4		We do as dour 5 links 2000
1 2	(10	.00 am)
2	•	DY HALLETT: Good morning.
4		KEITH: Good morning, my Lady. The first witness this
5	NII V	morning is Dr Catherine Calderwood.
6		DR CATHERINE CALDERWOOD (sworn)
7		(Evidence via videolink)
8		Questions from LEAD COUNSEL TO THE INQUIRY
9	MR	KEITH: Could you please provide your full name.
10	Α.	Dr Catherine Jane Calderwood.
11	Q.	Dr Calderwood, thank you very much for your assistance
12		in this Inquiry so far. As I ask you questions and you
13		give evidence could you please remember to keep your
14		voice up so that we may clearly hear you and also so
15		that your evidence is recorded for the stenographer.
16		You have kindly provided a witness statement,
17		INQ000182605, to which you have appended your signature,
18		and a statement of truth. Is that correct?
19	Α.	Yes, that's correct. Just before we begin, Mr Keith,
20		I would like permission just to say a few words, if
21		my Lady would allow that.
22	LA	DY HALLETT: Certainly.
23	Α.	Thank you. I just wish to express my sincere
24		condolences, my Lady, to the bereaved families, both
25		represented in the rooms and also in wider society. I'd
		1
1		Scottish Government as an adviser, which then does not
2		have the same level of responsibility as my duties as
3		the responsible officer for to the General Medical
4		Council for Scotland's doctors as their responsible
5		officer.
6	Q.	All right.
7		Could you just tell us something of the broad nature
8		of the duties of the Chief Medical Officer in Scotland,
9		in terms of the advice that you give to ministers, the
10		responsibility that you carry, or carried, for public
11	_	health and medical issues?
12	Α.	So I always would describe it to people as almost
13		a translation service. What I felt that I did was took
14		the science, took the medical advice, took the
15		up-to-date clinical evidence, and described that in
16		a way that politicians and ministers could understand,
17		but that also was able to help them form policy.
18		I also interacted, of course, with many civil
19 20		servants from not only Health and Social Care but
20		throughout Scottish Government, as health touches, as
21		you know, on all aspects of society.
22		So it was an advisory role, sometimes my advice
23 24		wasn't taken, but very often it was, and I was able also
24 25		to pull in advice from the other three nations in the UK, but also from a wider pool of scientific and
20		and 3
		-

	,	•••• ; ,•
1		also like to perhaps on this day, the 75th birthday of
2		the NHS, to pay tribute to my NHS many friends and
3		colleagues who worked tirelessly during the pandemic and
4		of course for whom some suffered and have also lost
5		their lives. Thank you.
6	MR	KEITH: Dr Calderwood, you were the Chief Medical Officer
7		for Scotland between April 2015 and 5 April 2020, were
8		you not?
9	A.	Correct.
10	Q.	As the Chief Medical Officer, were you the most senior
11		medical adviser to the Scottish Government and to
12		NHS Scotland?
13	A.	Yes, that's correct.
14	Q.	In essence, did that mean that you were the responsible
15	-	officer for all of Scotland's 15,000 doctors, as well as
16		an important part of the health and social care
17		structure in Scotland because you reported to the
18		Director General for Health and Social Care within the
19		Scottish Government?
20	Α.	
20	Q.	So were your duties owed, therefore, to the
22	ω.	Scottish Government, to NHS Scotland, as well as,
22		of course, to the doctors for whom you were the
23 24		
24 25	Α.	responsible officer?
25	А.	So my duties were quite separate towards 2
1	~	medical advice across the world.
2	Q.	You've referred to your advisory role in relation to the
3		production and promulgation of policy. Did you also
4		provide clinical advice on medically related matters?
5	Α.	Yes, of course.
6	Q.	Were you in fact or did you continue to be concerned in
7		clinical practice right up to the onset of the pandemic
8		in November 2019, alongside your duties as Chief Medical
9		Officer?
10	Α.	Yes, that's correct. I continued to do an antenatal
11		clinic as a consultant obstetrician until that time.
12	Q.	Does the CMO also play a role in relation to giving
13		advice on research or for the future development of the
14		medical structures and the clinical structures in
15		Scotland?
16	Α.	The close relationship with my Chief Scientist has
17		means that the CMO office holds the budget for the
18		research and development within NHS Scotland. So yes,
19		there is a responsibility there, and there is scientific
20		advice that's readily available but also funding for
21		that research and development in NHS Scotland.
22	Q.	We've heard evidence that there is in England an Office
23		of the Chief Medical Officer. Is there an analogous
24		directorate or entity or hady of needle around the Chief

- directorate or entity or body of people around the Chief 24
- 25 Medical Officer in Scotland? 4

1	٨	So it would be a very small office: myself, at that	1
2	А.	time, one Deputy Chief Medical Officer, who at that time	2
3		was Gregor Smith, and then we had personal assistants	3
4		and perhaps three members of staff, not all of whom were	4
5		full-time. So a very small team and a clinical	5
6		leadership fellow who was a doctor in training who came	6
7		to have some experience working with us.	7
8	Q.	Is that Professor Sir Gregor Smith, who became acting	8
9		CMO after you, and then full-time or full CMO in	9
10		December 2020?	10
11	Α.	That's correct.	11
12	Q.	In terms of the working relations with other parts or	12
13		other persons in the world of medicine and public	13
14		health, what links did you have and how frequently did	14
15		you discuss relevant matters with the other Chief	15
16		Medical Officers in the United Kingdom?	16
17	Α.	So we had a very, very good relationship. There	17
18		was a formal and informal meetings on a very regular	18
19		basis throughout the year. We tended to have dinner the	19
20		night before and we also then had an informal part to	20
21		that more formal meeting when we discussed matters that	21
22		affected all four countries. But in between those	22
23		meetings I would be very easily able to lift the phone	23
24		to any of the other CMOs to ask advice or because there	24
25		was something that I knew they had already experienced	25
1		influenza preparedness, namely the UK influenza	1
2		preparedness strategy of 2011.	2
3		To what extent were you aware of that strategy	3
4		document as CMO, and of the doctrinal thinking in the	4
5		approach which underpinned it?	5
6	Α.	I came into position some years after it was written.	6
7	7.1	Had I needed to find it, I would have known who to ask	7
8		and which parts of government were responsible, but	8
9		I myself had no real detailed knowledge or understanding	9
10		of that document while I was CMO.	10
11	Q.	Whilst you were CMO, do you recall any debate about the	11
12		need to revise that document, bring it up to date,	12
13		redraft it?	13
14	Α.	No, I don't recall.	14
15	Q.	Could we have on the screen, please,	15
16		document INQ000148759. This is a draft document	16
17		prepared by the Scottish Government for consultation in	17
18		July of 2019, and I just wanted to ask you,	18
19		Dr Calderwood, whether or not you had contributed to	19
20		this draft:	20
21		"Influenza Pandemic Preparedness.	21
22		"Guidance for Health and Social Care Services in	22
23		Scotland."	23
24		There is evidence that, having been prepared, the	24
25		publication of this document was delayed by the onset of	25
		7	

1		in their own country that I wanted to talk to them
2		about, and we did that extremely frequently.
3	Q.	What about directors of public health, to what extent
4		does the position of the Chief Medical Officer engage
5		with them?
6	Α.	In Scotland I was very keen, as CMO, to have a very good
7		relationship with them. There are directors of public
8		health in all of our health boards. I met with them
9		very regularly but also would have interacted with them
10		frequently by telephone or email should there be issues
11		within their health boards that arose. So, again, I got
12		to know them as individuals and they would have, I hope,
13		felt they could have lift the phone to me for advice
14		should that be needed.
15	Q.	
16		resilience partnerships, the important bodies which
17		exist at local level to plan for and then respond to
18		emergencies?
19	Α.	I didn't have personal relationships with the local
20		authorities but would have been able to interact with
21		them through those directors of public health, who
22		of course worked very closely with the local authorities.
23 24	0	
24 25	Q.	underpinned the approach from all four nations to
25		6
1		the pendemia itself of source, and therefore it power
1		the pandemic itself, of course, and therefore it never
2		reached fruition.
2 3		reached fruition. Are you aware of that document? Did you contribute
2 3 4	Α.	reached fruition. Are you aware of that document? Did you contribute to it at all?
2 3	A.	reached fruition. Are you aware of that document? Did you contribute to it at all? So I am aware of that document. I didn't contribute
2 3 4 5	A.	reached fruition. Are you aware of that document? Did you contribute to it at all? So I am aware of that document. I didn't contribute myself as an individual directly, but there were various
2 3 4 5 6	A.	reached fruition. Are you aware of that document? Did you contribute to it at all? So I am aware of that document. I didn't contribute
2 3 4 5 6 7	A.	reached fruition. Are you aware of that document? Did you contribute to it at all? So I am aware of that document. I didn't contribute myself as an individual directly, but there were various members of the civil service and others who would have been delegated to be part of that. But no, myself I was
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. A.	reached fruition. Are you aware of that document? Did you contribute to it at all? So I am aware of that document. I didn't contribute myself as an individual directly, but there were various members of the civil service and others who would have been delegated to be part of that. But no, myself I was not personally involved. Do you recall any debate from the position of the CMO about the wisdom of Scotland devising its own influenza preparedness strategy and therefore departing from the UK strategy, particularly that of 2011? I was not party to any debate of that nature, no, I don't recall being part of that. Turning to SAGE, the scientific advisory group about which the Inquiry has received a great deal of evidence already. There was, at the onset of the pandemic, no Scottish SAGE, was there? No, that's correct.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Q. A. Q. A.	reached fruition. Are you aware of that document? Did you contribute to it at all? So I am aware of that document. I didn't contribute myself as an individual directly, but there were various members of the civil service and others who would have been delegated to be part of that. But no, myself I was not personally involved. Do you recall any debate from the position of the CMO about the wisdom of Scotland devising its own influenza preparedness strategy and therefore departing from the UK strategy, particularly that of 2011? I was not party to any debate of that nature, no, I don't recall being part of that. Turning to SAGE, the scientific advisory group about which the Inquiry has received a great deal of evidence already. There was, at the onset of the pandemic, no Scottish SAGE, was there? No, that's correct. The SAGE which convened in London was a body which could be convened by the governmental Chief Scientific Adviser and it is generally chaired by the governmental Chief Scientific Adviser or, if it has been convened to deal
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. A. Q. A.	reached fruition. Are you aware of that document? Did you contribute to it at all? So I am aware of that document. I didn't contribute myself as an individual directly, but there were various members of the civil service and others who would have been delegated to be part of that. But no, myself I was not personally involved. Do you recall any debate from the position of the CMO about the wisdom of Scotland devising its own influenza preparedness strategy and therefore departing from the UK strategy, particularly that of 2011? I was not party to any debate of that nature, no, I don't recall being part of that. Turning to SAGE, the scientific advisory group about which the Inquiry has received a great deal of evidence already. There was, at the onset of the pandemic, no Scottish SAGE, was there? No, that's correct. The SAGE which convened in London was a body which could be convened by the governmental Chief Scientific Adviser and it is generally chaired by the governmental Chief

(2) Pages 5 - 8

1		Chief Scientific Adviser and the Chief Medical Officer.
2		Is that a body from which the Scottish Government
3		and its own advisers may draw intelligence and learning
4		and whatever it is that they need to be informed about?
5	Α.	Yes, absolutely. I think that was a committee that
6		I would have been aware of. There would there were
7		Scottish representation or Scottish invitations to
8		that. I think in quieter times the flow of information
9		from that committee was very good, but as we got into
10		the pandemic with very regular meetings, very regular
11		remote calls with Scotland dialling in to those, that
12		communication became much more difficult because that
13		was based and London and Scotland was not fully part of
14		that.
15	Q.	You attended, therefore, some of the SAGE meetings as
16		the pandemic struck?
17	Α.	Correct.
18	Q.	Did you find that an easy form of communication? Were
19		there difficulties in, literally in hearing what was
20		being said and in understanding the flow of the
21		information which was being fed into that committee and
22		then being relayed out of it?
23	Α.	Yes, very much so. Unfortunately there were a large
24		number of people dialed in to meetings. Of course our
25		infrastructure for remote working was nothing like it is
		9
1		Chief Scientist for the environment.
2	Q.	Is there a science advice team within the Health and
3		Social Care Directorate also?
4	Α.	So within the Chief Scientist office there was a small
5		team which sat on various committees. A lot of those,
6		though, would have been outside Scottish Government and
7		actually placed within the NHS.
8	Q.	We have before us an organogram which sets out some of
9		the public health and civil contingencies bodies in the
10		Scottish set-up. Two such bodies are the Scottish
11		Science Advisory Council and, although I'm not sure the
12		second one is actually on the screen, the Scottish
13		Health Protection Network: Infectious Diseases
14		sub-group. Were they bodies with which you were
15		familiar and with which you worked as CMO?
16	Α.	It's very small on the screen, but listening to what you
17		said, I would have worked with them either directly or
18		indirectly, yes.
19	Q.	All right. Did there come a point in March of 2020 when
20		you appreciated that the source of scientific and
21		medical advice from SAGE or particularly I should

- 21 medical advice from SAGE -- or particularly, I should
- 22 say, scientific advice from SAGE was inadequate for the
- 23 purposes of the Scottish Government, in part for the
- 24 practical reasons which you've identified, and therefore
- 25 you set up, together with a colleague,
 - 11

- now, and so we would -- I would have attended or my
- 2 deputy attended or -- with several other people from
- 3 Scotland. But very often the quality of the line was
- 4 poor, it dropped out very frequently, and there was
- 5 often not really a fully fluent read-out from some of
- 6 those very important meetings in the early days of the 7 pandemic.
- 8 Q. What other scientific posts or medical posts are there
- 9 within the Scottish Government which may provide advice
- to the government in the event of a public health 10
- 11 emergency?
- We have our Health Protection Scotland colleagues, now 12 Α.
- within Public Health Scotland, and I had my -- the Chief 13
- 14 Scientific Officer, with whom I've described a very good
- relationship. He, Professor David Crossman, latterly 15
- 16 followed on from Professor Andrew Morris, had very --
- 17 both of them had very good networks which extended
- 18 across the UK and beyond and were, therefore, very, very
- 19 solid and robust advisers to me, and to the rest of
- 20 government.
- 21 Q. Are there also healthcare and scientific advisers within 22 the Health and Social Care Directorate within the
- 23 Scottish Government?
- 24 So there is an overall Chief Scientist in Scotland and Α. 25
 - then there is Chief Scientist, Health, and the second 10
- 1 Professor Andrew Morris, the Chief Scientific Adviser, 2 a new group, the Covid-19 Advisory Group? 3 Α. Yes. So just to be clear, Professor Andrew Morris had 4 been my Chief Scientist prior to the current Chief 5 Scientist at the time, so I went back to my colleague, 6 Andrew Morris, and asked him to set up 7 a Covid-19 Advisory Group for Scotland, that's correct, 8 in March 2020. Q. What was the membership of that group? 9 10 **A.** He pulled together a very wide-ranging group of people, 11 actually, which in fact, and at my insistence, some of 12 those people were people who had been quite openly, 13 particularly in social media, critical of some of the 14 responses to the pandemic up until that point, and I was 15 very keen to have a very broad range of people, not just to have people who agreed with the government and the 16 17 current thinking. I think that to be challenged and to 18 have the opportunity for lively and -- particularly lively scientific debate is very important. 19 20 Q. Turning to the risk assessment process in Scotland, the 21 evidence shows that whilst at UK level there is, now, 22 an NSRA -- a National Security Risk Assessment --23 process, that document and that process is recalibrated
- 24 for Scottish purposes and from that process is drawn
- 25 a Scottish Risk Assessment. Do you recall, as the CMO, 12

understanding is that several -- whilst several

move into Covid-19 pandemic work.

they also had done FFP mask fitting.

fully implemented?

ones that were not ultimately implemented?

recommendations were implemented, there were several that were not, and then, perhaps ironically, some of those were in fact not continued with because staff were taken away from that implementation process in order to

There were 13 actions which came out of Exercise Iris. Do you recall which of them, in broad terms, were the

The most important ones I believe, if I'm remembering correctly, were the information to boards about PPE and the distribution and also the fitting of FFP3 masks, and the encouragement that health boards would ensure that staff -- that they had not only had supplies of PPE but

Exercise Iris was designed to test Scotland's readiness for a MERS coronavirus outbreak. Do you recall whether or not those actions which came out of the exercise which were concerned with the drawing up of guidance for the HCID that is MERS coronavirus were dealt with? Do you recall whether that was an area that was also not

In my subsequent -- I wouldn't recall at the time, but in my reading subsequently, that's correct, that those -- that guidance was not fully implemented. 14

and, in particular, collaboration with other countries, because certainly my feeling is that we didn't learn

were late and slow and there wasn't a co-ordinated or formal way in which to communicate with other countries

So to untangle that -- or, sorry, unravel that at

where we could have learned more rapidly.

from countries where SARS and MERS had been an issue, we

1		having a hand in the drawing up, the drafting of that	1	
2		Scottish Risk Assessment?	2	
3	Α.	I would have been aware of that Scottish Risk Assessment	3	
4		but I did not have any hand in drawing that up, no.	4	
5	-	That would have been for civil servants.	5	
6	Q.		6	_
7		approached for your views in relation to how risks	7	Q.
8		relating to health emergencies should be identified,	8	
9		managed and dealt with?	9	
10	Α.	I'm tempted to say a number of things in government	10	Α.
11		surprised me, Mr Keith, but the on reading that risk	11	
12 13		assessment more clearly now, and with the benefit of	12 13	
		hindsight, yes, I think that the CMO should not just	13	
14	~	have been copied in to documents of that sort of nature.		
15 16	Q.	You would expect now that the CMO is directly invited to comment on the substance of that process?	15 16	Q.
17	Α.	Very much so.	10	ω.
18	д. Q.	All right.	18	
19	ω.	Exercise Iris in 2018 was an exercise with which you	10	
20		were familiar. It was a one-day tabletop exercise	20	
20		conducted in Scotland, and you refer to it in your	20	
21		witness statement at paragraph 7.	21	
22		To what extent were the recommendations which came	22	Α.
24		out of Exercise Iris implemented; do you recall?	23	
25	Α.	So I have had a chance to look at those, and my	25	
		13		
1	Q.	I want to ask you some questions now, please, about your	1	
2		understanding generally of the United Kingdom science	2	
3		advisory system and the scientific and research base	3	
4		from which we benefitted on the onset of the pandemic.	4	
5		Is it your view that, in order to be as well	5	
6		prepared as we may be for the future, it's vital that	6	
7		our research base, our scientific advisory structure, is	7	
8		not unravelled in any way, but is maintained in order to	8	
9		prepare for the next pandemic?	9	
10	Α.	I think that there are many things that we have learned	10	
11		already in what was done: our extraordinary vaccine	11	Q.
12		production in this country, our incredibly rapid	12	
13		assimilation of data, of studies that have continued,	13	
14		and our much, much better co-operation and collaboration	14	
15		across the UK but also, very importantly, with other	15	
16		countries across the world. There is, and there is	16	
17		already in my view, a tendency to move back to type, and	17	
18		that is happening to some extent within the NHS already,	18	
19		so that some of the improvements that were made and	19	
20		practical changes are gradually already slipping back to	20	
21		the old ways. I think it would be of paramount	21	
22		importance that we do not slip backwards in those	22	
23		scientific advances that you have discussed, in	23	
24		particular those the data collection, the digital	24	
25		infrastructure, the innovation and the co-ordination	25	

this stage, I think would make a big difference in
our to our detriment if there was to be another
pandemic.
Just identifying and looking for a moment at each of
those broad areas, Dr Calderwood, in relation to data,
it's apparent that during the course of the pandemic
a significant number of very sophisticated data
gathering exercises or processes were put into place,
from the SIREN study of healthcare workers, the ONS
COVID-19 Infection Survey, the Vivaldi survey in
relation to care homes, there was then also the COVID
Symptom Study, there was the whole process by which the
RECOVERY Trial process was put in place which led to the
discovery of the benefits of dexamethasone.
Are those surveys or at least the structures which
underpin those surveys and that trial work being started
to be unravelled or are they all still in place, do you
know?
16
(4) Pages 13 - 16

A. I would sincerely hope they are all still in place. 1 2 I don't know the detail. I wouldn't be close enough to 3 say if there's a concern there about those being 4 unravelled. 5 Q. All right. You mentioned research and the research base 6 in the United Kingdom. What about the clinical advances 7 which have been made? Presumably the clinical 8 developments which took place during the course of Covid 9 are still in place, because that learning and that 10 knowledge continues to exist. Is there anything you want to say about that aspect of it? 11 12 I think that even us here speaking remotely, that has Α. 13 been a huge advantage to people being able to be 14 consulted. If you look at a country like Scotland, with 15 a lot of long distances for people to travel, that's 16 made a huge difference. The risk -- risks that we 17 believed in not seeing people face to face have probably 18 to some extent been mitigated against, and I would like 19 to see that our advances that we've done, both in this 20 sort of remote working but also in some of the less 21 invasive testing that can be done and interpreted 22 remotely, that we continue in our NHS to use where we 23 were forced, I suppose, into situations by the pandemic, 24 that actually some of these have ended up being huge 25 improvements in patient care, and that those continue. 17

1

1 enabled those to be immediately re-instigated and that

2 the capabilities could then be spread, mitigating, to

3 some extent, against another pathogen which spreads as4 rapidly as Covid-19.

5 Q. In your field of clinical medicine, how does one ensure6 that healthcare specialists and the health system

7 remains well prepared for a future unknown contingent

8 hazard whilst at the same time having to deal with the
 9 more immediate, the more practical day-to-day demand

9 more immediate, the more practical day-to-day demands10 and health emergencies which all clinicians are faced

11 with? How can you keep the system at a high state of

12 readiness when it has to deal with the day-to-day

reality of running a healthcare system? How do we dealwith that?

15 A. I think that's extremely, extremely difficult. Our NHS 16 is at the moment working at or if not beyond full 17 capacity at all times. If you take my own area, the 18 labour ward, the babies keep coming, day and night, and 19 we don't have the luxury of saying, "There's going to be 20 an exercise, we're going to send six of you for mask 21 fitting", for example. We haven't got the luxury of 22 being able to have six spare midwives who could then go 23 off to do that exercise. What we do do is exercises 24 that are relevant and pertinent to the emergencies that 25 might happen on a labour ward. Very engaged staff,

1	Q.	It is obvious that, along with all your colleagues, one
2		of the greatest problems faced by scientists and
3		healthcare specialists and administrators during the
4		onset of the pandemic was the need to scale up the
5		diagnostic testing and the contact tracing systems in
6		light of the pandemic. Practically, what capabilities,
7		in your view, need to be maintained to ensure that in
8		future there can be a much better process by which our
9		facilities and our procedures can be scaled up to deal
10		with the likely numbers from the next severe pandemic?
11	Α.	I suppose if and if I can give you then the example
12		I've alluded to, are other countries. So eventually, in
13		March of 2020, I had a very, very helpful meeting with
14		the Chief Medical Officer of Singapore, who I happen to
15		know, so that was through an informal contact. He and
16		many of his staff and our staff in the
17		Scottish Government met together remotely, and what
10		really struck me was that they had had a taskforce which

18 really struck me was that they had had a taskforce which

19 had sat dormant following their outbreaks -- outbreak of

20 SARS, and that taskforce had within it the capabilities

21 similar to what you are discussing here. They were able

22 to immediately mobilise that and did so way back in

23 November 2019. It is that sort of example and that

24 sort of, I suppose, capability that we could easily keep

25 dormant, that we could easily have exercises that 18

1		those drills happen extremely frequently because we need
2		to be slick, but it's very difficult, without increased
3		capacity within the NHS, to think how we could ever have
4		exercises that would be well, able to free up staff
5		for a start, but also that we would be able to run
6		exercises where staff could become engaged, because they
7		are unable, certainly at the moment, to leave work that
8		is prescient and the emergencies that are sitting facing
9		them that minute, that day, especially when it's
10		something that's, one, an unknown, and, secondarily, the
11		timing is unknown. To engage people in something that
12		may or may not happen in several years' time is always
13		going to be very, very difficult in a hard-pressed
14		system.
15	Q.	As the CMO, Dr Calderwood, you must have given that
16		conundrum a great deal of anxious consideration.
17	Α.	Absolutely.
18	Q.	You are, of course, aware of the need to ensure that
19		Scotland was prepared for whatever health emergency
20		might eventuate for pandemic outbreak and so on and so
21		forth. Where does the answer lie? Is it in having
22		an obvious, clear, transparent process by which the
23		right people are made to exercise and to train for the
24		relevant and correct future risks?

