LADY HALLETT: Mr O'Connor.

MR O'CONNOR: My Lady, our first witness this morning is Lee Cain.

MR LEE CAIN (affirmed)

Questions from COUNSEL TO THE INQUIRY

MR O'CONNOR: Could you give us your full name, please.

A. Yes. Lee Edward Cain.

Q. Mr Cain, you have kindly prepared a witness statement for the Inquiry, which is up on screen. I know that you are familiar with the contents of that statement, and we don't need to go to it, but on the last page of the statement there is a statement of truth, stating that you believe that the contents of the witness statement are true, and you've signed your name underneath that statement, haven't you?

A. Correct.

Q. And you did that on 25 August 2023.

A. Correct.

Q. Thank you.

Mr Cain, it's right, isn't it, that you began your career as a journalist, but subsequently you've worked in communications and public relations?

A. Yes, that's correct.

communications until you resigned in November 2020, so 18 months or so?

A. Yeah, just a bit short of that, correct.

Q. If we look at your statement on that first page that's on the screen at the moment, Mr Cain, at paragraph 3 you refer to your position as director of communications and you say that you were "one of the Prime Minister's most senior advisers". As director of communications, tell us in a few sentences, what was your responsibility? Did you in fact have responsibility for communications across government or was it something less than that?

A. No, I think it's -- your broad role and remit is to provide political advice to the Prime Minister within the sphere of communications, and it's quite nebulous to some degree what control and authority you have over the wider government machine. There is an executive director, when I was there, it's a gentleman called Alex Aiken, who is -- who oversees the GCS, which is the Government Communication Service, so that is all of the departments and the ALBs and the budget and the marketing, all that side of things, and the civil servants would normally report in to Alex, and we would work together on, you know, various issues, but as a sort of -- it's quite unclear who is in control of certain elements, but mine would be more the political but also more of a sort of counsellor to the Prime Minister as well.

Q. You use the word "political" and, as we will see, your role was certainly not limited to, shall we say, presentational matters. You were advising him on what his strategy should be, not just how it should be presented?

A. That was broadly correct.

Q. Give us a sense, Mr Cain, of your personal relationship with Mr Johnson in 2020. You say you'd worked with him for some years by then. Was he a friend of yours?

A. I think -- he was my boss, so, you know, friend is -- you know, would be presumptuous for me to say, but I think we were -- we were close, we would speak pretty much every day, and I think I had a good understanding of him. I think part of what I brought to the Downing Street operation, having worked with him for quite a long time, was just a good understanding of how he would react to information and, you know, you get a sort of simpathico, almost, relationship between a special adviser and a -- and a principal.

Q. I want, Mr Cain, to take you through some of the events in 2020 in a reasonably chronological way. If we can look, please, at paragraph 4 of your statement, starting...
at paragraph 16, you make the point here that although
as you say:
"There was an awareness of ... Covid-19 ... early in
January [of that year] ... It was only one of many
issues discussed inside Downing Street ..."
And you say it was a "low priority" at that point.
Then if we can look at the next paragraph,
paragraph 17, you talk about various other issues that
had some prominence in January and into February:
Brexit, 5G, a reshuffle of the Cabinet, HS2 and so on.
So can you give us a sense, then, of where Covid
fitted into the hierarchy of concern in January and
February of 2020?
A. I think it was -- it started off from a pretty low base,
I would say. You know, in Number 10 there is always
a ... there is always decisions to be made over,
you know, what will be the priority issues. As you can
imagine, only the most difficult issues are dealt with
in Number 10, because if they were soluble they would be
solved at a departmental level. So there is that
constant balance of what do we need to focus on at any
one time. You can see from the issues that
I've outlined here, these are all pretty taxing and
difficult, you know, issues that deserve the
Prime Minister's and Number 10's attention. But I think

Q. Clearly, you know, we got that assessment wrong, but
A. I think you can probably see why we made the judgments
that we did at the time.
Q. If we can just look at the next paragraph, please, and
pick up on one or two of the things you've just said,
Mr Cain.
LADY HALLETT: Could you try and go a little slower,
Mr Cain, please.
A. Sorry.

MR O'CONNOR: We see there, as I think you've explained,
decade of preparedness, that was language from
the action plan. So rolling into March, that was still
the government view.
Q. We'll come to the action plan in a moment.
Can we look forward, please, on to the next page of
your statement and look at paragraph 22. You refer
here, Mr Cain, to I think perhaps a conversation, or
a contact, anyway, that you had with a senior adviser to
Matt Hancock, I think it must have been 31 January, who,
according to this at any rate, suggested that perhaps
the plans weren't as well prepared as the assurances
that were being given.
Can you tell us a little more about that exchange
you had?
A. Yes. That was the first time for me somebody had raised
questions about pre-preparedness at that point.
You know, they mentioned that while the no-deal
preparations had helped support some of the government's
planning, they were just concerned about supply chain
issues and other such things and were not sure we were
in as good a place as potentially was being represented.
It wasn't a sort of panic, it was just someone flagging
that maybe this needs a bit more attention.
Q. As you've just said, and as we will see, the mood of
confidence lasted long beyond 31 January --
the fact, of course, we know, that he did not attend or
in fact chair a whole series of early COBR meetings.
You say that he was "focusing his time on the issues
outlined" -- I think you mean those other priorities
that --
A. Yes, correct.
Q. -- were just mentioned, don't you? And he took
a two-week holiday. But you go on to say that you don't
now, I think, criticise the Prime Minister for using his
time in that way during that period because this was
a reflection of the prioritisation that we've discussed;
is that right?
A. Correct. I think also, you know, in defence of
the Prime Minister, and there are certainly things that
the Prime Minister got wrong, but I think in this early
stage he is receiving assurances that, you know,
everything actually is being well prepared and we are in
a good situation to handle things, and nobody's sort of
setting up the warning flares to him or to the core team
so, you know, his behaviour at this point isn't,
you know, irrational, to focus on some of the other
issues that, you know, we shouldn't forget were
large-scale, significant issues at the time.
Q. If we could look back, please, at paragraph 18 of your
statement, the last sentence or so, you refer to
the fact that the Prime Minister at this stage was
stressing the importance of not overreacting in
the response, something he said often resulted in
ger greater damage than the initial threat, and that he
linked or likened Covid to past viruses, such as
swine flu.
Is that something that he said more than once during
that period?
A. It was. I think he was alive to the fact that previous
health issues that had sort of taken hold, you know, in
years gone by had proved to be sort of not as first
anticipated, and I think he was worried about
the government being swept up in a sort of media
hysteria, and overreacting and causing more harm than it
would otherwise. And again I think that, you know, he
has a certain colourful phrase of language sometimes,
but I think it was right and proper that we were looking
to provide challenge to, you know, what potential
options were at that point.
Q. Now, this is January or so. As we will see, it's right,
isn't it, that, in fact, Mr Johnson carried on stating
that he didn't want to overreact to Covid for some
considerable time after that, even when perhaps other
indicators were that this challenge was going to be more
serious?
Q. Let’s just look, if we can, at INQ00048313, please, it’s a lengthy document, page 49 of that. This is, let’s say, a month on, it’s the end of February, and it’s a message from you to a number of people within Number 10, including Boris Johnson, and we see towards the bottom of your message you’re saying:

"I’m going to chair a COBR every Monday with Hancock and officials doing the rest of the week."

Can we take it then that some time has passed and you are now saying: things are more serious, we’ve got to move up through the gears?

A. Yes.

Q. We can see Mr Johnson’s response, suggesting that he’s keen to fall in with that plan?

A. Yes, that’s correct.

Q. We know that in fact the first time that Mr Johnson chaired a COBR was a day or two after this, on, I think, 2 March.

If we can then move on, please, to page 68 of this document, and zoom in on the bottom, the green message at the bottom, please, here is a message from Dominic Cummings to you on 3 March, so the day after Mr Johnson chaired his first COBR, a month after that January period that we were just discussing, where you know, what we were supposed to do. You know, I’m not an epidemiologist, you know, that’s not the expertise I would bring. I think, you know, there was the lack of clarity of what we should be doing at that point, really.

Q. Well, let’s come on to that, Mr Cain, because of course that message was sent on 3 March, and that was the same day, in fact, as the Covid action plan that you’ve already mentioned was published.

You refer to this at paragraph 30 of your statement, on page 7. I think it’s fair to say you’re quite dismissive of this plan in your statement, Mr Cain. You refer to, we can see, about four or five lines down, as:

"... a swiftly prepared document, published to provide some context to the options we had and the thinking behind our covid response."

But then a few lines further down you said:

"... many in government -- including senior officials and politicians -- repeatedly referred to the action plan as the actual government plan to manage the pandemic. This was surprising, as the document had little detail and was clearly only useful as a communications device."

Now, you, of course, were the director of communications. At the time, in early March 2020, did you see it as just a piece of PR, or did you think that it was actually the plan?

A. I mean, anyone who reads the document, you know, will see that it’s not a -- it’s not a plan to deal with Covid, if you -- you know, the -- it is a very thin overview of how we may manage the virus if, you know, if it progresses.

I mean, the first element of it was contain, and even by that point I think contain was really off the table. So, you know, it just felt a strange document for people to be referring to as an actual government plan at that particular time, and I think that was an area when, you know, quite a few people in Number 10 were starting to get concerned because if this is the plan, then we clearly don’t have a plan.

Q. Did you take a part in drafting that plan, or the document?

A. I’m sure I would have been involved in -- you know, in discussions with it. I can’t quite remember the depth of my involvement.

Q. Did you have the concerns that you’re expressing now at the time?

A. I think I had concerns that we didn’t have -- I mean, the document itself was not -- that it wasn’t the issue. The document itself is fine. The purpose
for the document was a concern, and I think that's when there was, you know, challenges, the challenge made of: okay, well, what is our actual plan at this point?

Q. We can see the last sentence of that paragraph there, you say:

"The fact that many senior figures kept referring to the document as 'the plan' [this document that you've described as being very thin] shows that in reality the government had no plan to deal with a pandemic."

Is that something that you felt at the time?

A. Yes, it was. I mean, there was -- you know, as I say, we talk about flattening the curve, and, you know, there was -- there was a strategy, but there wasn't a plan, which I think is -- you know, the detail of how you're going to do these things was somewhat absent.

Q. Did you raise concerns about it then?

A. I honestly can't remember the details of the concerns I raised at this point. I think I would have -- I would have spoke to, you know, people about -- you know, because I think the challenge for us is we were getting information from the media, it would be like, "Okay, what are the fundamental details around that?" And I remember at the time we were not able to provide a lot of that, you know, colour and detail underneath it. So I'd have raised that from a media perspective, but

"We got big problems coming. CABOFF [Cabinet Office] is terrifyingly shit, no plans, totally behind pace, me and Warners and Lee/slacky are having to drive and direct."

I take it that the Lee there is a reference to you?

A. Yes.

Q. Okay.

I don't think you received that WhatsApp, but do you remember during that week being one of those group of political advisers who were somehow having to drive and direct the government machine? Is that something you would normally expect to have to do?

A. I think that the communications side drove a huge amount of the government machine during my entire time. Often, actually, in terms of looking at areas of policy, it’s often commiserate colleagues that can find the holes and see where the problems are, because you get an understanding of where journalists will look and where things might unravel, so you're often kicking the tyres.

I felt, in Covid more than anything, actually there were periods when a lot of the policy was having to be drafted by or certainly shaped by communications professionals because there wasn't really anybody else doing it to any great level, which was a surprising thing to have to be dealing with from my side.
responding to a developing crisis. Mr Cummings makes no
bones about his views about Mark Sedwill's conduct at
this stage. He says he's:
"... out to lunch -- hasn't a scooby whats going on
and his own officials know [that]."

What do you say to that?

A. You know, I always had a good relationship with
Lord Sedwill and I think he's, you know, an incredibly
talented official. I, you know -- I wouldn't have known
where the responsibility came for -- who should be
doing X in the Cabinet Office, I would be looking
probably at a lower level, DG level, maybe someone to
lead that. So, you know, I couldn't really comment on
that.

Q. But overall, is this fair, you may not use those words,
you perhaps didn't have as much to do with Lord Sedwill,
as he is now, as Dominic Cummings, but the general theme
of lack of leadership, chaos, if you like, is one that
you agree with?

A. Yes.

Q. Let's move on. I want to ask you about the discussions
around the first lockdown decision. If we can start by
going to page 8 of your witness statement, we see there
the heading "Amended strategy -- nationwide lockdown".
That's the description, isn't it, of the change from
you know -- but how would we manage that. So that was
the plan.

I think what this -- I say "new modelling", I was
first aware of -- Mr Cummings grabbed me on the Friday
and said that, you know, he -- I wasn't in the actual
core meeting, I think, that happened that day, I was
dealing with something else. He'd grabbed me and said,
you know, Ben and Marc had gone off and crunched
the numbers and -- whether it's new modelling, whether
it's -- they got through, and actually our current plan
means that we're, you know, going to not just go through
the NHS capacity level, we're going to absolutely smash
through the NHS capacity level and, you know, we're
going to be looking at, you know, thousands of
additional beds that we don't have and ventilators and
all these sort of things, so tens of thousands of people
are going to die on this particular plan and the NHS is
going to be totally overwhelmed and it's going to be
worse than the scenes that people have seen in Lombardy
and elsewhere.

So at that point, you know, the only course was
an urgent change of plan, so on the Saturday, you know,
he said to me, "We're going to speak to
the Prime Minister, with a very select core team,
talking through the issues of the three scenarios I've
known before?

A. So our assumptions at this particular time, and what
we'd been told in the weeks prior, that a suppression
strategy wouldn't work, people could only sort of
undergo sort of 12 weeks of this kind of, you know, hard
measures. So I think it's important to understand this,
so suppression wouldn't work. And if we did suppress,
as soon as we unlocked we would then see a second spike,
NHS overwhelmed. So I think it's important initially to
say that the reason we didn't even consider or discuss
a suppression strategy at that point is because
the information was it was just -- it wouldn't work.
Now, on -- at this point we're obviously on
the mitigation sort of strategy, which the core of that
was a long -- you know, the flatten the sombrero,
wherever we were --

Q. Squash the sombrero?

A. Yeah, that's the one -- which was a sort of long,
elongated sort of peak that would, you know, stay
underneath the capacity levels for the NHS and ensure
that, you know, when we did alleviate those message --
alleviate those measures there would be a certain amount
of herd immunity within the system. Important again to
reinforce that herd immunity wasn't a goal, we were told
that herd immunity was an inevitability, therefore,
A. Yes.

Q. -- that actually that's not right, that the NHS is going to be overwhelmed; is that fair?

A. Correct. And I think the lack of data that we had at that point is absolutely staggering in terms of -- you know, in most -- very early on there was no dashboard, there was no live information flow, no understanding of -- you know, we would basically have a meeting where Dominic would ask certain people like Simon Stevens on, you know, how much bed capacity there was and it would be jotted down on a whiteboard.

Q. You know, there was no use of serious technology and data to try to get a live sort of minute-by-minute update. So we were very much behind the curve on all of those sorts of areas.

Q. Just sticking with this point about the NHS, Mr Cain, because the evidence the Inquiry has heard is that other people, in particular, for example, on SAGE, the scientists there, it had been apparent to them for some time, for example Professor Medley said that, in his words, "throughout February ... it became increasingly clear that NHS capacity in the UK would be overwhelmed", and that's under the mitigation strategy --

A. Mm.

Q. -- and others gave evidence to a similar effect.

A. Yes.

Q. That actually that's not right, that the NHS is going to be overwhelmed; is that fair?

A. Yes.

Q. The second point I want to take you to, that takes us back to the meeting on Saturday the 14th, which you referred to a moment ago, I think there was a late night discussion between advisers on the Friday and then a meeting with the Prime Minister and others, I think probably more than one meeting, the next day, on the Saturday.

A. Yes.

Q. If we can look, please, at paragraph 35, it's on the screen, you refer to that meeting. We've heard from others about it, and we'll hear from more people still, but if we look five or six lines down, you say there: The collective agreement in the room was that a full lockdown was the only strategy which could suppress the spread of Covid-19, save the NHS from collapse, and ultimately buy the Government more time ... 'flattening the curve' could only really work as an interim measure until full lockdown could be achieved."

A. Yes.

Q. It's flat and it's fair to say, Mr Cain, that there wasn't a sort of a decision made at that meeting to impose a lockdown, but, as you put it, there was a collective agreement that really that was inevitable?
Q. -- is that fair?

Let's look, please, at paragraph 40 of your statement on page 10. You do say in the first sentence there:

"The implementation of the policy ..."

And that's the lockdown policy, isn't it?

A. Yes.

Q. "The implementation of the policy was delayed ..."

Then you go on in the rest of that paragraph to make very much the point that you've already made about the wheels of government turning and all the things that had to be put in place to achieve that decision.

I want to ask you about what is perhaps another theme, though, of your statement, which is that another cause of that delay, if we want to call it that, was indecision on the part of the Prime Minister. If we go to paragraph 42, please, so it's --

A. Yep.

Q. Yes, we already have it. You say:

"Another challenge was that the Prime Minister would occasionally oscillate between lockdown and other potential policy options (a recurring theme during the critical decision points of Covid and, to some degree, understandable given the gravity of the decisions)."

Q. It's of course right that such a profound decision as locking down, with all of the damaging consequences that would follow, has to be carefully thought through, but it's right also, isn't it, that if one adds to that factor, your word, "oscillation", a degree of inability to take a decision, that can be a damaging thing, can't it?

A. Yes. I mean, indecision can sometimes be worse than the wrong decision in certain circumstances, and I think indecision probably was the theme of Covid that people did struggle with inside Number 10.

Q. I would like to ask you about a WhatsApp exchange between you and Lee Cain (sic), that took place during this period, the week between Friday the 13th and --

A. Sorry, between myself and?

Q. Dominic Cummings.

So it's INQ000267920, please.

LADY HALLETT: Whilst Mr O'Connor is getting that document up, Mr Cain, do I understand from what you said earlier that you would defend the ten-day gap between the decision taken that there had to be a national lockdown and actually implementing that decision?

Because I find that curious.

A. As I said, I think it is longer than you would like, but I think it's important just to emphasise the amount of things that had to be done and the amount of people we had to take with us to deliver a nationwide lockdown.

It's a huge, huge undertaking. And to be honest, my understanding of government, that is government moving at a tremendous speed, which maybe says more about government than other things, but, you know, the machinery did feel like it moved quick for the machinery. But it's long. You know, it's definitely longer than you would hope.

MR O'CONNOR: Thank you.

Let's look here, Mr Cain, let's not worry about the very top message, but the second one down. There is a series of four messages from Dominic Cummings to you, and I think it's apparent that Mr Cummings is in a meeting with Boris Johnson and Rishi Sunak, and he says, first of all:

"Get in here he's melting down."

Before I go on, let's just note the date. So it's 19 March, so the Thursday of the week after that Saturday meeting that we were just discussing. Then he says:

"Rishi saying bond markets may not fund our debt etc. He's back to Jaws mode wank."

What does he mean by that?

A. The PM at the time would refer to the mayor of Jaws,
from the film, who wanted to keep the beaches open.

I think he had a routine from previous in his career where he would use that as a joke from one of his sort of after dinner speeches, but he'd sort of said, you know, there's more harm coming -- the mayor was right all along to keep the beaches open because it would have been a long-term harm to the community. So it's a sort of reference to that.

Q. Then Mr Cummings says:
   "I've literally said same thing ten fucking times and he still won't absorb it. I'm exhausted just talking to him and stopping the trolley."
   "I've had to sit here for 2 hours just to stop him saying stupid shit."
   And you say:
   "I'm exhausted with him."
   There is then a gap for an hour and it may be that there was then a press conference, because you then forward a tweet about someone who perhaps was watching that press conference, saying that they were confused by what Boris Johnson has said at it, and you say as your message:
   "No words."
   And then Mr Cummings says:
   "what did I say -- it's only a matter of time before"

think about all of the negative consequences that will follow. But that's not what you're describing here. What we're seeing here, in that critical period, is someone who simply can't make up their mind and with whom two of his closest advisers are exhausted.

A. I mean, so I think there's a -- that's correct. I think there is a difference between weighing up the evidence and, you know, looking for challenge on policy issues and being sure that we are making the right decision. I think issues like the -- if I remember correctly, the tweet there from Steve Swinford was regarding the press conference where I think he announced that we were going to turn the tide within 12 weeks, which we were frustrated by, because I think the whole point of the suppression strategy, Chris and Patrick had been very clear that the suppression strategy would be a long-term endeavour. We were looking at, you know, probably a year where we were going to have to do pretty hard measures, alleviate them a little bit, go back into hard measures again to keep control of the virus until, you know, we were in a situation where a vaccine or another method came online, testing, that would allow us a route out.

But we all knew it was a long-term challenge. And I think from a communications point of view, his babbling exposes the fact he doesn't know what to say."

Now, the first thing to ask you, Mr Cain -- I mean, I think it's apparent from what you've already said that Dominic Cummings was someone you'd worked with for some time, you clearly had a close relationship with him. Was this just chatter, was this just banter, if you like, were you just agreeing with him because he was your friend? Or did you actually mean that you were exhausted with the Prime Minister and that you were despairing, if you like, of what he was doing and saying?

A. I think anyone that's worked with the Prime Minister for a period of time will become exhausted with him sometimes. He can be quite a challenging character to work with, just because he will oscillate, he will take a decision from the last person in the room. I think, you know, that's pretty well documented in terms of his style of operating, and it is rather exhausting from time to time.

Q. You made the point in your statement, and you've made it again today, Mr Cain, that if one is in the position of the Prime Minister and considering such a profound decision as ordering a lockdown, it's perfectly appropriate to weigh that decision carefully and to agree with that?

A. I think at that point -- and that's quite a strong thing to say. I think what will probably be clear in Covid, it was the wrong crisis for this Prime Minister's skillset. Which is different, I think, from not potentially being up to the job of being Prime Minister.

Q. What do you mean by the "wrong crisis for this Prime Minister's skillset", Mr Cain?

A. So I think he's somebody who would often delay making decisions, would often seek counsel from multiple sources and change his mind on issues. Sometimes in
politics that can be a great strength. I think if you
look at how he navigated Brexit, he allowed others to
make decisions and, you know, jumped in at the last
minute, can take political advantage.

If you look at something like Covid, you need quick
decisions and you need people to hold the course and,
you know, have that strength of mind to do that over
a sustained period of time and not constantly unpick
things, because that's, you know, where the problems
lie. So I felt it was the wrong challenge for him,
mostly.

