

Witness Name: Clare Moriarty

Statement No.: 1 of 1

Exhibits: n/a

Dated: 19.5.23

UK COVID-19 INQUIRY

WITNESS STATEMENT OF CLARE MORIARTY

I, Clare Moriarty DCB, will say as follows:-

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Introduction

1. I make this witness statement in my capacity as the former Permanent Secretary of the Departments for Environment, Food and Rural Affairs ("Defra") and Exiting the European Union ("DExEU").
2. I was Permanent Secretary of Defra from 2015 to 2019, and of DExEU from March 2019 until January 2020. Prior to that, I worked in the then Department of Health and in the NHS and held senior roles in the Ministry of Justice and the Department for Transport. I left the Civil Service on 31 March 2020 and worked on a freelance basis for a year before taking up my present role. During that time, I worked with a

range of organisations including Transport for London and the Bank of England, and chaired the Health Foundation's Covid-19 impact inquiry looking at the impact of Covid-19 on health and health inequalities. Since April 2021 I have been the Chief Executive of Citizens Advice.

3. I am making this witness statement to the Covid-19 Inquiry in response to the request for evidence, pursuant to rule 9 of the Inquiry Rules 2006, addressed to me and dated 14 April 2023 (reference M1/CM/01) ("the Rule 9 Request"). I make this witness statement in a personal capacity, as someone who worked as a senior civil servant during the period covered by Module 1 of the Covid-19 Inquiry, i.e., between June 2009 and January 2020. To assist the preparation of this witness statement, I have contacted officials in Defra, and I have been provided with information from both Defra and the Cabinet Office which has informed and assisted my response. Where the matters I refer to in this witness statement are within my personal knowledge, I say so explicitly; otherwise I have been informed by information that has been gathered by civil servants and provided to me. I am aware that the present Permanent Secretary of Defra (and my successor in this position), Tamara Finkelstein, has made a witness statement dated 18 April 2023 in response to a request from the Covid-19 Inquiry, and my witness statement should be read in conjunction with this.
4. I now go onto to consider the specific information sought by the rule 9 request, and where possible in sequential order.

The role of Permanent Secretary

5. The Rule 9 Request asked me to explain the role of a Permanent Secretary and what distinguishes it from other senior civil servants within a UK Government department.
6. The Permanent Secretary is the highest civil servant within a Whitehall department, responsible for its management and providing leadership. They provide a link between the department and its political leadership – the Secretary of State and their ministerial team – and provide advice to Ministers. The Permanent Secretary is also

ultimately responsible for the management of resources within a department and as the Principal Accounting Officer is accountable to Parliament for how public money is used.

7. A Permanent Secretary is supported by a team of senior managers, each of whom leads on a particular area of responsibility. During my time at both Defra and DExEU, I was supported by teams of Directors General and Directors each of whom had responsibility for a particular area of the department's work.
8. In my view, it is these key features – leadership and accountability – that distinguish the role of Permanent Secretary from that of other senior civil servants.

Cross-UK Government cooperation structures for risk identification, monitoring, planning and preparedness

9. The Rule 9 Request asked me to explain how individual government departments identify risks for which they need to undertake planning and preparedness work.
10. In my experience, risk identification follows a broadly similar pattern in most government departments and is an iterative process. One element is the 'bottom up' identification of risks, initially within teams. Risks are evaluated to assess the likelihood of them arising and their possible impact. Risks above a threshold are escalated to the next tier, from team to directorate and ultimately to a strategic risk register for the department. Alongside this is a 'top down' element, typically consisting of inviting senior officials, and sometimes Ministers and non-executive board members, to identify the risks which, from their perspective, feel the most significant. This helps to triangulate the 'bottom up' process and ensures that the strategic risk register provides a meaningful view of the risk landscape.
11. For risks identified at any level, there is normally a process of articulating the cause, event and effect; of classifying the type of risk; identifying mitigating actions and the effect they are expected to have on risk severity; determining target risk scores; and looking for further mitigating actions to achieve these, as necessary. During my tenure at Defra, a lot of time and effort was put into developing and refining our risk

management processes. This was in part in response to the changing risk landscape, as Defra's transformation agenda and EU exit created new categories of risk. It was also a work of continuous improvement alongside the increasingly integrated way in which we operated across the Defra group (the department and its arm's length bodies), taking a thematic approach with individual risks grouped under themes that reflected wider business priorities.