25 A. Again, if I take you back to Singapore, they have some 20

1	flex in the system. There's some slack, some flex, so	
2	that the taskforce which is run by different people	
3	with different skills, but that there would then be	
4	exercises, who would be able to take, for example,	
5	midwives from the labour ward, because not every midwife	
6	is needed at every second for their own emergencies.	
7	So I think the planning there and the potential	
8	needs to be built into our capacity in the NHS in	
9	Scotland.	
10	MR KEITH: Thank you very much.	
11	My Lady, you have you've granted permission	
12	LADY HALLETT: Just before you do, I just have one question.	
13	MR KEITH: Yes, I'm so sorry.	
14	Questions from THE CHAIR	
15	LADY HALLETT: Dr Calderwood, you mentioned that there's	
16	a tendency to slip back into old ways, and I think you	
17	suggested there were examples of it happening in the	
18	NHS. Do you have any examples of where, instead of	
19	learning from the pandemic, we've slipped back into old	
20	ways?	
21	A. So, for example, in the pandemic 60% of orthopaedic	
22	outpatients were either not done at all in fact or done	
23	remotely. That suited everybody. It suited the	
24	patients, who didn't want to come to hospital just to be	
25	told they were all right, because they already knew they	
	21	
1	an abasia in Ocational	
	analysis in Scotland.	
2	Now, to put those into context for you, the Inquiry	
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23

1		were all right, and it also suited the hospital
2		capacity. We're already seeing signs of the, "Well,
3		we'll just see them this once", or so there's
4		a drift where actually we had risks were mitigated
5		against, people could telephone if they were concerned,
6		it wasn't that people weren't being seen who needed to
7		be, and I see that that gradual drift will move into
8		other areas. But it's already happening.
9	LA	DY HALLETT: Thank you.
10	MR	KEITH: My Lady, you've granted permission to Covid-19
11		Bereaved Families for Justice United Kingdom to ask
12		five minutes' worth of questions, and five minutes also
13		to Scottish Covid-19 Bereaved Families for Justice.
14	۱ ۵	DY HALLETT: Thank you.
15		KEITH: Two topics.
16		DY HALLETT: Ms Munroe.
17		Questions from MS MUNROE KC
	ме	
18	WIS	
19		Dr Calderwood, can you hear and see me?
20	Α.	l can hear you, I can't see you at the moment, no.
21		I can see you now.
22	Q.	Thank you very much. My name is Allison Munroe and
23		I ask questions on behalf of Covid-19 Bereaved Families
24		for Justice UK. Just a few questions, please,
25		Dr Calderwood, in relation to data collection and
		22
1		affected how rapidly and also how effectively we could
2		make those decisions.
3	Q.	Thank you.
4		Professor Woolhouse, who will be giving evidence in
5		fact later today, makes reference to the Early Pandemic
6		Evaluation and Enhanced Surveillance of Covid-19, better
7		known as the EAVE study, which was led by
8		Professor Aziz Sheikh, at Edinburgh University. He
9		references that, Professor Woolhouse, in his statement,
10		saying that it was one of the notable success stories
11		that came out of the pandemic, and that effectively
12		Professor Aziz and his team linked demographic and near
13		realtime clinical data from almost the entire population
14		of Scotland and monitored it on a daily, weekly basis,
15		looking at the progress of Covid, and evaluated the
16		effectiveness of therapeutic interventions in
17		approximately 5.4 million individuals registered in
		general practices across Scotland.
18		0 1
19		Professor Woolhouse also says this, though, at

19Professor Woolhouse also says this, though, at20paragraph 21 of his statement, and there is no need to

21 bring it up:22 "Issues with data access had been raised repeatedly

- 23 by me and others prior to 2020. For example, as part of
- 24 a correspondence with the office of the then
- 25 CMO Scotland, I wrote in May 2018: 'My personal view is 24

1	that the system for accessing health data in Scotland is	1		response?
2	terminally dysfunctional This is a hugely	2	Α.	I don't recall the specifics of the paucity of data
3	disappointing state of affairs and one that urgently	3		being raised. I do recall that he talked to me about
4	needs attention. I dread to think of the consequences	4		modelling of the coronavirus and what that effects
5	if we ever find ourselves facing a health emergency such	5		that might have in the community and how we might need
6	as pandemic influenza'."	6		to react to it.
7	Dr Calderwood, do you accept that	7	Q.	Thank you.
8	Professor Woolhouse repeatedly raised that particular	8		Finally, then, another reference,
9	issue before 2020?	9		Professor Crossman, you've mentioned him already toda
10 A .	I'm interested to hear of that email. I'm afraid at the	10		My Lady, for reference purposes, we don't need to bring
11	moment I don't recall receiving and reading that, but	11		it up, but his statement is INQ000185342, paragraph 14
12	I would be absolutely very, very happy to have that	12		of that statement, Professor Crossman says that data
13	email looked at and see what my response to that was at	13		collection and analysis was distributed between Public
14	the time and what actions I took when	14		Health Scotland, Scottish Government analysts and the
15	Professor Woolhouse wrote to me.	15		Chief Statistician in Scotland, and he suggests that
16 Q .	. That sort of answers my next question, then, whether it	16		"a single unified data source for information, analysis
17	had been raised personally with you. You don't recall	17		and research might be a desirable aim".
18	the email; do you recall any occasions when	18		My question, Dr Calderwood, is this: to what extent
19	Professor Woolhouse raised this issue personally with	19		was this issue of data collection and analysis
20	you?	20		considered prior to the formation of Public Health
21 A .	Professor Woolhouse emailed in, I think, February of	21		Scotland?
22	2020 and did visit me personally in my office, I think	22	Α.	So, again, I wouldn't have been personally involved in
23	in February or March 2020, I do recall those meetings.	23		those conversations but I have to say that I agree with
24 Q .	Was this issue of data, the paucity of data collection	24		Professor Crossman, and one of the frustrations I think,
25	and analysis, raised with you, and if so what was your	25		as CMO, and in talking to him, was that complexity of
	25			26
1	data access and data collaboration in a small country.	1		a four-nation approach to the threat of a pandemic to
2	We should be able to use, as you've quite rightly	2		ensure that expert knowledge and experience was share
3	illustrated with the EAVE study and which then	3		across the four nations"
4	of course was very rapidly mobilised into the EAVE II	4		Now, what I want to ask you about really is two
5	study and I know that was a frustration not only from	5		particular areas of the four nations approach. One, the
6	myself and my Chief Scientist at the time but from many	6		experience and the sharing of that experience; and, two,
7	people in research and development in the NHS in	7		the sharing of expert knowledge.
8	Scotland.	8		First, I understand from reading the disclosure that
9 M	S MUNROE: Thank you very much, Dr Calderwood.	9		you delegated Professor Sir Gregor Smith, the
10	My Lady, thank you, those are my questions.	10		Deputy CMO, to attend Exercise Cygnus; is that correct?
11 LA	ADY HALLETT: Thank you very much, Ms Munroe.	11	Α.	Yes, that's correct.
12	Ms Mitchell.	12	Q.	Presumably, given the importance of that, after he went
13	Questions from MS MITCHELL KC	13		to that he would come back and debrief you, talk about
14 M S	S MITCHELL: My Lady, I hesitate to contradict my learned	14		the issues, that sort of thing?
15	friend, but I think we have been given ten minutes.	15	Α.	So that's not my recollection, Ms Mitchell. What
16	I don't think we'll take that long, but lest anyone	16		with the CMO, I suppose, the delegation to somebody as
17	thinks that I'm overstaying my welcome asking questions.	17		competent as Professor Sir Gregor Smith, had there bee
18	Dr Calderwood, can you hear me and see me?	18		any particular issues or concerns I would have expected
19 A .	Yes, I can, thank you, Ms Mitchell.	19		to have a briefing on that, but when I was delegating
20 Q .		20		him to attend such a meeting, I would not necessarily
21	it up, but for purposes of the record it's INQ000182605,	21		have had a detailed read-out, no.
22	page 3, paragraph 8, you say:	22	Q.	Do you recall any issues being raised with you in that
23	"These regular pandemic preparedness exercises are	23		manner?
	key policies in this context and formed the roadmap for	24	Α.	l don't, no.
24				
24 25	dealing with a pandemic. These policies were part of	25	Q.	I wonder if we can have a look at, on the screen,

(7) Pages 25 - 28

1		Inquiry statement INQ000006210 and that's a one-page
2		document.
3		I'm just waiting until it comes up on the screen.
4	Α.	Could I have that zoomed a little larger? I can't see
5		that. Thank you.
6	Q.	Yes, certainly.
7	Α.	Thank you.
8	Q.	What I'm going to ask you to look at is the paragraph
9		which starts:
10		"Whilst DAs found the discussions on the
11		escalation"
12		Thank you very much, it's been highlighted for you.
13		"Whilst DAs found the discussions on the escalation
14		of contingency plans useful, there was a feeling that
15		the issues raised, particularly in population-based
16		triage, were rushed and not widely shared prior to the
17		exercise. As a result, DAs felt they were not able to
18		contribute as much as they would have liked."
19		Now, this is a document which is a Civil
20		Contingencies Secretariat round table with devolved
21		administrations post Exercise Cygnus. Do you recognise
22		any of the views shared there in respect of
23		Exercise Cygnus?
24	Α.	Not in respect of Exercise Cygnus, no, I don't,
25		Ms Mitchell.
		29
1		"Public Health England and GO-Science to share
1 2		"Public Health England and GO-Science to share modelling on the projected use of antivirals with the
		C C
2 3 4		modelling on the projected use of antivirals with the Devolved Administrations." Were you aware of that sharing process going to
2 3 4 5		modelling on the projected use of antivirals with the Devolved Administrations." Were you aware of that sharing process going to happen?
2 3 4 5 6	А.	modelling on the projected use of antivirals with the Devolved Administrations." Were you aware of that sharing process going to
2 3 4 5 6 7	A. Q.	modelling on the projected use of antivirals with the Devolved Administrations." Were you aware of that sharing process going to happen? No, I'm not aware of the detail. Okay.
2 3 4 5 6 7 8		modelling on the projected use of antivirals with the Devolved Administrations." Were you aware of that sharing process going to happen? No, I'm not aware of the detail. Okay. We've heard that you've given indication of
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. A.	modelling on the projected use of antivirals with the Devolved Administrations." Were you aware of that sharing process going to happen? No, I'm not aware of the detail. Okay. We've heard that you've given indication of practical difficulties in communication with SAGE, literally our wifi, which even in this Inquiry doesn't seem to have necessarily held up so well from Scotland. What I would like to know, Dr Calderwood: was there a formal system for sharing the knowledge and information, to share that expertise and knowledge, as between the UK and devolved administration? I understand you had a good relationship with other CMOs, but what I'm wondering was: was there a structure underlying that where we could be sure we were getting the relevant information? I do believe so. So I believe that after these sort of UK exercises that civil servants would have taken that, the outputs, and those would be shared with civil servants in the other nations, yes.

1	Q.	Would you have expected that to be shared with you, had
2		it been the view of those representing Scotland, ie
3		Professor Sir Gregor Smith?
4	Α.	So if I may answer with a slightly longer so
5		sometimes these large four nation meetings, with a lot
6		of people attending them, and depending on how many
7		people are in the room or how much is done remotely,
8		I think that that sentence about the DAs feeling that
9		they couldn't contribute or that there was rushed
10		what's the word? That there was rushed a shorter
11		time left for the DAs often at the end of the meeting or
12		that they didn't feel always that they would have their
13		voices heard. So that is my experience of some, not
14		all, very much not all, of some meetings of this nature.
15		I don't, as I've said already, recall this
16		specifically, reading this or this being alerted to me
17		about Operation Cygnus, no.
18	Q.	Thank you.
19		Moving on, we've heard about your close working
20		relationship with the CMOs for the nations. I want to
21		ask you about sharing expert knowledge with the devolved
22		administrations in relation to Exercise Cygnus.
23		I wonder if I could have on the screen INQ000006129,
24		Inquiry document. This is a COBR meeting notice, and in
25		that at bullet point 4 it was noted that: 30
1		I'm afraid I don't recall.
2	MS	MITCHELL: No further questions.
3		DY HALLETT: Thank you very much, Ms Mitchell.
4		Thank you very much, Dr Calderwood, thank you for
5		joining us.
6	THE	E WITNESS: Thank you.
7		(The witness withdrew)
8	MR	KEITH: My Lady, the next witness is
9		Professor Jim McManus, please.
10		PROFESSOR JIM McMANUS (sworn)
11		Questions from LEAD COUNSEL TO THE INQUIRY
12	MR	KEITH: Good morning. Could you give the Inquiry your
13		full name, please.
14	Α.	My name is Jim McManus.
15	Q.	Mr McManus, you have provided a statement, INQ000183419,
16		to which you have appended your signature and signed the
17		declaration of truth. Is that correct?
18	Α.	That is correct.
19	Q.	Professor, thank you for your assistance.
20		You have provided that statement. The Association
21		of Directors of Public Health of which you are the
22		president is a core participant in these proceedings,
23		and you've also very helpfully provided for a survey,
24		which was requested in the January of this year, to be
25		sent to Directors of Public Health and the results of 32
		52

1		that survey have been communicated to the Inquiry, and
2		for that we are very grateful to you.
3		You're giving evidence today because, as I say, you
4		are the president of the ADPH. Is that body the
5		representative body for directors of public health in
6		the United Kingdom?
7	Α.	Yes, that's correct, we represent the professional voice
, 8	Λ.	of directors of public health.
9	Q.	Does every director of public health have the right to
10	ч.	be a member of your association?
11	Α.	Yes.
12	Q.	Does that include deputy directors of public health and
13	પ્ય.	consultants or just directors of public health?
14	Α.	Deputy directors and consultants can become associate
15		members. They don't have quite the full rights of
16		members but they do have access to training and policy
17		advice and the other services we provide.
18	Q.	Roughly how many members are there in the ADPH?
19	Q. A.	
20	А.	the same level of associate members. The detail is in
20		
21		our pack, which I can refer to, but that's about that number.
22	Q.	
23 24	ω.	The association doesn't, and this is the relevancy
24 25		of my question, represent, for example, local authority
25		33
1		the population, advising the NHS and the local authority
2		on commissioning functions, they have a series of
3		commissioning responsibilities for services like sexual
4		health, drugs and alcohol, and a variety of other
5		
6		
		things. There's about 142 individual things that they
		things. There's about 142 individual things that they do. They also have functions in terms of health
7		things. There's about 142 individual things that they do. They also have functions in terms of health protection planning and assurance, and they have a duty
7 8		things. There's about 142 individual things that they do. They also have functions in terms of health protection planning and assurance, and they have a duty to be assured and to assure the Secretary of State that
7 8 9		things. There's about 142 individual things that they do. They also have functions in terms of health protection planning and assurance, and they have a duty to be assured and to assure the Secretary of State that the health protection system is working. They also have
7 8 9 10		things. There's about 142 individual things that they do. They also have functions in terms of health protection planning and assurance, and they have a duty to be assured and to assure the Secretary of State that the health protection system is working. They also have a duty to improve and protect and promote the health of
7 8 9 10 11	0	things. There's about 142 individual things that they do. They also have functions in terms of health protection planning and assurance, and they have a duty to be assured and to assure the Secretary of State that the health protection system is working. They also have a duty to improve and protect and promote the health of the population which they serve.
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Q. LAI	things. There's about 142 individual things that they do. They also have functions in terms of health protection planning and assurance, and they have a duty to be assured and to assure the Secretary of State that the health protection system is working. They also have a duty to improve and protect and promote the health of the population which they serve. So just to pause for a moment on some features of those functions, they are what is known as the statutory chief officer in a local authority, and you've just referred to upper tier local authorities; are directors of public health located in what is known as upper tier local authorities, and they have been, I think, since around about 2013, does that mean county councils, unitary authorities, metropolitan councils and London boroughs? Yes, correct, and that's in England. In Wales and Scotland they're in the NHS and Northern Ireland they're in the Northern Ireland public health service.

nquir	у	5 July 2023
1		officers generally or local resilience forums; you are,
2		as it says on the tin, concerned with directors of
3		public health?
4	Α.	Yes, absolutely.
5	Q.	All right.
6		Directors of public health are individual trained,
7		accredited, registered specialists in public health, are
8		they not?
9	Α.	Indeed.
10	Q.	The first Medical Officer of Health in the
11		United Kingdom, according to your witness statement, was
12		appointed in 1847 in Liverpool?
13	Α.	That's right, yes.
14	Q.	So they have a long and glorious history in these
15		islands.
16		Could you just tell us, please, today what their
17		primary functions are, with reference to their statutory
18		position in a local authority, their responsibility for
19		the health of the community, and also dealing with
20		outbreak management, so with those three pillars in
21		mind.
22	Α.	So in England directors of public health are placed in
23		upper tier local authorities, that's county councils and
24		unitary authorities, and they have a set of
25		responsibilities including assessing the health needs of 34
1		operate?
2	Α.	Yes.
3	Q.	They are not, so that we may be clear, environmental
4		health departments, they are statutory directors of
5		public health, and they're also not public health
6		consultants within the NHS, the NHS has its own public
7		health structures?
8	Α.	That's correct. What you may find, because directors of
9		public health have a duty to advise the NHS, many of us

- 10 may have honorary contracts with the NHS where we advise
- 11 the NHS.
- 12 Q. Right.
- A. And apologies for speaking too fast. 13
- LADY HALLETT: Don't worry, lots of us do it. 14
- MR KEITH: You may speak louder, however, if you wish. 15
- Are there around 350 directors of public health in 16
- 17 England?
- 18 A. There's about 151 in England in terms of local authority chief officers in every local authority. The 350 number 19
- 20 is more like to be environmental health officers.
- 21 **Q.** Ah.
- 22 A. Because you will find environmental health officers are
- 23 in district councils -- chief environmental health
- officers are in district councils as well. It can be 24
- 25 confusing, I appreciate that.

36

(9) Pages 33 - 36

Q.	In Scotland, do the directors of public health sit	1		Executive Office, do you know?
	within the Scottish Government, local authorities or NHS	2	Α.	
	boards?	3		the their version of the Department of Health and
Α.	NHS boards.	4		Social Care, so it's an executive agency rather than
Q.	How many are there of them in Scotland?	5		purely NHS provider.
Α.	There's one for each NHS board, so that would be eight,	6	Q.	So it's an arm's length body, one might call it,
	if I remember the number of NHS boards correctly.	7		attached to the Executive Office, the governance, the
Q.	Then, separately, there are a number of environmental	8		governmental system in Northern Ireland?
	health functions which are discharged within the local	9	Α.	Yes.
	authorities, but that's not the matter the concern of	10	Q.	All right.
	directors of public health?	11		You've referred rather more prosaically perhaps to
	Correct.	12		some of the matters with which directors of public
Q.	Then in Wales, where does the director of public health	13		health are concerned: drugs and alcohol-related issues,
	sit?	14		obviously mental health-related issues, illicit tobacco,
Α.	Again, they sit in local health boards, so the seven	15		public health aspects of crime and disorder. Are those
	local health boards in Wales, rather than the 22 Welsh	16		all areas with which directors of public health become
•	unitary authorities.	17		concerned because they all relate, to a greater or
Q.	Northern Ireland, how many directors of public health are there?	18 19		lesser extent, to the need, the statutory requirement to improve the public health of the populus?
۸	One in the Northern Ireland public health service.	19 20	Α.	Yes. If you take mental health, the duties of
	So in Northern Ireland, the sole director of public	20		commissioning services to provide mental health sit
ч.	health is not attached to a local authority but sits	22		largely with the NHS and with social services and social
	within the public health structure generally?	23		work departments, whereas the director of public health
Α.	Yes.	24		is more of a public mental health role, which is suicide
Q.	Within the NHS in Northern Ireland or within the	25		prevention suicide reduction, my Lady. So there are
	37			38
	complexities and nuances which can sometimes be	1	Q.	Is every local authority obliged to have a specialist
	complexities and nuances which can sometimes be puzzling.	1 2	Q.	Is every local authority obliged to have a specialist director of public health?
Q.				director of public health? Every local authority in England must have a specialist
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Α.

Q.

Q.

Α.

Q.

Α.

Α. Yes.

Q.

