

Witness Name: Lord Udney-Lister

Statement No. 1

Exhibits: **EL/1 – EL/94**

Dated: 16 June 2023

THE UNITED KINGDOM COVID-19 INQUIRY:

FIRST WITNESS STATEMENT OF

LORD UDNY-LISTER

I, **Lord Udney-Lister**, will say as follows: -

1. I make this statement to address my involvement in core political and administrative decision-making in the Government's response to Covid-19 from 1 January 2020 to 24 February 2022.
2. I have prepared this statement with the assistance of the Government Legal Department and Pinsent Masons. I make this statement on the basis of my own personal knowledge, as refreshed by documents which have been made available to me following searches undertaken by the Government Legal Department and/or Pinsent Masons. I do not presume to have been able to locate all the relevant documents and if there is any further material which the Inquiry wants me to consider, I will endeavour to assist.
3. Between July 2019 and February 2021, I was senior advisor to the then-Prime Minister ("PM") the Rt Hon Boris Johnson MP, serving as Chief Strategic Advisor until 13 November 2020 and thereafter as his Chief of Staff. Prior to this, I had a background of 28 years in senior commercial roles in the fire and security industry and 33 years in public service, firstly as member of Wandsworth Council between 1976 and 1992, then Leader of Wandsworth Council in between 1992 and 2011, Chief of Staff to the Mayor of London (Boris Johnson) and Deputy Mayor of London for Policy and Planning between May 2011

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and May 2019, Non-Executive Director at the Foreign & Commonwealth Office between April 2017 and July 2019 and finally as Chair of Homes England between June 2016 and August 2019. In June 2019, Boris Johnson invited me to work for him to ensure he had in place a fully functioning office at No. 10 should he win the Conservative Party leadership election in July 2019. My primary role was to recruit personnel. Following my time at No.10, in February 2021, I became the PM's special envoy to the Gulf and in April 2021, I left the government. I became a Life peer in March 2021.

4. As Chief Strategic Advisor my areas of responsibility were foreign policy, security, defence and trade / business, with Dominic Cummings as Chief Advisor on matters of domestic policy. Where requested, I would act as mediator if disputes arose within the Conservative Party. I was also the principal point of contact whenever the Democratic Unionist Party, Stormont, and the Irish Government needed to communicate with the PM. In the period prior to Covid-19, one of the big issues for the government was the Northern Ireland Protocol. As the senior political appointee in relation to this, I was responsible for negotiations with the Irish government and the Northern Ireland Assembly. I worked closely with the PM on ministerial appointments and the appointment of Special Advisors, and I was the principal point of contact for MPs and Ministers wanting to speak to the PM. I would attend Cabinet meetings as an observer as well as the daily morning meetings with the PM.

Documents

5. I am aware the Inquiry is interested in disclosure of any informal or private communications about the UK Government's response to Covid-19 including WhatsApps, text messages and private emails that I may have been party to during my time at No. 10. I have retained my mobile phone from this period and have checked it for any such private communications. From this review I was in a number of relevant WhatsApp groups as follows:

- i. '*Numberten action*' from 29 July 2019 [EL/1 - INQ000236371];
- ii. '*No. 10 coordination group*' from 6 March 2020 [EL/2 - INQ000214215];
- iii. '*London*' from 31 March 2020 [EL/3 - INQ000217353];
- iv. '*TfL*' from 15 October 2020 [EL/4 - INQ000217352];
- v. '*PM Updates*' from 16 November 2020 onwards [EL/5 - INQ000214216];
- vi. '*8.30*' from 15 November 2020 [EL/6 - INQ000226278];

