

IN THE MATTER OF THE INQUIRIES ACT 2005
AND IN THE MATTER OF THE INQUIRY RULES 2006

THE UK COVID-19 INQUIRY

WRITTEN SUBMISSIONS ON BEHALF OF THE CABINET OFFICE
MODULE 2 PRELIMINARY HEARING – 6 June 2023

Introduction

1. The Cabinet Office is grateful for the opportunity to address the Inquiry on the following three issues:
 - (1) WhatsApps
 - (2) Google Spaces
 - (3) Documents relating to engagement between the UK Government and the Devolved Administrations

Background

2. The Cabinet Office has dedicated and continues to dedicate significant time and resources to ensuring that the Inquiry is provided with all potentially relevant information, and wherever possible to do so within the Inquiry's highly ambitious timeframes. To this end, the Cabinet Office has already provided the Inquiry with 27 witness statements and around 55,000 documents, and it expects to provide much more over the course of the Inquiry. For Module 2, the Cabinet Office has so far provided 18 individual witness statements – including those of Ministers and officials. The Cabinet Office remains steadfast in its commitment to assisting the Inquiry in discharging its terms of reference.

WhatsApps

3. The Cabinet Office has also been supporting a large number of witnesses to respond to the Inquiry's detailed and wide-ranging requests for witness statements and documents.
4. The Inquiry's requests to witnesses in Module 2 have included a request for disclosure of WhatsApps and other messages "*about the UK Government's response to Covid-19*". The Cabinet Office has been assisting the witnesses whom it is supporting to provide all such messages.
5. There is currently a difference in position between the Inquiry and the Cabinet Office as to the requirement for disclosure of messages which are considered to be unambiguously irrelevant to the

Inquiry's work. That has been the subject of a separate process which is not addressed in these submissions.

6. Notwithstanding that difference, the Cabinet Office has been working extremely hard in the meantime to assist witnesses to identify and disclose all WhatsApp messages, potentially relevant to the Inquiry's work. Over 1,000 pages of messages have already been provided to the Inquiry, with more to follow. The Cabinet Office will continue to keep the Inquiry's legal team updated as to progress. At the same time, the Cabinet Office continues to work extremely hard to respond to the Inquiry's other requests.

Google Spaces

7. In January 2023, the Cabinet Office drew the Inquiry's attention to the use of Google Spaces as a method of communication within the Cabinet Office. Given the number of Google Space groups that existed, and by agreement with the Inquiry, the Cabinet Office has undertaken the lengthy process of identifying all potentially relevant groups in which at least one Module 2 Cabinet Office witness participated. The Cabinet Office has identified a total of 49 such groups. The total amount of data held on those Google Spaces is 104GB (the equivalent of roughly 10,000 pages). As has been requested, the Cabinet Office has provided the Inquiry with details of the participants and date ranges for each group. The Cabinet Office is working hard to review this material and provide the Inquiry with all potentially relevant instant message material. It will complete this process as soon as possible, seeking input from the Inquiry regarding prioritisation. This will include instant message material held within No.10, on a separate system, in due course.

Devolved Administrations

8. In January 2023, the Inquiry's legal team asked the Cabinet Office to provide it with agendas, briefings and minutes relevant to regular calls between the then Chancellor of the Duchy of Lancaster and the First Ministers of Scotland and Wales and the First and deputy First Ministers of Northern Ireland.
9. The identification and review of this material has been complicated by Machinery of Government changes - between September 2021 and May 2023 - by which responsibility for Union and Devolution issues was transferred between the Cabinet Office and the Department for Levelling Up, Housing and Communities ("DLUHC"). The Cabinet Office has been working closely on this with DLUHC, which is now responsible for all information pertaining to the intergovernmental work during the pandemic. It is anticipated that the material will be disclosed to the Inquiry, by the Cabinet Office, by 6 June.