(10) Pages 37 - 40

1		improve public health and reduce health inequalities and
2		the UKHSA's is for health protection.
3		To what extent would an individual director of
4		public health engage with the national public health
5		agencies, in this case in England?
6	Α.	On a reasonably regular basis. So engaging with UKHSA
7		would be for outbreaks because UKHSA bear health
8		protection responsibilities, they receive the reports,
9		they will be part of incident management teams, say,
10		for example, if you have a measles outbreak in your
11		area. So there will be regular and ongoing liaison.
12		With OHID, the regional directors would be people
13		who would have direct lines to directors of public
14		health and back, so most directors of public health come
15		together in regional groups in England, and UKHSA and
16		OHID are usually part of those regional groups. So the
17		liaison is quite frequent.
18	Q.	That's very clear, thank you.
19		Paragraph 96, Northern Ireland, there is a Public
20		Health Agency established in 2009. Are you able to say
21		whether or not the links are analogous to those that
22		you've described in relation to England?
23	Α.	The Northern Ireland links will be slightly different
24		and various, so there will be links to the various local
25		authorities, my Lady, for different functions like 41
1		strategic co-ordinating groups, responses.
2		They obviously have a major role in emergency
2 3		They obviously have a major role in emergency preparedness. To what extent can LRFs draw upon the
2 3 4		They obviously have a major role in emergency preparedness. To what extent can LRFs draw upon the expertise of directors of public health when planning
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1		environmental health and other functions, care homes.
2		There will also be links to the health and social
3		services boards and general public campaigns. This is
4		a pattern you will see repeated across the
5		United Kingdom. Everyone does it slightly differently.
6	Q.	Scotland, there is the Public Health Scotland agency,
7		with comparable functions to those of its brother and
8		sister agencies.
9	Α.	Indeed, and they meet regularly, the directors of public
10		health in Scotland, with Public Health Scotland on
11		a reasonably regular basis.
12	Q.	Then Wales, finally, there is a Public Health Wales body
13		established in 2009, and therefore we presume there are
14		links between that public health agency and the NHS
15		health boards which, in Wales, employ the directors of
16		public health and their teams?
17	Α.	Indeed, and they meet regularly too.
18	Q.	All right.
19		Remaining focused on some of the structural links,
20		please, in your witness statement at paragraph 201
21		you don't need to turn to it you say that directors
22		of public health do not routinely sit on local
23		resilience forums. Local resilience forums are those
24		important bodies at local level primarily engaged to
25		deal with planning and preparedness and also, through
		42
1	Q.	So, Professor, very practically, imagine that there is
1 2	Q.	So, Professor, very practically, imagine that there is a health emergency in a local area, perhaps a modest
	Q.	
2	Q.	a health emergency in a local area, perhaps a modest
2 3	Q.	a health emergency in a local area, perhaps a modest pathogenic outbreak or, I don't know, a particularly
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1		may never be left out of account?
2	Α.	I would say yes. I think many of our members would say
3		yes, my Lady. In some places directors of public health
4		have exceptionally good relationships with their LRF.
5		We are dependent on culture relationships and
6		partnership, and in my personal experience those work,
7		but it does no harm for that to be underpinned by
8		exceptionally clear guidance and rules.
9		One of the difficulties, I think, is that the Civil
10		Contingencies Act 2004 and the Public Health Act 1984
11		perhaps do not always align in their expectations of
12		systems, and people do not always understand the
13		complexities and the interrelationships when they create
14		national guidance.
15	Q.	Just to add yet further complexity, Professor, and you
16		know what's coming, there is something also called
17		a local health resilience partnership, which we believe
18		comprises local health organisations, regional
19		representatives of public health agencies you have
20		referred to the regional representatives of the PHE
21		a few moments ago, or UKHSA as it now is, and others.
22		Do directors of public health sit on that body, the
23		local health resilience partnership?
24	Α.	Yes, and by law they are expected to co-chair the local
25		health resilience partnership. The complexity comes in
		46
1		could be tidied up.
1 2	Q.	could be tidied up. It's a recipe for confusion and duplication, is it not?
	Q. A.	
2		It's a recipe for confusion and duplication, is it not?
2 3		It's a recipe for confusion and duplication, is it not? I think it can be if you don't have the good
2 3 4	Α.	It's a recipe for confusion and duplication, is it not? I think it can be if you don't have the good relationships and good understanding, I would agree.
2 3 4 5	Α.	It's a recipe for confusion and duplication, is it not? I think it can be if you don't have the good relationships and good understanding, I would agree. All right.
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3	Q.	Who calls who to say, "In the context of this particular
4		health emergency, it must be the director of public
5		health that takes the lead", or who calls the director
6		of public health to say, "In this emergency we would
7		like you, please, to attend the local resilience forum
8		or the strategic co-ordinating group and take charge"?
9		Who has that power?
10	Α.	Essentially any Category 1 responder has the power to
11	Α.	kind of call an incident, but if it's a health
12		protection issue, in practice if I know about it first,
12		I will call UKHSA and the environmental health
14		department and convene a team. If they know about it
15		first, they will convene a health protection team, and
16		we will meet together. So an incident management team
17		will occur. So if you have an outbreak of measles in
18		a school, for example, then usually the call will come
19		through the UKHSA and the meeting will convene with the
20		director of public health.
21	Q.	Does it work well in practice, Professor? There is
22		obviously a world of difference between flexibility and
23		confusion. Is there an argument for having the director
24		of public health in a local authority area an ex officio
25		member of the local resilience forum, so that he or she
		45
1		herause some LHRDs, my Lady, shan multiple areas, such
1		because some LHRPs, my Lady, span multiple areas, such
2		as in London. In other areas the LHRP is coterminous
2 3		as in London. In other areas the LHRP is coterminous with the geographical area of the director of public
2 3 4		as in London. In other areas the LHRP is coterminous with the geographical area of the director of public health. So you may find a single LHRP covering the area
2 3 4 5		as in London. In other areas the LHRP is coterminous with the geographical area of the director of public health. So you may find a single LHRP covering the area of four, five or more directors of public health in
2 3 4 5 6		as in London. In other areas the LHRP is coterminous with the geographical area of the director of public health. So you may find a single LHRP covering the area of four, five or more directors of public health in England or one director of public health.
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the director of public health and local environmental

health in partnership with UKHSA.

25 health resilience partnership. It is something which

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1	provided, during the pandemic, trauma training for care	1		public health, and the problems with data flows?
2	workers. In fact I went into care homes personally and	2	Α.	Certainly. I think there were multiple, so I'll
3	did some delivered some of that training. So there	3		necessarily summarise.
4	are links.	4		There was the difference in local authority and NHS
5	I think it would be fair to say that those	5		structures and cultures. There was the fact that
6	responsibilities could be clarified better, particularly	6		directors of public health retained some functions in
7	in relation to infection control, because some of those	7		relation to the NHS after transfer, my Lady, so the LHRP
8	responsibilities overlap somewhat.	8		we've heard, but there was also a duty to advise and
9 Q	. All right.	9		assist the NHS commissioners. There were even issues
10 L/	ADY HALLETT: Pause there? 11.15.	10		pay structure
11 M	R KEITH: Ah, thank you. Saved by the bell. Thank you.	11	Q.	Would you go a bit slower, please, Professor.
12 L/	ADY HALLETT: We take a break for everybody's sake but	12	Α.	Sorry, I do apologise.
13	particularly our wonderful stenographer. Back at 11.30.	13	Q.	It's quite all right.
14 (1	1.15 am)	14	Α.	There were also issues of pay structures. There were
15	(A short break)	15		issues of budgets and financial transfers and
16 (1	1.30 am)	16		responsibilities and even down to discussions of who
17 M	R KEITH: Professor, it is obvious from your witness	17		paid for what. So, for example, if you look at sexual
18	statement that the Health and Social Care Act 2012 was	18		health, paying for HIV testing is the responsibility of
19	a seminal moment in the life of public health functions,	19		directors of public health, paying for HIV treatment is
20	because it transferred most public health functions to	20		a responsibility of the NHS. But NHS clinicians
21	local government from the NHS in England.	21		delivering HIV services outside London often work in
22	Could you just outline for us, please, the major	22		premises paid for by the director of public health to
23	challenges which that transfer gave rise to in terms of	23		deliver sexual health services. So the complexity is
24	the cultural organisational differences, the lack of	24		a fact of our life, and those complexities came.
25	understanding as to what was expected of directors of	25		There were also, I think, other there were huge
1	opportunities. The ability to work with communities in	1		second King's Fund report, in the bundle, concludes,
2	ways we didn't. And forgive me, I may not have answered	2		others found some challenges.
3	the last two parts of your question.	3		My view, looking back on it, is it has brought many
4 Q		4		more assets than challenges and is the right place for
5	the part of local authorities as to what directors of	5		us to be, but there are things that could be clearer.
6	public health do, and, secondly, accessibility to data	6		The particular point, I think, Mr Keith, is the
7	flow, because of course directors of public health were	7		duidance. The duidance in 2013 was perhaps somewhy
8				
~	receiving data and transmitting data from a different	8		hastily written, and there were a number of areas which
9	environment, from within local authorities as opposed to	8 9		hastily written, and there were a number of areas which were unclear that had been unclear before 2013,
10	environment, from within local authorities as opposed to the NHS.	8 9 10		hastily written, and there were a number of areas which were unclear that had been unclear before 2013, my Lady. So perhaps the crystallisation of the
10 11 A .	environment, from within local authorities as opposed to the NHS. Yes. So data has always been very challenging and data	8 9 10 11		hastily written, and there were a number of areas which were unclear that had been unclear before 2013, my Lady. So perhaps the crystallisation of the functions of directors of public health in England has
10 11 A . 12	environment, from within local authorities as opposed to the NHS. Yes. So data has always been very challenging and data flows have been challenging, even with data agreements,	8 9 10 11 12		hastily written, and there were a number of areas which were unclear that had been unclear before 2013, my Lady. So perhaps the crystallisation of the functions of directors of public health in England has happened in some ways, I would say, since transfer
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1	Α.	It has decreased. There were a series of cuts starting
2		in the financial year 2015 to 2016 which has cut
3		between, depending on which estimate you read, 26% and
4		33% in real terms out of the public health budget.
5		The Health Foundation estimates that £1 billion is
6		missing from the public health grant from where it
7		should be.
8	Q.	We are not here to debate the merits of public sector
9		cuts, funding cuts, but has the impact of those
10		reductions in funding fallen equally across the
11		four nations and the constituent parts of the
12		four nations, or have some areas in fact, as it has
13		transpired, been the subject of greater cuts?
14	Α.	So the public health grant is an England-only grant, and
15		some areas there is analysis which shows that some
16		areas have fared worse per head of population. So
17		northern areas and areas of greater deprivation have
18		seen a greater per capita reduction in spending power on
19	-	the public health grant than some areas in the south.
20	Q.	All right.
21		Now I'd like to turn you, please, to the specific
22		issue of emergency preparation and preparedness. In
23		your witness statement at paragraph 100 that's
24		INQ000183419 again, please, thank you very much
25		you've set out a number of categories or headings:
		53
1		delivery of prescription medicine; paragraph 119, the
2		assistance that you gave to schools and the advice that
3		you gave in relation to the closure of schools and the
4		impact of the closure of schools; and at paragraph 120,
5		elsewhere in your statement, the assistance that the
6		directors of public health gave to directors of adult
7		social care services who were concerned, of course, with
8		the public health elements of decisions to shut, open or
9		restrict access to care homes?
10	Α.	I think that is a very fair summary, yes.
11	Q.	All right.
12		You've just mentioned the difficulty that directors
13		encountered in dealing with central government.
14		Obviously directors have to work with a range of
15		government bodies, and particularly in central
16		government, so not just the UKHSA and the local the
17		national public health bodies and the OHID, but with
18		civil servants in central government, with the CMOs, of
19		course with other devolved administrations, as well as
20		the NHS and the local authorities.
20		What were the problems that were generally
21		encountered in dealing with, communicating strategically
22		with, central government?
23 24	Α.	I think there were several. The first was that there
24 25	А.	was very much a top-down approach taken, which
20		55

1		preparation, prevention, prioritisation, collaboration
2		and advice.
3		In the context of dealing with outbreaks, so
4		outbreak management, do and did, in the context of the
5		Covid-19 pandemic, directors of public health work in
6		relation to taking a proactive approach to sourcing
7		personal protective equipment, recalibrating their
8		services, so that's to say services in relation to sexual health, drug treatment services and the like.
9 10		co-ordinating and dealing with the local systems for
11		testing and tracing, and, consistent with what you've
12		said already, providing a primary source of knowledge
13		and advice and information for all the numerous people
14		who take part in the emergency response system at local
15		level?
16	Α.	Indeed, and I think it, I think, could have been
17		better had the cuts and the impact of austerity not
18		happened, and I think could have been better had we had
19		some better working with aspects of national government.
20	Q.	I'll come on to that issue in a moment, but is that
21		a broad summary of the areas that directors assisted
22		with? I should add to those, while you think of the
23		answer to that question, that your statement deals: at
24		paragraph 117, with the help that was given in relation
25		to the provision of food banks and parcels and the
		54
1		The second was that it was often apparent that the
2		departments we were dealing with had not read their own
3		guidance about the role of the department, the director
4		of public health, and were quite not clear about what
5		we could and should do.
6		The third was setting up parallel systems when we
7		could have used local capabilities to set up local
8 9		capabilities for test and trace, for example.
9 10		I think the fourth challenge was sometimes we had no response or communication, and we found out at the same
11		time as the rest of the population, on the 5 pm
12		bulletin, about the new guidance.
13		balloan, about the new galaanoo.
14		If there was another challenge. I think it would be
		If there was another challenge, I think it would be perhaps lack of understanding of the fact that directors
15		perhaps lack of understanding of the fact that directors
15 16		-
		perhaps lack of understanding of the fact that directors of public health have to rely very heavily on their
16		perhaps lack of understanding of the fact that directors of public health have to rely very heavily on their local communities and the voluntary sector, who have
16 17		perhaps lack of understanding of the fact that directors of public health have to rely very heavily on their local communities and the voluntary sector, who have been amazing and without whom we would not have been
16 17 18		perhaps lack of understanding of the fact that directors of public health have to rely very heavily on their local communities and the voluntary sector, who have been amazing and without whom we would not have been able to do our role, and the same with environmental
16 17 18 19		perhaps lack of understanding of the fact that directors of public health have to rely very heavily on their local communities and the voluntary sector, who have been amazing and without whom we would not have been able to do our role, and the same with environmental health officers.
16 17 18 19 20		perhaps lack of understanding of the fact that directors of public health have to rely very heavily on their local communities and the voluntary sector, who have been amazing and without whom we would not have been able to do our role, and the same with environmental health officers. And I think generally communication and lack of

- 23 capabilities, significantly.
- $\ensuremath{ 24 \quad \mbox{Q.}} \ensuremath{ \mbox{Now, that latter issue particularly, why does that} \ensuremath{ }$
- 25 matter? I mean, it is in the way of central government 56

1		to want to impose things by way of diktat, top-down
2		communication, as you've described it, and it may well
3		be that even in the best ordered systems relevant parts
4		are left out of key communications or guidance. But
5		insofar as directors of public health are, in their
6		essence, local directors of public health, why does and
7		why did it, in the course of the pandemic why did
8		leaving them to some extent out of the loop matter when
9		it came to the provision of public health
10		countermeasures locally?
11	Α.	Firstly, because we are trained and expert in some of
12		these, such as contact tracing. Secondly, we have
13		a range of services, such as sexual health, which are
14		equally expert in contact tracing. Third, we know our
15		local areas and our local communities. So if I may give
16		an example, my Lady, putting a vaccine centre in a golf
17		club in a deprived area a mile and a half from the
18		deprived area with no public transport is something we
19		could help areas avoid.
20		I think the fourth reason I would give is that we
21		have capabilities that we could mould and shape rapidly,
22		such as test and trace, and it was pretty obvious when
23		local directors of public health and local authorities
24		took on test and trace additional work, that the
25		improvement in test and trace was marked nationally in
		57
1		through the ADPH with Professor Sir Chris Whitty, of
2		course the CMO, and were there regular discussions
3		between the Office of the CMO in England and
4		counterparts in the four nations and directors of public
5		health through the ADPH?
6	Α.	Indeed, and I think the communication from Sir Chris to
7		us was exemplary, at times we were meeting weekly, and
8		similarly our liaison with the other CMOs was extremely
9		helpful, my Lady.
10	Q.	So we've been discussing, Professor, the structural
11		system and whatever inadequacies there were, as my Lady
12		find them to be, that pre-existed the pandemic.
13		When it came to the impact of the pandemic itself,
14		was the public health and the local public health system
15		ready for or capable of dealing with the sheer scale and
16		severity of the pandemic that in fact ensued?
17	Α.	I have to say partly yes and partly no, and the reason
18		for partly no was partly because of funding. I think
19		the national plan was unclear. We seemed to prepare for
20		flu when a coronavirus, I would have thought, would have
21		been a perfectly plausible scenario. A range of
22		scenarios nationally were not explained. Some of the
23		communication from national government was lacking.
24		Participation in national exercises was unclear. And
25		I don't believe we learned the lessons from the 2009
		59

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4		multiple venente
1	~	multiple reports.
2	Q.	Was that the position throughout the pandemic, or with
3		the passage of time did the communications between
4		central government and local directors improve, and was
5		there a greater understanding latterly of the huge
6		significance of local public health advice and reliance
7		upon local facilities for the purposes of test and
8		trace, contact tracing and so on?
9	Α.	In part. I think it grew. It certainly became much
10		better. The support of the Chief Medical Officer in
11		working very closely with directors of public health
12		from January onwards was helpful. What I think was
13		still a problem was some departments still didn't
14		understand what we did. In around May to June 2020, we
15		produced, as a group of agencies with ADPH, the first
16		guidance on local outbreak plans, and I was one of the
17		people who wrote that guidance, and we identified the
18		role of local directors of public health.
19		So it grew and it became clearer and communication
20		improved and mechanisms improved dramatically, but for
21		the first few months of the pandemic there were parts of
22		central government that did not have a mailing list to
23		reach out to directors of public health, they physically
24		couldn't contact us.
25	Q.	There was nevertheless good contact arranged in part
		58
4		
1 2		pandemic. I think the lack of resourcing was unhelpful. I think there was also a view that government would
		-
3		create parallel systems rather than working with the
4		capabilities we already had.
5		If I might make one final issue, this was seen as
6		an NHS challenge, which meant which in some ways put
7		a burden on the NHS, my Lady, to be in charge of
8		something that was a public health challenge, not an NHS
9		capacity challenge. So the roles about from the
10		beginning, were about the NHS.
11		If I may give one example, we were informed by some
12		bits of NHS England that they were going to take
13		workforces that we commissioned and redeploy them on to
14		wards, and by that I mean health visitors particularly,
15		among others. Health visitors do vitally important work
16		to protect very vulnerable children. If you had removed
17		every health visitor in England and deployed them in
18		a Covid ward, there would be significant safeguarding
19		risks and children could be harmed.
20		So the culture of partnership ought to have been
21		better where each part of the system values the other.
22	Q.	My question was in fact directed more towards the impact
23		of the sheer scale and size of the pandemic, but you've

- 24 addressed many of the areas where, in your professional
- 25 opinion, the system was not adequate and the reasons for 60

1		that. I'd just like to pick up some of the points from	
2		that answer.	:
3		Firstly, your witness statement makes plain that	:
4		national guidance and planning for emergencies needed to	
5		have done more to address health inequalities. Why, in	:
6		the discharge of functions by directors of public	
7		health, is a better understanding of health inequalities	
8		necessary?	
9	Α.	I think there are several reasons. Firstly, because	9
10		people who are least have least access to health	1
11		services and are least well are least able to withstand	1
12		the multiple impacts of a pandemic on physical and	1
13		mental health and economic impacts. They come off	1
14		worse, as, for example, many reports have shown.	1
15		I think the second issue is that they are often most	1
16		vulnerable for protective measures. So black men	1
17		working in manual roles where they had to have contact	1
18		with the public were at far more risk than people in	1
19		professional roles who could work from home.	1
20		From time immemorial, every pandemic has hit those	2
21		worst who have been least able to bear the burden. So	2
22		health inequalities have to be at the centre, and	2
23		I don't think and forgive me for perhaps not	2
24		answering your question earlier that we did not	2
25		anticipate the severity of this virus in the early 61	2
1		overridden by data privacy and data security. We do not	
2		have information and data governance right for	:
3		an emergency in any part of the United Kingdom in the	:
4		way it needs to be to save lives.	
5	Q.	Next, the King's Fund report, to which you again	:
6		referred earlier, stated that not enough public health	
7		consultants had the necessary training, skill sets and	
8		experience. Is there now also a case for a more	:
9		regularised and formalised structure of training of	9
10		public health consultants along with directors of public	1
11		health?	1
12	Α.	I would agree, very much so. There is health protection	1
13		training and experience included in the requirements for	1
14		training to become a consultant in public health or	1
15		a registered specialist, but training beyond the minimum	1
16		is vital in these roles, and should be continuous and	1
17		indeed should be continuously assessed.	1
18	Q.	In your statement, finally, at paragraph 253, you set	1
19		out a number of reflections on the UK's preparedness and	1
20		resilience nationally and locally. We've picked up many	2
21		of these already in the course of your evidence, but	2
22		just to focus on those few that remain.	2
23		So paragraph 253, it is the pre-penultimate page in	2
24		the document, if that assists, electronically. Thank	2
25		you very much.	2
		63	

1		stage, to which we were largely naive, and therefore	
2		I don't think our plans were sufficient nationally at	
3		any level of the system.	
4	Q.	All right. Exercises. You say that the survey, to	
5	-	which you have made reference, reported that many	
6		directors of public health stated that they had never	
7		been involved in nationwide exercises. Is there	
8		an overwhelming case for bringing directors of public	
9		health more formally into nationwide exercises for	
10		emergency planning?	
11	Α.	Undoubtedly, so that you understand local capabilities	
12		and can use them effectively before the pandemic happens	
13		and can deploy them.	
14	Q.	The survey also reported that many directors of public	
15		health felt that there was insufficient data sharing	
16		arrangements between local NHS facilities and the local	
17		authorities, so in essence two vital parts of healthcare	
18		and social care response at a local level were not	
19		always aware of what each other was doing.	
20		Is there now an equally strong case for examining	
21		the data sharing arrangements between the NHS and local	
22		authorities when it comes to emergency responses?	
	•		
23	Α.	Undoubtedly. You will be aware, my Lady, that the Civil	
24		Contingencies Act has a power for information sharing,	
25		but there is a view among some agencies that that is 62	
		02	
1			
		Is this what you suggest and recommend, Professor?	
		Is this what you suggest and recommend, Professor? At paragraph 253, in terms of the planning, the risk	
2		At paragraph 253, in terms of the planning, the risk	
2 3		At paragraph 253, in terms of the planning, the risk assessment process, the planning assumptions which	
2 3 4		At paragraph 253, in terms of the planning, the risk assessment process, the planning assumptions which underpinned the national response, there needs to be	
2 3 4 5		At paragraph 253, in terms of the planning, the risk assessment process, the planning assumptions which underpinned the national response, there needs to be greater flexibility to respond to the different types of	
2 3 4 5 6		At paragraph 253, in terms of the planning, the risk assessment process, the planning assumptions which underpinned the national response, there needs to be greater flexibility to respond to the different types of viruses and the ranges of scenarios which might	
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19		At paragraph 253, in terms of the planning, the risk assessment process, the planning assumptions which underpinned the national response, there needs to be greater flexibility to respond to the different types of viruses and the ranges of scenarios which might eventuate. I'm not really asking you to address that in detail because my Lady has heard a great deal of evidence about that, but you would concur in the proposition that there needs to be more imagination and more flexibility when it comes to planning for future hazards? Indeed. Indeed. 255 and 256, you believe that the role of the directors of public health should be clarified and strengthened, and we've debated this in relation to the links at a local level to local resilience forums and resilience partnerships, and that the links between the local resilience forums and the local health resilience	

- a better standing and reserve capacity in terms of the
- 24 health protection functions or abilities of directors of
- 25 public health, and that necessarily brings in the 64