MR O'CONNOR: All right.

Let me move on, Mr Cain, I want to ask you a few
questions about the various communications strategies
during the pandemic.

LADY HALLETT: Just before you do, Mr O'Connor, the meeting
on 14 March, everybody at the meeting -- and
the Prime Minister at the time was there, so
Boris Johnson was there?

A. The Saturday meeting I think was quite inner team, so
I can't remember if the CMO and CSA were there, but it
was more the private office, political advisers. The
following day was a wider cast list, if I recall, for
a subsequent meeting on it.

LADY HALLETT: But it was agreed that we would have to go
into national lockdown?

A. Broadly, I mean, it was agreed that we needed to
suppress and we need to suppress urgently, and then it
was a case of how we do that, yes.

LADY HALLETT: What I want to know is: did the message then
go out to all go government departments: basically we're
in war mode, you're going to have to start working out
how we're going to cope with a national lockdown, how we
going to do it in place. Was that the message that went out
or was there still oscillation in the days that followed
as to whether we were going into a national lockdown?

Had the decision been taken that weekend or not?

A. The decision can only be taken by Cabinet, so I think it
had to go through Cabinet processes before that could
move forwards. But I still think there was a certain
degree of uncertainty of exactly what it would look
like.

LADY HALLETT: Presumably a Cabinet meeting could be called
very quickly, in times of emergency?

A. Yeah, I think it could, yes.

LADY HALLETT: Was it?

A. I can't remember when -- I think it was in days, but
I can't remember how quickly.

LADY HALLETT: Sorry to interrupt, Mr O'Connor.

MR O'CONNOR: No, my Lady.

As I say, Mr Cain, I want to move on and ask you
about some of the communications exercises during
the pandemic, and I think if we can turn, please, to
page 22 of your statement, you describe there -- you
talk about the "Stay Home, Protect the NHS, Save Lives"
campaign, which I'm sure probably everyone in this room
will remember.

If we look at paragraph 98 of your statement, you
refer to that campaign having been conceived by what you
describe as a small group of political advisers,
including you, and so -- one or two people from
digital creative agency, who, between you, put that
campaign together.

Then at the next paragraph, paragraph 99, you refer
to the fact that it has been well -- it was well
regarded at the time and people have praised that
campaign subsequently.

I mean, do you personally hold the view that that
was a successful and effective campaign?

A. Yes, I think the only critique we got that it was too
successful, which -- and, you know, subsequently
people -- some behaviours were, you know, hard to remove
people out of. But I would push back on that really and
say, you know, it was -- it did what we needed it to do.

Q. I want to ask you a little bit about the middle section

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say, you know, it was -- it did what we needed it to do.
As with anything there's always things you can do better but I think, as a campaign, as a call to action, delivering what we needed to do, I genuinely don't think it could have been much better.

Q. Given that you decided to use the reference to the NHS in the slogan, did you consult with the leadership of the NHS about how they should be referred to and the fact they were going to be included in this slogan?

A. I didn't directly have conversations with leaders of the NHS. The government machine will obviously keep everybody informed as to what the plans are and, you know, what we are communicating, that it will always go through, and no concerns were raised to me at any time.

Q. Are you aware that subsequently, and I think during the pandemic, the NHS leadership did criticise this campaign, in particular because the concept of protecting the NHS created a risk that people would delay seeking medical treatment that they needed for other urgent non-Covid-related health problems, such as sort of heart problems or cancer or those sorts of matters. Did you know that that was a concern that the NHS had and, frankly, I think that their view was that they weren't consulted on using that term?

A. Only after, you know, I'd left government, I think that had been brought to my attention. I would -- again, I would strongly stand by the campaign. I think, you know, our overarching goal was to protect and save as many lives as possible, and we believed that this was messaging and a campaign that did that. I think if we look at why people weren't going to hospital at the time, it's because they were looking at what the scenes were in Lombardy and elsewhere and were frightened. I think there's a false perception that the messaging caused fears in people, but if you actually look at the metrics of where fear spikes, fear spikes when the virus spikes. People are very rational, they can see when they're most at risk, and they look to protect themselves in, you know, very sensible ways.

Q. Mr Cain, one of the reasons people weren't going to hospitals is because your campaign was telling them to not use the NHS at that time because it was needed for the Covid pandemic; isn't that right?

A. No. And, you know, I don't think that is what the campaign is telling people to do, and I think we were -- we were clear throughout Covid, in interviews and other forms of messaging, that obviously people with serious health concerns should seek help and go to -- you know, to -- whether it's emergency care or wherever it is, as they would previously do so.

What we were highlighting -- that, you know, there was a broader need for people to break contact. That was in order to, you know, provide care for those who needed it and that would fundamentally save lives. And I'm very proud of what the team achieved during that period.

Q. We have evidence that, in fact, the NHS were so concerned about the impact of this messaging that they had to develop their own communications campaign, as it were, encouraging people themselves to come back to hospitals with non-Covid-related issues. Were you aware of that? It was called the "Help us help you" campaign.

A. So, we would have regular meetings with senior communicators from NHS England and from Department of Health. Never was this issue raised at any time with myself directly. And, as I say, we would have these calls every week, if not multiple times a week. And I would also say that it's of course right and rational that the NHS should look to do sort of micro-targeted campaigns to those who may be at greater risk. That's of course very wise.

But our approach, you know, in Number 10, is to try and have the maximum benefit as possible and save as many lives as possible. So, you know, if you're looking to move into more nuanced spaces, you know, it obviously breaks down the overarching message and you could have wider negative contexts of, you know, if we had lower compliance, the negative outcomes overall would be worse. So it's sometimes, you know, not making the perfect the enemy of the good.

Q. I'm going to move on just to a related subject, Mr Cain. We have heard evidence about the SPI-B committee. The Inquiry heard evidence from Professor Rubin, who was one of the co-chairs of that committee, and we've also seen their terms of reference when they were set up by SAGE, which emphasised the importance of public messaging, and one of, if not the most important part of, their role was to provide the government with behavioural science advice, including in relating to public messaging.

To what extent did you, as the director of communications during this period, utilise the expertise of SPI-B when formulating government messaging?

A. I think the broad view was slightly questionable of some of the insights of SPI-B. So I didn't have a huge amount of dealings with them at that particular point, and the sort of dealings I did, I didn't find particularly helpful. We had a fast research loop that we would do via focus groups, via polling, things that...
we’d seen — you know, we’d used pretty readily in
political campaigning that was incredibly effective.
Often they would be slightly different places to where
SPI-B, you know, were, and I would trust the judgement
of the campaigners and the messaging people we used,
which were some of the best in the world, if not in
Western Europe, in terms of, you know, building
the sort of messaging that we needed.
Q. The evidence that the Inquiry has received from
Professor Yardley was that SPI-B was not consulted about
the "Stay Home, Protect the NHS, Save Lives" campaign,
and not about its successor, "Stay Alert, Control the Virus,
Save Lives", nor about "Eat Out to Help Out", nor about
the "freedom day" slogan.
A. I think some of those slogans were ones that, you know,
I myself didn't agree with and weren't particularly
consulted on, so it's slightly different, but I think on
the main government messaging we — as I say, I've seen
the critiques of the "Stay Home" messaging,
the critiques that we shouldn't use, you know, some of
the fear messaging, and they were at odds with
the feedback we were getting from our own research,
which, you know, I think the evidence of compliance and
other things would suggest were correct.
Q. Mr Cain, one of the functions of this Inquiry is to
think about future pandemics. We know that SPI-B or a
similar committee had existed in, I think it was,
the 2009 swine flu epidemic. It was — SAGE thought it
was a useful body to reconstitute in 2020, as I've said,
with messaging being one of its most important focuses.
A. I think that we should seek — we should seek advice,
wherever we can get it, but I think we should also say
that, you know, the behavioural science isn't always
correct. I think, you know, there's different kind of
messaging challenges. I think I spoke regularly with
Chris Whitty and Patrick Vallance throughout this
period, I would inform them about, you know, a lot of
the communications. They would provide feedback. At no
point, you know, did they say, you know, we should be
taking on board some of the SPI-B advice that was
provided. And, as I say, the things that I did see
that's my responsibility, but I fundamentally believe
the messaging and the communications that we had were
the right ones. I think the team who were part of those
did an exceptionally good job and I think, you know,
there is — you know, government has some absolutely
incredibly talented communicators that I was proud to
work alongside.
Q. It's still quite a striking thing though, Mr Cain, and
you as director of communications had at your disposal
a committee of scientists, of behavioural scientists set
up to assist with messaging, and I think the evidence
you're giving is not that you engaged with them and had
discussions with them and, in the end, perhaps disagreed
with them but that you just cut them out of the loop?
A. I -- you know, I think it's wrong to say we cut them
out. They -- you know, I basically didn't have
the discussions with them, nobody approached me with
advice or feedback. The feedback you're saying, nobody
came to me with that feedback at the time. I was
hosting, you know, numerous messages, and the evidence
that was presented to me, which was normally via email
form or, you know, through — was at odds with
the research that we were doing. And I think, you know,
Well, yeah, that's Alex's advice on the piece, it's not a sphere that they had responsibility for. After it had been run, which would seem to be ignored and that the campaign was simply going to be run, the Scottish Government's objections were going to be involved in the politics as well.

The appearance from point 9 there, Mr Cain -- and you agree, and I think that sort of moves broadly into where we ended up with the sort of regional spaces but I think in terms of the -- I think the PM at the time was concerned about the politics, as well, of the issue, with a lot of pressure coming from the media at that point, that you know, the measures were too hard and they should be alleviated, and I think this was a starting point of some of that conversation. But, you know, Alex would have led on the paid campaign work in this sort of space, as you can see from the email.

England, where the paid media would be more of a UK-wide approach, which Alex would lead and push through. The challenges I assume you're moving to actually become more about politics than communications, quite often, and I think that's where the challenges in this space really came.

What we see here is an email responding, if you like, internally, so it's from Alex Aiken, who you have mentioned, to Martin Reynolds, but we can see you're copied in on the response just above it, describing this problem and, if we cut down to the headline, which is at point 9 in bold:

"Recommendation: ..."

Brackets, for ourselves, despite the objections from Scotland:

"... Run the campaign nationwide and work with devolved administrations to deliver most affective campaign and deconflict if necessary."

Was that what you understood --

Yes.

So there's different things. We're talking about the messaging and the policy. This is fundamentally a question of politics and policy, in the sense of the devolved governments had been clear that they wanted the harder measures for a longer period of time, while, you know, the UK -- sorry, the PM wants to lift measures and move into a slightly different stage. That is a very difficult conflict, I think, for communicators generally when there's divergence in policy direction, that does make life more difficult. But the crux of it was about politics and about policy.

It's not that difficult, is it? I mean, surely the answer is, if the Scottish Government, for example, wants to run one type of message and the English or the UK Government wants to run a different message in England, then you simply don't buy the advertising space in Scottish newspapers and, if Mr Johnson is giving a press conference that's going to be broadcast throughout the UK, he makes it clear that the message is only one for England. I mean, is that difficult?

I agree, and I think that sort of moves broadly into where we ended up with the sort of regional spaces but I think in terms of the -- I think the PM at the time was concerned about the politics, as well, of the issue, with a lot of pressure coming from the media at that point, that you know, the measures were too hard and they should be alleviated, and I think this was a starting point of some of that conversation. But, you know, Alex would have led on the paid campaign work in this sort of space, as you can see from the email.

The appearance from point 9 there, Mr Cain -- and you were, as you've said, involved in the politics as well as the communications -- the appearance is that the Scottish Government's objections were going to be ignored and that the campaign was simply going to be run and that they would try and smooth around the edges after it had been run, which would seem to be disregarding the views of the Scottish Government in a sphere that they had responsibility for.

Well, yeah, that's Alex's advice on the piece, it's not mine.

Is it advice that you agreed with?

To be honest, I can't remember what position I took on that at the time.

Let me move on, Mr Cain.

Back to your statement, please, paragraph 78 on page 18. You refer here to the press conferences with the Prime Minister and, as we will all remember, a sort of varied cast of people who appeared on those press conferences, which, at least for a time, were daily events, and you are here -- I think there's a wrong word there: "The popularity and impact of the press conferences should not be [underestimated]."

I think you mean. You were saying that they were very important --

Yeah.

-- events in the communication cycle; is that fair?

Correct.

We have been told, Mr Cain, by Anne Longfield, who was the Children's Commissioner of England at the time, that she, her words, "constantly asked" the PM and others to have some form of briefing or press conference "especially for children".

It was something, she says, that they had done in
many countries and her view was that it was very important for children to know that politicians were thinking of them.

Were you aware of that lobbying that she was doing, and do you know why a special children's press conference or briefing was never held?

A. I was not aware. I think it's a good idea. It's probably something we should have done. I think there are many things we probably should have done. But in the heat of everything there are -- you know, always be gaps, but I think it’s a -- it's a good idea.

Q. If she is right that she was constantly talking to the Prime Minister about it, isn't it something he might have mentioned to you?

A. I mean, I don't recall him mentioning it to me.

MR O'CONNOR: All right.

My Lady, I'm about to move on to another topic, I wonder if this is a good moment to take a reasonably short break.

LADY HALLETT: Yes, of course.

I hope you were warned, Mr Cain, that we take a break every so often, for everybody's sake. I shall return at half past.

(A short break)

(11.13 am)

Mr O'Connor.

LADY HALLETT: Mr O'Connor.

MR O'CONNOR: My Lady.

Mr Cain, one more question, if I may, on communications before I move on.

The "Stay at Home" campaign that we were discussing before the break created, did it not, an obvious problem or a risk in the field of domestic abuse, in the sense that those who were victims of domestic abuse and who, for obvious reasons, would not want to stay at home, would feel that they were being instructed nonetheless to stay in an environment where they were suffering abuse?

Were you aware during the pandemic of suggestions that not enough was done by the government to speak to those victims and to make it clear that they were not expected to stay at home if they were suffering abuse?

A. I think if I recall there were questions raised by members of the media, and I think we tried to do a lot of the sort of microtargeting of messages in the daily press conferences. It was a time where the media was coming, aired their questions, and then we could talk directly to people in huge numbers in their own homes about specific issues. And that is broadly how, I think, we used to tackle a lot of those things. There would also be individual departments that would lead on those issues that again, as we saw earlier on with the Department of Health, that would target certain groups and certain sectors. They wouldn't necessarily come to my desk on sort of those sort of scale communication issues, they'd often be held departmentally or we'd deal with them, as I say, by the press conferences.

Q. You mention press conferences and I think one of the concerns at the time was that, although Priti Patel, Home Secretary, was vocal about this issue, it was something that the Prime Minister, Boris Johnson, either didn't mention at all or certainly didn't mention enough during his press conferences when he had the opportunity to send that message?

A. I think it would be unfair to criticise the PM on that particular issue. I mean, it would depend on if he'd been briefed, if there was something particularly we were trying to get across. There's obviously a lot of other issues at all similar times, and again we’d expect it to be a -- you know, more of a department-led issue. I think, you know, Priti Patel did press conferences from time to time herself, and again, you know, Chris and Patrick would also reinforce some of those messages at different times, as well as the, you know, microtargeting.

Q. Looking back on it now, do you think more should have been said about this issue during the pandemic?

A. I think there's a range of issues that we could have gone into in more detail and tried to be more targeted, but I think we did genuinely the best we could with a lot of those issues, I think, because there was a huge amount to communicate to so many groups, you know, it was a challenge to get your arms around it all from Number 10.

Q. All right.

I'm going to move on, Mr Cain, although not too far in terms of themes, to talk about some of the parts of your statement where you refer to a lack of diversity amongst core decision-makers and some of the consequences of that.

So if we can go, please, to page 28 of your statement, at the top, it's 121(d), the top paragraph, you refer there to your own initiative in pushing for the bubbles policy for families, to accommodate, if you like, families that had split and how they would deal with lockdown. Towards the end of that paragraph you say that:

"One of the challenges you face when you work on policy is the dynamic of the room, which in this case
was white and middle aged. They were doing their best, but without diversity, some policy decisions slipped through the cracks."

A. Yes, correct.

Q. Let's go back, please, to the page before, because you refer there to another policy, or issue, the free school meals issue, at the bottom. If we pick it up, the third line down, you say: "[You] remember asking the Cabinet Room of 20 people, how many people had received free school meals. Nobody had -- resulting in a policy and political blind spot."

And you describe the government's resistance to Marcus Rashford's campaign as a "huge blunder". Can you expand on that?

A. So I think, you know, firstly on the diversity point, I think, you know, it's quite clear that there were challenges of gender diversity, socioeconomic diversity and ethnic minority diversity at the very top of the, you know, the PM's top team, and I think, as I say, you know, this does have a challenge, because people have their own lens through which they view problems --

through no fault of their own, you know, it's just a world view or experiences that they've lived. But I think with the Marcus Rashford -- you know, it was a fantastic campaign, it was one that was obviously gaining huge amount of media attention, but there was a view from the PM at the time that, you know, we were spending huge sums of money and, you know, we needed to have a bit more restraint on public finances.

Now, this was a -- of course, you know, it was sensible of him to start looking at public finances and look at where we could, you know, develop slightly more rigid structures, but, you know, I said to him at the time, you know, I don't think hungry children is the place to start, just from, you know, a moral or political standpoint. It was the wrong decision.

But I just think there was a lack of understanding of what families were potentially going through at that time because -- and, you know, this is solely just because I think people don't really -- have never lived it, they don't appreciate it and they don't appreciate those challenges. So I think this was just one example, you know, of many where, if you had more diversity in the room, and again it's a range of diversity, I think it would improve decision-making and improve policy making.

Q. Can we look at a document on screen, please, INQ000273901, page 164. I know you've seen a copy of this, Mr Cain. This is a transcript of one of the notes that Patrick Vallance made during the pandemic. We can see Patrick Vallance's record is "Cx", that means Chancellor, doesn't it?

A. Yes.

Q. "[Chancellor] blocking all notion of paying to get people to isolate, despite all the evidence that this will be needed." Let me ask you two questions. One is: were you aware of this resistance, perhaps a bit like the free school meals issue, to providing this function; and, secondly, is it, in your view, a similar point, where an issue fell through the cracks because of a lack of diversity in the room?

A. I think it's difficult without knowing the full context of this, because it's not something I can fully remember from the time to look at, you know, the reasons why the Chancellor may be blocking. It could well be very valid on asking for more, you know, evidence and data, you know, to the costings and all other such things you would expect from the Chancellor.

The Chancellor, who, I think we should also reflect, did bring in a furlough scheme that was, you know, incredibly generous and did provide, I think, for an awful lot of people. And of all the policies that we did at that time, the feedback I got more than anything else was of furlough and what a huge success that was. But on this particular issue, I don't remember, you know, in isolation.

Q. Okay.

Let me move on, then. In fact, sticking with this time period, if we can look at the bottom of page 25 of your statement, please we see the title "Coming out of lockdown", and so we're in the summer of 2020, and it's at paragraph 116, you describe a tension between some advisers, officials and ministers who wanted to take a slow, cautious approach, and others who wanted to unlock much more quickly, and get back to how life had been before the pandemic had started.

This is a theme in this part of your statement, how those tensions worked out.

In the following paragraphs, I won't take you to them, but you describe, is this right, that the more
aggressive approach of unlocking quickly was one that was favoured by the right wing of the Conservative party and also in the printed media, The Telegraph is an example you give; is that right?

A. Yes.

Q. But you also say that your own research showed that the general public mood was actually more towards the cautious end of the spectrum, the opposite to the view held by, on your understanding, the Conservative Party, and this was all fed into that tension that you describe at the bottom of that page we’re looking at; is that fair?

A. Yes.

Q. Was this one of the factors which underpinned the Prime Minister’s indecision later in 2020, September/October time, about whether or not to have a circuit break lockdown?

A. Yes, it was. I think the Prime Minister was torn in this issue. I think, if he would have been in his previous role as a journalist, he would probably have been writing articles saying we should open up the beaches and, you know, how we should, you know, get ahead with getting back, and I think he felt torn where the evidence on one side and public opinion -- and scientific evidence was very much “Caution, slow, we’re trying to communicate. And at this point of developing policy, we are indicating to people that Covid's over, go back out, get back to work, crowd yourself onto trains, go into restaurants and enjoy pizzas with friends and family, you know, really build up that social mixing.

Now, that is fine if you are intent on never having to do suppression measures again, but from all of the evidence we were receiving, from all of the advice that we were receiving, it was incredibly clear we were certainly going to have to do suppression next again. We knew that all the way through, that was the strategy from the start.

So to then move forward and say “Hey, we're going to get back into work” when business wasn’t even asking for people to come back into work, in fact they were encouraging their employees to stay at home still, you know we developed all of these tools for remote working, but it was -- government seemed to be on its own demanding people go to work when, you know, the research we had was saying people, you know, were still quite cautious. Businesses were feeding back they didn’t want to do it, the scientific opinion was people didn’t -- you know, that we were going to have to have another lockdown. So to me it made absolutely no sense almost certainly going to have to do another suppression measure, so we need to have that in mind”, to, you know, media opinion and the bulk -- certainly a rump of the Tory party was pushing him hard in the other direction. So I think that was probably part of the reason for the oscillation, because, you know, the rigid measures were very much against the sort of what’s in his sort of political DNA, I guess.

Q. In your statement you refer to two schemes, two policies, over the summer of that year, the back to work policy and the “Eat Out to Help Out” policy, which were both trying to send the, shall we say, “business as normal” message. You're very critical of both of those policies now. Were you critical of them at the time?

A. Yes.

Q. Can you tell us what you said and who you said it to?

A. So, I think, you know, I and particularly the other communicators as well would just find it very, very difficult, because a huge part of what our role and responsibility is -- at that point is: what are we signalling to the public?

There’s a huge amount of focus that goes on particularly in Westminster, which is, you know, what is being said as apart from, you know -- sorry, how -- how things are being said rather than what it is you’re whatsoever why we were talking about getting everyone back to work. And that was the stories that ended up being on the front pages, which was a cause of great frustration.

Q. We know that there were calls for a circuit breaker lockdown from September of that year. Were you a supporter of those calls at that time?

A. I was, yes.

Q. We also know that that didn’t happen, at least not in the first place, and that instead there were rules around tiering throughout the country and the rule of six, and so on.

Can we look, please, at INQ000048313, page 54.