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- vii. 'Outer Office' from 25 September 2020 [EL/7 - INQ000226260];
 - viii. 'Lancs' from 16 October 2020 [EL/8 - INQ000226294];
 - ix. 'Local Leaders Engagement' from 9 October 2020 [EL/9 - INQ000217354]; and,
 - x. 'Onwards' from 14 November 2020 [EL/10 - INQ000236372].
6. The 'Numberten action' group was set up by Prime Minister, Boris Johnson, on 29 July 2019. This group consisted of close advisors to the PM and contained a significant number of messages concerning the response to the Covid-19 pandemic. I made a limited number of contributions to this group. The first message regarding Covid-19 on this group chat was on 6 February 2020 (p.37) when Dominic Cummings suggested that we needed a briefing on 'corona'. I agreed and indicated that communications were key. On 27 February 2020 I set out my concerns around the threat from Covid-19 from an economic standpoint, indicating that this was as important as the health issues and needed to be discussed in Cobra. Other issues upon which I contributed in this group and which are partly discussed in more detail below included:
- i. On 11 August 2020 (10:28:42), I provided my views on transportation of school children in terms of the fares to be paid and social distancing.
 - ii. On 17 October 2020 (12.56:03), 29 October 2020 (various times) and 31 October 2020 (21.21:15) I updated the group on my negotiations with leaders in the north of the country about the level of funding for business support.
7. The 'No. 10 coordination' group was set up by Imran Shafi and largely comprised special advisers at No. 10 and senior officials in Cabinet Office. I can summarise my contributions to this group as follows:
- i. On 12 March 2020 (20:47:25), I raised the need for a meeting of telephone companies similar to that held by the banking sector in order to discuss the potential stress on the Broadband network created by an increased number of people working from home. Positive responses were received on this issue from Dominic Cummings.
 - ii. On 17 March 2020 on the issue of whether the then, Secretary of State for the Ministry of Housing, Communities and Local Government, the Rt Hon Robert Jenrick MP, should be invited to COBR, I wrote (18:16:11), "*We have a Cabinet committee which he is in and covers this*".
 - iii. On 21 March 2020 (14:37:15) I wrote: "*London Resilience now up and running and in a reasonable place. Discrepancies on NHS numbers so need to bottom*".

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that out locally. I feel much more confident and SoS and I did a visit yesterday. I am now on all there (sic) calls. Couple of boroughs have had to be kicked. Need a strong letter on licensing for licensing inspectors to use and MHCLG are organising. (wedding reception of 500 had to be stopped) Social distancing in some parts not working well so this will need reinforcing(areas with numbers of young people) parks busy. Faith group up and running but some worries about some evangelical churches. All better than a day or so ago. Need to now I think get into the Midlands”.

- iv. On 22 March 2020 (12:54:59) I wrote: *“On playgrounds guidance is urgently needed as across London they are rammed according to CEO’s. On licence enforcement licencing officers have asked for an official letter they can use and NHCLG is CB on the case”.*
- v. On 22 March 2020 (17:19:45) I shared the following message from the Mayor of London’s office: *“From Mayors office; ‘Ed, have forwarded you a private letter from Sadiq to PM. Important that he sees it asap please and I'd appreciate confirmation when he has. It is clear that the social distancing measures are not being followed and we urgently must go further. We have a call at 7pm but happy to discuss at any time. David”*
- vi. When Munira Mirza raised the issue of Grant Shapps encouraging the Mayor of London to get TfL services up and running, on 25 March 2020 (13:09:26) I wrote: *“Please include me on anything London as I am speaking to them all the time”.*
- vii. When Ms Mirza raised the issue of allowing faith leaders to attend places of worship to broadcast services, on 25 March 2020 (21:33:32) I set out my view as follows: *“I don’t see how you can argue against this. If there is no congregation what’s the problem”.*
- viii. On 17 April 2020 (19:27:38) I wrote the following message: *“Spoke to Paul Deighton tonight and gave him my less than kind take on PPE. I know him of old he will be good at this”.* This was two days before the PM appointed him “PPE Tsar”.
- ix. On 21 April 2020 I provided some information about overseas arrivals in Ireland. I wrote (15:01:59): *“their CMO to change what they do for those arriving at the ports, air and sea. The Irish Government have been advised by their CMO on new arrivals at Ports and Airports; They will move from asking them to restrict movements for 14 days to asking new entrants to go into isolation for 14 days, they currently have around 300 people a day arriving only”.* Further (15:03:50): *“Sorry should have said that the Irish Government have been advised by their*

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CMO to change what they do for those arriving at the ports, air and sea. The Irish Government have been advised by their CMO on new arrivals at Ports and Airports; They will move from asking them to restrict movements for 14 days to asking new entrants to go into isolation for 14 days, they currently have around 300 people a day arriving only”.

