

Tuesday, 31 October 2023

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2 (10.00 am)
3 **LADY HALLETT:** Mr O'Connor.
4 **MR O'CONNOR:** My Lady, our first witness this morning is
5 Lee Cain.

MR LEE CAIN (affirmed)

Questions from COUNSEL TO THE INQUIRY

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8 **MR O'CONNOR:** Could you give us your full name, please.
9 **A.** Yes. Lee Edward Cain.
10 **Q.** Mr Cain, you have kindly prepared a witness statement
11 for the Inquiry, which is up on screen. I know that you
12 are familiar with the contents of that statement, and we
13 don't need to go to it, but on the last page of
14 the statement there is a statement of truth, stating
15 that you believe that the contents of the witness
16 statement are true, and you've signed your name
17 underneath that statement, haven't you?
18 **A.** Correct.
19 **Q.** And you did that on 25 August 2023.
20 **A.** Correct.
21 **Q.** Thank you.
22 Mr Cain, it's right, isn't it, that you began your
23 career as a journalist, but subsequently you've worked
24 in communications and public relations?
25 **A.** Yes, that's correct.

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1 communications until you resigned in November 2020, so
2 18 months or so?
3 **A.** Yeah, just a bit short of that, correct.
4 **Q.** If we look at your statement on that first page that's
5 on the screen at the moment, Mr Cain, at paragraph 3 you
6 refer to your position as director of communications and
7 you say that you were "one of the Prime Minister's most
8 senior advisers".
9 As director of communications, tell us in a few
10 sentences, what was your responsibility? Did you in
11 fact have responsibility for communications across
12 government or was it something less than that?
13 **A.** No, I think it's -- your broad role and remit is to
14 provide political advice to the Prime Minister within
15 the sphere of communications, and it's quite nebulous to
16 some degree what control and authority you have over the
17 wider government machine. There is an executive
18 director, when I was there, it's a gentleman called
19 Alex Aiken, who is -- who oversees the GCS, which is
20 the Government Communication Service, so that is all of
21 the departments and the ALBs and the budget and the
22 marketing, all that side of things, and the civil
23 servants would normally report in to Alex, and we would
24 work together on, you know, various issues, but as
25 a sort of -- it's quite unclear who is in control of

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1 **Q.** In 2016, you worked in that field for the Leave campaign
2 in the Brexit referendum?
3 **A.** Yes.
4 **Q.** You, I think, were the communications head for the Leave
5 campaign?
6 **A.** Head of broadcast.
7 **Q.** Thank you. And after the referendum, you worked in
8 various -- in communications roles in various different
9 government departments, including working for
10 Boris Johnson when he was the Foreign Secretary between
11 2016 and 2018?
12 **A.** It was the latter half of his time as Foreign Secretary,
13 so from -- you know, for the final year I think he was
14 there, not the entire time.
15 **Q.** So 2018 at least?
16 **A.** Yes, yeah.
17 **Q.** When Mr Johnson became Prime Minister in 2019, following
18 Theresa May's resignation, you were appointed as his
19 director of communications at Number 10?
20 **A.** Yes, and I'd worked as well with him while he was on
21 the backbenches during that sort of period in between --
22 **Q.** Between 2018 and 2019?
23 **A.** Yeah, yeah, yeah, before he went back into Number 10
24 after he left the Foreign Office, into Number 10.
25 **Q.** From July 2019, you held that post of director of

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1 certain elements, but mine would be more the political
2 but also more of a sort of counsellor to
3 the Prime Minister as well.
4 **Q.** You use the word "political" and, as we will see, your
5 role was certainly not limited to, shall we say,
6 presentational matters. You were advising him on what
7 his strategy should be, not just how it should be
8 presented?
9 **A.** That was broadly correct.
10 **Q.** Give us a sense, Mr Cain, of your personal relationship
11 with Mr Johnson in 2020. You say you'd worked with him
12 for some years by then. Was he a friend of yours?
13 **A.** I think -- he was my boss, so, you know, friend is --
14 you know, would be presumptuous for me to say, but
15 I think we were -- we were close, we would speak pretty
16 much every day, and I think I had a good understanding
17 of him. I think part of what I brought to
18 the Downing Street operation, having worked with him for
19 quite a long time, was just a good understanding of how
20 he would react to information and, you know, you get
21 a sort of simpatico, almost, relationship between
22 a special adviser and a -- and a principal.
23 **Q.** I want, Mr Cain, to take you through some of the events
24 in 2020 in a reasonably chronological way. If we can
25 look, please, at paragraph 4 of your statement, starting

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1 at paragraph 16, you make the point here that although
2 as you say:

3 "There was an awareness of ... Covid-19 ... early in
4 January [of that year] ... It was only one of many
5 issues discussed inside Downing Street ..."

6 And you say it was a "low priority" at that point.

7 Then if we can look at the next paragraph,
8 paragraph 17, you talk about various other issues that
9 had some prominence in January and into February:
10 Brexit, 5G, a reshuffle of the Cabinet, HS2 and so on.

11 So can you give us a sense, then, of where Covid
12 fitted into the hierarchy of concern in January and
13 February of 2020?

14 **A.** I think it was -- it started off from a pretty low base,
15 I would say. You know, in Number 10 there is always
16 a ... there is always decisions to be made over,
17 you know, what will be the priority issues. As you can
18 imagine, only the most difficult issues are dealt with
19 in Number 10, because if they were soluble they would be
20 solved at a departmental level. So there is that
21 constant balance of what do we need to focus on at any
22 one time. You can see from the issues that
23 I've outlined here, these are all pretty taxing and
24 difficult, you know, issues that deserve the
25 Prime Minister's and Number 10's attention. But I think

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1 Covid, at that stage at any rate, wasn't even, you say,
2 in the "top five" of concerns, but you go on to say, as
3 I think you've just indicated, that officials at the
4 DHSC were confident of the strength of the UK's pandemic
5 preparations and the general view was that it was
6 something that could be dealt with at departmental
7 level.

8 Does it follow that, at least at that stage,
9 January/February, you weren't worried about the priority
10 that was or rather wasn't being given to Covid?

11 **A.** I think in January, particularly early January, it felt
12 like, you know, we were getting the balance right at the
13 time. I think as we moved into late January and early
14 February, I think, you know, it'd become clear that we
15 didn't particularly have that balance. But then I think
16 it becomes -- you know, the focus, from what I saw
17 yesterday, was quite a lot on individuals but I think
18 the actual institutions, the organisations within
19 the Cabinet Office and, you know, in the Department of
20 Health, the feedback was, you know: we are well prepared
21 to deal with this and things are in hand.

22 The question of whether Number 10 should have been
23 kicking the tyres more and checking those issues, if
24 they were in place, I think is a valid one but I think,
25 you know, we were probably complacent to the fact that

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1 at first Covid, you know, we were informed was --
2 you know, we were obviously having conversations with
3 the Department of Health, the view was the UK was
4 incredibly well prepared, there had been a decade of
5 pre-preparedness, and we were, you know, amongst
6 the best in the world to deal with a pandemic, and it
7 was being monitored closely by, you know, officials in
8 the Department of Health.

9 So I think it was quite rational at that point to
10 assume it would be a departmental lead, and they would
11 continue to inform us as and when was required, when it
12 needed more attention. I think -- and you can see it
13 goes up the sort of agenda in Number 10 as we move
14 through January and into February.

15 **Q.** Yes.

16 **A.** Clearly, you know, we got that assessment wrong, but
17 I think you can probably see why we made the judgments
18 that we did at the time.

19 **Q.** If we can just look at the next paragraph, please, and
20 pick up on one or two of the things you've just said,
21 Mr Cain.

22 **LADY HALLETT:** Could you try and go a little slower,
23 Mr Cain, please.

24 **A.** Sorry.

25 **MR O'CONNOR:** We see there, as I think you've explained,

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1 the work was being done elsewhere, when, you know,
2 obviously, it was not.

3 **Q.** You've mentioned a couple of times, and you refer here
4 to officials at the Department of Health providing that
5 assurance, talking about the plans, and so on. Was it
6 just officials or was it the Secretary of State,
7 Matt Hancock, as well?

8 **A.** The Secretary of State as well was confident on
9 the pre-preparedness. I think in defence of
10 the Secretary of State as well, he did raise the issue
11 early in January, he did speak about it, you know, at
12 a frequent basis, so it's not like it wasn't being
13 raised, but there was an assurance that, you know, we
14 were well set to deal with, you know, whatever come our
15 way.

16 **Q.** He raised it but he followed that by assuring those he
17 was talking to --

18 **A.** Correct.

19 **Q.** -- that the plans were in place and that the UK was well
20 placed to address the threat?

21 **A.** And that, of course, was still the sort of -- I say
22 "official" but, you know, it was still the government
23 position even when the action plan was launched in,
24 I think, early March that, you know, we were well
25 prepared to deal with Covid and, you know, we'd had this

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1 decade of preparedness, that was language from
2 the action plan. So rolling into March, that was still
3 the government view.

4 **Q.** We'll come to the action plan in a moment.

5 Can we look forward, please, on to the next page of
6 your statement and look at paragraph 22. You refer
7 here, Mr Cain, to I think perhaps a conversation, or
8 a contact, anyway, that you had with a senior adviser to
9 Matt Hancock, I think it must have been 31 January, who,
10 according to this at any rate, suggested that perhaps
11 the plans weren't as well prepared as the assurances
12 that were being given.

13 Can you tell us a little more about that exchange
14 you had?

15 **A.** Yes. That was the first time for me somebody had raised
16 questions about pre-preparedness at that point.
17 You know, they mentioned that while the no-deal
18 preparations had helped support some of the government's
19 planning, they were just concerned about supply chain
20 issues and other such things and were not sure we were
21 in as good a place as potentially was being represented.
22 It wasn't a sort of panic, it was just someone flagging
23 that maybe this needs a bit more attention.

24 **Q.** As you've just said, and as we will see, the mood of
25 confidence lasted long beyond 31 January --

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1 the fact, of course, we know, that he did not attend or
2 in fact chair a whole series of early COBR meetings.
3 You say that he was "focusing his time on the issues
4 outlined" -- I think you mean those other priorities
5 that --

6 **A.** Yes, correct.

7 **Q.** -- were just mentioned, don't you? And he took
8 a two-week holiday. But you go on to say that you don't
9 now, I think, criticise the Prime Minister for using his
10 time in that way during that period because this was
11 a reflection of the prioritisation that we've discussed;
12 is that right?

13 **A.** Correct. I think also, you know, in defence of
14 the Prime Minister, and there are certainly things that
15 the Prime Minister got wrong, but I think in this early
16 stage he is receiving assurances that, you know,
17 everything actually is being well prepared and we are in
18 a good situation to handle things, and nobody's sort of
19 setting up the warning flares to him or to the core team
20 so, you know, his behaviour at this point isn't,
21 you know, irrational, to focus on some of the other
22 issues that, you know, we shouldn't forget were
23 large-scale, significant issues at the time.

24 **Q.** If we could look back, please, at paragraph 18 of your
25 statement, the last sentence or so, you refer to

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1 **A.** Correct.

2 **Q.** -- so did you do something about this warning that you
3 had been given or not?

4 **A.** So at that point, and I can't quite remember the
5 beginning dates, I started to host a sort of
6 cross-Whitehall meeting with the communication
7 professionals, which we would invite departmental heads
8 and arm's length body heads, like the NHS, to come into
9 Number 10, and just raise the sort of issues that they
10 were getting, because I think part of the problem
11 the communicators were feeding in to me was: we're being
12 asked a lot of questions by the media and we don't
13 really have any answers to many of these questions. So
14 we tried to begin then a sort of central hub where at
15 least I was getting the information from source, so to
16 speak, and then we'd try and shake the tyres a little
17 bit -- kick the tyres, sorry -- in Number 10. I think
18 soon after Mr Cummings as well started a senior team
19 sort of meeting in Number 10, focusing on Covid.
20 I think this was more sort of mid-February, I would --
21 I would suspect.

22 **Q.** All right.

23 Let me ask you, Mr Cain, about the Prime Minister,
24 about Boris Johnson's approach at this time.

25 At paragraph 21 of your statement, you refer to

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1 the fact that the Prime Minister at this stage was
2 stressing the importance of not overreacting in
3 the response, something he said often resulted in
4 greater damage than the initial threat, and that he
5 linked or likened Covid to past viruses, such as
6 swine flu.

7 Is that something that he said more than once during
8 that period?

9 **A.** It was. I think he was alive to the fact that previous
10 health issues that had sort of taken hold, you know, in
11 years gone by had proved to be sort of not as first
12 anticipated, and I think he was worried about
13 the government being swept up in a sort of media
14 hysteria, and overreacting and causing more harm than it
15 would otherwise. And again I think that, you know, he
16 has a certain colourful phrase of language sometimes,
17 but I think it was right and proper that we were looking
18 to provide challenge to, you know, what potential
19 options were at that point.

20 **Q.** Now, this is January or so. As we will see, it's right,
21 isn't it, that, in fact, Mr Johnson carried on stating
22 that he didn't want to overreact to Covid for some
23 considerable time after that, even when perhaps other
24 indicators were that this challenge was going to be more
25 serious?

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1 A. Yes, that's correct.

2 Q. Let's just look, if we can, at INQ00048313, please, it's
3 a lengthy document, page 49 of that. This is, let's
4 say, a month on, it's the end of February, and it's
5 a message from you to a number of people within
6 Number 10, including Boris Johnson, and we see towards
7 the bottom of your message you're saying:
8 "Pm should ... chair a COBR every Monday with
9 Hancock and officials doing the rest of the week ..."
10 Can we take it then that some time has passed and
11 you are now saying: things are more serious, we've got
12 to move up through the gears?

13 A. Yes.

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

16 A. Yes, that's correct.

17 Q. We know that in fact the first time that Mr Johnson
18 chaired a COBR was a day or two after this, on, I think,
19 2 March.
20 If we can then move on, please, to page 68 of this
21 document, and zoom in on the bottom, the green message
22 at the bottom, please, here is a message from
23 Dominic Cummings to you on 3 March, so the day after
24 Mr Johnson chaired his first COBR, a month after that
25 January period that we were just discussing, where

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1 you know, what were we supposed to do. You know, I'm
2 not an epidemiologist, you know, that's not
3 the expertise I would bring. I think, you know, there
4 was the lack of clarity of what we should be doing at
5 that point, really.

6 Q. Well, let's come on to that, Mr Cain, because of course
7 that message was sent on 3 March, and that was the same
8 day, in fact, as the Covid action plan that you've
9 already mentioned was published.
10 You refer to this at paragraph 30 of your statement,
11 on page 7. I think it's fair to say you're quite
12 dismissive of this plan in your statement, Mr Cain. You
13 refer to, we can see, about four or five lines down, as:
14 "... a swiftly prepared document, published to
15 provide some context to the options we had and the
16 thinking behind our covid response."
17 But then a few lines further down you said:
18 "... many in government -- including senior
19 officials and politicians -- repeatedly referred to
20 the action plan as the actual government plan to manage
21 the pandemic. This was surprising, as the document had
22 little detail and was clearly only useful as
23 a communications device."
24 Now, you, of course, were the director of
25 communications. At the time, in early March 2020, did

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1 the message seems to be that Mr Johnson still:
2 "... doesn't think it's a big deal ... he doesn't
3 think anything can be done ... his focus is elsewhere,
4 he thinks it will be like swine flu and he thinks his
5 main danger is talking the economy into a slump."
6 Now, you very fairly said a moment ago that in
7 January you didn't criticise the Prime Minister for
8 thinking more about 5G, HS2, and so on. What about in
9 early March?

10 A. I think the Prime Minister was not alone in not doing as
11 much as we should by early March, given the scale and
12 the evidence that was all over our TV screens at
13 the time. So, yes, the Prime Minister should have done
14 more, but I think also, you know, the team around him
15 and across Whitehall should have done more.

16 Q. What about you, did you think by early March it was
17 a big deal or not?

18 A. I think so. I think we all thought it was a significant
19 challenge and something that was going to be, you know,
20 the only thing that we were focusing on for an awful
21 long time. I think it was more of, you know, how and
22 what should we be doing at that point. I don't think
23 there was any clarity of purpose, any really serious
24 outlined plan to deal with Covid at that particular
25 point, and I think that was the core failure, was,

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1 you see it as just a piece of PR, or did you think that
2 it was actually the plan?

3 A. I mean, anyone who reads the document, you know, will
4 see that it's not a -- it's not a plan to deal with
5 Covid, if you -- you know, the -- it is a very thin
6 overview of how we may manage the virus if, you know, if
7 it progresses.
8 I mean, the first element of it was contain, and
9 even by that point I think contain was really off
10 the table. So, you know, it just felt a strange
11 document for people to be referring to as an actual
12 government plan at that particular time, and I think
13 that was an area when, you know, quite a few people in
14 Number 10 were starting to get concerned because if this
15 is the plan, then we clearly don't have a plan.

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

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

21 Q. Did you have the concerns that you're expressing now at
22 that time?

23 A. I think I had concerns that we didn't have -- I mean,
24 the document itself was not -- that -- it wasn't
25 the issue. The document itself is fine. The purpose

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1 for the document was a concern, and I think that's when
2 there was, you know, challenges, the challenge made of:
3 okay, well, what is our actual plan at this point?

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

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

10 Is that something that you felt at the time?

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

16 **Q.** Did you raise concerns about it then?

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

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

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

6 **A.** Yes.

7 **Q.** Okay.

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

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

20 I felt, in Covid more than anything, actually there
21 were periods when a lot of the policy was having to be
22 drafted by or certainly shaped by communications
23 professionals because there wasn't really anybody else
24 doing it to any great level, which was a surprising
25 thing to have to be dealing with from my side.

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1 I wouldn't have been challenging the sort of scientific
2 assumptions, no.

3 **Q.** It was at around this time, and we may hear more detail
4 later today, that Dominic Cummings was demanding to see
5 the plans, calling particularly for the Department of
6 Health to provide these pandemic plans that everyone had
7 spoken so much of. Were you aware that he was making
8 those enquiries, requests, demands?

9 **A.** Yes, yes, I was. I think at that particular time there
10 was probably only Dominic who was really forcefully
11 being agitated and sort of, you know, kicking -- as
12 I say, kicking the tyres quite robustly. I don't think
13 he got a great deal of information back, if I recall.

14 **Q.** Now, we know that the week that followed the publication
15 of the action plan, the week starting on Monday 9 March,
16 leading up to the 13th, was an action-packed week, there
17 were at least two COBR meetings, and we'll come on to
18 mention the discussions at the end of that week and
19 the weekend that followed.

20 First, I'd like to go back to the earlier
21 INQ00048313 document, please, and look at page 22.

22 Yes, thank you.

23 So this is a text or a WhatsApp sent by
24 Dominic Cummings to Boris Johnson on 12 March, so
25 the Thursday of that week, where he says:

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1 **Q.** I want to press you a little bit, Mr Cain, about
2 the extent to which you endorse what Mr Cummings was
3 saying here. He is clearly saying, isn't he, that the
4 reason that you and others are driving and directing is
5 because those who should be doing it, that is
6 the Cabinet Office, are not. I mean, to use his words,
7 they are "terrifyingly shit". I mean, do you agree with
8 that?

9 **A.** I might not quite use the same language but, you know,
10 generally, yes.

11 **Q.** Can you give us a bit more detail then? I mean, who was
12 it, individuals or sections within the Cabinet Office
13 that were failing at that crucial moment?

14 **A.** I think the point -- the point really was nobody quite
15 knew, you know, who was the point person, who was in
16 charge, who should be driving this machine, who is meant
17 to be in charge of co-ordinating of all the policy. If
18 you ask me now who was supposed to be doing that in
19 those early weeks and months, I couldn't tell you, there
20 was nobody holding their hands up taking responsibility.
21 It would move around and it fundamentally, like all
22 problems, comes into Number 10 and a small group of
23 people who have to make the best of things.

24 **Q.** Just finally on this, presumably the Cabinet Secretary
25 would usually be someone who would take a lead in

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1 responding to a developing crisis. Mr Cummings makes no
2 bones about his views about Mark Sedwill's conduct at
3 this stage. He says he's:

4 "... out to lunch -- hasn't a scooby whats going on
5 and his own officials know [that]."

6 What do you say to that?

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

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

20 **A.** Yes.

21 **Q.** Let's move on. I want to ask you about the discussions
22 around the first lockdown decision. If we can start by
23 going to page 8 of your witness statement, we see there
24 the heading "Amended strategy -- nationwide lockdown".
25 That's the description, isn't it, of the change from

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1 known before?

2 **A.** So our assumptions at this particular time, and what
3 we'd been told in the weeks prior, that a suppression
4 strategy wouldn't work, people could only sort of
5 undergo sort of 12 weeks of this kind of, you know, hard
6 measures. So I think it's important to understand this,
7 so suppression wouldn't work. And if we did suppress,
8 as soon as we unlocked we would then see a second spike,
9 NHS overwhelmed. So I think it's important initially to
10 say that the reason we didn't even consider or discuss
11 a suppression strategy at that point is because
12 the information was it was just -- it wouldn't work.

13 Now, on -- at this point we're obviously on
14 the mitigation sort of strategy, which the core of that
15 was a long -- you know, the flatten the sombrero,
16 wherever we were --

17 **Q.** Squash the sombrero?

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

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1 the mitigation strategy to the lockdown, suppression
2 strategy that we've heard a great deal about in the last
3 few weeks?

4 We've also heard from other witnesses, and we will
5 hear from others, about that series of meetings that
6 took place on Friday the 13th and then into the weekend,
7 where that decision crystallised. Is that fair?

8 **A.** Yes.

9 **Q.** I just want to ask you really about two issues relating
10 to that sequence of events, and the first, if we look at
11 paragraph 33, you describe there, as part of the reason
12 for this change of tack, what you describe as new
13 modelling overseen by Marc and Ben Warner, showed that
14 unless the government urgently changed course the NHS
15 would be overwhelmed within weeks.

16 If we just zoom out, again we can see that you make
17 a similar point again at paragraph 34(B), we don't need
18 to go to it, but you refer to the "new modelling", which
19 I take it you mean the modelling you describe in
20 paragraph 33.

21 **A.** Yeah.

22 **Q.** Was your impression, then, that at around this time,
23 towards the end of that week, something had changed in
24 the modelling or the numbers which was telling you
25 something about the threat to the NHS which hadn't been

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1 you know -- but how would we manage that. So that was
2 the plan.

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

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

24

1 seen", and ...

2 **Q.** I'm going to come to that meeting in a moment, but

3 I want to come back, if I may, to this point about

4 the NHS being overwhelmed, Mr Cain, and I think you've

5 explained it very well, which is that you had previously

6 understood that the mitigation strategy, as well as

7 being one that was necessary because suppression

8 wouldn't work, as you've said, but the mitigation

9 strategy could be achieved without overwhelming the NHS,

10 and that this was something new that you were being told

11 in these few days --

12 **A.** Yes.

13 **Q.** -- that actually that's not right, that the NHS is going

14 to be overwhelmed; is that fair?

15 **A.** Correct. And I think the lack of data that we had at

16 that point is absolutely staggering in terms of --

17 you know, in most -- very early on there was no

18 dashboard, there was no live information flow, no

19 understanding of -- you know, we would basically have

20 a meeting where Dominic would ask certain people like

21 Simon Stevens on, you know, how much bed capacity there

22 was and it would be jotted down on a whiteboard.

23 You know, there was no use of serious technology and

24 data to try to get a live sort of minute-by-minute

25 update. So we were very much behind the curve on all

25

1 overwhelmed", that was news to you? That was not

2 something that you had heard before?

3 **A.** Yes, that was news to me at that point.

4 **Q.** The second point I want to take you to, that takes us

5 back to the meeting on Saturday the 14th, which you

6 referred to a moment ago, I think there was a late night

7 discussion between advisers on the Friday and then

8 a meeting with the Prime Minister and others, I think

9 probably more than one meeting, the next day, on

10 the Saturday.

11 **A.** Yes.

12 **Q.** If we can look, please, at paragraph 35, it's on the

13 screen, you refer to that meeting. We've heard from

14 others about it, and we'll hear from more people still,

15 but if we look five or six lines down, you say there:

16 "The collective agreement in the room was that

17 a full lockdown was the only strategy which could

18 suppress the spread of Covid-19, save the NHS from

19 collapse, and ultimately buy the Government more

20 time ... 'flattening the curve' could only really work

21 as an interim measure until full lockdown could be

22 achieved."

23 So is it fair to say, Mr Cain, that there wasn't

24 a sort of a decision made at that meeting to impose

25 a lockdown, but, as you put it, there was a collective

27

1 those sorts of areas.

2 **Q.** Just sticking with this point about the NHS, Mr Cain,

3 because the evidence the Inquiry has heard is that other

4 people, in particular, for example, on SAGE,

5 the scientists there, it had been apparent to them for

6 some time, for example Professor Medley said that, in

7 his words, "throughout February ... it became

8 increasingly clear that NHS capacity in the UK would be

9 overwhelmed", and that's under the mitigation

10 strategy --

11 **A.** Mm.

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

13 But if that is what they were thinking, and they

14 tell us it was, it seems that wasn't a message that was

15 getting through to you at the heart of Downing Street?

16 **A.** No. I mean, obviously SAGE is a very broad church, and,

17 you know, with a lot of different views and different

18 counterpoints, and we would rely a great deal on,

19 you know, Chris Whitty and Patrick Vallance to -- which

20 I think both did an exceptionally good job of broadly

21 giving a sort of coalesced view of that broad church.

22 So we would often, you know, take the steers from them,

23 which I think was the right approach.

24 **Q.** Short point, 13 March, or thereabouts, the Warners say,

25 "Look, under mitigation the NHS is going to be

26

1 agreement that really that was inevitable?

2 **A.** Yes.

3 **Q.** As we know, that lockdown was indeed announced but not

4 for over a week. It was on Monday the 23rd, so ten days

5 later, that it was in fact announced.

6 Looking back, was that a longer period than you

7 would have anticipated as of the Saturday 14 March?

8 **A.** Yes, but I think you also have to consider, it's quite

9 a big undertaking to lock down the entire country.

10 You know, there needs to be provisions, there's got to

11 be guidance drafted, there has to be legislation penned,

12 you have to be able to take people with you, the Cabinet

13 have to have agreement. So there's an awful lot that

14 does have to happen in that space -- all

15 the communications we had to plan. So while it was

16 longer than we would like, I think there is justifiable

17 reason as to why it has taken that time.

18 **Q.** There's a lot to do, and I'm going to bring you to these

19 points in a moment, you've described many of the things

20 that had to be considered and the wheels of government

21 perhaps don't necessarily turn as fast as you would

22 like, but also it's important to say that this was

23 a very grave decision to take, and so the damaging

24 effects of lockdown had to be considered as well --

25 **A.** Yes.