1	question of resources and budgets, to which you've	1		professionals early and regularly as being key and one
2	already made reference.	2		of the key things to learn from the pandemic. Also,
3	260, there needs to be a better cross-government	3		about 10, 15 minutes ago you talked about the very good
4	approach to responding to pandemics, with a recognition,	4		communications between yourselves and
5	you would say, more formally of the directors of public	5		Professor Sir Chris Whitty and other CMOs.
6	health as a local system leader; that is the issue we	6		My question to you, Professor McManus, bearing that
7	debated at the start concerning who is in charge when it	7		all in mind, is: could you assist us, please, in terms
8	comes to a local health emergency.	8		of describing, in your view, the adequacy or not, as the
9	Then 262, finally, but no less importantly, the need	9		case may be, of the communications between public health
10	to tackle inequalities in order to provide a better	10		directors across the four nations?
11	foundation for future public health response.	11	Α.	Forgive me, do you mean how directors of public health
12	A. I would agree strongly with all of those points, yes.	12		communicated with one another?
13	MR KEITH: I am very pleased to hear that, since they are	13	Q.	Yes.
14	your recommendations.	14	Α.	I think it is fairly complex. So the Association of
15	My Lady, has granted permission to my learned friend	15		Directors of Public Health brought directors of public
16	Ms Munroe King's Counsel to ask questions.	16		health regularly together, usually with government, for
17	LADY HALLETT: Ms Munroe.	17		pan-UK webinars or seminars. Some of those would be
18	Questions from MS MUNROE KC	18		England only. We have an ADPH council which includes
19	MS MUNROE: Thank you, my Lady.	19		representatives of all four nations and the members of
20	Good morning, just still, Professor McManus. My	20		that council then feed back to the directors of public
21	name is Allison Munroe and I ask questions on behalf of	21		health in their constituent nations and they advise us
22	Covid-19 Bereaved Families for Justice UK.	22		on policy.
23	In your statement, Professor McManus, at	23		So, for example, we found ourselves comparing how
24	paragraph 46, you talk about the need for discussions	24		test and trace was run in the different nations and
25	and consultation between relevant bodies, sectors and	25		looking to learn from one another, from examples I'll
	65			66
1	take Sandwell, in the West Midlands, I know that some of	1		there was a mental health impact collaborative group set
2	our Welsh and Scottish directors of public health looked	2		up by ADPH for directors of public health in
3	to compare lessons from Sandwell. It's a challenge	3		four nations specifically to enable us to share
4	because the different four nations each have a different	4		information when it wasn't flowing from national to
5	public health system, but the level of principles, the	5		local.
6	level of good practice, the level of the science, the	6		Does that help you?
7	level of common challenges, those often can be shared	7	Q.	It does. Finally, Professor McManus, again, in your
8	across the four nations.	8		statement we don't need to go to it, but it's
9	Am I answering your question?	9		paragraphs 41, 42 and 43 you make reference or you
10	Q. Yes. Yes, you are. You've mentioned the different	10		note that there were no records of any ADPH reps
11	structures that exist between the four nations and the	11		attending meetings with the United Kingdom Government or
12	public health offices. Did that pose any particular	12		with the devolved nations specifically to discuss
13	difficulties or problems or was that something that you	13		Covid-19 prior to 21 January 2020.
14	felt was adequately addressed in terms of the	14	Α.	That's correct.
15	communications?	15	Q.	Is that correct?
16	A. I think one can always do better. The level of	16	A.	Yes.
17	complexity in this system relies on exceptionally good	17	Q.	Do you know why that was, there were no meetings? Or no
	communication across every player. I think it is	18		records, rather, I should say, of meetings.
18			Α.	I think the top-down culture of communicating. If you
		19	—	
19	a regret on the part of directors of public health,	19 20		
19 20	a regret on the part of directors of public health, my Lady, that communication between national governments	20	Α.	cast your mind back to the somewhat bewilderingly
19 20 21	a regret on the part of directors of public health, my Lady, that communication between national governments and local directors of public health, certainly in	20 21		cast your mind back to the somewhat bewilderingly complex diagram that Mr Keith showed at the start of the
19 20 21 22	a regret on the part of directors of public health, my Lady, that communication between national governments and local directors of public health, certainly in England, was sometimes less than optimal, and could have	20 21 22		cast your mind back to the somewhat bewilderingly complex diagram that Mr Keith showed at the start of the Inquiry for each nation, what becomes very apparent is
19 20 21	a regret on the part of directors of public health, my Lady, that communication between national governments and local directors of public health, certainly in England, was sometimes less than optimal, and could have been improved. Which made us look to share	20 21 22 23	Ω.	cast your mind back to the somewhat bewilderingly complex diagram that Mr Keith showed at the start of the Inquiry for each nation, what becomes very apparent is that there were missing lines in communication, and
19 20 21 22 23	a regret on the part of directors of public health, my Lady, that communication between national governments and local directors of public health, certainly in England, was sometimes less than optimal, and could have	20 21 22		cast your mind back to the somewhat bewilderingly complex diagram that Mr Keith showed at the start of the Inquiry for each nation, what becomes very apparent is

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1		some local fora were very dependent on one or two lines
2		only, my Lady, and if they didn't work, we didn't know
3		what was going on, we found out by looking at the
4		television or reading the papers.
5		I think it's partly that I would say that the three
6		nations other than England have a greater had
7		a greater awareness of the role of directors of public
8		health, and a greater understanding and a greater
9		willingness to work with them, than was apparent in
10		England prior to the first wave of Covid on pandemic
11		preparedness. It felt top-down, and that should be one
12		of our chief lessons.
13	MS	MUNROE: Thank you very much, Professor McManus.
14		Thank you, my Lady.
15	LAI	DY HALLETT: Thank you, Ms Munroe.
16		Thank you very much indeed, Professor McManus.
17		Thank you very much for your help.
18	TH	E WITNESS: Thank you, my Lady.
19		(The witness withdrew)
20	MR	KEITH: Ms Blackwell will be calling the next witness.
21		(Pause)
22	MS	BLACKWELL: My Lady, please may I call
23		Professor Kevin Fenton.
24		
24		PROFESSOR KEVIN FENTON (affirmed)
25		Questions from COUNSEL TO THE INQUIRY
		Questions from COUNSEL TO THE INQUIRY
	А.	Questions from COUNSEL TO THE INQUIRY
25	A. Q.	Questions from COUNSEL TO THE INQUIRY 69
25 1		Questions from COUNSEL TO THE INQUIRY 69
25 1 2		Questions from COUNSEL TO THE INQUIRY 69 That's correct. You also became the regional director for London in the
25 1 2 3		Questions from COUNSEL TO THE INQUIRY 69 That's correct. You also became the regional director for London in the Office for Health Improvement and Disparities within the
25 1 2 3 4		Questions from COUNSEL TO THE INQUIRY 69 That's correct. You also became the regional director for London in the Office for Health Improvement and Disparities within the Department of Health and Social Care in October of 2021,
25 1 2 3 4 5		Questions from COUNSEL TO THE INQUIRY 69 That's correct. You also became the regional director for London in the Office for Health Improvement and Disparities within the Department of Health and Social Care in October of 2021, having previously held the same position within Public
25 1 2 3 4 5 6 7 8	Q.	Questions from COUNSEL TO THE INQUIRY 69 That's correct. You also became the regional director for London in the Office for Health Improvement and Disparities within the Department of Health and Social Care in October of 2021, having previously held the same position within Public Health England from April of 2020? That's correct. You are the statutory public health adviser to the
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Those that have completed their postgraduate training in

public health are eligible for membership of the faculty

and fellowship of the Faculty of Public Health. We do

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23 **A**.

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practitioner?

1	MS	BLACKWELL: Is your name Professor Kevin Fenton?
2	Α.	Yes, it is.
3	Q.	Thank you.
4		Professor Fenton, thank you for coming to give
5		evidence today and thank you for the assistance you've
6		already given. You've provided a witness statement
7		which is at INQ000148405. If we can go to page 15,
8		please, we can see that you signed it on 13 April of
9		this year. Is it true to the best of your knowledge and
10		belief?
11	Α.	It is true.
12	Q.	Thank you.
13		We can take that down.
14		During your evidence, please speak into the
15		microphone so that the stenographer can hear you for the
16		transcript, and if you need a break at any time just let
17		me know.
18		Professor, you are president of the United Kingdom
19		faculty of health, you are a senior public health expert
20		and infectious disease epidemiologist, who has worked in
21		a variety of public health executive leadership roles
22		across government and academia in the United Kingdom and
23		internationally, including taking a leading role in
24		London's response to the Covid-19 pandemic; is that
25		right?
		70
1		have other accreditations and designations depending on
2		where you are in your postgraduate training and the

3	examinations which you've taken on your way to
4	specialisation.

- 5 Q. All right. It's a registered charity, isn't it, anda joint faculty of the three royal colleges of
- 7 physicians in the United Kingdom?
- 8 A. That's correct, we were established in 1972, so we're
 9 just over 50 years of age.
- 10 Q. What is the aim of the faculty?

1

1	Α.	Our objects articulate three areas, my Lady, where we
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- 12 have an essential role in the training and accreditation
- 13 of public health practitioners. First, in setting
- 14 standards for training, and, as I said, this is
- 15 a competency-based postgraduate training programme open
- 16 to doctors and other professionals to become public
- health specialists. We also look, my Lady, at thestandards for public health practitioners across the
- standards for public health practitioners across the
 country. This includes the appointment of specialists
- 20 and consultants to their senior roles, as well as their
- 21 continuing professional development, accreditation and
- 22 revalidation as practitioners. And we have a third
- 23 critical function which is that of advocacy for the
- 24 public's health, looking at the public health system and
- 25 its functioning and advocating for, on behalf of our

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1		members, effective delivery of the public health system
2		and public health, and improving the public health of
3		the population.
4	Q.	Is addressing health inequalities and the wider
5		determinants of health central to the faculty's
6		existence and work?
7	Α.	It is. Health inequalities are foundational for us to
8		both improve and protect the health of populations.
9		Health inequalities are essential in understanding
10		individual and community resilience to shocks such as
11		pandemics. As a result, we have a strong focus on
12		health inequalities, my Lady, both in the training and
13		capacity development, in the accreditation of our
14		practitioners, when we assess them for their competence,
15		and we have a strong programme of advocacy on issues and
16		matters related to health inequalities.
17	Q.	Thank you.
18		In your witness statement, you say that prior to
19		January of 2020 there was limited communication from the
20		government on the state of the United Kingdom's
21		preparedness and pandemic planning with the faculty?
22	Α.	That's correct.
23	Q.	I see you're agreeing with that. But in relation to one
24		strategy, the 2011 United Kingdom Influenza Pandemic
25		Preparedness Strategy, about which my Lady has heard
		73
1		promising practice, sharing data, scientific advances,
2		but also understanding what tools are available for
3		intervention in the pandemic. So that sharing of
4	~	information is critical.
5	Q.	
6		that regard were taken on board and fed into the
7		
		strategy at any point?
8	A.	No, not on this occasion, no.
9	A. Q.	No, not on this occasion, no. Right. You will be aware that, as part of the strategy
9 10		No, not on this occasion, no. Right. You will be aware that, as part of the strategy and appended to it is the equality impact assessment
9 10 11		No, not on this occasion, no. Right. You will be aware that, as part of the strategy and appended to it is the equality impact assessment which was published at the same time. Did you provide
9 10 11 12		No, not on this occasion, no. Right. You will be aware that, as part of the strategy and appended to it is the equality impact assessment which was published at the same time. Did you provide any comments or did you have any consideration of that
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Q. Right. Well, we asked Professors Marmot and Bambra to 25 75

9 Inquiry	/	5 July 2023
1		quite a lot already, there was a level of communication,
2		wasn't there? You were invited to provide comments on
3		that strategy.
4		Was that invitation issued to the faculty before the
5		strategy was published or afterwards?
6	Α.	I believe it was done afterwards as part of the general
7		consultation on the 2011 strategy, and this highlights,
8		I think, a key it's a challenge, but both opportunity
9		as well. While it is fantastic to be invited to
10		participate in consultations on strategies, it is often
11		better to be at the table at the time when the
12		strategies are being developed, to help shape the
13		content and the paradigms within which the strategies
14		are developed. So on this occasion we provided input at
15		the consultation level.
16	Q.	Right. You commented on the importance of sharing
17	_	scientific information between countries, didn't you?
18	Α.	(Witness nods)
19	Q.	
20	Α.	In the management and response to any pandemic, because
21		of the global nature of the infectious disease and
22		infectious disease threat, it is absolutely essential
23 24		that we work in partnership both with the WHO and we learn from other countries which are also experiencing
24 25		the infectious disease threat, sharing best and
25		74
1		comment on the EIA, as you refer to it, and their view
2		was that the analysis provided the most thorough
3		consideration of equality issues across the strategy,
4		but that it was fairly limited in terms of identifying
5		the multiple issues faced by different social groups,
6		and there was little provided on what actions should be
7		undertaken to mitigate any differential impacts, and
8		that the analysis did not discuss potential inequalities
9		in mortality or morbidity from a pandemic point of view.
10		Do you agree with those concerns?
11	Α.	Yes, we do. Again, on reflection and on re-review of
12		the equality impact assessment, and again with the
13		knowledge and experience of having gone through the
14		Covid-19 pandemic, it is clear that there are missed
15		opportunities there for us to both understand the impact
16		on groups with protected characteristics but, in
17		a sense, to go further, to understand those wider
18		determinants which are going to have a material impact
19		on increasing risk for those groups but also resulting
20		in adverse outcomes as well.
21	Q.	Thank you.
22		You say in your witness statement that throughout
23		the planning and response to the pandemic there was, in
24		your view, a lack of executive awareness across
25		responder organisations around the level of societal 76

1		risk for pandemic events.	1
2		Can you explain what you meant by that, please?	2
3	Α.	0 1	3
4		plan was that it was exactly that, that there was no	4
5		space for considering other respiratory infections or	5
6		a Disease X, another kind of pandemic that would have	6
7 8		occurred, and the frame or the mental model in which the pandemic plan was being developed would have suggested	7
8 9		that we would build upon the lessons of how we responded	8 9
9 10		to seasonal influenza epidemics, which would largely be	9 10
11		related to the health service response, mitigating the	10
12		impact especially on older people and young adults and	12
13		children, and ensuring that there is capacity to	13
14		deliver, for example, antivirals and vaccines.	14
15		Now, that	15
16	LA	DY HALLETT: Just pause. Slower, please. We're doing	16
17		this a lot, but you speak very quickly.	17
18	Α.		18
19		So that provided a frame where the locus and the	19
20		focus of the response would be largely around the NHS	20
21		and protecting the NHS, but also looking at other	21
22		government departments which would be important in that	22
23		frame.	23
24		That does mean that the wider range of executive	24
25		engagement at different levels of government would be	25
		77	
1		Contingencies Act that was brought into force in 2004;	1
2		yes?	2
3	Α.	That's correct. Second, we had had a significant number	3
4		of reorganisations of the health and care system with	4
5		new organisations, new players, with new	5
6		responsibilities for health protection and pandemic	6
7		response, and there had to be clarification of the	7
8		roles, responsibilities, the governance for responding	8
9		to pandemics in that in the new environment that we	9
10		were operating in.	10
11		So the legislation also had to be updated to reflect	11
12		that.	12
13		Thirdly, armed with the knowledge that we now have,	13
14		and that we had at that time in terms of the range of	14
15		interventions that would be required to manage potential	15
16		infectious disease threats, we needed to ensure that we	16
17		were the legislation would have allowed for the use	17
18		of a wider range of tools for intervention, and again we	18
19 20		saw, my Lady, the importance of this with the Covid-19	19
20 21		pandemic, where we had to move beyond the sort of	20
21 22		interventions which were planned for pandemic flu to	21 22
22 23		include a wider range of strategies to control the infection.	22
23 24	Q.		23
24	ч к .	The Inquiry has heard evidence about the huge	24
20		79	20

5		So if we take an example such as the Covid pandemic,
6		we realised very quickly that we needed to move beyond
7		clinical interventions to look at social interventions,
8		and that then required a wider range of executive
9		leaders at different levels, at national, regional and
10		local, to be engaged in responding, and it was that
11		engagement that we felt was lacking.
12	MS	BLACKWELL: Right.
13		You also say that that difficulty that you perceived
14		in the level of executive awareness was exacerbated by
15		a legislative framework for health protection which you
16		describe in your witness statement as "complex, archaic,
17		and not fit for purpose to address current and future
18		hazards and threats". Why do you describe the
19		legislative framework in those terms?
20	Α.	For a number of reasons. First, since the Civil
21	7.4	Contingencies Act was developed, there have been
22		a number of threats that we had to respond to as
23		a nation, and learning from those responses that needed
24		to be updated and reflected in the legislation.
25	Q.	Just to remind ourselves, that was the Civil
25	α.	78
1		changes brought about when the Health and Social Care
2		Act of 2012 became brought into force.
3		What do you say were the concerns from your
4		organisation in terms of the assurance role that was
5		taken forwards without specific funding being ringfenced
6		and whether or not the changes that the Health and
7		Social Care Act implemented led to a lack of clarity in
8		terms of an understanding of roles from one public
9		health worker to another.
10	Α.	So the 2012 Act has been described as one of the most
11		significant changes and reorganisations of the health
12		service since its creation 75 years ago. For public
13		health practitioners, it meant that we had public health
14		practitioners now operating in many different
15		organisations, in Public Health England, in local
16		government, in the NHS, and elsewhere. So the need post
17		reorganisation to bring that public health family
18		together, to clarify roles, responsibilities, the
19		governance, ways of working, for example, for pandemic
20		response, was critical, and Public Health England played
21		a very important role, in its inception, in helping to
22		knit the system together and ensure that there was
23		an understanding of how different parts of the system
24		work.
25		Now, the challenge there is that the assurance
		80

limited because we're not thinking of the range of

pandemic possibilities or the range of interventions

which may be beyond the health service which would be

required to control or manage those other eventualities.

So if we take an example such as the Covid pandemic,

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Q. Right.

health functions, and that over time had to be rebuilt.

to the NHS, over the subsequent years, by virtue of

regional public health directors holding joint

the NHS, but that had to be rebuilt.

In fact we often speak about public health coming back

appointments with the NHS, the regional teams of Public

So the reorganisation and the shifting of public health capacity to different organisations meant that

that exposure, that ongoing learning, but also some of

You describe that the public health specialist

generalist workforce had reduced exposure to health

I think when we quoted a passage from your witness

statement to another witness, but we were not able to

find a clear definition of it. So can you help us with

an example, I'm a public health specialist because

LADY HALLETT: Professor Fenton, I'm afraid I'm still not

I have completed my five years of postgraduate training 82

A. Absolutely. So, my Lady, if I may use myself as

that first of all, please?

practice.

protection duties. Now, can you help us, please,

Professor Fenton, with that phrase, "specialist generalist"? The Inquiry has already heard of it,

the partnerships which were key prior to 2012 were ruptured initially and then had to be rebuilt.

Health England and UKHSA now working more closely with

1		functions and the capacity to do assurance also changed
2		as a result of the reorganisation. So because we had
3		staff moving to different in different directions to
4		different organisations, we know that health protection
5		capacity, for example in local government, was perhaps
6		not as well invested in as it needed to be to do some of
7		the assurance functions, although it existed.
8		Similarly, infection prevention and control
9		responsibilities and assurance, that was a core function
10		and competence that we knew that we had challenges with
11		capacity across the system, in part because of the
12		reorganisation and different functions.
13	Q.	One of the problems that you identify in your report is
14		the professional exposure of NHS staff to community
15		settings and the reduction of that once the Health and
16		Social Care Act had really taken force. Why was that
17		a problem, and does it still persist?
18	Α.	So prior to the 2012 change, public health staff were
19		embedded within the PCTs within the NHS. That provided
20		both NHS staff to be exposed in a much more hands-on and
21		much more comprehensive way to their public health roles
22		and responsibilities.
23		Post 2012, as staff moved to different
24		organisations, the NHS lost to some extent that close
25		relationship with public health expertise and public
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		01
1		o i in public health, and I operate at the level of
1 2		
-		in public health, and I operate at the level of
2		in public health, and I operate at the level of a consultant for public health medicine. I'm
2 3		in public health, and I operate at the level of a consultant for public health medicine. I'm a generalist because I have been trained and
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2 3 4 5		in public health, and I operate at the level of a consultant for public health medicine. I'm a generalist because I have been trained and demonstrated my competences in all of the key pillars of public health practice, which include health protection,
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2 3 4 5 6 7 8 9 10 11 12 13	Q. A.	in public health, and I operate at the level of a consultant for public health medicine. I'm a generalist because I have been trained and demonstrated my competences in all of the key pillars of public health practice, which include health protection, health improvement, healthcare public health, with a strong focus on data knowledge and intelligence. So I'm a generalist because I have competencies in all of those areas and I'm a specialist because I have been accredited. Right. When you say that public health specialist generalist workforce had a reduced exposure to health protection duties, is that what you've just explained to
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Q.	in public health, and I operate at the level of a consultant for public health medicine. I'm a generalist because I have been trained and demonstrated my competences in all of the key pillars of public health practice, which include health protection, health improvement, healthcare public health, with a strong focus on data knowledge and intelligence. So I'm a generalist because I have competencies in all of those areas and I'm a specialist because I have been accredited. Right. When you say that public health specialist generalist workforce had a reduced exposure to health protection duties, is that what you've just explained to the Inquiry? Yes, and a really good example of this is if you have a specialist organisation which is focused, for example, on health protection and you have other public health practitioners in other organisations which do not have that as their core function, then the ability of those practitioners to get exposure to and experience in health protection diminishes. Right.
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3		getting this generalist specialist, specialist
4		generalist.
5		What is wrong with just being a specialist in public
6		health?
7	Α.	Because you can be a specialist, the term can be used as
8		a specialist, if you do not have your competencies in
9		all of the domains. So, for example, there are
10		colleagues who may have done many years of training in
11		health improvement or health protection and have become
12		specialists in those areas, but they're not generalist
13		specialists because they don't have the competencies in
14		other areas of practice. We therefore call them defined
15		specialists because that shows that they have
16	LAI	DY HALLETT: I shouldn't have asked.
17	MS	BLACKWELL: I was going to say.
18	Α.	Well, defined specialists have expertise in one domain
19		or one area of public health practice, and they're
20		specialists in that domain only.
21	Q.	So can I attempt to use a slightly different way of
22		describing it: so a specialist only has a specialism in
23		one area of public health, a specialist generalist or
24		a generalist specialist has that specialism but also

25 a much wider experience of other aspects of general 84

1		health?
2	Α.	If I may quickly add to that.
3	Q.	I'm sorry, I think I made it even worse. I'm sorry.
4	Α.	You're a specialist by virtue of having trained and
5		developed a certain level of competency in a domain in
6		public health. Okay? And the specialist would be the
7		equivalent of a consultant practising in cardiology or
8		nephrology. So that's a specialist.
9		Now, you can be a generalist specialist if, like me,
10		you've trained in all of the domains in public health
11		practice and you have been accredited to practice in
12		those domains. That's a generalist specialist.
13		You can be a defined specialist if you have only
14		worked in and trained in one area, and that means that
15		you're not generalist, you're just defined, so you're
16		a defined health protection specialist. You may be
17		a defined specialist in health improvement where you're
18		doing work on health promotion and tackling
19		inequalities.
20	Q.	All right. My Lady, I hope that's clearer?
21	LA	DY HALLETT: I think we'll leave it there.
22	MS	BLACKWELL: Good.
23		What was the effect on public health of the
24		abolition of the government offices of the regions in
25		2010?
		85

1	Α.	Not necessarily problems, but because of the nature and
2		scale of change that occurred in 2012/13 there was a lot
3		of forming and developing new relationships, ensuring
4		that the capacity to do that co-ordination was in place,
5		and ensuring that we had the mandate as well as the
6		authority to do some of the pulling together in
7		different areas of public health practice, bearing in
8		mind that at local level, at regional level and at
9		national level, there are defined authorities in the
10		legislation and in what organisations had to do. So it
11		was important for Public Health England to create that
12		space where it was able to operate effectively at the
13		regional tier.
14	Q.	Has that been done successfully, in your view?
15	Α.	Well, as you know, Public Health England doesn't exist
16		anymore, but I believe that over time that regional role
17		demonstrated itself to be a very effective tier in
18		supporting the work and leadership of local government,
19		and we've seen it replicated with both OHID, in the
20		Department of Health and Social Care, as well as UKHSA
21		having regional tiers as well.
22	Q.	All right, so that regional level that you describe
23		hasn't been completely lost, it's just been subsumed or
24		taken over by other organisations?
25	Α.	Yes.

1	Α.	So the regional tier in any health system, especially
2		one as complex as what we have in England, is real

one as complex as what we have in England, is really important, because it provides the connection between

important, because it provides the connection betweeplace, which is where you do a lot of the delivery of

5 your prevention programmes, your clinical services and

services to the population.

- 7 Q. The locality?
- 8 A. The locality.
- 9 **Q.** Yes.