12. In 2018, the themes on Defra's strategic risk register included capacity and capability; incident management (flooding or animal/plant disease beyond our response capability); high containment laboratories; delivery of the 25-year environment plan; air quality; and EU exit. We did not treat risks requiring planning and preparedness separately from other risks. In practice, almost all risks require some degree of planning to ensure that mitigating actions are put into practice. So, for example, in the case of air quality, planning would be required to deliver compliance with legal air quality targets. Preparedness, on the other hand, is more specific to risks relating to emergency management and incident response; among the Defra strategic risks it was required for incident management, high containment laboratories and for EU exit risks relating to a potential no-deal exit in March 2019.
13. Within the overall approach to risk identification, preparedness for a potential no-deal EU exit was the subject of particular attention in Defra. We undertook multiple tiers of risk analysis, identifying the immediate risks and their secondary and tertiary effects. For example, the EU's stance gave rise to a risk that it would not be possible to export products of animal origin to the EU. The potential loss of export markets in turn meant there was risk of livestock backing up on farms leading to animal welfare issues and potential feed shortages.
14. The process for risk identification in DExEU was similar to that in Defra. As a coordinating department, DExEU was less involved in the primary identification of risks requiring planning and preparedness. The department's risk categories included policy and negotiation, defined as risks that threaten to disrupt, delay or prevent DExEU from implementing and/or coordinating the legislation, policy and regulatory arrangements necessary for exiting the EU, and/or undermine DExEU's ability to negotiate an effective exit from the EU. Other categories were financial,

people, operational, security, reputational and external. The department maintained a register of strategic operational risks which was reviewed regularly.

15. The Rule 9 Request asked me to explain how the UK Government identifies risks which require cross-government cooperation in undertaking planning and preparedness work.
16. As I have said above, there is a wide spectrum of risks that require some degree of planning and/or preparedness work. It may be helpful to consider them in three categories: (1) those risks included within the National Security Risk Assessment ("NSRA"), (2) other risks for which preparedness work is undertaken and (3) risks involving planning.
17. For risks included in the NSRA, responsibilities are well understood and defined, with departments designated as lead for planning, response and recovery. The risk events covered by the NSRA, however, by virtue of their scale and complexity, all have consequential effects in other sectors. For example, a major flood event, for which Defra is the lead department, impacts directly on energy supply and transport, and indirectly on health, education and other areas. Likewise, air pollution episodes affect people's health while mitigation for poor air quality impacts on transport and business. The NSRA process teases out these wider impacts and provides a framework for managing cross-government preparedness.
18. The main category of risks not within the NSRA that I recall involving cross-government preparedness work were those relating to a potential no-deal exit from the EU, initially in March 2019 and then in October 2019. I was Permanent Secretary of Defra for the whole of the initial phase. My recollection is that risk identification, initially within the department, surfaced interdependencies with risks held by other departments. For example, risks relating to import and export of animal products and plants intersected with risks relating to the border and I recall discussing these interdependencies with the Chief Executive of HMRC, Sir John Thompson. The then Cabinet Secretary, Sir Jeremy Heywood, instituted regular meetings of Permanent Secretaries which led to the creation of the Border Delivery Group and to cross-government planning and preparedness initiatives. Operation Yellowhammer,

coordinated by the Civil Contingencies Secretariat, developed 'reasonable worst case scenarios' for a no-deal exit while a parallel process convened by Sir John Manzoni, Chief Executive of the Civil Service, codified assumptions underpinning other no-deal projects.