28

1 Q. -- is that fair?
 2 Let's look, please, at paragraph 40 of your
 3 statement on page 10. You do say in the first sentence
 4 there:
 5 "The implementation of the policy ..."
 6 And that's the lockdown policy, isn't it?
 7 A. Yes.
 8 Q. "The implementation of the policy was delayed ..."
 9 Then you go on in the rest of that paragraph to make
 10 very much the point that you've already made about
 11 the wheels of government turning and all the things that
 12 had to be put in place to achieve that decision.
 13 I want to ask you about what is perhaps another
 14 theme, though, of your statement, which is that another
 15 cause of that delay, if we want to call it that, was
 16 indecision on the part of the Prime Minister. If we go
 17 to paragraph 42, please, so it's --
 18 A. Yep.
 19 Q. Yes, we already have it. You say:
 20 "Another challenge was that the Prime Minister would
 21 occasionally oscillate between lockdown and other
 22 potential policy options (a recurring theme during
 23 the critical decision points of Covid and, to some
 24 degree, understandable given the gravity of the
 25 decisions)."

29

1 Q. It's of course right that such a profound decision as
 2 locking down, with all of the damaging consequences that
 3 would follow, has to be carefully thought through, but
 4 it's right also, isn't it, that if one adds to that
 5 factor, your word, "oscillation", a degree of inability
 6 to take a decision, that can be a damaging thing, can't
 7 it?
 8 A. Yes. I mean, indecision can sometimes be worse than
 9 the wrong decision in certain circumstances, and I think
 10 indecision probably was the theme of Covid that people
 11 did struggle with inside Number 10.
 12 Q. I would like to ask you about a WhatsApp exchange
 13 between you and Lee Cain (sic), that took place during
 14 this period, the week between Friday the 13th and --
 15 A. Sorry, between myself and?
 16 Q. Dominic Cummings.
 17 So it's INQ000267920, please.
 18 LADY HALLETT: Whilst Mr O'Connor is getting that document
 19 up, Mr Cain, do I understand from what you said earlier
 20 that you would defend the ten-day gap between
 21 the decision taken that there had to be a national
 22 lockdown and actually implementing that decision?
 23 Because I find that curious.
 24 A. As I said, I think it is longer than you would like, but
 25 I think it's important just to emphasise the amount of

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1 You say he worried about the impact on the economy,
 2 we've already seen that, and then you say this in
 3 the next paragraph:
 4 "The system works at its best when there is clear
 5 direction from No 10 and the Prime Minister, and these
 6 moments of indecision significantly impacted the pace
 7 and clarity of decision making across government."
 8 What were the Prime Minister's concerns around this
 9 time, Mr Cain?
 10 A. I think they were similar to the ones we've raised
 11 earlier on, you know: is the government overreacting and
 12 will the cure be worse -- worse than the disease?
 13 I would say that it's pretty easy for advisers like
 14 myself to say the Prime Minister should have done X,
 15 the Prime Minister should have done Y. I do think that,
 16 you know, this was probably one of the biggest peacetime
 17 decisions, you know, in recent years a Prime Minister's
 18 had to undertake, and it clearly weighed incredibly
 19 heavy on him and, you know, I think it's him and him
 20 alone who has to take that decision. So it is
 21 understandable that he wrestled with it. I think -- so
 22 I have few real concerns over this period of time.
 23 I think -- well, I'm sure we'll come later to the summer
 24 and the second lockdown, where I think it's slightly
 25 more difficult to defend.

30

1 things that had to be done and the amount of people we
 2 had to take with us to deliver a nationwide lockdown.
 3 It's a huge, huge undertaking. And to be honest, my
 4 understanding of government, that is government moving
 5 at a tremendous speed, which maybe says more about
 6 government than other things, but, you know,
 7 the machinery did feel like it moved quick for
 8 the machinery. But it's long. You know, it's
 9 definitely longer than you would hope.
 10 MR O'CONNOR: Thank you.
 11 Let's look here, Mr Cain, let's not worry about
 12 the very top message, but the second one down. There is
 13 a series of four messages from Dominic Cummings to you,
 14 and I think it's apparent that Mr Cummings is in
 15 a meeting with Boris Johnson and Rishi Sunak, and he
 16 says, first of all:
 17 "Get in here he's melting down."
 18 Before I go on, let's just note the date. So it's
 19 19 March, so the Thursday of the week after that
 20 Saturday meeting that we were just discussing.
 21 Then he says:
 22 "Rishi saying bond markets may not fund our debt
 23 etc. He's back to Jaws mode wank."
 24 What does he mean by that?
 25 A. The PM at the time would refer to the mayor of Jaws,

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

9 **Q.** Then Mr Cummings says:

10 "I've literally said same thing ten fucking times
 11 and he still won't absorb it. I'm exhausted just
 12 talking to him and stopping the trolley.

13 "I've had to sit here for 2 hours just to stop him
 14 saying stupid shit."

15 And you say:

16 "I'm exhausted with him."

17 There is then a gap for an hour and it may be that
 18 there was then a press conference, because you then
 19 forward a tweet about someone who perhaps was watching
 20 that press conference, saying that they were confused by
 21 what Boris Johnson has said at it, and you say as your
 22 message:

23 "No words."

24 And then Mr Cummings says:

25 "what did I say -- it's only a matter of time before

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1 think about all of the negative consequences that will
 2 follow. But that's not what you're describing here.
 3 What we're seeing here, in that critical period, is
 4 someone who simply can't make up their mind and with
 5 whom two of his closest advisers are exhausted.
 6 **A.** I mean, so I think there's a -- that's correct. I think
 7 there is a difference between weighing up the evidence
 8 and, you know, looking for challenge on policy issues
 9 and being sure that we are making the right decision.
 10 I think issues like the -- if I remember correctly,
 11 the tweet there from Steve Swinford was regarding
 12 the press conference where I think he announced that we
 13 were going to turn the tide within 12 weeks, which we
 14 were frustrated by, because I think the whole point of
 15 the suppression strategy, Chris and Patrick had been
 16 very clear that the suppression strategy would be
 17 a long-term endeavour. We were looking at, you know,
 18 probably a year where we were going to have to do pretty
 19 hard measures, alleviate them a little bit, go back into
 20 hard measures again to keep control of the virus until,
 21 you know, we were in a situation where a vaccine or
 22 another method came online, testing, that would allow us
 23 a route out.

24 But we all knew it was a long-term challenge. And
 25 I think from a communications point of view,

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1 his babbling exposes the fact he doesn't know what to
 2 say."

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

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

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

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1 the Prime Minister indicating that, you know, basically
 2 we could be finished with Covid in 12 weeks was
 3 unhelpful because it set a very unrealistic -- a very
 4 unrealistic sort of expectation of where the nation
 5 needed to be, because it's all about compliance at this
 6 point and being honest and transparent with the public
 7 about what to expect and how to expect it.

8 **Q.** Mr Cain, you say it was unhelpful. One might think that
 9 was quite a well-chosen word from the communications
 10 world. Mr Cummings is clearly expressing the view to
 11 you at the time, in the context of that, that he doesn't
 12 think the Prime Minister is up to the job. Did you
 13 agree with that?

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

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

21 **LADY HALLETT:** Could we use just straightforward English,
 22 Mr Cain, please?

23 **A.** So I think he's somebody who would often delay making
 24 decisions, would often seek counsel from multiple
 25 sources and change his mind on issues. Sometimes in

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1 politics that can be a great strength. I think if you
2 look at how he navigated Brexit, he allowed others to
3 make decisions and, you know, jumped in at the last
4 minute, can take political advantage.

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

12 **MR O'CONNOR:** All right.

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

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

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

25 **LADY HALLETT:** But it was agreed that we would have to go
37

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

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

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

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

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

25 **Q.** I want to ask you a little bit about the middle section
39

1 into national lockdown?

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

5 **LADY HALLETT:** What I want to know is: did the message then
6 go out to all go government departments: basically we're
7 in war mode, you're going to have to start working out
8 how we're going to cope with a national lockdown, how we
9 get it into place. Was that the message that went out
10 or was there still oscillation in the days that followed
11 as to whether we were going into a national lockdown?
12 Had the decision been taken that weekend or not?

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

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

20 **A.** Yeah, I think it could, yes.

21 **LADY HALLETT:** Was it?

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

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

25 **MR O'CONNOR:** No, my Lady.
38

1 of the campaign slogan, the "Protect the NHS".

2 **A.** Mm.

3 **Q.** We know of course, we were discussing it a few minutes
4 ago, that the need to stop the NHS being overwhelmed was
5 one of the triggers for the lockdown, but it's also
6 right, isn't it, that, even at that very early stage of
7 the pandemic, it was known that certain groups within
8 society -- elderly people, the disabled, people in
9 care homes, and so on -- were at a heightened risk from
10 Covid? Wouldn't it have been better to, instead of
11 saying "Protect the NHS", come up with some language to
12 encourage people to protect those people who were at
13 the greatest risk from Covid?

14 **A.** Erm, no, I think -- in all due respect, you know,
15 I don't think so. I think that this was about ensuring
16 we had maximum compliance. It was about ensuring that,
17 you know, we were stopping the spread of the virus.
18 That is the best way to protect everybody. The NHS has
19 a very sort of special place and significance in
20 sort of, you know, in British culture, it's very
21 powerful, and I think, you know, the slogan, as it
22 stands -- you know, as I say, you know we had sort of --
23 we were looking at numbers of 94% of the public
24 understood it and taking part and the compliance rates
25 show that it was very successful.

1 As with anything there's always things you can do
2 better but I think, as a campaign, as a call to action,
3 delivering what we needed to do, I genuinely don't think
4 it could have been much better.

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

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

15 **Q.** Are you aware that subsequently, and I think during
16 the pandemic, the NHS leadership did criticise this
17 campaign, in particular because the concept of
18 protecting the NHS created a risk that people would
19 delay seeking medical treatment that they needed for
20 other urgent non-Covid-related health problems, such as
21 sort of heart problems or cancer or those sorts of
22 matters.

23 Did you know that that was a concern that the NHS
24 had and, frankly, I think that their view was that they
25 weren't consulted on using that term?

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1 it is, as they would previously do so.

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

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

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

23 But our approach, you know, in Number 10, is to try
24 and have the maximum benefit as possible and save as
25 many lives as possible. So, you know, if you're looking

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

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

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

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1 to move into more nuanced spaces, you know, it obviously
2 breaks down the overarching message and you could have
3 wider negative contexts of, you know, if we had lower
4 compliance, the negative outcomes overall would be
5 worse. So it's sometimes, you know, not making the
6 perfect the enemy of the good.

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

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

20 **A.** I think the broad view was slightly questionable of some
21 of the insights of SPI-B. So I didn't have a huge
22 amount of dealings with them at that particular point,
23 and the sort of dealings I did, I didn't find
24 particularly helpful. We had a fast research loop that
25 we would do via focus groups, via polling, things that

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1 we'd seen -- you know, we'd used pretty readily in
 2 political campaigning that was incredibly effective.
 3 Often they would be slightly different places to where
 4 SPI-B, you know, were, and I would trust the judgement
 5 of the campaigners and the messaging people we used,
 6 which were some of the best in the world, if not in
 7 Western Europe, in terms of, you know, building
 8 the sort of messaging that we needed.

9 **Q.** The evidence that the Inquiry has received from
 10 Professor Yardley was that SPI-B was not consulted about
 11 the "Stay Home, Protect the NHS, Save Lives" campaign,
 12 nor about its successor, "Stay Alert, Control the Virus,
 13 Save Lives", nor about "Eat Out to Help Out", nor about
 14 the "freedom day" slogan.

15 So is it, in fact, the case that you simply didn't
 16 take their advice on any of these major campaigns during
 17 the pandemic?

18 **A.** I think some of those slogans were ones that, you know,
 19 I myself didn't agree with and weren't particularly
 20 consulted on, so it's slightly different, but I think on
 21 the main government messaging we -- as I say, I've seen
 22 the critiques of the "Stay Home" messaging,
 23 the critiques that we shouldn't use, you know, some of
 24 the fear messaging, and they were at odds with
 25 the feedback we were getting from our own research,
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1 I disagreed with.

2 Now, if I got them -- those things wrong, then
 3 that's my responsibility, but I fundamentally believe
 4 the messaging and the communications that we had were
 5 the right ones. I think the team who were part of those
 6 did an exceptionally good job and I think, you know,
 7 there is -- you know, government has some absolutely
 8 incredibly talented communicators that I was proud to
 9 work alongside.

10 **Q.** It's still quite a striking thing though, Mr Cain, and
 11 you as director of communications had at your disposal
 12 a committee of scientists, of behavioural scientists set
 13 up to assist with messaging, and I think the evidence
 14 you're giving is not that you engaged with them and had
 15 discussions with them and, in the end, perhaps disagreed
 16 with them but that you just cut them out of the loop?

17 **A.** I -- you know, I think it's wrong to say we cut them
 18 out. They -- you know, I basically didn't have
 19 the discussions with them, nobody approached me with
 20 advice or feedback. The feedback you're saying, nobody
 21 came to me with that feedback at the time. I was
 22 hosting, you know, numerous messages, and the evidence
 23 that was presented to me, which was normally via email
 24 form or, you know, through -- was at odds with
 25 the research that we were doing. And I think, you know,
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1 which, you know, I think the evidence of compliance and
 2 other things would suggest were correct.

3 **Q.** Mr Cain, one of the functions of this Inquiry is to
 4 think about future pandemics. We know that SPI-B or
 5 a similar committee had existed in, I think it was,
 6 the 2009 swine flu epidemic. It was -- SAGE thought it
 7 was a useful body to reconstitute in 2020, as I've said,
 8 with messaging being one of its most important focuses.

9 I mean, is your evidence to the Inquiry that when
 10 the next pandemic takes place, we shouldn't bother with
 11 seeking advice from behavioural scientists about -- at
 12 least about public communications and messaging, we
 13 should just rely on focus groups and experts in
 14 the communications field?

15 **A.** I think that we should seek -- we should seek advice,
 16 wherever we can get it, but I think we should also say
 17 that, you know, the behavioural science isn't always
 18 correct. I think, you know, there's different kind of
 19 messaging challenges. I think I spoke regularly with
 20 Chris Whitty and Patrick Vallance throughout this
 21 period, I would inform them about, you know, a lot of
 22 the communications. They would provide feedback. At no
 23 point, you know, did they say, you know, we should be
 24 taking on board some of the SPI-B advice that was
 25 provided. And, as I say, the things that I did see
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1 I would say to look at the outcomes, to look at
 2 the compliance, look at the evidence of the strength of
 3 the campaigns, and I would stand by those campaigns
 4 being incredibly effective. As I say, the "Stay Home"
 5 campaign, you know, was seen as one of the most powerful
 6 public health campaigns in modern memory, with 94% of
 7 people understanding and complying with the messages
 8 that it sent. And that framework it gave us, I think,
 9 went a long way to saving a significant number of lives,
 10 and I'm very proud to have been part of it.

11 **Q.** Mr Cain, I'm going to move on to just a couple more
 12 issues around communications.

13 Firstly, I want to ask you about the extent to which
 14 you considered communications across the UK as opposed
 15 to England. Of course, we're focusing on 2020, and
 16 the messaging during the pandemic. Did you regard it as
 17 your role to be thinking about communications across
 18 the UK, or communications in England? Or did you not
 19 really think about the difference between those two
 20 things?

21 **A.** I think we would, you would broadly look at, you know,
 22 across the UK and, you know, that is where I think part
 23 of the work with Alex Aiken, who focused a lot more on
 24 the paid advertising, for example, where I think that --
 25 you know, your paid media is slightly different from
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1 your earned media. The earned media we would have would
2 focus predominantly more on the Prime Minister and
3 England, where the paid media would be more of a UK-wide
4 approach, which Alex would lead and push through.

5 The challenges I assume you're moving to actually
6 become more about politics than communications, quite
7 often, and I think that's where the challenges in this
8 space really came.

9 **Q.** Well, let's look at a document, Mr Cain, it's
10 INQ000214168, please. I know you're familiar with this
11 document. The context is, is it not, that, as the first
12 lockdown was being eased, at least in England, and
13 the "Stay at Home" message that we were just discussing
14 was being replaced in England by the "Stay Alert"
15 message, there was push-back at least from Scotland and
16 Nicola Sturgeon's government to say they didn't want
17 that message to be used in Scotland because it didn't,
18 in fact, reflect their public health decisions that they
19 were taking in Scotland; is that a fair summary?

20 **A.** Correct.

21 **Q.** What we see here is an email responding, if you like,
22 internally, so it's from Alex Aiken, who you have
23 mentioned, to Martin Reynolds, but we can see you're
24 copied in on the response just above it, describing this
25 problem and, if we cut down to the headline, which is at

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1 England, then you simply don't buy the advertising space
2 in Scottish newspapers and, if Mr Johnson is giving
3 a press conference that's going to be broadcast
4 throughout the UK, he makes it clear that the message is
5 only one for England. I mean, is that difficult?

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

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

25 **A.** Well, yeah, that's Alex's advice on the piece, it's not

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1 point 9 in bold:

2 "Recommendation: ..."

3 Brackets, for ourselves, despite the objections from
4 Scotland:

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

8 Was that what you understood --

9 **A.** Yes.

10 **Q.** -- the policy to be?

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

22 **Q.** It's not that difficult, is it? I mean, surely
23 the answer is, if the Scottish Government, for example,
24 wants to run one type of message and the English or
25 the UK Government wants to run a different message in

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1 mine.

2 **Q.** Is it advice that you agreed with?

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

5 **Q.** Let me move on, Mr Cain.

6 Back to your statement, please, paragraph 78 on
7 page 18. You refer here to the press conferences with
8 the Prime Minister and, as we will all remember,
9 a sort of varied cast of people who appeared on those
10 press conferences, which, at least for a time, were
11 daily events, and you are here -- I think there's
12 a wrong word there:

13 "The popularity and impact of the press conferences
14 should not be [underestimated]."

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

17 **A.** Yeah.

18 **Q.** -- events in the communication cycle; is that fair?

19 **A.** Correct.

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

25 It was something, she says, that they had done in

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1 many countries and her view was that it was very
2 important for children to know that politicians were
3 thinking of them.

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

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

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

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

16 **MR O'CONNOR:** All right.

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

20 **LADY HALLETT:** Yes, of course.

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

24 **(11.13 am)**

(A short break)

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1 would also be individual departments that would lead on
2 those issues that again, as we saw earlier on with
3 the Department of Health, that would target certain
4 groups and certain sectors. They wouldn't necessarily
5 come to my desk on sort of those sort of scale
6 communication issues, they'd often be held
7 departmentally or we'd deal with them, as I say, by
8 the press conferences.

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

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

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1 **(11.30 am)**

2 **LADY HALLETT:** Mr O'Connor.

3 **MR O'CONNOR:** My Lady.

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

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

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

18 **A.** I think if I recall there were questions raised by
19 members of the media, and I think we tried to do a lot
20 of the sort of microtargeting of messages in the daily
21 press conferences. It was a time where the media was
22 coming, aired their questions, and then we could talk
23 directly to people in huge numbers in their own homes
24 about specific issues. And that is broadly how,
25 I think, we used to tackle a lot of those things. There

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1 microtargeting.

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

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

11 **Q.** All right.

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

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

24 "One of the challenges you face when you work on
25 policy is the dynamic of the room, which in this case

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1 was white and middle aged. They were doing their best,
2 but without diversity, some policy decisions slipped
3 through the cracks."

4 Do we take it that this particular one about split
5 families was an issue that you felt was at least in
6 danger of slipping through the cracks?

7 **A.** Yes, correct.

8 **Q.** Let's go back, please, to the page before, because you
9 refer there to another policy, or issue, the free school
10 meals issue, at the bottom. If we pick it up, the third
11 line down, you say:

12 "[You] remember asking the Cabinet Room of 20
13 people, how many people had received free school meals.
14 Nobody had -- resulting in a policy and political
15 blind spot."

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

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

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1 **Q.** Can we look at a document on screen, please,
2 INQ000273901, page 164. I know you've seen a copy of
3 this, Mr Cain. This is a transcript of one of the notes
4 that Patrick Vallance made during the pandemic. We can
5 see it was in September 2020, and it relates to another
6 issue that perhaps is in a similar category. It's the
7 issue of providing funding, financial support to those
8 who were on low wages, in order to make it financially
9 viable for them to isolate.

10 We can see Patrick Vallance's record is "Cx", that
11 means Chancellor, doesn't it?

12 **A.** Yes.

13 **Q.** "[Chancellor] blocking all notion of paying to get
14 people to isolate, despite all the evidence that this
15 will be needed."

16 Let me ask you two questions. One is: were you
17 aware of this resistance, perhaps a bit like the free
18 school meals issue, to providing this function; and,
19 secondly, is it, in your view, a similar point, where
20 an issue fell through the cracks because of a lack of
21 diversity in the room?

22 **A.** I think it's difficult without knowing the full context
23 of this, because it's not something I can fully remember
24 from the time to look at, you know, the reasons why the
25 Chancellor may be blocking. It could well be very valid

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

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

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

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1 on asking for more, you know, evidence and data,
2 you know, to the costings and all other such things you
3 would expect from the Chancellor.

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

12 **Q.** Okay.

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

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

24 In the following paragraphs, I won't take you to
25 them, but you describe, is this right, that the more

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1 aggressive approach of unlocking quickly was one that
2 was favoured by the right wing of the Conservative party
3 and also in the printed media, The Telegraph is
4 an example you give; is that right?

5 **A.** Yes.

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

13 **A.** Yes.

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

18 **A.** Yes, it was. I think the Prime Minister was torn in
19 this issue. I think, if he would have been in his
20 previous role as a journalist, he would probably have
21 been writing articles saying we should open up
22 the beaches and, you know, how we should, you know, get
23 ahead with getting back, and I think he felt torn where
24 the evidence on one side and public opinion -- and
25 scientific evidence was very much "Caution, slow, we're

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1 trying to communicate. And at this point of developing
2 policy, we are indicating to people that Covid's over,
3 go back out, get back to work, crowd yourself onto
4 trains, go into restaurants and enjoy pizzas with
5 friends and family, you know, really build up that
6 social mixing.

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

14 So to then move forward and say "Hey, we're going to
15 get back into work" when business wasn't even asking for
16 people to come back into work, in fact they were
17 encouraging their employees to stay at home still, you
18 know we developed all of these tools for remote working,
19 but it was -- government seemed to be on its own
20 demanding people go to work when, you know, the research
21 we had was saying people, you know, were still quite
22 cautious. Businesses were feeding back they didn't want
23 to do it, the scientific opinion was people didn't --
24 you know, that we were going to have to have another
25 lockdown. So to me it made absolutely no sense

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1 almost certainly going to have to do another suppression
2 measure, so we need to have that in mind", to, you know,
3 media opinion and the bulk -- certainly a rump of
4 the Tory party was pushing him hard in the other
5 direction. So I think that was probably part of
6 the reason for the oscillation, because, you know, the
7 rigid measures were very much against the sort of what's
8 in his sort of political DNA, I guess.

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

15 **A.** Yes.

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

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

22 There's a huge amount of focus that goes on
23 particularly in Westminster, which is, you know, what is
24 being said as apart from, you know -- sorry, how -- how
25 things are being said rather than what it is you're

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1 whatsoever why we were talking about getting everyone
2 back to work. And that was the stories that ended up
3 being on the front pages, which was a cause of great
4 frustration.

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

8 **A.** I was, yes.

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

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

14 This is an exchange between you, Simon Case and
15 Dominic Cummings, Mr Cain. It's one the Inquiry has
16 seen before. It starts with Mr Cummings talking about
17 discussions with ministers being "moronic", they don't
18 understand what they're talking about. Mr Case agrees
19 and you say "This is embarrassing". Mr Cummings says:

20 "By weekend he'll be saying '6 is untenable a total
21 disaster we've got to get everyone back to work'."

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

24 **A.** I think there was a discussion at the time we were going
25 to do two households, a rule of six, there was a sort of

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1 broad policy conversation. So I assume it's around
 2 those issues, yes.

3 **Q.** Just reading down, we see references then to, in fact,
 4 Mr Johnson did change his mind again rather sooner than
 5 perhaps had been anticipated. You say:
 6 "What's his issue? Xmas cancelled stuff?"
 7 Is this another emergence of the -- I think your
 8 word was "oscillation", but the indecision that we were
 9 discussing before the break?

10 **A.** Yes, and I think this point was -- probably these
 11 sort of months was when it was at its most pronounced
 12 because he did not want to do any harder measures, he
 13 didn't want to go back into suppression. But I think
 14 most of the advisory team knew that was
 15 an inevitability, and I think the crucial thing was --
 16 I think you can forgive some of the errors in the first
 17 lockdown because things were moving at incredible speed,
 18 we were, you know, sort of building the train tracks as
 19 the train was moving in that first period, which meant
 20 it was -- you know, there was inevitably going to be
 21 mistakes but I think we tried to learn as best we could.
 22 I think by the time we moved into this later period,
 23 I think the rump of Number 10 felt that, okay, we've
 24 learned all these lessons from the first period of
 25 lockdown, why are we now trying to ignore them again and
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1 Mr Cummings, which was that we weren't getting all
 2 the accurate information from the Health Secretary in
 3 meetings, and that, again, was causing frustration.

4 **Q.** Let me ask you to look at another document, please.
 5 If we could have up on screen INQ000283369, page 38.
 6 Now, it's a reasonably lengthy exchange, although
 7 I hope to ask you about it fairly quickly, Mr Cain.
 8 It's an exchange between you and Mr Cummings and
 9 Mr Johnson on 23 August, so a week or two before that
 10 WhatsApp that we were just looking at. We can see it
 11 starting with Mr Cummings saying he doesn't think it's
 12 "sustainable for GW". Who would that be?

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

14 **Q.** So, it's "not sustainable" for Mr Williamson to stay at
 15 the Department for Education.
 16 "Think lee needs to brief reshuffle after SR ..."
 17 Is "SR" summer recess?

18 **A.** Spending review, I imagine.

19 **Q.** "... ASAP. Will get people in line. Focus minds ..."
 20 And so on, talking about a reshuffle.
 21 He then repeats another message, saying it's going
 22 to be turbulent but "We need a path through" it.
 23 Then a message from Boris Johnson saying he agrees
 24 but it's fatal -- it will be fatal to brief the Cabinet
 25 about the upcoming reshuffle.
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1 repeat the exact same mistakes, which will be: too slow
 2 to act, a denial of the measures that are going to be
 3 necessary to control the virus, moving too late, and
 4 allowing the R to get, you know, out of control, too
 5 much virus, which means a longer lockdown in the end,
 6 more harmful to the economy, more harmful to health
 7 outcomes.

8 So I think, as you see in this, there's a real
 9 frustration that we weren't just gripping things and
 10 putting in the lessons that we'd learned.

11 **Q.** Frustrations which here you're sharing with Mr Cummings
 12 and Mr Case. Did you share them with
 13 the Prime Minister?

14 **A.** Frequently.

15 **Q.** At the bottom of this page, Mr Cain, we see a reference
 16 that you make to Matt Hancock. You say:
 17 "Hancock has got to go. Joker."
 18 And Mr Cummings says:
 19 "Yep. And liar."
 20 It's right, isn't it, that there were discussions at
 21 around this time as to whether Mr Hancock and indeed
 22 other ministers should be losing their jobs?