- x. On 23 April 2020 (11:40:54 and 11.41:01) I shared a document setting out how the UAE was opening their Malls and Construction sector, pointing out their use of masks and testing: ‘Reopening Dubai Sectors Guide.pdf.pdf • 15 pages ‘
- xi. On 23 and 30 April 2020 I wrote a number of messages about transport in London:
 - a. [23/04/2020, 07:58:15] I wrote: *“Tube and buses in London will be a big issue as they want PPE for staff, testing and all passengers wearing masks. The mayor will play politics. Also massive absence of staff”.*
 - b. [23/04/2020, 08:02:08]: *“Also without the tube you can’t open London I have ideas how to handle! On masks if we do it we have got to ramp up stocks in a big way”*
 - c. [30/04/2020, 14:43:36]: *“I have calls with SK every evening so probably me but he is going to be difficult and he is hand in glove with RMT”. SK is Sadiq Khan.*
 - d. [30/04/2020, 14:45:07] Dominic Cummings wrote: *“We must make him realise that if he isn’t sensible the media will make him look an incompetent prick”.*
 - e. [30/04/2020, 14:47:47] I wrote: *“I think the deal will be masks and PPE. We also need to sort out the 2m as that severely limits passenger numbers (reduces trains to about 25% of capacity). 1.5m helps or if you have masks 1m? Something like that”.*
 - f. [30/04/2020, 15:13:00] Cleo Watson wrote: *“SK has just asked for a CMO and CSA briefing on masks. Might be helpful...”.*
 - g. [30/04/2020, 15:54:18] I wrote: *“Cleo can I listen in on that call?”.*
 - h. [30/04/2020, 15:54:58] Cleo Watson wrote: *“We have to decide whether to do it! Thoughts?”.*
 - i. [30/04/2020, 15:56:31] I wrote: *“I think we should but be weary of him twisting it. The key is the 2m without changing that we will have problems getting the tube back”.*
- xii. On 8 May 2020 (18:10:15) Ben Warner wrote: *“Has anyone looked into providing hand sanitiser on the tube and other public transport? Given we know hand washing is more effective than masks, this seems sensible”.* I replied to say

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(19.41:49): *“Yes it’s on the agenda for TfL and we will have a progress report on Monday along with deep cleans etc. The plan is to have the tube at 80% by Monday week and then on up”.*

8. On 31 March 2020, I created a group called ‘London’ containing notes on the London call the previous evening with John Baradell, Kit Malthouse, David Bellamy, Richard Goodman and Cressida Dick. Those notes were that, *‘(1) They are planning on doubling every three days but this means they are going to have to bring in very draconian measures to handle the numbers BUT if it was say 3 and half this would not be required. So clarity on numbers is important. (2) Need for a central London message between City Hall, Government and Local Government. They are trying to sort and Kit agreed to speak to the Conservative boroughs. (3) PPE still a big issue with a mixed picture with some boroughs short, some turning stuff away some just playing politics saying they don’t have it but do and some have not a clue! A need for central grip. (4) Accommodation for social care so far so good but this goes back to the doubling number and if there is an increase in numbers they have problem. (5) Microsoft tracking system for dead been introduced and looks good. (6) List of shielded people and boroughs matching names but they think have missing names or letters not arriving. More work needed.’* This was the only message within this group.
9. The ‘Outer Office’ group was created by Martin Reynolds on 25 September 2020 and was created to update the PM on diary issues and immediate priorities.
10. The ‘Local Leaders Engagement’ group was created by NR on 9 October 2020 and in the main discussed tiering. I made few contributions to this group with the most relevant contribution being on 13 October 2020 to briefly discuss tiering in Nottinghamshire.
11. On 15 October 2020 the ‘TfL’ group was created by Henry Cook. I did not make any contributions to this group.
12. The ‘Lancs’ group was created by Henry Cook on 16 October 2020 to raise some issues related to Lancashire. I did not make any contributions to this group.
13. The ‘Onwards’ group was created by the PM on 14 November 2020 and I was added on 15 November 2020. I left the group on 26 April 2021. I generally only messaged on this group when I was asked a specific question about an issue. Messaging on the 19

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November 2020 showed that the PM needed to set out written directions for the government as to what was needed for mass testing. On 2 December 2020 I updated the PM that there would be an update on Covid-19 and PPE later that week and on 9 December 2020 I advised the group that some of the port delays may have arisen because storage containers were being used to store PPE which may have been blocking the ports. On 2 December 2020 I provided advice on an issue regarding routes of transportation for vaccines to avoid an issue arising in this regard.

