, announcing them and my appointment as Chair.

There were then two things I wanted to accomplish as priorities. The first was to establish an internet presence for the Inquiry



Foreword by Lady Poole Chair - Scottish Covid-19 Inquiry

to provide information about its remit, its scope and the way it will be conducted, and to encourage as many people as possible to engage with our work. You can access the current Scottish Covid-19 Inquiry website [here](#).

The second thing I wanted to do was commission introductory scoping research from leading academics to help us plan how we will investigate the areas set out in the Inquiry's Terms of Reference. You can read more about this research [here](#), and elsewhere in this newsletter, in which we also cover some of the steps we have taken to establish the Inquiry, and the recent changes in our Terms of Reference.

More generally, my team and I began work on establishing the Inquiry. Since public inquiries are independent, they have to be built from scratch. This involves securing premises, putting in place the necessary infrastructure to conduct investigations and recruiting the Inquiry team. All of this takes time; however, my team and I are resolute in wishing to progress the Inquiry as quickly as we can so that answers and lessons are available to the people of Scotland as soon as possible.

You can read more about what we have been doing to set up the Inquiry later in the newsletter.

This independent Inquiry will, without fear or favour, investigate the strategic response to a pandemic which has affected all of Scotland's more than five million people. Thousands have died and many are still suffering its consequences. People clearly have strong views about the pandemic and legitimate questions about how it has been managed.

"This is an Inquiry for the people of Scotland to ensure we are better prepared for any future pandemic"

It is my role as Chair to work independently of government to establish the facts, openly and transparently, and to make recommendations based on the lessons learned. The Inquiry will listen to a wide range of views, including those expressed by those whose voices are seldom heard. This is an Inquiry for the people of Scotland which will ensure we are better prepared for any future pandemic. If the Inquiry's work contributes to ensuring there is less suffering and there are fewer deaths in future, then it will have achieved its central aim.

Thank you for reading this newsletter. We look forward to working with you to achieve the Inquiry's objectives as quickly and effectively as possible.

For more
information visit
covid19inquiry.scot

ESTABLISHING THE SCOTTISH COVID-19 PUBLIC INQUIRY

All public inquiries follow a series of phases, the first of which is the establishment phase. This involves recruiting an inquiry team, securing premises and putting in place the infrastructure (IT, document management systems etc) necessary for the inquiry to conduct its investigatory functions.

As a public inquiry is independent of government, there is no pre-established organisation to fall back on, so each inquiry Chair must build their inquiry from scratch. The government does not select an inquiry's staff – the Chair builds the team who will investigate.

Public inquiries are funded by public money and they have to work within certain constraints to ensure public funds are spent fairly and properly. This requires public inquiries to abide by public procurement processes, which mean it can take time to get off the ground.

An inquiry must be built on solid foundations. The Scottish Covid-19 Inquiry requires

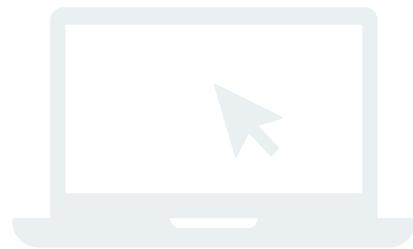
infrastructure that is fit for purpose and, given the scale of the pandemic and its impact on everyone in Scotland, is capable of supporting the widest-ranging inquiry Scotland has ever seen. There is no point, for example, in an inquiry calling for evidence if it has no document management system in place to store the evidence it receives, or no team to analyse that evidence.

Since Lady Poole's appointment as Chair in December 2021, the Inquiry has worked hard to establish its essential operational infrastructure.

“An inquiry must be built on solid foundations”

Perhaps the most visible part of that infrastructure is the **Inquiry website**, which was launched in May 2022. It is an important space to engage with the public, share information, encourage collaboration, and communicate progress.

The Inquiry team has made significant strides in recruiting staff, including the counsel team (the experienced lawyers who advise the Chair), which has been in place since March 2022. In addition, the Inquiry now has IT and document management systems in place, and is in the process of securing premises. Internal systems essential for the functioning of the Inquiry have also been



established, and the team has commissioned introductory scoping research, about which you can read more below.

The team has also started work on building a listening project to ensure everyone in Scotland has an opportunity to engage and participate in the Inquiry. This will include groups who may have suffered disproportionately during the pandemic but whose voices may not always be heard. We intend to pilot the Listening Project later this year.