This is an exchange between you, Simon Case and Dominic Cummings, Mr Cain. It’s one the Inquiry has seen before. It starts with Mr Cummings talking about discussions with ministers being “moronic”, they don’t understand what they’re talking about. Mr Case agrees and you say “This is embarrassing”. Mr Cummings says:

“By weekend he’ll be saying "6 is untenable a total disaster we’ve got to get everyone back to work.”

Was that a reference, do you think, to the rule of six or it's not quite --

A. I think there was a discussion at the time we were going to do two households, a rule of six, there was a sort of
Mr Cummings was that we weren't getting all the accurate information from the Health Secretary in meetings, and that, again, was causing frustration.

Q. Let me ask you to look at another document, please.

If we could have up on screen INQ000283369, page 38.

Now, it's a reasonably lengthy exchange, although I hope to ask you about it fairly quickly, Mr Cain.

It's an exchange between you and Mr Cummings and Mr Johnson on 23 August, so a week or two before that WhatsApp that we were just looking at. We can see it starting with Mr Cummings saying he doesn't think it's "sustainable for GW". Who would that be?

A. Gavin Williamson, I would assume, it --

Q. So, it's "not sustainable" for Mr Williamson to stay at the Department for Education.

"Think tee needs to brief reshuffle after SR ..."

Is "SR" summer recess?

A. Spending review, I imagine.

Q. "... ASAP. Will get people in line. Focus minds ..."

And so on, talking about a reshuffle.

He then repeats another message, saying it's going to be turbulent but "We need a path through" it.

Then a message from Boris Johnson saying he agrees but it's fatal -- it will be fatal to brief the Cabinet about the upcoming reshuffle.

Then a longer message from Dominic Cummings emphasising the position, and perhaps -- I'm going to ask you about this -- giving us some clue as to the state of the government at the time. He says:

"... [it's] a big mistake ... not sustainable -- if you don't get the [Cabinet] back into line you will have months more of the mayhem briefing and leaking -- this has seriously damaged your authority -- you need to get this back, you need to read the riot act to [the Cabinet] and SW1 shd know there's a reshuffle coming between [the spending review] and Xmas. At the moment the bubble thinks you've taken your eye off ball, you're happy to have useless fuckpigs in charge, and they think that a vast amount of the chaotic news on the front pages is coming from no10 when in fact it's coming from the Cabinet who are [feral]", and so on.

And then the last paragraph:

"I also must stress I think leaving Hancock in post is a big mistake -- he is a proven liar who nobody believes or shd believe on anything, and we face going into autumn crisis with the cunt still in charge of the NHS still -- therefore we'll be back around that cabinet table with him and Stevens bullshitting again in [September]. Hideous prospect."

I'm going to come back to that but let me just go to about the upcoming reshuffle.
one or two other of these messages.

Just going on, there is a series of responses from

Mr Johnson talking about whether sacking people really
solves things, quite what the timing of this reshuffle
should be.

Then if, we can look at the top of page 40, please,
you contribute, you say:

"Problem leakers -- Hancock, Grant, Wallace, truss.

There are other second order ones but these four have
caused real problems this year."

Then you say that you agree with domestic policy
agenda:

"We do need to up the fire power in key areas ...
Whenever we do a reshuffle it should be bold and filled
with those you are convinced will deliver for you ..."

So two questions, Mr Cain.

The impression created is of a number of key Cabinet
ministers, whether because they're leakers or because
Mr Cummings has expressed such strong views about them,
who weren't trusted as part of the government. Choose
your adjective: is it chaos? Is it dysfunction? Help
us understand whether things were really as bad as are
painted in these messages.

A. I think, you know, it's obviously a time of significant
stress and, you know, the challenges that we were
dealing with are greater probably than any since, you
know, 1945, which -- you know, it's important to
highlight that context.

I think government has a huge problem with leaking,
I think, and it was really pronounced during Covid. You
know, you're having conversations, you know, daily on
potential options and you would read about them in
the next day in -- you know, in various newspapers. And
that, I think from a messaging point of view on public
health, caused huge problems because people then want
answers, "Okay, what does this mean for me, my family,
my lives?" And you're then trying -- you haven't got
a policy developed and you're trying to sort of mop that
up, all -- and that was all the time. We couldn't have
a single conversation. And I think that's because
the sort of politics and the sort of knockabout view of
sort of almost like politics as entertainment is now so
entrenched in the relationship between the media and
with the government it's hard to stop it.

And I think, you know, it's something you deal with
as part of politics during normal -- normal days.

I think in a crisis like this it was one of the most
difficult issues we faced, was the constant leaking of
stories.

Q. Second question: reading through it, one -- of course

these are private exchanges, we must remember that, but
the language that is used repeatedly about colleagues is
rude, it is dismissive, it is aggressive. We will hear
evidence of a so-called macho culture in Downing Street
at the time. Is this a fair reflection of the culture?

A. So, firstly, I would like to point out it's not,
you know, not my language or what I would have used.
I would say that, as I mentioned earlier, there is
a problem in -- within Mr Johnson's sort of senior team
that there was a lack of diversity and that was, as
I say, in gender, in socioeconomic and in ethnic
minority, and I think if you -- if you lack that
diversity within a team you create problems in
decision-making, policy development and culture. So
I think that's all part of the equation, but I think
fundamentally any Number 10 is a direct reflection of
the principal, and I think that's probably the case
here.

Q. Right.

Finally, Mr Cain, I want to just ask you one or two
questions back on the question of the circuit breaker
lockdown, and you describe in your statement -- I won't
take you to it -- the meeting that happened on
20 September where Professor Heneghan, Professor Gupta
and others were brought in -- brought in virtually -- to

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a slightly different theme, and I want to show you very briefly some other entries in Patrick Vallance's diaries from around this time. So could we look at them sequentially, please.

First of all it's INQ000273901, first of all, page 50. So this was a little bit earlier, in August, where Patrick Vallance has recorded that the "PM WhatsApp group kicks off because [the] PM" had read about the infection fatality rate. And it says this.

"He is obsessed with older people accepting their fate and letting the young get on with life and the economy going. Quite a bonkers set of exchanges."

If we can look at page 308, please. On a similar theme, picking it up a couple of lines down:

"[PM] says his party thinks the whole thing is pathetic and Covid is just Nature's way of dealing with old people -- and I am not entirely sure I disagree with them. A lot of moderate people think it is a bit too much."

Lastly, please, page 312. By this time we're in December. We see:"

"... chief whip says, 'I think we should let the old people get it & protect others'. PM says 'a lot of my backbenchers think that & I must say I agree with them'..."

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when reality became clearer, as it would, he would, you know -- and did actually take out the measures responsible. I think some of it is important to focus on. I think he acted too late on some of the -- particularly the later lockdowns, but he did actually do what I believed to be the moral and responsible course of action, it was just later than it should have been.

MR O'CONNOR: Mr Cain, thank you very much. Those are all my questions.

My Lady, there are, as you know, two sets of questions from core participants.

LADY HALLETT: There are.

Mr Metzer.

Questions from MR METZER KC

MR METZER: Thank you, my Lady.

Mr Cain, I ask questions on behalf of the Long Covid groups.

I don't think we need to go to it, but if you need to let me know. There is an email to the CSA and the CMO's office dated 25 June 2020 in which DHSC reported that the Cabinet Office had asked DHSC to look at communications around the recovery of patients following Covid-19 infection.

Were you aware of this request for information about the recovery of patients following Covid-19?

Now, the theme in those notes is similar, is it not, to that WhatsApp we looked at between you and the Prime Minister? It's not saying that the economy is the main argument, it's related, but it's different.

It's saying: look, it's only old people who get this disease, why don't we just let them get it so the young people can live their lives?

Is that something which you think influenced the Prime Minister during this period?

A. I think, you know, you could see from the evidence that he was, you know, look, I think he was concerned about the damage on society as a whole, and he was trying to view it through that lens. I think some of the language is obviously not what I would have used, but for me the core argument was always the same, which was: your choice is that we lock down and control the virus and we do so as quick as possible to minimise the cost to health and cost to the economy at the same time.

The only reason you could start having any of these conversations is if you have no intention of bringing in further suppression measures, which for me was always morally and politically, you know, a non-starter.

It was never something any responsible government or any responsible Prime Minister could or would undertake. So I felt a lot of this was just noise and distraction, and
And what was that central campaigning body?

Q. And what was that central campaigning body?

A. It's a group that's within the Cabinet Office that will consist of highly trained campaigning professionals who understand a lot of the sort of newer media techniques, and the general thesis would be that departments themselves would have to pitch into that sort of central body to have, you know, campaigns they wanted to do green lighted, because the government spends hundreds of millions on campaigns, and 162 a year when I was there, most of which people don't notice, metrics for measuring them are pretty poor, so we just wanted to professionalise that particular area.

Q. So do you say through that central body there are attempts to co-ordinate public health messages communicated by different departments?

A. Correct.

Q. How were public campaigns on Covid-19 updated by the government as information became available?

A. I think, you know, as policies change we would try to, you know, make those amendments into, into our public communications.

Q. I'm not sure you've answered the question. How were the campaigns updated?

A. Well, policy -- the policies -- you know, changes would be fed into the communications, team, we would then look at, you know, certain research, best ways to communicate
them, and then make changes to, you know, public
announcements, so campaigns, wherever they were, as
appropriate.

Q. So who, if anyone, was ultimately responsible for
communicating through government messaging that there
was a risk of Long Covid?
A. I think it’s -- it would fall in between, you know,
the Department of Health and Alex Aiken within
the Cabinet Office would -- or indeed the NHS. So
there’s a -- you know, the different areas would pick up
different responsibilities. I’m not sure where the full
responsibility would lie with that, it depends on
the severity and how -- you know, I assume it would be
in the Cabinet Office.

Q. Sorry, do I read between that there’s a danger that it
would fall between and not be dealt with by anyone?
A. I think, you know, in the size and scale of government
that is indeed possible.

Q. The last question I want to ask you, Mr Cain, is: in
the absence of a clear co-ordinated communications plan
on Long Covid, do you agree that Number 10 and
the Cabinet Office failed to alert the public
sufficiently about the long-term effects of Covid-19?
A. I can only really comment during my own time, and
I think part of the problem was just, you know,

LADY HALLETT: Thank you, Mr Metzer.

Mr Weatherby.

Questions from MR WEATHERBY KC

MR WEATHERBY: Mr Cain, I’m going to ask you just about
couple of topics on behalf of the Covid Bereaved
Families for Justice UK, which represents many bereaved
families from across the UK.

Both of the topics had been touched on by
Mr O’Connor, so I’ll cut to the chase, if I may.

At paragraph 118 of your statement, you write this:
"At this time [and you’re talking about six or
seven weeks into lockdown] the Prime Minister was
becoming increasingly concerned about the impact of
lockdowns on the economy and the political impact it was
having on the right wing of the Conservative Party and
the coverage of the right-leaning media. For example,
on May 8th 2020 the Daily Telegraph -- a newspaper that
had been robustly anti-lockdown -- printed its front
page on a favourable interview with the Leader of the
Opposition. The Prime Minister called me that evening
and expressed significant concern, stating our policies
were causing us to lose the backing of generally
supportive elements of the media and he felt they may
well be right ..."

Then you add in brackets:
"... (a position that conflicted with all the
evidence available)."

Yes?
A. Yes.

Q. So, just for clarity, what you are expressing there is
a frustration at Mr Johnson’s prioritisation of media
views, he was prioritising that over the actual
evidence, over the views of advisers such as yourself
and over public opinion at that time; is that right?
A. So I think it’s slightly more complex in the sense that
he, I think, was unsure about the policy that we were
taking forward, so I think it was people reinforcing
some of his own concerns. You know, I think he probably
would have, as I’ve said before, been writing these
sorts of leaders in The Telegraph himself. This isn’t
a criticism of The Telegraph, which was, you know,
shining a light of on where they thought the issues
were, but I think, you know, the Prime Minister himself,
this was part of his sort of oscillation and concerns
over --

Q. Yes.
A. -- policy development.

Q. The point I’m trying to get you to clarify really is
the point in the brackets that you seem to need to make
clear, that it conflicted with all of the evidence. So
he is preferring the views of the right wing of his
party and The Daily Telegraph over the actual evidence and his advice. That's what you're conveying, isn't it?

A. That's correct.

Q. The second topic, again it's been touched upon so I'll be brief, and it's about diversity. Mr O'Connor took you to deal with the lack of focus or consideration at all of split families and the Marcus Rashford issues, but you say in your statement, and again I'm not going to put it up, but it's at paragraph 121(d) that some policy decisions slipped through the cracks due to this lack of diversity, and you've already said -- you've already referred to middle aged and white people only in the room, and that's the problem.

What other, apart from the ones you've already mentioned, policy decisions slipped through the cracks because of this lack of diversity?

A. Erm ... I think part of the problem is -- and I can't really sort of recall the specifics off the top of my head, but I think part of the problem is just very much having a situation where people's own lived experience isn't in the room. So, you know, if you have predominantly middle-aged, white men you're going to miss out on a whole load of different areas of expertise and lived experience that will, you know -- so again, like the Marcus Rashford was obviously a huge part of the Inquiry understands that from 2007 to 2014 you were

that. You know, some of the bubble sections they'd be the sort of things that I'd highlight.

Q. Okay, so for example, the disproportionate effects of the pandemic on people from ethnic minorities, that's something that slipped through the cracks?

A. I think that was something that was discussed. I think this -- I think it's part of the challenge, I think these issues will be discussed but are they given the weight necessary without some of the lived experience? And that's -- I don't know the answer to some of that. It felt to me that sometimes we missed things or didn't give enough attention that we could have done. You know, I -- but I genuinely don't know if, you know, how much that would have impacted.

Q. What steps, if any, were taken to address this diversity gap, which presumably was obvious at the time?

A. So, you know, it's not, unfortunately, for me to pick the Prime Minister's senior team. I think, you know, it can only control the elements of -- you know, the remit which I control, and I think we had a very diverse, particularly gender diverse, but we had a very diverse team within the Number 10 press office and, you know, they were incredible individuals to work with and --

Q. Bearing in mind that diversity, and the lack of diversity you've pointed up at paragraph 121(d), did you advise the Prime Minister or anybody else that this was a problem that needed to be addressed?

A. I think it was something that was frequently raised, I think, you know, particularly by many female members of Number 10 who, I think -- it really sort of shone a light, because within -- within Covid what tends to happen is there was a small core room, often in the Cabinet Room, where the individuals would be round the table.

Now, in non-Covid times there would be a lot more people in that room so it would sort of mask some of these issues. During Covid, the sort of secondary cast, if you will, would be outside watching on a Zoom, and what became very clear is it was predominantly women in the building who were outside watching on a Zoom and predominantly white, middle-aged men around the table.

Q. Yes.

A. So I would receive messages from members of my team sort of, you know, highlighting this gender disparity and the fact that we needed to change --

Q. You advised about it, but did anything change? That was my question.

A. No, nothing -- nothing did change.

MR WEATHERBY: Thank you, my Lady.

LADY HALLETT: Thank you.

Thank you very much, Mr Cain, thank you for your help.

(The witness withdrew)

LADY HALLETT: Just so people understand, we will probably have a shortened lunch because I think we have overrun a little with Mr Cain.

MR KEITH: Thank you, my Lady, that would be very helpful.

(Pause)

So, my Lady, the next witness is Dominic Cummings.

MR DOMINIC CUMMINGS (sworn)

Questions from LEAD COUNSEL TO THE INQUIRY

MR KEITH: Mr Cummings, could you commence your evidence, please, by giving us your full name.

A. Dominic Mckenzie Cummings.

Q. You have provided the Inquiry with a lengthy witness statement dated 12 October, to which you have appended a declaration of truth. We take it, therefore, that the contents of your witness statement are true. And you've also helpfully provided us with a lengthy letter, dated 11 November, in which you included a large number of screenshots of Whatsapps, texts, materials, and so on.

Could we commence, please, with your career.

The Inquiry understands that from 2007 to 2014 you were...
You go on to describe how:
"... those working in No10 see it as another problem to manage while real discussions happen elsewhere."

The Inquiry material shows that there were, although this may not be reflected in the minutes, frank and constructive debates held in Cabinet, as they say in diplomatic circles, and that there were important decisions made in Cabinet, and important matters debated.

Is that a fair summary, therefore, of the role of Cabinet during the coronavirus crisis?

A. I think it depends -- to some extent it depends what you mean by the word "decision". I mean, formally a lot of things are decided in Cabinet, obviously that's the formal constitutional structure, but very rarely is that actually a reflection of the reality of how the "decision" has actually been made.

Q. So is it more of a reflection of the fact that important decisions started to become taken elsewhere, predominantly in Number 10?

A. I wouldn't say started to be. I think that was the case in 2019. And of course it's been a feature for many decades of this trend increasing.

Q. If we may call that process a sideling of Cabinet, did you contribute to that process, do you think?

A. Erm, I would say more that I just managed it as a -- sort of like the weather, I mean, it was just a sort of fact of life. It was a combination of the constitutional crisis in 2019, the Prime Minister's own personal temperament, habits that had grown up in the Cabinet Office over many years going back a long period. I actually said to the Prime Minister --

Q. Slow down, Mr Cummings, please.

A. Sorry.

Q. Slow down. You said to the Prime Minister?

A. I suggested to the Prime Minister both in the last week of the election campaign in 2019 and in the first week of January, when we discussed the future generally, that he should strongly consider (a) a major reshuffle and (b) radically shrinking the size of the Cabinet back to where it was something like a hundred or so years ago, because as anyone knows who has dealt with very large organisations, it's impossible to have serious conversations with 25, 30 people in a room around a table like that. The Prime Minister did not want to.

Q. Due in large part to your own Whatsapps, Mr Cummings, we're going to have to coarsen our language somewhat.

A. I apologise.

Q. You called ministers "useless fuck pigs", "morons", "cunts", in emails and Whatsapps to your professional
colleagues. Do you think you contributed to a lack of
effectiveness on the part of ministers and of
the Cabinet?
A. No, I think I was reflecting a widespread view amongst
competent people at the centre of power at the time
about the calibre of a lot of senior people who were
dealing with this crisis extremely badly.
Q. Slow down, please, Mr Cummings.
A. Are you suggesting that your views, expressed in
those revolting ways, were shared by others?
Q. Well, the -- my appallingly naive language was obviously my own,
but my judgement of a lot of senior people was widespread.
A. Do you feel that you expressed your views too
trenchantly, that your opinion of ministers and of
the Cabinet overstated the position?
Q. No, I would say, if anything, it understated
the position, as events showed in 2020.
A. Cabinet meetings appear, according to your statement and
the material that we've seen, to have been to some
extent scripted but, insofar as Cabinet committee
meetings were concerned, they were very largely
scripted: ministers were given scripts to read out,
bullet points were written by officials who had
exchanged them in advance, and the conclusions were
largely scripted in advance. Is that a fair summary of
Cabinet committee meetings?
A. It is. Obviously not always, and obviously there are
exceptions, and there were some people who chaired
Cabinet committee meetings who did an extremely good
job, so I'm not claiming that this is universal. I'm
saying it was a general feature and it was much more
often true than not.
Q. You refer in your statement to Cabinet and Cabinet
committee meetings being "Potemkin meetings"; what did
you mean by that?
A. They were Potemkin in the sense that they were for show,
as part of the sort of show of the constitution, that
unfortunately a large part of how the system works is
that ministers parade up Downing Street, the cameras
click, people act like Cabinet is actually deciding
things, but everyone behind the Number 10 door actually
in power knows that that's very rarely actually what's
going on, that usually what's happening is that senior
officials have actually decided what's happening and
the ministerial performance is often/usually
a performance.
Of course that changes according to historical
situations and crises and sometimes Cabinet, even in
2019/2020, became genuinely important, but I'm just
trying to give a general picture.
Q. On the cusp of the coronavirus pandemic, where was power
exercised? Where was the effective decision-making?
A. By "cusp", where do you mean, sorry?
Q. January/February.
A. Erm, well, it certainly wasn't in Cabinet.
Q. Where was it?
A. Well, most power really is in -- is nominally in
the hands of the Prime Minister and, to a very large
extent, in the hands of the Cabinet Office. I would say
the Cabinet Secretary is something like ten times or
a hundred times more powerful than anybody else in the
Cabinet Office apart from the Prime Minister. All sorts
of elements of real power actually now, in our system,
answer to him, but a large part of the performance and
the media coverage is aimed at trying to cover up this
fact and to try to portray the ministers as actually in
charge.
Q. Over time, you recommended and you brought into effect
two very important meetings or two important processes.
One was the 8.15 officials' meeting, at which you and
other officials discussed the day's events, resolved to
raise important matters that needed to be debated, and
then at 9.15 daily there became meetings with
the Prime Minister. In his study or in the
Cabinet Room; where did that take place?
A. The sort of formal part of it was in the -- sorry,
the 8.15 was in the Cabinet Room every day. The 9.15
was usually also in the Cabinet Room. Sometimes that
would be preceded by a smaller meeting in
the Prime Minister's study, which adjoins the Cabinet
Room through a kind of joint door.
Q. Were your 8.15 officials' meetings minuted or noted?
A. I'm not sure exactly what the -- well, the process
changed. Obviously, the 8.15 and 9.15 meetings
I originally created out of the kind of air of disaster,
and they were very informal. But they went through
different iterations, so they became called different
things, the 8.15 and the 9.15, I think there was at
least three different formal iterations, and the
bureaucratic processes will have been different for each
one. I think right at the very beginning, at 8.15,
there were kind of action points taken because it was
very much an action-oriented thing, it wasn't any kind
of formal structure. So I would guess that there were
not formal minutes at those meetings to begin with, but
there were certainly action points that Imran,
the private secretary, and others would write live
during the meeting and then circulate afterwards.
A. I think it's certainly correct about the very first part, as I said, when we just created the meetings because they had no kind of formal position of any kind, though I don't think that's accurate about later on.

Q. The Cabinet Office, to which you've referred, you describe in this way, that it had: "... 'more sand in the petrol tank' [rather] than 'the [Rolls Royce] gearbox' it is often described as."

A. Well, if you speak to many people who have been in -- who have knocked around the system for a very long time, the Cabinet Office over a long period of time has accumulated more and more power, formal and informal, it's become incredibly bloated, it's acquired huge numbers of people, huge numbers of teams, and particularly, on the whole -- the sort of deep state, national security side, crisis management has become in all sorts of ways extremely opaque and effectively completely invisible to any political figure, including the Prime Minister. So it was extremely difficult to know in Number 10 who exactly in the Cabinet Office was doing what, whose responsibility it was, who were we who were wrong for their posts.