19. The second phase of preparation for a potential no-deal exit took place while I was at DExEU. This drew heavily on the work undertaken previously to identify risks requiring preparedness work, notably those captured in Operation Yellowhammer. My recollection is that as departments' preparedness work progressed they identified further risks, many of which, by the nature of EU exit, required cross-government cooperation. DExEU and the Cabinet Office worked together in a coordinating role to support the cross-government process to manage these risks, as described below in relation to cross-government fora.
20. In the case of risks for which planning but not preparedness work was undertaken, in my experience it was usually clear from the work they related to whether they required cross-government cooperation. Delivery of the 25-year environment plan was among Defra's strategic risks in 2018, and as a cross-government enterprise clearly required cooperation across departments. Devolution issues relating to EU exit likewise required cooperation to create and apply a common framework. Defra's financial risks, on the other hand, were largely specific to the department. In the same way, DExEU's policy and negotiating risks required cross-government cooperation while operational and people risks did not.
21. The Cabinet Office plays a part in identifying the need for cross-government cooperation. The Economic and Domestic Secretariat has oversight of issues that require collective agreement across government and is well placed to spot associated risks. The weekly meeting of Permanent Secretaries from all government departments, known as Wednesday Morning Colleagues, also included time for senior officials to bring departmental issues to the attention of colleagues, and in turn to identify areas of potential cross-government interest and cooperation.
22. The Rule 9 Request asked me to explain at what level of seniority Ministers, civil servants and other officials tend to be involved in the structures, systems and

processes for risk identification, monitoring, planning and preparedness in relation to civil emergencies.

23. While I was aware of Defra's areas of responsibility within the NRSA, I was not personally involved in the detail of the process, and I am therefore, unable to comment on the seniority level of those who were. Thinking about the risk management cycle more generally, in my experience of working at a senior level within the Civil Service, people at varying levels of seniority are involved at all stages. They play different roles according to the nature of the risk and the stage of the cycle, from identification through to preparedness and response.
24. For some officials, planning and preparedness is a major part of their core duties, and they are inevitably the most intensively involved in these structures, systems and processes. Planning and preparedness are professional disciplines and it is right, in my view, that the people most closely involved in the day-to-day management of risks are specialists with the right experience and expertise. In some areas they are senior or relatively senior themselves; in others the core team may be less senior but with access to senior officials to enable matters to be escalated as required.
25. As I have described earlier, Defra has a number of lead department responsibilities within the NSRA process, and in these areas the level of seniority of those involved in risk identification and management, planning and preparedness is commensurately higher. The Chief Vet, a Director General, was involved in hands-on management of animal disease risk, for example, supported by the Director for Animal and Plant Health. Our Chief Scientific Adviser was involved across the whole risk cycle, including horizon-scanning for future risks with the help of our Scientific Advisory Committee.
26. Flood response, another Defra lead responsibility, gives rise to a significant role for the Environment Agency ("EA"). The EA has an Executive Director for Flood & Coastal Risk Management for whom, as their job title implies, risk management is a major part, placing specialist responsibility at a very senior level. The CEO and Chair were also integrally involved, working with the relevant Minister; the Secretary of

State and I had a working understanding of flood risk management, planning and preparedness and became involved in major incidents.