23 **A.** I think there was -- there was probably more focus on
 24 the Health Secretary than others. There was a general
 25 view, I think probably most robustly pursued by
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1 Then a longer message from Dominic Cummings
 2 emphasising the position, and perhaps -- I'm going to
 3 ask you about this -- giving us some clue as to
 4 the state of the government at the time. He says:
 5 "... [it's] a big mistake ... not sustainable -- if
 6 you don't get the [Cabinet] back into line you will have
 7 months more of the mayhem briefing and leaking -- this
 8 has seriously damaged your authority -- you need to get
 9 this back, you need to read the riot act to [the
 10 Cabinet] and SW1 shd know there's a reshuffle coming
 11 between [the spending review] and Xmas. At the moment
 12 the bubble thinks you've taken your eye off ball, you're
 13 happy to have useless fuckpigs in charge, and they think
 14 that a vast amount of the chaotic news on the front
 15 pages is coming from no10 when in fact it's coming from
 16 the Cabinet who are [feral]", and so on.
 17 And then the last paragraph:
 18 "I also must stress I think leaving Hancock in post
 19 is a big mistake -- he is a proven liar who nobody
 20 believes or shd believe on anything, and we face going
 21 into autumn crisis with the cunt still in charge of the
 22 NHS still -- therefore we'll be back around that cabinet
 23 table with him and stevens bullshitting again in
 24 [September]. Hideous prospect."
 25 I'm going to come back to that but let me just go to
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1 one or two other of these messages.
 2 Just going on, there is a series of responses from
 3 Mr Johnson talking about whether sacking people really
 4 solves things, quite what the timing of this reshuffle
 5 should be.
 6 Then if, we can look at the top of page 40, please,
 7 you contribute, you say:
 8 "Problem leakers -- Hancock, Grant, Wallace, truss.
 9 There are other second order ones but these four have
 10 caused real problems this year."
 11 Then you say that you agree with domestic policy
 12 agenda:
 13 "We do need to up the fire power in key areas ...
 14 Whenever we do a reshuffle it should be bold and filled
 15 with those you are convinced will deliver for you ..."
 16 So two questions, Mr Cain.
 17 The impression created is of a number of key Cabinet
 18 ministers, whether because they're leakers or because
 19 Mr Cummings has expressed such strong views about them,
 20 who weren't trusted as part of the government. Choose
 21 your adjective: is it chaos? Is it dysfunction? Help
 22 us understand whether things were really as bad as are
 23 painted in these messages.
 24 **A.** I think, you know, it's obviously a time of significant
 25 stress and, you know, the challenges that we were

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1 these are private exchanges, we must remember that, but
 2 the language that is used repeatedly about colleagues is
 3 rude, it is dismissive, it is aggressive. We will hear
 4 evidence of a so-called macho culture in Downing Street
 5 at the time. Is this a fair reflection of the culture?
 6 **A.** So, firstly, I would like to point out it's not,
 7 you know, not my language or what I would have used.
 8 I would say that, as I mentioned earlier, there is
 9 a problem in -- within Mr Johnson's sort of senior team
 10 that there was a lack of diversity and that was, as
 11 I say, in gender, in socioeconomic and in ethnic
 12 minority, and I think if you -- if you lack that
 13 diversity within a team you create problems in
 14 decision-making, policy development and culture. So
 15 I think that's all part of the equation, but I think
 16 fundamentally any Number 10 is a direct reflection of
 17 the principal, and I think that's probably the case
 18 here.
 19 **Q.** Right.
 20 Finally, Mr Cain, I want to just ask you one or two
 21 questions back on the question of the circuit breaker
 22 lockdown, and you describe in your statement -- I won't
 23 take you to it -- the meeting that happened on
 24 20 September where Professor Heneghan, Professor Gupta
 25 and others were brought in -- brought in virtually -- to

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1 dealing with are greater probably than any since, you
 2 know, 1945, which -- you know, it's important to
 3 highlight that context.
 4 I think government has a huge problem with leaking,
 5 I think, and it was really pronounced during Covid. You
 6 know, you're having conversations, you know, daily on
 7 potential options and you would read about them in
 8 the next day in -- you know, in various newspapers. And
 9 that, I think from a messaging point of view on public
 10 health, caused huge problems because people then want
 11 answers, "Okay, what does this mean for me, my family,
 12 my lives?" And you're then trying -- you haven't got
 13 a policy developed and you're trying to sort of mop that
 14 up, all -- and that was all the time. We couldn't have
 15 a single conversation. And I think that's because
 16 the sort of politics and the sort of knockabout view of
 17 sort of almost like politics as entertainment is now so
 18 entrenched in the relationship between the media and
 19 with the government it's hard to stop it.
 20 And I think, you know, it's something you deal with
 21 as part of politics during normal -- normal days.
 22 I think in a crisis like this it was one of the most
 23 difficult issues we faced, was the constant leaking of
 24 stories.
 25 **Q.** Second question: reading through it, one -- of course

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1 Downing Street to discuss, and you in your statement
 2 make it clear that you regarded, at that stage, it as
 3 essential that a lockdown should take place, but that
 4 the Prime Minister disagreed, and emphasised
 5 the economic arguments.
 6 At around this time, a few weeks later -- I want to
 7 take you to INQ000267902, please.
 8 This is a text or a WhatsApp between you and --
 9 sorry, between you and the Prime Minister, on, we will
 10 see, 15 October. He says:
 11 "I must say I have been slightly rocked by some of
 12 the data on covid fatalities. The median age is 82-81
 13 for men 85 for women. That is above life expectancy.
 14 So get COVID and live longer.
 15 "Hardly anyone under 60 goes into hospital ...
 16 "... I no longer buy all this nhs overwhelmed stuff.
 17 Folks, I think we may need to recalibrate."
 18 You say:
 19 "All understood -- but how does this change the
 20 policy? Still not politically viable ... to change
 21 course ..."
 22 He says:
 23 "It shows we don't go for nation wide lockdown."
 24 Previously we've talked about the economic arguments
 25 against lockdown. This seems to be introducing

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

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

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

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

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

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

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

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

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

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

12 **LADY HALLETT:** There are.

13 Mr Metzger.

14 **Questions from MR METZER KC**

15 **MR METZER:** Thank you, my Lady.

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

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

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

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1 Now, the theme in those notes is similar, is it not,
2 to that WhatsApp we looked at between you and the
3 Prime Minister? It's not saying that the economy is
4 the main argument, it's related, but it's different.
5 It's saying: look, it's only old people who get this
6 disease, why don't we just let them get it so the young
7 people can live their lives?

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

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

19 The only reason you could start having any of these
20 conversations is if you have no intention of bringing in
21 further suppression measures, which for me was always
22 morally and politically, you know, a non-starter.
23 It was never something any responsible government or any
24 responsible Prime Minister could or would undertake. So
25 I felt a lot of this was just noise and distraction, and

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1 **A.** I was not, no.

2 **Q.** You say you weren't?

3 **A.** No.

4 **Q.** Can you help as to whether there was any discussion in
5 Number 10 about communicating publicly the risk of
6 long-term health impacts of Covid-19 at the time?

7 **A.** I think initially the understanding around Long Covid
8 was minimal in Number 10. I think we were still,
9 you know, gathering evidence for much of my time, which,
10 you know, obviously I left in the November of 2020, so
11 during my time I think we were still quite unclear on
12 some of it, but it was becoming more pronounced. But
13 I don't recall any specific campaigns to it at that
14 point. I think, again, it would have been the sort of
15 press conferences where we'd have discussed it, but
16 I think at the time I was there the evidence maybe
17 wasn't as advanced as it, you know, later became.

18 **Q.** That's right through until November 2020, you say?

19 **A.** Yes.

20 **Q.** I see. I might come back to that in a moment.

21 Can we put up INQ000283370, please. On 5 July 2020,
22 NHS England announced Your Covid Recovery service,
23 online rehabilitation service, and Sir Simon Stevens
24 said the service would benefit, in quotes, and it's
25 there, "tens of thousands of people who are suffering

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1 long-term effects of coronavirus".
 2 You've said today that you met with the NHS
 3 regularly, even many times a week. In any of those
 4 regular meetings was this announcement ever discussed?
 5 **A.** Not that I recall, but, you know, you'll appreciate
 6 there was a huge number of meetings and, you know,
 7 issues raised. But I don't recall that, no.
 8 **Q.** Okay. You've spoken today about individual
 9 responsibility, saying that people look to protect
 10 themselves in very sensible ways. Would you agree,
 11 Mr Cain, that communications about the risks of
 12 the long-term effects of Covid-19 was important for the
 13 public to know, so that they could protect themselves
 14 from this risk?
 15 **A.** I think certainly once we understood what those dangers
 16 were, yes.
 17 **Q.** Do you agree that you were aware of that many months
 18 before you left office?
 19 **A.** I was aware of, you know, conversations developing on
 20 Long Covid and what it meant, but it was not -- it was
 21 not a primary focus for, you know, my -- my work, which
 22 was slightly different and more sort of political
 23 messaging space. This would -- this kind of -- this is
 24 the sort of thing that would have been led
 25 departmentally or by the NHS, I mean by that.

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1 different government departments were distributing
 2 public health advice result in inconsistent messaging?
 3 **A.** It's a good question. I think there is a general
 4 practice that a lot of government departments act as
 5 sort of communication fiefdoms in their own right, and
 6 that can sometimes make all sorts of messaging
 7 challenges, which is -- one of the things that we did in
 8 Covid was to create a central campaigning body that
 9 reported directly in Number 10 to try to pull together
 10 a coherency within our political campaigning so we
 11 didn't have that sort of fighting, and I think it's
 12 something that's continued, thankfully, since I left.
 13 **Q.** But the existence of those fiefdoms, as you put it,
 14 would you agree did have a genuine risk of inconsistent
 15 messaging?
 16 **A.** Well, I think we fixed that particular problem, I think.
 17 You know, that was something I was acutely aware of in
 18 part of the changes I wanted to make to the government
 19 communication system. So we did try to fix that with,
 20 you know, sort of command and control Cabinet Office
 21 centre that oversaw the campaigns as opposed to pushing
 22 them through but that, you know, obviously came in
 23 sort of in the summer I think more than -- in the
 24 sort of summer of 2020.
 25 **Q.** And what was that central campaigning body?

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1 **Q.** Yes. But following those meetings with the NHS, are you
 2 aware as to whether there were any discussions in
 3 Number 10 about raising awareness of the long-term
 4 effects of Covid-19 at the time of this announcement in
 5 July 2020?
 6 **A.** I was not, but, again, it would have been something that
 7 I'd expect to be led departmentally or by the ALB.
 8 **Q.** But you agree by that time you were aware of
 9 the long-term effects, risks?
 10 **A.** To be honest, I can't remember the timings of when
 11 I would have been, you know, up to speed with what
 12 the long-term risks of Long Covid were.
 13 **Q.** Or at the very least, would you agree you would
 14 certainly have been aware after the DHSC announcement on
 15 Long Covid in October 2020?
 16 **A.** Probably, but again, there was a huge amount taking
 17 place at that point, so again, as I say, it's not
 18 an area of focus that I particularly recall in any great
 19 detail, which I apologise for.
 20 **Q.** At paragraph 89, page 20, of your witness statement, you
 21 said:
 22 "At the beginning of the Covid response ... Vital
 23 public health messages were distributed via a mixture of
 24 the Department of Health, Department of Transport or the
 25 Cabinet Office digital channels. Did the fact that

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1 **A.** It's a group that's within the Cabinet Office that will
 2 consist of highly trained campaigning professionals who
 3 understand a lot of the sort of newer media techniques,
 4 and the general thesis would be that departments
 5 themselves would have to pitch into that sort of central
 6 body to have, you know, campaigns they wanted to do
 7 green lighted, because the government spends hundreds of
 8 millions on campaigns, and 162 a year when I was there,
 9 most of which people don't notice, metrics for measuring
 10 them are pretty poor, so we just wanted to
 11 professionalise that particular area.
 12 **Q.** So do you say through that central body there are
 13 attempts to co-ordinate public health messages
 14 communicated by different departments?
 15 **A.** Correct.
 16 **Q.** How were public campaigns on Covid-19 updated by the
 17 government as information became available?
 18 **A.** I think, you know, as policies change we would try to,
 19 you know, make those amendments into, into our public
 20 communications.
 21 **Q.** I'm not sure you've answered the question. How were the
 22 campaigns updated?
 23 **A.** Well, policy -- the policies -- you know, changes would
 24 be fed into the communications, team, we would then look
 25 at, you know, certain research, best ways to communicate

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1 them, and then make changes to, you know, public
 2 announcements, so campaigns, wherever they were, as
 3 appropriate.
 4 **Q.** So who, if anyone, was ultimately responsible for
 5 communicating through government messaging that there
 6 was a risk of Long Covid?
 7 **A.** I think it's -- it would fall in between, you know,
 8 the Department of Health and Alex Aiken within
 9 the Cabinet Office would -- or indeed the NHS. So
 10 there's a -- you know, the different areas would pick up
 11 different responsibilities. I'm not sure where the full
 12 responsibility would lie with that, it depends on
 13 the severity and how -- you know, I assume it would be
 14 in the Cabinet Office.
 15 **Q.** Sorry, do I read between that there's a danger that it
 16 would fall between and not be dealt with by anyone?
 17 **A.** I think, you know, in the size and scale of government
 18 that is indeed possible.
 19 **Q.** The last question I want to ask you, Mr Cain, is: in
 20 the absence of a clear co-ordinated communications plan
 21 on Long Covid, do you agree that Number 10 and
 22 the Cabinet Office failed to alert the public
 23 sufficiently about the long-term effects of Covid-19?
 24 **A.** I can only really comment during my own time, and
 25 I think part of the problem was just, you know,

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1 Mr Weatherby.
 2 **Questions from MR WEATHERBY KC**
 3 **MR WEATHERBY:** Mr Cain, I'm going to ask you just about
 4 a couple of topics on behalf of the Covid Bereaved
 5 Families for Justice UK, which represents many bereaved
 6 families from across the UK.
 7 Both of the topics had been touched on by
 8 Mr O'Connor, so I'll cut to the chase, if I may.
 9 At paragraph 118 of your statement, you write this:
 10 "At this time [and you're talking about six or
 11 seven weeks into lockdown] the Prime Minister was
 12 becoming increasingly concerned about the impact of
 13 lockdowns on the economy and the political impact it was
 14 having on the right wing of the Conservative Party and
 15 the coverage of the right-leaning media. For example,
 16 on May 8th 2020 the Daily Telegraph -- a newspaper that
 17 had been robustly anti-lockdown -- printed its front
 18 page on a favourable interview with the Leader of the
 19 Opposition. The Prime Minister called me that evening
 20 and expressed significant concern, stating our policies
 21 were causing us to lose the backing of generally
 22 supportive elements of the media and he felt they may
 23 well be right ..."
 24 Then you add in brackets:
 25 "... (a position that conflicted with all the

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1 developing the evidence stream, I think at the time, and
 2 the focus was on the live issue of dealing with the --
 3 you know, the immediate response during my time.
 4 I think -- you know, I'm not sure how that
 5 subsequently changed as, you know, I departed and
 6 the pandemic itself changed and our understanding
 7 changed.
 8 **Q.** Certainly would you agree, then, by the time -- until
 9 you left in November 2020, as you've said, you would
 10 agree that there was a sufficient -- insufficient --
 11 failure to alert the public about the long-term effects?
 12 **A.** Again, from the evidence that we knew and had, I think
 13 we probably acted responsibly, but I think, you know,
 14 you can't communicate what you're unaware of, and
 15 I think in a lot of those early stages we weren't overly
 16 aware of, you know, the dangers. But I think we did
 17 discuss them, we did talk about them, they were raised
 18 within the press conferences. I think it was something
 19 that, you know -- and those press conferences alone,
 20 you know, we're looking at 10 million people watching
 21 every single evening, huge numbers, so these were issues
 22 that were raised.
 23 **MR METZER:** All right. Thank you, Mr Cain. Thank you,
 24 my Lady?
 25 **LADY HALLETT:** Thank you, Mr Metzger.

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1 evidence available)."
 2 Yes?
 3 **A.** Yes.
 4 **Q.** So, just for clarity, what you are expressing there is
 5 a frustration at Mr Johnson's prioritisation of media
 6 views, he was prioritising that over the actual
 7 evidence, over the views of advisers such as yourself
 8 and over public opinion at that time; is that right?
 9 **A.** So I think it's slightly more complex in the sense that
 10 he, I think, was unsure about the policy that we were
 11 taking forward, so I think it was people reinforcing
 12 some of his own concerns. You know, I think he probably
 13 would have, as I've said before, been writing these
 14 sorts of leaders in The Telegraph himself. This isn't
 15 a criticism of The Telegraph, which was, you know,
 16 shining a light of on where they thought the issues
 17 were, but I think, you know, the Prime Minister himself,
 18 this was part of his sort of oscillation and concerns
 19 over --
 20 **Q.** Yes.
 21 **A.** -- policy development.
 22 **Q.** The point I'm trying to get you to clarify really is
 23 the point in the brackets that you seem to need to make
 24 clear, that it conflicted with all of the evidence. So
 25 he is preferring the views of the right wing of his

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1 party and The Daily Telegraph over the actual evidence
 2 and his advice. That's what you're conveying, isn't it?
 3 **A.** That's correct.
 4 **Q.** The second topic, again it's been touched upon so I'll
 5 be brief, and it's about diversity. Mr O'Connor took
 6 you to deal with the lack of focus or consideration at
 7 all of split families and the Marcus Rashford issues,
 8 but you say in your statement, and again I'm not going
 9 to put it up, but it's at paragraph 121(d) that some
 10 policy decisions slipped through the cracks due to this
 11 lack of diversity, and you've already said -- you've
 12 already referred to middle aged and white people only in
 13 the room, and that's the problem.

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

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

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1 diversity you've pointed up at paragraph 121(d), did you
 2 advise the Prime Minister or anybody else that this was
 3 a problem that needed to be addressed?

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

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

18 **Q.** Yes.

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

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

24 **A.** No, nothing -- nothing did change.

25 **MR WEATHERBY:** Thank you, my Lady.

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

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

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

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

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

25 **Q.** Bearing in mind that diversity, and the lack of

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1 **LADY HALLETT:** Thank you.

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

4 **(The witness withdrew)**

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

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

9 **(Pause)**

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

11 **MR DOMINIC CUMMINGS (sworn)**

12 **Questions from LEAD COUNSEL TO THE INQUIRY**

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

15 **A.** Dominic Mckenzie Cummings.

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

24 Could we commence, please, with your career.

25 The Inquiry understands that from 2007 to 2014 you were

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1 a special adviser to Michael Gove MP; is that correct?
 2 **A.** Yes.
 3 **Q.** In October 2015, you became a director of the
 4 organisation Vote Leave, which culminated of course in
 5 the June 2016 referendum, and I think it's fair to say
 6 you were an architect in the successful Leave EU
 7 campaign.
 8 **A.** Forgive me, sorry, our campaign was called Vote Leave,
 9 the other one was called Leave EU.
 10 **Q.** Thank you.
 11 On 24 July 2019 you became a senior adviser to
 12 the then Prime Minister; is that correct?
 13 **A.** Yeah.
 14 **Q.** A general election was called relatively shortly
 15 thereafter. Did you, as is customary, resign as
 16 an adviser once Parliament had been dissolved or did you
 17 stay in that post throughout the election campaign and
 18 then continue thereafter?
 19 **A.** I'm afraid I can't remember the exact legal status that
 20 I had between the election being called and through the
 21 election. There are complicated rules. And also I had
 22 a slightly odd role in that time, because I wasn't --
 23 I was neither in campaign headquarters nor was
 24 I full-time in Number 10. I was kind of in a separate
 25 room, and I continued doing some government work during

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1 You go on to describe how:
 2 "... those working in No10 see it as another problem
 3 to manage while real discussions happen elsewhere."
 4 The Inquiry material shows that there were, although
 5 this may not be reflected in the minutes, frank and
 6 constructive debates held in Cabinet, as they say in
 7 diplomatic circles, and that there were important
 8 decisions made in Cabinet, and important matters
 9 debated.
 10 Is that a fair summary, therefore, of the role of
 11 Cabinet during the coronavirus crisis?
 12 **A.** I think it depends -- to some extent it depends what you
 13 mean by the word "decision". I mean, formally a lot of
 14 things are decided in Cabinet, obviously that's
 15 the formal constitutional structure, but very rarely is
 16 that actually a reflection of the reality of how
 17 the "decision" has actually been made.
 18 **Q.** So is it more of a reflection of the fact that important
 19 decisions started to become taken elsewhere,
 20 predominantly in Number 10?
 21 **A.** I wouldn't say started to be. I think that was the case
 22 in 2019. And of course it's been a feature for many
 23 decades of this trend increasing.
 24 **Q.** If we may call that process a sidelining of Cabinet, did
 25 you contribute to that process, do you think?

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1 that time, for example with NATO and some national
 2 security things, I think there was a terrorist episode,
 3 floods, various things, so I was sort of hopping around
 4 between two different things.
 5 **Q.** All right.
 6 Mr Cummings, I'm going to ask you please to remember
 7 that whilst you give evidence it's essential that you
 8 try to keep your voice up and you speak as slowly as
 9 possible. That way we may better understand your
 10 evidence.
 11 Did you play a part in the general election
 12 campaign, culminating in the 12 December election?
 13 **A.** Yes.
 14 **Q.** All right.
 15 I'd like to turn, please, to some of the government
 16 structures which form the large part of your witness
 17 statement, and about which you express, I think, what
 18 may fairly be described as very trenchant views,
 19 starting with the Cabinet.
 20 You say in your statement that:
 21 "Cabinet was largely irrelevant to policy or
 22 execution in 2020. The combination of its size, the
 23 Prime Minister's inability to chair it, and its constant
 24 leaks meant it was seen by everyone in No10 as not
 25 a place for serious discussion."

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1 **A.** Erm, I would say more that I just managed it as a --
 2 sort of like the weather, I mean, it was just a sort of
 3 fact of life. It was a combination of
 4 the constitutional crisis in 2019, the Prime Minister's
 5 own personal temperament, habits that had grown up in
 6 the Cabinet Office over many years going back a long
 7 period. I actually said to the Prime Minister --
 8 **Q.** Slow down, Mr Cummings, please.
 9 **A.** Sorry.
 10 **Q.** Slow down. You said to the Prime Minister?
 11 **A.** I suggested to the Prime Minister both in the last week
 12 of the election campaign in 2019 and in the first week
 13 of January, when we discussed the future generally, that
 14 he should strongly consider (a) a major reshuffle and
 15 (b) radically shrinking the size of the Cabinet back to
 16 where it was something like a hundred or so years ago,
 17 because as anyone knows who has dealt with very large
 18 organisations, it's impossible to have serious
 19 conversations with 25, 30 people in a room around
 20 a table like that. The Prime Minister did not want to.
 21 **Q.** Due in large part to your own WhatsApps, Mr Cummings,
 22 we're going to have to coarsen our language somewhat.
 23 **A.** I apologise.
 24 **Q.** You called ministers "useless fuck pigs", "morons",
 25 "cunts", in emails and WhatsApps to your professional

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1 colleagues. Do you think you contributed to a lack of
2 effectiveness on the part of ministers and of
3 the Cabinet?

4 **A.** No, I think I was reflecting a widespread view amongst
5 competent people at the centre of power at the time
6 about the calibre of a lot of senior people who were
7 dealing with this crisis extremely badly.

8 **Q.** Slow down, please, Mr Cummings.

9 Are you suggesting that your views, expressed in
10 those revolting ways, were shared by others?

11 **A.** Well, the -- my appalling language is obviously my own,
12 but my judgement of a lot of senior people was
13 widespread.

14 **Q.** Do you feel that you expressed your views too
15 trenchantly, that your opinion of ministers and of
16 the Cabinet overstated the position?

17 **A.** No, I would say, if anything, it understated
18 the position, as events showed in 2020.

19 **Q.** Cabinet meetings appear, according to your statement and
20 the material that we've seen, to have been to some
21 extent scripted but, insofar as Cabinet committee
22 meetings were concerned, they were very largely
23 scripted: ministers were given scripts to read out,
24 bullet points were written by officials who had
25 exchanged them in advance, and the conclusions were

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1 trying to give a general picture.

2 **Q.** On the cusp of the coronavirus pandemic, where was power
3 exercised? Where was the effective decision-making?

4 **A.** By "cusp", where do you mean, sorry?

5 **Q.** January/February.

6 **A.** Erm, well, it certainly wasn't in Cabinet.

7 **Q.** Where was it?

8 **A.** Well, most power really is in -- is nominally in
9 the hands of the Prime Minister and, to a very large
10 extent, in the hands of the Cabinet Office. I would say
11 the Cabinet Secretary is something like ten times or
12 a hundred times more powerful than anybody else in the
13 Cabinet Office apart from the Prime Minister. All sorts
14 of elements of real power actually now, in our system,
15 answer to him, but a large part of the performance and
16 the media coverage is aimed at trying to cover up this
17 fact and to try to portray the ministers as actually in
18 charge.

19 **Q.** Over time, you recommended and you brought into effect
20 two very important meetings or two important processes.
21 One was the 8.15 officials' meeting, at which you and
22 other officials discussed the day's events, resolved to
23 raise important matters that needed to be debated, and
24 then at 9.15 daily there became meetings with
25 the Prime Minister. In his study or in the

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1 largely scripted in advance. Is that a fair summary of
2 Cabinet committee meetings?

3 **A.** It is. Obviously not always, and obviously there are
4 exceptions, and there were some people who chaired
5 Cabinet committee meetings who did an extremely good
6 job, so I'm not claiming that this is universal. I'm
7 saying it was a general feature and it was much more
8 often true than not.

9 **Q.** You refer in your statement to Cabinet and Cabinet
10 committee meetings being "Potemkin meetings"; what did
11 you mean by that?

12 **A.** They were Potemkin in the sense that they were for show,
13 as part of the sort of show of the constitution, that
14 unfortunately a large part of how the system works is
15 that ministers parade up Downing Street, the cameras
16 click, people act like Cabinet is actually deciding
17 things, but everyone behind the Number 10 door actually
18 in power knows that that's very rarely actually what's
19 going on, that usually what's happening is that senior
20 officials have actually decided what's happening and
21 the ministerial performance is often/usually
22 a performance.

23 Of course that changes according to historical
24 situations and crises and sometimes Cabinet, even in
25 2019/2020, became genuinely important, but I'm just

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1 Cabinet Room; where did that take place?

2 **A.** The sort of formal part of it was in the -- so, sorry,
3 the 8.15 was in the Cabinet Room every day. The 9.15
4 was usually also in the Cabinet Room. Sometimes that
5 would be preceded by a smaller meeting in
6 the Prime Minister's study, which adjoins the Cabinet
7 Room through a kind of joint door.

8 **Q.** Were your 8.15 officials' meetings minuted or noted?

9 **A.** I'm not sure exactly what the -- well, the process
10 changed. Obviously, the 8.15 and 9.15 meetings
11 I originally created out of the kind of air of disaster,
12 and they were very informal. But they went through
13 different iterations, so they became called different
14 things, the 8.15 and the 9.15, I think there was at
15 least three different formal iterations, and the
16 bureaucratic processes will have been different for each
17 one. I think right at the very beginning, at 8.15,
18 there were kind of action points taken because it was
19 very much an action-oriented thing, it wasn't any kind
20 of formal structure. So I would guess that there were
21 not formal minutes at those meetings to begin with, but
22 there were certainly action points that Imran,
23 the private secretary, and others would write live
24 during the meeting and then circulate afterwards.