14. The '8.30' group was set up by Munira Mirza on 15 November 2020 and contained political discussion between a number of the PM's close advisors. Within this group, and of relevance to matters within this statement, I draw attention to one particular message on 28 November 2020 (p.13 of the .txt message download). On that date Henry Cook asked a question about the use of funding already provided to LAs which was intended to cover business closures for at least 6 months. Liam Booth-Smith commented that along with furlough and grants, the sums were 'pretty generous'. I added that, *'the LAs had to agree a plan with MHCLG as to how they deployed the money for business support'* so a breakdown could be sought. I indicated that the funding worked out at around £20 – £25 million per region, which I felt was a lot of money.
15. The '*PM Updates*' group was set up by Martin Reynolds on 16 November 2020 and for the most part contained messages he exchanged with the PM. I only made one contribution: on 12 December 2020, when the PM suggested he might contact Kate Josephs, the then-Director General of the Covid-19 Taskforce about the deployment of mass community testing given rising infection rates in Kent and east London, I wrote *"Kate is the best person when do you want to do it"*, to which Martin Reynolds replied, *"We'll sort out both"*.
16. I also had a WhatsApp conversation with Kathy Hall, Director General of Delivery in the Covid-19 Taskforce between 19 and 27 October 2020 in which she updated me on the situation in South Yorkshire [EL/11 - INQ000214214].
17. I have set out above my contributions to relevant issues via messaging forums. In addition to messages, in my role, I was copied into numerous emails many times per day and covering a number of issues. I would be copied into these emails as one of a number of advisors and senior civil servants. Most of my communication was verbal but from time to time I would provide a response via email to issues upon which I could assist. Where

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relevant I will refer to some of those emails in this statement. It would not be possible for me to summarise the many thousands of emails received in this statement.

18. I have provided all of the WhatsApp groups that I could find on my phone. If I have missed any other WhatsApp groups that I may have been involved in then I will be happy to review them as necessary.

Initial response to Covid19 (January-March 2020)

19. The Government's key priority towards the end of 2019 was to complete the UK's withdrawal from the European Union.

20. Covid-19 first came to my attention in or around 12 January 2020 when I joined the PM on a short trip to Oman. Stories were emerging from China, but our knowledge about the threat that this might pose to the United Kingdom was limited. I do not recall being involved in formal discussions concerning Covid-19 at this stage (the first COBR meeting on Covid-19 was on 24 January 2020).. The 'Numberten action' WhatsApp group shows that on 7 February 2020 I was keen that we had a plan and clear communications in place in relation to the emerging risk in China (p.37). On 18 February 2020 the PM had a telephone call with President XI in China. I listened to this call along with a number of other senior advisors [EL/12 - INQ000214132]. Our perspective on the threat that Covid-19 might pose changed in late February 2020 as we saw what was happening in Italy and the pressures that the disease was placing on its health system. On 5 March 2020, Imran Shafi sent an email advising of the first death from Covid-19 in the UK [EL/13 - INQ000214133] and on 12 March 2020 the WHO declared that Covid-19 was a global pandemic.

21. I recall a meeting being held in early March 2020 at which the Health Secretary, Chief Medical Officer ("CMO") and Government's Chief Scientific Adviser ("CSA") advised the PM on the possible effects of a pandemic. It was explained that the only route out was for the population to achieve herd immunity through exposure to the disease and/or a vaccine. The scientific advisers stressed that there was no guarantee that a vaccine could be developed and, even if it could, it would take some time. I am unsure whether it was at this meeting or a few days later that lockdown was first discussed. On or around 12 March 2020, I recall the Cabinet Secretary advising the PM to explain to the public that the government's plan to combat Covid-19 was akin to "chickenpox parties". This comment was made before we understood the likely death toll that could prevail. It was also in this

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context that the Prime Minister suggested to senior civil servants and advisors that he wanted to be injected with Covid-19 on television to demonstrate to the public that it did not pose a threat. I appreciate on reflection that these were unhelpful comments, but they were made at a time of high stress and limited understanding of what lay ahead.