"32. However, it is the [Prime Minister] who is responsible for the wrong people remaining in crucial jobs."

A. Yes, I think there clearly were some people in the Cabinet Office who were in the wrong jobs. The Cabinet Secretary and I had had quite a few frank discussions about some of these problems going back into 2019. He actually removed some of the people at my request, and moved them on to other things, though of course, Whitehall being Whitehall, they were often promoted rather than being actually removed. So, yes, there were -- I agree with the thrust of your question.

Q. Who else did you have in mind by that observation that there were the wrong people in those jobs?

A. Well, I think the -- the Cabinet Secretary at the time himself said to me that he had never sought that job and he had serious doubts about the wisdom of combining the Cabinet Secretary’s job and the National Security Adviser job. I think that that was correct. Mark was a very able diplomat, he had enormous skills in all sorts of ways, but that ... the way in which the Cabinet Office has evolved -- so if we take --

Q. Well, perhaps we'll pause there. We'll just stay on the issue of the Cabinet Secretary. Okay.

Q. That Cabinet Secretary, Mark Sedwill, now Lord Sedwill, whom you have described as “a talented and able diplomat”, an able diplomat in all sorts of ways, you denigrated and insulted by yourWhatsApps and text messages, did you not?

A. Er, I guess so. I'm not sure exactly what you're referring to, but it's certainly the case that I came to the view that he did not have visibility of the fundamental disasters that were unfolding inside the Cabinet Office.

Q. You used obscenities to describe him and then, in a series of texts andWhatsApps, you said he was off the pace, his staff knew he was off the pace, he was unable, essentially, to function at all as the head of the Cabinet Office?

A. I don't think I actually said that he was unable to function at all, but the rest of what you said is correct. And this was not just my view. Part of what I was expressing to the Prime Minister was that other people in the Cabinet Office and crucial people in -- officials not political people -- the Prime Minister's office had said to me, "We fear that both
the Cabinet Office has gone dreadfully wrong and that
Mark doesn't understand just how badly wrong this has
gone*."

Q. You were unimpressed by the principal private secretary, you believed that he deferred too much to
the Prime Minister, he didn't force him to face up to
hard choices; is that correct?
A. Yes. I think that one of the -- I think -- so that role
is highly, highly underrated, I think, in understanding
how government really works. It's an extraordinarily
powerful position in all sorts of ways. Again, much
more powerful, really, than anybody in the Cabinet,

Q. And my view was that a role like that, in a country like
ours, should be filled by one of the absolutely most
able people that we can possibly muster in our country,
and I made that argument to the Prime Minister before
January, during the election actually, about making
a change in January. I lost the argument.

Q. Slow down, please, Mr Cummings. Slow down. You lost
that argument?
A. I lost the argument. I made it again after the first
wave and I lost the argument again.

Q. Your views on the Secretary of State for the Department
of Health and Social Care are very well known and we'll

Q. Who appointed you, Mr Cummings?
A. The Prime Minister.

Q. The Inquiry has heard evidence that the Cabinet Office
plays a vital role in government as the co-ordinating
centre: it liaises with other government departments, it
brokers issues, it resolves debates and issues between
ingovernment line departments. It is the hub of government.
On your arrival in Downing Street in July of 2019,
did you believe that the Cabinet Office was effectively
performing that role?
A. No.

Q. The Cabinet Secretary, the Inquiry has been told, has
an equally important function of exercising such
institutional levers as may be required in order to make
other parts of government work. Were those
institutional levers being effectively operated by the
Cabinet Secretary when you arrived in Downing Street in
July 2019?
A. No, but I would also obviously -- it was the middle of
the worst constitutional crisis in a century, and
I certainly -- it would be extremely unfair to blame
the 'Cabinet Secretary for all the problems that we had

Q. Ultimately, who bears the responsibility, Mr Cummings,
for appointing the individuals whom you have described
in these terms?
A. Well, lots of them obviously were appointed -- lots of
the critical Cabinet Office roles were appointed before
me and the Prime Minister arrived. The Prime Minister
obviously bears responsibility for the Cabinet,
he appointed the Cabinet in summer 2019. Contrary to
to all the media reports, I had zero involvement with that.

Q. Throughout the rest of that year and at the beginning of
2020, did you discern any improvement in the structural
system concerning the Cabinet Office?
A. In some ways, yes, I think it did improve, on the very
first day that I arrived I sent an email to
the Cabinet Secretary regarding how I thought that
the -- that Brexit should work in terms of the Brexit --
what became known as XS, Brexit Strategy, and Brexit
Operations, XO. The Cabinet Secretary agreed with me,
we set that up. I think almost everybody involved with
the process thinks that it radically improved how
the government dealt with such an extremely complicated
question, and I think also everybody that I know who
spoke to about it thinks that, contrary to the
impression that one often gets in the media, in fact
going through that admittedly nightmarish process of XO
during 2019, actually proved extremely useful in terms
of dealing with the Covid crisis.

So overall I would say -- I did say to
the Prime Minister in December 2019, as the election was
ending, overall the system is completely dysfunctional,
but within that the Cabinet Secretary did make very
important improvements, I think.

Q. Do you think your description of your colleagues,
the way in which you described them, their functions, abilities, talents, added to that dysfunctionality?

A. No, I think the opposite. I think my job -- a huge part of the problem with the culture of Westminster and Whitehall that was so disastrous in Covid is people not speaking out about core problems and I regarded my job as -- you know, I'm not a very smart person, I'm not a specialist in all sorts of ways, but I had built very effective teams, and I felt that part -- a crucial part of my job was to say to the PM and to other people if I thought that someone couldn't do the job, then to make that clear because (a) that's so fundamental to performance and (b) the issue is so often buried in Whitehall.

Q. On 3 May, so after the initial crisis and the first wave --

A. Third of what, sorry?

Q. -- 3 May 2020, INQ000253940, you sent an email to Martin Reynolds, the principal private secretary, Stuart Glassborow, Ciare Brunton, Imran Shafi, the private secretary for health matters, education and other policies, Hannah Young and Emily Beynon, as well as Munira Mirza, and you copied it back to yourself.

You said: "We're wasting far too much time in crap meetings, we're not using the PM's time well. We're not using the PM's time well. Changes from tomorrow.

"1. No papers go to PM on anything related to [Covid-19] including from CABOFF [Cabinet Office] and HMT unless they're cleared by Shinner ..."

That's Tom Shinner?

A. Yes.

Q. "... or me -- NOBODY ELSE.

"2. Any Chair brief on anything related to [Covid-19] ... must be cleared by Shinner or me -- NOBODY ELSE."

Then there are some further directions concerning papers for Prime Ministerial meetings:

"4. Shinner -- hire whoever else you think you need.

"5. We must start cancelling meetings and telling the PM", and so on.

Did that direction, that nothing would go to the Prime Minister on Covid from the Cabinet Office and HMT, include anything from the Cabinet Secretary?

A. You mean did that mean that the Cabinet Secretary could not write directly to the Prime Minister?

Q. Unless cleared by you or Tom Shinner.

A. No.

Q. So who was being excluded, in effect, within the civil service from communicating papers to the Prime Minister without your intervention?

A. So, essentially, what I was trying to do here, the actually -- "or me" is actually not really very relevant. What I was actually trying to do was empower Tom Shinner, who was an excellent official.

We had a fundamental problem -- well, we had many fundamental problems. Two most obvious ones were: the Cabinet Office was a bomb site, and we had a huge problem of quality control of documents going into meetings, and inconsistent data, inconsistent facts being read out, and many officials had come to me and said, "This is causing chaos, there has to be some -- a formalised system to actually grip this", because the Cabinet Office was a dumpster fire, and Shinner was extremely able.

Essentially, what I was trying to do here was say: there has to be someone who actually takes responsibility for saying that they and a team have checked the information and it -- and are certifying that it's accurate, so that we could get away from these nightmare meetings that we had had all the way through the previous few weeks of documents coming up, people then saying, "This is wrong, this is out of date", everyone looking at each other like the Spiderman meme, not being clear who's actually responsible. So I was trying to say, "Let's actually establish a proper structure for this", with someone who everybody respected.

Q. Tom Shinner was, like you, an adviser with the civil service to the Prime Minister?

A. With respect, he was not really like me, no. He was --

Q. He was an adviser -- insofar as he was not a member of the civil service, he was an adviser to the Prime Minister?

A. No, with respect, that's not correct.

Q. What was he?

A. He had been an official, he had then left, he then came back in as an official. I think he was -- well, to begin with, I think his exact status was slightly unclear, obviously for the first few days, because he arrived on 16 March.

Q. Did you bring him in?

A. He was a civil servant, not an adviser.

Q. Did you bring him in, Mr Cummings?

A. I did.

Q. Was it wise, in hindsight, to concentrate this degree of control in yourself and Mr Shinner?

A. I think bringing Tom in and empowering him the way I did was one of the single -- probably handful of best
decisions I've made in the whole nightmare.

And by the way the Cabinet Secretary strongly agreed
with me. I think he had worked with Tom Shinner on
a lot of Brexit issues and with Jeremy Heywood a few
years earlier. So it wasn't like I was imposing this on
them, I actually spoke to Mark and said "Here's my idea
are you happy with it?" And he said, "Yeah, it sounds
great, sounds great."

Q. On 15 May, according to your statement, you had a long
discussion with the private office in Downing Street to
review what had gone wrong with the Cabinet Office. You
raised issues about lack of co-ordination across
Whitehall, the duplication of requests. In essence,
a failure to grip whatever issues or problems confronted
the Cabinet Office.

What was your view of the private office within
Downing Street with whom you were having those
conversations?

A. Er, I think the private office, as I made clear in my
statement, was in all sorts of ways absolutely excellent
and I think it had some of the finest public servants in
the whole system. I think the country was lucky to
have -- have them. I think though that there was --
I would say that there was one very obvious problem,
which was that, apart from the leadership of

number of people with, as -- I say, relatively junior
people suddenly being completely swamped by being asked
to solve huge numbers of problems from all across
the system.

So when I say the private office didn't work, it
wasn't that -- this is not a criticism of most of
the people in it, it's that it was swamped by
the broader dysfunction of the Cabinet Office.

Q. Could we have, please, the letter that you sent to
the Inquiry, INQ000048313 at page 56.

This I think is -- if we go back to the previous
page, thank you very much -- we can see this is an email
you sent on Monday 13 July, right at the bottom of the
page. It's a lengthy email, isn't it, Mr Cummings, in
which you set out your views on a number of different
parts of the government machine.

A. Yes.

Q. There had been for some time -- you'd raised the issue
in January, of the overall structure of the government,
you'd raised it again in May, you had repeatedly
returned to this subject and you returned to it in July.

A. Yeah.

Q. Over the page, on page 57, there are references to
the Cabinet Office not working for anyone, in the second
paragraph.

111
MR KEITH: Talking to British Special Forces and I found that they were exceptional.

Q. Well, now, Mr Cummings, you know perfectly well that this is evidence directed at the coronavirus pandemic and we’re debating the mechanics of Number 10, the Cabinet Office, and the government response.

A. There were isolated -- so if you’re asking purely about the Number 10 and Cabinet Office system --

Q. I’m talking about the structure concerned with the response to the coronavirus pandemic.

A. So I would say overall widespread failure, but pockets of excellent people and pockets of excellent teams doing excellent work within an overall dysfunctional system.

Q. In your statement you describe how, following this email, the Prime Minister, whilst initially agreeing with the sentiment of your trenchant views on aspects of the government machine, listened to, to use your words, pop-ins, and then got cold feet. What are pop-ins?

A. So obviously the context for this -- for this document is it comes after eight weeks of a nightmare situation kicked off by the PM --

Q. I do apologise, Mr Cummings.

A. Sorry.

Q. What are pop-ins?

A. Pop-ins are what people in private office refer to when the Prime Minister would make a decision about something, some element of the system, often in the Cabinet Office, would not like what had been agreed, and in the best Sir Humphrey “Yes, Minister” style they would wait for me and other people to not be around the Prime Minister and they would pop in to see the Prime Minister and say, “Dear Prime Minister, I think that this decision really wasn’t the best idea, very brave, Prime Minister, perhaps you should trolley on it”, and this was a general problem.

Q. “You should trolley on it”, meaning?

A. Well, I’m using the sort of generic term that we often used about the PM.

Q. The term you used and his Cabinet Secretary used and his director of communications used, and other officials no doubt, about his propensity to --

A. Pretty much everyone called him the trolley, yeah.

Q. -- change direction.

COBR.

LADY HALLETT: If you’re moving on, Mr Keith. I appreciate that it’s a little early, but I think we’ve had quite a long stint.

MR KEITH: Yes, indeed.

LADY HALLETT: And Mr Cummings, like me, does speak very quickly. So I think we will take a break now. I shall return at 1.45.

MR KEITH: Thank you.

(12.56 pm)

(The short adjournment)

(1.45 pm)

LADY HALLETT: Mr Keith.

MR KEITH: Mr Cummings, COBR. In your statement, you say COBR works well where the crisis is not too big. It became clear that less and less was done in COBR from March, April, May onwards. Why was COBR not effective in the context of the coronavirus crisis?

Q. Er, there’s multiple reasons. So one obvious thing was that ... so there’s a terminology called “STRAP”, which I’ll briefly explain.

A. That was one --

Q. So that’s a practical consideration?

A. Yes. Also it just didn’t scale.

Q. Meaning?

A. So it was used to dealing with relatively small things like floods, like, you know, terrorist attack with five people getting killed or something like that. But with a crisis like this, which is much more on the scale of a war, it was just -- it just couldn’t -- physically it couldn’t function, data-wise it couldn’t function, all of the systems going in and out of it didn’t scale.

Q. Was the Prime Minister rather averse to attending COBR on account of its physical location?

A. Er, it’s hard to say. I mean, he certainly preferred to be in his study, and he didn’t like going to COBR.

I deliberately put the -- so, as I referred to earlier on, when we created the XS and XO structure, I deliberately put that in COBR so that there were kind of live screens on the wall, we could record action notes in real time, it was just a more effective way of handling the ministers and handling the decision-making.

He wasn’t enormously keen on it, no.

Q. Right.
COBR was still used from March 2020 onwards, despite the institution of the 9.15 daily meetings in Downing Street. Was an important part of the continuation of the COBR system the fact that it allowed the devolved administrations to take part in the process?

A. Correct. I mean, my sort of impression/memory is that from, roughly speaking, mid-March, the main function of COBR after that was actually the sort of -- just the process, a rather Potemkin process of handling the DAs. In fact, I'm not sure that even I went back to COBR for Covid after something like 12 or 15 March.

Q. You ran down the COBR system, Mr Cummings, because your view was that with the devolved administrations party to that process, there was an unacceptable risk of leaks, was briefed afterwards, and you were against, therefore, the continued use of COBR as a crisis machinery?

A. I'd say that that's overstating things, so first of all I didn't have the authority to run it down and didn't run it down. I think it's more accurate to say that it was superseded by -- by broader things, it was superseded by the 8.15 meeting that I started, the 9.15 meeting, how those two meetings evolved into the Covid Taskforce. So I didn't run it down, it continued, and I'm sure in some ways it did very useful work.

And also it's important to point out, unlike other parts of the system that I have been critical of, the people who ran COBR, in my opinion, did an extremely professional job. The problem was not, in this instance, so much the Cabinet Office where a lot of the people were unsuitable, the problem here was a much more structural one that the COBR thing just didn't scale to what was needed.

Q. Could we have page 22, please, of your letter to the Inquiry, INQ000048313. This is a message, a WhatsApp, between yourself and Mr Johnson, dated 12 March 2020.

A. Excuse me. Sorry, sir, it hasn't popped up. I can't see --

Q. It will come.

A. -- if it's important.

Q. 12 March 2020:

"You need to chair daily meetings in the Cabinet room -- not COBRA -- on this from tomorrow. I'm going to tell the system this."

"NOT with the DAs on the [fucking] phone all the time either so people can't tell you the truth."

Well, you did run down the COBR system, Mr Cummings. You thought that if the COBR system continued, people either wouldn't tell the truth or the devolved administrations would leak to the media or brief the media thereafter?

A. So I certainly thought that the COBR meetings that we'd had with the PM were very Potemkin, they were extremely scripted, and then, having had these sort of pointless things, you then had all sorts of people running straight out and yabbering to the media about what had just been said in a completely undisciplined way, which then undermined public confidence in things, caused a lot of trouble.

But, with respect, I wouldn't say this is running down the COBR system. The COBR system continued. What I would say was that it was clearly completely unable to cope with the scale of the crisis, and that a different system needed to be created.

Just one very simple thing, we literally couldn't show the PM crucial data in the COBR room because it couldn't be piped through because of the STRAP restrictions.

Q. You're going back now to the practical considerations and the practical difficulties of which you spoke earlier.
Dominic Cummings:

"Can u send on whatsapp my work computer battery flat and i can't recharge for an hour. the draft i saw looked ok as it was basically drafted by us ...

Who is "us"?"

I'm not sure exactly but some combination, I think, of me, Imran and Ben Warner.

"... except it's still too keen on COBRA with DAs. The PM daily mtgs must be in [Cabinet] room with spider phones and screens -- NOT in cobra where nobody can take laptops/phones."

So there is a clear reference to the practical considerations, but also you were not keen on the devolved administrations being concerned in and attending COBR?

No, that's not -- they're different issues. If you're having meetings to actually figure out the truth, then meetings like that have to be conducted in a very different way. They can't be one of these things with 50 people on a video conference with the DAs, when things immediately -- those DA meetings were not meetings to try to figure out the truth about hard issues, they were meetings as part of the kind of performance and co-ordination and the -- and a constitutional function. And my concern was that,

I mean, I don't know how much detail you want me to go into.

Was he the Prime Minister?

Yeah.

Was he the Prime Minister?

Obviously not.

No. Did you not want the Prime Minister to be in a meeting room with the devolved administrations, the constituent parts of the United Kingdom?

I thought it -- I thought it preferable to have the Prime Minister actually focused on the impending catastrophe that we faced on that day, and I thought that, generally speaking, him talking to the DAs did not advance any cause.

The devolved administrations had an entitlement, surely, to be able to confer with the Prime Minister of the United Kingdom in the face of this unprecedented crisis.

They did, and they did confer, but, generally speaking, it was better for them to confer either with officials or with Michael Gove than with the PM.

Was Number 10 any better? You describe it as a "hopeless structure" for dealing with a major crisis.

What did you mean by that?

I thought Gove would handle it ten times better.

Handle what ten times better?

Handle the process of dealing with the DAs.

And also bear in mind that I'd -- as I said before, the whole XS, XO structure, Michael Gove had more experience of anybody --

Slow down, please, Mr Cummings.

Michael Gove had more experience of anybody in that room, the COBR briefing room, because he was in there literally daily from July, August, September, et cetera, all the way through 2019, so I knew that he understood the whole rhythm, the process, the structure, the staff, and it just seemed like an obvious sort of way of divvying up responsibilities.

Mr Gove was the Chancellor of the Duchy of Lancaster,

even at this late stage in the crisis, a lot of people in the Cabinet Office were still fixated on the kind of Potemkin -- maintaining the Potemkin aspects, rather than actually getting to the heart of things, and we couldn't get to the heart of things in that room because you literally couldn't take in the information and show it to the PM and have a proper discussion about it.

Why did you want Michael Gove to be in charge of regular devolved administration updates and not the Prime Minister?

I thought he would handle it ten times better.

Devolved administration updates and not handling what ten times better?

I thought Gove would handle it ten times better.

Why did you want Michael Gove to be in charge of regular devolved administration updates and not the Prime Minister?

Obviously not.

Well ... Number 10 is not configured to be the nerve centre of a national crisis like Covid --

Because of the absence of personnel, or the absence of structure that allows people in Number 10 to liaise with all the other parts of government?

In every way: physically, in terms of date -- in terms of the physical layout and the lack of flow -- the proper rooms that you would have for a crisis centre, in terms of the personnel, in terms of the power. As I've tried to explain, real power on these things is almost entirely in the Cabinet Office, not in Number 10. So Number 10 was just completely unsuitable for this. That's why I tried to change it in January and tried to change it again in the summer.

In paragraph 301 you say:

"As ... viz the Cabinet Office, its problems and lack of specialist skills combined with its responsibility for [human resources] and recruitment ...

There were problems with the Number 10 structure.

You brought in friends or colleagues, Tom Shinner, who may have been a member of the civil service but he

Who is "us"?

I'm not sure exactly but some combination, I think, of me, Imran and Ben Warner.

"... except it's still too keen on COBRA with DAs. The PM daily mtgs must be in [Cabinet] room with spider phones and screens -- NOT in cobra where nobody can take laptops/phones."

So there is a clear reference to the practical considerations, but also you were not keen on the devolved administrations being concerned in and attending COBR?

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was also an adviser, Marc and Ben Warner,

Demis Hassabis. Why didn’t you approach the relevant
parts of the Cabinet Office and Number 10 and say, “We
need other people taken from other parts of government
and brought into Number 10”? Why was it necessary to
have your friends, your colleagues, put into Number 10?

A. Well, I did do exactly what you just asked, what -- you
said why didn’t I do that, but I literally did do that,
at scale. I spoke to the Cabinet Secretary about it,
the Deputy Cabinet Secretary, multiple other people in
the Cabinet Office. Part of the whole point of bringing
Tom Shinner in was that I knew that he had been involved
in the Cabinet Office with the whole Brexit -- Brexit
no-deal preparations, which was as close as anybody had
had, probably since World War II, to actually managing
an extremely large-scale very, very complex set of
operational and logistical questions. I knew also that
Tom had had, because of this and also because of some
other aspects of his career, which I won’t go into,
extensive networks across the system, into the military,
into all sorts of things, so he could -- he was
perfect -- he was much better placed than me or anybody
else really in Number 10 to know, oh, we should call
General so-and-so and get him to help with this, we
should get so-and-so in to help with that. So that was

Q. Was Tom Shinner a civil servant?
A. No.
Q. Well, was he ever?
A. He had been, probably since World War II, to actually managing
no-deal preparations, which was as close as anybody had
had, probably since World War II, to actually managing
an extremely large-scale very, very complex set of
operational and logistical questions. I knew also that
Tom had had, because of this and also because of some
other aspects of his career, which I won’t go into,
extensive networks across the system, into the military,
into all sorts of things, so he could -- he was
perfect -- he was much better placed than me or anybody
else really in Number 10 to know, oh, we should call
General so-and-so and get him to help with this, we
should get so-and-so in to help with that. So that was
was a dashboard and there was a 10DS team set up?