25 **Q.** By and large, as you say in your statement, there was

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1 little transparency or visibility, traces of discussions
 2 might only be in an email or WhatsApp if they exist at
 3 all; is that correct?
 4 **A.** I think it's certainly correct about the very first
 5 part, as I said, when we just created the meetings
 6 because they had no kind of formal position of any kind,
 7 though I don't think that's accurate about later on.
 8 **Q.** The Cabinet Office, to which you've referred, you
 9 describe in this way, that it had:
 10 "... 'more sand in the petrol tank' [rather] than
 11 'the [Rolls Royce] gearbox' it is often described as."
 12 What did you mean by that?
 13 **A.** Well, if you speak to many people who have been in --
 14 who have knocked around the system for a very long time,
 15 the Cabinet Office over a long period of time has
 16 accumulated more and more power, formal and informal,
 17 it's become incredibly bloated, it's acquired huge
 18 numbers of people, huge numbers of teams, and
 19 particularly, on the whole -- the sort of deep state,
 20 national security side, crisis management has become in
 21 all sorts of ways extremely opaque and effectively
 22 completely invisible to any political figure, including
 23 the Prime Minister. So it was extremely difficult to
 24 know in Number 10 who exactly in the Cabinet Office was
 25 doing what, whose responsibility it was, who were we

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1 who were wrong for their posts.
 2 "32. However, it is the [Prime Minister] who is
 3 responsible for the wrong people remaining in crucial
 4 jobs."
 5 Were, in your opinion, the wrong people in those
 6 crucial jobs in the Cabinet Office?
 7 **A.** Yes, I think there clearly were some people in
 8 the Cabinet Office who were in the wrong jobs. The
 9 Cabinet Secretary and I had had quite a few frank
 10 discussions about some of these problems going back
 11 into 2019. He actually removed some of the people at my
 12 request, and moved them on to other things, though
 13 of course, Whitehall being Whitehall, they were often
 14 promoted rather than being actually removed. So, yes,
 15 there were -- I agree with the thrust of your question.
 16 **Q.** Who else did you have in mind by that observation that
 17 there were the wrong people in those jobs?
 18 **A.** Well, I think the -- the Cabinet Secretary at the time
 19 himself said to me that he had never sought that job and
 20 he had serious doubts about the wisdom of combining
 21 the Cabinet Secretary's job and the National Security
 22 Adviser job. I think that that was correct. Mark was
 23 a very able diplomat, he had enormous skills in all
 24 sorts of ways, but that ... the way in which the
 25 Cabinet Office has evolved -- so if we take --

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1 supposed to talk to, to get action. And that was
 2 critical in -- particularly in the first couple of
 3 months.
 4 **Q.** Was this a function of staffing levels, inadequate
 5 staffing levels, or overstaffing, in particular parts of
 6 the Cabinet Office, or a reflection of
 7 the personalities, the people who were actually in
 8 the Cabinet Office?
 9 **A.** I think it was a mix. Like all dysfunctional systems,
 10 it was a mix of a lot of the wrong people in the wrong
 11 job, decades of accumulated power, no real scrutiny and
 12 insight, a culture of constantly classifying everything
 13 to hide mistakes, and hide scrutiny.
 14 Management was bad, incredibly bloated with so many
 15 senior figures that they themselves -- as
 16 Helen MacNamara's statement makes clear, the senior
 17 people themselves didn't know who on earth was in charge
 18 of what.
 19 **Q.** In your statement to the Inquiry, you say that:
 20 "31. In 2020 a handful of senior officials were the
 21 wrong people for the posts."
 22 And this is in the context of your views on
 23 government generally, so not just the Cabinet Office,
 24 but Number 10.
 25 "This meant they were unable to replace other people

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1 **Q.** Well, perhaps we'll pause there. We'll just stay on
 2 the issue of the Cabinet Secretary.
 3 **A.** Okay.
 4 **Q.** That Cabinet Secretary, Mark Sedwill, now Lord Sedwill,
 5 whom you have described as "a talented and able
 6 diplomat", an able diplomat in all sorts of ways, you
 7 denigrated and insulted by your WhatsApps and text
 8 messages, did you not?
 9 **A.** Er, I guess so. I'm not sure exactly what you're
 10 referring to, but it's certainly the case that I came to
 11 the view that he did not have visibility of
 12 the fundamental disasters that were unfolding inside
 13 the Cabinet Office.
 14 **Q.** You used obscenities to describe him and then, in
 15 a series of texts and WhatsApps, you said he was off
 16 the pace, his staff knew he was off the pace, he was
 17 unable, essentially, to function at all as the head of
 18 the Cabinet Office?
 19 **A.** I don't think I actually said that he was unable to
 20 function at all, but the rest of what you said is
 21 correct. And this was not just my view. Part of what
 22 I was expressing to the Prime Minister was that other
 23 people in the Cabinet Office and crucial people in --
 24 officials not political people -- the Prime Minister's
 25 office had said to me, "We fear that both

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1 the Cabinet Office has gone dreadfully wrong and that
 2 Mark doesn't understand just how badly wrong this has
 3 all gone".

4 **Q.** You were unimpressed by the principal private secretary,
 5 you believed that he deferred too much to
 6 the Prime Minister, he didn't force him to face up to
 7 hard choices; is that correct?

8 **A.** Yes. I think that one of the -- I think -- so that role
 9 is highly, highly underrated, I think, in understanding
 10 how government really works. It's an extraordinarily
 11 powerful position in all sorts of ways. Again, much
 12 more powerful, really, than anybody in the Cabinet,
 13 apart from the Prime Minister. It's a critical role.
 14 And my view was that a role like that, in a country like
 15 ours, should be filled by one of the absolutely most
 16 able people that we can possibly muster in our country,
 17 and I made that argument to the Prime Minister before
 18 January, during the election actually, about making
 19 a change in January. I lost the argument.

20 **Q.** Slow down, please, Mr Cummings. Slow down. You lost
 21 that argument?

22 **A.** I lost the argument. I made it again after the first
 23 wave and I lost the argument again.

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

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1 I tried to get him to change it in January and failed,
 2 tried to get him to change it in February and almost
 3 completely failed.

4 **Q.** Who appointed you, Mr Cummings?

5 **A.** The Prime Minister.

6 **Q.** The Inquiry has heard evidence that the Cabinet Office
 7 plays a vital role in government as the co-ordinating
 8 centre: it liaises with other government departments, it
 9 brokers issues, it resolves debates and issues between
 10 line departments. It is the hub of government.
 11 On your arrival in Downing Street in July of 2019,
 12 did you believe that the Cabinet Office was effectively
 13 performing that role?

14 **A.** No.

15 **Q.** The Cabinet Secretary, the Inquiry has been told, has
 16 an equally important function of exercising such
 17 institutional levers as may be required in order to make
 18 other parts of government work. Were those
 19 institutional levers being effectively operated by the
 20 Cabinet Secretary when you arrived in Downing Street in
 21 July 2019?

22 **A.** No, but I would also obviously -- it was the middle of
 23 the worst constitutional crisis in a century, and
 24 I certainly -- it would be extremely unfair to blame
 25 the/Cabinet Secretary for all the problems that we had

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1 be looking at some of your remarks about him in due
 2 course. Overall, the tenor of your statement is to
 3 the effect, and this is to use your words, that senior
 4 ministers, senior officials, and senior advisers like
 5 yourself, fell disastrously short of the standards that
 6 the public had to expect. Is that a view you adhere to
 7 still?

8 **A.** It is. I also think there were many exceptional people,
 9 as I've also tried to explain in my statement, but they
 10 were all enmeshed in a fundamentally dysfunctional
 11 structure and that meant that even the great people were
 12 often unable to do great work.

13 **Q.** You also say that it is "completely crackers" that
 14 someone like you should have been in Number 10. Is that
 15 a view you still maintain?

16 **A.** For sure.

17 **Q.** Ultimately, who bears the responsibility, Mr Cummings,
 18 for appointing the individuals whom you have described
 19 in these terms?

20 **A.** Well, lots of them obviously were appointed -- lots of
 21 the critical Cabinet Office roles were appointed before
 22 me and the Prime Minister arrived. The Prime Minister
 23 obviously bears responsibility for the Cabinet,
 24 he appointed the Cabinet in summer 2019. Contrary to
 25 all the media reports, I had zero involvement with that.

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1 at that time.

2 **Q.** Throughout the rest of that year and at the beginning of
 3 2020, did you discern any improvement in the structural
 4 system concerning the Cabinet Office?

5 **A.** In some ways, yes, I think it did improve, on the very
 6 first day that I arrived I sent an email to
 7 the Cabinet Secretary regarding how I thought that
 8 the -- that Brexit should work in terms of the Brexit --
 9 what became known as XS, Brexit Strategy, and Brexit
 10 Operations, XO. The Cabinet Secretary agreed with me,
 11 we set that up. I think almost everybody involved with
 12 the process thinks that it radically improved how
 13 the government dealt with such an extremely complicated
 14 question, and I think also everybody that I know who
 15 I spoke to about it thinks that, contrary to the
 16 impression that one often gets in the media, in fact
 17 going through that admittedly nightmarish process of XO
 18 during 2019, actually proved extremely useful in terms
 19 of dealing with the Covid crisis.

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

25 **Q.** Do you think your description of your colleagues,

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1 the way in which you described them, their functions,
 2 abilities, talents, added to that dysfunctionality?
 3 **A.** No, I think the opposite. I think my job -- a huge part
 4 of the problem with the culture of Westminster and
 5 Whitehall that was so disastrous in Covid is people not
 6 speaking out about core problems and I regarded my job
 7 as -- you know, I'm not a very smart person, I'm not
 8 a specialist in all sorts of ways, but I had built very
 9 effective teams, and I felt that part -- a crucial part
 10 of my job was to say to the PM and to other people if
 11 I thought that someone couldn't do the job, then to make
 12 that clear because (a) that's so fundamental to
 13 performance and (b) the issue is so often buried in
 14 Whitehall.

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

17 **A.** Third of what, sorry?

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

24 You said:

25 "We're wasting far too much time in crap meetings,
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1 the civil service from communicating papers to
 2 the Prime Minister without your intervention?

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

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

17 Essentially, what I was trying to do here was
 18 say: there has to be someone who actually takes
 19 responsibility for saying that they and a team have
 20 checked the information and it -- and are certifying
 21 that it's accurate, so that we could get away from
 22 these nightmare meetings that we had had all the way
 23 through the previous few weeks of documents coming up,
 24 people then saying, "This is wrong, this is out of
 25 date", everyone looking at each other like the Spiderman
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1 we're not using the PM's time well. We're not using
 2 the PM's time well. Changes from tomorrow.

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

6 That's Tom Shinner?

7 **A.** Yes.

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

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

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

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

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

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

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

23 **Q.** Unless cleared by you or Tom Shinner.

24 **A.** No.

25 **Q.** So who was being excluded, in effect, within
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1 meme, not being clear who's actually responsible. So
 2 I was trying to say, "Let's actually establish a proper
 3 structure for this", with someone who everybody
 4 respected.

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

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

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

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

12 **Q.** What was he?

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

18 **Q.** Did you bring him in?

19 **A.** But he was a civil servant, not an adviser.

20 **Q.** Did you bring him in, Mr Cummings?

21 **A.** I did.

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

24 **A.** I think bringing Tom in and empowering him the way I did
 25 was one of the single -- probably handful of best
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1 decisions I've made in the whole nightmare.
 2 And by the way the Cabinet Secretary strongly agreed
 3 with me. I think he had worked with Tom Shinner on
 4 a lot of Brexit issues and with Jeremy Heywood a few
 5 years earlier. So it wasn't like I was imposing this on
 6 them, I actually spoke to Mark and said "Here's my idea
 7 are you happy with it?" And he said, "Yeah, it sounds
 8 great, sounds great."

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

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

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

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

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

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

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

17 **A.** Yes.

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

22 **A.** Yeah.

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

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1 the private office, he was a notable exception, but
 2 there was a core problem, which is that private
 3 secretaries in the Prime Minister's office are generally
 4 quite junior officials, quite a few of them are young
 5 women, and at that meeting on 15 May and other -- and on
 6 other occasions, some of the young women in
 7 the private office said to me that they thought there
 8 was a serious problem with senior people in
 9 the Cabinet Office not paying attention to what they
 10 were saying, talking over them, generally just a bad
 11 culture of a lot of the senior male leadership in
 12 the Cabinet Office, which was something which I agreed
 13 with.

14 **Q.** Well, we'll be looking in due course at some of your
 15 emails and texts to other members of the team.

16 Is it fair to say that you were critical also of
 17 the private office, that you sent emails and texts
 18 saying the private office is systemically flawed in
 19 certain regards, as well as the Cabinet Office?

20 **A.** So I think there are two separate things. I was
 21 generally highly impressed by the private secretaries in
 22 the private office, who I thought did an absolutely
 23 extraordinary job, but I thought that the overall
 24 structure in which the private office operated clearly
 25 didn't work, and, you know, you had a relatively tiny

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1 **A.** Yeah.

2 **Q.** Further down the page, you are critical -- it's about
 3 halfway down -- of COBR and CCS -- is CCS the Civil
 4 Contingencies Secretariat --

5 **A.** Yeah.

6 **Q.** -- and how it failed in multiple ways?

7 **A.** Yeah.

8 **Q.** You are critical of the data system, correct?

9 **A.** Yeah.

10 **Q.** Over the page, page 59, you are critical of
 11 "institutional friction", "turf wars", the existence of
 12 "blame games".

13 Page 60, you refer to bloating, a "copy list
 14 culture".

15 61:

16 "We've experienced disaster. The PM has said sort
 17 it out ...

18 "We are still a low performing entity while dealing
 19 with the next phase of covid and economic horror.

20 "... we need a timetable for key actions ...

21 "Simon and Tom shd informally scout out possible key
 22 people for this now."

23 Was there any part of the government machine,
 24 Mr Cummings, in which you did not find fault?

25 **A.** Erm ... well, in summer 2020 I spent quite a lot of time

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1 talking to British Special Forces and I found that they
2 were exceptional.

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

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

9 **Q.** I'm talking about the structure concerned with
10 the response to the coronavirus pandemic.

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

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

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

22 **Q.** I do apologise, Mr Cummings.

23 **A.** Sorry.

24 **Q.** What are pop-ins?

25 **A.** Pop-ins are what people in private office refer to when
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1 return at 1.45.

2 **MR KEITH:** Thank you.

3 **(12.56 pm)**

4 **(The short adjournment)**

5 **(1.45 pm)**

6 **LADY HALLETT:** Mr Keith.

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

12 **A.** Erm, there's multiple reasons. So one obvious thing was
13 that ... so there's a terminology called "STRAP", which
14 I'll briefly explain.

15 **Q.** No, we're not going there. If you wish to refer to
16 the fact that there are levels of national security
17 sensitivity, just say there are levels of national
18 security sensitivity.

19 **A.** As you say, sir.

20 So that's one problem, which means that both
21 the data that goes into Number 10 -- sorry, into COBR is
22 strictly controlled, and so is the hardware strictly
23 controlled, so there were physical and data limitations
24 on how COBR worked -- entirely properly, because of the
25 requirement to keep the physical area secure from Russia
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1 the Prime Minister would make a decision about
2 something, some element of the system, often in
3 the Cabinet Office, would not like what had been agreed,
4 and in the best Sir Humphrey "Yes, Minister" style they
5 would wait for me and other people to not be around the
6 Prime Minister and they would pop in to see the
7 Prime Minister and say, "Dear Prime Minister, I think
8 that this decision really wasn't the best idea, very
9 brave, Prime Minister, perhaps you should trolley on
10 it", and this was a general problem.

11 **Q.** "You should trolley on it", meaning?

12 **A.** Well, I'm using the sort of generic term that we often
13 used about the PM.

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

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

18 **Q.** -- change direction.

19 COBR.

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

23 **MR KEITH:** Yes, indeed.

24 **LADY HALLETT:** And Mr Cummings, like me, does speak very
25 quickly. So I think we will take a break now. I shall
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1 and China, and blah, blah, blah.

2 **Q.** Right.

3 **A.** That was one --

4 **Q.** So that's a practical consideration?

5 **A.** Yes. Also it just didn't scale.

6 **Q.** Meaning?

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

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

16 **A.** Er, it's hard to say. I mean, he certainly preferred to
17 be in his study, and he didn't like going to COBR.
18 I deliberately put the -- so, as I referred to earlier
19 on, when we created the XS and XO structure,
20 I deliberately put that in COBR so that there were kind
21 of live screens on the wall, we could record action
22 notes in real time, it was just a more effective way of
23 handling the ministers and handling the decision-making.
24 He wasn't enormously keen on it, no.

25 **Q.** Right.
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1 COBR was still used from March 2020 onwards, despite
 2 the institution of the 9.15 daily meetings in
 3 Downing Street. Was an important part of
 4 the continuation of the COBR system the fact that it
 5 allowed the devolved administrations to take part in
 6 the process?
 7 **A.** Correct. I mean, my sort of impression/memory is that
 8 from, roughly speaking, mid-March, the main function of
 9 COBR after that was actually the sort of -- just
 10 the process, a rather Potemkin process of handling
 11 the DAs. In fact, I'm not sure that even I went back to
 12 COBR for Covid after something like 12 or 15 March.
 13 **Q.** You ran down the COBR system, Mr Cummings, because your
 14 view was that with the devolved administrations party to
 15 that process, there was an unacceptable risk of leaks,
 16 you were violently opposed to the fact that the media
 17 was briefed afterwards, and you were against, therefore,
 18 the continued use of COBR as a crisis resolution
 19 machinery?
 20 **A.** I'd say that that's overstating things, so first of all
 21 I didn't have the authority to run it down and didn't
 22 run it down. I think it's more accurate to say that it
 23 was superseded by -- by broader things, it was
 24 superseded by the 8.15 meeting that I started,
 25 the 9.15 meeting, how those two meetings evolved into

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1 Well, you did run down the COBR system, Mr Cummings.
 2 You thought that if the COBR system continued, people
 3 either wouldn't tell the truth or the devolved
 4 administrations would leak to the media or brief
 5 the media thereafter?
 6 **A.** So I certainly thought that the COBR meetings that we'd
 7 had with the PM were very Potemkin, they were extremely
 8 scripted, and then, having had these sort of pointless
 9 things, you then had all sorts of people running
 10 straight out and yabbering to the media about what had
 11 just been said in a completely undisciplined way, which
 12 then undermined public confidence in things, caused
 13 a lot of trouble.
 14 But, with respect, I wouldn't say this is running
 15 down the COBR system. The COBR system continued. What
 16 I would say was that it was clearly completely unable to
 17 cope with the scale of the crisis, and that a different
 18 system needed to be created.
 19 Just one very simple thing, we literally couldn't
 20 show the PM crucial data in the COBR room because it
 21 couldn't be piped through because of the STRAP
 22 restrictions.
 23 **Q.** You're going back now to the practical considerations
 24 and the practical difficulties of which you spoke
 25 earlier.

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1 the Covid Taskforce. So I didn't run it down, it
 2 continued, and I'm sure in some ways it did very useful
 3 work.

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

12 **Q.** Could we have page 22, please, of your letter to
 13 the Inquiry, INQ000048313. This is a message,
 14 a WhatsApp, between yourself and Mr Johnson, dated
 15 12 March 2020.

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

18 **Q.** It will come.

19 **A.** -- if it's important.

20 **Q.** 12 March 2020:

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

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

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1 Could we have INQ000174673, page 1.

2 This is an email between yourself, I think
 3 Helen MacNamara, and others, dated 13 March. Your email
 4 is in the middle of the page:

5 "The PM view (and mine) on those COBRAS is that they
 6 are hopeless as decision making entities and actively
 7 cause trouble for comms given they just brief
 8 immediately."

9 So there you're focusing not on the practical
 10 difficulties of data or the national security
 11 restrictions over the use of the room, but because you
 12 thought they were hopeless as decision-making entities
 13 and they caused trouble for comms?

14 **A.** Yes.

15 **Q.** On 15 March in a WhatsApp thread, "NumberTen action",
 16 INQ000236371, page 52, this is a WhatsApp sent after
 17 Mark Sedwill, now Lord Sedwill, the Cabinet Secretary,
 18 had produced a note to the Prime Minister concerning
 19 the committee structure moving forward, the institution
 20 of something called ministerial implementation groups,
 21 and the 9.15 meetings:

22 "PM, it would be good if you could sign off the note
 23 from Mark [Sedwill] on moving to the next phase --
 24 structures etc, ideally before the meeting this pm so we
 25 could get things moving on that."

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1 Dominic Cummings:
 2 "Can u send on whatsapp my work computer battery
 3 flat and i can't recharge for an hour. the draft i saw
 4 looked ok as it was basically drafted by us ..."
 5 Who is "us"?

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

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

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

16 **A.** No, that's not -- they're different issues. If you're
 17 having meetings to actually figure out the truth, then
 18 meetings like that have to be conducted in a very
 19 different way. They can't be one of these things with
 20 50 people on a video conference with the DAs, when
 21 things immediately -- those DA meetings were not
 22 meetings to try to figure out the truth about hard
 23 issues, they were meetings as part of the kind of
 24 performance and co-ordination and the -- and
 25 a constitutional function. And my concern was that,

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1 was he not?

2 **A.** Yeah.

3 **Q.** Was he the Prime Minister?

4 **A.** Was he what, sorry?

5 **Q.** Was he the Prime Minister?

6 **A.** Obviously not.

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

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

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

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

22 **Q.** Was Number 10 any better? You describe it as
 23 a "hopeless structure" for dealing with a major crisis.
 24 What did you mean by that?

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

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

8 **Q.** Why did you want Michael Gove to be in charge of regular
 9 devolved administration updates and not
 10 the Prime Minister?

11 **A.** I thought Gove would handle it ten times better.

12 **Q.** Handle what ten times better?

13 **A.** Handle the process of dealing with the DAs.
 14 And also bear in mind that I'd -- as I said before,
 15 the whole XS, XO structure, Michael Gove had more
 16 experience of anybody --

17 **Q.** Slow down, please, Mr Cummings.

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

25 **Q.** Mr Gove was the Chancellor of the Duchy of Lancaster,

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1 into.

2 **Q.** Well, be succinct, please, Mr Cummings. Why was it
 3 a "hopeless structure"?

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

6 **Q.** Because of the absence of personnel, or the absence of
 7 structure that allows people in Number 10 to liaise with
 8 all the other parts of government?

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

18 **Q.** In paragraph 301 you say:
 19 "As ... viz the Cabinet Office, its problems and
 20 lack of specialist skills combined with its
 21 responsibility for [human resources] and
 22 recruitment ..."
 23 There were problems with the Number 10 structure.
 24 You brought in friends or colleagues, Tom Shinner,
 25 who may have been a member of the civil service but he

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1 was also an adviser, Marc and Ben Warner,
 2 Demis Hassabis. Why didn't you approach the relevant
 3 parts of the Cabinet Office and Number 10 and say, "We
 4 need other people taken from other parts of government
 5 and brought into Number 10"? Why was it necessary to
 6 have your friends, your colleagues, put into Number 10?
 7 **A.** Well, I did do exactly what you just asked, what -- you
 8 said why didn't I do that, but I literally did do that,
 9 at scale. I spoke to the Cabinet Secretary about it,
 10 the Deputy Cabinet Secretary, multiple other people in
 11 the Cabinet Office. Part of the whole point of bringing
 12 Tom Shinner in was that I knew that he had been involved
 13 in the Cabinet Office with the whole Brexit -- Brexit
 14 no-deal preparations, which was as close as anybody had
 15 had, probably since World War II, to actually managing
 16 an extremely large-scale very, very complex set of
 17 operational and logistical questions. I knew also that
 18 Tom had had, because of this and also because of some
 19 other aspects of his career, which I won't go into,
 20 extensive networks across the system, into the military,
 21 into all sorts of things, so he could -- he was
 22 perfect -- he was much better placed than me or anybody
 23 else really in Number 10 to know, oh, we should call
 24 General so-and-so and get him to help with this, we
 25 should get so-and-so in to help with that. So that was
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1 of person.
 2 **Q.** Was he a member of the civil service?
 3 **A.** Of course not.
 4 **Q.** No.
 5 **A.** Neither was Tim Gowers, he was professor of maths at
 6 Cambridge.
 7 **Q.** A number of witness statements before the Inquiry refer
 8 to the fact that there was a dysfunctionality, a lack of
 9 a proper working relationship between
 10 the Cabinet Office, Number 10 and other departments.
 11 There was a lack of clarity about who was leading.
 12 There was an overall absence of a sufficiently organised
 13 response. Nobody knew, in essence, who was in charge,
 14 who do you go to in order to get decisions out of
 15 the government machine. Would you agree with those
 16 sentiments?
 17 **A.** That was a general description of 2019 and 2020. I'd
 18 say it improved obviously once the Covid Taskforce was
 19 created. That brought in a lot more clarity in the kind
 20 of Covid-S, Covid-O, so things certainly improved from
 21 the summer, partly thanks to Tom, Helen MacNamara and
 22 others, but certainly until we did that it was extremely
 23 chaotic.
 24 **Q.** You attempted, according to your statement, to bring
 25 about a major reorganisation in the layout and
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1 the logic behind bringing Tom in.
 2 **Q.** Was Marc Warner a member of the civil service?
 3 **A.** No, Marc Warner was -- is a CEO of an AI company, but he
 4 was working at that time with Simon Stevens and
 5 Patrick Vallance on data issues around the NHS,
 6 completely fortuitously. So it obviously made sense,
 7 given that him and his company were kind of embedded in
 8 the NHS structure.
 9 So, sorry, just to make it completely clear.
 10 Marc and Faculty got involved with the NHS and data
 11 before Covid ever started, so they were already in there
 12 working on these issues, so it obviously made sense for
 13 us all to kind of integrate, and then they helped build
 14 the dashboard.
 15 **Q.** Was Ben Warner a member of the civil service?
 16 **A.** He was a special -- well, I think his status at this
 17 time was -- actually might not have been officially
 18 confirmed but he became a SpAd?
 19 **Q.** When you asked him to join Number 10, did he come from
 20 the civil service?
 21 **A.** He did not.
 22 **Q.** Did Demis Hassabis come from the civil service when you
 23 asked him to attend SAGE and to assist you in your hour
 24 of need?
 25 **A.** He was CEO of DeepMind, he was very different category
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1 structures of Number 10, initially in late January?
 2 **A.** Early January, the first week of January.
 3 **Q.** All right, well, late January is taken from your
 4 statement. You then returned to this subject in May,
 5 and we know, of course, that there were changes to the
 6 Cabinet Office structure and to the committee structure
 7 in Number 10, or the meeting structure in Number 10.
 8 Did you, in general terms, have success in your attempts
 9 to reorganise the structures?
 10 **A.** Erm ... I would say generally failure, with pockets of
 11 success. So I think we managed to create the Number 10
 12 data science team, which I started working on in
 13 the first week of January. It was obviously interrupted
 14 by the Covid first wave nightmare, but we created that,
 15 and that proved really critical, it brought in crucial
 16 different skills, crucial different people, people with
 17 a very different mentality to the civil service. So
 18 that was, I would say, a rare success. If you're
 19 asking --
 20 **Q.** Just pause there, please, Mr Cummings. So in relation
 21 to the establishment of a proper data science team and
 22 a process, a system for getting in data and
 23 disseminating it around Number 10 --
 24 **A.** Yeah.
 25 **Q.** -- that broadly worked, and we know, of course, there
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1 was a dashboard and there was a 10DS team set up?
 2 **A.** Yes, in January there was some scepticism about
 3 the whole thing, in the Cabinet Office, and resistance,
 4 but once everyone had gone through February, March,
 5 April and the nightmare, then actually resistance
 6 completely flipped and the Cabinet Secretary and many
 7 other senior people actually completely supported doing
 8 it.
 9 **Q.** Were there substantive changes to the personnel in
 10 Number 10 or the Cabinet Office --
 11 **A.** There were --
 12 **Q.** -- on the human resource side?
 13 **A.** Yeah, there were huge changes in the Cabinet Office and
 14 core teams that were put in charge of Covid were
 15 repeatedly created, repeatedly dissolved. We were
 16 repeatedly told at Number 10 that they had burnt out
 17 from stress and they had gone. So, yes, there was --
 18 I would say until -- by September it was a little bit
 19 more stable, the taskforce structure existed, people had
 20 a much better sense of what their job was. It was still
 21 dysfunctional in various ways but it was much different
 22 than it had been in May.
 23 **Q.** What about the Department of Health and Social Care as
 24 the lead government department? Your statement states
 25 that the DHSC was overwhelmed by the scale of the crisis