22. A review of my emails around this time show that:

- i. On 6 March 2020 [EL/14 - INQ000214134] the First Minister for Scotland requested a call with the PM to discuss Covid-19.
- ii. On 9 March 2020 the Mayor of London requested that he attend COBRA meetings. I refused this request and suggested a meeting of Mayors with Matt Hancock [EL/15 - INQ000214135].
- iii. On 9 March 2020 [EL/16 - INQ000214136] William Warr, Health Advisor at No.10, emailed me to say that the Association of British Pharmaceutical Industries did not think there was an immediate risk of a potential fall in drug supply because of stockpiles in the event of a no-deal Brexit. I asked him whether we could manufacture a vaccine if one were to be developed. On 10 March 2020, he replied to say that there was a manufacturing facility for pandemic preparedness that could be quickly converted depending on what vaccine was needed [EL/17 - INQ000214137].
- iv. On 12 March 2020 I attended a meeting with the Chancellor of the Exchequer and banking representatives to discuss how the Government and the banks could work together to support SMEs through the uncertainty of Covid-19 [EL/18 - INQ000214138].
- v. On 13 March 2020 I approved internal No.10 communications to reflect the fact that business engagement was part of the Cabinet Office's response to Covid-19 with a streamlined process to coordinate and monitor advice given to businesses [EL/19 - INQ000214139].
- vi. On 15-16 March 2020, the PM sent a 'call to arms' to industry requesting the production of more ventilators, accompanied by a contact list for potential providers [EL/20 - INQ000214142 and EL/21 - INQ000214144].
- vii. On 15-16 March 2020, London was identified as the first city to be severely impacted by Covid-19. Planning began on London's response to a Covid-19 crisis with senior decision-making structures and resilience to be tested. I was to chair a meeting with London's emergency resilience stakeholders and suggested the meeting be limited to official level [EL/22 - INQ000214141 and EL/23 - INQ000214140].

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- viii. On 16 March 2020, I received an email about the PM's agenda for a roundtable meeting with key local authorities to test (and stress the importance of) Covid-19 preparedness, to discuss adult social care and the role of local authorities, the voluntary sector and economic impacts. I noted that the meeting should not be limited to social care as other local-authority services were at risk and would need to be prioritised [EL/24 - INQ000214143].
- ix. On 3 March 2020, Nadhim Zahawi updated me on his meeting with Steve Bates of BioIndustry regarding two proposed development programmes for Covid vaccines [EL/25 - INQ000214145].
- x. On 18 March 2020, there was a ministerial COBR teleconference on the outbreak of Covid-19 [EL/26 - INQ000214146].
- xi. On 20 March 2020, there were text exchanges with the French Ambassador regarding port workers not being classified as key workers [EL/27 - INQ000214147]. Further on this date I received emails about a meeting I was to have with the Mayor of London to put in place strategic plans for London [EL/28 - INQ000214149]. Requests were being made for financial support for TfL in order to keep the transport network running for essential workers [EL/29 - INQ000214151].
- xii. Also, on 20 March 2020 in response to financial concerns raised by TfL, I suggested that a process was needed to assist businesses which might experience difficulty as a result of Covid-19 [EL/30 - INQ000214150 and EL/31 - INQ000214148].

Meetings during the pandemic

- 23. As the pandemic developed, a number of meetings were held throughout the course of the day to discuss the Government's response. Meetings I attended included: the daily 8.30 and 9.15 meetings, COBR meetings whenever the PM attended, Cabinet meetings, Four Nations Forums, (which were held by telephone, chaired by the Chancellor of the Duchy of Lancaster, attended by the three First Ministers) as well as the occasional Covid-O meetings. My role at these meetings was to assist the PM, to make sure any actions were implemented and to smooth over any difficulties which might arise between ministers and officials.
- 24. In my view, these meetings formed the basis for decision-making and worked well. The morning meetings were data-driven, and the quality of the data steadily improved over the March-April 2020 period. The meetings normally started with someone from the Cabinet

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Office setting out the statistics and either Professors Vallance or Whitty adding colour to these, for example to explain the reasons behind the death toll or 'R' number on that particular day.

25. I worked at No. 10 in person most of the time. I had no specific remit, but I responded to concerns raised by MPs, and I was No. 10's principal point of contact with Local Government on issues such as local grants, Nightingale hospitals and special mortuaries. I worked in close proximity to the PM and communicated regularly with him given that my desk was very close to his office.

First lockdown

26. By 23 March 2020, it had become clear that a lockdown was needed to prevent the NHS from being overwhelmed, to buy us time until the vaccine was developed and to underline the seriousness of the situation to the public. The decision to implement a lockdown as the main strategy to control the virus was strongly driven by the Health Secretary. There were a number of competing considerations - for example, the effects on education and the economy.