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A. Yes, in January there was some scepticism about the whole thing, in the Cabinet Office, and resistance, but once everyone had gone through February, March, April and the nightmare, then actually resistance completely flipped and the Cabinet Secretary and many other senior people actually completely supported doing it.

Q. Were there substantive changes to the personnel in Number 10 or the Cabinet Office --

A. There were --

Q. -- on the human resource side?

A. Yeah, there were huge changes in the Cabinet Office and core teams that were put in charge of Covid were repeatedly created, repeatedly dissolved. We were repeatedly told at Number 10 that they had burnt out from stress and they had gone. So, yes, there was -- I would say until -- by September it was a little bit more stable, the taskforce structure existed, people had a much better sense of what their job was. It was still dysfunctional in various ways but it was much different than it had been in May.

Q. What about the Department of Health and Social Care as the lead government department? Your statement states that the DHSC was overwhelmed by the scale of the crisis mechanism to solve that itself had crumbled under the pressure.

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Q. It is very obvious that there were a large number of criticisms made by you of the Secretary of State for Health and Social Care, Matt Hancock, we'll look at some of those observations later. Where did you or Number 10, however, suggest structural changes to the lead government department, to the DHSC, changes in the way in which it operated in order to ensure a better service in the face of this crisis? Where is that debate? Where were those changes proposed?

A. So also bear in mind that in April, when we really started to discuss this, I discussed it with the Cabinet Secretary -- of course the PM had just nearly died and was off in Chequers, so discussing it was inevitably very tricky, but I talked to the Cabinet Secretary in April about these issues. We discussed the possibility of splitting up the Department of Health in various ways, formally, informally. We discussed creating various taskforces to take critical work away, and of course we actually did that. One of the -- in an ironically odd way, the scale of the nightmare in March/April actually made it much easier for us to make such a monumental decision as taking vaccines out of the Department of Health and creating a separate taskforce. Similarly on testing.

Q. Just to pause you there, I'm going to ask you please to keep your answers a little more concise. I appreciate it's difficult.

A. Correct, but to be fair, not just that they were performing poorly, you know, it was a once in a century event and they were clearly overwhelmed and, even if you imagined everything had been working ten times better, there would still have been very powerful arguments for having specific taskforces aimed at specific things.

Q. All right. The Inquiry has heard a great deal of evidence about the workings of SAGE and the majority of that evidence has been received from members of SAGE, its constituent parts. From the viewpoint of Number 10, did the SAGE government liaison, the process by which the government received advice from SAGE, work well?

A. So I think SAGE did a brilliant job at co-ordinating scientific expertise. I think Patrick Vallance did
1. a brilliant job in chairing it and organising it. But
2. I think that the ... the kind of ... the mechanism
3. whereby SAGE’s thought processes were conveyed to
4. Number 10 could be radically improved, because they were
5. fundamentally oral briefings from Patrick Vallance and
6. Chris Whitty, on the one hand, and the consensus minutes
7. on the other hand, and then often very confused
8. interpretations of what they had heard by officials in
9. the Cabinet Office who did not necessarily have
10. the skills and background and technical understanding to
11. be able to explain those things well to Number 10.
12. That --
13. Q. So, pausing there, just to split those answers up,
14. please, Mr Cummings. In relation to the reporting
15. system through the Chief Medical Officer and
16. the Government Chief Scientific Adviser, were those
17. briefings by them to government recorded or were they
18. oral?
19. A. What do you mean by “recorded”? Do you mean minuted?
20. Q. Were they minuted, did they produce papers in support of
21. everything they said, or was this funnel of
22. communication largely an oral one?
23. A. It was largely an oral one, though of course the private
24. secretary would record notes from the meeting and then
25. issue action points and other things from -- in

1. the government’s -- strategy, so that you know to what
2. you should direct your advice”?
3. A. Well, with respect, it wasn’t my job to try to take --
4. commandeer SAGE and start giving them orders about how
5. they should operate. I spoke privately to
6. Patrick Vallance about things. I suggested, for
7. example, getting some external people, like Gowers and
8. Hassabis, to attend and listen and review the papers.
9. But it wasn’t for a political adviser to start giving
10. SAGE orders about how it should operate.
11. Q. Well, if you’ll allow me to suggest, Mr Cummings, you
12. weren’t just a political adviser, you were in a position
13. to exercise a significant degree of control and power at
14. the heart of Number 10. If you saw there was a problem
15. in terms of the route of advice and the communications
16. that you were receiving, why was this not publicly
17. raised?
18. A. Well, as you know from the various evidence, I sent
19. Ben Warner to attend the meetings and discuss them.
20. I listened to some of them myself. Also from
21. the beginning of January I had weekly meeting -- at
22. least weekly meetings, sometimes two or three times
23. a week, with Patrick where I would talk to him myself
24. about the -- about all sorts of things about science,
25. but also obviously, as time went on, increasingly about

1. the normal way from the private office.
2. Q. The SAGE minutes were, as you’ve described them,
3. consensus documents, and others have described them
4. similarly. Did Number 10 get a proper understanding of
5. the width of debate that had taken place before SAGE and
6. of the nuances of these extremely difficult and complex
7. issues?
8. A. In my opinion, obviously not, I mean, there’s no
9. substitute for actually listening to these conversations
10. oneself and interrogating people.
11. I’m not saying by that that the SAGE minutes
12. themselves were a bad product, I think they were a good
13. product and a useful product, but if you’re asking about
14. the nature of a crisis like this involving
15. the Prime Minister, you know, having to make
16. extraordinary decisions, he obviously needed much richer
17. information than the SAGE minutes could provide.
18. Q. You are critical in your statement of the way in which
19. the Cabinet Office commissioned work from SAGE and you
20. say on occasion the wrong questions were asked of SAGE.
21. You and, we know, I think, Demis Hassabis, your friend,
22. attended SAGE. Why did no one say to SAGE, bluntly and
23. plainly, “We want you to indicate much more clearly what
24. your recommendations are, we need a much clearer
25. understanding of what you suggest, and this is our --

2. So I did push on these things and I did probe and
3. I did talk to Patrick about them all. My criticism is
4. not of Patrick. I think the fundamental problem was
5. the interface between SAGE, DHSC and the Cabinet Office,
6. and my point that you refer to in my evidence is: this
7. is not my -- you know, I'm not a technical person, so
8. this is not my expertise I'm reflecting. The data
9. people who were extremely smart and able who came in to
10. help us, they said to me: the Cabinet Office is asking
11. the wrong questions and misinterpreting the answers.
12. And that was a problem both before the first wave and as
13. we emerged out of the first wave.
14. Q. You asked your friend Ben Warner to attend SAGE?
15. A. I did.
16. Q. You spoke privately to the Government Chief Scientific
17. Adviser, Sir Patrick Vallance. You hadn’t held back
18. from making recommendations in relation to structural
19. changes that, in your view, were required to be made to
20. the Cabinet Office, to Number 10, to the DHSC. Why did
21. you not publicly say, “There is a real problem with
22. the structural route by which SAGE advises
23. the government and we are not getting a proper
24. understanding of the picture”?
25. A. Well, I don’t think it would have been a good idea for
1. A. I wouldn't say that SAGE told us that, I would say that that was -- that Number 10 was told that that was the consensus view of CCS and the Cabinet Office and the Department of Health and SAGE that fundamentally -- fundamentally Number 10 was told in January and February that the most significant danger that we faced was a second wave happening later in 2020, and that was what everyone was trying to avoid, and that's why the single peak by -- single major peak by September approach was taken.

11. Q. We'll come back to that doctrinal debate, that strategy. But I'm asking you, Mr Cummings, why, if it had become apparent to you that you had not been able to understand accurately what SAGE believed or you had not received a fair reflection on what SAGE was debating and what it thought, why after the first wave did you not bring about changes to the SAGE structure and the advisory structure in the way that you had advocated for the Cabinet Office, the DHSC, Number 10, the Civil Contingencies Secretariat, and so on?

21. A. Well, I literally did. I mean, we created the data science team, and part of the whole point of the data science team was that you had actual very deep technical experts that could red team and explore what SAGE was saying and give the Prime Minister advice on what was
coming from SAGE, how to interpret it, potential problems with the advice that was coming from SAGE, et cetera, and that team actually did that job.

Q. Excuse me. That was data within Downing Street, you set up the 10DS, the 10 data system or 10 Downing Street data system.

A. Mm-hm.

Q. What changes did you advocate or propose in relation to the constitution of SAGE and the means by which it informed government of its advice?

A. So the main thing that I personally did was to institute the 10DS data science team because that was the exact appropriate kind of thing that Number 10 needed to interpret these scientific and technical questions with skills, with tools that didn't exist at all in January, February, March in Number 10, or the Cabinet Office.

I did not regard it as my job to tell the SAGE people and Patrick Vallance how to manage SAGE. My view was that Number 10 and the Prime Minister's office critically needed deep technical scientific and data science skills and tools right at the heart of power, that could interpret information coming in not just from SAGE but from everybody all around the whole system, including test and trace, including the Joint Biosecurity Centre and, you know, dozens of other entities.

Q. All right.

We're going to move on to a new issue, which is the consideration of vulnerable and at-risk groups in the course of the decision-making between February and the lockdown decision of 23 March.

Can you tell the Inquiry, please, to what degree the position of vulnerable and at-risk groups was considered by decision-makers in Downing Street during the run-up to the decision to impose the national lockdown?

A. Could you say exactly what you mean by "vulnerable and" -- whatever it was, I'm sorry?

Q. Yes. Persons who would be potentially vulnerable to the impact of a lockdown: members of minority ethnic groups, people who were vulnerable in terms of socioeconomic deprivation, victims of domestic abuse, people for whom there was plainly a case to be made that they would require specific consideration in terms of what the impact of the lockdown decision would be.

A. I would say that that entire question was almost entirely appallingly neglected by the entire planning system. There was effectively no plans or any plan even to get a plan for a lot of that. As you could see from the evidence, one of the most appalling things of

the whole enterprise in lots of ways was on 19 March when we realised that there was essentially no shielding plan at all and the Cabinet Office was trying to block us creating a shielding plan.

I think there was a brilliant young woman in the Number 10 private office called Alexandra Burns who tried to raise warnings about things like wives who were being abused and children in care, and a lot of similar things, and I don't think the system ever properly listened to her.

Q. Do you recall when the Prime Minister was advised of the risk of long-term sequelae arising from Covid infection?

A. Sorry, I don't know what "sequelae" means.

Q. Consequences, so persons who suffered from what is now known as the syndrome Long Covid. When was it first understood that there could be long-term health problems, health conditions associated with --

A. It was obviously discussed in January in general terms, in the sense of Patrick and Chris and others saying to us: of course, you know, we don't know what the long-term consequences of this might be.

They essentially said: you know, there's kind of problem A, how many people it just kills immediately, but then there's problem B, what the long-term health consequences might be. At the moment, obviously by definition, we've got no data and information on that.

So we knew of it as a general problem in January, but it really kind of bubbled up, I would say, but I'm guessing, if that's -- I'm not sure if that's helpful, in roughly May.

Q. I think in May the Prime Minister shared on a WhatsApp group with you, the Chief Scientific Adviser, the Chief Medical Officer, you and Matt Hancock WhatsApp group an FT article entitled "Mystery of prolonged Covid-19 symptoms". Do you recall that?

A. Vaguely.

Q. What about the issue of the disproportionate number of deaths in the black and minority ethnic communities?

A. I mean, it was discussed after the first wave.

Q. When did it first become apparent that there was a disproportionate mortality rate in those communities?

A. I can't remember, I'd be guessing, but I think the data that came out of the first wave showed that that was an issue.

Q. All right.

Preparedness. Much of your statement focuses on your opinion that there had been a critical failure to plan for the type of pandemic which in the event ensued, and an absence of critical capabilities, as you
described them. In essence, that in January and
February 2020 there was no system, no plan, no structure
in place that could have allowed either the borders to
be sealed or for any kind of scaled-up test and trace
process.

Dealing with those two aspects in turn, in relation
to the borders, the material shows that in
Downing Street there were -- there was regular
consideration, reconsideration, of what could be done in
terms of keeping the virus out of our border. What was
the advice that was received from SAGE as to whether or
not that would be an efficient or effective process?

It was two-fold -- sorry, three-fold. First of all, we
didn't actually have the capability to do it, because
obviously Britain has not been able to control its
borders for many years. It doesn't own the data to do
it, it doesn't have the infrastructure to do it in
general, never mind for a pandemic.

So, first of all, there wasn't the capability.

Second, we were told, even if we had the capability it
would only delay things by a relatively trivial amount.

Third, of course, people -- at that time, the reaction
from a lot of people was closing the borders is racist.

You remember when the supermodel Caprice said on TV,
"Why aren't we closing the borders?", a lot of people,
but that's obviously not the real question.

The real question is: should you have the capabilities,
like Singapore or Taiwan, to combine actual serious
border controls with a domestic test and trace regime
and the data to support it and all the other things you
need to support it and then roll out mass testing?

If you had the capability to do that, which I very
strongly suggest this country ought to acquire, then
obviously controlling the borders is a critical issue.

Is that fair, Mr Cummings? SAGE and NERVTAG produced
papers which were sent to the government, and which you
presumably saw, setting out why in practice screening,
restrictions, even an elemental quarantine system would
not work in practice. It wasn't a doctrinal position,
was it?

No, well, I think that -- obviously, if you're just
saying do you create -- do you actually control
the borders, does that solve the problem, of course the
answer is no. And if you're looking just at
the specific issue of what the effective control of your
borders would be then, of course, the answer is clear
public health experts mocked her as if she was an idiot.
That was the prevailing conventional wisdom from
the public health system. And was reflected -- the
dismissal of Caprice, I would say, was reflected in
Number 10 by the public health system.

Of course if you're going for a single -- for
a single wave herd immunity by September fundamental
strategy, then faffing around at the borders wasn't
regarded as relevant or coherent with such a strategy.

By that do you mean, if the strategy of the government
was to accept that by mitigating the worst severity of
that first wave of the virus and thereby allowing
a proportion of the population to become infected
nevertheless, there was no point in trying to shut our
borders because part of that strategy entailed allowing
part of the population to become infected?

Correct, that's what the Prime Minister and I were told,
and -- yeah.

But SAGE and NERVTAG specifically advised the government
against border screening because they took the view that
it would be ineffective: you can't test, in the absence
of a testing system, for asymptomatic patients; you can
conceal your symptoms; you may even become infected on
a plane and no symptoms will show until after you've
arrived.

So did the government not appreciate that, in
practical terms, such a step would be extremely
difficult to put into practice?

Well, yes, we would -- I'm not sure if I've
misunderstood but -- one of us has misunderstood. We
were told that it was impossible. We were told
the British state couldn't do it in January. We didn't
have the infrastructure to do it, they didn't have
the tests to do it, they didn't have any of the things
that you needed to do it, to control the border.

But at the same time it wasn't regarded as a big
problem given that people didn't want to control
the border anyway.

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the borders, does that solve the problem, of course the
answer is no. And if you're looking just at
the specific issue of what the effective control of your
borders would be then, of course, the answer is clear
is no effective alternative to herd immunity -- if you
are saying that at an overall conceptual level there is
either (a) shape a curve towards herd immunity or (b)
try to build your way out of the problem, the entire
system in January, February, early March thought that
the only plausible approach to this was to shape
the curve of herd immunity. No one thought it was
really practical to build our way out of the problem.

The fundamental U-turn that we shifted to was to try to
build our way out of it instead of fatalistically
accepting.

Q. The material shows that you spent a great deal of time
in April, May, June, trying to get on top of the test
problem.

A. Yeah.

Q. At what point in January and February, or indeed even
March, did the penny drop in the government that
the absence of a scaled-up or significant test and trace
system effectively meant there was no means of
controlling the virus once it had reached
the United Kingdom?

A. Well, of course until the week of 9 March, the entire
system was just sort of rolling along the single --

Q. What of controlling the virus would have been at hand, with
the test and trace system and, therefore, no need to
control it with a lockdown?

A. Yes, my view is that what ought to have happened is
that, as soon as the first reports came at the end of
December, New Year's Eve 2019, we should have
immediately closed down flights to China, we should
immediately have had a very, very hardcore system at
the airports and borders, and there should have been
a whole massive testing infrastructure ramping up both
for test and trace in a kind of conventional sense but
also a manufacturing and industrial capacity system to
manufacture the rapid tests at scale, and I mean
a massive scale, the scale of tens of millions a week.
I think if you had had the combination of actual
serious border control in this country for the first
time ever, actually controlling its borders and taking
it seriously, with test and trace, and then a kind of
out of the box "Here's how you massively scale rapid
testing", and you put all of those things together --
brackets, arguably also with huge hunch(?) trials on
vaccines, close brackets -- then I think in retrospect
that's clearly the right -- it would have been a much
better approach, not just in terms of deaths but also in
terms of us being able to keep open the economy,
we'll avoid the risk of that wave, if it is completely suppressed, re-coiling like an uncoiled spring later in the year with a devastating second wave.

Plan A. Why was it not appreciated after March and April and the first wave that such a test and trace system would avoid the risk of a second devastating wave?

A. Well, with respect, I think it was appreciated, certainly parts of the system. You can see I wrote it on whiteboards around about 13/14 March as part of shifting to plan B. So people in Department of Health and elsewhere were building up testing in February, early March, there were plans to do that, but we were not thinking -- they were not thinking at that time about test and trace. Once we made this flip around about the 13th to the 15th, we talked to -- I talked to the PM about it on Saturday 14 March and Vallance and I talked to the PM about it on Sunday 15 March as part of this alter -- different conceptual approach of building our way out of the problem.

Q. You misunderstand me. During that first stage with plan A, with mitigation, the argument being put against suppression was: it will re-coil like an uncoiled spring with a devastating second wave. If you push the first.

Q. But they were thinking about and they were advocating suppression, that is to say the squashing down completely of a first wave?

A. No, sorry, who do you think was arguing for that?

Q. The one wave strategy, Mr Cummings, envisaged a mitigation and then this argument arose as to whether or not a suppression strategy which allowed the wave to re-coil, the spring to uncoil, would result in a second devastating wave, so why was there not a debate about what could be done to prevent that second wave? Why was it not thought about?

A. Well, I think I'm not quite -- possibly I'm confused by your language here, I'm not quite understanding your question. But I'll try and put it this way: up to and including the week of the 9th, the assumption was -- so you're suggesting there was some great debate. The whole point was there wasn't a debate. There was an assumption across government, across the Cabinet Office, Department of Health and SAGE that lockdown was impossible in a western country: anyway we didn't have all of the things that you needed in place to actually do it, you didn't have test and trace and whatnot that you would have to have afterwards, that vaccines were almost definitely not going to have any impact at least in 2020 and possibly never. So

A. Yes.

Q. So before the change in strategy, why was it not understood: well, don't worry, we will deal with the first wave but by the time the second wave comes along, if it does re-coil like an uncoiled spring, we can deal with it with a proper test and trace system?

Q. Why wasn't that debate had when the government was still in the first strategic response?

A. So if you're asking me why were we not talking about test and trace before, roughly, say 13 March --

Q. -- the answer is because no one, before -- remember, in the -- the first time that -- there was no plan for lockdown at all in the week of the 9th. The plans for lockdown only came after we started to change. So there was no -- the whole point of the problem up to the week of the 9th was that the whole system fatally thought there was no way you could possibly do a lockdown in Britain, it was thought of as the completely crazy idea, so of course people were not thinking, "Well, let's do lockdown and then build test and trace", everyone thought, "Well, we obviously can't do lockdown, and lockdown's mad because it will all come back".

Q. There wasn't a debate about the fundamental assumptions underlying plan A. There wasn't a debate until me and others started saying "Hang on a second, if you actually follow the logic of what plan A is, it's going to be a catastrophe and we have to ask these questions and we have to consider an alternative plan B", but before that there was no debate about this, it was just assumed.

Q. There was a debate at the scientific level between mitigation and suppression, but it may be that that debate and the merits of mitigation versus suppression simply didn't reach your level in government --

A. Of course --

Q. -- and you weren't aware the scientists were debating the pros and cons of mitigation versus suppression?

A. Of course it was discussed by people, but as you can see in all of the SAGE and DH documents, the assumption from everybody was that it was simply completely impractical, and everyone was still on the mindset of a flu pandemic. So of course there were debates, you know, in one sense going on and there were scientists, you know, et cetera, et cetera, but the core of what we were presented with
in Number 10 was: there is unanimity between
the Cabinet Office, Department of Health and SAGE behind
the propositions that the real danger is a second wave
in the winter and, therefore, you have to manage
a single peak strategy so there's herd immunity by
September. That was the core argument that we were
presented with. And that was never really properly --
the first time I actually saw that being tested was on
18 March when Demis Hassabis said to SAGE, essentially,
"I think this whole plan is mad and you should
immediately lock down, like, now, this hour, tell the PM
to do it immediately", and that kicked off various
discussions.

Q. The consequence of the absence of debate, the failure to
consider any alternative, the failure to consider
strategic options, other than mitigation and squash
the sombrero, was that there was a woeful absence of
plan, any sort of written document for dealing with
controlling borders, protecting care homes, shielding,
quarantine?

A. Correct. I mean, I would say it's actually worse than
that, and sort of doubly ironic, because if you
actually -- if plan A had been what ended up being
plan B, ie we'd actually got on top of it and controlled
it, and you had a test and trace infrastructure and
including pandemic levels prepped and refreshed.

It became obvious, and it's obvious from your
statement, that you appreciated that there were no plans
of the type that you've described.
By the middle of March, so 16 March, a week before
the national lockdown, had Number 10 still been provided
or had it been provided in any way with departmental
plans, Cabinet Office plans, from line departments
dealing with these various aspects of a coronavirus
pandemic?

A. Essentially, no. There were -- odd dribs and drabs came
in. You can see from various evidence of texts and
emails from me, after talking to Hancock I pushed on
some of these things through February. Imran did as
well, from private office. But we gradually became
aware through the course of February that, essentially,
what Hancock had told me on the 25th -- sorry,
correction just on the date, by the way, the Inquiry and
I have wrongly changed the date from the 25th to the
23rd of that text message. So my statement is now
wrong, but it should be 25th, but we'll correct that
afterwards.