6

10	Α.	And, of course, national government, where policies
11		develop, where programmes are funded and where you may
12		have that drive for particular programmes. So the
13		regional tier is important to connect, it's important to
14		assure, it's important to train and it's important to
15		share best and promising practices.
16		So the government regional offices had that really
17		important function before they were abolished.
18		With their abolition and with the creation of Public
19		Health England, then the regional tier of Public Health
20		England took on and had some of those responsibilities
21		to ensure that for public health practice there was that
22		connectivity between national to local.
23	Q.	Right, and was there any problem with Public Health
24		England taking over that regional level of
25		responsibility and assistance?
		86
1	Q.	Yes. All right.
2		Inequalities and community resilience. You say in
3		your witness statement that in terms of the role of
4		inequalities in pandemic planning:
5		" interventions were largely universal and there
6		is a lack of evidence that health inequalities in impact
7		and outcome were key considerations."
8		What is problem with an intervention being
9		universal?
10	Α.	So while universal interventions are able to give you
11		the reach and coverage that you seek in order to have
12		an effective public health approach, it often does so at
13		the expense of those who are hard to reach, hard to
14		engage, or those who may not trust health services and
15		therefore will not take up the universal offer.
16		So in general in public health practice, my Lady, we
17		try to ensure that we have a combination of universal
18		approaches to delivery and what we call targeted
19		approaches, where we're able to both fund and invest in
20		specific programmes that are able to engage those who
21		are hard to reach, hard to engage or furthest from
22	_	clinical services, preventative services.
23	Q.	Is that an important aspect of pandemic planning, or
24		should it be?

25 **A.** It's an important part of all public health practice 88

Q.	and response. Right. The Inquiry has heard evidence from Sir Chris Wormald, who is the permanent secretary of the Department of Health and Social Care, and when asked about whether pandemic planning should include consideration of inequalities and vulnerabilities, he expressed a view that such planning would only take matters so far until the precise nature of the emergency became known, and that that level of uncertainty, of what might be coming down the line as the next pandemic, necessarily carries a degree of imprecision. That evidence was echoed by Roger Hargreaves, currently the director of the COBR unit, and indeed	2 3 4 5 6 7 8 9 10 11 12 13
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	currently the director of the COBR unit, and indeed	
		15
	yesterday by the First Minister of Wales.	16
	Do you agree that there is only so much that can be	17
	anticipated in terms of pandemic planning of those who	18
	are likely to be affected in a certain way by dint of	19
_	their inequalities or vulnerabilities?	20
Α.		2
	mitigate the impact of inequalities, but there is still	22
_	a lot that can be done.	23
	Tell us what that might be, please.	24
Α.	For example, co-production with in the plans, and 89	25
0	All right	1
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	we're going to do this better.	24
A	A. 2.	 A. How do you think that the rather scattergun approach that's been adopted thus far can be more streamlined and focused in order to achieve what you've just set out as being necessary for the planning of pandemics and taking into account inequalities and vulnerabilities? A. Well, I must, first of all, my Lady, reflect that things have significantly improved as we have exited the pandemic, given our experience with seeing these inequalities emerge and the detrimental impact that the inequalities have had on communities across the country. But there are a few things which must be in place if

1	ensuring that in the development of the plans you have
2	due regard to tackling inequalities, which go beyond the
3	equality impact assessment, but co-producing,
4	for example, with local partners who are in contact with
5	local communities or vulnerable communities to ensure
6	those perspectives are included in your plans and your
7	plans are tested against those perspectives.
8	Second, you can ensure that you have the mechanisms
9	in place to engage with and to access those communities
10	which are at greatest risk, either through
11	understanding your communication channels, for example.
12	How do you reach out to and engage with vulnerable
13	communities? How are you working with the voluntary and
14	community sector, and what mechanisms are in place
15	either in local government to assure ourselves that we
16	have the routes of communication and outreach to engage
17	with vulnerable communities? Then, finally, ensuring
18	that data and the infrastructure for data and data
19	sharing are available and are designed before the
20	pandemic or before the shock, so that you're able to
21	capture the information that you need to characterise
22	and to understand the impact on vulnerable populations.
23	So those are things that can be done prior to
24	an event which then set a stronger foundation for your
25	response for equity in the event.
	90
1	highest levels of government and at all levels of
2	government to address these inequalities, recognising
3	the detrimental impact it has on overall population

health. Second, we need to ensure that we're investing in programmes which are culturally competent, co-produced with our communities, and ensuring that we're using the assets that we have to deliver those programmes effectively.

Third, I've already mentioned the importance of having good data that enables us to both understand where inequalities occur and to be able to evaluate the impact of our interventions. Right? So the data's really important to understand are we making the right difference. Fourth, ensuring that we have ways in which we are

communicating and engaging with communities. What are those channels and how do we access them and leverage them so that we're both bringing communities in, co-producing and developing with our communities. Then, finally, we know that for a number of the inequalities that we observed, the experience of our communities on poor trust, stigma, discrimination,

including structural racism, has repeatedly come up as a huge issue that our communities need us to confront

1		and address, and I think that, and I believe that	1	
2		organisations working in health and care have	2	
3 4		a responsibility to visibly state and to visibly act on	3 4	
4 5	0	these inequalities in a much more comprehensive way. How do those who are charged with the responsibility of	4 5	
6	Q.	creating guidance and documentation that is designed to	5 6	
7		assist going forwards in terms of pandemic planning	7	
8		harness that sort of information which you've just set	8	
9		out, Professor Fenton?	9	
10	Α.		10	
10	7.1	from the pandemic, not just to learn lessons but to	10	
12		create enduring legacies that enable us to act	12	
13		differently to achieve different outcomes.	13	
14		I've already mentioned the importance of ensuring	14	
15		that at the planning stage that we're doing our planning	15	
16		of all of our responses through an equity lens.	16	
17	Q.	What does that mean?	17	Q
18	Α.	Asking the question: who are the ones who are most	18	
19		likely to be negatively impacted by this incident or	19	
20		pandemic or event, and what are the ways in which we	20	
21		both need to engage and help to mitigate those impacts	21	
22		from upfront? So start with that planning for equality.	22	
23		We often say in public health, my Lady, if you plan	23	
24		for those that are furthest and hardest to engage, then	24	
25		automatically you have been able to design a system or	25	Α.
		93		
1		must be that there needs to be a widening of the tent,	1	
2		a diversity of thought, experience, and perspectives	2	
3		that is brought to bear in designing plans and policies	3	
4		which are geared towards pandemic planning and pandemic	4	
5		response, but to use that discipline of engagement and	5	
6		partnership in everything that we're doing in our public	6	
7		health programmes.	7	
8		Now, I should say that this is part of the	8	
9		modus operandi for local government. Right? So the	9	
10 11		closer you are to the community is the more this is being done. The challenge is for national government	10 11	
12		5 5 5	12	
12		partners to say: can we go further and can we do more in this space?	12	
14	0	Finally, Professor Fenton, I just want to ask you about	13	
15	પ્ય.	the strength of the public health workforce and that	15	
16		being a necessity for an ability to react to the next	16	
17		pandemic as it may be coming down the line.	17	
18		How do we ensure that the public health workforce is	18	
19		strong enough and has sufficient capacity in order to be	19	
20		able to react in an appropriately resilient way?	20	
21	Α.	Well, I think first it's recognising the and valuing	21	
22		the importance of the public health workforce and the	22	
23		public health system as a key part of our national	23	
24		infrastructure for resilience. We would not have been	24	
25		able to get through the pandemic had it not been for the	25	М
		95		

	programme that will engage everybody.
	So the first is ensuring that we have that strong
	focus on equity and redesigning through an equity lens.
	Second, there needs to be training and capacity
	building around this issue, because we have to leverage
	the experience of the pandemic to ensure that our
	leaders as well as those delivering programmes have the
	tools and the training they need to do this.
	Then third, recognising the importance of the
	communities' voice in this space is critical, and using
	ways in which we're bringing communities to help to
	design, or research programmes, or prevention
	programmes, or policies, by co-production and engagement
	we will end up with much richer programmes and richer
	strategies. So those are three ways in which we could
	do things differently.
Q.	Having a clear line of contact and communication between
	those who are involved in making the decisions about the
	creation of these strategy and guidance documents, with
	your organisation and with voluntary organisations who
	exist to promote the better understanding of those who
	suffer from health inequalities, other inequalities and
	vulnerabilities is vital, in your view, in taking this
	forwards?
Α.	That's correct. One of the learnings of our experience
	94
	phenomenal work of public health practitioners working
	at national, regional and local level, in academia, in
	lots of other sectors. So recognising that asset and
	valuing that asset and investing in that asset now and
	for the future will be critical.
	Second, ensuring that you have the voice of
	practitioners, generalist specialists, engaged in
	planning and policy development at every level of
	government; and that ensures that the key skills which
	are required for effective pandemic planning and
	response are integrating that experience of public
	health practitioners.
	Then thirdly, in addition to investing in a strong
	workforce and ensuring that we continue to invest in the
	numbers required to deliver, to think about
	opportunities for continued partnership both with public
	health practitioners and those developing policies,
	again at every level of government.
	So there are things that we have to do, but it
	C I
	really does begin with understanding the public health
	really does begin with understanding the public health
	system, valuing the assets that we have in our public health health workforce, and ensuring that it's fully

3 integrated into our planning and response at every

24 level.

25 MS BLACKWELL: Thank you.

1	My Lady, you have provisionally provided permission	1
2	for five minutes of questions to Covid-19 Bereaved	2
3	Families for Justice UK, so I will hand over, if	3
4	my Lady agrees, to Ms Munroe.	4
5	LADY HALLETT: I think you may have deprived Ms Munroe of	5
6	five minutes too, I think it was ten.	6
7	MS BLACKWELL: Oh, was it? I'm so sorry.	7
8	MS MUNROE: I was about to say, my Lady. Thank you.	8
9	Questions from MS MUNROE KC	9
10	MS MUNROE: Good afternoon, Professor Fenton. My name is	10
11	Allison Munroe, and I ask questions on behalf of	11
12	Covid-19 Bereaved Families for Justice UK.	12
13	The first question, you have already touched upon	13
14	this in answer to questions from Ms Blackwell	14
15	King's Counsel, it's about data gathering. I preface it	15
16	by, if I may, reading just a short passage from	16
17	a statement from Ade Adeyemi you're nodding at	17
18	somebody that you've heard of, obviously he is	18
19	a healthcare professional from FEMHO, which is the	19
20	Federation of Ethnic Minority Healthcare Organisations,	20
21	a coalition of over, I think, 50,000 healthcare	21
22	professionals.	22
23	We don't need to bring up his statement, but,	23 A .
24	my Lady, for reference, it's INQ000174832.	24
25	Mr Adeyemi in his statement on behalf of FEMHO has	25
	97	
1	utilise data better, especially data that can allow us	1 A .
2	to understand these differences across groups,	2
3	population sub-groups, and that allow us to evaluate the	3
4	impact of the interventions that we're putting in place.	4
5	So that has to be a core lesson from this.	5
6	In many parts of health and understanding health	6
7	disparities in the UK, we have been calling for greater	7
8 9	disaggregation, separation of the data, to help us to	8 9
9 10	understand these racial and ethnic disparities, but also	9 10
11	disparities by other protected characteristics. So it	10
12	is vitally important that as we emerge from the Covid pandemic we do learn the lessons and invest in systems,	11
13	data systems, that allow us to understand these effects	12
14	much better.	13
15	Q. Thank you, Professor Fenton. You have in large part	14
16	answered my next question, but if I may just ask sort of	16
17	supplementary to that: presumably different parts of the	17
18	NHS and other health authorities and government and	18
19	local authorities have different systems, some are more	19
20	effective and some are more efficient than others in	20
20	terms of data capturing. How does one sort of bring	20
22	that all together so that in fact you've got	22
23	a consistent system of data capturing? Because it's no	23
24	good if some people are doing it well and others are not	24
25	doing it well. It's going to lead to inaccuracies.	25
	99	

	expressed their deep concern as to now socio-economic
	factors exposed essentially the existing fault lines
	that were there in terms of disparities for poorer
	communities in the country generally but particularly
	for those ethnic minority communities from the Indian,
	Pakistani, Bangladeshi, black African and black
	Caribbean diaspora.
	He says in paragraph 15 of his statement:
	"FEMHO believes that that planning, forecasting and
	preparatory work for a high-consequence infectious
	disease such as Covid-19 did not properly consider the
	context of a multicultural UK and a global diverse
	-
	health and care workforce. UK laboratory, field
	modelling and case studies prior to Covid-19 did not
	include references to race and/or ethnicity. The
	absence of a national system of data capture regarding
	race and ethnicity may well be one of the biggest system
	failures in emergency planning from the Covid-19
	pandemic."
	Now, Professor Fenton, do you share Mr Adeyemi's
	view that that absence of a national system of data
	capture was a huge system failure?
Α.	Well, I do agree, and as I mentioned earlier that one of
	the lessons and, I hope, legacies which emerges from our
	experience of the pandemic will be to understand and to
	98
۸	That's right. You know and with the most recent
Α.	That's right. You know, and with the most recent
A.	organisation of the health and care systems, where we
Α.	organisation of the health and care systems, where we now have the creation of integrated care systems, ICBs,
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expressed their deep concern as to how socio-economic

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institutional racism and, if so, how?

A. So in the report -- and I'd like to just acknowledge, we

develop this report in the first wave of the pandemic,

Health England and of course the CMO and the then

Secretary of State for Health for commissioning this

disease and its impacts that we were observing.

engaged 4,000 people over a six to seven-week period to

and I want to acknowledge both my colleagues in Public

report, because we needed to understand the patterns of

Having data by race ethnicity is critical both to

1	~	the pandemic.	1
2 3	Q.	Presumably, Professor Fenton, part of that training that	2 3
3 4		you've described is a realisation, perhaps, that data capture is important, and culturally to understand why	3 4
4 5		it's important?	4 5
6	Α.	Well, you know, as a public health practitioner I would	6
7		definitely agree with you, and my Lady, this is the core	7
8		currency of what we have to do to improve the health of	8
9		populations. Because if you don't have data and if	9
10		you're not able to describe the health needs of your	10
11		population, then you will forever be limited in meeting	11
12		the needs of those populations or in being able to	12
13		evaluate the impact of your efforts on whether or not	13
14		you're making a difference in the lives of those	14
15		communities. So data are important.	15
16	Q.	Thank you, Professor Fenton.	16
17		The next question doesn't arise explicitly from your	17
18		statement but more perhaps from a Public Health England	18
19		report entitled Beyond the data: Understanding the	19
20		impact of COVID-19 on BAME groups, of which you're the	20
21		first name in the foreword of that report.	21
22		Again for reference, my Lady, it's INQ000120838.	22
23		Professor Fenton, do you think that the lack of data	23
24		has been an impediment or a block, perhaps, to	24
25		challenging and combating structural and/or	25
		101	
1		addition to the quantitative data, ensure that we have	1
2		the stavies and the multiplice date of the immedia that	
		the stories and the qualitative data of the impacts that	2
3		were being seen at that time.	2 3
3 4	Q.		
	Q.	were being seen at that time.	3
4	Q.	were being seen at that time. Thank you.	3 4
4 5	Q.	were being seen at that time. Thank you. Professor Fenton, is a lack of any such sort of	3 4 5
4 5 6	Q.	were being seen at that time. Thank you. Professor Fenton, is a lack of any such sort of national or a really structured organisational way of	3 4 5 6
4 5 6 7	Q.	were being seen at that time. Thank you. Professor Fenton, is a lack of any such sort of national or a really structured organisational way of gathering data in a data gathering system itself	3 4 5 6 7
4 5 7 8 9 10	Q. A.	were being seen at that time. Thank you. Professor Fenton, is a lack of any such sort of national or a really structured organisational way of gathering data in a data gathering system itself indicative or evidence of structural and institutional	3 4 5 6 7 8
4 5 7 8 9 10		 were being seen at that time. Thank you. Professor Fenton, is a lack of any such sort of national or a really structured organisational way of gathering data in a data gathering system itself indicative or evidence of structural and institutional racism? I can't comment to that, I know that it is very difficult in general to move beyond the sort of routine 	3 4 5 6 7 8 9
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4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22		 were being seen at that time. Thank you. Professor Fenton, is a lack of any such sort of national or a really structured organisational way of gathering data in a data gathering system itself indicative or evidence of structural and institutional racism? I can't comment to that, I know that it is very difficult in general to move beyond the sort of routine elements in data collection for a variety of reasons, and yes, as an epidemiologist, I'd love to have not only data on race ethnicity but certainly sexual orientation, disability status, I'd love to know the neighbourhood that you're living in, to understand the sort of social and economic challenges that you may experience. But in health data you may be extremely limited to be able to collect that on a routine basis. So what national organisations can do is to provide the frameworks that allow for data sharing, so that you can combine different datasets to get a better 	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22

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	Having data by face ethnicity is childar both to
	understand how the disease is manifesting itself across
	different groups but it is important to recognise that
	data by race ethnicity only tell you a part of the
	story. Many of the differences that we observe when we
	describe these racial disparities are a function of
	other things, for example the social and economic
	background and status of the individuals and the
	communities. It may also reflect, as we now know, those
	communities' experience of structural racism.
	So it's important that not only we have
	comprehensive data that enables us to describe the
	differences but we need to look beyond the data, which
	is why in this report we also engaged and heard the
	stories, my Lady, of communities across the country, of
	networks of professionals, so that we're able to, in
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	necessary for a richer understanding of the patterns of
	the disease that we observe.
	So it's really important that this is a very
	difficult area of practice to get the sort of data that
	we need, but there are ways in which you can partner
	differently, work differently, to tell that story as
	well.
Q.	You've mentioned other protected characteristics and
	other groups such as disabled people, LGBTQ+ community;
	the issues that we're talking about in relation to
	ethnic minority communities equally apply?
•	
Α.	They do, and that's why we say if you're able to set the
	systems up that allow you to collect that sort of
	information, then you're able to have a richer dataset
	to allow you to understand inequalities in different
	domains as well.
Q.	Thank you.
	Finally, Professor Fenton, again returning where we
	began with Mr Adevemi's statement, paragraph 17 of his
	statement, at page 5, he makes reference to one of his
	members, a Dr Ananta Dave, who is a chief medical
	officer for NHS Black Country Integrated Care Board and
	president of the British Indian Psychiatric Association,
	and she states:
	"There was a lack of planning around risks to
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1		vulnerable groups such as BAME and older adults in
2		care homes. It was a combination of ignorance and
3		apathy. The government should have been gathering this
4		data because the awareness would have been there about
5		the impact on the vulnerable and the planning about the
6		early stages."
7		Do you share that view, Professor Fenton?
8	Α.	So earlier I spoke about the mental model or the
9		paradigm within which the pandemic pandemic influenza
10		planning was taking place, and I think that mental
11		model, given our experience with seasonal influenza,
12		meant that there may have been less of a concern with
13		inequalities because of the patterns that we see on
14		a seasonal basis, and our prior experience with the H1N1
15		pandemic.
16		So there's a we can understand why this occurred,
17		but I do think that actually moving forward, especially
18		armed with our experience with Covid-19, we now have
19		both the rationale and the opportunity to do things
20		differently, to ensure we understand those populations
21		which are going to be at greater risk, that we have data
22		systems, my Lady, that enable us to characterise and
23		understand where those communities are, and we have the
24		ability to both deliver programmes and evaluate the
25		impact of those programmes on those communities. So
		105
1		PROFESSOR MARK WOOLHOUSE (affirmed)
2		Questions from LEAD COUNSEL TO THE INQUIRY
3	MR	KEITH: Could you give the Inquiry, please, your full
4		name.
5	Α.	Mark Edward John Woolhouse.
6	Q.	Professor, thank you for your assistance to the Inquiry.
7		You've provided a 15-page statement dated 27 April 2023.
8		Have you appended your signature to that statement and
9		the statement of truth at its conclusion?
10	Α.	Yes.
	-	

11 **Q.** Thank you very much.

12		Professor, you are by profession a professor of
13		infectious disease epidemiology, you have a multitude of
14		qualifications, you have worked as an academic
15		researcher, you have worked in the field of infectious
16		diseases and global health for many years, and you are
17		an expert on the particular topic of emerging pathogens,
18		which is of great interest to this Inquiry, of course.
19		You're currently the principal investigator at the
20		Epigroup, the Epidemiological Research Group, which
21		enquires into novel emerging pathogens; is that correct?
22	Α.	Yes.
23	Q.	You have published more than 400 scientific papers on
24		the issues of emerging infectious diseases and
25		antimicrobial resistance. You've advised governments

107

- 1 that has to be a legacy moving forward from our
- 2 experience.

6

14

19

21

- 3 MS MUNROE: Thank you very much, Professor Fenton, you have
- 4 answered again in anticipation the next part of the
- 5 question. So thank you very much.
 - Thank you, my Lady.
- 7 LADY HALLETT: Thank you, Ms Munroe.
- 8 MS BLACKWELL: That concludes Professor Fenton's evidence.
- 9 LADY HALLETT: Professor Fenton, thank you very much.
- 10 THE WITNESS: Thank you, my Lady.
- 11 LADY HALLETT: Thank you very much for your help, it's been
- 12 extremely interesting.
- 13 **THE WITNESS:** Thank you very much.
 - (The witness withdrew)
- 15 MS BLACKWELL: Is that a convenient moment for the break?
- 16 LADY HALLETT: It is. 1.55.
- 17 MS BLACKWELL: Thank you very much.
- 18 (12.55 pm)
 - (The short adjournment)
- 20 (1.55 pm)
 - (Proceedings delayed)
- 22 (2.00 pm)
- 23 MR KEITH: My Lady, this afternoon's witness is
- 24 Professor Mark Woolhouse, please.
- 25

1		and national and international agencies over the years.
2		Of even more central importance, during the
3		United Kingdom response to Covid, were you a member for
4		a time of SPI-M, that's the Scientific Pandemic
5		Influenza Group on Modelling?
6	Α.	l was.
7	Q.	Did you attend a meeting of NERVTAG in December 2021?
8	Α.	l did.
9	Q.	We've heard evidence from Dr Calderwood that there was,
10		in April 2020, set up in Scotland the Scottish Covid-19
11		Advisory Group; were you a member of that also?
12	Α.	l was.
13	Q.	You're a fellow of the Royal Society of Edinburgh and
14		a number of other renowned institutions. You're also
15		a published author because you wrote a book on the
16		pandemic entitled The Year the World Went Mad.
17	Α.	l did.
18	Q.	I'd like to start, please, with the issue of the
19		United Kingdom's ranking in the Global Health Security
20		Index. My Lady has heard evidence that in 2019 the
21		United Kingdom was ranked with an overall score of
22		second in the Global Health Security Index, which is
23		a joint endeavour between a number of US and UK bodies.
24		Did that overall score reflect different or varying
25		marks or outcomes in a range of areas such as prevention 108