27. The key challenges the Government faced included (but were not limited to):

- i. **Testing** - there was frustration around the slow development of testing, which from memory initially hovered at around 10,000 a day slowly rising to 20,000. At that time Germany was easily achieving 50,000 tests per day. The explanation for the diagnostic delay was that the UK had a strong pharmaceutical industry but traditionally it had a weak diagnostic capacity. On 5 May 2020 I was copied into an email which stated that Baroness Dido Harding had been appointed the new track and trace Tsar [EL/32 - INQ000214164]. On 7 August 2020 I asked for a note regarding population testing to see who was making what and where in order to better understand supply chains [EL/33 - INQ000214184]. By 13 September 2020 it was being reported that the UK was facing a backlog of nearly 200,000 Covid-19 tests in government laboratories. It was my view that private tests would be needed to ease this backlog [EL/34 - INQ000214188]. Fortunately, the position was much improved by early 2021.
- ii. **Social care** – The Health Secretary assured No. 10 that every effort was being made not to discharge patients with Covid-19 into care homes but at times there was limited diagnostic capacity to achieve this. The Inquiry will note the daily testing

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capacity over time at paragraphs 227-228 of the corporate witness statement of Sir Christopher Wormald dated 29 March 2023 - **INQ000144792**. [EL/34A]

- iii. **Public health legislation and regulations** – I was not involved in the drafting of legislation.
- iv. **Devolved Administrations** (“DAs”) – there was a very real issue aligning England’s approach with that of the DAs. Professor Whitty would closely liaise with his medical colleagues in the DAs. Generally, there was good co-operation with Northern Ireland and Wales. However, this was less effective in the case of the Scottish administration which was keen to announce measures either before or after of the rest of the UK for reasons which appeared more political than data-driven. An example of this can be seen in an email from Martin Reynolds in early May 2020 [EL/35 - **INQ000214168**] which I was copied into regarding campaign messaging and a request from the Scottish administration that the UK’s new ‘Stay Alert’ messaging was not run in Scotland for fear of confusing the Scottish public.
- v. **PPE** – this was a major issue in our early 9.15 meetings. When it was first raised, the Health Secretary assured No. 10 that DHSC had plenty of PPE in stock as well as a contingency plan for distribution. By April 2020 it became clear that in fact crucial PPE was in short supply and/or unusable, and therefore a call was made to industry to provide what they could. The world by now was shutting down and it was difficult to source what was needed. A special contact point was established so that we could pass on offers of assistance from MPs and the wider public and a task force was established to try and chase potential suppliers. In general, this worked well and although the procurement of PPE arguably merits closer examination (see further below), it has to be borne in mind that the priority was ensuring that hospitals and care homes had adequate supplies. This also required an enormous amount of effort (much of it by the army) to distribute the PPE once obtained. On 24 March 2020 I directed William Warr to deal with a global sourcing expert regarding medical and equipment supplies, as well as medical expertise for the UK government [EL/36 - **INQ000214152**] and on 27 March further directed him to take forward proposals from the Suman Group (copying in Shizen) and Reignwood in respect of the provision of medical personnel, PPE and testing kits [EL/37 - **INQ000214155** and EL/38 - **INQ000214154**]. The first comprehensive data review on PPE was sent by email to the PM on 21 April 2020 and I was copied into that email [EL/39 - **INQ000214161**]. On occasions offers of assistance to supply PPE were brought to my attention and when this happened I would pass this on appropriately. For example [EL/40 - **INQ000217349**].