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1 mechanism to solve that itself had crumbled under the
 2 pressure.
 3 **Q.** It is very obvious that there were a large number of
 4 criticisms made by you of the Secretary of State for
 5 Health and Social Care, Matt Hancock, we'll look at some
 6 of those observations later. Where did you or
 7 Number 10, however, suggest structural changes to
 8 the lead government department, to the DHSC, changes in
 9 the way in which it operated in order to ensure a better
 10 service in the face of this crisis? Where is that
 11 debate? Where were those changes proposed?
 12 **A.** So also bear in mind that in April, when we really
 13 started to discuss this, I discussed it with
 14 the Cabinet Secretary -- of course the PM had just
 15 nearly died and was off in Chequers, so discussing it
 16 was inevitably very tricky, but I talked to
 17 the Cabinet Secretary in April about these issues. We
 18 discussed the possibility of splitting up the Department
 19 of Health in various ways, formally, informally. We
 20 discussed creating various taskforces to take critical
 21 work away, and of course we actually did that. One of
 22 the -- in an ironically odd way, the scale of
 23 the nightmare in March/April actually made it much
 24 easier for us to make such a monumental decision as
 25 taking vaccines out of the Department of Health and

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1 in February to May, it couldn't build capacity on
 2 testing, on drugs, and was bad at asking
 3 the Cabinet Office for help.
 4 When it became apparent that the DHSC was unable to
 5 discharge the heavy burden placed on it as the lead
 6 government department, why were changes not instituted?
 7 **A.** Well, I think the Cabinet Office was -- remember
 8 the Cabinet Office is responsible for dealing with
 9 a problem like that and the Cabinet Office itself was
 10 overwhelmed. It was overwhelmed by the crisis, it was
 11 overwhelmed by its own staff being out with Covid, it
 12 was overwhelmed by, you know, internal ructions about
 13 how the hell this had all been allowed to happen. So
 14 I think the Cabinet Office was slow in getting to grips
 15 with the problem at the Department of Health.
 16 I think though, also, undoubtedly, I'm afraid that
 17 the ... the story that the Secretary of State for Health
 18 kept telling us around the Cabinet table contributed to
 19 that. As the Cabinet Secretary himself said, "Hancock
 20 has not been clear in asking us for the help he needs
 21 and that's contributed to the problem". So I think,
 22 you know, as they say in Moscow, everyone is white and
 23 everyone's unhappy. This is one of those examples that
 24 the Cabinet Office had serious problems, the Department
 25 of Health had serious problems, the co-ordinating

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1 creating a separate taskforce. Similarly on testing.
 2 **Q.** Just to pause you there, I'm going to ask you please to
 3 keep your answers a little more concise. I appreciate
 4 it's difficult.
 5 So the way in which taskforces were set up was
 6 a reflection, if you like, of the understanding that
 7 the DHSC was not performing, so you had a test and trace
 8 taskforce, you had a vaccine taskforce, PPE taskforce,
 9 and so on?
 10 **A.** Yes.
 11 **Q.** Is that correct?
 12 **A.** Correct, but to be fair, not just that they were
 13 performing poorly, you know, it was a once in a century
 14 event and they were clearly overwhelmed and, even if you
 15 imagined everything had been working ten times better,
 16 there would still have been very powerful arguments for
 17 having specific taskforces aimed at specific things.
 18 **Q.** All right. The Inquiry has heard a great deal of
 19 evidence about the workings of SAGE and the majority of
 20 that evidence has been received from members of SAGE,
 21 its constituent parts. From the viewpoint of Number 10,
 22 did the SAGE government liaison, the process by which
 23 the government received advice from SAGE, work well?
 24 **A.** So I think SAGE did a brilliant job at co-ordinating
 25 scientific expertise. I think Patrick Vallance did

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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

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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

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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 nuance 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 --

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1 Covid.

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

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1 me to say publicly something like that. But I did --

2 **Q.** Well, to your colleagues in government?

3 **A.** I did say that to colleagues in government. I also

4 spoke to Patrick about making the SAGE -- I also had

5 a very strong view that the SAGE minutes and other

6 documentation should be made public in February for

7 scrutiny, and actually Patrick was very good about that,

8 and Patrick completely agreed. Unfortunately, again,

9 the culture of secrecy in the Cabinet Office blocked

10 that, not just February/March, but actually kept

11 blocking it for I can't remember how long but for a very

12 long time.

13 **Q.** In your statement, in relation to the issue of

14 the substantive advice you received from SAGE or rather

15 the advice that the government received from SAGE, you

16 say that it was represented to the government that SAGE

17 was broadly in agreement with the strategy of

18 mitigation, and we'll come back in a moment to look at

19 that in more detail, or plan A, as you call it.

20 **A.** Yeah.

21 **Q.** But that subsequently you were told that SAGE members,

22 members on the SAGE committee, denied that they had been

23 generally in support of a mitigation strategy.

24 **A.** Yes.

25 **Q.** When were you told that that representation of SAGE's

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1 received from SAGE, on behalf of the government, was to

2 some extent inaccurate, it hadn't been a fair reflection

3 on what you've said of the views of its members. SAGE,

4 you say in your statement, had not made plain that there

5 was a viable alternative to mitigation, they had not

6 made plain, at least until quite late in the day, that

7 the numbers of deaths and hospital cases would be

8 massive --

9 **A.** Sorry, I would -- I would -- the last sentence is not

10 accurate.

11 **Q.** Until quite late in the day. When did SAGE tell you

12 that they had concerns that the infection fatality rate

13 and the infection hospitalisation rate would mean

14 an inevitable wave of death and hospital cases?

15 **A.** I don't remember the exact date, but if you look at

16 multiple graphs from COBR that went through SAGE, you

17 can see that people were envisaging a scale of death

18 that would overwhelm the NHS certainly in February.

19 **Q.** Late February, wasn't it, Mr Cummings?

20 **A.** I would say early February.

21 **Q.** Well, we'll have a look and you can tell us where those

22 documents are.

23 Did SAGE tell you that, effectively, there was no

24 means of controlling the virus once it had reached

25 the United Kingdom?

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1 position was inaccurate?

2 **A.** I'm not sure exactly, but you could start to see it in

3 what they themselves said after the first lockdown

4 happened. From that point on, a lot of people around

5 SAGE started to talk as if they'd been recommending this

6 for a long time. Whereas, as you can all see from

7 the evidence, they weren't even recommending it the week

8 of 9 March.

9 **Q.** That was obviously an extremely serious problem. The

10 government's sole scientific advisory group for

11 emergencies was not, it would seem to you and what you

12 were told, accurately giving you a proper reflection of

13 the debate in that committee.

14 **A.** Well, I wouldn't put it like that. I think actually

15 I would say the problem in lots of ways was actually

16 worse than that.

17 **Q.** All right.

18 **A.** That it was represented to us, even in the week of

19 9 March, that SAGE collectively agreed with the DH plan

20 of single peak herd immunity by September, and indeed,

21 as you can see from the public record in YouTube, many

22 people from SAGE actually gave interviews that week

23 articulating that plan A strategy.

24 **Q.** So at least after the first wave, Mr Cummings, it was

25 obvious to you that the information that you had

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1 **A.** I wouldn't say that SAGE told us that, I would say that

2 that was -- that Number 10 was told that that was

3 the consensus view of CCS and the Cabinet Office and

4 the Department of Health and SAGE that fundamentally --

5 fundamentally Number 10 was told in January and February

6 that the most significant danger that we faced was

7 a second wave happening later in 2020, and that was what

8 everyone was trying to avoid, and that's why the single

9 peak by -- single major peak by September approach was

10 taken.

11 **Q.** We'll come back to that doctrinal debate, that strategy.

12 But I'm asking you, Mr Cummings, why, if it had become

13 apparent to you that you had not been able to understand

14 accurately what SAGE believed or you had not received

15 a fair reflection on what SAGE was debating and what it

16 thought, why after the first wave did you not bring

17 about changes to the SAGE structure and the advisory

18 structure in the way that you had advocated for

19 the Cabinet Office, the DHSC, Number 10, the Civil

20 Contingencies Secretariat, and so on?

21 **A.** Well, I literally did. I mean, we created the data

22 science team, and part of the whole point of the data

23 science team was that you had actual very deep technical

24 experts that could red team and explore what SAGE was

25 saying and give the Prime Minister advice on what was

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1 coming from SAGE, how to interpret it, potential
 2 problems with the advice that was coming from SAGE,
 3 et cetera, and that team actually did that job.

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

7 **A.** Mm-hm.

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

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

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

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

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

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

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

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

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

23 They essentially said: you know, there's kind of
 24 problem A, how many people it just kills immediately,
 25 but then there's problem B, what the long-term health

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1 entities.

2 **Q.** All right.

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

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

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

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

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

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1 consequences might be. At the moment, obviously by
 2 definition, we've got no data and information on that.

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

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

12 **A.** Vaguely.

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

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

16 **Q.** When did it first become apparent that there was
 17 a disproportionate fatality rate in those communities?

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

21 **Q.** All right.

22 Preparedness. Much of your statement focuses on
 23 your opinion that there had been a critical failure to
 24 plan for the type of pandemic which in the event ensued,
 25 and an absence of critical capabilities, as you

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1 described them. In essence, that in January and
2 February 2020 there was no system, no plan, no structure
3 in place that could have allowed either the borders to
4 be sealed or for any kind of scaled-up test and trace
5 process.

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

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

19 So, first of all, there wasn't the capability.
20 Second, we were told, even if we had the capability it
21 would only delay things by a relatively trivial amount.
22 Third, of course, people -- at that time, the reaction
23 from a lot of people was closing the borders is racist.
24 You remember when the supermodel Caprice said on TV,
25 "Why aren't we closing the borders?", a lot of people,

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

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

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

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

20 **A.** No, well, I think that -- obviously, if you're just
21 saying do you create -- do you actually control
22 the borders, does that solve the problem, of course the
23 answer is no. And if you're looking just at
24 the specific issue of what the effective control of your
25 borders would be then, of course, the answer is clear

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1 public health experts mocked her as if she was an idiot.
2 That was the prevailing conventional wisdom from
3 the public health system. And was reflected -- the
4 dismissal of Caprice, I would say, was reflected in
5 Number 10 by the public health system.

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

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

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

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

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1 and what SAGE and NERVTAG said makes sense.

2 But that's obviously not the real question.
3 The real question is: should you have the capabilities,
4 like Singapore or Taiwan, to combine actual serious
5 border controls with a domestic test and trace regime
6 and the data to support it and all the other things you
7 need to support it and then roll out mass testing?

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

11 **Q.** Mr Cummings, without a scaled-up test, trace, contact,
12 isolate system, shutting the borders will not suffice of
13 itself?

14 **A.** Correct.

15 **Q.** So the problem here was not that there was a doctrinal
16 decision not to consider shutting the borders, it was
17 that, in practice, it would do no good and without
18 a test, trace, contact, isolate system, and there was
19 none, it would never work?

20 **A.** Correct.

21 **Q.** Is that the nub of the issue?

22 **A.** It's half of the nub of the issue, but the other half of
23 the nub is that if you regard the whole thing in
24 a fatalistic way anyway, which DH and the Cabinet Office
25 and SAGE did at the beginning, and you think that there

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1 is no effective alternative to herd immunity -- if you
 2 are saying that at an overall conceptual level there is
 3 either (a) shape a curve towards herd immunity or (b)
 4 try to build your way out of the problem, the entire
 5 system in January, February, early March thought that
 6 the only plausible approach to this was to shape
 7 the curve of herd immunity. No one thought it was
 8 really practical to build our way out of the problem.
 9 The fundamental U-turn that we shifted to was to try to
 10 build our way out of it instead of fatalistically
 11 accepting.

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

15 **A.** Yeah.

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

22 **A.** Well, of course until the week of 9 March, the entire
 23 system was just sort of rolling along the single --
 24 single peak strategy by September. And there were
 25 conversations and references before that week to: we've

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

4 **A.** Yes, my view is that what ought to have happened is
 5 that, as soon as the first reports came at the end of
 6 December, New Year's Eve 2019, we should have
 7 immediately closed down flights to China, we should
 8 immediately have had a very, very hardcore system at
 9 the airports and borders, and there should have been
 10 a whole massive testing infrastructure ramping up both
 11 for test and trace in a kind of conventional sense but
 12 also a manufacturing and industrial capacity system to
 13 manufacture the rapid tests at scale, and I mean
 14 a massive scale, the scale of tens of millions a week.

15 I think if you had had the combination of actual
 16 serious border control in this country for the first
 17 time ever, actually controlling its borders and taking
 18 it seriously, with test and trace, and then a kind of
 19 out of the box "Here's how you massively scale rapid
 20 testing", and you put all of those things together --
 21 brackets, arguably also with huge hunch(?) trials on
 22 vaccines, close brackets -- then I think in retrospect
 23 that's clearly the right -- it would have been a much
 24 better approach, not just in terms of deaths but also in
 25 terms of us being able to keep open the economy,

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1 obviously got to do more testing. But that wasn't
 2 really in the -- that was more just sort of, you know,
 3 we need more tests for the NHS and maybe a few thousand,
 4 and blah, blah, blah. It wasn't conceived -- testing
 5 wasn't conceived at the end of February, beginning of
 6 March, in the context that it would be seen in April,
 7 May, June, ie scaling to hundreds of thousands, then
 8 millions, then potentially tens of millions.

9 I think what really brought it home certainly to me
 10 and the PM was when we were suddenly told in that week
 11 of the 9th, and it was one of the things that involved
 12 pennies dropping, that essentially testing had been
 13 stopped.

14 **Q.** 12 March?

15 **A.** Yes, if you say so, but, I mean, I know it was around
 16 then.

17 **Q.** So that we can understand the importance of this issue,
 18 is it your position that if there had been
 19 a sophisticated, competent system for test, trace and
 20 isolate in existence or brought into existence in
 21 January, February, March, and other countries,
 22 the Inquiry is aware, did precisely that -- South Korea
 23 is a very good example -- it may not have been necessary
 24 to go the whole hog and to order, to mandate
 25 the imposition of a national lockdown because the means

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1 you know, to a massively greater extent than we were
 2 able to, so it's essentially both ways.

3 **Q.** You say, Mr Cummings, in retrospect, no one, not even
 4 you, with your keenness to ensure that the government
 5 system could be made to work efficiently, appreciated in
 6 February/March that without such a scaled-up test and
 7 trace system the options for the United Kingdom
 8 Government were going to be extremely limited indeed?

9 **A.** So I wouldn't quite put it like that. We did appreciate
 10 that we didn't have these things and, as you can see,
 11 there are references from me to Singapore and whatnot in
 12 multiple groups and emails and whatnot, and people like
 13 Marc Warner were saying to me, "Why is there just this
 14 fatalism on the subject?"

15 **Q.** Slow down.

16 **A.** So we were aware of it.

17 **Q.** But nothing could be done --

18 **A.** But it was obviously too late. You can't just pull
 19 a system like this out of thin air in a few days.

20 **Q.** Conceptually, doctrinally, the British Government's
 21 position in February and the early part of March had
 22 been: viruses come in waves, in order to ensure that the
 23 first wave doesn't strike us during the winter months,
 24 the best policy is to mitigate it, to take the top off,
 25 delay it, so it's closer to the summer, and that way

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1 we'll avoid the risk of that wave, if it is completely
 2 suppressed, re-coiling like an uncoiled spring later in
 3 the year with a devastating second wave.
 4 Plan A. Why was it not appreciated after March and
 5 April and the first wave that such a test and trace
 6 system would avoid the risk of a second devastating
 7 wave?
 8 **A.** Well, with respect, I think it was appreciated,
 9 certainly parts of the system. You can see I wrote it
 10 on whiteboards around about 13/14 March as part of
 11 shifting to plan B.
 12 So people in Department of Health and elsewhere were
 13 building up testing in February, early March, there were
 14 plans to do that, but we were not thinking -- they were
 15 not thinking at that time about test and trace. Once we
 16 made this flip around about the 13th to the 15th, we
 17 talked to -- I talked to the PM about it on Saturday
 18 14 March and Vallance and I talked to the PM about it on
 19 Sunday 15 March as part of this alter -- different
 20 conceptual approach of building our way out of
 21 the problem.
 22 **Q.** You misunderstand me. During that first stage with
 23 plan A, with mitigation, the argument being put against
 24 suppression was: it will re-coil like an uncoiled spring
 25 with a devastating second wave. If you push the first

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1 **Q.** But they were thinking about and they were advocating
 2 suppression, that is to say the squashing down
 3 completely of a first wave?
 4 **A.** No, sorry, who do you think was arguing for that?
 5 **Q.** The one wave strategy, Mr Cummings, envisaged
 6 a mitigation and then this argument arose as to whether
 7 or not a suppression strategy which allowed the wave to
 8 re-coil, the spring to uncoil, would result in a second
 9 devastating wave, so why was there not a debate about
 10 what could be done to prevent that second wave? Why was
 11 it not thought about?
 12 **A.** Well, I think I'm not quite -- possibly I'm confused by
 13 your language here, I'm not quite understanding your
 14 question. But I'll try and put it this way: up to and
 15 including the week of the 9th, the assumption was -- so
 16 you're suggesting there was some great debate. The
 17 whole point was there wasn't a debate. There was
 18 an assumption across government, across
 19 the Cabinet Office, Department of Health and SAGE that
 20 lockdown was impossible in a western country: anyway we
 21 didn't have all of the things that you needed in place
 22 to actually do it, you didn't have test and trace and
 23 whatnot that you would need to have afterwards, that
 24 vaccines were almost definitely not going to have any
 25 impact at least in 2020 and possibly never. So

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1 wave down it will spring back?
 2 **A.** Yes.
 3 **Q.** So before the change in strategy, why was it not
 4 understood: well, don't worry, we will deal with
 5 the first wave but by the time the second wave comes
 6 along, if it does re-coil like an uncoiled spring, we
 7 can deal with it with a proper test and trace system?
 8 Why wasn't that debate had when the government was still
 9 in the first strategic response?
 10 **A.** So if you're asking me why were we not talking about
 11 test and trace before, roughly, say 13 March --
 12 **Q.** Yes.
 13 **A.** -- the answer is because no one, before -- remember, in
 14 the -- the first time that -- there was no plan for
 15 lockdown at all in the week of the 9th. The plans for
 16 lockdown only came after we started to change. So there
 17 was no -- the whole point of the problem up to the week
 18 of the 9th was that the whole system fatalistically
 19 thought there was no way you could possibly do
 20 a lockdown in Britain, it was thought of as the
 21 completely crazy idea, so of course people were not
 22 thinking, "Well, let's do lockdown and then build test
 23 and trace", everyone thought, "Well, we obviously can't
 24 do lockdown, and lockdown's mad because it will all come
 25 back".

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1 the whole point was that, up to and including the week
 2 of the 9th, the debate you keep referring to, there
 3 wasn't a debate, that was the whole problem.
 4 There wasn't a debate about the fundamental
 5 assumptions underlying plan A. There wasn't a debate
 6 until me and others started saying "Hang on a second, if
 7 you actually follow the logic of what plan A is, it's
 8 going to be a catastrophe and we have to ask these
 9 questions and we have to consider an alternative
 10 plan B", but before that there was no debate about this,
 11 it was just assumed.
 12 **Q.** There was a debate at the scientific level between
 13 mitigation and suppression, but it may be that that
 14 debate and the merits of mitigation versus suppression
 15 simply didn't reach your level in government --
 16 **A.** Of course --
 17 **Q.** -- and you weren't aware the scientists were debating
 18 the pros and cons of mitigation versus suppression?
 19 **A.** Of course it was discussed by people, but as you can see
 20 in all of the SAGE and DH documents, the assumption from
 21 everybody was that it was simply completely impractical,
 22 and everyone was still on the mindset of a flu pandemic.
 23 So of course there were debates, you know, in one sense
 24 going on and there were scientists, you know, et cetera,
 25 et cetera, but the core of what we were presented with

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1 in Number 10 was: there is unanimity between
 2 the Cabinet Office, Department of Health and SAGE behind
 3 the propositions that the real danger is a second wave
 4 in the winter and, therefore, you have to manage
 5 a single peak strategy so there's herd immunity by
 6 September. That was the core argument that we were
 7 presented with. And that was never really properly --
 8 the first time I actually saw that being tested was on
 9 18 March when Demis Hassabis said to SAGE, essentially,
 10 "I think this whole plan is mad and you should
 11 immediately lock down, like, now, this hour, tell the PM
 12 to do it immediately", and that kicked off various
 13 discussions.

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

21 **A.** Correct. I mean, I would say it's actually worse than
 22 that, and sort of doubly ironic, because if you
 23 actually -- if plan A had been what ended up being
 24 plan B, ie we'd actually got on top of it and controlled
 25 it, and you had a test and trace infrastructure and

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1 including pandemic levels prepped and refreshed.

2 It became obvious, and it's obvious from your
 3 statement, that you appreciated that there were no plans
 4 of the type that you've described.

5 By the middle of March, so 16 March, a week before
 6 the national lockdown, had Number 10 still been provided
 7 or had it been provided in any way with departmental
 8 plans, Cabinet Office plans, from line departments
 9 dealing with these various aspects of a coronaviral
 10 pandemic?

11 **A.** Essentially, no. There were -- odd dribs and drabs came
 12 in. You can see from various evidence of texts and
 13 emails from me, after talking to Hancock I pushed on
 14 some of these things through February. Imran did as
 15 well, from private office. But we gradually became
 16 aware through the course of February that, essentially,
 17 what Hancock had told me on the 25th -- sorry,
 18 correction just on the date, by the way, the Inquiry and
 19 I have wrongly changed the date from the 25th to the
 20 23rd of that text message. So my statement is now
 21 wrong, but it should be 25th, but we'll correct that
 22 afterwards.

23 **Q.** Well --

24 **A.** But yes, during the course of the 25th, we -- sorry, in
 25 the course of February we realised gradually, as we

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1 everything else, then there would actually be a much
 2 stronger argument for saying, well, a lot of
 3 the shielding stuff we don't need, a lot of this we
 4 don't need, a lot of that we don't need because we've
 5 actually controlled the virus.

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

8 **A.** Apologies.

9 **Q.** And to be fair --

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

12 **Q.** Yes.

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

20 **Q.** Yes. And to be fair, you texted Mr Hancock on
 21 23 January about the existence, the whereabouts of
 22 pandemic plans and preparations. I think you asked, "To
 23 what extent have you investigated preparations for
 24 something terrible like Ebola or flu pandemic?" And you
 25 were reassured that there were full plans up to and

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1 pushed and probed and asked questions for these plans,
 2 that they fundamentally didn't exist, and on the 16th
 3 I think you're probably referring to a shocking email in
 4 Number 10 that says, essentially, the Civil
 5 Contingencies Secretariat says that these plans are not
 6 even held centrally at all.

7 So it turned out, to our horror, that the system
 8 that we'd been told repeatedly in Number 10, trust
 9 the system, SPADs shouldn't get involved, world leading,
 10 best prepared in the world, blah, blah, blah, it then
 11 turned out that this supposedly brilliant system that
 12 the Civil Contingencies Secretariat had not even seen
 13 these documents at that time because they were not held
 14 centrally, which was ... I mean, when that email was
 15 circulated, people thought it was almost like a spoof.

16 **Q.** All right. In fact, we do have, of course, your text
 17 message to Matt Hancock and his reply, your very own
 18 letter and statement have a screenshot, and it shows
 19 23 January. It says in terms, 23 January 2020 --

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

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

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

25 **Q.** Well --

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1 A. -- but I actually checked it and it should be the 25th.
 2 Q. Don't trouble yourself. Your own screenshot provides
 3 the date of 23 January 2020.
 4 So there were a number of COBR meetings at the end
 5 of January and the beginning of February. I want to ask
 6 you about an important COBR meeting on 5 February,
 7 INQ000056215.
 8 Page 1 sets out the ministers who attended.
 9 Page 2, the officials, and those who dialled in. We
 10 can see that, on behalf of Number 10, Imran Shafi
 11 attended, along with Sir Ed Lister.
 12 Page 3, the attendees in terms of the chief medical
 13 officers.
 14 Page 5, paragraph 2, the CMO provides an update to
 15 COBR providing information about the number of
 16 individuals who had died and how long they had been in
 17 hospital before they died. This is all to do,
 18 of course, with cases abroad, in particular China. The
 19 two most high risk groups appeared to be the elderly and
 20 those with pre-existing illnesses.
 21 If you could scroll back out, page 6, between
 22 paragraphs 9 and 11 there is a debate about planning for
 23 a reasonable worst-case scenario, and the director of
 24 the Civil Contingencies Secretariat sets out
 25 the planning priorities for the work under way to

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1 to be the reality, which is that the virus is probably
 2 out of control and will sweep the world"?
 3 A. So, I -- I can't remember exact -- obviously now it's
 4 three years ago, I can't remember the exact days
 5 and whatnot, but around this time -- so I spoke to
 6 Patrick before obviously that text was sent. I spoke to
 7 Patrick again -- I probably spoke to him each day,
 8 actually, 5th, 6th, 7th. We had a conversation about
 9 this and about the briefing of the PM. Patrick and
 10 I agreed that we thought the PM had not been
 11 sufficiently briefed on a lot of this -- on these
 12 questions and we were concerned about it, and we agreed
 13 that I would fix up for there to be a meeting as soon as
 14 possible with the PM in his office, and that meeting
 15 happened on -- I mean, it will be in the documents,
 16 I can't remember exactly when, but very shortly after --
 17 after this.
 18 I think Patrick said to me something like, you know,
 19 this needs to happen straightaway, it's possible that
 20 that was the Friday and I organised it for the Monday,
 21 but my recollection of these dates could be a bit off.
 22 Q. There was a meeting on 10 February.
 23 A. Is that the Monday?
 24 Q. Between 10.45 and 11.15. That could possibly be
 25 a Monday or maybe a Tuesday. So that would fit with

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1 develop planning assumptions for the pandemic flu
 2 reasonable worst-case scenario.
 3 There is then a debate about communication strategy,
 4 an emergency Bill, and work with local resilience
 5 forums.
 6 On this day or the day after, you sent a text to
 7 a WhatsApp group, the "NumberTen action" WhatsApp group,
 8 saying:
 9 "chief scientist told me today it's [probably] out
 10 of control now and will sweep the world."
 11 Were you aware of the tenor of the debate and what
 12 was being discussed in COBR on 5 February?
 13 A. Probably, I mean, I don't remember that particular --
 14 all of these meetings now, I'm afraid, blur into one
 15 another.
 16 Q. Had you seen this minute of the 5 February COBR, you
 17 would immediately have understood that the thinking
 18 expressed in this meeting was not that which you had
 19 been told, which was to the effect that the virus was
 20 probably out of control now and will sweep the world.
 21 Did that not concern you?
 22 A. Yes.
 23 Q. What did you do around 5 and 6 February to say "This
 24 COBR appears to be proceeding on an incomplete,
 25 inaccurate basis, it isn't reflecting what I understand

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1 what you've said.
 2 There was another COBR meeting on 18 February.
 3 INQ000056227.
 4 Pages 1 to 3 give us the attendees, and page 5 gives
 5 us a sense of what was being discussed: repatriation of
 6 British nationals.
 7 Then, over the page: legislation, a debate about
 8 the drawing up of a Bill to be employed in a reasonable
 9 worst-case scenario.
 10 Then over the page, please, page 7: "Planning for
 11 a Reasonable Worst Case Scenario (RWCS) -- next phase",
 12 the Civil Contingencies Secretariat said there was work
 13 to be done to create a clear plan of activity from
 14 the moment of sustained transmission to its estimated
 15 peak.
 16 Was there an understanding in Number 10 that
 17 a debate about repatriation and the drawing up of
 18 appropriate legislation and the drawing up of plans to
 19 deal with a reasonable worst-case scenario did not
 20 really reflect what needed to be done in response to
 21 the information that was then available?
 22 A. Certainly by some of us in Number 10 at that time, there
 23 was, yes, but remember an awful lot of the senior people
 24 in the centre of Whitehall were off on holiday at this
 25 time.