5 6 7 8	and mitigation, various different aspects to howa country might respond to a pandemic?A. It did, and the category "rapid response and mitigation"		cross the world, is clearly very exercised about this
4 A . 5 6 7 8		2 la	ack of predictive power, not only actually of the
5 6 7 8	A. It did, and the category "rapid response and mitigation	3 G	Blobal Health Security Index but a number of other
6 7 8	······································	n 4 in	ndices that relate, health systems, resilience and so
7 8	of the spread of an epidemic" in that report was	5 o	n, and there has been a number of scientific papers
8	a separate category, obviously very relevant to the v	ork 6 p	ublished on exactly what you say, that the very poor
	of this Inquiry, and the UK scored highest in that	7 re	elationship between the two. We've done work of our
9 Q	category, by a considerable margin.	8 0	wn on that in Africa, where a particular index was,
~ ~	Q. So it was first in that category, "rapid response to an	1 9 a	gain, an extremely poor predictor of actual outcomes
10	mitigation of the spread of an epidemic"?	10 d	uring the Covid-19 pandemic.
11 A .	A. Yes.	11	The designers of those indices, which is on the face
12 Q .	2. I think I may be permitted to suggest without much	12 o	f it are pretty sensible, they have very sensible
13	chance of contradiction that things didn't quite turn	13 ci	riteria, I think they were defended on the grounds they
14	out in that regard as well as might be thought from th	at 14 w	eren't intended to be predictive, in that very clear
15	ranking.	15 s	ense. But if they weren't, what are they for?
16	Was that a failure in the ranking, or was is	16 Q. I'i	m just going to pause you there, Professor, just
17	there or was there a danger that countries which do	vell 17 b	ecause you're speaking quite fast and our excellent
18	in such international rankings may fall into the	18 si	tenographer is obliged to keep up with you, as are we
19	perennial trap of complacency, or failing to notice that	t 19 a	II. Could you just go a little bit slower, please.
20	doing well in rankings and in terms of preparedness	20	So the question then arises: for what purpose are
21	doesn't necessarily mean that that particular country	21 th	ney produced if they are both, by turn, not
22	may not remain very vulnerable in certain areas of	22 p	articularly predictive and possibly causative of
23	response to pandemic outbreaks?	23 c	omplacency or the taking of one's eye off the ball?
24 A .	A. So I think that's a reasonable interpretation. The	24 A . I	agree, and, as I said, this is a question with which
25	global health community, compares health response	s 25 th	ne global health community research community is
	109		110
1	very exercised at the moment.	1	Another marker of vulnerability would be having
2 Q	2. Since Covid-19, have any comparable international	2 a	n ageing population. For Covid-19 that had enormous
3	indices been published in which the United Kingdom	has 3 e	ffects on the vulnerability of countries. So the UK
4	appeared?	4 w	as very vulnerable in that particular criteria. But
5 A .	A. I'm not sure if there was actually rankings done,	5 th	nat wasn't included in the pandemic preparedness
6	I mean, there have been a number of studies of the	6 in	ndices.
7	pandemic response, but whether they've ranked the	n if 7	So and I believe the ex CMO, Sally Davies, has
8	you're thinking of a particular example, please	8 a	Iready given evidence about the possible role of poor
9 Q .	2. No, I was just wondering whether or not post-Covid t	nat 9 p	opulation health. So in the UK we have a number of
10	such rankings may have had introduced into them	10 p	opulation health problems, including obesity, and they
11	a greater degree of reality?	11 h	ave an impact.
12 A .	A. No. Well, if they had I would say at the moment that	is 12	So those are all about vulnerability, and the
	premature. I think we have to deconstruct what thes	e 13 p	reparedness indices are trying to get some indicator of
13	rankings were and weren't telling us and understand	that 14 w	hat our level of preparedness is, and clearly those two
13 14	much better.	15 a	re not the same thing and when they combine, they
14	Very mut very fingen en it I think uden very eaks	l 16 c	ombine in the unpredictable way that we saw in 2020.
14 15	You put your finger on it, I think, when you aske	naving 17 LADY	HALLETT: Forgive me for interrupting, Mr Keith. Are
14 15 16	me: is there some mix-up between preparedness or	18 th	nere any examples of a country that gets a low ranking
			, , , , , , , , , , , , , , , , , , , ,
14 15 16 17 18	me: is there some mix-up between preparedness or		nd then performed well?
14 15 16 17 18 19	me: is there some mix-up between preparedness or the capacity, the health system capacity, to respond	nic 19 a	
14 15 16 17 18 19 20	me: is there some mix-up between preparedness or the capacity, the health system capacity, to respond and also actual vulnerability to any particular pander	nic 19 a e 20 A. Y	nd then performed well?
14 15 16 17 18 19 20 21	me: is there some mix-up between preparedness or the capacity, the health system capacity, to respond and also actual vulnerability to any particular pander agent? And a very good example of this is one of th	nic 19 a e 20 A. Y 21 w	nd then performed well? 'es, there are. A number of countries in Africa so
14 15 16 17	me: is there some mix-up between preparedness or the capacity, the health system capacity, to respond and also actual vulnerability to any particular pander agent? And a very good example of this is one of th biggest risk factors for a severe Covid-19 pandemic	nic 19 a e 20 A. Y 21 w ion. 22 o	nd then performed well? 'es, there are. A number of countries in Africa so ve went over my qualifications. I'm actually director
14 15 16 17 18 19 20 21 22	me: is there some mix-up between preparedness or the capacity, the health system capacity, to respond and also actual vulnerability to any particular pander agent? And a very good example of this is one of th biggest risk factors for a severe Covid-19 pandemic around the world is having a more urbanised popula	nic 19 a 20 A. Y 21 w ion. 22 o 23 w	nd then performed well? Yes, there are. A number of countries in Africa so we went over my qualifications. I'm actually director f a global health partnership that works in Africa,

(28) Pages 109 - 112

1		far the worst affected country in Africa was	1		re
2		South Africa, which has by far the strongest health	2		a
3		system. So countries with more outdoor lifestyles, more	3		in
4		rural populations were actually much less affected.	4		di
5		That's, I think I believe that's true globally as	5	~	m
6	MD	well.	6	Q.	In
7	MR	KEITH: So would it be fair to say that there are two	7	Α.	Fo
8		core weaknesses or dangers associated with placing too	8	~	VL
9 10		great a reliance on any system of international	9	Q.	JL
10		reliability? Firstly, we are dealing here, are we not,	10	Α.	C
11 12		with the field of pathogenic outbreaks, and certainly	11 12	~	a
		respiratory viruses but perhaps all pathogenic outbreaks	12	Q. A.	0
13		are inherently unpredictable and, therefore, there is	13	А.	
14 15		a degree a very distinct limit on how well one can predict outcomes.	14		al th
15		Secondly, systems that focus about governmental and	16	LAI	th •v
10		structural preparedness may fail to pay sufficient	10		Y
18		account to the vulnerability that any particular country	18	A.	lik
10		may have within its system because of comorbidities and	18		
20		the like, and so on.	19 20		rio di
20		Are those two propositions fair?	20 21		de
21	Α.	Yes, I think that's fair, and perhaps there wasn't	21		no
22	~ .	enough awareness of just how important those	22	Q.	0
24		vulnerabilities were, but with the very important caveat	23	ω.	w
25		that the ones I listed just then were, because they were	25		pa
		113			P
1		Could we have INQ000149116, please.	1		be
2		This is a draft of a high level summary of	2		N
3		a paper well, a paper called <i>High Level Summary</i> of	3		th
4		Emerging Viral Threats to Human Health, prepared by	4		Са
5		yourself and colleagues and referenced to the University	5		or
6		of Edinburgh in March 2015.	6		СС
7		In this summary, Professor, you address the sources,	7	Q.	Т
8		the genesis of particular types of threats facing the	8		
9		United Kingdom, and you divide them up into threats from	9		Fi
10		viruses which present either a clear and present danger,	10		th
11		or are matters of concern, or where you felt there were	11		Са
12		gaps presumably in the systems in place in order to be	12		re
13		able to identify those viruses and to respond to them.	13		СС
14		On page 2, in the first category, "Clear and present	14		th
15		danger", you said this:	15		
16		"This category covers taxa containing viruses that	16		Va
17		are well-recognised public health threats and where	17		Va
18		(better) vaccines are needed."	18		
19		Was it the purpose of this paper to identify the	19		οι
20		greatest threats and therefore also what may need to be	20		
21		done in order to better prepare ourselves for meeting	21		ge
22		those threats?	22		pr
23	Α.	The paper was prepared as part of the background	23		so
24		documents for a meeting chaired by the then CMO,	24		re
25		Sally Davies, for something called the UK what 115	25		ge

relevant to Covid-19, and of course if we did have

a pandemic of a very different infectious nature --

nfectious agent with a very different nature, very

lifferent problem that it presented, the vulnerabilities

may be different vulnerabilities.

ndeed.

For example, the UK is not thought of as particularly

ulnerable to a vector-borne disease outbreak.

ust pause there, vector-borne, please?

Carried by biting insects or arthropods, so

a mosquito-borne one like dengue --

Or a flea or --

- good example. Could be, a flea or a tick. Ticks are

also common. But -- sorry, I've lost my train of hought.

HALLETT: UK not vulnerable --

res, so we're not thought to be vulnerable to something

ike Zika virus because we don't have enough of the

ight kind of mosquitoes to transmit that particular

lisease. So vulnerability is very, very context

lependent, and what makes us vulnerable to Covid-19 may

ot make us vulnerable to other kinds of pandemic.

On that theme, I now want to ask you about the degree to

which the risk of non-influenza new and emerging

bathogenic outbreaks was recognised pre-Covid.

1		became, I think, out of that meeting, the UK Vaccine
2		Network, so the aim was to identify what kind of threat
3		the UK should be concerned with in terms of building the
4		capacity to produce a vaccine. Work that's been carried
5		on since in other forum as well. So that's the
6		context
7	Q.	That was the reason why.
8		You identify three broad categories of virus:
9		Filoviridae, which includes Ebola and the Marburg virus,
10		they cause haemorrhagic fever; and then this second
11		category, Coronaviridae, including the severe
12		respiratory infections Severe Acute Respiratory Syndrome
13		coronavirus we know it as 1, I suppose and MERS,
14		the Middle East Respiratory Syndrome coronavirus.
15		"We note that although there are not currently any
16		vaccines available against human coronaviruses there are
17		vaccines for animal coronaviruses"
18		Then a third category, which we needn't concern
19		ourselves with for present purposes.
20		Were you, in essence, identifying that the broad
21		genus of coronavirus viruses presented a clear and
22		present danger and that, by implication, this was
23		something that needed to be addressed in terms of
24		response, vaccine response of course, but presumably
25		generally?
		116

1	A.	That was our view then, yes.	1
2	Q.	To what extent was the risk or the danger presented by	2
3 4		coronaviruses recognised at the international level,	3 4
4 5		for example by the WHO and its prioritisation of diseases?	4 5
6	Α.	I didn't become involved in the WHO prioritisation	5
7	А.	exercises until two years later, in 2017.	0 7
8	Q.	Is that the WHO Research and Development Blueprint	8
9	ч.	exercise?	9
10	Α.	Correct.	9 10
11	Q.	We'll have a look at that, then, straightaway.	13
12	.	INQ000149108.	12
13		Did the WHO, for our purposes in 2017 and 2018,	13
14		produce an annual review of diseases which, in its	14
15		opinion, were required to be prioritised because of the	15
16		risk that they posed?	16
17	Α.	That's correct. Specifically, the aim of this exercise,	17
18		as I understood it, was to identify gaps in R&D, in	18
19		research and development, and so clearly recognised	19
20		threats such as influenza were not included in this	20
21		exercise. They were felt by the WHO that this was	21
22		already covered. So the exercise was quite deliberately	22
23		to look beyond influenza and other established threats,	23
24		such as HIV/AIDS, to those where there hadn't been	24
25		enough attention from the research and development	25
		117	
1		the Prioritization Committee. You will see your name	1
2		towards the bottom of that list, alphabetically.	2
2		If we go to page 2, we can see the aims of the	2
4		annual review set out.	4
5		So in essence, I think this process had started	5
6		around May 2015, a research and development blueprint	6
7		was drawn up to try to reduce the time lag between the	7
8		identification of nascent pathogenic outbreaks and the	8
9		approval that might be given to an antiviral or vaccine	9
10		or some countermeasure.	10
11		An interim list was drawn up, and then in 2017 that	11
12		original list was triaged or reduced so that you could	12
13		produce a list of those viruses which really did present	13
14		the greatest concern in this way.	14
15		Is that a correct summary?	15
16	Α.	It is, yes.	16
17	Q.	So we can see that in the middle of the page, this	17
18		summary:	18
19		"The 2017 annual review determined there was	19
20		an urgent need for research and development for:	20
21		"haemorrhagic fevers	21
22		"- Crimean-Congo Haemorrhagic Fever	22
22 23		"- Filoviral diseases	22 23

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1	_	communities.
2	Q.	Influenza or at least in the form in which it might
3		strike the United Kingdom, can be met with antivirals.
4		There is a well known brand, Tamiflu, antiviral, there
5		are vaccines in place, are there not, for influenza and
6		if a seasonal influenza comes around that an existing
7		vaccine cannot address, it's not overly difficult to
8		modify the vaccine in order to ensure that it's
9		an appropriate vaccine for that new seasonal variety; is
10		that all correct?
11	Α.	That's all correct. I wouldn't want to leave you or the
12		room with the impression that that doesn't mean
13	-	influenza is not a danger.
14	Q.	No, no, no. I think there has been plenty of evidence
15		on that, Professor.
16	Α.	Okay.
17	Q.	The point is, though, that influenza is a pathogenic
18		well, it's a pathogen for which there is already in
19		existence a well known and quite well travelled
20		countermeasure in the form of antivirals and vaccines.
21		But for coronavirus, there was none; is that
22		
23	A.	Well, too little would be the WHO's view, yes.
24	Q.	All right.
25		If we look at page 16, we can see that you were on 118
4		" Other bight, wether an is server a visal discourse
1 2		"- Other highly pathogenic coronaviral diseases
2		(such as Severe Acute Respiratory Syndrome, (SARS)" Then references to the well known diseases of Nipah,
4		Rift. SFTS and Zika.
_		Is this the position, then, that this senior and
5 6		august body and its committee, of which you were
7		a member, was identifying that because of the risk posed
8		by coronaviral diseases generally, so not just MERS and
9		SARS, there was an urgent need for research and
10		development?
11	Α.	Yep, that was the conclusion of the committee, yes.
12	Q.	If we go to page 13, we can see then the final report,
13	ч.	if you like, or the determination of the committee, the
14		list of diseases is then set out, and in addition some
15		of the thinking and some of the discussion about why
16		some diseases have made it on to that list and why
17		others had not.
18		May we take it, then, Professor, from the fact that
19		this prioritisation committee had identified coronaviral
20		diseases as presenting the threat that it does, that
21		there was a general acknowledgement in the scientific
22		world, perhaps not yet politically but certainly in the

24 diseases?
25 A. Yes, that's right, and you made the point of the 120

scientific world, of the threat posed by coronaviral

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1		contrast with influenza at the beginning.
2	Q.	Was the position the same the following year in 2018, do
3		you recall? Were MERS and SARS and, by then, something
4		called Disease X on the list?
5	Α.	So I wasn't a member of the same committee in 2018.
6		I only sat on it in January 2017. Yes, they still had
7		MERS and SARS, as I recall. They'd actually combined
8		them into one category of the severe coronaviruses.
9		They had at that stage added the category Disease X,
10		although it also emerged from this 2017 meeting, and
11		I remember it very well. It's there at the bottom of
12		the piece of paper we have in front of us now:
13		"In addition to any disease identified by the
14		Blueprint's decision instrument for new diseases."
15		That was taken by the WHO and developed into
16		Disease X concept, and that actually, I believe,
17		appeared on their website as early as March 2017 as
18		Disease X, and we had a lot of discussions in the room
19		in 2017 about the concept of Disease X without actually
20		attaching that label to it.
21	Q.	What is the concept of Disease X? My Lady heard
22		evidence from Professor Whitworth and Dr Hammer on why
23		this concept, Disease X, has utility and why it has come
24		to light and why it's being pursued.
25		Is it in essence emblematic or reflective of the
		121
1		could take that from new strains of seasonal influenza
2		which we get every year, so those are new, but generally
3		we're able to handle those, to something completely out
4		of the blue. The example I give on that is variant CJD,
5		which is the causative agent of Mad Cow Disease, which
6		was a very worrying pandemic or epidemic in the UK,
7		fortunately a small one, in the mid-1990s. That was
8		completely unanticipated, that well, not completely,
9		there were one or two scientists who had been working on
10		those sorts of agents, but it was very surprising to the
11		majority of us.
12		Whereas something like, for example, a new strain of
13		coronavirus would not be a complete surprise but it
14		would be new. Again, the point of this exercise is it
15		might need significant R&D attention as to how you would
16	~	deal with something like that if it did arise.
17	Q.	It is self-evident that the prioritisation committee
18		were thinking about the possibility of a novel
19 20		pathogenic outbreak, a new disease, and by implication
20		expressing concern about that possibility in a way that
21 22		governments perhaps were not. The structural, the
22 23		preparedness, the governmental paperwork which has been
23 24		adduced before my Lady shows that at that same time there was not the same degree of attention being paid to
24 25		non-influenza pandemics. Why was that, do you think?
20		123

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4		
1		need to make sure that we never take our eye off the
2		existence or the possible existence of a hypothetical
3		disease that will take us all by surprise? It may not
4		necessarily be zoonotic, it could be a different type of
5 6		disease, but we need always to be aware of the need to focus upon that possibility?
7	Α.	Yes, I think the wording in the report of the 2018
8		committee is slightly different from the one you used
9		just now, but it is there as a marker to acknowledge
10		that the next pandemic might be caused by a pathogenic
11		agent that we are not currently aware of, in other words
12		something new.
13		It's a very simple concept, obviously, but we felt
14		it was important that it was explicitly recognised, so
15		that the and remember, this is targeted at the
16		research and development community, so it's a marker
17		that the research and development community did not
18		forget to think about: what do we do if it's an unknown
19		pathogen? What if it's something we haven't encountered
20		before? What are the R&D requirements in that scenario?
21	Q.	May Disease X be either a wholly unknown pathogen or may
22		it be an existing pathogen but with variant
23		characteristics, so a known disease but with
24		significantly different characteristics?
25	Α.	Yes, that's a little bit of a nuanced point. So you 122
1	А.	That's a very big question.
2		So there was undoubtedly you're correct, there
3		was a focus on influenza in terms of thinking about
4		pandemic threats and preparedness for them, but also
5		again, as highlighted in this, the research being done
6		on infectious agents, you could argue that was also very
7		focused on influenza.
8		l can give you an analogy, possibly, if you would
9		like a horseracing analogy, but the situation is this:

g ogy, 10 if you're deciding whether to invest your budget and bet 11 on a single horse running in the Grand National and you 12 brought a committee of horseracing experts together to 13 decide which one you should put your money on, they 14 would pretty likely end up with the favourite, they 15 would say put your money on the favourite, and there is 16 no question at the time that pandemic influenza was the 17 favourite. 18 The problem with that, it sounds a very rational strategy, but the problem is there's an awful lot of 19 20 horses in the Grand National, and the chance of the

favourite winning is actually quite small. 4 to 1 would

22 be very, very short odds for the favourite for

- 23 a Grand National. But the chance of the horse winning
- 24 with the 4 to 1 odds is only 20%. If you bet on the
- 25 favourite, you are very likely to lose your money. 124

1		I think that's a fair analogy to how we were viewing	1		Unite
2		threats, pandemic threats at the time.	2		
3	Q.	The sheer number of riders and racers in the	3		para
4		Grand National is reflective of the inherent	4		the H
5		unpredictability of pathogenic outcomes and viruses, and	5		than
6		it is folly to assume a given outcome?	6		
7	Α.	Yes. But if you'd asked me at that time, at that stage,	7		resp
8		which was the favourite in the race, I would have said	8		a lar
9		pandemic influenza, but I would not and did not at the	9		fatig
10		time favour putting all my money on that one bet. The	10		the r
11		correct strategy, in my view, is to hedge your bets.	11		
12	Q.	An each way bet on other possible finishers.	12		refer
13		At the same time as this thinking was going on, the	13		
14		MERS and SARS epidemics had taken place	14		
15	Α.	Yes.	15		
16	Q.	and particularly so in the Far East.	16		infec
17		At INQ00018793 there is an article entitled <i>Lessons</i>	17		infec
18		learned from SARS: The experience of the Health	18		hom
19		Protection Agency, England, dated if we go forward	19		outb
20		one page 16 November 2005.	20		a va
21		If we could go to page 5, I should say that	21		high
22		this report reports on the experiences of what was then	22		the l
23		the Health Protection Agency in England on how the	23		leve
24		United Kingdom had coped with the limited way in which	24		
25		SARS had impacted, relatively speaking, upon the 125	25		poss
1		and the "potential emergence of a strain of the	1	A.	So S
2		virus with pandemic potential".	2		throu
3		Then there is another reference the following page	3		affeo
4		to the need to respond to any large outbreak by way of	4		the e
5		substantial surge capacity.	5		cont
6		So it is obvious that in the scientific world and	6		woul
7		the academic world, and perhaps to some extent in the	7		
8		political world, there was a recognition by the years	8		a go
9		after SARS, so 2005, that a future pathogenic outbreak	9		succ
10		with severe potential, a pandemic, would require surge	10		Orga
11		capacity to deal with the sheer numbers and also to deal	11		unde
12		with the fact that the inherent unpredictability of the	12		it ne
13		characteristics of a pandemic or the virus meant that	13		prob
14		having a surge capacity in place was part of the	14		to se
15		necessary would be part of the necessary	15		
16		countermeasures.	16		prod
17		Why do you think that national governments did not	17		it's n
18		expand their surge capacity to deal with the possibility	18		spre
19		of a novel or a new emerging pathogen? Would it have	19		
20		been for budgetary reasons only or do you think there	20		was
		wasn't a sufficient understanding of the risk?	21		still a
21		I could approve that available for any comparent and cover that	00		
21 22	Α.	I can't answer that question for government and say what	22		didn
	Α.	their thinking on it was. I can give you a little bit	22	Q.	didn Was
22 23 24	Α.	their thinking on it was. I can give you a little bit more context.	23 24	Q.	
22 23	A. Q.	their thinking on it was. I can give you a little bit	23	Q.	Was

ted Kingdom. If you could scroll back out, please, the last agraph in the section headed "Surge capacity within HPA", so the right-hand side, the right-hand column, nk you: "There is currently limited surge capacity to pond to an incident such as SARS that requires arge team over a prolonged period of time to prevent gue and potential burn-out of key staff involved in response." Then if we could go to page 6 the last paragraph ers to: "Data from countries with substantial outbreaks ..." So the bottom right-hand corner, thank you. "... demonstrated that basic public health and ection control measures such as contact tracing, ection control procedures, quarantine and voluntary me isolation were effective in controlling the breaks in the absence of a rapid diagnostic test, accine or effective treatment. The outbreak hlighted that all levels of the healthcare system in UK need to be prepared to respond; especially as the el of threat remains ever present ..." Then, of course, there is the reference to the sibility of there being further influenza outbreaks 126 SARS was a very worrying incipient pandemic, but ough what was essentially outbreak control in the ected countries, it was brought under control, and in end the virus was actually eradicated, it was not tinued. So it didn't actually develop into what we uld now call a pandemic. Scientists at the time were very clear that it had ood potential to do that, so it was an extraordinary cess story, led particularly by the World Health anisation, to bring that potential pandemic not only der control but actually to eliminate the virus, but ever actually developed into a wide-scale population blem of the sort that we would see, say, we'd expect see with influenza. And MERS was the same, MERS was never -- it has duced lots of outbreaks and very concerning ones, but not gone into community transmission, it's not ead through whole populations. So I think even despite experience of SARS, there s probably a little bit of thinking that this was a theoretical possibility. In the event, SARS n't start major epidemics. is that because of the lower rates of transmission as posed to the fact that certain countries had been well ced to bring it under control and did so? 128

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1	Α.	So I'm not sure how well placed other countries were to	
2		respond to SARS. So the SARS outbreak was 2003, and it	
3		was new, it was the first severe coronavirus. We knew	
4		of other human coronaviruses, they have been around	
5		a long time, but they cause colds, basically. So SARS	
6		was the first severe one, so I can't say how countries	
7		such as China, who are at the epicentre of the outbreak,	
8		how well prepared they felt they were for it, but they	
9		responded well, and the way they responded to SARS was	
10		by this rapid detection of cases and the isolation of	
11		cases and in some cases their in some instances their	
12		contacts, and this was sufficient to bring that	
13		particular those particular set of outbreaks under	
14		control. Coupled I should, because this is	
15		important with very rigorous infection control in	
16		healthcare settings, because both SARS and MERS have	
17		a propensity to spread within healthcare settings. So	
18		they were able to bring it under control and did so, as	
19		I say, remarkably effectively.	
20	Q.	There were in the United Kingdom a number of exercises	:
21		between 2015 and 2018 concerned with testing our	:
22		capabilities to deal with high-consequence infectious	:
23		diseases. So there was an Ebola surge capacity	:
24		exercise, a coronavirus-related exercise,	:
25		Exercise Valverde, the MERS exercise which you'll	:
		129	
1		very clear that they do have a scenario there, they have	
2		the scenario you described, where there's a major	
3		outbreak but it is containable, the exercise is about	
4		containing it, but they do also allow the possibility of	
5		a community-wide outbreak. So that is recognised within	
6		the risk assessment, but whether it was explored as	
7		an exercise I have no knowledge of that myself.	
8	Q.	But at the same time the risk assessment process divided	
9		up, by way of pigeon-holing these pathogenic outbreaks,	
10		the diseases into two categories. You had influenza	
11		pandemic, which is of course regarded as a mass event,	
12		and then, by contrast, new emerging disease, which was	
13		assumed to be confined to healthcare settings, to have	
14		a small number of casualties, in the tens or hundreds,	
15		and then casualties, those who are falling sick, in the	
16		thousands.	
17		But there was no middle ground, it was either	
18		influenza pandemic with massive widespread transmission	
19		and pandemic potential, with hundreds of thousands of	
20		deaths, or very limited low number of deaths, HCID.	:
21		There was no consideration given as a separate category	:
		· · · · · ·	

- 22 to an HCID or a pathogen, a novel pathogen, with
- 23 widespread potential, pandemic potential.
- 24 Α. So I agree, that is how it looks.
- 25 Q. Were you aware, was the scientific community aware of 131

1		recall, Exercise Alice, and then, more recently, an HCID
2		related exercise called Exercise Broad Street.
3		All those exercises, though, focused, did they not,
4		upon HCIDs? Were HCIDs generally regarded, as perhaps
5		the name identifies, as being high consequence, so very
6		high levels of fatality, high-consequence diseases, but
7		diseases which would be associated with limited spread,
8		perhaps confined to healthcare settings, close contacts,
9		patients and the like, and not susceptible to widespread
10		transmission such as influenza or, as we now know,
11		Covid?
12	Α.	So I'm not familiar with all the exercises you listed
13		there, but I'm familiar with some, and I would
14		absolutely support the strategy of conducting exercises
15		that look at high-consequence infectious disease
16		outbreaks, so ones that don't generate into full-blown
17		epidemics. I mean, that's clearly something that
18		government should be doing and was doing.
19		The question then is whether or not people should
20		have been looking also at the possibility that these
21		would move beyond outbreaks into major epidemics that
22		would affect the community.
23		Now, this isn't a report of one of the exercises,
24		but I think it comes out of it, so some of the risk
25		assessments on SARS, one of the papers you gave me, is 130
1		that approach being adopted in the risk assessment
2		process at the time and also in what is now known to be
3		the 2011 UK strategy on pandemic influenza?
4	Α.	Were we aware, sorry?