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- vi. **Ventilators** - in March 2020 it became clear that ventilators were vital to the treatment of those seriously ill with Covid-19. NHS stocks were minimal and there was an enormous effort to purchase ventilators from around the world, principally from China and the USA. The PM took personal charge to remedy this and set up the Ventilator Challenge by means of a Zoom call, inviting attendance from every company we thought might have the technical ability to manufacture a ventilator. This was a success which ensured adequate provision of ventilators.
- vii. **Covid-19 treatments** - treatments received as much attention as vaccines and a number were identified and put through the approval process.
- viii. **Nightingale hospitals** - in March-April 2020 the assumption was that the death toll would be dramatically higher than it turned out to be. The government made allowance for this with the instruction to build Nightingale hospitals around the country. The Army took responsibility for these and they were built very quickly. Fortunately, they were not extensively required. On 16 July 2020 an email was sent to me, Dominic Cummings and Munira Mirza from a Professor of Surgery at St Mary's Hospital and Imperial College London with a proposal for 'Global Nightingales' which was a package of care comprising field units and Covid-19 preventative measures for third world countries, including refugee camps and areas of conflict.
- ix. **Death management** – the Government recognised early on the need for temporary mortuaries in response to the expected death toll and so I had to spend a lot of time chasing the procurement of temporary mortuaries, attending relevant meetings at London's Gold Command Centre and corresponding with John Baradell, Town Clerk of London and Chief Executive of the Corporation of London. The Mayor of Greater Manchester, Andy Burnham, demonstrated a good grasp of the issues. An example of my involvement with such issues can be seen in my email on 14 April 2020 regarding death management with the London Local Resilience Form (LRF), where I discussed issues such as body storage, time frames before a funeral could take place and limits on the number of people permitted to attend funerals [EL/41 - INQ000214160]. Thankfully the temporary mortuaries were only ever lightly used. On 23 June 2020, in an email to Emily Beynon, I agreed with John Baradell's suggestion that a structure be set up to hold the operational functions of the London Covid-19 coordination group and his views as to the negative effects of Westminster terminating contracts for supply of temporary regional mortuaries from 1 July 2020. I suggested that MCHCLG make

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one authority responsible for providing funds and I suggested that this be the City of London [EL/42 - INQ000214181].

- x. **Face masks** – initially, the use of face coverings was opposed as their efficacy was unclear. However, the use of face masks elsewhere in the world led to growing pressure on the Government to require their use.
- xi. **Vaccines** - in late March 2020 after the first lockdown was declared, the PM was very insistent that the UK must develop and manufacture a vaccine for Covid-19. He asked the CMO and CSA to advise on which entities could assist. I recall a meeting between the PM, CMO, CSO and the Chancellor of the Exchequer at which approximately six companies were identified as being capable of producing vaccines. The PM gave very clear instructions that negotiations should be opened with these companies (and others if identified) and that the UK should issue purchase orders, by way of guarantees, immediately. The PM pushed for the procurement of vaccines harder than any other minister and gave the go-ahead for the Oxford deal with AstraZeneca. Speed of production and delivery took priority over cost, and I distinctly remember the PM getting full support from the Cabinet and the Chancellor of Exchequer. On 23 June 2020 I suggested to Simon Case that the PM place the issue of vaccines on the morning agenda for a deep dive in response to a letter received from the Foreign Secretary [EL/43 - INQ000217350]. In retrospect the PM's actions on this issue proved to be the most vital of the whole period, as four of the six companies delivered vaccines, those being AstraZeneca, Moderna, Pfizer and Johnson and Johnson.
- xii. **Working from home** – ultimately, the requirement to work from home was an easy decision to make and from memory was almost universally agreed.
- xiii. **Public health communications** – I was not generally involved in the communications other than hearing about the plans and the decision to hold daily briefings.
- xiv. **Religious groups** – I was acutely aware of the impact that the pandemic was having on different faith groups. On 22 April 2020 I directed Jonathan Hellewell to take forward communication proposals for Muslims during the period of Ramadan [EL/44 - INQ000214162].
- xv. **Border controls and international travel** – this was pushed hard by DHSC to prevent spread. There was enormous pressure by the airline industry to allow some, albeit limited, travel. I had a number of calls with the principal airlines and major airports and reported back to the Secretary of State for Transport and the PM. On 13 May 2020 I was provided with a draft response to send to the CEO of

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Birmingham Airport in relation to concerns expressed about traveller quarantine [EL/45 - INQ000214170] and I provided assurances that the government were working towards limiting the spread of Covid-19 in light of scientific advice [EL/46 - INQ000214171]. On 26 August 2020 I set up a meeting with EasyJet in response to aviation concerns raised [EL/47 - INQ000214185].

