

**P-06-1262 Welsh Government to hold a public inquiry into decisions taken by them before & during the pandemic, Correspondence – Petitioners to Committee, 04.05.22**

The Welsh Assembly was established on 12 May 1999 and was based on "a more inclusive and consensual style of politics, and prioritised public access to its work". The Senedd building was opened in 2006 and "embodies in physical form the values that underpinned the National Assembly, including environmental sustainability, transparency, and openness."

We believe that on principle, the Welsh Government should be accountable to the people of Wales. A reliance on a UK based Covid Inquiry conflicts with the very values that a devolved Wales was established upon.

Scotland are having their own Inquiry and are working closely with the UK Inquiry Chair to avoid any duplication and/or gaps. Northern Ireland are likely to follow suit. Wales will be the outlier.

There is strong public desire for a Covid Inquiry to be held in Wales. Not just from us but other key stakeholders too. In fact, had the Llywydd been allowed to vote for a Covid Inquiry then we would be having one. Welsh Labour MS's should not be whipped into voting against. Many have privately told us that they do support calls for a Wales Covid Inquiry. In principle, it is the right thing to do.

The Chair of the UK inquiry told us she "can only do her best to scrutinise Wales" in the UK Inquiry as she acknowledged how complex it will be to cover all the different policy areas plus these policy areas in each territory.

The Prime Minister in his letter to the First Minister states "Wales will be covered where possible in the UK inquiry".

We keep being assured by the First Minister that it's an independent inquiry but the UK Prime Minister is the sponsor, appoints the chair, sets the terms of reference (& can change them) and working practices. Whilst the FM has been invited to feed back on the terms he was not consulted on the chair and the working practices have not been shared. We therefore have no guarantees that Wales will be scrutinised in a UK inquiry whereas we would have in a Wales specific one.

In light of the recent UK High Court case which found that discharge to care homes in England was unlawful. Logically as Wales did the same it would be unlawful in Wales too. Yet the FM has distanced himself from this ruling & wants the UK public inquiry to investigate this - we believe a Wales specific inquiry is needed now more than ever.

There have been no investigations in Wales into any Covid deaths over the last 2 years ago and this is a shameful position for Wales. We find ourselves in a similar position to those who

lost loved ones at Hillsborough. We hoped that a Welsh Labour Government would be there to support us.

So, we ask again that you consider the very foundation stones that Welsh devolved powers were built upon. Transparency, openness and accountability.

Additional Points:

1. Ultimately the ToR of the UK inquiry will be decided by the UK PM - it is therefore a UK Conservative political decision about the way in which the actions of a Labour-led Welsh Government are then scrutinised in light of this
2. Wales has no say and/or control of the inquiry and relies upon the integrity of the UK PM to make an even-handed decision.
3. The evidence for such a fair decision has itself been called into question by the WG in its concern over human rights and needing a Welsh HR Bill so why not a Wales inquiry?
4. The Health Minister asserts that she has confidence that Wales will not be a footnote - when that is a substantial and very real risk given the above as they have no control.
5. Devolved decisions mean that each of the four nations is free to go its own way on health and social care - hence without a specific Wales inquiry - Welsh decisions risk not be understood by the UK-wide inquiry, no matter what the assurances given. If there was no devolution there would be no need for a country-specific inquiry.
6. The set up of care homes in Wales (family run) is completely different to those in England (corporate chain run) and the hospitals are run by a separate NHS (NHS Wales) - there is a substantial risk of Wales not being properly understood because of this
7. Wales decisions were made by a Welsh Health Minister consulting with the CEO of NHS Wales and the Welsh CMO - any England advice was adopted, adapted or set aside