



Covid Inquiry Client Newsletter – No.5 March 2022

By Elkan Abrahamson

Hello and a belated Happy New Year to you all. In December we discussed the [appointment of Baroness Heather Hallett as the Covid Inquiry Chair](#).

Today, we come to you with news regarding the Terms of Reference. The Prime Minister has now signed the draft Terms of Reference, meaning that the consultation process on the Terms of Reference will be starting from midnight, 11th March 2022.

Things have been relatively quiet on the Covid Inquiry front over the past few months with very little to report until recently. The good news is that we are finally starting to see some progress. The bad news is things still aren't progressing as quickly as we'd like. While there is still no setting up date for the Inquiry, Lady Hallett has been making some progress behind the scenes. We of course plan to continue applying pressure to the Government alongside the [Covid-19 Bereaved Families for Justice group](#) to secure an official setting up date for this Inquiry. Until then, please see some of the key updates below.

PM signs draft Terms of Reference

On 9th March the Prime Minister signed the draft Terms of Reference, and they were made public on 10th March 2022. You can read the draft Terms of Reference [here](#).

[Draft Terms of Reference, signed by the PM.](#)

I am disappointed to see that some of topics that we included in our proposed Terms of Reference have been excluded, including the extent to which the Government's messaging was undermined by their actions.

The Prime Minister has also released a statement regarding the draft Terms of Reference, which you can read [here](#).



I will share a more detailed breakdown of the draft Terms of Reference early next week, including an explanation of what has been included, what hasn't, my thoughts and where we go from here.

Scotland have also drafted their own Terms of Reference which you can see at:

[Terms of reference - COVID-19 Inquiry - gov.scot \(www.gov.scot\)](https://www.gov.scot/terms-of-reference-covid-19-inquiry)

Next steps: Public Consultation

A 4-week public consultation will open at 00:01, 11th March 2022, allowing the public an opportunity to offer their feedback on the draft Terms of Reference. Views collected during this consultation process will be analysed, and Lady Hallett will decide whether any changes to the Terms of Reference will be recommended to the Prime Minister. The Prime Minister will make the final decision.

Once the consultation process starts, the idea is that there will be a software system which will enable you to input your comments directly to the Inquiry Team on their website:

[UK Covid-19 Public Inquiry \(public-inquiry.uk\)](https://public-inquiry.uk)

If you want to comment on the Terms of Reference and you are not a member of the Covid-19 Bereaved Families for Justice group, you will have the chance to do so via the Inquiry website. If you are not a member of the group but you want to speak to the Inquiry Team, please let me know and we can pass on your enquiry (or of course you can contact them directly via the website if you prefer).

The Inquiry team has asked the group to help them arrange a series of meetings to enable some of its members to talk directly to Lady Hallett about the Terms of Reference; the group will be contacting members directly to arrange this. We will be going to most of these meetings, and we will be available to advise people attending them.

The Inquiry Team

Also, the Inquiry Team has started taking shape. Joining Baroness Heather Hallett on the Inquiry Team is:

- **Ben Connah – Director of Inquiry Set-up**
- **Martin Smith – Solicitor to the Inquiry**
- **Hugo Keith QC – Counsel to the Inquiry**

For more information on each of the Team members and their specific roles in the Inquiry, please visit the new official [Inquiry website](#).

If you want to become a little more familiar with Lady Hallett, may I recommend you listen to her episode of Desert Island Discs:

[Desert Island Discs - Heather Hallett, former judge and crossbench peer - BBC Sounds](#)

We would encourage you to keep an eye on the website as it will in due course start providing vital information.



(Baroness Heather Hallett)

The Panel

In an earlier newsletter we spoke about assessors, experts whom the Chair can appoint to help her. I am not a great fan of assessors generally as I think experts should give evidence and be questioned in the normal way.

Aside from this, the Minister has the power to appoint Panel Members to help the Chair. Before appointing anyone to the panel the Minister must consult with the Chair. Panel members can be appointed at any time during the Inquiry. We have argued that panel members are not there to provide expertise, they are there to provide life experience.

Core participant status

Core participant status is absolutely crucial for us to be able to fully take part in this Inquiry. This Inquiry is about you, the bereaved, and the loved ones that you have lost to Covid. Therefore, it is important that you are at the heart of this process, and core participant status will allow that.

We have now completed and submitted the core participant application on your behalf and are hopeful that the Chair will grant that status. We do not expect to hear back on the status of the application until the Terms of Reference have been confirmed but will communicate the result with you as soon as we hear.

Devolved territories

As far as the devolved territories are concerned, the Northern Irish and Welsh teams are both now pursuing the argument for their own Inquiries. The situation in Northern Ireland is complex as elections are due to take place in May and the result of those elections might determine the decision there. Scotland, of course, will have its own Inquiry.

Covid Memorial Wall anniversary

29th March 2022 marks the 1-year anniversary of the [National Covid Memorial Wall](#). The wall has become a symbol of unity, and a space for bereaved families to honour and memorialise their lost loved ones. The future of the wall is at stake, as the Government is yet to commit to make the wall permanent. The volunteers that are fighting to keep the memorial alive have set up a petition and a Crowdfunder to help secure its future.

You can support the wall here:

- [Petition: Make the National Covid Memorial Wall permanent](#)
- [Crowdfunder: Fund the National Covid Memorial Wall](#)

On 29th March, providing I will not be joining Lady Hallett at a consultation that day, I'll be joining the [Covid-19 Bereaved Families for Justice group](#) at the wall in London to mark the anniversary. Together, along with everyone else who wants to mark the anniversary, we will walk the wall, observing all 150,000+ hearts and honouring all who have lost their lives to Covid. If you can't join us in London, you can walk the wall virtually on the [National Covid Memorial Wall website](#).



Newsletter archive

- [Newsletter No.1 \(June 2021\)](#).
- [Newsletter No.2 \(July 2021\)](#).
- [Newsletter No.3 \(August 2021 - Live Newsletter Webinar\)](#).
- [Newsletter No. 4 \(September 2021\)](#).

This client newsletter has been published openly as there is nothing confidential to communicate at this stage.

Once the Inquiry process officially starts or there is a need for confidentiality, these client group communications will become private.

If you have lost a loved one to Covid-19, you have a right to be part of the public inquiry process. There is strength in numbers, so that as a group we can apply pressure to government and the inquiry. We represent our Covid Inquiry clients pro bono, this means at no cost or financial commitment to you.

[Find out more](#)