Q. Well --

A. But yes, during the course of the 25th, we -- sorry, in
the course of February we realised gradually, as we
everything else, then there would actually be a much
stronger argument for saying, well, a lot of
the shielding stuff we don't need, a lot of this we
don't need, a lot of that we don't need because we've
actually controlled the virus.

Q. Mr Cummings, please slow down. You're making it
extremely difficult to record your evidence.

A. Apologies.

Q. And to be fair --

A. Sorry, just to finish that point, because it's
important.

Q. Yes.

A. The situation is worse than what you're describing,
because if you are not going to control the virus, if
you are not going to have test and trace, if you are
just going to have single peak herd immunity by
September, it actually makes the lack of a plan for
shielding and care homes and everything else even more
crackers, do you see my point?

Q. Yes. And to be fair, you texted Mr Hancock on
23 January about the existence, the whereabouts of
pandemic plans and preparations. I think you asked, "To
what extent have you investigated preparations for
something terrible like Ebola or flu pandemic?" And you
were reassured that there were full plans up to and

pushed and probed and asked questions for these plans,
that they fundamentally didn't exist, and on the 16th
I think you're probably referring to a shocking email in
Number 10 that says, essentially, the Civil
Contingencies Secretariat says that these plans are not
even held centrally at all.
So it turned out, to our horror, that the system
that we'd been told repeatedly in Number 10, trust
the system, SPADs shouldn't get involved, world leading,
best prepared in the world, blah, blah, blah, it then
turned out that this supposedly brilliant system that
the Civil Contingencies Secretariat had not even seen
these documents at that time because they were not held
centrally, which was ... I mean, when that email was
circulated, people thought it was almost like a spoof.

Q. All right. In fact, we do have, of course, your text
message to Matt Hancock and his reply, your very own
letter and statement have a screenshot, and it shows
23 January. It says in terms, 23 January 2020 --

A. It does, the reason for that is --

Q. -- "To what extent have you investigated?"

A. It does, the reason for that is I was told by
the Inquiry that I got the date wrong and I should
change it from the 25th to the 23rd --

Q. Well --
to be the reality, which is that the virus is probably out of control and will sweep the world?"?

A. So, I -- I can’t remember exact -- obviously now it’s three years ago, I can’t remember the exact days and whatnot, but around this time -- so I spoke to Patrick before obviously this text was all do, of course, with cases abroad, in particular China. The two most high risk groups appeared to be the elderly and those with pre-existing illnesses.

If you could scroll back out, page 6, between paragraphs 9 and 11 there is a debate about planning for a reasonable worst-case scenario, and the director of the Civil Contingencies Secretariat sets out the planning priorities for the work under way to develop planning assumptions for the pandemic flu reasonable worst-case scenario.

There is then a debate about communication strategy, an emergency Bill, and work with local resilience forums.

On this day or the day after, you sent a text to a WhatsApp group, the "NumberTen action" WhatsApp group, saying:

"chief scientist told me today it’s [probably] out of control now and will sweep the world."

Were you aware of the tenor of the debate and what was being discussed in COBR on 5 February?

A. Probably, I mean, I don’t remember that particular -- all of these meetings now, I’m afraid, blur into one another.

Q. Had you seen this minute of the 5 February COBR, you would immediately have understood that the thinking expressed in this meeting was not that which you had been told, which was to the effect that the virus was probably out of control now and will sweep the world.

Did that not concern you?

A. Yes.

Q. What did you do around 5 and 6 February to say “This COBR appears to be proceeding on an incomplete, inaccurate basis, it isn’t reflecting what I understand what you’ve said.”

There was another COBR meeting on 18 February, INQ000056227.

Pages 1 to 3 give us the attendees, and page 5 gives us a sense of what was being discussed: repatriation of British nationals.

Then, over the page: legislation, a debate about the drawing up of a Bill to be employed in a reasonable worst-case scenario.

Then over the page, please, page 7: “Planning for a Reasonable Worst Case Scenario (RWCS) – next phase”, the Civil Contingencies Secretariat said there was work to be done to create a clear plan of activity from the moment of sustained transmission to its estimated peak.

Was there an understanding in Number 10 that a debate about repatriation and the drawing up of appropriate legislation and the drawing up of plans to deal with a reasonable worst-case scenario did not really reflect what needed to be done in response to the information that was then available?

A. Certainly by some of us in Number 10 at that time, there was, yes, but remember an awful lot of the senior people in the centre of Whitehall were off on holiday at this time.
Q. Why weren't you, though, Mr Cummings? You were the one skiing.

A. We'll just have a look at the diary for that, INQ000136739. This is the diary for the Prime Minister between 10 February and Friday 14 February. On 10 February, so you're right, it's a Monday, 10.45 to 11.15, "Coronavirus Update".

Before he went to Chevening, which he did on 14 February, he received a note in his box, INQ000136743, page 4: "Coronavirus/international response: containment of the virus in China is a key part of preventing the spread of the outbreak to the UK."

If what you were told by the Chief Scientist was right, the Chief Scientific Adviser was right, Mr Cummings, that there was an inevitability or a probable inevitability to the virus sweeping the world, then any debate about whether or not the virus could be contained in China was out of date.

Why was the Prime Minister not told, "Evidence is now emerging that this virus is out of control and will likely sweep the world, and debate about international repatriation and drafting of legislation and doctrinal identification of reasonable worst-case scenarios is behind us, we need to deal with that loss of control"?

A. Well, I think there was still -- I think there was still an awful lot of -- so at the meeting that Patrick and I asked for on the 10th, from memory these things were discussed. But remember at that point it was still not at all seen in Whitehall like this is going to be -- nobody really in Whitehall thought that a month from now we're going to be in -- in -- the biggest crisis the country has seen in -- since 1945. The view was much more that if this is really going to happen, it's not going to happen for months. And you can see repeated references in documents to Number 10 and the Prime Minister that refer to, well, if there is sustained community transmission in Britain, then the crisis will come sort of two or three months after. Which is repeated in various documents.

I remember at this point, although there was in fact, we now know, sustained transmission in this country at that time, that was not known then. So the whole system was at this point -- and not just now, but three weeks after this point -- still thinking of this as something that was going to land on people in May/June, not something that was going to overwhelm everybody in mid-March.

Q. You had sent a text to the Number 10 action WhatsApp group on 6 February saying the "chief scientist told me today it's [probably] out of control now and will sweep the [the] world". You plainly told the other communicants to that WhatsApp group of what you had been told by the Chief Scientist?

A. Yeah.

Q. But during this next week, before the Prime Minister departed for Chevening, why was that message not being re-communicated to him in notes that were sent to him?

A. Well, I think it was just part of the general, the general view from the Department of Health and the Cabinet Office that this was all still, you know, murky and in the future. They weren't banging alarm bells at this point. Far from it, they were going skiing.

Q. Why weren't you, though, Mr Cummings? You were the one whole system was at this point -- and not just now, but three weeks after this point -- still thinking of this as something that was going to land on people in May/June, not something that was going to overwhelm everybody in mid-March.

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Q. Why weren't you, though, Mr Cummings? You were the one who had spoken to the Chief Scientist or received a text from him?

A. Well, as you can see, I spoke to the Chief Scientist on multiple occasions and I organised a meeting for him and Whitty to come in and talk to the PM and as they requested.

Q. In the notes that went to the Prime Minister around the same time, why did you, as his adviser, perhaps chief adviser, not tell him, "My information is containment has failed, the virus is coming"?

A. Well, I did tell him that.

Q. It's not here.

A. Well, the fact that things are not written down doesn't mean that they weren't communicated. Obviously, I was talking to the Prime Minister about all sorts of things all the time and things that I -- as I said, I was having repeated conversations with Patrick, many of which were not actually recorded in diaries, from early January onwards. So lots of things like this, I passed on. But overall, as you can see, the system did not -- was not in emergency mode at this time.

Q. Do you accept that there is no formal communication to the Prime Minister from anybody at this stage saying "The information from the Chief Scientist is to the effect that containment has likely failed"?
A. You have the documents, not me so, if you say so, I'm sure that's right.

Q. Then the Prime Minister went to Chevening --

LADY HALLETT: If you're moving on, Mr Keith --

MR KEITH: Yes.

LADY HALLETT: -- I think it's probably time for a break --

MR KEITH: My Lady, of course.

LADY HALLETT: -- sorry to interrupt.

3.15, please.

(A short break)

(3.02 pm)

(3.15 pm)

MR KEITH: Mr Keith.

LADY HALLETT: So, Mr Cummings, by 17 February, some members of SPI-M-O and SAGE were reporting the belief that there was already sustained transmission in the United Kingdom. On 21 February news emerged of a cluster of locally transmitted cases in Lombardy in Italy, and a lockdown began there, you'll recall, of a number of municipalities.

On 23 February, the DHSC reported 13 cases in the United Kingdom. The paperwork shows that the pace of the government tempo, the tempo of work in government declined notably between 14 February and 24 February, which coincidentally is half term.

Chevening, but he received from his team in Downing Street absolutely nothing in relation to coronavirus between 14 February and 24 February.

You were part of that team. Why was he not kept in the loop in relation to the developing crisis?

A. Well, partly for the reasons I've already said, it wasn't seen as an imminent crisis in the Cabinet Office and by the Cabinet -- by the systems responsible for dealing with crises. When he did briefly reappear for meetings, for example, on the meltdown in the Home Office, Imran and I did talk to him about coronavirus, and we did try to get into his head that this was a growing problem and it had not gone away.

Q. You say there was a lack of understanding that there was a crisis. You had received text messages or information yourself that the virus was probably out of control.

A. COBR had been reporting that there was now clear evidence of sustained transmission outside China. You knew and Number 10 knew that the virus had exploded in Italy, and you knew there were cases already in the United Kingdom. How can it possibly have been thought that there was no crisis?

Q. I think it was a combination of, as I said earlier, the general perception of the senior people handling this in the Cabinet Office, DH, at the same time that if this proved to be a big problem, and it still was an "if", then it was seen as really quite a distant problem, it was not seen as an emergency crisis.

A. Secondly, as you remark, I did not go on holiday, but many of the senior people were on holiday during that time, including the PM.

Q. There was no COBR between 18 February and 26 February, was there?

A. Don't know.

Q. There were no Cabinet meetings during that time, do you recall?

A. I don't recall.

Q. There were no notes sent to the Prime Minister or emails between 14 February and 24 February?

A. I find that -- I think that's more likely to be a gap in the paperwork than reflecting reality.

Q. In relation to coronavirus?

A. I don't know.

Q. He went to Chevening on 14 February, he returned to Downing Street three times, for work. His diary shows that there were a handful of meetings while he was in Chevening, but he received from his team in Downing Street absolutely nothing in relation to coronavirus between 14 February and 24 February. You were part of that team. Why was he not kept in the loop in relation to the developing crisis?

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Q. You say there was a lack of understanding that there was a crisis. You had received text messages or information yourself that the virus was probably out of control.

A. COBR had been reporting that there was now clear evidence of sustained transmission outside China. You knew and Number 10 knew that the virus had exploded in Italy, and you knew there were cases already in the United Kingdom. How can it possibly have been thought that there was no crisis?

Q. If it was insane, as you have described it, for them to be away, to be on holiday, or whatever everybody was doing, and for there to be a complete absence of administrative push in relation to coronavirus during that ten-day period, why weren't you banging on the metaphorical door of Chevening saying, "You've got to come back, we have a crisis, this virus is about to overrun us"?

A. Well, I was talking to all sorts of people in that period, I was not on holiday and I was pushing and...
talking to Patrick and other people, but I did not regard, and neither did other people -- we did not think that asking the PM to come back and talk to COBR or Whitehall in general at that point would have been productive. In fact, I thought it would have been counterproductive because I thought he would have said to everybody what he thought at the time, which was, "This is another swine flu, it's all another rubbish media hoax, nothing will happen, blah, blah, blah, blah, blah, the real danger is the economy getting talked into a slump". I thought that if he came back from Chevening and said that to COBR or any other part of government it would be counterproductive rather than helpful.

Q. So are you saying you did actively consider the possibility of asking him to come back and talk to COBR or Whitehall?

A. Yes, it was discussed while he was away.

Q. With who?

A. I discussed it with Imran and I discussed it with Martin and others in Number 10.

Q. Is there any record or any note whatsoever of that debate, Mr Cummings?

A. Don't know.

Q. Are you surprised to hear that there is no note as far as we can tell of asking the Prime Minister to come back?

A. No.

Q. And he asked or he said:

"I am not convinced we are showing grip on corona. "We need to have a cobra. "Not sure if it can wait till Monday."

There had been four COBRs already, had there not?

A. I don't know how many there had been.

Q. Well, you know that there were four or five COBRs up to that point?

A. Yeah, something like that.

Q. But he had hitherto not shown any inclination to take a grip by chairing a COBR himself?

A. Correct.

Q. On page 48 --

A. To be fair to him, nor was the system generally pushing him to.

Q. Well, your evidence is that you might not have wanted him to chair a COBR in any event because you were fearful for what he might say?

A. Correct, but I would say that's unofficial conversations. My point was the official system wasn't pushing him to try and do a COBR, as far as I recall.
significant plans. There had been -- well, it was evident that there was no means of controlling the spread of the virus once it had reached the United Kingdom. It was plain that there was sustained community transmission from the number of cases the DHSC were reporting by the end of February. Why was the Prime Minister left in a position in which only now he was saying, "There's nothing I won't do to try to get a grip on this crisis"?

A. Well, I think I've already explained the fundamentals of this. The system didn't regard it as a crisis while he was on holiday. The system didn't push him to come back from his holiday. However, in the last week of February everything started to move dramatically differently. As you referred to, everything kind of kicked off in northern Italy.

And crucial in terms of the PM, the media suddenly were all over this, and it was suddenly dominating, and that meant that Whitehall in general then shifted. We in Number 10 were starting to realise that all sorts of things were problematic, for example, PHE, the agency in charge of -- nominally in charge of dealing with this had come to Number 10 and to me asking for help with the communications plan for coronavirus. That's what that reference was to regarding Hancock and co. So we we had on this with the handshaking, which happens, you know, roughly at this time, where I tried to push him on handshaking and then it completely boomeranged. So we had to be very careful with how we handled this nightmare problem.

Q. You say that there was a step change or rather the system changed direction in the first week in March, but the government published on 2 March a coronavirus action plan, "Contain, Delay, Mitigate", which was described by Mr Warner in an email to you and others that it wasn't a plan, it was a communication framework.

A. Yeah.

Q. You understood perfectly well that it wasn't much of a plan, it was a comms plan if it was anything. Did you alert people to the fact that a plan for "Contain, Delay, Mitigate" was likely to be of little use given that containment had already failed?

A. There were certainly at this time growing conversations, this time ie when this plan was published, as you refer to. Ben Warner was immediately astonished when he saw this document. Other people in Number 10 similarly, Imran and others. And this contributed to our growing sense that: hang on a second, we've been told that we're the best prepared in the world, we've been told that all of these things exist, this document is obviously pretty much a joke, like, what the hell is going on?

So yes, at that time, you know, there was a sort of -- there was an exponential curve of the virus but there was also an exponential curve of alarm in the PM's office and elsewhere in the system.

Q. Where are the emails from you saying, as the chief adviser to the Prime Minister, "Our sole and primary coronavirus action plan 'Contain, Delay, Mitigate' is a joke?"

A. I don't know if there were such emails.

Q. During the course of that week, more and more evidence came to light, both of the spread of the virus in Italy, which had increased five-fold, more measures were proposed to combat the spread of Covid in the Lombardy and other northern provinces, and as you've described in your statement, Marc Warner and you debate on 7 March your incipient concerns about plan A.

On 10 March, so a matter of days after your concern had started to emerge about the whole strategic direction that the government had embarked upon, the Civil Contingencies Secretariat prepared a note, INQ000049583, in which the director of the CCS stated in paragraph 1:

"Covid-19 looks increasingly likely to become a global pandemic, although this is not yet fully..."
you know, this was not supposed to be a job for SPADs and it was not supposed to be a job for Number 10.

I said to Imran, "Please get in touch with Simon Stevens' office and get data directly from Stevens' office to here so that we can see what they're talking about". You can also see chatter between Warner and Patrick on this exact subject.

A. Yeah.

Q. On 10 March, the Cheltenham Festival commenced, and on the same day Public Health England data presented at SAGE suggested that the true number of cases in the United Kingdom was to be measured in the tens of thousands. Professor Ferguson challenged Number 10 officials at that SAGE meeting and asked them: do you know what an epidemic with 4,000 to 6,000 deaths per day would feel like?

What was the reaction in Number 10 when that information was relayed back to you?

A. Erm ... well, it obviously, it contributed to our -- to our growing sense that something had gone horrifically wrong in the communication between SAGE, DHSC and the Cabinet Office about not just the scale of the problem but the speed of the problem.

Q. Was there then a reconsideration of the wisdom of allowing mass gatherings to continue?

A. It was discussed in the context of the Cheltenham event, but again the PM was advised at the time that banning -- banning mass events would -- so what the PM was actually told at that time was: if you ban mass events, PM, then people will just go to pubs instead and that will be even worse.

Of course now the obvious question is: but why are they all going to pubs? But remember, there was no plan for lockdown on 9 and 10 March, there was no plan for stopping all of these things. So if you're not going to close pubs, then you can see the kind of twisted logic of, "Well, don't stop things like Cheltenham or football matches and everything else".

Q. On 11 March, you sent a WhatsApp message, INQ000102697, page 17, where you say in the middle of the page: "I think it is really important that senior people understand, and are able to discuss with
[Prime Minister] this fundamental question: all sensible people can see the trajectory and how social distancing will be needed to flatten curve. Very sensible people are saying the risks of delay are much higher than the risks of going too soon.

Then you say in capital letters, a little further down the page:

"...WHY WAIT 5 DAYS WHY NOT MOVE NOW AND FLATTEN THE CURVE EARLIER???"

A. Yeah.

Q. Was your appeal heard, Mr Cummings?

A. No.

Q. Why not?

A. It's a very complex question, to which I don't have a clear answer. I think -- I think -- well, obviously (a) at this point SAGE people were still going on TV saying, "Well, the plan is herd immunity and it makes sense," so the fundamental plan A strategy was in place on the 11th. But they were also at this point this -- this concept of "behavioural fatigue" that people kept referring to, and I think this is a really -- a really critical question.

Q. Well, then, just pause there. On behavioural fatigue, what was the genesis of this notion that if you went too early people would struggle to sustain their commitment?

A. It seemed to me quite early on and so forth, and at the same time --

Q. Strategy, you've got to allow people to -- you've got to allow parts of the population to become infected, that will reduce the risk of an uncoiled second wave and so on and so forth, and at the same time --

A. Exactly.

Q. -- this idea took hold that you couldn't go too soon because whatever measures were put in place were unsustainable?

A. So (a) that they might be unsustainable but (b) remember the fundamental distinction, that if you're going for a single peak strategy then they didn't want to go too soon because that would actually suppress things and then the thing would just pop back up straightaway.

Q. Indeed.

A. And that's why when you asked, you know, was my question properly answered, in all the caps here, "WHY NOT MOVE NOW AND FLATTEN CURVE EARLIER??", that logic is the logic of Gowers and Hassabis and the Warners. That logic is logic of, if you are actually not going to do a single peak, if you are actually going to control it and suppress it now, then the simple logic of exponential curves means that, of course, the sooner you do it the better. But that was not what the planning assumption was on the 11th.

Q. Were you readily persuaded that the herd immunity approach or rather the one wave strategy was the wrong way to go?

A. It's obviously really hard to reconstruct psychology exactly but I would say that by this time of --

C. Certainly in the week of the 9th, 10th, 11th, I had growing doubts on an hourly basis. By the 11th I was pretty much in -- so by the 11th my view was I've got an appalling feeling that I'm being one of those like historic catastrophes like July 1914.

I'm not completely sure of it, but I've got some very smart people coming to me saying this is a -- (a) fundamentally the strategy is wrong, misconceived, but also at a practical level at this point, remember I was sitting in an office and suddenly overhearing people having phone calls about whether local authorities could book out ice rinks and get trucks to carry massive numbers of bodies and store them in ice rinks. These conversations suddenly exploded in the week of the 9th in Number 10. So we had on the one hand a kind of --

A. A fundamental argument: is the strategy misconceived or not? But we also had this sort of growing cascade of nightmare conversations going on around us when we realised that the system was just completely out of control in terms of coping with its original plan A.

Q. Could we have INQ00173144, please, on the screen,
A. Well, it's obviously laughable.

Q. When did it become apparent that modelling may not have been necessary in order to drive home the point that with the number of deaths and hospital cases that were the inevitable result of the infection fatality rate and the hospitalisation rate, the healthcare system would be likely to be overwhelmed?

A. So Marc and Ben Warner raised this with me from a kind of week before this point, of the 10/11 March, but when it really came home very starkly was after I asked, I think on the Monday, Imran -- somehow between us anyway, Imran and I asked the NHS to provide their data, which for some odd reason hadn't come through, and there is references to that between Warner and Vallowance as well. That data arrived and I asked to get Simon Stevens in to present it, which I think happened on the 12th. Everyone -- all the records are a bit iffy on that day, for reasons that you're aware of. But when

Hancock said this, but Patrick Vallance made extremely clear to me and to others in Number 10 that what Hancock was saying was factually wrong.

Q. On 12 March you messaged the Prime Minister raising concerns. Part of the message was put to Mr Cain earlier in the course of evidence, but I'd like it back, please, on the screen, INQ000048313, page 22.

You see there at the 12 March date, this is the reference to the need to chair daily meetings in the Cabinet Room. If you then go over the page, please, to page 23: "The overwhelming danger here is being late and the NHS implodes like a zombie apocalypse film -- not being a week early."

What did you mean by that?

A. So you mean the last message?

Q. Yes.

A. Well, at this point we'd got the data that I'd asked for from the NHS and we'd seen these graphs, and it was clear -- it made starker not only the scale of the problem but also -- but also two things, (a), that the whole crisis was coming much, much, much faster than we had been told and that the Cabinet Office understood and that was on all of these official graphs. And secondly, to me almost worse than this was, like, what

we saw these NHS documents, and Marc Warner explained the background of it, that's what really made things incredibly stark, because you suddenly had these two completely divergent sets of graphs, one from the NHS and one from the COBR system.

Q. On the 12th, there was a -- on 11 March there was a Cabinet meeting, INQ000056132.

At page 4 the Secretary of State for Health and Social Care said this to Cabinet, you can see about two-thirds of the way down the page: "Without these symptoms [the symptoms of a dry cough and a temperature], it was highly unlikely that someone was suffering from coronavirus."