27. My experience in Defra was that my own involvement in major incidents, and that of Ministers, was greater in areas where we had lead responsibility, and varied with their severity. For example, during the winter flooding of 2015 the then Prime Minister, David Cameron, chaired daily COBR meetings attended by the Defra Secretary of State and myself as well as a large number of other Ministers and senior officials. I had some involvement in the response to the Salisbury Novichok poisonings (a CBRN incident where Defra had recovery responsibility), but the Chief Scientific Adviser and relevant Director General were more closely involved, with regular briefing of Ministers. My recollection is that avian flu outbreaks were managed mainly by the Chief Vet and relevant Director, with myself and Ministers kept informed of key developments. While these are examples of incident response rather than planning and preparedness, I think they are reasonably indicative of the spectrum of seniority of people involved in managing risk in different areas.
28. EU exit, as described above, was an exceptional issue for Defra as it affected all areas of the department's operations. It dominated the agenda of senior officials and Ministers over most of my time in Defra. Risk was at the heart of the work and discussions therefore involved me and my Director Generals, the Secretary of State and junior Ministers on a regular basis. These took place in dedicated meetings and also in regular fora such as the weekly Delivery Board established by Michael Gove in 2018 with membership comprising ministers, senior officials and the Chief Executives of the EA and Natural England. I also discussed Brexit risks on a regular basis with the Audit & Risk Assurance Committee ("ARAC"), part of whose meetings I would always attend. ARAC is a sub-committee of the Defra Board which provides support and advice to the Permanent Secretary and the Board on matters of risk, control, governance and related issues.
29. The Rule 9 Request asked me to describe the level of responsibility, accountability and involvement that Permanent Secretaries and Ministers, specifically, tend to have in the structures, systems and processes in government for risk assessment

and planning and preparedness work. I have referred above to some examples within my personal experience of incident management, when risks crystallised.

30. In my experience, I would say that regardless of the 'level' where risk assessment, planning and preparedness work takes place, responsibility and accountability for that work sits squarely with Ministers and Permanent Secretaries. The level of involvement of Permanent Secretaries and ministers in this work will vary according to the requirements of each case, as I have described above.
31. Whatever the level of my involvement in individual issues, as Permanent Secretary I engaged regularly with risk identification, assessment and management. This took place as part of reviewing risks by the Executive Committee (the senior executive decision-making body and a sub-committee of the Departmental Board); through the work we did to develop and improve risk management systems; and in my regular discussions with the ARAC. I also ensured that I had sufficient understanding of our planning and preparedness to provide constructive challenge and support, even if I did not play a direct role in response. I can recall visits I made as Defra's Permanent Secretary to the EA's Emergency Operations Centre in Bristol; to teams in Cardiff and York involved in dealing with avian flu outbreaks; to our Salisbury recovery operation and to the team responsible for preparedness for chemical, radiological and biological incidents.
32. Likewise, to ensure I could effectively manage our work on EU exit preparedness for Defra, I visited teams around the country to see operations on the ground and build understanding of what would change when we left the EU. I found that this enabled me to interrogate risks more thoroughly and ensure that planning and preparedness was robust. The Defra Executive Committee met on a weekly basis as the EU Exit Portfolio Board to test, monitor and trouble-shoot plans.
33. I believe that Defra's strategic risk register was regularly included in papers for the Departmental Board of which all Ministers were members, but I cannot state this for certain. Ministers tend to be less directly involved in the structures and processes of risk management but are regularly engaged with the underlying work to which risks

relate. For instance, referring back to Defra's strategic risks as they stood in 2018, delivery of the 25-year environment plan and compliance with air quality targets were two of the risk themes. Outwith any discussion of risk management, Ministers received regular updates on progress with these programmes of work and would have expected to intervene in the event that delivery was off track. They were particularly involved with risk management, planning and preparedness for EU exit and I recall regular meetings with Michael Gove to dive into the detail of risks and plans.