- А. Were we aware, sorry?
- 5 **Q.** Were you aware of that approach being adopted and 6 applied in the government's strategic approach, its 7 pandemic planning, or in the risk assessment procedures 8 which the government applied?
- 9 A. So, yes, but there are different phases here. So in the
- 10 immediate aftermath of 2003/4, when the SARS epidemic,
- 11 let's describe it as, happened there was a lot of
- 12 thinking about SARS-like events. But then there was the
- swine flu pandemic of 2009/2010, and that reignited 13
- 14 interest in influenza pandemic. So we tend to be rather 15 reactive, I think, in our thinking.
- 16 Q. Does it follow from the fact that that 2011 strategy was
- 17 concerned only with pandemic influenza that aspects of 18 that strategic approach were going to be inappropriate and ineffective for a coronavirus? 19
- 20 Α. Well, we all know that to be the case now, and I would
- 21 say yes, it was visible at the time, if anyone was
- 22 looking at it through that particular lens, but it was,
- 23 and it says so at the top of the document, a pandemic
- 24 influenza preparedness plan and not a pandemic
- 25 preparedness plan, and I would regard those as different 132

1		things. The pandemic the influenza pandemic
2		preparedness plan has not been fully tested yet, thank
3		goodness, so we wouldn't know. But we weren't what's
4		the phrase? We'd done our homework but it turned out
5		we'd prepared for the wrong exam.
6	Q.	Was it generally understood or was the scientific
7		community conscious that there was, relatively speaking,
8		very little debate in governmental terms of, flowing
9		from the risk of differences in incubation period,
10		differences in levels of transmission, differences in
11		the R0 number, differences in the type of infection,
12		whether it might be asymptomatic or symptomatic, that
13		there was no widespread debate about what possible
14		countermeasures could be devised, thought of, debated
15		and analysed to meet a different type of pandemic
16		outbreak, so no debate of the countermeasures of mass
17		contact tracing, mass diagnostic testing, the impact
18		upon schools of long-term closures, the impact upon
19		marginalised sectors of society, the impact of mandatory
20		quarantining? That debate in a general sense doesn't
21		appear ever to have taken place pre-Covid.
22	Α.	Again, those two phases, the post SARS phase and the
23		post swine flu phase, are relevant. In the academic and
24 25		the research communities there was always a tremendous
25		amount of interest and work on the best ways that we 133
1		therefore there uses a tendency to say "M/a have
1		therefore there was a tendency to say, "We have
2		correctly identified the greatest threat as pandemic
2 3		correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other
2 3 4		correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out
2 3 4 5	Α.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side?
2 3 4 5 6	А.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience
2 3 4 5 6 7	А.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience going back over 20 years working as an adviser to
2 3 4 5 6 7 8	А.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience going back over 20 years working as an adviser to various government departments and agencies, and yes,
2 3 4 5 6 7	Α.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience going back over 20 years working as an adviser to
2 3 4 5 6 7 8 9	A.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience going back over 20 years working as an adviser to various government departments and agencies, and yes, I would say that was fair. Once the main threat had
2 3 4 5 6 7 8 9	A.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience going back over 20 years working as an adviser to various government departments and agencies, and yes, I would say that was fair. Once the main threat had been identified, that became the priority.
2 3 4 5 6 7 8 9 10 11	A.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience going back over 20 years working as an adviser to various government departments and agencies, and yes, I would say that was fair. Once the main threat had been identified, that became the priority. Again, this is maybe a job for the Inquiry, but we
2 3 4 5 6 7 8 9 10 11 12	A.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience going back over 20 years working as an adviser to various government departments and agencies, and yes, I would say that was fair. Once the main threat had been identified, that became the priority. Again, this is maybe a job for the Inquiry, but we had a pandemic influenza preparedness plan, and even if
2 3 4 5 6 7 8 9 10 11 12 13	A.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience going back over 20 years working as an adviser to various government departments and agencies, and yes, I would say that was fair. Once the main threat had been identified, that became the priority. Again, this is maybe a job for the Inquiry, but we had a pandemic influenza preparedness plan, and even if it was, by the time the pandemic arrived, nine years
2 3 4 5 6 7 8 9 10 11 12 13 13	Α.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience going back over 20 years working as an adviser to various government departments and agencies, and yes, I would say that was fair. Once the main threat had been identified, that became the priority. Again, this is maybe a job for the Inquiry, but we had a pandemic influenza preparedness plan, and even if it was, by the time the pandemic arrived, nine years old, but we had it, but it would have been an awful lot
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Α.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience going back over 20 years working as an adviser to various government departments and agencies, and yes, I would say that was fair. Once the main threat had been identified, that became the priority. Again, this is maybe a job for the Inquiry, but we had a pandemic influenza preparedness plan, and even if it was, by the time the pandemic arrived, nine years old, but we had it, but it would have been an awful lot of work by an awful lot of people to prepare pandemic
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience going back over 20 years working as an adviser to various government departments and agencies, and yes, I would say that was fair. Once the main threat had been identified, that became the priority. Again, this is maybe a job for the Inquiry, but we had a pandemic influenza preparedness plan, and even if it was, by the time the pandemic arrived, nine years old, but we had it, but it would have been an awful lot of work by an awful lot of people to prepare pandemic preparedness plans for a SARS-like pandemic, that we're
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Α.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience going back over 20 years working as an adviser to various government departments and agencies, and yes, I would say that was fair. Once the main threat had been identified, that became the priority. Again, this is maybe a job for the Inquiry, but we had a pandemic influenza preparedness plan, and even if it was, by the time the pandemic arrived, nine years old, but we had it, but it would have been an awful lot of work by an awful lot of people to prepare pandemic preparedness plans for a SARS-like pandemic, that we're just describing, or a haemorrhagic fever threat, or
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Α.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience going back over 20 years working as an adviser to various government departments and agencies, and yes, I would say that was fair. Once the main threat had been identified, that became the priority. Again, this is maybe a job for the Inquiry, but we had a pandemic influenza preparedness plan, and even if it was, by the time the pandemic arrived, nine years old, but we had it, but it would have been an awful lot of work by an awful lot of people to prepare pandemic preparedness plans for a SARS-like pandemic, that we're just describing, or a haemorrhagic fever threat, or a vector-borne, that is the mosquito-transmitted threat,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience going back over 20 years working as an adviser to various government departments and agencies, and yes, I would say that was fair. Once the main threat had been identified, that became the priority. Again, this is maybe a job for the Inquiry, but we had a pandemic influenza preparedness plan, and even if it was, by the time the pandemic arrived, nine years old, but we had it, but it would have been an awful lot of work by an awful lot of people to prepare pandemic preparedness plans for a SARS-like pandemic, that we're just describing, or a haemorrhagic fever threat, or a vector-borne, that is the mosquito-transmitted threat, or a food-borne threat like Mad Cow Disease. It would
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Α.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience going back over 20 years working as an adviser to various government departments and agencies, and yes, I would say that was fair. Once the main threat had been identified, that became the priority. Again, this is maybe a job for the Inquiry, but we had a pandemic influenza preparedness plan, and even if it was, by the time the pandemic arrived, nine years old, but we had it, but it would have been an awful lot of work by an awful lot of people to prepare pandemic preparedness plans for a SARS-like pandemic, that we're just describing, or a haemorrhagic fever threat, or a vector-borne, that is the mosquito-transmitted threat, or a food-borne threat like Mad Cow Disease. It would have been an awful lot of effort for the relevant government departments to prepare for all those separately.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Q.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience going back over 20 years working as an adviser to various government departments and agencies, and yes, I would say that was fair. Once the main threat had been identified, that became the priority. Again, this is maybe a job for the Inquiry, but we had a pandemic influenza preparedness plan, and even if it was, by the time the pandemic arrived, nine years old, but we had it, but it would have been an awful lot of work by an awful lot of people to prepare pandemic preparedness plans for a SARS-like pandemic, that we're just describing, or a haemorrhagic fever threat, or a vector-borne, that is the mosquito-transmitted threat, or a food-borne threat like Mad Cow Disease. It would have been an awful lot of effort for the relevant government departments to prepare for all those separately. But a lot of lives potentially saved, of course?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Q. A.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience going back over 20 years working as an adviser to various government departments and agencies, and yes, I would say that was fair. Once the main threat had been identified, that became the priority. Again, this is maybe a job for the Inquiry, but we had a pandemic influenza preparedness plan, and even if it was, by the time the pandemic arrived, nine years old, but we had it, but it would have been an awful lot of work by an awful lot of people to prepare pandemic preparedness plans for a SARS-like pandemic, that we're just describing, or a haemorrhagic fever threat, or a vector-borne, that is the mosquito-transmitted threat, or a food-borne threat like Mad Cow Disease. It would have been an awful lot of effort for the relevant government departments to prepare for all those separately. But a lot of lives potentially saved, of course? As you say, an important exercise.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q.	correctly identified the greatest threat as pandemic influenza, we can focus on that", and because other threats are lesser in form they just tended to slip out of the side? I think that's exactly right, and I have experience going back over 20 years working as an adviser to various government departments and agencies, and yes, I would say that was fair. Once the main threat had been identified, that became the priority. Again, this is maybe a job for the Inquiry, but we had a pandemic influenza preparedness plan, and even if it was, by the time the pandemic arrived, nine years old, but we had it, but it would have been an awful lot of work by an awful lot of people to prepare pandemic preparedness plans for a SARS-like pandemic, that we're just describing, or a haemorrhagic fever threat, or a vector-borne, that is the mosquito-transmitted threat, or a food-borne threat like Mad Cow Disease. It would have been an awful lot of effort for the relevant government departments to prepare for all those separately. But a lot of lives potentially saved, of course?

inqui	y	0 001y 2020
1		might come up with to control those particular
2		challenges, but scientists are like everyone else, we
3		also follow what happens, so we were focusing a lot on
4		SARS-like ones in the early 2000s and then shifted more
5		to pandemic influenza later. But not exclusively so,
6		there was still work on that. So there's a lot of
7		research going on about what the right ways are to
8		respond to these different types of threat, and, as you
9		explored with me at the beginning of this, there was
10		also some talk about the diversity of threats, what
11		those other types of threats might look like. But it
12		was always apparent to me, and I'm sure to many other
13		colleagues at the time, that by the time it got into
14		government and Department of Health and influenza
15		had somehow risen to the top again, and a lot of this
16		other work, sort of supporting work for other types of
17		threat, got less attention and didn't appear, as you
18		quite rightly say, in the plans that were written in
19	~	that period.
20	Q.	I think my Lady heard from a witness a couple of weeks
21		ago who observed that it's a necessary part or it's
22		an unintended consequence, perhaps, from governance and
23		from systems of government that officials and
24 25		politicians like to be able to have a piece of paper
25		that identifies the problem and the answer, and 134
1		Academy of Engineering reported upon the risk assessment
2		process operated by the United Kingdom Government and
3		identified that there had been too great a focus on
4		pandemic influenza and reported that there had to be
5		a wider consideration of the range of possible scenarios
6		which might ensue?
7	Α.	Yes, I am, and my understanding is that is now being
8		built into current cross-government risk assessments,
9		but I haven't seen a final draft of that assessment yet.
10	Q.	One separate but related point, in the scientific world
11		there was therefore, we can see from your evidence,
12		extensive debate about possible countermeasures that
13		could be relied upon to meet the particular range of
14		scenarios which might emerge. Was there extensive
15		debate at academic and scientific level of the benefits
16		of wearing masks? Putting aside whether or not they did
17		prove to have significant benefit, was there
18		nevertheless a debate taking place about the degree of
19		benefit pre-Covid?
20	Α.	l am aware of that issue being discussed. It wasn't one
21		that I had personally got particularly involved in, but
22		it has long been an issue as to whether masks are
23		effective or not effective and that has been discussed
24		in scientific and health circles for many years now.
25	Q.	A separate topic, please, Professor, data collection.
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1		In March of 2017 you started engaging in a course of	
2		correspondence with the then Chief Medical Officer of	:
3		Scotland, Dr Catherine Calderwood, from whom my Lady	:
4		heard this morning, about the problems that you had	
5		encountered in getting access to data to allow you to	:
6		carry out a study that you were then engaged in.	
7		With your vast experience, is there anything that	
8		you would like to say about the inherent or strategic	-
9		difficulties placed in the way of efficient data	9
10		gathering across nations, in your case Scotland?	1
11		Pre-Covid, was the system of data gathering for the	1
12		purposes of research and healthcare an efficient one?	1
13	Α.	It was not, but again, just to slightly correct the	1
14		context, we're not talking about the actual gathering of	1
15		data here although there may be issues connected with	1
16		that too	1
17	Q.	It was the access?	1
18	Α.	we're talking about the access to that, in this	1
19		particular context that you raised, for health research	1
20		purposes, and the procedures for accessing data in	2
21		Scotland had become so extraordinarily onerous that in	2
22		what I would have thought was a fairly standard,	2
23		routine, non-demanding research project that used	2
24		anonymised data, so there was no risk of patient	2
25		confidentiality or anything, the process of accessing	2
		137	
1		correspondence shows that she responded to you offering	
1		correspondence shows that she responded to you offering	
2		to lend her support and inviting you to contact I think	
2 3		to lend her support and inviting you to contact I think some particular officials who she thought might break	
2 3 4		to lend her support and inviting you to contact I think some particular officials who she thought might break the logjam.	
2 3 4 5		to lend her support and inviting you to contact I think some particular officials who she thought might break the logjam. Was this the position, that it appeared to you that	
2 3 4 5 6		to lend her support and inviting you to contact I think some particular officials who she thought might break the logjam. Was this the position, that it appeared to you that there was too great a weight placed upon privacy rights	
2 3 4 5 6 7		to lend her support and inviting you to contact I think some particular officials who she thought might break the logjam. Was this the position, that it appeared to you that there was too great a weight placed upon privacy rights and, in the balance between proper medical research and	
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1		those data took over a year, hundreds of person hours,
2		and was the main job that one of my graduate students
3		assigned to this particular project did for the whole
4		year.
5		We got access to the data finally, but only because
6		our colleagues in the various aspects of the process
7		that were required to deliver the data were
8		extraordinarily helpful and were working with us. But
9		it was extremely onerous, and I have made the decision
10		now, and I stick by it, that I will not put graduate
11		students on that kind of research again in Scotland
12		until this is fixed. It's just far, far too onerous.
13		Presumably one of the things you're referring to in
14		that email correspondence is I wrote that I was very
15		concerned about the implications of having such
16		an onerous data access system in the event of
17		an emergency like an influenza pandemic.
18	Q.	You said:
19		"There is a compelling case that Scottish lives are
20		being put at risk because research that needs to be done
21		is not being done I dread to think of the
22		consequences if we ever find ourselves facing a health
23		emergency such as pandemic influenza."
24	Α.	That's correct.
25	Q.	You called upon Dr Calderwood to assist and the email
		138
1		We couldn't provide them at the time because we didn't
2		have key data we needed from what was then the Ministry
3		of Agriculture, Food and Fisheries, because of alleged
4		data confidentiality issues. During the pandemic
5		epidemic, foot-and-mouth epidemic, once it had started,
6		data we had been seeking for several years suddenly
7		arrived on my desk.
8		So during an emergency, things change. And what
9		became what were barriers there but it would have
10		been much more useful then to have had the data in
11		advance, we would have been months ahead, and it would
12		have been much more useful in the Covid pandemic to have
13		all these arrangements sorted out in advance because we
14		would have been months ahead.
15		So we were left in the position of having to deal
16		with these data access issues in the face of a pandemic.
17	LAI	DY HALLETT: And are the issues the same for data access
18		around the United Kingdom? You're talking about what
19		happened to you in Scotland.
20	Α.	No, I think they're not exactly the same, the procedures
21		are not exactly the same, but I suspect many of my
22		colleagues in England would share my views that this is
23		not an easy logjam to break, as Mr Keith put it.
24	LAI	DY HALLETT: All right.
25	MR	KEITH: I think the Data Protection Act and the GDPR

25 **MR KEITH:** I think the Data Protection Act and the GDPR 140

1	apply across the United Kingdom, but	1	tremendously important information very quickly, for the
2 A	A. Yes, but the processes	2	reason you suggested, because we were able to access
	Q. the processes for accessing data in Scotland	3	health records and link health records, which is
4	During the pandemic in fact well, my Lady's heard	4	crucial. The linkage of health data is particularly
5	evidence that there were a number of remarkable surveys	5	difficult, particularly onerous in terms of data
6	and data-driven projects put into place, from the	6	protection.
7	ZOE project, Vivaldi, the Covid-19 survey and so on.	7	But we were able to do it, and that provided
8	There was one in Edinburgh, the EAVE data analysis	8	invaluable information very quickly on the efficacy of
9	project, which I think was able to secure access to data	9	vaccines shortly after the mass vaccination programme
10	from general practitioners in healthcare settings	10	began and also on the severity of the different variants
11	relating, obviously anonymously, to over 5 million	11	of Covid. So this was extraordinarily important
12	people in the population for the purposes of carrying	12	information, and the team did remarkable work on this.
13	out modelling and research and the like.	13	But they didn't produce their first outputs until
14	So is the lesson, if there is a lesson to be drawn	14	June 2020. If we'd had that in place in January,
15	from this, Professor, that we cannot allow ourselves to	15	February and March 2020, we could well have produced
16	slip back? Having, under the exigencies of the	16	extremely valuable data that would have informed the
17	emergency, been able to access such data to save lives,	17	early response. But we didn't have it in place, and one
18	we must make sure that for research purposes data access	18	of the reasons we didn't have it in place is we didn't
19	is allowed to continue?	19	have the permissions set up.
	A. So I think there were actually two lessons	20	There are other reasons too, I wouldn't say that was
	Q. Please.	21	the only one. So that's absolutely one lesson: you need
22 A		22	all this sorry, I beg your pardon we need all this
23	project was led by my colleague Sir Aziz Sheikh at the	23	in place in advance.
24	University of Edinburgh, and a very dedicated team that	24	The second lesson is, as I've just explained, EAVE
25	worked extraordinarily hard on it. It produced some	25	wasn't in place ready to go in place in January 2020, it
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1			
_	had to be set up, and the set-up included all these data	1	wilderness, I expect?
2	access protocols that had to be that took months to	2 A	. In terms of the need for data during pandemics, I would
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1	a result of having to deal with a pandemic is less	1	extraordinary. But up to that point, other than trials,
2	likely to be lost; would you agree?	2	the vaccines had not saved a single life. They weren't
3 A .	I think that's exactly right, and my understanding is	3	there, we didn't have them. So what saved lives were
4	that's one of the primary purposes of the committee.	4	those disciplines you just listed, the much less
5 Q	. Secondly, you call in your witness statement for further	5	glamorous and well funded and well regarded disciplines
6	focus to be paid on the less notable or perhaps the less	6	of patient care, epidemiology, working out what public
7	well known disciplines of epidemiology, clinical	7	health interventions work. They haven't, I think,
8	medicine, diagnostic medicine and public health	8	received the same attention, they haven't been put on
9	research, as opposed to other perhaps more famous areas,	9	a pedestal to the level that quite rightly the
10	genomic testing perhaps. What did you mean by that?	10	vaccine development has been, and we will need them ne
11	Why is there a need for greater focus on those areas of	11	time.
12	medicine?	12	There is, as you're well aware, a very ambitious
13 A .		13	but ambition is good but a very ambitious plan from
14	scientific community, the health research community, to	14	the G7 to deliver a vaccine within 100 days of a public
15	bear in mind. During the pandemic and since the	15	health emergency being declared, and that's fine, but
16	pandemic, there has been quite rightly tremendous focus	16	while we're waiting for the vaccine, we will need to
17	on the technological innovations, particularly,	17	control the next pandemic in other ways, and that will
18	for example, the development of vaccines, and greater	18	require knowledge from the disciplines that I've just
19	claim to the underpinning science, the science of	19	mentioned; and it's not just 100 days, because after the
20	decades of science that underpin that, and that is, as	20	roll-out started in the UK of the vaccine, that was not
21	you well know, an extraordinary success story that we	21	the end of the UK's pandemic. More than half the people
22	should all celebrate, so I'm in no way putting that to	22	who died in the UK died of Covid after the vaccination
23	one side. But for the first year of the pandemic,	23	programme began.
24	slightly less mass vaccination in the UK started on,	24	It takes time to roll out a vaccination programme,
25	I think it was, December 8, 2020, remarkably fast, quite 145	25	and when you learn during that process that you actually 146
1	need two doses or more, it takes more time and, while	1	commonalities, but they are very, very different. So
2	that is happening and the vaccine has yet to do its	2	one obvious lesson is: don't just prepare for the
3	work, we're going to need all those inputs, and I really	3	pandemic you've just had.
4	hope that is not lost in not just by this Inquiry but	4	And the other point I would make, and I hope this
5	by the scientific and health communities as a whole;	5	doesn't sound too shocking, but it's: on the scale of
6	that we recognise we are going to need them next time.	6	potential pandemics, Covid-19 was not at the top and it
7 Q		7	was possibly quite far from the top. It may be that
8 A .		8	next time and there will be a next time, I don't know
9 Q	-	9	when, it may be quite some time in the future, but
10	scientific world and professional world of medicine and	10	I don't know when but there will be a next time, and
11	epidemiology have said, have observed: don't be fooled	11	it's possible that next time we are dealing with a virus
12	into thinking that the next pandemic will be like the	12	that is much more deadly and is also much more
13	last one. What could the next pandemic be? Will it	13	transmissible, in which case actually the things we did
14	necessarily be a coronaviral pandemic, or something	14	to control Covid-19 wouldn't have worked anyway, at
15	else?	15	least not without society completely falling apart.
16 A .	There are many different candidates. In the document	16	Now, I'm not sitting here as a doom-monger saying
17	you referred to early on we identified 22 categories of	17	"This is going to happen" or "This is going to happen
18	virus that we 22 were concerned about that were	18	soon", but I am confident enough to tell government that
19	potential threats. The ones we've talked about in the	19	this is something you should be concerned about, you
	, hearing today include not only SARS-like ones but Ebola,	20	should be prepared for. The next pandemic could be far
20	Zika, BSE or Mad Cow Disease, these are very, very, very	21	more difficult to handle than Covid-19 was, and we all
20 21			
	different threats. And a preparedness plan that	22	saw the damage that that pandemic caused us.
21 22			saw the damage that that pandemic caused us. MR KEITH: Thank you, Professor.
21 22 23	different threats. And a preparedness plan that prepares you for another SARS-like event will not		MR KEITH: Thank you, Professor.
21 22	different threats. And a preparedness plan that	23 I	

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13 Α. Yes.

