



## **Briefing: UK Covid-19 Inquiry Draft Terms of Reference**

### **March 2022**

The UK Government has published the draft terms of reference for the Covid-19 Inquiry and is consulting the public on them until **7 April 2022**.

#### **Background**

The UK Covid-19 Inquiry was announced in May 2021, and the inquiry Chair appointed in December as former High Court judge Baroness Hallett. The focus of the inquiry is the response to the pandemic in England, Wales, Scotland and Northern Ireland.

The inquiry aims to:

**Part 1:** Provide a narrative account of the impacts and responses to Covid-19 as regards:

- Central, devolved and local public health decision-making and its consequences
- The response of the health and care sector across the UK
- The economic response to the pandemic and its impact, including government interventions

**Part 2:** Identify the lessons to be learned from the above, to inform the UK's preparations for future pandemics.

#### **To what extent do the terms of reference address race equality?**

Neither race and ethnicity nor race equality are explicitly mentioned in the draft Terms of Reference.

Under Part 1 (providing a narrative account), there is specific mention of systems in which Black, Asian and minority ethnic people are overrepresented:

- housing and homelessness
- prisons and other places of detention
- the justice system
- immigration and asylum

The response of the health and care sector in Part 1 is also meant to cover:

- the impact on staff and staffing levels
- the management of the pandemic in care homes

Under Part 2 of the inquiry, the lessons learned are meant to:

- consider any disparities evident in the impact of the pandemic and the state's response, including those relating to protected characteristics under the Equality Act 2010.

### Consultation questions:

- Do the Inquiry's draft Terms of Reference cover all the areas that you think should be addressed by the Inquiry?
- Which issues or topics do you think the Inquiry should look at first?
- Do you think the Inquiry should set a planned end-date for its public hearings, so as to help ensure timely findings and recommendations?
- How should the Inquiry be designed and run to ensure that bereaved people or those who have suffered harm or hardship as a result of the pandemic have their voices heard?

### The case for a greater and closer focus on race equality

Black, Asian and minority ethnic people experienced significant inequalities throughout the pandemic, both in general and across the main areas of focus for the inquiry.

The evidence shows continued disproportionality in deaths and infections for Black, Asian and minority ethnic people. [The Race Equality Foundation's work with the New Policy Institute](#) found that the risk of death for Black, Asian and minority ethnic people was 12% higher for working-age and 19% higher for age 65+ than for White British people. Similarly, the risk of infection was 56% higher than White British people for working-age Black, Asian and minority ethnic people, and 69% higher for those aged 65+ from these communities. Early on in the pandemic, prevalence of long-term conditions was found to be a significant factor in risk of death from Covid-19. [The Race Equality Foundation's briefing on long-term conditions](#) outlines how Black, Asian and minority ethnic groups have higher rates of asthma, cancer, cardiovascular disease and diabetes.

Care homes were particularly affected by the pandemic, with residents vulnerable to the virus. However, Black (Black Caribbean, Black African and Other Black) and Asian (Pakistani, Bangladeshi, Indian and Other Asian) older people [were more likely to have died from Covid-19](#) compared with their White counterparts. 31% of Black care home residents' deaths and 30% of Asian residents' deaths were due to Covid-19, compared with 23% of White residents' deaths.

Early in the pandemic, there were a string of deaths of Black, Asian and minority ethnic [healthcare](#) staff. The [British Medical Association found](#) clear disproportionality in deaths:

- 21% of all staff are Black, Asian or minority ethnic – 63% of healthcare workers who died were Black, Asian or minority ethnic.
- 20% of nursing staff are Black, Asian or minority ethnic – 64% of nurses who died were Black, Asian or minority ethnic.
- 44% of medical staff are Black, Asian or minority ethnic – 95% of doctors who died were Black, Asian or minority ethnic.

This led to [NHS England advising trusts](#) to explicitly consider ethnicity in risk assessments for staff.

It is important to note that Black, Asian and minority ethnic workers in other sectors were also disproportionately affected by the pandemic. In many cases, employers failed to provide the [necessary protections](#) to address the workplace risks faced by these employees.

There were also indirect impacts on health, such as mental health, with [heightened mental distress being recorded](#) among people of Asian background. Bangladeshi, Indian and Pakistani men were found to have experienced the highest average increase in mental distress when compared to their White counterparts. [UCL's Covid-19 Social Study](#) highlighted that people from Black and minority ethnic backgrounds have had higher levels of depression and anxiety throughout the Covid-19 lockdown, as well as lower levels of happiness and life satisfaction.

The Covid inquiry also looks at the economic impact and response from government. It became clear early on that the pandemic and the responses to it were having a [disproportionate impact on Black, Asian and minority ethnic-owned businesses](#). A survey by the [British Business Bank in October 2020](#) found 61% of Black, Asian and minority ethnic-owned businesses had paused or permanently stopped work because of Covid-19 - 1.5 times higher than the figure for White-owned businesses. In March 2021, a report from the [Commission on Race and Ethnic Disparities](#) (CRED) found Black, Asian and minority ethnic-owned businesses were less likely to seek business funding because of “perceptions of a systemic disadvantage.” Black, Asian and minority ethnic-led voluntary sector organisations were also [affected](#), seeing a rise in demand, while basic services were disrupted and sources of income threatened.

Black, Asian and minority ethnic people were [twice as likely to be in housing arrears](#), including a quarter of Bangladeshi and a fifth of Pakistani and Black African households. This pattern is similar across other debts, such as household bills. [Lower earners](#), those in insecure forms of work and those in certain sectors, where Black, Asian and minority ethnic workers are concentrated, have been more likely to lose their job or see a fall in their earnings. At the same time, Black, Asian and minority ethnic workers are over-represented in key worker roles where they have been more exposed to the virus.

The Government also granted the police wide-ranging powers to enforce Covid-19 restrictions. These continued to have a disproportionate impact on Black, Asian and minority ethnic people. For example, [CoDE at the University of Manchester](#) found that stop and search practices “surged” in 2021 and that 21,950 searches of young Black men took place in London during the first lockdown in 2020. The Metropolitan Police were also [twice as likely](#) to issue a fine against a Black person as the result of breaking Covid restrictions.

The effects of Covid-19 on race equality and inequality are likely to be long-term. For example, the evidence indicates the disruption of education and schooling has been greater for Black, Asian and minority ethnic students, and that Black, Asian and minority ethnic families were [more likely to have fallen into poverty](#) as a result of the pandemic.

While it is important to explicitly consider and examine the impacts of Covid on race equality, it is vital that an intersectional approach be taken too. For example, the [Race Equality Foundation's briefing on learning disabilities](#) found that people with a learning disability were six times more likely to die from Covid-19 and that 40% of those deaths were Black, Asian and minority ethnic people. This reflects the long-term issues facing people with a learning disability and Black, Asian and minority ethnic people, yet little to no regard was paid to the needs of these groups nor their intersection in the Covid-19 response.

## Conclusion

The UK's Covid-19 Inquiry is likely to be a key marker in assessing the impact and response to the pandemic. There is an overwhelming case from the evidence for a specific programme of work on Black, Asian and minority ethnic communities and racial equality.

We urge respondents to the consultation to make these points and the UK Inquiry Chair to consider how best to address race equality, both in representation in the process of the inquiry and in its outcomes.



The **Race Equality Foundation** is a national charity tackling racial inequality to improve the lives of Black, Asian and minority ethnic communities.

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