By 11 March was it generally well understood in Downing Street that a large percentage, a large proportion of this disease for the viral spread in fact was transmitted asymptomatically?

A. It was, and Mr Hancock had made this point in multiple ways, and sowed chaos by saying this. He was repeatedly told by Patrick Vallance that what he was saying was wrong but he kept saying it. He said it here. And, if you notice, it makes its way into statements that have been provided to this Inquiry.

So this false meme lodged itself in crucial people's minds. I don't understand -- never understood why

on earth is going on? Like, how can we be in a situation where the NHS has these graphs showing that we are days away from having to make a decision on what to do to stop this nightmare but the official system in the Cabinet Office for dealing with this crisis doesn't seem to understand this.

So it wasn't just the sort of the kind of first order level of how bad it was, it was also the second order level of what on earth is going on? That's what really makes things

that this could be possible.

Q. On page 69 of INQ000048313, there is a WhatsApp message from you saying: "Sedwill babbling about chickenpox god fucking help us."

What was being said about chickenpox, Mr Cummings?

A. So there was a meeting in the PM's study at roughly noon on this day and there was a conversation and in the conversation the Cabinet Secretary said to the PM, "PM, you should go on TV and you should explain that, you know, this is like the old days with chickenpox, and people are going to have chickenpox parties and the sooner a lot of people get this and get it over with the better, sort of thing", and this had been mentioned before, this analogy, and I said, "Mark, you should stop using this analogy of chickenpox parties", and the

...
Cabinet Secretary said “Why?” And Ben Warner said, “Because chickenpox doesn’t spread exponentially and kill thousands and thousands of people.”

And the look on people's faces when Ben said this, that was quite a crystallising moment because it made us (a) think who on earth is briefing the most important official in the country along these lines? This is terrifying. But also other officials obviously heard this exchange and some of them came to us and said essentially, like, something has gone terribly wrong in the Cabinet Office.

Q. All right.

On Friday 13 March the Inquiry understands that of course there was the meeting in the evening involving yourself and others at which a plan B, to use your wording, was sketched out on a whiteboard.

It’s at INQ000048313, page 3. If you could just scroll in, please, we can re-acquaint ourselves with this whiteboard.

Essentially, Mr Cummings, and if you would just simply confirm yes or no, this whiteboard was the first emanation of plan B which recognised that to stop the NHS collapsing there would have to be consideration probably of a lockdown, and of course it deals with the number of deaths that would occur in a reasonable number of days.

John Edmunds, had been on TV explaining the herd immunity problem – sorry, the herd immunity basic plan A, but there had been a lot of push-back from it.

The PM was nervous and was saying, essentially, "How are we going to explain this better and how are we going to get this argument out?"

Q. All right. The next day, on the Saturday, there were a number of meetings. There were also, there was also a long debate on WhatsApp between the Chief Scientific Adviser, the Chief Medical Officer, Mr Hancock, the Prime Minister and yourself.

Could we have INQ000048399.

I don’t want to spend too much time on this WhatsApp thread, but it shows on pages 3, 4 and 6 a fairly extensive debate about how herd immunity as an argument can still be advanced if it is to be advanced at all, but also how concentration now needs to be focused on measures to be taken to avoid transmission and save lives. And I think on page 3, 14.03 -- 14 March at 7.39, Mr Johnson says:

"Agree totally [with] above. That's why I was concerned when some on team were suggesting last week that we actively need a proportion of [population] to be infected."

If you could just scroll back out:

"Civil Service need to grasp."

So the Prime Minister understood that there was a problem here with whether or not the system, as you would describe it, or the civil service, as he would describe it, understood the danger, understood the need for a change in strategy, the need to understand that there was no time to be lost?

A. I think that's oversimplifying things, if I may say so, respectfully. If you look at the chronology, some of these messages start early in the morning and some of these messages are in the evening and an awful lot happened that day. You know, in the morning the PM is still essentially in plan A mode, then there is the -- a meeting that I organised -- an official meeting and then there's a second meeting and the situation, I think what the PM’s mind and other people's minds, including Patrick, were very different even in this, between morning and evening on this day. It was a day of kind psychological transition for a lot of people.

Q. The whole thread shows that evolution in thinking.

If we could go to page 6, we can see at 10.49 am Mr Johnson says "NO TIME", although I now can't see it.

(Pause)

Yes, thank you very much.

*Johnson Boris: Seeing what happened in Italy we

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simple have [in capital letters] NO TIME."

Over that weekend of the 14th and 15th there are, as I said, a number of meetings. SAGE is asked to model lockdown. You’re in touch with Timothy Gowers to ask him for his help and he says you’ve got to move urgently to extreme containment measures; correct?

A. Yeah.

Q. In light of what Mr Cain said earlier, can you make plain, please, though, that it doesn’t appear as if any

A. From the notes of that meeting kept by Mr Shafi.

Q. Yes, I remember him saying it. I remember Gove saying that, sorry.

A. On the Sunday, and in fact throughout the weekend and then onwards on the Monday, there was a considerable debate also on a WhatsApp group titled CSA-CMO-Matt-PM-Dom concerning the need to accelerate the social distancing plans, in essence do you agree?

A. Yes.

Q. And there was a debate including Mr Hancock about the need to ramp up testing, not stop testing, and need to continue contact tracing and introduce self-contact tracing, and I think he assured you at 7.30 on 14 March that both of those were in hand; do you recall?

A. Vaguely, yes.

Q. On the Sunday, there were further meetings, and the Prime Minister held a meeting with his closest advisers in which you’d summarised the discussion from the day before and about the need to move to plan B. Was a decision about the government's approach able to be taken at that meeting or did the Prime Minister want to confer further with the Chief Medical Officer and the Governmental Chief Scientific Adviser?

A. Sorry, I'm not sure exactly which meeting you're referring to. You said Sunday.

Q. On the Sunday?

A. Yeah, on the Sunday they were -- so on the Sunday I met with Patrick and Chris, certainly with Patrick, possibly with Chris, before the meeting with the PM. Then at the 5 o’clock, I think it was, that meeting was with Patrick and with the PM.

Q. At that meeting, it anybody express anger or irritation or annoyance at the view then being expressed by Sir Patrick Vallance as to the need to change course?

A. I would say there was a great deal of confusion at that meeting, because -- in terms of the reactions to it, because of course Patrick and I were essentially suggesting that the original herd immunity plan had to be -- had to be ditched.

There was anger after that meeting expressed by people in the Cabinet Office and at DHSC reflecting the fact that they were essentially blindsided. Of course, as far as they knew, as far as the people in the Cabinet Office and DHSC knew, plan A was still in place -- plan A was still in place. As you can see from the record, Matt Hancock said on the Saturday morning, on the 14th, to the official meeting "We’ve got to 'stick with the plan'". So when Patrick and I wheeled in white boards and said essentially we’ve got to go down a different route on the Sunday evening, I was told
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1. after that that Patrick Vallance was reprimanded by
2. various people and that there was a very angry reaction
3. in the Cabinet Office and DH.
4. Q. In particular, was he reprimanded by
5. the permanent secretary at the DHSC for having, as
6. the permanent secretary appeared to think, promoted,
7. advocated a change of direction without
8. the permanent secretary's knowledge?
9. A. That is my understanding. And you can see from messages
10. on the 18th that the permanent secretary at DH still was
11. behind the curve on this whole discussion.
12. Q. Because he was still talking about one wave strategy,
13. talking about why the NHS would be overtopped, to use
14. his word?
15. A. Correct, on the afternoon of the 18th. So I think, just
16. for complete clarity, it's a very -- it's a big mistake
17. to think that there was a kind of clear moment, right?
18. This was all complete chaos.
19. There was informal meetings on the Friday, there was
20. formal and informal meetings on the Saturday, there was
21. formal and informal meetings on the Sunday, there was
22. Patrick and I basically articulating a plan B, there's
23. the PM thinking about it, there's the Cabinet secretary
24. and other people in the system suddenly going, "What the
25. hell's going on, are we ditching plan A, what the hell?"

1. Stevens' office, the ones I referred to earlier, which
2. was shown to us on Thursday the 12th, if you look at
3. the photo of me in the room with the PM on
4. Saturday the 14th, you can see those NHS graphs are
5. the ones that are in front of him.
6. So part of what that meeting was about was showing
7. him: here's what the Cabinet Office and the CCS are all
8. planning on the basis of -- and DHSC, but here is the
9. actual NHS graphs which Stevens has provided and which
10. the Warners are saying is much more accurate. These
11. completely mismatch.
12. Q. Because the first set of graphs showed and continue to
13. show that the peak would be in June and of course
14. information had already by then been received in
15. Downing Street that we were way off the trajectory, it
16. was coming sooner than expected?
17. A. Correct. It was a measure of how bad that was, even
18. after this was realised and we had these conversations
19. and we were saying to people, "These are the graphs from
20. the NHS, these CCS graphs are completely wrong from
21. COBR", these graphs kept appearing in the briefing pack
22. for two more weeks after this.
23. Q. All right.
24. Now, during the course of that week commencing on
25. Monday 16 March, there were urgent debates and there was

1. So it's important not to think that there was
2. a sort of -- you know, that this was all very clear and
3. then suddenly everyone left the meeting and everyone was
4. aligned. It was a very chaotic process, that
5. transition.
6. Q. So chaotic was it that data and whiteboards and
7. information that you were using to make your point were
8. themselves out of date.
9. So if we could have INQ000048313, your letter to
10. the Inquiry, at page 39. This is a screenshot that
11. you've provided of charts from the NHS showing how
12. beds -- the bed capacity of the NHS would be
13. overwhelmed.
15. Q. That information, it will be page 40 then, please,
16. I think I must have got the wrong reference.
17. There are NHS graphs which were shown to you and
18. which you deployed in order to show the crisis facing
19. the NHS that weekend in which the peak on those graphs
20. was still being shown as being in June of 2020?
21. A. So, no. That's slightly confused. There's two
22. different sets of graphs. There is a set of graphs that
23. came from COBR and CCS which were showing a peak in June
24. at this time. The NHS graphs, which we'd been provided
25. by either NHS or possible -- well, essentially from

1. rapid consideration of the need to shut schools which
2. you called for in a number of texts and messages, you
3. called for London to be locked down to stop the NHS
4. collapse in London in 15 days. There was obviously
5. an extensive debate about whether or not practically
6. a lockdown could be put into place, as well as whether
7. it should be national or London first and then the rest
8. of the country behind that.
9. What was the Prime Minister's general position in
10. relation to whether or not this was a course that would
11. have to be contemplated and pursued?
12. A. He -- he ... he oscillated through the course of
13. the week. I think that he, like me, in the week of
14. the 9th his bat sense was telling him that something had
15. gone wrong, I think he'd been very alarmed by
16. the chickenpox parties when he heard the most senior
17. official in the country use this. It wasn't a blame
18. about Mark but it was some signal that who the hell was
19. briefing Mark ideas like this. So he was concerned.
20. When we talked him through on Saturday and said
21. we've got to ditch plan A and shift to plan B and try
22. and build our way out of it, he was certainly open but,
23. you know, like me and like the Warners and others he was
24. somewhat dumbstruck that we were in this situation.
25. And, of course, there was no plan for lockdown, so
he was also perfectly reasonably saying, "How the hell do we lock down when there isn't a plan for lockdown and I've been told for the last eight weeks that (a) lockdown was impossible, (b) lockdown was mad because it just means an even worse second wave, now suddenly you and others are saying we're going to have to lock down, what the hell's going on?"

Q. In your statement you referred to a number of difficult discussions with the Prime Minister because of the way in which he swung, he backed and veered from taking the view that there had to be a lockdown to taking the view that there should not. Were those careful and measured considerations of the options or were they, to use your language, wild oscillations and trolleying?

A. Well, I think, you know, to be fair to the PM, you know, it's hard to overstate -- you know, the last time anyone had been in that building in a situation like that was literally Churchill. It was an extraordinary situation. And the PM had repeatedly, you know, extraordinary meetings. So he suddenly had the Cabinet Secretary coming in saying, "Are you absolutely sure about this? The Cabinet are going to revolt. This is all going to kick off". He had the Chancellor coming in to say the bond markets might puke and we might have a massive 2008-style financial crisis, with the perm sec

1 A. I think it was the PM.
2 Q. Was that a reflection of the agonising debate which was going on in Downing Street?
3 A. Yes, and a reflection of the fact that the Treasury were pushing back against -- the Treasury were kind of baffled as to what's going on: we had a plan why are we not sticking to it?
4 Q. But the Chancellor wasn't trying to stop serious action being taken, from your own statement, that's what you say, but you sent emails or WhatsApps to Mr Cain, we saw those earlier this morning, saying, "Get in here he's melting down ... He's back to Jaws mode ... I've ... said [the] same thing [to him] ten fucking times", and there's references to stopping the trolley. So it does appear, Mr Cummings, that there was a very real problem in getting the Prime Minister to agree to a course of action and to stick to it; is that the nub of it?
5 A. It is the nub of it. Also I think by the 19th it's important to realise that there had been a huge swing in the kind of institutional weight. So if you go back a week prior to the 19th the whole weight of the machine was behind plan A, by the time you get to the 19th the whole weight of the machine had shifted, and this was sort of cascading through the system of, "Hang on, we cannot do plan A, obviously, when you look at what plan A means and also how fast it's all going to unfold, we've got to shift". So there was a sort of huge institutional shift over the course of that week.
6 And part of what I was referring to in that message was by the 19th it was totally obvious that there was going to be a lockdown, and my fear then was that if the PM suddenly trolleyed back then all it would do was cause more, you know, needless confusion. If you imagine how hard it was to ditch plan A and shift to plan B, if the PM had then started saying to key people "Oh, hang on, we might move back to plan A again", you know, we were all holding our heads --
7 Q. And it would cause more delay?
8 A. Yes.
9 Q. There was a debate about whether or not London should be locked down. The Prime Minister met with the Mayor of London and they agreed to jointly announce that entertainment, hospitality and retail must close in London from that Friday?
10 A. Yeah.
11 Q. But the Prime Minister changed his mind again and that announcement did not take place and London was, of course, not shut down early.
12 The position then by the following weekend,
the weekend of 21 and 22 March, was that time was
allowed to see whether or not the measures which had
been put in place that week would work, whether or not
there would be sufficient compliance, and it became
apparent, didn’t it, over the weekend that from
continued social mixing up and down the land those
measures were simply not going to work, and that is why
the lockdown decision was made on the Monday?
A. Yes, I mean, if I recall correctly, again I would say
that it might have been formally made on the Monday but
I think it was pretty clear over that weekend that it
was going to happen before.
Q. There were meetings on the Sunday and the matter
obviously formally had to be debated by Cabinet?
A. Yeah.
Q. And the Cabinet meeting took place on the Monday.
For all those reasons, Mr Cummings, is that why you
say in your statement, in effect, that had proper
preparations been made, had a proper border and test and
trace system been in place, there may never have been
a need for a lockdown, but that it became necessary, as
the weeks in March moved on, to stop the NHS collapsing;
is that the nub of it?
A. It is the nub of it.
Q. If there had been a scaled-up test and trace system from
the government had overreacted, he was concerned
because, he said, "I’ve no idea whether Covid is killing
people, I don’t know how many Covid deaths are truly
additional, did we really have to take those steps", but
after he fell very gravely ill and recovered, he told
you, "This thing is no joke, thank god we changed
course, it would have been a catastrophe"?
A. Correct.
Q. Over the course of the months after the lockdown,
the government backed and veered, in no small part due
to the Prime Minister himself, as to the extent to which
the system should be allowed to open up and the extent
to which it should be kept controlled, and that debate
raged, did it not, throughout the summer months?
A. Yeah.
Q. Is that the time at which you and other members of
Number 10 engaged with Mr Hancock, particularly on
the issue of the way in which the testing system was
then becoming designed and put into place, the way in
which the care home sector was being protected
adequately or not, and the way in which steps were being
taken to try to get in sufficient quantities of PPE?
A. Yes. After I came back from having the disease myself,
from roughly 13 April we’d discussed extensively in
the Cabinet Room all of those things: how to build test
incompetence, the constant lies, the obsession with media bullshit over doing his job. Still no fucking serious testing in care homes his uselessness is still killing god knows how many. This morning you …

Are you addressing this to Mr Johnson?

Yes.

"... must ask him when we will get to 500k …"

Is that tests?

Correct.

"... per day and where is your plan for testing all care home workers weekly."

Yes.

If you could go, please, scroll out, and go to the bottom of that page and then scroll in on the last entry:

"You need to think through timing of binning hancock. There's no way the guy can stay. He's lied his way through this and killed people and dozens and dozens of people have seen it."

Was it around this time, in fact on 15 May, that Mr Hancock said, "We've tried to throw a protective ring around our care homes"?

I believe so. You have the date. I'm sure you're right.

If you could scroll in, please, it's quite hard to read the bottom of that page and then scroll in on the last entry:

"That exchange really worries me and reinforces the need to get a grip on DHSC who should have been kicking my door down over this for weeks to get it resolved."

A. Yeah.

"I'm fast losing confidence in [his] candour …"

But Mr Hancock was not sacked, but there was a significant change in Downing Street because on 14 May the Prime Minister called Mark Sedwill, the Cabinet Secretary, into his study and, at a meeting attended only by Mark Sedwill and Boris Johnson, Mr Sedwill was effectively told that his time was up. He ended up staying till September, but that his role as Cabinet Secretary was effectively over?

A. Yes. This was one of the most disastrous moments of the entire 2020 because it set off a kind of bomb across the whole system. I begged the PM not to do it. I knew what would happen. The same as every single HR conversation he ever had with anybody, it was a total disaster. And it was also -- I mean, from a personal level it was very unfair on Mark, but from a government level it kind of kicked off week after week after week of debilitating argument across the system, instead of actually rebuilding the system, which is what needed to happen.
Q. Do you want me to explain why or not?  
A. No, I'd like you to listen to the question, please.

Helen MacNamara and Martin Reynolds produced a report which identified toxic cultural problems in Number 10: people talking over junior women, sexist, macho culture, and they describe a pretty unpleasant working atmosphere in Number 10. Had you contributed to that toxic atmosphere, Mr Cummings?

A. Warm, I contributed to -- so certainly the atmosphere was toxic in all sorts of ways. I contributed to it in the sense of I'd said that the system's broken, a lot of the people need to be removed and it needs to be rebuilt. This was extremely unpopular with -- this was very popular with some officials, it was extremely unpopular with other officials, in particular Martin.

There was, though, I would stress, a lot of support. You know, a lot of very good officials had seen the collapse of the Cabinet Office up close. There was a lot of support for my view, which was that it needed fundamental root and branch change.

Q. My question was: had you contributed to that toxic atmosphere? Is your answer yes?
A. No, my answer's not yes. If you're trying to suggest that an overall -- the way that you characterise it, no. I think that explaining to the PM and others directly, "These are the problems, we can't carry on like this, crucial people need to be removed, here's what's wrong with it, here's how we rebuild it", did that contribute to bad relations, undoubtedly, yes, with some people. But it was necessary and justified.

Q. Did you treat individuals in Downing Street with offence and misogyny, Mr Cummings?
A. Certainly not.

Q. Could we have INQ000283369, please, an extract from Mr Johnson's "Fightback" WhatsApp group, page 37. Just to pick up the thread of the chronology, if you could scroll in on the top of the page, we can see that the first WhatsApp is 21 August 2020, Mr Johnson says: "Mail has fucked up remnants of my Scottish break so back in chequers and in a thoroughly homicidal mood. "We need a plan for the dept of education ... perm sec ... better ministers ... reform."

There is then some communication between him and Mr Cain and you at the bottom of the page. Then over the page, please, to page 38, you say this at 12.20: "If I have to come back to Helen's bullshit with PET ..."

What's that, propriety and ethics --
A. Yes.

Q. -- part of the Cabinet Office or Number 10: "... designed to waste huge amounts of my time so I can't spend it on other stuff -- I will personally handcuff her and escort her from the building."

Had you got form, Mr Cummings, for arranging for people to be escorted from Number 10 before?

A. You shouldn't believe everything you read in the newspapers. That story was not accurate.

Q. "I don't care how it is done but that woman must be out of our hair -- we cannot keep dealing with this horrific meltdown of the British state while dodging stilettos from that cunt."

Page 10 of INQ000283282:
"We gotta get Helen out of CabOff. She's fucking up frosty. She's fucking up me and case. She's trying to get spads fired and cause trouble on multiple fronts. "Can we get her in Monday for chat re her moving to [community local government] or df [Department for Trade] ... we need her out ASAP. Building millions of lovely houses."

If you go back one page to page 7, please, three pages in the same document, we will see a way in which you speak of a professional scientist who gave his time and considerable amounts of energy to SAGE, Professor Neil Ferguson, a third of the way down: "We should get someone to hammer Ferguson."

Mr Cummings, was that aggressive and foul-mouthed and misogynistic approach the correct way to manage fellow professionals?

A. I don't know what the Ferguson thing is referring to but, in terms of Helen and the situation at the Cabinet Office, you need to understand that the Prime Minister had first of all tried to sack the Cabinet Secretary and then botched it and he was still there, then he'd said to everyone that he wanted Helen to be removed as well and that he'd lost confidence in Helen. The new Cabinet Secretary had said that he wanted to have the authority to change both the PPS and choose his deputy, ie Helen. The Prime Minister had then trolleyed back on this as well. So we were in this absolutely nightmare situation where the PM had destroyed -- had made clear that he didn't have confidence in either of the two senior officials, had said to people he was going to remove them, then he didn't remove them for week after week. This led to an absolutely nightmare situation.

Now, my language about Helen is -- the language is obviously appalling, and actually I got on well with
Helen at a personal level, but a thousand times worse than my bad language is the underlying issue at stake, that we had a Cabinet Office system that had completely melted and the Prime Minister had half begun the process of changing the senior management and then stopped. So me and other people were desperately trying to build a new system with a new Cabinet Secretary over this period in order to get ready for September, and then suddenly we were getting dragged out of meetings on things like test and trace and vaccines to be told that we had to deal with Cabinet Office HR issues and legal questions regarding judicial reviews and Jolyon Maugham. This is -- I mean, Kafkaesque nightmare doesn't begin to explain it.