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1 **Q.** The Prime Minister, the evidence shows, received a note
2 in his box on 30 January, around about the same time,
3 about coronavirus. He expressed the view on 31 January
4 that he wanted to spend more time discussing issues with
5 ministers, and then he received an update on 3 February
6 from the Civil Contingencies Secretariat.

7 There was then an email with an update on
8 8 February, and the meeting on 10 February to which you
9 have referred.

10 We'll just have a look at the diary for that,
11 INQ000136739. This is the diary for the Prime Minister
12 between 10 February and Friday 14 February. On
13 10 February, so you're right, it's a Monday, 10.45 to
14 11.15, "Coronavirus Update".

15 Before he went to Chevening, which he did on
16 14 February, he received a note in his box,
17 INQ000136743, page 4:

18 "Coronavirus/international response: containment of
19 the virus in China is a key part of preventing the
20 spread of the outbreak to the UK."

21 If what you were told by the Chief Scientist was
22 right, the Chief Scientific Adviser was right,
23 Mr Cummings, that there was an inevitability or
24 a probable inevitability to the virus sweeping
25 the world, then any debate about whether or not

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1 whole system was at this point -- and not just now, but
2 three weeks after this point -- still thinking of this
3 as something that was going to land on people in
4 May/June, not something that was going to overwhelm
5 everybody in mid-March.

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

12 **A.** Yeah.

13 **Q.** But during this next week, before the Prime Minister
14 departed for Chevening, why was that message not being
15 re-communicated to him in notes that were sent to him?
16 Why was he not being told in this note, "Well, the
17 Chief Scientist's view is it's probably going to sweep
18 the world, it's coming"?

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

25 **Q.** Why weren't you, though, Mr Cummings? You were the one

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1 the virus could be contained in China was out of date.

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

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

23 I remember at this point, although there was in
24 fact, we now know, sustained transmission in this
25 country at that time, that was not known then. So the

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1 who had spoken to the Chief Scientist or received a text
2 from him?

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

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

11 **A.** Well, I did tell him that.

12 **Q.** It's not here.

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

22 **Q.** Do you accept that there is no formal communication to
23 the Prime Minister from anybody at this stage saying
24 "The information from the Chief Scientist is to the
25 effect that containment has likely failed"?

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1 A. You have the documents, not me so, if you say so, I'm
 2 sure that's right.
 3 Q. Then the Prime Minister went to Chevening --
 4 LADY HALLETT: If you're moving on, Mr Keith --
 5 MR KEITH: Yes.
 6 LADY HALLETT: -- I think it's probably time for a break --
 7 MR KEITH: My Lady, of course.
 8 LADY HALLETT: -- sorry to interrupt.
 9 3.15, please.
 10 (3.02 pm)
 11 (A short break)
 12 (3.15 pm)
 13 LADY HALLETT: Mr Keith.
 14 MR KEITH: So, Mr Cummings, by 17 February, some members of
 15 SPI-M-O and SAGE were reporting the belief that there
 16 was already sustained transmission in
 17 the United Kingdom. On 21 February news emerged of
 18 a cluster of locally transmitted cases in Lombardy in
 19 Italy, and a lockdown began there, you'll recall, of
 20 a number of municipalities.
 21 On 23 February, the DHSC reported 13 cases in the
 22 United Kingdom. The paperwork shows that the pace of
 23 the government tempo, the tempo of work in government
 24 declined notably between 14 February and 24 February,
 25 which coincidentally is half term.

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1 Chevening, but he received from his team in
 2 Downing Street absolutely nothing in relation to
 3 coronavirus between 14 February and 24 February.
 4 You were part of that team. Why was he not kept in
 5 the loop in relation to the developing crisis?
 6 A. Well, partly for the reasons I've already said, it
 7 wasn't seen as an imminent crisis in the Cabinet Office
 8 and by the Cabinet -- by the systems responsible for
 9 dealing with crises. When he did briefly reappear for
 10 meetings, for example, on the meltdown in
 11 the Home Office, Imran and I did talk to him about
 12 coronavirus, and we did try to get into his head that
 13 this was a growing problem and it had not gone away.
 14 Q. You say there was a lack of understanding that there was
 15 a crisis. You had received text messages or information
 16 yourself that the virus was probably out of control.
 17 COBR had been reporting that there was now clear
 18 evidence of sustained transmission outside China. You
 19 knew and Number 10 knew that the virus had exploded in
 20 Italy, and you knew there were cases already in
 21 the United Kingdom. How can it possibly have been
 22 thought that there was no crisis?
 23 A. Well, as I said, round about -- when the Prime Minister
 24 went away on holiday, after the reshuffle, around about
 25 sort of 13th/14th, 13/14 February looked very, very

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1 Why was that?
 2 A. I think it was a combination of, as I said earlier,
 3 the general perception of the senior people handling
 4 this in the Cabinet Office, DH, at the time was that if
 5 this proved to be a big problem, and it still was
 6 an "if", then it was seen as really quite a distant
 7 problem, it was not seen as an emergency crisis.
 8 Secondly, as you remark, I did not go on holiday,
 9 but many of the senior people were on holiday during
 10 that time, including the PM.
 11 Q. There was no COBR between 18 February and 26 February,
 12 was there?
 13 A. Don't know.
 14 Q. There were no Cabinets, there were no Cabinet meetings
 15 during that time, do you recall?
 16 A. I don't recall.
 17 Q. There were no notes sent to the Prime Minister or emails
 18 between 14 February and 24 February?
 19 A. I find that -- I think that's more likely to be a gap in
 20 the paperwork than reflecting reality.
 21 Q. In relation to coronavirus?
 22 A. I don't know.
 23 Q. He went to Chevening on 14 February, he returned to
 24 Downing Street three times, for work. His diary shows
 25 that there were a handful of meetings while he was in

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1 different to 28 February, so things evolved a lot over
 2 that period of time. You are of course -- I mean, your
 3 fundamental point is obviously correct, that there was
 4 indeed a massive crisis, it was indeed pretty insane
 5 that so many of the senior people were away on holiday
 6 at that time. But it's also important to realise that
 7 it's not like the Civil Contingencies Secretariat or
 8 the National Security Council, or any of
 9 the organisations in charge of this, were beating
 10 the drum and saying, "We've got to get the PM back, this
 11 is a massive crisis". In fact, quite the opposite. As
 12 Patrick Vallance and others have pointed out, apart from
 13 me, the NSC and other things were treating it like the
 14 rest of Whitehall was, like maybe this will be a big
 15 problem but if it is it's going to be in May or June.
 16 Q. If it was insane, as you have described it, for them to
 17 be away, to be on holiday, or whatever everybody was
 18 doing, and for there to be a complete absence of
 19 administrative push in relation to coronavirus during
 20 that ten-day period, why weren't you banging on
 21 the metaphorical door of Chevening saying, "You've got
 22 to come back, we have a crisis, this virus is about to
 23 overrun us"?
 24 A. Well, I was talking to all sorts of people in that
 25 period, I was not on holiday and I was pushing and

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1 talking to Patrick and other people, but I did not
 2 regard, and neither did other people -- we did not think
 3 that asking the PM to come back and talk to COBR or
 4 Whitehall in general at that point would have been
 5 productive. In fact, I thought it would have been
 6 counterproductive because I thought he would have said
 7 to everybody what he thought at the time, which was,
 8 "This is another swine flu, it's all another rubbish
 9 media hoax, nothing will happen, blah, blah, blah, blah,
 10 blah, the real danger is the economy getting talked into
 11 a slump". I thought that if he came back from Chevening
 12 and said that to COBR or any other part of government it
 13 would be counterproductive rather than helpful.
 14 **Q.** So are you saying you did actively consider
 15 the possibility of asking him to come back and talk to
 16 COBR or Whitehall?
 17 **A.** Yes, it was discussed while he was away.
 18 **Q.** With who?
 19 **A.** I discussed it with Imran and I discussed it with Martin
 20 and others in Number 10.
 21 **Q.** Is there any record or any note whatsoever of that
 22 debate, Mr Cummings?
 23 **A.** Don't know.
 24 **Q.** Are you surprised to hear that there is no note as far
 25 as we can tell of asking the Prime Minister to come back

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1 There is no reference there to the possibility that
 2 he'd been asked to come back earlier or that there
 3 should be a COBR while he was in Chevening, is there?
 4 **A.** No.
 5 **Q.** And he asked or he said:
 6 "I am not convinced we are showing grip on corona.
 7 "We need to have a cobra.
 8 "Not sure if can wait till Monday."
 9 There had been four COBRs already, had there not?
 10 **A.** I don't know how many there had been.
 11 **Q.** Well, you know that there were four or five COBRs up to
 12 that point?
 13 **A.** Yeah, something like that.
 14 **Q.** But he had hitherto not shown any inclination to take
 15 a grip by chairing a COBR himself?
 16 **A.** Correct.
 17 **Q.** On page 48 --
 18 **A.** To be fair to him, nor was the system generally pushing
 19 him to.
 20 **Q.** Well, your evidence is that you might not have wanted
 21 him to chair a COBR in any event because you were
 22 fearful for what he might say?
 23 **A.** Correct, but I would say that's unofficial
 24 conversations. My point was the official system wasn't
 25 pushing him to try and do a COBR, as far as I recall,

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1 and take charge of the crisis?
 2 **A.** No, not surprising, because they were conversations.
 3 You know, it was all people in the same -- sitting next
 4 to each other at work.
 5 **Q.** Well, you're not averse to sending WhatsApps and texts
 6 24 hours a day, Mr Cummings?
 7 **A.** No, I'm not but, as I say, I was sitting right next to
 8 Martin and Imran, I didn't have to -- I didn't have
 9 to -- you know, this was conversations that we had
 10 around the office at that time.
 11 **Q.** INQ000236371. WhatsApp messages, "NumberTen action",
 12 page 47. On 27 February, after his return from
 13 Chevening, Mr Johnson said, in response to a suggestion
 14 from Lee Cain:
 15 "I think a Monday coronavirus [COBR] meeting with
 16 the PM [as] chair [very] important to show grip.
 17 Suggested to Martin [Reynolds] earlier So think he is
 18 handling."
 19 Dominic Cummings:
 20 "Yup. We shd pencil in an interview early next week
 21 on this too. We gotta sort stuff out over the next few
 22 days but Monday must be a new level ..."
 23 And Mr Johnson says at the end of this particular
 24 thread:
 25 "Not sure if it can wait till Monday."

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1 but we also weren't trying to push the official system
 2 to do it because we were fearful that it would actually
 3 be counterproductive.
 4 **Q.** So you were in part responsible for him not having
 5 chaired COBR hitherto?
 6 **A.** That's a funny interpretation to put on it, but ...
 7 **Q.** Well, you didn't want him to, you were fearful of what
 8 he might do if he was allowed to chair COBR?
 9 **A.** As I said, the system wasn't pushing him to and I didn't
 10 think it was wise to try to force the system to change
 11 its mind, I thought it would be counterproductive.
 12 **Q.** On page 48, one further page on, please, you returned to
 13 your usual theme of Mr Hancock:
 14 "[He's] a know nothing on comms and he's totally
 15 failed viz the Corona comms team ... I am having to
 16 convene mtngs to sort shit out this afternoon."
 17 Mr Johnson asked for a conference call at 5.
 18 Could you scroll back out, please.
 19 At the bottom of the page, Lee Cain:
 20 "Can we have a pm update call today ..."
 21 Mr Johnson:
 22 "Frankly there is no limit to the stuff I am willing
 23 to do to show we are gripping this."
 24 By this time, Mr Cummings, it was becoming apparent
 25 that there was a complete absence of planning or of

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1 significant plans. There had been -- well, it was
 2 evident that there was no means of controlling
 3 the spread of the virus once it had reached
 4 the United Kingdom. It was plain that there was
 5 sustained community transmission from the number of
 6 cases the DHSC were reporting by the end of February.
 7 Why was the Prime Minister left in a position in which
 8 only now he was saying, "There's nothing I won't do to
 9 try to get a grip on this crisis"?

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

17 And crucial in terms of the PM, the media suddenly
 18 were all over this, and it was suddenly dominating, and
 19 that meant that Whitehall in general then shifted. We
 20 in Number 10 were starting to realise that all sorts of
 21 things were problematic, for example, PHE, the agency in
 22 charge of -- nominally in charge of dealing with this
 23 had come to Number 10 and to me asking for help with
 24 the communications plan for coronavirus. That's what
 25 that reference was to regarding Hancock and co. So we

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1 we had on this with the handshaking, which happens, you
 2 know, roughly at this time, where I tried to push him on
 3 handshaking and then it completely boomeranged. So we
 4 had to be very careful with how we handled this
 5 nightmare problem.

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

12 **A.** Yeah.

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

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

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1 were starting to, and also as you know there's an email
 2 from -- then on 25 February I was saying: where are all
 3 of these red teams, where's all this testing and whatnot
 4 that Hancock promised us existed? Where are these
 5 documents? And we at Number 10 were starting to get
 6 a feel for the absence of things and a feel for the fact
 7 that the first wave of all the communications plans was
 8 a nightmare, et cetera.

9 **Q.** Mr Cummings, you say the system didn't push him to come
 10 back, the system didn't regard it as a crisis,
 11 the system didn't do that, but you were part of the
 12 system, why weren't you pushing for these things?

13 **A.** Pushing for what?

14 **Q.** For him to come back and take a grip on the crisis?

15 **A.** I've already explained that, that I regarded him coming
 16 back at the time when the system -- so the system was
 17 not pushing him to say, "This is a crisis". If he had
 18 come back on 15 February he'd have said what he'd
 19 already been saying in the previous ten days, which is
 20 "This is all balls, it's all swine flu, the real danger
 21 is the economy, blah, blah, blah, blah, blah".

22 So that would have been, to me, highly
 23 counterproductive, given that me and Patrick and others
 24 were very worried about it. Of course, these things are
 25 a very fine balancing act. And you can see the problems

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1 much a joke, like, what the hell is going on?

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

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

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

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

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

24 "Covid-19 looks increasingly likely to become
 25 a global pandemic, although this is not yet fully

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1 certain."

2 The note sets out the views of the CCS as to
3 the need to have fast-tracked legislation to effectively
4 manage the outbreak. It deals with excess death
5 management and the need for plans to be drawn up.

6 Did you or anybody else push back against this
7 document and say, "It is absurd to believe that
8 a Covid-19 global pandemic is not yet fully certain",
9 given the concerns that you were beginning to have?

10 **A.** Yes, throughout this -- 9 March is the Monday,
11 throughout this week, having -- as you say, having
12 spoken to Marc and others over the weekend, well,
13 actually over the previous week, as you can see from
14 multiple messages, from this day onwards I was very
15 concerned. And this document also was, you know, one of
16 many documents that appeared at that time that seemed to
17 some of us in Number 10 to make clear that the system
18 was miles off the pace.

19 **Q.** Because they simply didn't reflect the change in
20 thinking or the emerging understanding as to how far
21 the virus had spread in the absence of means to control
22 it.

23 **A.** Also I think a really crucial and underrated aspect is
24 the speed. You know, one of the things that's very
25 striking, looking back, preparing for this, is how even

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1 you know, this was not supposed to be a job for SPADs
2 and it was not supposed to be a job for Number 10.
3 I said to Imran, "Please get in touch with
4 Simon Stevens' office and get data directly from
5 Stevens' office to here so that we can see what they're
6 talking about". You can also see chatter between Warner
7 and Patrick on this exact subject.

8 **Q.** Just pause there, that's a very long answer. I'm going
9 to ask you about Ben Warner.

10 He received an email from Professor Neil Ferguson on
11 10 March, in which Professor Ferguson asked him to show
12 or to distribute to the Prime Minister and Cabinet
13 documents relating to the surge demand and daily number
14 of deaths that were likely. So that was another source
15 of information coming into Number 10 at that time.

16 **A.** Yeah.

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

25 What was the reaction in Number 10 when that

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1 in the week of -- even when you go forward a week to
2 the 16th, and indeed even if you go forward another week
3 to the 23rd, the week of the lockdown, there were still
4 documents repeatedly coming through from CCS and COBR
5 and the Cabinet Office showing the crisis peaking in end
6 of May, beginning of June. And I think this is really
7 critical to understand. The fact that that was still on
8 graphs in the week of the 26th is genuinely astonishing
9 in retrospect, because of course it's completely false.

10 What a critical thing at this point, on the 9th, was
11 that partly because Marc Warner -- at this point he had
12 his data team embedded with the NHS and they were
13 getting better and better data out of the NHS, this is
14 the period when we in Number 10 to some extent started
15 to short-circuit the Cabinet Office system and CCS,
16 because we were getting information directly from
17 the NHS. And we started to realise, hang on, there is
18 a fundamental mismatch between the shape of the curve
19 that's coming out of these graphs coming from COBR and
20 the Cabinet Office, peaking at the end of May/June, and
21 the information that we're getting from the NHS, which
22 is showing that the crisis is almost upon us.

23 So this was all -- this was increasingly alarming
24 all the way through this.

25 On the 9th, I think it was, I asked Imran -- again,

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1 information was relayed back to you?

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

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

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

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

22 **Q.** On 11 March, you sent a WhatsApp message, INQ000102697,
23 page 17, where you say in the middle of the page:

24 "I think it is really important that senior people
25 understand, and are able to discuss with

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1 [Prime Minister] this fundamental question: all sensible
 2 people can see the trajectory and how social distancing
 3 will be needed to flatten curve. very sensible people
 4 ... are saying 'the risks of delay are MUCH higher than
 5 the risks of going too soon!.'
 6 Then you say in capital letters, a little further
 7 down the page:
 8 "... 'WHY WAIT 5 DAYS WHY NOT MOVE NOW AND FLATTEN
 9 THE CURVE EARLIER?'"
 10 **A.** Yeah.
 11 **Q.** Was your appeal heard, Mr Cummings?
 12 **A.** No.
 13 **Q.** Why not?
 14 **A.** It's a very complex question, to which I don't have
 15 a clear answer. I think -- I think -- well, obviously
 16 (a) at this point SAGE people were still going on TV
 17 saying, "Well, the plan is herd immunity and it makes
 18 sense", so the fundamental plan A strategy was in place
 19 on the 11th. But they ... there was also at this point
 20 this -- this concept of "behavioural fatigue" that
 21 people kept referring to, and I think this is
 22 a really -- a really critical question.
 23 **Q.** Well, then, just pause there. On behavioural fatigue,
 24 what was the genesis of this notion that if you went too
 25 early people would struggle to sustain their commitment?
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1 strategy, you've got to allow people to -- you've got to
 2 allow parts of the population to become infected, that
 3 will reduce the risk of an uncoiled second wave and so
 4 on and so forth, and at the same time --
 5 **A.** Exactly.
 6 **Q.** -- this idea took hold that you couldn't go too soon
 7 because whatever measures were put in place were
 8 unsustainable?
 9 **A.** So (a) that they might be unsustainable but (b) remember
 10 the fundamental distinction, that if you're going for
 11 a single peak strategy then they didn't want to go too
 12 soon because that would actually suppress things and
 13 then the thing would just pop back up straightaway.
 14 **Q.** Indeed.
 15 **A.** And that's why when you asked, you know, was my question
 16 properly answered, in the all caps here, "WHY NOT MOVE
 17 NOW AND FLATTEN CURVE EARLIER?", that logic is the logic
 18 of Gowers and Hassabis and the Warners. That logic is
 19 logic of, if you are actually not going to do a single
 20 peak, if you are actually going to control it and
 21 suppress it now, then the simple logic of exponential
 22 curves means that, of course, the sooner you do it
 23 the better. But that was not what the planning
 24 assumption was on the 11th.
 25 **Q.** Were you readily persuaded that the herd immunity
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1 **A.** So we were told, the PM was told and I was told, in this
 2 week that it came from SAGE and SPI-B. However,
 3 obviously, since then, SAGE and SPI-B people have all
 4 rushed to try to claim that it was, "Not me, not me".
 5 So I don't think it's actually been -- I don't know what
 6 the answer to this is. What I do know is that Patrick
 7 and Chris talked about this concept in this week, and
 8 this was another red flag for some of us in Number 10,
 9 because of course some of us had worked on political
 10 campaigns and we knew that an awful lot of stuff coming
 11 from so-called "behavioural scientists" turned out to be
 12 dodgy science and dodgy papers and dodgy concepts, so we
 13 were worried about this. But in that week the --
 14 a critical meme that kept being repeated was "This has
 15 to be done at the right time, this has to be done at the
 16 right time".
 17 **Q.** When you say "the PM was told and I was told", so that
 18 we are clear, Mr Cummings, who told you that there was
 19 a problem with maintaining commitment?
 20 **A.** This was referred to by Patrick and by Chris in their
 21 briefings in the PM's office. Though they said that
 22 this had come from SAGE. And of course they referred to
 23 it publicly in various documents.
 24 **Q.** This was all intimately bound up, of course, with
 25 the understanding of herd immunity, the one wave
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1 approach or rather the one wave strategy was the wrong
 2 way to go?
 3 **A.** It's obviously really hard to reconstruct psychology
 4 exactly but I would say that by this time of --
 5 certainly in the week of the 9th, 10th, 11th, I had
 6 growing doubts on an hourly basis. By the 11th I was
 7 pretty much in -- so by the 11th my view was I've got
 8 an appalling feeling that I'm being one of those like
 9 historic catastrophes like July 1914.
 10 I'm not completely sure of it, but I've got some
 11 very smart people coming to me saying this is a -- (a)
 12 fundamentally the strategy is wrong, misconceived, but
 13 also at a practical level at this point, remember I was
 14 sitting in an office and suddenly overhearing people
 15 having phone calls about whether local authorities could
 16 book out ice rinks and get trucks to carry massive
 17 numbers of bodies and store them in ice rinks. These
 18 conversations suddenly exploded in the week of the 9th
 19 in Number 10. So we had on the one hand a kind of --
 20 a fundamental argument: is the strategy misconceived or
 21 not? But we also had this sort of growing cascade of
 22 nightmare conversations going on around us when we
 23 realised that the system was just completely out of
 24 control in terms of coping with its original plan A.
 25 **Q.** Could we have INQ000173144, please, on the screen,
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1 page 1.

2 Mr Hancock, in a WhatsApp message with Damon Poole,
3 dated 23 May, says:

4 "Herd immunity was never the Government strategy,
5 but it was what Dom was pushing until he was finally
6 persuaded to drop it in early March."

7 Is that a fair assessment?

8 **A.** Well, it's obviously laughable.

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

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

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

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

8 You see there at the 12 March date, this is
9 the reference to the need to chair daily meetings in
10 the Cabinet Room.

11 If you then go over the page, please, to page 23:

12 "The overwhelming danger here is being late and
13 the nhs implodes like zombie apocalypse film -- not
14 being a week early."

15 What did you mean by that?

16 **A.** So you mean the last message?

17 **Q.** Yes.

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

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

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

8 At page 4 the Secretary of State for Health and
9 Social Care said this to Cabinet, you can see about
10 two-thirds of the way down the page:

11 "Without these symptoms [the symptoms of a dry cough
12 and a temperature], it was highly unlikely that someone
13 was suffering from coronavirus."

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

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

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

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

7 So it wasn't just the sort of the kind of first
8 order level of how bad it was, it was also the second
9 order level of what on earth is going on in the system
10 that this could be possible.

11 **Q.** On page 69 of INQ000048313, there is a WhatsApp message
12 from you saying:

13 "Sedwill babbling about chickenpox god fucking help
14 us."

15 What was being said about chickenpox, Mr Cummings?

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

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1 Cabinet Secretary said "Why?" And Ben Warner said,
2 "Because chickenpox doesn't spread exponentially and
3 kill thousands and thousands of people."

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

12 **Q.** All right.

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

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

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

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1 John Edmunds, had been on TV explaining the
2 herd immunity problem -- sorry, the herd immunity basic
3 plan A, but there had been a lot of push-back from it.
4 The PM was nervy and was saying, essentially, "How are
5 we going to explain this better and how are we going to
6 get this argument out?"

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

12 Could we have INQ000048399.

13 I don't want to spend too much time on this WhatsApp
14 thread, but it shows on pages 3, 4 and 6 a fairly
15 extensive debate about how herd immunity as an argument
16 can still be advanced if it is to be advanced at all,
17 but also how concentration now needs to be focused on
18 measures to be taken to avoid transmission and save
19 lives. And I think on page 3, 14.03 -- 14 March at
20 7.39, Mr Johnson says:

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

25 If you could just scroll back out:

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1 worst-case scenario, it deals with issues as to how
2 you'd deal with contact, what the differences are
3 between plan A and B, who not to save, ie who is at
4 risk, and full lockdown before collapse.

5 **A.** Yeah.

6 **Q.** And this whiteboard is moved around Downing Street
7 I think like Theseus's ship, it's brought into meetings
8 and it's further explained to the Prime Minister and
9 individuals there?

10 **A.** Yeah.

11 **Q.** During the course of that meeting, though,
12 the Prime Minister texted you and Mr Hancock,
13 Sir Patrick Vallance and Sir Chris Whitty, saying "How
14 do we win the herd immunity argument"?

15 **A.** Mm-hm.

16 **Q.** Was that because, notwithstanding the information which
17 had been received from the scientists, from
18 Professor Ferguson, from the NHS, your incipient
19 understanding of the wave of death that was to ensue, it
20 was still thought in Number 10 Downing Street that
21 herd immunity was the way forward?