34. I have referred above to the Delivery Board established by Michael Gove when he was Secretary of State. The weekly reports provided by senior officials for these meetings were another route to surface and engage Ministers on risks. For example, I recall discussion in the Delivery Board about drought and about waste fires, which posed a significant environmental risk.
35. Generally, in my experience, the Civil Service is good at ensuring that Ministers are briefed on proximate risks: no civil servant wants to be in the position of having to provide a briefing to a minister for the first time after a risk has crystallised and turned into an incident. Ministers are accountable to Parliament and officials are mindful of the need to avoid putting their ministers in a position of having to defend the government's position on an issue of which they have little or no knowledge.
36. My recollection is that cross-government discussion of risks and issues usually occurred in specific subject areas rather than on a general basis. I recall that a review of flood risk assessment was undertaken after the 2015 floods, recognising that '1 in 100 years' flood events were occurring with much greater frequency. I know that Defra contributed to cross-department planning on, for example, antimicrobial resistance but I cannot speak from personal experience of that, nor of Cabinet Office structures supporting the NRSA.
37. I have already referred to the Wednesday Morning Colleagues meeting for Permanent Secretariess and its role as a forum for raising cross-departmental issues. I was also a member of a group established and chaired by Sir Jeremy Heywood called the Cabinet Secretary's Advisory Group. Formed of a number of

Permanent Secretaries, the group had a primary focus on potential implications for policy of future threats/risks and scenarios and also steered the horizon scanning programme.

38. In the case of EU exit specifically, a number of cabinet sub-committees were established with one specifically focused on preparedness: EU Exit and Trade (Preparedness) or EUXT(P). This was a Ministerial group, with some official attendance; I went to a limited number of meetings when I was Permanent Secretary of DExEU. In January 2019 the then Cabinet Secretary Sir Mark Sedwill set up an official counterpart group, EUXT(P)(O), comprising Permanent Secretaries and other senior officials from most government departments and the devolved administrations. This committee remained in existence until July 2019 when it was replaced under Boris Johnson's premiership by EU Exit Operations or XO, which was chaired by the Chancellor of the Duchy of Lancaster and attended by Ministers and senior officials. I was a standing attendee at XO until DExEU closed in January 2020. The committee met most days from late July until October 2019 and regularly, often bi-weekly, thereafter.
39. The XO meetings broadly followed the format for emergency response, albeit focused on events that might happen rather than those which already had. This approach was complemented by regular review of a planning tool developed by DExEU which captured all the 'milestones' for EU exit preparedness that had been identified by individual departments and pulled them into a single database. This could be interrogated to identify milestones due in a particular time period, those overdue or those within the remit of specific departments. The tool, which drew on project management disciplines, was considered a useful addition to planning and preparedness. I recall that there was interest in deploying the tool as part of implementation monitoring for key priorities and I believe it may have been adapted for use at the start of the pandemic, though I am not certain of this.
40. I have also been asked to explain the extent to which the government's structures, systems and processes differentiate between risks and issues which might be classified as malicious threats as opposed to non-malicious hazards.

41. This is not a question I feel I am able to expand on in detail; my experience as Permanent Secretary at Defra was almost entirely related to non-malicious hazards. In terms of malicious threats, the only significant area of risk where Defra had a lead role was CBRN incidents. My recollection from the Salisbury Novichok poisoning is that there were certainly some additional elements to the processes due to the nature of the incident, including access to documents based on security clearance and limited to specific locations. These were consistent with other discussions I was involved in about security threats during my time in DExEU.
42. I was also asked to comment on the advantages and disadvantages of cross-government discussion and cooperation happening at a Permanent Secretary and Ministerial level, and among less senior officials.
43. Based on my experience working in the Civil Service, I feel that there is overwhelming advantage in cross-government discussion and cooperation happening at all levels. The way that government is structured, with accountability flowing through Secretaries of State, means that departments tend to focus on matters within their own area of responsibility, whereas the issues that arise are rarely so clearly defined. Discussion between departments is the means by which the implications of actions taken by one department for others can be identified and understood, while cooperation is essential to ensure that decisions are taken with regard to overall outcomes. By contrast, I see few disadvantages in principle with cross-government working although it needs active management in practice to avoid, for example, overcomplicating lines of communication.
44. I was further asked, in the event that I thought that Permanent Secretaries and Ministers might have less responsibility, accountability and involvement than less senior civil servants and other officials in this area, and to provide my view as to how this might have affected the planning and preparedness for civil emergencies and pandemics. I do not feel that Permanent Secretaries and Ministers have a lower level of responsibility, accountability and involvement.
45. If involvement is measured simply by time spent on particular activities, it is true that Permanent Secretaries and Ministers generally devote less of their respective time