The establishment phase also involves planning for the next stage, during which the Inquiry will carry out detailed investigatory work. The Scottish Covid-19 Inquiry team is grateful for your patience as it undertakes this crucial work, which is essential for the process to run effectively and efficiently. We will continue to keep you updated.

For more information visit
covid19inquiry.scot

THE INQUIRY'S INTRODUCTORY ACADEMIC RESEARCH

When the Scottish Covid-19 Inquiry was established in December 2021, one of the first steps was to commission introductory scoping research from academics. This was crucial to help the Inquiry plan where to direct its detailed investigations.

Commissioned through a fair and open process, a research brief was issued to academic institutions across the UK, with the requirement that the reports be completed by 1 March 2022. Academics, considered leading authorities in their respective fields, were asked to provide context for the Inquiry's four investigative portfolios:

1. Public sector response
2. Financial and welfare support to businesses and individuals
3. The provision of health and social care services (including care homes)
4. Education, certification, impact on children and young people.

Researchers were asked to provide information about key events, the main organisations or people involved, relevant research papers and publications, and suggestions for potential areas for further investigation. They were also asked to consider how Covid-19 may have disproportionately affected particular groups in Scotland, including, but not limited to, minority groups and different communities (for example, rural and island communities).

Applications were received, and contracts were awarded to researchers at the universities of Birmingham, Dundee, Edinburgh, Edinburgh Napier, Glasgow, and Highlands and Islands. In March 2022, academics who had conducted the research participated in some initial training sessions for the Inquiry team, highlighting their key findings.

After the Inquiry's website went live, the research papers were published on 13

June 2022 and are available [here](#). This research is one of many sources of evidence the Inquiry will consider.

It contains the views of those who wrote it, and nothing in it is binding on the Inquiry.

The Inquiry team has found the research instructive, especially as it plans and prepares for its investigatory work. It covers many, but not all, of the areas within the Inquiry's Terms of Reference and includes a multitude of perspectives.

The research received considerable media attention following its publication, which is testament to the high-quality work of the academics who produced it. The Inquiry team is grateful to all those involved for their invaluable input.



CHANGES TO THE SCOTTISH COVID-19 INQUIRY'S TERMS OF REFERENCE

The Scottish Government published the Scottish Covid-19 Inquiry's original Terms of Reference on 14 December 2021, at the same time it announced the Inquiry would be chaired by Lady Poole. On 9 June 2022, some amendments were made to those Terms of Reference, following consultation with Lady Poole. This article explains the background to those amendments, and how they have extended and clarified the Inquiry's scope.

Governments establish an inquiry where they accept there is a matter of public concern which needs to be investigated. The Terms of Reference, which are decided by the government ministers who establish an inquiry, set out its remit and describe the areas and subjects it is to investigate. In the case of the Scottish

Covid-19 Inquiry, the Terms of Reference were informed by a public consultation held in August and September 2021.

After responses to that consultation were received, they were analysed, and a document was prepared summarising the issues raised. Scottish Ministers then reviewed the documents and drafted the Terms of Reference. Having fulfilled their statutory obligation to consult Lady Poole (as the Chair of the Scottish Covid-19 Inquiry) about those terms, the Scottish Government published them on 14 December 2021. From that point, the Scottish Covid-19 Inquiry was up and running and entered its establishment phase, focused on setting up the necessary systems to investigate the areas set out in the Terms of Reference.

The following day, on 15 December 2021, it was

announced that there would also be a UK Covid-19 Inquiry, which would examine the UK response to the pandemic. This parallel inquiry will cover reserved matters (decisions that are taken by the UK Parliament at Westminster), such as furlough, vaccine product safety, universal credit, immigration and asylum, amongst others. This ensures all aspects of the response to the pandemic experienced by people in Scotland (and the rest of the UK) will be covered by a public inquiry.

Having considered the UK Covid-19 Inquiry's remit, and representations made to them regarding the Scottish Covid-19 Inquiry's scope, Scottish Ministers announced a series of amendments to the Scottish Inquiry's Terms of Reference on 9 June 2022. You can read the revised Terms of Reference [here](#). The amendments clarify that the Inquiry will investigate not just lockdown and restrictions, but also the impact of restrictions. Social care support and unpaid carers were also added into the Terms of Reference. There is now also express reference to disparities in how the pandemic was handled, and unequal impacts on people.

The Scottish Covid-19 Inquiry is now fully focused on ensuring it has the systems in place to investigate its Terms of Reference in their entirety.

For more information visit
covid19inquiry.scot