22 **A.** Yes, but at this point on the Friday evening, 13 March,
23 plan A remained plan A. And also, of course, what
24 the PM is specifically referring to is at that point in
25 that week multiple scientists, including the CSA and

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1 "Civil Service need to grasp."

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

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

20 **Q.** The whole thread shows that evolution in thinking.

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

23 **(Pause)**

24 Yes, thank you very much. 10.49.15:

25 "Johnson Boris: Seeing what happened in Italy we

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1 simple have [in capital letters] NO TIME."
 2 Over that weekend of the 14th and 15th there are, as
 3 I said, a number of meetings. SAGE is asked to model
 4 lockdown. You're in touch with Timothy Gowers to ask
 5 him for his help and he says you've got to move urgently
 6 to extreme containment measures; correct?
 7 **A.** Yeah.
 8 **Q.** INQ000253942, page 3.
 9 You asked him for his views and he says you've got
 10 to move urgently to extreme containment measures --
 11 there we are, about a third of the way down the page:
 12 "... I now think that we should move urgently to
 13 extreme containment measures."
 14 Then on that Saturday 14 March, at the officials'
 15 meeting in the morning, Number 10 was informed that
 16 matters -- the outbreak was further along the curve than
 17 had been thought, and there was a private meeting, was
 18 there not, between 9.01 and 9.10 with the
 19 Prime Minister, yourself, Cleo Watson, Lee Cain,
 20 Imran Shafi and Stuart Glassborow where you wheeled in
 21 your whiteboard and you took the Prime Minister through
 22 the problem?
 23 **A.** Yeah.
 24 **Q.** In light of what Mr Cain said earlier, can you make
 25 plain, please, though, that it doesn't appear as if any
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1 from the notes of that meeting kept by Mr Shafi.
 2 **A.** Yes, I remember him saying it. I remember Gove saying
 3 that, sorry.
 4 **Q.** On the Sunday, and in fact throughout the weekend
 5 and then onwards on the Monday, there was a considerable
 6 debate also on a WhatsApp group titled
 7 CSA-CMO-Matt-PM-Dom concerning the need to accelerate
 8 the social distancing plans, in essence do you agree?
 9 **A.** Yes.
 10 **Q.** And there was a debate including Mr Hancock about
 11 the need to ramp up testing, not stop testing, and need
 12 to continue contact tracing and introduce self-contact
 13 tracing, and I think he assured you at 7.30 on 14 March
 14 that both of those were in hand; do you recall?
 15 **A.** Vaguely, yes.
 16 **Q.** On the Sunday, there were further meetings, and
 17 the Prime Minister held a meeting with his closest
 18 advisers in which you'd summarised the discussion from
 19 the day before and about the need to move to plan B.
 20 Was a decision about the government's approach able to
 21 be taken at that meeting or did the Prime Minister want
 22 to confer further with the Chief Medical Officer and the
 23 Governmental Chief Scientific Adviser?
 24 **A.** Sorry, I'm not sure exactly which meeting you're
 25 referring to. You said Sunday.
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1 decision was made during the course of the weekend for
 2 a lockdown, it is that there was a change in
 3 the strategic approach of the government, there was
 4 a realisation that there had to be a change of approach
 5 and much more stringent measures were likely to be
 6 required but no actual decision was made to impose
 7 a national lockdown?
 8 **A.** Correct. The way I would describe it is that we had
 9 the conversation with the PM on the Saturday morning, we
 10 told him our concerns that plan A was heading for
 11 a catastrophe. I then, after that, spoke to
 12 Patrick Vallance and articulated my concerns and my
 13 ideas about a plan B that was sketched on the
 14 whiteboard.
 15 Patrick Vallance had clearly changed his mind in
 16 various ways as well, as I referred to in my text with
 17 the PM. And I agreed with Patrick that we would
 18 organise a meeting on the Sunday at which he and
 19 I jointly would try to articulate a different way
 20 forward. But I was very keen for him to do this rather
 21 than me, for obvious reasons.
 22 **Q.** And to be clear, at the morning meeting on the 14th, on
 23 the Saturday, you said "Need to do in the next 72 hours
 24 to avoid NHS lockdown", and there was a debate including
 25 Michael Gove MP in which he said "Go now!" We know that
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1 **Q.** On the Sunday?
 2 **A.** Yeah, on the Sunday they were -- so on the Sunday I met
 3 with Patrick and Chris, certainly with Patrick, possibly
 4 with Chris, before the meeting with the PM. Then at
 5 the 5 o'clock, I think it was, that meeting was with
 6 Patrick and with the PM.
 7 **Q.** At that meeting, it anybody express anger or irritation
 8 or annoyance at the view then being expressed by
 9 Sir Patrick Vallance as to the need to change course?
 10 **A.** I would say there was a great deal of confusion at that
 11 meeting, because -- in terms of the reactions to it,
 12 because of course Patrick and I were essentially
 13 suggesting that the original herd immunity plan had to
 14 be -- had to be ditched.
 15 There was anger after that meeting expressed by
 16 people in the Cabinet Office and at DHSC reflecting
 17 the fact that they were essentially blindsided. Of
 18 course, as far as they knew, as far as the people in
 19 the Cabinet Office and DHSC knew, plan A was still in
 20 place -- plan A was still in place. As you can see from
 21 the record, Matt Hancock said on the Saturday morning,
 22 on the 14th, to the official meeting "We've got to
 23 'stick with the plan'". So when Patrick and I wheeled
 24 in white boards and said essentially we've got to go
 25 down a different route on the Sunday evening, I was told
 200

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?"
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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
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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.
 14 **A.** Yeah.
 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
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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
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1 he was also perfectly reasonably saying, "How the hell
2 do we lock down when there isn't a plan for lockdown and
3 I've been told for the last eight weeks that (a)
4 lockdown was impossible, (b) lockdown was mad because it
5 just means an even worse second wave, now suddenly you
6 and others are saying we're going to have to lock down,
7 what the hell's going on?"

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

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

2 **Q.** Was that a reflection of the agonising debate which was
3 going on in Downing Street?

4 **A.** Yes, and a reflection of the fact that the Treasury were
5 pushing back against -- the Treasury were kind of
6 baffled as to what's going on: we had a plan why are we
7 not sticking to it?

8 **Q.** But the Chancellor wasn't trying to stop serious action
9 being taken, from your own statement, that's what you
10 say, but you sent emails or WhatsApps to Mr Cain, we saw
11 those earlier this morning, saying, "Get in here he's
12 melting down ... He's back to Jaws mode ... I've ...
13 said [the] same thing [to him] ten fucking times", and
14 there's references to stopping the trolley.

15 So it does appear, Mr Cummings, that there was
16 a very real problem in getting the Prime Minister to
17 agree to a course of action and to stick to it; is that
18 the nub of it?

19 **A.** It is the nub of it. Also I think by the 19th it's
20 important to realise that there had been a huge swing in
21 the kind of institutional weight. So if you go back
22 a week prior to the 19th the whole weight of the machine
23 was behind plan A, by the time you get to the 19th the
24 whole weight of the machine had shifted, and this was
25 sort of cascading through the system of, "Hang on, we
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1 from the Treasury --

2 **Q.** Slow down, Mr Cummings, please.

3 **A.** There were a lot of crazy things of people suddenly just
4 coming into his study saying wildly different things.

5 **Q.** All right.

6 **A.** So although I have been very critical of him, I think
7 it's important to understand in this context that he was
8 being buffeted very strongly by different forces. There
9 was a million and one set of people making one argument
10 that we'd basically been kiboshed by disastrous
11 groupthink and we had to change path. He had people in
12 the Cabinet Office saying that, he had people in
13 the Cabinet saying the other, and he had the Treasury
14 people warning him that, if we went down this path, then
15 we might provoke another parallel disaster.

16 **Q.** And as the days unfolded, he backed and veered from
17 supporting a lockdown to being incredibly concerned
18 about the prospect of ordering a lockdown.

19 On 19 March a bilateral meeting with the Chancellor
20 of the Exchequer took place and the Inquiry's received
21 evidence that somebody said at that meeting, "We're
22 killing the patient to tackle the tumour, large numbers
23 of people who will die, why are we destroying everything
24 for people who will die anyway soon?"

25 Who said that, Mr Cummings?
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1 cannot do plan A, obviously, when you look at what
2 plan A means and also how fast it's all going to unfold,
3 we've got to shift". So there was a sort of huge
4 institutional shift over the course of that week.

5 And part of what I was referring to in that message
6 was by the 19th it was totally obvious that there was
7 going to be a lockdown, and my fear then was that if
8 the PM suddenly trolleyed back then all it would do was
9 cause more, you know, needless confusion. If you
10 imagine how hard it was to ditch plan A and shift to
11 plan B, if the PM had then started saying to key people
12 "Oh, hang on, we might move back to plan A again",
13 you know, we were all holding our heads --

14 **Q.** And it would cause more delay?

15 **A.** Yes.

16 **Q.** There was a debate about whether or not London should be
17 locked down. The Prime Minister met with the Mayor of
18 London and they agreed to jointly announce that
19 entertainment, hospitality and retail must close in
20 London from that Friday?

21 **A.** Yeah.

22 **Q.** But the Prime Minister changed his mind again and that
23 announcement did not take place and London was,
24 of course, not shut down early.

25 The position then by the following weekend,
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1 the weekend of 21 and 22 March, was that time was
 2 allowed to see whether or not the measures which had
 3 been put in place that week would work, whether or not
 4 there would be sufficient compliance, and it became
 5 apparent, didn't it, over the weekend that from
 6 continued social mixing up and down the land those
 7 measures were simply not going to work, and that is why
 8 the lockdown decision was made on the Monday?
 9 **A.** Yes, I mean, if I recall correctly, again I would say
 10 that it might have been formally made on the Monday but
 11 I think it was pretty clear over that weekend that it
 12 was going to happen before.
 13 **Q.** There were meetings on the Sunday and the matter
 14 obviously formally had to be debated by Cabinet?
 15 **A.** Yeah.
 16 **Q.** And the Cabinet meeting took place on the Monday.
 17 For all those reasons, Mr Cummings, is that why you
 18 say in your statement, in effect, that had proper
 19 preparations been made, had a proper border and test and
 20 trace system been in place, there may never have been
 21 a need for a lockdown, but that it became necessary, as
 22 the weeks in March moved on, to stop the NHS collapsing;
 23 is that the nub of it?
 24 **A.** It is the nub of it.
 25 **Q.** If there had been a scaled-up test and trace system from
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1 the government had overreacted, he was concerned
 2 because, he said, "I've no idea whether Covid is killing
 3 people, I don't know how many Covid deaths are truly
 4 additional, did we really have to take those steps", but
 5 after he fell very gravely ill and recovered, he told
 6 you, "This thing is no joke, thank god we changed
 7 course, it would have been a catastrophe"?
 8 **A.** Correct.
 9 **Q.** Over the course of the months after the lockdown,
 10 the government backed and veered, in no small part due
 11 to the Prime Minister himself, as to the extent to which
 12 the system should be allowed to open up and the extent
 13 to which it should be kept controlled, and that debate
 14 raged, did it not, throughout the summer months?
 15 **A.** Yeah.
 16 **Q.** Is that the time at which you and other members of
 17 Number 10 engaged with Mr Hancock, particularly on
 18 the issue of the way in which the testing system was
 19 then becoming designed and put into place, the way in
 20 which the care home sector was being protected
 21 adequately or not, and the way in which steps were being
 22 taken to try to get in sufficient quantities of PPE?
 23 **A.** Yes. After I came back from having the disease myself,
 24 from roughly 13 April we'd discussed extensively in
 25 the Cabinet Room all of those things: how to build test
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1 January or February, then control over the virus would
 2 not have been lost, yes?
 3 **A.** Ah, possibly, but I think it would -- to do it properly
 4 you would also need industrial manufacturing and scaling
 5 up rapid test as well.
 6 **Q.** Yes, when I say scaled-up test and trace I mean
 7 a sophisticated scaled-up rapid TTI contact system.
 8 And control having been lost, Mr Cummings, there is
 9 obviously an argument that that lockdown, which became
 10 necessary to avoid the collapse in the NHS and to
 11 prevent death, could have been decided upon earlier than
 12 it was?
 13 **A.** For sure.
 14 **Q.** And it was the way in which the government system,
 15 the structure, attempted to change direction from
 16 9 March onwards, and the lack of any planning or
 17 preparation for shielding or any of the other parts of
 18 the system that would be required to accommodate
 19 a lockdown, that a lockdown could not be imposed
 20 earlier?
 21 **A.** Yes, there wasn't an operational plan for it or a legal
 22 plan for it or all the sort of thinking through of what
 23 it would actually mean.
 24 **Q.** With hindsight, Mr Johnson's view varied between --
 25 particularly before he became ill -- concern that
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1 and trace, how to build the infrastructure, PPE and
 2 everything else. Also of how to create
 3 the Vaccine Taskforce. I mean, many dozens of such
 4 things.
 5 **Q.** The detail of test and trace and of the care home sector
 6 and of PPE are for later exploration in later modules,
 7 so I don't want to go into it in detail, but was it
 8 around that time that you sent multiple emails and
 9 WhatsApps and messages to Mr Johnson and others stating
 10 that your belief was that you were being misled by
 11 Mr Hancock, misled by the DHSC in relation to assertions
 12 as to what was being done to protect the care home
 13 sector, what was being done to ramp up testing and what
 14 was being done to get in adequate supplies of PPE?
 15 **A.** Yes, multiple officials, including Mr Shinner and
 16 an excellent private secretary, Alexandra Burns, raised
 17 issues with me that they thought that what was being
 18 said in the morning meetings about those issues was not
 19 accurate, and I tried to convey this to the PM, as -- to
 20 be fair to him, also as Mark Sedwill,
 21 the Cabinet Secretary, did.
 22 **Q.** Could we have INQ00048313, page 16, this is an extract
 23 from your letter to the Inquiry dated 7 May, you say
 24 that:
 25 "Mr Hancock is unfit for this job. The
 212

1 incompetence, the constant lies, the obsession with
 2 media bullshit over doing his job. Still no fucking
 3 serious testing in care homes his uselessness is still
 4 killing god knows how many. This morning you ..."
 5 Are you addressing this to Mr Johnson?
 6 **A.** Yes.
 7 **Q.** "... must ask him when we will get to 500k ..."
 8 Is that tests?
 9 **A.** Correct.
 10 **Q.** "... per day and where is your plan for testing all
 11 care home workers weekly."
 12 **A.** Yes.
 13 **Q.** If you could go, please, scroll out, and go to
 14 the bottom of that page and then scroll in on the last
 15 entry:
 16 "You need to think through timing of binning
 17 hancock. There's no way the guy can stay. He's lied
 18 his way through this and killed people and dozens and
 19 dozens of people have seen it."
 20 Was it around this time, in fact on 15 May, that
 21 Mr Hancock said, "We've tried to throw a protective ring
 22 around our care homes"?
 23 **A.** I believe so. You have the date. I'm sure you're
 24 right.
 25 **Q.** Was it around this time, therefore, that in Number 10
 213

1 "That exchange really worries me and reinforces
 2 the need to get a grip on DHSC who should have been
 3 kicking my door down over this for weeks to get it
 4 resolved."
 5 **A.** Yeah.
 6 **Q.** "I'm fast losing confidence in [his] candour ..."
 7 But Mr Hancock was not sacked, but there was
 8 a significant change in Downing Street because on 14 May
 9 the Prime Minister called Mark Sedwill,
 10 the Cabinet Secretary, into his study and, at a meeting
 11 attended only by Mark Sedwill and Boris Johnson,
 12 Mr Sedwill was effectively told that his time was up.
 13 He ended up staying till September, but that his role as
 14 Cabinet Secretary was effectively over?
 15 **A.** Yes. This was one of the most disastrous moments of
 16 the entire 2020 because it set off a kind of bomb across
 17 the whole system. I begged the PM not to do it. I knew
 18 what would happen. The same as every single HR
 19 conversation he ever had with anybody, it was a total
 20 disaster. And it was also -- I mean, from a personal
 21 level it was very unfair on Mark, but from a government
 22 level it kind of kicked off week after week after week
 23 of debilitating argument across the system, instead of
 24 actually rebuilding the system, which is what needed to
 25 happen.

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1 there was repeated consideration to the issue of sacking
 2 Mr Hancock?
 3 **A.** Yes, and I also had complaints from officials to me,
 4 entirely rightly, the Cabinet Secretary said to me
 5 himself, "The British system does not work if ministers
 6 lie at the Cabinet table, and you have to convey this to
 7 the PM".
 8 I think the Cabinet Secretary was completely right,
 9 there was only so much that he could do, this was
 10 fundamentally a political matter, and I did what
 11 I could.
 12 **Q.** Lord Sedwill said in a WhatsApp on 18 April:
 13 "Hancock is quite slippery on all this."
 14 That was in the context of PPE.
 15 And on 20 April Mark Sedwill referred to:
 16 "I'm fast losing confidence in Hancock's candour as
 17 well as grip."
 18 We'll have that on the screen, please, INQ000048313,
 19 page 26.
 20 **A.** Yes, that's the sort of conversations that I was
 21 referring to -- but we had -- I mean, it wasn't just on
 22 WhatsApp, we had face-to-face discussions along those
 23 lines.
 24 **Q.** If you could scroll in, please, it's quite hard to read
 25 but you can see, in the top third of the page:
 214

1 **Q.** But you had, of course, put poison into your master's
 2 ear because you had described Mr Sedwill as -- well, you
 3 had insulted him, you had told the Prime Minister he was
 4 off the pace, he was not up to the job. In a WhatsApp
 5 on 14 March you said to Mr Johnson "That fucker
 6 [Mr Sedwill] should be in the office". You played your
 7 part in the loss of confidence, did you not?
 8 **A.** Yes. I did, but -- so I think you have to separate out
 9 two fundamental questions. It was my job to convey to
 10 the PM that the Cabinet Office structure, which was
 11 the engine room for dealing with a crisis like this, had
 12 blown up and could not cope. And I think I was right in
 13 pointing out to him multiple problems. That's
 14 completely different from the way in which the PM then
 15 tried to handle the whole situation, which obviously
 16 should have been handled in a completely different way.
 17 The way he handled things with Mark and then almost
 18 immediately afterwards he did practically identically
 19 the same thing with Helen, just caused absolute chaos.
 20 **Q.** Are you implying that Mr Johnson treated Helen MacNamara
 21 in a way that you would not have done?
 22 **A.** Well, I mean, so there's a huge --
 23 **Q.** Yes or no, Mr Cummings?
 24 **A.** Yes.
 25 **Q.** Helen MacNamara --

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1 A. In fundamental way --

2 Q. Excuse me.

3 A. Do you want me to explain why or not?

4 Q. No, I'd like you to listen to the question, please.

5 Helen MacNamara and Martin Reynolds produced

6 a report which identified toxic cultural problems in

7 Number 10: people talking over junior women, sexist,

8 macho culture, and they describe a pretty unpleasant

9 working atmosphere in Number 10. Had you contributed to

10 that toxic atmosphere, Mr Cummings?

11 A. Erm, I contributed to -- so certainly the atmosphere was

12 toxic in all sorts of ways. I contributed to it in

13 the sense of I'd said that the system's broken, a lot of

14 the people need to be removed and it needs to be

15 rebuilt. This was extremely unpopular with -- this was

16 very popular with some officials, it was extremely

17 unpopular with other officials, in particular Martin.

18 There was, though, I would stress, a lot of support.

19 You know, a lot of very good officials had seen

20 the collapse of the Cabinet Office up close. There was

21 a lot of support for my view, which was that it needed

22 fundamental root and branch change.

23 Q. My question was: had you contributed to that toxic

24 atmosphere? Is your answer yes?

25 A. No, my answer's not yes. If you're trying to suggest

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1 What's that, propriety and ethics --

2 A. Yes.

3 Q. -- part of the Cabinet Office or Number 10:

4 "... designed to waste huge amounts of my time so

5 I can't spend it on other stuff -- I will personally

6 handcuff her and escort her from the building."

7 Had you got form, Mr Cummings, for arranging for

8 people to be escorted from Number 10 before?

9 A. You shouldn't believe everything you read in

10 the newspapers. That story was not accurate.

11 Q. "I don't care how it is done but that woman must be out

12 of our hair -- we cannot keep dealing with this horrific

13 meltdown of the british state while dodging stilettos

14 from that cunt."

15 Page 10 of INQ000283282:

16 "We gotta get Helen out of CabOff. She's fucking up

17 frosty. She's fucking up me and case. She's trying to

18 get spads fired and cause trouble on multiple fronts.

19 "Can we get her in Monday for chat re her moving to

20 [community local government] or dft [Department for

21 Trade] ... we need her out ASAP. Building millions of

22 lovely houses."

23 If you go back one page to page 7, please, three

24 pages in the same document, we will see a way in which

25 you speak of a professional scientist who gave his time

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1 that an overall -- the way that you characterise it, no.

2 I think that explaining to the PM and others directly,

3 "These are the problems, we can't carry on like this,

4 crucial people need to be removed, here's what's wrong

5 with it, here's how we rebuild it", did that contribute

6 to bad relations, undoubtedly, yes, with some people.

7 But it was necessary and justified.

8 Q. Did you treat individuals in Downing Street with offence

9 and misogyny, Mr Cummings?

10 A. Certainly not.

11 Q. Could we have INQ000283369, please, an extract from

12 Mr Johnson's "Fightback" WhatsApp group, page 37. Just

13 to pick up the thread of the chronology, if you could

14 scroll in on the top of the page, we can see that

15 the first WhatsApp is 21 August 2020, Mr Johnson says:

16 "Mail has fucked up remnants of my Scottish break so

17 back in chequers and in a thoroughly homicidal mood.

18 "We need a plan for the dept of education ...

19 perm sec ... better ministers ... reform."

20 There is then some communication between him and

21 Mr Cain and you at the bottom of the page.

22 Then over the page, please, to page 38, you say this

23 at 12.20:

24 "If I have to come back to Helen's bullshit with

25 PET ..."

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1 and considerable amounts of energy to SAGE,

2 Professor Neil Ferguson, a third of the way down:

3 "We should get someone to hammer Ferguson."

4 Mr Cummings, was that aggressive and foul-mouthed

5 and misogynistic approach the correct way to manage

6 fellow professionals?

7 A. I don't know what the Ferguson thing is referring to

8 but, in terms of Helen and the situation at

9 the Cabinet Office, you need to understand that

10 the Prime Minister had first of all tried to sack

11 the Cabinet Secretary and then botched it and he was

12 still there, then he'd said to everyone that he wanted

13 Helen to be removed as well and that he'd lost

14 confidence in Helen. The new Cabinet Secretary had said

15 that he wanted to have the authority to change both

16 the PPS and choose his deputy, ie Helen. The

17 Prime Minister had then trolleyed back on this as well.

18 So we were in this absolutely nightmare situation where

19 the PM had destroyed -- had made clear that he didn't

20 have confidence in either of the two senior officials,

21 had said to people he was going to remove them, then he

22 didn't remove them for week after week. This led to

23 an absolutely nightmare situation.

24 Now, my language about Helen is -- the language is

25 obviously appalling, and actually I got on well with

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

15 So I apologise for my language towards Helen but
 16 a thousand times worse than my language was
 17 the underlying insanity of the situation at Number 10.

18 **Q.** When this morning --

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

21 **MR KEITH:** Yes, of course.

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

24 **(4.32 pm)**

(A short break)

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

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

7 **Q.** Moving through to the late summer, your statement shows
 8 that the Prime Minister kept changing his mind several
 9 times a day, questioning what had been done, "I should
 10 be the mayor of Jaws", and you refer to pressure from
 11 the press, and I just want to ask you a single question
 12 about the impact of the press on Mr Johnson.

13 It is obvious there is a symbiotic relationship
 14 between the press and politicians, not at least
 15 the Prime Minister, and he plainly paid a great deal of
 16 regard to what the newspapers were saying and to what
 17 their owners were saying to him.

18 It is obvious that he found himself unable to ignore
 19 their entreaties about what should be done and about
 20 opening up the economy.

21 In Downing Street, what was thought about that
 22 degree of influence of the press on the Prime Minister
 23 and, in particular, the impact on him in deciding what
 24 was essentially a public health emergency?

25 **A.** Well, obviously there was a general feeling in Number 10

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1 **(4.35 pm)**

2 **LADY HALLETT:** Mr Keith.

3 **MR KEITH:** This morning, Mr Cummings, I asked you what your
 4 view was of the private office within Downing Street and
 5 you said this:

6 "... there was a core problem, which is that private
 7 secretaries in the Prime Minister's office ... quite
 8 a few of them are young women ... and on other
 9 occasions, some of the young women in the private office
 10 said to me ... there was a serious problem with senior
 11 people in the Cabinet Office not paying attention to
 12 what they were saying, talking over them, generally just
 13 a bad culture of a lot of the senior male leadership in
 14 the Cabinet Office, which was something I agreed with."

15 You, Mr Cummings, were the person who denigrated
 16 women, you denigrated Helen MacNamara, and you sent that
 17 misogynistic message about her, did you not?

18 **A.** No, that's not correct, I was not misogynistic, I was
 19 much ruder about men than I was about Helen. I agree
 20 that my language is deplorable, but, as you can see for
 21 yourself, I deployed the same or worse language about
 22 the Prime Minister, Secretary of State and other people.
 23 If you want to look at how we actually ran things,
 24 unlike Whitehall, I had two young women as my deputies,
 25 I hired young women into the data science team. In

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1 that the way in which the Prime Minister responded
 2 constantly to the media was extremely bad and extremely
 3 damaging to the Covid response. There were specific
 4 concerns about his relationship with the Barclays, and
 5 The Telegraph, and there were specific concerns, and
 6 also suspicions of possible corruption in terms of his
 7 relationship with Osborne and funnelling money to
 8 the Evening Standard.

9 **Q.** Just pause there. I am going to ask you another
 10 question then about the press. Is it the
 11 Evening Standard that is owned by Lord Lebedev?

12 **A.** Yes.

13 **Q.** And is it Lord Lebedev he met -- spoke to on the phone
 14 and met, in fact, in the evening of Thursday 12 or
 15 19 March?

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

17 **Q.** The 19th. All right.