to emergency planning and preparedness than officials for whom this is a full-time role and/or a major part of their core duties. However, in my view, that is an inevitable and natural consequence of the breadth of responsibilities at this level. It is not possible or indeed desirable to become involved in the detail of all the activity that occurs in a department; there is simply insufficient time to micro-manage these issues. That does not equate to a lack of responsibility and accountability: the accountability of Ministers and Permanent Secretaries is clear and, in my experience, keenly felt.

46. The challenge in relation to planning and preparedness for civil emergencies and pandemics, as for other major areas of departmental responsibility, is to apportion the right amount of time to spend personally on these issues, and find ways of assuring oneself about the processes undertaken by others. For me this involved engaging with risk management processes; regular discussion with those closer to the detail than me; and building sufficient understanding of the broad issues and practical working of systems in order to make an informed contribution and take an active role when matters were escalated up the chain of command.
47. The Rule 9 Request asked me to describe what if any direct involvement I had in pandemic planning and preparedness, within DEFRA and DExEU and at a cross-government level. To the best of my recollection, I was not personally involved in pandemic planning and preparedness activity and did not attend the Pandemic Flu Readiness Board.
48. For the reasons outlined above, I am unable to make any comment on whether cross-UK government entities and activities dealing with pandemic planning and preparedness (such as the Pandemic Influenza Preparedness Programme Board and the Pandemic Flu Readiness Board) generally involved less senior officials, below Permanent Secretary level. These are not matters in which I can recall being involved, and I am not in a position to say anything about the experience of other Permanent Secretaries. This question is best put to the current Defra Permanent Secretary.
49. Lastly, I have been asked to provide my general views on the adequacy and effectiveness of cross-UK government strategy and cooperation on core emergency

planning, readiness and response capabilities relating to civil emergencies prior to the Covid-19 pandemic.

50. I am no longer a civil servant and have not been so since early 2020. I cannot speak with the benefit of any authority or experience of working within government as the Covid-19 pandemic took hold, or in its aftermath. That places an obvious limitation on the views that I can offer. From the perspective of my time as Defra Permanent Secretary, in my view, Defra's emergency planning, readiness and response capabilities in areas such as flooding or animal disease, for example, were sound. When a major emergency incident occurred, we learned lessons and used each experience to inform how we would respond to future events.
51. Defra's EU exit programme was very extensive and required us to develop capabilities in portfolio, programme and project management well beyond what had existed previously. The element of the programme relating to preparedness for a no deal exit in March 2019 likewise stretched previous thinking about emergency planning. The Operations Centre was set up to operate across the whole department and its design drew on experience from the 2012 Olympics. I cannot speak from direct knowledge, but I imagine that that experience proved useful in putting systems in place to manage the implications of the Covid-19 pandemic.
52. During my brief time in DExEU I oversaw the cross-government operation of which Defra's preparedness formed a part, as it evolved through the summer and autumn of 2019 towards a potential no deal exit at the end of October. Again, there was a clear sense of organisational and institutional learning about how to manage preparedness on a pan-government scale, an order of magnitude greater than people had previously seen. The approach blended elements of prospective planning with incident response. Although it was not ultimately put to the test, the close monitoring and rapid decision-making of the daily XO meeting cycle appeared to be an effective approach, and preparedness was considerably higher than it would have been for a March 2019 no deal exit. It was, however, a highly centralised way of working which may not have translated well into the even greater scale of the Covid-19 response.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

Personal Data

Signed: Clare Moriarty (May 19, 2023, 12:32pm)

Dated: 19 May 2023

I&S