So I apologise for my language towards Helen but the underlying insanity of the situation at Number 10. A. When this morning --

LADY HALLETT: Mr Keith, I'm sorry to interrupt, but I think we have to take a five-minute break.

MR KEITH: Yes, of course.

LADY HALLETT: I'll be back at 4.35. So it's not five minutes.

(A short break)

the Vote Leave campaign I actually put a young woman in her 30s in charge of it, much to the rage of a lot of MPs.

So if you look at the reality of how I actually ran teams and how I got on with the private secretaries in Number 10, you will see the truth of the matter.

Q. Moving through to the late summer, your statement shows that the Prime Minister kept changing his mind several times a day, questioning what had been done, "I should be the mayor of Jaws", and you refer to pressure from Evening Standard that is owned by Lord Lebedev?

A. Yes.

Q. And is it Lord Lebedev he met -- spoke to on the phone and met, in fact, in the evening of Thursday 12 or 19 March?

A. I think I remember seeing a reference to the 19th.

Q. The 19th. All right.

The text messages that you sent the new Director General in Downing Street, or permanent secretary, Simon Case, in July and August show that you and he were gravely concerned about Mr Johnson changing position as to the merits or the need for a lockdown, the lockdown which had occurred in March, and throughout September/October Mr Johnson backed and veered again, did he not, about whether or not the undoubted evidence
of an increase in the incidence of the virus could only be met by a circuit breaker or ultimately a national lockdown?

A. Yes.

Q. It's in that period that there are multiple references to him being a trolley, to being incapable of making a decision, to also the influence, if any, that his then girlfriend exercised on his decision-making.

A. Yes.

Q. But the stage was reached, was it not, that everybody else in Downing Street took the view that a national lockdown was inevitable, and so it came to be. Were you in favour of a national lockdown in September and October, when the scientific evidence and the position of SAGE showed that the disease was spreading again and was spreading irrevocably towards a further collapse in the NHS or a collapse in the NHS?

A. Yes, as the evidence shows I basically agreed with Patrick and Chris and I think also ... I also thought that, as a kind of psychological or political judgement, that if we did not do what Patrick and Chris were suggesting, I had a lot of confidence -- remember at this point the data was extremely good, unlike the first wave, so at this point I had a lot of confidence in what the data people were saying, and I thought if they're

roughly right then I absolutely know that this guy is not going to be the mayor of Jaws, he will definitely bottle and U-turn and again it'll be the worst of all worlds.

Q. All right.

A. I think I know the one you're referring to.

Q. Is it the one in which you say: "We must NOT do national lockdown. Must preserve 'local approach.'"

A. Oh, no, sorry, it's a different one then.

Q. Why did you say to Mr Johnson and Mr Cain "We must NOT [in capital letters] do a national lockdown", on 15 October 2020, in light of what you've just said about being a proponent of the national lockdown?

A. Well, without having the message up its hard to see what the context is, but there's a couple of things. There is the argument between 17 and 21 September, where you can see there's lots of documentation about what I thought and Patrick and Chris and other people. At

this point, though, that ship had sailed to some extent and the PM had already decided to go down the local approach, so there was a debate inside Number 10 then when suddenly people were saying, "We've got to do a national lockdown now".

Q. All right.

A. There was an argument for, having started the local thing, you couldn't then just suddenly trolley again immediately and say, "Well, now it's going to be national", if you see what I mean, even though two weeks later it ended up being obviously -- obvious that we had to go to national again.

Q. Did you trolley, Mr Cummings?

A. Well, if you show me, what is it that -- oh, it's now up, let me just read this.

(Pause)

Sorry, this doesn't have what you were referring to on.

Q. This isn't the one. Never mind, I see some heads being shaken.

A. I think essentially, as I said, that there's the debate 17 to 21 September about a lockdown where the views of me and others were all in writing and very clear about what we ought to do. There is then the chaos between then and the end of October discussing possible local approaches which didn't work. There was a stage where I was trying to get the PM to stick to what they'd already announced on local stuff and not career off again, but unless you get the documents up it's hard to go into it in detail.

Q. In your statement you express the opinion that the second lockdown could have been avoided if, as you were saying earlier in the course of your evidence, a proper sophisticated scaled-up test, trace, contact, isolate system had been put into place from the spring, correct?

A. Correct, with mass testing as well.

Q. With mass testing, and you also attribute the fact that a lockdown could have been avoided if there had not been what you describe as failures in the Prime Minister's character?

A. Yes. Also, to be fair to the PM, remember that, for reasons still unexplained, DH basically trashed the idea of mass testing from March and, therefore, the months of March to July were wasted, to a large extent, in building that whole infrastructure up, until we were alerted about that in July.

So I think you can't hold the Prime Minister responsible for that -- for that.

Q. You left Number 10 Downing Street on 13 November 2020, roughly right then I absolutely know that this guy is not going to be the mayor of Jaws, he will definitely bottle and U-turn and again it'll be the worst of all worlds.
Q. And your last messages with the Prime Minister, Mr Johnson, were on 15 November, two days later. Could we have INQ00283282, page 26. If you could scroll in, please.
We can see Mr Johnson said:
"You speak of briefings from team Carrie."
Is that a reference to the allegation that she had briefed against you, colleagues of hers had been briefing against you, and may have been involved in leaks:
"She hasn't briefed anyone and my instructions to all were to shut the fuck up. How is any of us supposed to know where these briefings come from? Look at the claims made on behalf of allies of Lee and Dom. That I am out in 6 months. That I can't take decisions. That Carrie is secretly forging lockdown policy!!
And about a billion equally demented claims. Are you responsible for all that crap? No? Then look at it from my point of view. This is a totally disgusting orgy of narcissism by a government that should be solving a national crisis. We must end this. That's why I wanted to talk and see what we could jointly do to sterilise the whole thing. But if you really refuse"
of the 27th to the 29th.

A. It was the night of that Friday, the day that the PM got Covid.

Q. In your statement, you say that the Prime Minister knew that you had moved your family out of London, but his WhatsApp messages -- INQ000226225, page 22 -- are adamant that you never told him that you had gone to Durham during the lockdown and he only discovered when the stories started to come in.

(Pause)

Whether or not you told him, on 12 April you drove 25 miles to Barnard Castle to test your eyesight, yes?

A. Er, so --

Q. Did you drive to Barnard Castle?

A. Are you asking me about the whole thing or just about the 12th?

Q. I want to ask you about Barnard Castle on 12 April.

A. Yes.

Q. Did you drive there?

A. Yes.

Q. Did you take your wife and child in that car?

A. Yes.

Q. Why did you need them in the car to be able to drive to test your eyesight?

A. Because, well, as I explained to MPs a couple of years ago --

Q. Just tell us, please.

A. Oh. I am. So in the days up until the 12th, of course, the PM was increasingly sick, I was getting messages from Lee Cain and others about the diabolical situation --

Q. Mr Cummings, why did you --

A. I --

Q. Excuse me.

A. Sorry, you asked me to answer the question, so I'm answering the question.

Q. Why did you take your wife and child in that car to enable you to test your eyesight?

A. As I was saying, I was asked to go down, to drive back down to London because of the terrible situation with the government. I had intended to go the day before on Saturday but I was too ill to do so. On the 12th I thought: right, I'll drive down the road, drive back, see how I feel, and if I feel okay then I'll drive back the next day. Back to London, I mean.

Q. Why did you have to have your wife and child in the car to assist you to drive down the road?

A. Well, obviously I didn't have to have them in the car.

Q. That day, 12 April, was it your wife's birthday?

A. It was.
"knackered"?

A. Yes.

Q. On 13 November, with the country on the cusp of a devastating second wave, you left work for the weekend; you never returned, did you?

A. Sorry, on 13 October?

Q. On 13 November 2020 --

A. Oh, 13 November.

Q. -- did you leave Downing Street and never return?

A. Correct.

Q. And you left Downing Street under the control of a man whom you described yourself as unfit for office?

A. (Witness nods).

MR KEITH: Thank you.

LADY HALLETT: Mr Weatherby.

Questions from MR WEATHERBY KC

MR WEATHERBY: Thank you, my Lady.

Mr Cummings, I'm going to ask you a very short number of questions on behalf of members of the Covid Bereaved Families for Justice UK. I have permission on two points.

I'm just going to pick up really where Mr Keith left off, and could we have INQ000226258 at page 6, please.

This is a WhatsApp, the Number 10 WhatsApp group. I'm sure you're familiar with it. It's 15 October 2020, and it reads:

"We should start an enforcement dashboard of Covid reporting. I've harped on but it's killing us. How do you justify ever more Potemkin laws that aren't obeyed? At what point do people reasonably say fuck this I'm the idiot for taking the rules seriously? Like with surveillance and data, the truth is we've ducked out of facing these questions at a political level. We shouldn't. We [should] look at enforcement metrics like hospital metrics. And change the laws on policing. Or else admit to ourselves we genuinely aren't serious!"

Now, first of all, the point that you were making that, there should be a public-facing dashboard for compliance with Covid regulations, was that connected to public confidence in the regulations?

A. Er, no, actually I think it -- I think that this was a reference not to a public dashboard but to a kind of -- but to a sort of internal government dashboard. So at that point we had a kind of health dashboard which would be presented to the PM and obviously --

Q. Yes.

A. -- more people. What I was suggesting was that added to that dashboard should be information on enforcement so that we could get a much clearer picture of the true situation.

Q. Okay, so you could present data which would enhance public confidence in the regulations?

A. No, so that we could actually understand honestly what was really happening on the subject of enforcement round the Cabinet Room table and get a grip of this situation, which frankly was just being very badly handled.

Q. Okay, so you then go on to refer to Potemkin laws, a word you've used a number of times.

A. Yeah.

Q. Just to make it clear, Potemkin laws, you're there saying that they're effectively deceptive regulations?

A. They're there to convey something, but they don't actually do anything; that's what you're trying to convey, isn't it?

A. Sort of. So the reason for this was that at this time there was a really fundamental problem which was that on the one hand we were being told that compliance to various rules was not being followed at the level that we needed it to be. This was then generating in Whitehall a constant sort of ratchet to say: well, let's tighten up these rules in various ways to try and get compliance higher. But this was fundamentally misconceived in lots of ways, because the new rules which were constantly being suggested were aiming at -- would have no effect on the people that were complying.

Q. I'm not going to take this point any further. It's just Do you see what I mean? So there was a sort of -- there was a sort of Potemkin process of people saying: well, compliance is bad, let's impose more laws, but these laws are not actually being enforced.

Q. Let me try and short-circuit this. By this point, you were putting forward the view that the regulations that were in place were not being obeyed or they were unenforceable or they were deceptive?

A. Correct, and it was a bad combination --

Q. Yes.

A. -- to have this mix of rules that were not being enforced, and not face that problem squarely, but then keep demanding more rules and more rules and more rules.

Q. Just finally on this point, when did you reach that view? Was that before or after your trip to Durham?

A. Oh, long bef -- oh. Well ... I mean, we were discussing these enforcement issues I think from April, and it was a constant problem in Number 10 to try and figure out what was actually being enforced and what the police were doing, and this central question of how the police would interpret their role in enforcing things. Because obviously sometimes they massively overreacted on certain things and arrested people when they shouldn't have done, et cetera, et cetera, which was bad --
if that’s so, you’d known that from the outset? That’s
a period of about six months where you’re chief adviser
to the PM.
A. Yes, certainly for many months this problem was debated
and there were multiple meetings with the Home Secretary
and the Home Office about this question about
enforcement compliance and this problem of constantly
increasing the number of laws but people not complying
and this actually undermining the whole regime.
Q. The second point -- well, INQ000093325, please. This is
another WhatsApp, it’s a short point and going back to
14 April. And this raises a point about transmission in
hospitals. Just the first page just sets out who is on
the WhatsApp group, and it seems to be people in your
office and from the Department of Health.
A. Yeah.
Q. And I think that the owner of the cellphone, so
described, is Matt Hancock.
A. Okay.
Q. Perhaps you can help us with that as we go along. The
message at page 2, short message, and it’s from you:
"Surely we should be segregating hospitals between
[Covid-19 and non-Covid-19]? Are there any good
arguments against this? How else will we stop the
spread in hospitals?"
Q. Okay. I don’t want to close down your answer, but
perhaps we could do it a bit shorter --
A. Sure.
Q. -- in the answers.
You had been to Durham and Barnard Castle, and this
is your first day back at work?
A. Second day, yeah.
Q. Second day back at work, and you are raising the fact
that there doesn’t seem to be segregation in hospitals.
Why was that actually, on that day, something that
occurred to you?
A. I mean, I can’t remember now, to be honest. I mean, on
any day around this time I would have literally like
a hundred issues like this that I would deal with.
Q. Were you reassured by the answer, "Welcome back. We are
doing this within hospitals and with the Nightingale",
or did you think that, given this was such a major
issue, that you should investigate further?
A. I did investigate further. I spoke to Chris Whitty and
Patrick about it at some point in the next few days.
Q. Yes.
A. They reiterated their concerns about this, and testing
in care homes too.
Q. Were you satisfied with that response? Did you think
that Mr Hancock and team were actually doing what they
should be doing in terms of segregation in hospitals?
A. So, no. I mean, as you can see from the whole stream of
messages, in general I wasn’t. At this time in April,
everyone round the Cabinet table knew that we had to
probe and keep asking repeated questions.
Q. Final point on this is that the context of this really
is 19 March, isn’t it? That you would know at 19 March
the decision was taken to move 30,000 patients out of
hospitals, many of them into care homes?
A. Yes.
Q. And here we are three or four weeks later, and you’re
still raising points about segregation in hospital and
isolation?
A. Correct.
Q. Does that tell us something about the response?
A. Yes, I mean, I think that and all -- and lots of the
other messages which the counsel has been showing
regarding messages between me and other people in
Number 10 in April, officials were like literally
shouting at me about this subject, private office
officials were rightly raising concerns about
care homes, and I think I said earlier on an excellent
official, Alexandra Burns, raised this issue
repeatedly --
MR WEATHERBY: Thank you.
A. -- and rightly.

MR WEATHERBY: Thank you, my Lady.

LADY HALLETT: Thank you, Mr Weatherby.

Mr Friedman, I think you're going next.

Questions from MR FRIEDMAN KC

MR FRIEDMAN: Thank you, my Lady.

Mr Cummings, I act for four national disabled 
people's organisations and I want to ask you about two 
documents, both of which were copied in to your letter 
that you wrote to the Inquiry.

So if we go back, please, to INQ000048313, and the 
first document is at the bottom of page 3 and it's the 
screen of the whiteboard that you were asked about. And 
this is Number 10, isn't it, on the evening of Friday 
13 March 2020?

A. Yes.

Q. Just under point 4 on the whiteboard and the lockdown, 
the word “Lockdown” on the left-hand side as you look at 
it, it says “[Equals] e/o [everyone] stays home”?

A. Yes.

Q. Do you see that? Then there are words in brackets just 
under that:

“Who looks after the people who can’t survive 
alone??”

A. Yes.

covering all of these things. And, in fact, that did 
happen regarding that and there was a meeting on the 
19th about it, an extremely bad meeting.

Q. Can we just then follow that through with the second 
document I wanted to take you through, and that's passed 
in the same letter, same reference, and it's at page 24, 
and it's part of the email correspondence that you had 
with the mathematician -- I'm going to call him 
Professor Sir Timothy Gowers, you have called him 
Tim Gowers.

A. Yeah.

Q. I want to just ask you about the email dated 15 March 
2020.

A. Yeah.

Q. Page 24 at the top, just under the words “Me/Gowers 
15/3”, and to get your bearings on it:

"Thanks Tim, I basically agree. We cannot do herd 
immunity in the crude way media discussing without NHS 
collapse. We must avoid NHS collapse at all costs. 
We'll have to move rapidly to extreme measures to buy 
time to increase NHS capacity, work on drugs, etc. The 
only question is how fast to move through levels of 
extreme caution."

Then this, Mr Cummings, which is what I wanted to 
ask you about:

"Proper social isolation for vulnerable groups will 
kill many of them -- our advice is starting this now 
would kill more than it would save -- but of course we 
must review constantly and try to time for when it will 
save more of these groups than it kills."

Then there is a follow-on email where 
Professor Gowers asks you to send the details of that 
advice.

A. Yeah.

Q. And you tell him -- I need not go into it -- they're 
overtaken by events, you say, new measures are going to 
come in.

A. Yeah.

Q. Can you explain now for the Chair what advice you were 
referring to when you said in the email on 15 March, 
"Our advice is starting this now would kill more than it 
would save but review consistently and try to time for 
when it will save more of these groups than it kills"?

What was that advice?

A. So Chris Whitty and others from the Department of Health 
had addressed this question, and essentially what they 
were saying was that, you know, if you've got a load of 
people, some of whom are very seriously disabled or have 
health problems of all different kinds, vulnerable in 
different ways, then if you tell them to go into sort of
like a severe isolation, then that itself -- of course that's going to help protect them against Covid, but that itself is going to be extremely damaging for some fraction of that vulnerable population, and this was part of the whole question which we kind of sort of alluded to earlier on about the question of timing.

So in terms of plan A, the original plan A, the logic was: well, we're going to time it like that so there's herd immunity by September, and also timing it is relevant for these relevant groups. If you do it now, say, you know, say 1 March hypothetically, then you would be saving very few of them from Covid because Covid was not, as the people thought it, then very prevalent. Do you see what I mean?

Whereas if you nominally timed it for sort of eight weeks later, say, as people were thinking about at the time, then they would be much more protected from Covid. So it was like what Chris Whitty's point was and other people's points was: there was this question of balancing the trade-off in time. If you go earlier, you save fewer people from Covid by definition because there's less Covid around, but you kill more people by putting them into isolation in various ways. If you go later, you save more people from Covid but also they suffer from being isolated. Do you see what I mean?

LADY HALLETT:

LADY HALLETT:

A. Yes. Also it's crucial to bear in mind that one of the nightmares things we discovered at this time was that there wasn't -- not only was there not an actual plan for shielding, but that many people in the Cabinet Office didn't want to have a plan for shielding.

Now, fortunately, a brilliant official called Jen Allen, a young woman in the digital side, worked with a guy called Oliver Lewis and they essentially said to the Cabinet Office, "This is all total bullshit, we are going to build a system for shielding", and they hacked together a bunch of databases, they called up local authorities and they figured out a way to do it. But it was literally basically cobbled together in 72 hours or something.

Q. And from scratch?

A. From scratch.

MR FRIEDMAN: Thank you, my Lady.

LADY HALLETT: Thank you, Mr Friedman.

Mr Jacobs.

If you could keep your answers a bit shorter,

Mr Cummings, I'm afraid it's been a very long day.

A. Sorry, I will certainly try.

LADY HALLETT: Don't worry about looking at Mr Jacobs, he won't consider you're being insulting if you don't --

A. Sorry, don't look at him?

LADY HALLETT: -- because we don't want you turning away from the microphone.

A. I apologise, sorry.

LADY HALLETT: It's okay.

Questions from MR JACOBS

MR JACOBS: I apologise for asking questions over your shoulder, Mr Cummings. On behalf of the TUC, I have a few questions in relation to a passage on page 85 of your statement, and in particular paragraph 412. You say:

"A lot of rich people had a happy time in Spring/Summer 2020 staying at home with family, working via Zoom. Lots of poorer people had to go to work or lose money. There was resistance to thinking about how to compensate people for staying at home when they were told they had to."

In relation to your observation that lots of poorer people had to go to work or lose money, are you referring, Mr Cummings, to the many in lower paid occupations who continued to attend work throughout 2020: transport workers, those working in supermarkets and food processing plants, and so on?

A. Exactly, yes.

Q. And are you referring to the problem that many attending work on low income, if they had to self-isolate, may be in a financially precarious position?

A. Exactly.

Q. You make the observation that there was resistance to thinking about how to compensate people for staying home when they were told they had to.

A. Yeah.

Q. First, perhaps a simple point, but why was it important to compensate people for staying home when they had to?

A. Well, (a) I thought there was a reasonable argument, just in moral terms, that we should compensate people for staying home. (b) there was a practical question that, you know, obviously -- you know, if I think of my own position, if I had very little money and my -- and I was told: well, you've got to stay at home, but in doing that I wouldn't have the cash to actually look after my own family, then obviously I'm going to ignore a lot of rules and I'm going to go off and I'm going to work and try and keep getting paid. And that was a fundamental problem that that refers to.

If you look around the world --
1. Q. Sorry, Mr Cummings, I'm just conscious of time.
2. A. Sure.
3. Q. It's a fairly simple logic, isn't it, that if
4. self-isolation isn't effective in low income groups,
5. then that's going to put an upward pressure on the
6. R rate?
7. A. Correct.
8. Q. So why was there a resistance to providing financial
9. support for those needing to self-isolate?
10. A. I think it was just normal Treasury official short-term
11. thinking, was my impression at the time.
12. Q. Do you recall Sir Patrick Vallance and others trying to
13. impress upon ministers in meeting that this issue of
14. financial support for self-isolation was an important
15. one?
16. A. I do, and I think Patrick also raised it with me
17. directly.
18. Q. Could we have on screen INQ000273901 and page 164, and
19. this is an entry, Mr Cummings, from
20. Sir Patrick Vallance's diary or daily note which you may
21. have seen put to Mr Cain this morning.
22. He says, and this is on 7 September 2020;
23. "[Chancellor] blocking all notion of paying to get
24. people to isolate despite all the evidence that this
25. will be needed."

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1. the pandemic on a number of minority ethnic groups?
2. A. I think it was discussed, but I think this issue -- like
3. many issues sort of similar to the nightmare of child
4. abuse and things like that, and care homes -- I think
5. this issue was generally neglected in the chaos.
6. Q. Does it fall into the same category that you describe
7. earlier, then, as an issue appallingly neglected?
8. A. Yes.
9. Q. Were ministers advised, to your recollection, that
10. financial support for self-isolation would not only
11. assist generally those on lower income workers, but it
12. would also help lessen the disproportionate impact on
13. some minority ethnic groups?
14. A. Yes, different people made versions of that argument and
15. sort of similar arguments.
16. Q. So help us, Mr Cummings, with your impression as to why
17. it is, then, that there seems to have been simply no
18. interest in actually addressing it?
19. A. Well, sorry, there was interest in addressing it,
20. different parts of the system addressed it, there were
21. people in private office who addressed it and other
22. parts of the system, including Patrick, including SPADs,
23. including officials from elsewhere. Also there was
24. resistance from the Treasury --
25. Q. Sorry, Mr Cummings, I'll rephrase my question slightly,
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