18 The text messages that you sent the new Director
 19 General in Downing Street, or permanent secretary,
 20 Simon Case, in July and August show that you and he were
 21 gravely concerned about Mr Johnson changing position as
 22 to the merits or the need for a lockdown, the lockdown
 23 which had occurred in March, and throughout
 24 September/October Mr Johnson backed and veered again,
 25 did he not, about whether or not the undoubted evidence

224

1 of an increase in the incidence of the virus could only
 2 be met by a circuit breaker or ultimately a national
 3 lockdown?
 4 **A.** Yes.
 5 **Q.** It's in that period that there are multiple references
 6 to him being a trolley, to being incapable of making
 7 a decision, to also the influence, if any, that his then
 8 girlfriend exercised on his decision-making.
 9 **A.** Yes.
 10 **Q.** But the stage was reached, was it not, that everybody
 11 else in Downing Street took the view that a national
 12 lockdown was inevitable, and so it came to be. Were you
 13 in favour of a national lockdown in September and
 14 October, when the scientific evidence and the position
 15 of SAGE showed that the disease was spreading again and
 16 was spreading irrevocably towards a further collapse in
 17 the NHS or a collapse in the NHS?
 18 **A.** Yes, as the evidence shows I basically agreed with
 19 Patrick and Chris and I think also ... I also thought
 20 that, as a kind of psychological or political judgement,
 21 that if we did not do what Patrick and Chris were
 22 suggesting, I had a lot of confidence -- remember at
 23 this point the data was extremely good, unlike the first
 24 wave, so at this point I had a lot of confidence in what
 25 the data people were saying, and I thought if they're
 225

1 this point, though, that ship had sailed to some extent
 2 and the PM had already decided to go down the local
 3 approach, so there was a debate inside Number 10 then
 4 when suddenly people were saying, "We've got to do
 5 a national lockdown now".
 6 **Q.** All right.
 7 **A.** There was an argument for, having started the local
 8 thing, you couldn't then just suddenly trolley again
 9 immediately and say, "Well, now it's going to be
 10 national", if you see what I mean, even though two weeks
 11 later it ended up being obviously -- obvious that we had
 12 to go to national again.
 13 **Q.** Did you trolley, Mr Cummings?
 14 **A.** Well, if you show me, what is it that -- oh, it's now
 15 up, let me just read this.
 16 **(Pause)**
 17 Sorry, this doesn't have what you were referring to
 18 on.
 19 **Q.** This isn't the one. Never mind, I see some heads being
 20 shaken.
 21 **A.** I think essentially, as I said, that there's the debate
 22 17 to 21 September about a lockdown where the views of
 23 me and others were all in writing and very clear about
 24 what we ought to do. There is then the chaos between
 25 then and the end of October discussing possible local
 227

1 roughly right then I absolutely know that this guy is
 2 not going to be the mayor of Jaws, he will definitely
 3 bottle and U-turn and again it'll be the worst of all
 4 worlds.
 5 **Q.** All right.
 6 On 15 October, could we have INQ000267902, at
 7 page 68, in a WhatsApp message between Mr Johnson,
 8 Mr Cain and yourself. **(Pause)**
 9 All right, we don't appear to have that or we don't
 10 seem to be able to put it on the screen. You say
 11 this --
 12 **A.** I think I know the one you're referring to.
 13 **Q.** Is it the one in which you say:
 14 "We must NOT do national lockdown. Must preserve
 15 'local approach'. "
 16 **A.** Oh, no, sorry, it's a different one then.
 17 **Q.** Why did you say to Mr Johnson and Mr Cain "We must NOT
 18 [in capital letters] do a national lockdown", on
 19 15 October 2020, in light of what you've just said about
 20 being a proponent of the national lockdown?
 21 **A.** Well, without having the message up its hard to see what
 22 the context is, but there's a couple of things. There
 23 is the argument between 17 and 21 September, where you
 24 can see there's lots of documentation about what
 25 I thought and Patrick and Chris and other people. At
 226

1 approaches which didn't work. There was a stage where
 2 I was trying to get the PM to stick to what they'd
 3 already announced on local stuff and not career off
 4 again, but unless you get the documents up it's hard to
 5 go into it in detail.
 6 **Q.** In your statement you express the opinion that
 7 the second lockdown could have been avoided if, as you
 8 were saying earlier in the course of your evidence,
 9 a proper sophisticated scaled-up test, trace, contact,
 10 isolate system had been put into place from the spring,
 11 correct?
 12 **A.** Correct, with mass testing as well.
 13 **Q.** With mass testing, and you also attribute the fact that
 14 a lockdown could have been avoided if there had not been
 15 what you describe as failures in the Prime Minister's
 16 character?
 17 **A.** Yes. Also, to be fair to the PM, remember that, for
 18 reasons still unexplained, DH basically trashed the idea
 19 of mass testing from March and, therefore, the months of
 20 March to July were wasted, to a large extent, in
 21 building that whole infrastructure up, until we were
 22 alerted about that in July.
 23 So I think you can't hold the Prime Minister
 24 responsible for that -- for that.
 25 **Q.** You left Number 10 Downing Street on 13 November 2020,
 228

1 did you not?

2 **A.** Yes.

3 **Q.** And your last messages with the Prime Minister,
4 Mr Johnson, were on 15 November, two days later.
5 Could we have INQ000283282, page 26. If you could
6 scroll in, please.
7 We can see Mr Johnson said:
8 "You speak of briefings from team Carrie."
9 Is that a reference to the allegation that she had
10 briefed against you, colleagues of hers had been
11 briefing against you, and may have been involved in
12 leaks:
13 "She hasn't briefed anyone and my instructions to
14 all were to shut the fuck up. How is any of us supposed
15 to know where these briefings come from? Look at the
16 claims made on behalf of allies of Lee and Dom. That
17 I am out in 6 months. That I can't take decisions.
18 That Carrie is secretly forging lockdown policy!!
19 And about a billion equally demented claims. Are you
20 responsible for all that crap? No? Then look at it
21 from my point of view. This is a totally disgusting
22 orgy of narcissism by a government that should be
23 solving a national crisis. We must end this. That's
24 why I wanted to talk and see what we could jointly do to
25 sterilise the whole thing. But if you really refuse

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1 **A.** Sounds familiar.

2 **Q.** In your statement, did you say that he couldn't chair
3 meetings, stick to a plan or build a high-performance
4 team?
5 **A.** For sure.

6 **Q.** Whether right or wrong, Mr Cummings, and the Inquiry
7 will of course hear from Mr Johnson and will make its
8 own mind up, you helped to put him there, did you not?
9 **A.** Sure.

10 **Q.** You contributed to his election campaign in December of
11 2019, you were his chief, perhaps, adviser, but even
12 after that general election, in the early days of the
13 administration in January 2020, as you subsequently told
14 journalists, you said, "we were having meetings in
15 Number 10 ... by the summer either we'll all have gone
16 from here or we'll be in the process of trying to get
17 rid of him and get someone else in as prime minister".
18 Did you say that?
19 **A.** Yeah.

20 **Q.** So you helped to put into power and to sustain someone,
21 who was, in your view, and I emphasise it's your view,
22 the Inquiry has reached no view, somebody who was unfit
23 to respond to the extraordinarily difficult demands of
24 a pandemic?
25 **A.** Correct.

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1 then that's up to you."

2 You left the WhatsApp group, as we can see, because
3 you blocked the contact, shortly thereafter.
4 He has a good turn of phrase, Mr Johnson. Would you
5 agree that there was in the government of which you
6 played a major part an orgy of narcissism?
7 **A.** Certainly there was.

8 **Q.** You run a blog, do you not?
9 **A.** Yes.

10 **Q.** On 5 July 2021, INQ000273905, so about five or
11 six months later, you said:
12 "I and my team worked with Boris in the referendum.
13 Some of us worked with him, officially or unofficially,
14 between the referendum and summer 2019. We knew his
15 skills and his weaknesses. We knew he was, in any
16 objective sense, unfit to be [Prime Minister]. We also
17 knew that he knew too, since he'd told us."
18 Is that your blog?
19 **A.** It is.

20 **Q.** Elsewhere in your blog, do you say things like
21 "Self-aware Boris knows that Normal Boris cannot manage,
22 cannot focus ...", "[he] won't read the papers ... he
23 cannot chair meetings to save his life".
24 **A.** Yes. Is that a question, sorry?
25 **Q.** Did you say that in your blog?

230

1 **Q.** Are you sorry?
2 **A.** No, because I think that you have to -- politics is
3 about choices and the choice that we had in summer 2019
4 was: do we allow the whole situation, this once in
5 a century constitutional crisis to continue, melt down
6 and possibly see Jeremy Corbyn as PM and a second
7 referendum on Brexit -- which we thought could be
8 catastrophic for the country and for democracy, for
9 faith and democracy -- or to roll the dice on Boris and
10 to try to control him and build a team around him that
11 could control him? And that was the -- we didn't take
12 that choice lightly. We considered in summer 2019
13 an alternative of staying out of it, but we thought
14 the combination of the second referendum and Corbyn was
15 so bad that we should roll the dice.
16 **Q.** Perhaps in deference to your support, he supported you
17 when the Barnard Castle affair exploded in Easter 2020,
18 did he not?
19 **A.** Yes.

20 **Q.** For health and security reasons, you drove from London
21 to Durham over the weekend of 27 to 29 March at
22 the height of the lockdown with your wife and child,
23 correct?
24 **A.** Ah, is the 27th the Friday? Yes.
25 **Q.** I don't know when you drove, but it was over the weekend

232

1 of the 27th to the 29th.
 2 **A.** It was the night of that Friday, the day that the PM got
 3 Covid.
 4 **Q.** In your statement, you say that the Prime Minister knew
 5 that you had moved your family out of London, but his
 6 WhatsApp messages -- INQ000226225, page 22 -- are
 7 adamant that you never told him that you had gone to
 8 Durham during the lockdown and he only discovered when
 9 the stories started to come in.

10 (Pause)

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

13 **A.** Er, so --

14 **Q.** Did you drive to Barnard Castle?

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

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

18 **A.** Yes.

19 **Q.** Did you drive there?

20 **A.** Yes.

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

22 **A.** Yes.

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

25 **A.** Because, well, as I explained to MPs a couple of years

233

1 **Q.** Was it Easter Sunday?

2 **A.** I think so.

3 **Q.** You recognise, of course, that confidence in
 4 the United Kingdom Government's handling of the epidemic
 5 collapsed after that matter came to light and after your
 6 press conference in the rose garden?

7 **A.** I think -- so it was certainly a disaster, the whole
 8 handling of the situation, but there were other factors
 9 involved with it all as well. Testing and PPE and many
 10 other things were all going haywire at the time.

11 **Q.** Do you accept that your behaviour, whether a breach of
 12 the rules or not, caused immeasurable offence and
 13 additional pain to the bereaved?

14 **A.** Well, I'd had to move my family out of the house, I'd
 15 had to call on police because of incidents at my house,
 16 which I discussed with the police and with the Prime
 17 Minister and with the Deputy Cabinet Secretary. So, in
 18 terms of moving my family out of the house for security
 19 reasons, no, it was completely reasonable and agreed by
 20 everybody at the time to be reasonable.

21 However, the --

22 **Q.** The day of 12 April and the drive to Barnard Castle,
 23 about which you spoke at great length in that press
 24 conference, do you acknowledge it caused immeasurable
 25 offence and additional pain to the bereaved, who were

235

1 ago --

2 **Q.** Just tell us, please.

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

7 **Q.** Mr Cummings, why did you --

8 **A.** I --

9 **Q.** Excuse me.

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

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

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

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

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

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

25 **A.** It was.

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1 unable to see their own loved ones die?

2 **A.** Yes, I think the way that we handled it was an absolute
 3 car crash and a disaster and did cause a lot of people
 4 pain. I think that --

5 **Q.** I'm not concerned with the handling, the aftermath of
 6 that event. I'm asking you: do you accept that that
 7 apparent breach of the rules caused enormous offence and
 8 pain to the people in this country whose loved ones were
 9 dying?

10 **A.** No, I think we're talking about two different things.
 11 I think the handling of it was a disaster and caused
 12 huge trouble and huge pain to a lot of people, and
 13 I very much regret and have already apologised for how
 14 badly Number 10 handled the whole thing. But in terms
 15 of my actual actions in going north and then coming back
 16 down, I -- I did -- I acted entirely reasonably and
 17 legally and did not break any rules.

18 **Q.** In July 2020, you had agreed to leave on Friday
 19 18 December, correct?

20 **A.** Of what, sorry?

21 **Q.** In July of 2020, you agreed with Mr Johnson that you
 22 would leave government in December?

23 **A.** I wouldn't say exactly agreed, but I told him at the end
 24 of July that that was my intention, yes.

25 **Q.** By September, you describe your relations with him as

236

1 "knackered"?

2 **A.** Yes.

3 **Q.** On 13 November, with the country on the cusp of

4 a devastating second wave, you left work for the

5 weekend; you never returned, did you?

6 **A.** Sorry, on 13 October?

7 **Q.** On 13 November 2020 --

8 **A.** Oh, 13 November.

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

10 **A.** Correct.

11 **Q.** And you left Downing Street under the control of a man

12 whom you described yourself as unfit for office?

13 **A. (Witness nods).**

14 **MR KEITH:** Thank you.

15 **LADY HALLETT:** Mr Weatherby.

16 **Questions from MR WEATHERBY KC**

17 **MR WEATHERBY:** Thank you, my Lady.

18 Mr Cummings, I'm going to ask you a very short

19 number of questions on behalf of members of the Covid

20 Bereaved Families for Justice UK. I have permission on

21 two points.

22 I'm just going to pick up really where Mr Keith left

23 off, and could we have INQ000226258 at page 6, please.

24 This is a WhatsApp, the Number 10 WhatsApp group. I'm

25 sure you're familiar with it. It's 15 October 2020, and

237

1 **Q.** Okay, so you could present data which would enhance

2 public confidence in the regulations?

3 **A.** No, so that we could actually understand honestly what

4 was really happening on the subject of enforcement round

5 the Cabinet Room table and get a grip of this situation,

6 which frankly was just being very badly handled.

7 **Q.** Okay, so you then go on to refer to Potemkin laws,

8 a word you've used a number of times.

9 **A.** Yeah.

10 **Q.** Just to make it clear, Potemkin laws, you're there

11 saying that they're effectively deceptive regulations?

12 They're there to convey something, but they don't

13 actually do anything; that's what you're trying to

14 convey, isn't it?

15 **A.** Sort of. So the reason for this was that at this time

16 there was a really fundamental problem which was that on

17 the one hand we were being told that compliance to

18 various rules was not being followed at the level that

19 we needed it to be. This was then generating in

20 Whitehall a constant sort of ratchet to say: well, let's

21 tighten up these rules in various ways to try and get

22 compliance higher. But this was fundamentally

23 misconceived in lots of ways, because the new rules

24 which were constantly being suggested were aiming at --

25 would have no effect on the people that were complying.

239

1 it reads:

2 "We should start an enforcement dashboard of Covid

3 reporting. I've harped on but it's killing us. How do

4 you justify ever more Potemkin laws that aren't obeyed?

5 At what point do people reasonably say fuck this I'm the

6 idiot for taking the rules seriously? Like with

7 surveillance and data, the truth is we've ducked out of

8 facing these questions at a political level. We

9 shouldn't. We [should] look at enforcement metrics like

10 hospital metrics. And change the laws on policing. Or

11 else admit to ourselves we genuinely aren't serious!"

12 Now, first of all, the point that you were making

13 that, there should be a public-facing dashboard for

14 compliance with Covid regulations, was that connected to

15 public confidence in the regulations?

16 **A.** Er, no, actually I think it -- I think that this was

17 a reference not to a public dashboard but to a kind

18 of -- but to a sort of internal government dashboard.

19 So at that point we had a kind of health dashboard which

20 would be presented to the PM and obviously --

21 **Q.** Yes.

22 **A.** -- more people. What I was suggesting was that added to

23 that dashboard should be information on enforcement so

24 that we could get a much clearer picture of the true

25 situation.

238

1 Do you see what I mean? So there was a sort of -- there

2 was a sort of Potemkin process of people saying: well,

3 compliance is bad, let's impose more laws, but these

4 laws are not actually being enforced.

5 **Q.** Let me try and short-circuit this. By this point, you

6 were putting forward the view that the regulations that

7 were in place were not being obeyed or they were

8 unenforceable or they were deceptive?

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

10 **Q.** Yes.

11 **A.** -- to have this mix of rules that were not being

12 enforced, and not face that problem squarely, but then

13 keep demanding more rules and more rules and more rules.

14 **Q.** Just finally on this point, when did you reach that

15 view? Was that before or after your trip to Durham?

16 **A.** Oh, long bef -- oh. Well ... I mean, we were discussing

17 these enforcement issues I think from April, and it was

18 a constant problem in Number 10 to try and figure out

19 what was actually being enforced and what the police

20 were doing, and this central question of how the police

21 would interpret their role in enforcing things. Because

22 obviously sometimes they massively overreacted on

23 certain things and arrested people when they shouldn't

24 have done, et cetera, et cetera, which was bad --

25 **Q.** I'm not going to take this point any further. It's just

240

1 if that's so, you'd known that from the outset? That's
 2 a period of about six months where you're chief adviser
 3 to the PM.
 4 **A.** Yes, certainly for many months this problem was debated
 5 and there were multiple meetings with the Home Secretary
 6 and the Home Office about this question about
 7 enforcement compliance and this problem of constantly
 8 increasing the number of laws but people not complying
 9 and this actually undermining the whole regime.
 10 **Q.** The second point -- well, INQ000093325, please. This is
 11 another WhatsApp, it's a short point and going back to
 12 14 April. And this raises a point about transmission in
 13 hospitals. Just the first page just sets out who is on
 14 the WhatsApp group, and it seems to be people in your
 15 office and from the Department of Health.
 16 **A.** Yeah.
 17 **Q.** And I think that the owner of the cellphone, so
 18 described, is Matt Hancock.
 19 **A.** Okay.
 20 **Q.** Perhaps you can help us with that as we go along. The
 21 message at page 2, short message, and it's from you:
 22 "Surely we should be segregating hospitals between
 23 [Covid-19 and non-Covid-19]?? Are there any good
 24 arguments against this? How else will we stop the
 25 spread in hospitals?"

241

1 **Q.** Okay. I don't want to close down your answer, but
 2 perhaps we could do it a bit shorter --
 3 **A.** Sure.
 4 **Q.** -- in the answers.
 5 You had been to Durham and Barnard Castle, and this
 6 is your first day back at work?
 7 **A.** Second day, yeah.
 8 **Q.** Second day back at work, and you are raising the fact
 9 that there doesn't seem to be segregation in hospitals.
 10 Why was that actually, on that day, something that
 11 occurred to you?
 12 **A.** I mean, I can't remember now, to be honest. I mean, on
 13 any day around this time I would have literally like
 14 a hundred issues like this that I would deal with.
 15 **Q.** Were you reassured by the answer, "Welcome back. We are
 16 doing this within hospitals and with the Nightingale",
 17 or did you think that, given this was such a major
 18 issue, that you should investigate further?
 19 **A.** I did investigate further. I spoke to Chris Whitty and
 20 Patrick about it at some point in the next few days.
 21 **Q.** Yes.
 22 **A.** They reiterated their concerns about this, and testing
 23 in care homes too.
 24 **Q.** Were you satisfied with that response? Did you think
 25 that Mr Hancock and team were actually doing what they

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1 Then the reply is:
 2 "Welcome back. We are doing this within hospitals
 3 and with the Nightingale. Worth asking whether it's
 4 enough."
 5 First of all, am I right that's Mr Hancock?
 6 **A.** I mean, the Inquiry has these WhatsApps from somewhere.
 7 I'm afraid --
 8 **Q.** That's my understanding, and we'll be corrected if I'm
 9 wrong about that.
 10 Can you help us: what caused you to send this
 11 message at what was really quite a late stage by this
 12 point, three weeks after lockdown?
 13 **A.** This was actually the day after I returned to work on
 14 the 13th and I'd had a lot of people say to me that they
 15 were obviously extremely worried about the situation in
 16 hospitals and in care homes, that there wasn't -- there
 17 still weren't enough tests obviously to go around at
 18 this point. I think some officials had pointed out to
 19 me that in some countries they were segregating their
 20 patients to try and keep -- to try and keep them
 21 separate and protect people who didn't have Covid --
 22 **Q.** Okay.
 23 **A.** -- and I think I was basically just suggesting: why
 24 aren't we doing this? Particularly given how few tests
 25 we had.

242

1 should be doing in terms of segregation in hospitals?
 2 **A.** So, no. I mean, as you can see from the whole stream of
 3 messages, in general I wasn't. At this time in April,
 4 everyone round the Cabinet table knew that we had to
 5 probe and keep asking repeated questions.
 6 **Q.** Final point on this is that the context of this really
 7 is 19 March, isn't it? That you would know at 19 March
 8 the decision was taken to move 30,000 patients out of
 9 hospitals, many of them into care homes?
 10 **A.** Yes.
 11 **Q.** And here we are three or four weeks later, and you're
 12 still raising points about segregation in hospital and
 13 isolation?
 14 **A.** Correct.
 15 **Q.** Does that tell us something about the response?
 16 **A.** Yes, I mean, I think that and all -- and lots of the
 17 other messages which the counsel has been showing
 18 regarding messages between me and other people in
 19 Number 10 in April, officials were like literally
 20 shouting at me about this subject, private office
 21 officials were rightly raising concerns about
 22 care homes, and I think I said earlier on an excellent
 23 official, Alexandra Burns, raised this issue
 24 repeatedly --
 25 **MR WEATHERBY:** Thank you.

244

1 A. -- and rightly.

2 MR WEATHERBY: Thank you, my Lady.

3 LADY HALLETT: Thank you, Mr Weatherby.

4 Mr Friedman, I think you're going next.

5 Questions from MR FRIEDMAN KC

6 MR FRIEDMAN: Thank you, my Lady.

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

11 So if we go back, please, to INQ000048313, and the
12 first document is at the bottom of page 3 and it's the
13 screen of the whiteboard that you were asked about. And
14 this is Number 10, isn't it, on the evening of Friday
15 13 March 2020?

16 A. Yes.

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

20 A. Yes.

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

23 "Who looks after the people who can't survive
24 alone???"

25 A. Yes.

245

1 covering all of these things. And, in fact, that did
2 happen regarding that and there was a meeting on the
3 19th about it, an extremely bad meeting.

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

11 A. Yeah.

12 Q. I want to just ask you about the email dated 15 March
13 2020.

14 A. Yeah.

15 Q. Page 24 at the top, just under the words "Me/Gowers
16 15/3", and to get your bearings on it:

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

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

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1 Q. Do you see that?

2 A. Yes.

3 Q. So we've heard what you said to Mr Keith about the
4 vulnerable and at-risk groups, that there were
5 effectively no plans or any plans even to get a plan;
6 but can you explain what conclusions were reached at the
7 meeting on 13 March and, as the whiteboard was used in
8 meetings across the weekend, as to who was going to look
9 after those people or simply how they were going to be
10 supported?

11 A. So I wrote -- you know, this was obviously a kind of,
12 you know, sort of stream of consciousness scribbling on
13 the Friday night late-ish, 8-ish or something. I wrote
14 that down because it just seemed like such an obvious
15 question and we had not had a satisfactory answer in
16 Number 10, and this whiteboard was partly intended --
17 like partly obviously to help develop the idea of what
18 plan B looked like, but also as a kind of aide memoire
19 to remind me and other people in subsequent meetings to
20 look through a lot of the issues on this whiteboard, to
21 go like, "Who's in charge of this, who's doing that,
22 who's doing that", so we could check it off.

23 So this was also partly so I could say to private
24 secretaries, "Imran, can you check on this? So-and-so,
25 can you check on that?" and make sure that someone was

246

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

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

9 A. Yeah.

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

13 A. Yeah.

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

20 A. So Chris Whitty and others from the Department of Health
21 had addressed this question, and essentially what they
22 were saying was that, you know, if you've got a load of
23 people, some of whom are very seriously disabled or have
24 health problems of all different kinds, vulnerable in
25 different ways, then if you tell them to go into sort of

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1 like a severe isolation, then that itself -- of course
 2 that's going to help protect them against Covid, but
 3 that itself is going to be extremely damaging for some
 4 fraction of that vulnerable population, and this was
 5 part of the whole question which we kind of sort of
 6 alluded to earlier on about the question of timing.
 7 So in terms of plan A, the original plan A, the
 8 logic was: well, we're going to time it like that so
 9 there's herd immunity by September, and also timing it
 10 is relevant for these relevant groups. If you do it
 11 now, say, you know, say 1 March hypothetically, then you
 12 would be saving very few of them from Covid because
 13 Covid was not, as the people thought it, then very
 14 prevalent. Do you see what I mean?

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

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

2 **A.** Sorry, I will certainly try.

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

5 **A.** Sorry, don't look at him?

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

8 **A.** I apologise, sorry.

9 **LADY HALLETT:** It's okay.

10 **Questions from MR JACOBS**

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

15 You say:

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

22 In relation to your observation that lots of poorer
 23 people had to go to work or lose money, are you
 24 referring, Mr Cummings, to the many in lower paid
 25 occupations who continued to attend work throughout

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1 Does that make sense?

2 **Q.** Yes. Well, in the chronology, as we can see in the
 3 email below, matters then get overtaken and you worked
 4 towards plan B, I think. You can see it on the page
 5 there.

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

11 Now, fortunately, a brilliant official called
 12 Jen Allen, a young woman in the digital side, worked
 13 with a guy called Oliver Lewis and they essentially said
 14 to the Cabinet Office, "This is all total bullshit, we
 15 are going to build a system for shielding", and they
 16 hacked together a bunch of databases, they called up
 17 local authorities and they figured out a way to do it.
 18 But it was literally basically cobbled together in
 19 72 hours or something.

20 **Q.** And from scratch?

21 **A.** From scratch.

22 **MR FRIEDMAN:** Thank you, my Lady.

23 **LADY HALLETT:** Thank you, Mr Friedman.

24 Mr Jacobs.

25 If you could keep your answers a bit shorter,

250

1 2020: transport workers, those working in supermarkets
 2 and food processing plants, and so on?

3 **A.** Exactly, yes.

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

7 **A.** Exactly.

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

11 **A.** Yeah.

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

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

25 If you look around the world --

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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,

255

1 Is it consistent with your recollection that the
 2 Chancellor was blocking all notion of paying to get
 3 people to isolate?
 4 A. It's certainly consistent with my recollection that the
 5 Treasury institutionally was opposed. I don't now
 6 remember exactly what the Chancellor's personal view on
 7 it was, but there were certainly Treasury officials who
 8 were blocking, who were very hostile to the idea.
 9 Q. Did you share the view that it sort of flew in the face
 10 of the evidence that it was needed?
 11 A. I did. I didn't have an extremely strong position about
 12 it, but I also note -- you know, one of the things
 13 I tried to do at that time was look at countries that
 14 were doing much better than us, and it seemed to me
 15 that, in places like Singapore and Korea and other
 16 places who'd got their act together better, they had
 17 systems like this to -- for example, they had kind of
 18 food drops for people who had to stay at home under
 19 isolation, they had all kinds of like infrastructure to
 20 actually support people who had to stay at home, and
 21 I thought that at the very least that that should be
 22 seriously thought about.
 23 Q. Was it understood or reflected upon that the difficulty
 24 for those on low incomes of self-isolating also
 25 intersected with issues of disproportionate impact of

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1 if I can. Clearly people were raising it.
 2 A. Yeah.
 3 Q. Why was there apparently no interest on the part of
 4 ministers to addressing it?
 5 A. I don't know what ministers thought about it at the
 6 time. If I did know, I've forgotten.
 7 MR JACOBS: My Lady, I can leave it there, thank you.
 8 LADY HALLETT: Thank you very much, Mr Jacobs.
 9 Does that complete the questioning?
 10 MR KEITH: My Lady, that does indeed.
 11 LADY HALLETT: Thank you very much, Mr Cummings. I'm sorry
 12 it's been such a long day.
 13 We shall resume at 10 o'clock tomorrow morning.
 14 MR KEITH: Thank you.
 15 THE WITNESS: Thank you. I apologise again for my terrible
 16 language.
 17 LADY HALLETT: Thank you.
 18 (The witness withdrew)
 19 (5.25pm)
 20 (The hearing adjourned until 10 am
 21 on Wednesday, 1 November 2023)

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