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16 Α.

17 Q. Yes.

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20 Q.

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21 Α. Yes.

22 Q.

23 Α.

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		4		a di su diffica da di si a su su su
	questions on the Scottish Government's Standing	1		scientific advice on r
	Committee on Pandemic Preparedness, the body to which	2 3	A.	in advice to governn
1.4	the professor has already referred. DY HALLETT: Mr Weatherby.	3		Yes. And it's primarily pos
	Questions from MR WEATHERBY KC	5	ч.	Scottish Governmer
MR	WEATHERBY: Thank you very much.	6	Α.	Yes.
	Just a very few questions from me, Professor, and as	7	Q.	
	Mr Keith has said I'm asking questions on behalf of	8	۹.	This is an appro
	Covid Bereaved Families for Justice United Kingdom.	9		or brought in during
	l just want to ask you a small number of questions	10	Α.	с с
	about the SCoPP, the Standing Committee on Pandemic	11	Q.	
	Preparedness in Scotland, of which you're a member.	12		I think you've identifi
Α.	Yes.	13		scientists have beer
Q.	Am I right that the standing committee, the nature of	14		yourself, talking abo
	a standing committee is that it sits regularly?	15		governments have b
Α.	Yes, we met a number of times.	16		Government has be
Q.	Yes.	17		model? Is a primary
Α.	I mean, it's not just every month or something, we have	18		that gap?
	met many	19	Α.	I don't know if I can
Q.	But it's meant to be there permanently and going on into	20		a primary role, but c
	the future; is that right?	21	Q.	Yes.
Α.	Yes, that's my understanding.	22	Α.	pandemic intellige
Q.	Its purpose is to maintain an overview of pandemic	23	Q.	Yes, okay.
	preparedness from the view of the scientist or from	24		I think that SCol
	a technical point of view, and to co-ordinate the	25		themes: the need fo
	149			
	data gathering and analysis to be considered as part of	1		also working with so
	national infrastructure, and you've spoken a lot about	2		reactive. We haven
	that; the need to strengthen scientific advice and	3	Q.	Yes.
	structures and engagement with citizens; and the fourth	4	Α.	to bring topics of a
	one, the need for collaboration within the UK and	5		informally, of course
	collaboration between the UK and global institutions for	6		but it's not been in th
	innovation and preparedness?	7		advisory committees
Α.	Yes, those four priority areas were arrived at after	8	Q.	Yes.
	a number of consultations within the committee, and	9	Α.	I've sat on, and I'n
	actually some beyond as well, but that's where we've	10		terms of reference.
	arrived at.	11	Q.	Yes, and perhaps a
Q.	That's very helpful.	12	Α.	Yes.
	Finally this: in the committee's terms of reference,	13	Q.	And this autonomy b
	the committee is asked to respond to commissions from	14		against groupthink,
	the Scottish Government, questions essentially from the	15		orthodoxy and innov
	Scottish Government, and to address things that have	16		right?
	arisen there. But the terms of reference expressly	17	Α.	Yes. I mean, one w
	indicate that SCoPP should address other issues of its	18		you're a scientist or
	own initiative where it feels necessary, so scientific	19		trust government to
	autonomy. Yes?	20		Yes.
Α.	Yes.	21	Α.	1 55
Q.	Is that a very important feature for a body like SCoPP?	22	_	to be asked in the fu
Α.	Thank you very much for that question. Yes, I think it	23		WEATHERBY: Prof
	is. The advisory groups that I have been on over many	24	LA	DY HALLETT: Thank
	years for many different government departments, and 151	25		Thank you very

relevant issues and identify gaps

- ment; is that right?
- ositioned to advise the
- ent --
- paredness?
- roach that is post pandemic, isn't it,
- g the pandemic?
- yes.
- ew approach to address the gap that
- ified in relation to the fact that
- n for some years, particularly
- out the hedging of bets, whereas
- been focused -- or the United Kingdom
- een focused on the backing the favourite
- y role of the SCoPP to try to bridge
- accurately describe it as
- certainly, yes --
- ence is one of our roles, yes.
 - oPP has already identified four key
- or a centre of pandemic preparedness; 150
- ome in Scotland, have tended to be n't had that autonomy -concern to the table. I mean, e, they were a vehicle for doing so, the terms of reference of other s -m very happy that it is in the a lesson for others? brings a diversity of input, it guards and it involves a challenge to vation of scientific advice; is that vay I like to put it, you know, when adviser in that role, is you can't ask the right questions.
- going to enable the right questions
- future. fessor, thank you very much.
- k you, Mr Weatherby.
- - y much, Professor Woolhouse. You've 152

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1	finished my professorial day. Thank you very much for	1	INDEX
2	your help, it's been extremely interesting and helpful.	2	DR CATHERINE CALDERWOOD (sworn)
3	Thank you.	3	Questions from LEAD COUNSEL TO
4	THE WITNESS: Thank you very much.	4	THE INQUIRY
5	(The witness withdrew)	5	Questions from THE CHAIR
6	MR KEITH: My Lady, that concludes the evidence for today.	6	Questions from MS MUNROE KC
7	LADY HALLETT: 10 o'clock tomorrow, please.	7	Questions from MS MITCHELL KC
8	(3.12 pm)	8	
9	(The hearing adjourned until 10 am	9	PROFESSOR JIM McMANUS (sworn)
10	on Thursday, 6 July 2023)	10	Questions from LEAD COUNSEL TO
11		11	THE INQUIRY
12		12	Questions from MS MUNROE KC
13		13	
14		14	PROFESSOR KEVIN FENTON (affirmed)
15		15	Questions from COUNSEL TO THE
16		16	INQUIRY
17		17	Questions from MS MUNROE KC
18		18	
19		19	PROFESSOR MARK WOOLHOUSE (affirmed)
20		20	Questions from LEAD COUNSEL TO
21		21	THE INQUIRY
22		22	Questions from MR WEATHERBY KC
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GDPR [1] 140/25 geared [1] 95/4 general [12] 2/18 3/3 24/18 42/3 74/6 84/25 88/16 103/11 120/21 133/20 141/10 144/17 General for [1] 144/17 General Medical [1] 3/3 generalist [14] 82/15	44/21 60/12 69/3 76/18 84/17 91/24 93/7 99/25 105/21 110/16 125/13 132/18 134/7 135/7 143/23 147/3 147/6 148/17 148/17 149/20 152/21 golf [1] 57/16 gone [2] 76/13 128/17 good [28] 1/3 1/4 5/17 6/6 9/9 10/14 10/17 31/16 32/12	124/20 124/23 125/4 Grand National [1] 125/4 grant [7] 52/15 52/18 52/24 53/6 53/14 53/14 53/19 granted [4] 21/11 22/10 65/15 148/24 grateful [1] 33/2 great [8] 8/17 20/16 64/8 107/18 113/9 136/3 139/6 143/20 greater [16] 38/17 53/13 53/17 53/18	61/17 62/6 63/7 69/6 78/22 79/3 79/3 79/7 79/11 79/14 79/20 80/13 81/2 81/10 81/16 82/1 82/7 82/12 82/15 83/12 86/16 86/20 87/5 87/10 91/22 95/25 111/10 111/12 112/2 119/5 120/17 120/19 121/6 121/9 121/18 123/9 125/14 125/24 125/25 128/7 128/24 131/10 134/15 135/9 135/12	87/14 89/4 91/2 91/4 91/5 91/25 92/3 92/24 95/19 97/25 99/5 100/22 101/24 106/1 108/20 110/5 111/3 112/7 113/2 118/14 121/23 121/23 123/22 128/15 133/2 136/22 136/23 139/13 144/25 145/16 146/10 147/2 149/3 149/8 150/16 150/24 hasn't [1] 87/23 hastily [1] 52/8
GDPR [1] 140/25 geared [1] 95/4 general [12] 2/18 3/3 24/18 42/3 74/6 84/25 88/16 103/11 120/21 133/20 141/10 144/17 General for [1] 144/17 General Medical [1] 3/3 generalist [14] 82/15 82/18 83/3 83/8 83/12	44/21 60/12 69/3 76/18 84/17 91/24 93/7 99/25 105/21 110/16 125/13 132/18 134/7 135/7 143/23 147/3 147/6 148/17 148/17 149/20 152/21 golf [1] 57/16 gone [2] 76/13 128/17 good [28] 1/3 1/4 5/17 6/6 9/9 10/14 10/17 31/16 32/12 39/20 39/22 46/4 48/3	124/20 124/23 125/4 Grand National [1] 125/4 grant [7] 52/15 52/18 52/24 53/6 53/14 53/14 53/19 granted [4] 21/11 22/10 65/15 148/24 grateful [1] 33/2 great [8] 8/17 20/16 64/8 107/18 113/9 136/3 139/6 143/20 greater [16] 38/17 53/13 53/17 53/18 58/5 64/5 69/6 69/7	61/17 62/6 63/7 69/6 78/22 79/3 79/3 79/7 79/11 79/14 79/20 80/13 81/2 81/10 81/16 82/1 82/7 82/12 82/15 83/12 86/16 86/20 87/5 87/10 91/22 95/25 111/10 111/12 112/2 119/5 120/17 120/19 121/6 121/9 121/18 123/9 125/14 125/24 125/25 128/7 128/24 131/10 134/15 135/9 135/12 135/14 136/3 136/4	87/14 89/4 91/2 91/4 91/5 91/25 92/3 92/24 95/19 97/25 99/5 100/22 101/24 106/1 108/20 110/5 111/3 112/7 113/2 118/14 121/23 121/23 123/22 128/15 133/2 136/22 136/23 139/13 144/25 145/16 146/10 147/2 149/3 149/8 150/16 150/24 hasn't [1] 87/23 hastily [1] 52/8 have [275]
GDPR [1] 140/25 geared [1] 95/4 general [12] 2/18 3/3 24/18 42/3 74/6 84/25 88/16 103/11 120/21 133/20 141/10 144/17 General for [1] 144/17 General Medical [1] 3/3 generalist [14] 82/15 82/18 83/3 83/8 83/12 84/3 84/4 84/12 84/23 84/24 85/9 85/12 85/15 96/7	44/21 60/12 69/3 76/18 84/17 91/24 93/7 99/25 105/21 110/16 125/13 132/18 134/7 135/7 143/23 147/3 147/6 148/17 148/17 149/20 152/21 golf [1] 57/16 gone [2] 76/13 128/17 good [28] 1/3 1/4 5/17 6/6 9/9 10/14 10/17 31/16 32/12 39/20 39/22 46/4 48/3 48/4 58/25 65/20 66/3	124/20 124/23 125/4 Grand National [1] 125/4 grant [7] 52/15 52/18 52/24 53/6 53/14 53/14 53/19 granted [4] 21/11 22/10 65/15 148/24 grateful [1] 33/2 great [8] 8/17 20/16 64/8 107/18 113/9 136/3 139/6 143/20 greater [16] 38/17 53/13 53/17 53/18 58/5 64/5 69/6 69/7 69/8 69/8 71/9 99/7	61/17 62/6 63/7 69/6 78/22 79/3 79/3 79/7 79/11 79/14 79/20 80/13 81/2 81/10 81/16 82/1 82/7 82/12 82/15 83/12 86/16 86/20 87/5 87/10 91/22 95/25 111/10 111/12 112/2 119/5 120/17 120/19 121/6 121/9 121/18 123/9 125/14 125/24 125/25 128/7 128/24 131/10 134/15 135/9 135/12 135/14 136/3 136/4 136/21 137/4 137/21	87/14 89/4 91/2 91/4 91/5 91/25 92/3 92/24 95/19 97/25 99/5 100/22 101/24 106/1 108/20 110/5 111/3 112/7 113/2 118/14 121/23 121/23 123/22 128/15 133/2 136/22 136/23 139/13 144/25 145/16 146/10 147/2 149/3 149/8 150/16 150/24 hasn't [1] 87/23 hastily [1] 52/8 have [275] haven't [7] 19/21
GDPR [1] 140/25 geared [1] 95/4 general [12] 2/18 3/3 24/18 42/3 74/6 84/25 88/16 103/11 120/21 133/20 141/10 144/17 General for [1] 144/17 General Medical [1] 3/3 generalist [14] 82/15 82/18 83/3 83/8 83/12 84/3 84/4 84/12 84/23 84/24 85/9 85/12 85/15 96/7 generally [12] 8/23	44/21 60/12 69/3 76/18 84/17 91/24 93/7 99/25 105/21 110/16 125/13 132/18 134/7 135/7 143/23 147/3 147/6 148/17 148/17 149/20 152/21 golf [1] 57/16 gone [2] 76/13 128/17 good [28] 1/3 1/4 5/17 6/6 9/9 10/14 10/17 31/16 32/12 39/20 39/22 46/4 48/3 48/4 58/25 65/20 66/3 67/6 67/17 83/15	124/20 124/23 125/4 Grand National [1] 125/4 grant [7] 52/15 52/18 52/24 53/6 53/14 53/14 53/19 granted [4] 21/11 22/10 65/15 148/24 grateful [1] 33/2 great [8] 8/17 20/16 64/8 107/18 113/9 136/3 139/6 143/20 greater [16] 38/17 53/13 53/17 53/18 58/5 64/5 69/6 69/7 69/8 69/8 71/9 99/7 105/21 111/11 145/11	61/17 62/6 63/7 69/6 78/22 79/3 79/3 79/7 79/11 79/14 79/20 80/13 81/2 81/10 81/16 82/1 82/7 82/12 82/15 83/12 86/16 86/20 87/5 87/10 91/22 95/25 111/10 111/12 112/2 119/5 120/17 120/19 121/6 121/9 121/18 123/9 125/14 125/24 125/25 128/7 128/24 131/10 134/15 135/9 135/12 135/14 136/3 136/4 136/21 137/4 137/21 139/23 140/5 140/6	87/14 89/4 91/2 91/4 91/5 91/25 92/3 92/24 95/19 97/25 99/5 100/22 101/24 106/1 108/20 110/5 111/3 112/7 113/2 118/14 121/23 121/23 123/22 128/15 133/2 136/22 136/23 139/13 144/25 145/16 146/10 147/2 149/3 149/8 150/16 150/24 hasn't [1] 87/23 hastily [1] 52/8 have [275] haven't [7] 19/21 23/8 122/19 136/9
GDPR [1] 140/25 geared [1] 95/4 general [12] 2/18 3/3 24/18 42/3 74/6 84/25 88/16 103/11 120/21 133/20 141/10 144/17 General for [1] 144/17 General Medical [1] 3/3 generalist [14] 82/15 82/18 83/3 83/8 83/12 84/3 84/4 84/12 84/23 84/24 85/9 85/12 85/15 96/7 generally [12] 8/23 15/2 34/1 37/23 55/21	44/21 60/12 69/3 76/18 84/17 91/24 93/7 99/25 105/21 110/16 125/13 132/18 134/7 135/7 143/23 147/3 147/6 148/17 148/17 149/20 152/21 golf [1] 57/16 gone [2] 76/13 128/17 good [28] 1/3 1/4 5/17 6/6 9/9 10/14 10/17 31/16 32/12 39/20 39/22 46/4 48/3 48/4 58/25 65/20 66/3 67/6 67/17 83/15 85/22 92/11 97/10	124/20 124/23 125/4 Grand National [1] 125/4 grant [7] 52/15 52/18 52/24 53/6 53/14 53/14 53/19 granted [4] 21/11 22/10 65/15 148/24 grateful [1] 33/2 great [8] 8/17 20/16 64/8 107/18 113/9 136/3 139/6 143/20 greater [16] 38/17 53/13 53/17 53/18 58/5 64/5 69/6 69/7 69/8 69/8 71/9 99/7 105/21 111/11 145/11 145/18	61/17 62/6 63/7 69/6 78/22 79/3 79/3 79/7 79/11 79/14 79/20 80/13 81/2 81/10 81/16 82/1 82/7 82/12 82/15 83/12 86/16 86/20 87/5 87/10 91/22 95/25 111/10 111/12 112/2 119/5 120/17 120/19 121/6 121/9 121/18 123/9 125/14 125/24 125/25 128/7 128/24 131/10 134/15 135/9 135/12 135/14 136/3 136/4 136/21 137/4 137/21 139/23 140/5 140/6 140/10 142/14 143/1	87/14 89/4 91/2 91/4 91/5 91/25 92/3 92/24 95/19 97/25 99/5 100/22 101/24 106/1 108/20 110/5 111/3 112/7 113/2 118/14 121/23 121/23 123/22 128/15 133/2 136/22 136/23 139/13 144/25 145/16 146/10 147/2 149/3 149/8 150/16 150/24 hasn't [1] 87/23 hastily [1] 52/8 have [275] haven't [7] 19/21 23/8 122/19 136/9 146/7 146/8 152/2
GDPR [1] 140/25 geared [1] 95/4 general [12] 2/18 3/3 24/18 42/3 74/6 84/25 88/16 103/11 120/21 133/20 141/10 144/17 General for [1] 144/17 General Medical [1] 3/3 generalist [14] 82/15 82/18 83/3 83/8 83/12 84/3 84/4 84/12 84/23 84/24 85/9 85/12 85/15 96/7 generally [12] 8/23 15/2 34/1 37/23 55/21 56/20 98/4 116/25	44/21 60/12 69/3 76/18 84/17 91/24 93/7 99/25 105/21 110/16 125/13 132/18 134/7 135/7 143/23 147/3 147/6 148/17 148/17 149/20 152/21 golf [1] 57/16 gone [2] 76/13 128/17 good [28] 1/3 1/4 5/17 6/6 9/9 10/14 10/17 31/16 32/12 39/20 39/22 46/4 48/3 48/4 58/25 65/20 66/3 67/6 67/17 83/15 85/22 92/11 97/10 99/24 111/20 114/13	124/20 124/23 125/4 Grand National [1] 125/4 grant [7] 52/15 52/18 52/24 53/6 53/14 53/14 53/19 granted [4] 21/11 22/10 65/15 148/24 grateful [1] 33/2 great [8] 8/17 20/16 64/8 107/18 113/9 136/3 139/6 143/20 greater [16] 38/17 53/13 53/17 53/18 58/5 64/5 69/6 69/7 69/8 69/8 71/9 99/7 105/21 111/11 145/11 145/18 greatest [5] 18/2	61/17 62/6 63/7 69/6 78/22 79/3 79/3 79/7 79/11 79/14 79/20 80/13 81/2 81/10 81/16 82/1 82/7 82/12 82/15 83/12 86/16 86/20 87/5 87/10 91/22 95/25 111/10 111/12 112/2 119/5 120/17 120/19 121/6 121/9 121/18 123/9 125/14 125/24 125/25 128/7 128/24 131/10 134/15 135/9 135/12 135/14 136/3 136/4 136/21 137/4 137/21 139/23 140/5 140/6	87/14 89/4 91/2 91/4 91/5 91/25 92/3 92/24 95/19 97/25 99/5 100/22 101/24 106/1 108/20 110/5 111/3 112/7 113/2 118/14 121/23 121/23 123/22 128/15 133/2 136/22 136/23 139/13 144/25 145/16 146/10 147/2 149/3 149/8 150/16 150/24 hasn't [1] 87/23 hastily [1] 52/8 have [275] haven't [7] 19/21 23/8 122/19 136/9 146/7 146/8 152/2 having [21] 7/24 13/1
GDPR [1] 140/25 geared [1] 95/4 general [12] 2/18 3/3 24/18 42/3 74/6 84/25 88/16 103/11 120/21 133/20 141/10 144/17 General for [1] 144/17 General Medical [1] 3/3 generalist [14] 82/15 82/18 83/3 83/8 83/12 84/3 84/4 84/12 84/23 84/24 85/9 85/12 85/15 96/7 generally [12] 8/23 15/2 34/1 37/23 55/21	44/21 60/12 69/3 76/18 84/17 91/24 93/7 99/25 105/21 110/16 125/13 132/18 134/7 135/7 143/23 147/3 147/6 148/17 148/17 149/20 152/21 golf [1] 57/16 gone [2] 76/13 128/17 good [28] 1/3 1/4 5/17 6/6 9/9 10/14 10/17 31/16 32/12 39/20 39/22 46/4 48/3 48/4 58/25 65/20 66/3 67/6 67/17 83/15 85/22 92/11 97/10 99/24 111/20 114/13 128/8 146/13	124/20 124/23 125/4 Grand National [1] 125/4 grant [7] 52/15 52/18 52/24 53/6 53/14 53/14 53/19 granted [4] 21/11 22/10 65/15 148/24 grateful [1] 33/2 great [8] 8/17 20/16 64/8 107/18 113/9 136/3 139/6 143/20 greater [16] 38/17 53/13 53/17 53/18 58/5 64/5 69/6 69/7 69/8 69/8 71/9 99/7 105/21 111/11 145/11 145/18	61/17 62/6 63/7 69/6 78/22 79/3 79/3 79/7 79/11 79/14 79/20 80/13 81/2 81/10 81/16 82/1 82/7 82/12 82/15 83/12 86/16 86/20 87/5 87/10 91/22 95/25 111/10 111/12 112/2 119/5 120/17 120/19 121/6 121/9 121/18 123/9 125/14 125/24 125/25 128/7 128/24 131/10 134/15 135/9 135/12 135/14 136/3 136/4 136/21 137/4 137/21 139/23 140/5 140/6 140/10 142/14 143/1 143/2 143/7 143/10	87/14 89/4 91/2 91/4 91/5 91/25 92/3 92/24 95/19 97/25 99/5 100/22 101/24 106/1 108/20 110/5 111/3 112/7 113/2 118/14 121/23 121/23 123/22 128/15 133/2 136/22 136/23 139/13 144/25 145/16 146/10 147/2 149/3 149/8 150/16 150/24 hasn't [1] 87/23 hastily [1] 52/8 have [275] haven't [7] 19/21 23/8 122/19 136/9 146/7 146/8 152/2
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