

Welsh Government to hold a public inquiry into decisions taken by them before and during the pandemic

Y Pwyllgor Deisebau | 09 Mai 2022
Petitions Committee | 09 May 2022

Reference: SR22-2618-5

Petition Number: P-06-1262

Petition title: Welsh Government to hold a public inquiry into decisions taken by them before and during the pandemic.

Text of petition: Many loved-ones acquired Covid-19 in hospitals & care homes in Wales. PPE was lacking, staff not tested unless symptomatic, ventilation poor, Covid patients put on non-Covid wards. Many sent home without being retested; spreading infection in the community and subsequently dying. Many had DNRs placed without consultation. Communication was poor or non-existent. Lessons most definitely have not been learnt. Decisions taken in Wales which affected the people of Wales should be scrutinised in Wales.



1. Background

The UK Covid-19 Inquiry

The UK Government has **commissioned a statutory inquiry** into the response to the Covid-19 pandemic. In December, it **announced the former Court of Appeal judge Baroness Heather Hallett as chair**. The **chair is now consulting on draft terms of reference for the inquiry**. The draft terms of reference say that the UK inquiry will consider reserved and devolved matters across the UK.

Senedd Research published an article on 29 March 2022 '**The UK Covid-19 inquiry: how will it examine the response to the pandemic in Wales**', which looks at what the UK inquiry is planning to do and how it might approach its work to examine the response to the pandemic in Wales.

Public inquiries

Public inquiries are independent investigations set up by government ministers. They can be set up following major accidents, disasters or public failures to examine what happened and why, what went wrong, and what can be learned.

The **Inquiries Act 2005** provides the legal basis for statutory inquiries. It enables Ministers in both the UK and devolved governments to set up statutory inquiries. When a UK Minister wants the terms of reference for an inquiry to cover Welsh matters, that Minister must first consult the Welsh Ministers.

The Scottish Government has commissioned a separate statutory inquiry on the devolved response to the pandemic, chaired by senior judge Lady (Anna) Poole. The **Scottish Government consulted** on and set the **terms of reference** for this inquiry in 2021. The inquiry was formally set up in February and is **expected to begin its work** this summer.

2. Welsh Government action

The First Minister has said that “a UK-wide Covid inquiry is the best option” for scrutinising decisions made in Wales, because Welsh Government decision-making “has been inextricably linked to consideration of the wider UK science and policy landscape”.

In September 2021, the First Minister wrote to the UK Government to set out his views that Wales should not be “an after-thought or footnote” to the UK inquiry, saying that:

- the inquiry team should come to Wales to take evidence;
- the inquiry should have Welsh-specific expertise available to it; and
- there should be a chapter or chapters on Wales in the inquiry report.

The Senedd narrowly voted against a motion calling for the Welsh Government to commission an inquiry in December 2021.

In March 2022, the First Minister confirmed that he had been consulted on the draft terms of reference before publication, and that he also intended to respond formally to the consultation “to ensure the experiences of people in Wales are properly heard”.

3. Welsh Parliament Action

There have been longstanding calls for a separate inquiry into the devolved response to the pandemic in Wales, including from the Welsh Conservatives, Plaid Cymru, the Older People’s Commissioner, and the Covid-19 Bereaved Families for Justice (Cymru) group. Proponents have argued that a Welsh inquiry could more effectively hold Welsh Ministers accountable for their decisions, ensure understanding of decision-making in the devolved context, and be accessible for people across Wales.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