- xvi. Closure of educational establishments** - The damage of school closures was debated endlessly and for good reason. The PM was deeply concerned at the effect this was having and was looking to release it as soon as possible. On 3 April 2020 I engaged with the London School of Economics regarding their concerns and assured them that the government were working on issues with University education [EL/48 - INQ000214157].
- xvii. Self-isolation and reduction in person-to-person contact** – this was the subject of considerable tension, with the Health Secretary in favour but the PM's instincts against. In short, the PM was advised to allow contact as soon as data supported it.
- xviii. Transportation** – TfL very swiftly requested financial support and on 8 and 9 April 2020 I was copied into emails concerning packages of financial support and was asked to comment on a letter that the Department for Transport (DfT) were planning to send TfL [EL/49 - INQ000214158 and EL/50 - INQ000214159]. On 24 April 2020 I received an email from Simon Kilonback of TfL requesting my help in securing financial support [EL/51 - INQ000214163]. By May 2020 the Covid-19 Transport taskforce was meeting and I was copied in to documents in relation to this [EL/52 - INQ000214173; ; EL/53 - INQ000214176; EL/54 - INQ000214178; EL/55 - INQ000214177 and EL/56 - INQ000214174]. I was kept abreast of developments with TfL by way of regular phone calls and email updates. For example, on 6 May 2020 I scheduled a telephone call with TfL and MoL to discuss government transport planning in respect of social distancing, PPE, managing queues, limiting numbers, prioritising key workers and communicating perceptions to the public [EL/57 - INQ000214167].
- xix. Retail & Business** – The impact on retail and business generally was widespread. On 25 March 2020 I was requested by Akzo Nobel UK Ltd, on behalf of the construction industry to consider the concerns for this sector and a need for immediate action, particularly for self-employed workers [EL/58 - INQ000214153]. On 27 March 2020 I directed DCU to take forward Huawei's proposal for assistance during the Covid-19 crisis [EL/59 - INQ000214156]. On 14 May 2020 I emailed expressing my support for car showrooms and dealerships re-opening [EL/60 -

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INQ000214172] and on 8 June 2020 I responded to concerns raised by the hotel industry regarding re-opening of hotels safely **[EL/61 - INQ000214179]**. On 26 June 2020 and in response to concerns raised by Barclays regarding an increase in credit card spending, I assured Barclays that credit card spending was being watched very carefully by the government **[EL/62 - INQ000214180]**. On 28 August 2020 I attended a meeting concerning the reopening of the West End **[EL/63 - INQ000214186]**.

28. In the absence of an available vaccine at the time, I believe that the first lockdown was necessary to control the virus. The first lockdown had wide support from the public and in my opinion compliance levels were good. The duration of NPIs, such as lockdown, was always a delicate balance between wider health considerations and economic damage. As the first lockdown was drawing to a close the pressure from the public and MPs to lift it was intense. In my view the first lockdown continued for longer than I believe was necessary. The pressure from business to lift restrictions was intense and there was a continual balance between reducing the 'R' number and inflicting damage to the economy. On 5 May 2020 I was copied into an email from Stuart Glassborow relating to a meeting that the PM had with the Chancellor of the Exchequer and noting the implications for the economy if lockdown persisted **[EL/64 - INQ000214165]**. As the first lockdown was eased, economic recovery and returning the nation to work was key. On 6 May 2020, my emails reference the CBI and TUC's proposals for economic recovery during lockdown and it was intended that I would meet with the TUC as part of the close contact between these bodies and No. 10 **[EL/65 - INQ000214166]**. On 11 May 2020, I was sent a briefing note ahead of my call with the TUC **[EL/66 - INQ000214169]**.

29. On 8 July 2020 I attended a UK Finance Roundtable meeting to discuss economic recovery from Covid-19. I was asked to provide my assessment of the government's response to the crisis to date as well as the ongoing work with industry, officials and regulators to support individuals, businesses and the wider economy **[EL/67 - INQ000214182]**. I cannot now recall this meeting save that I remember there being considerable concern about the economic damage of lockdown and the need to get the economy functioning and provide support to struggling businesses.

Second and third lockdowns

30. Whilst I felt that the first lockdown was necessary, I was not convinced of the need for the second lockdown and even less convinced that a third lockdown was required.
31. On around 5 August 2020 the PM held a meeting on population testing and supply chains as part of the national effort to counter the resurgence of Covid-19. PCR tests and new technology was to be scaled up and quickly rolled out under a broad public engagement campaign. The PM requested a plan to accelerate the national effort, including timetables, costs, supply chains etc. He stated that the Cabinet Office and HMT were to provide all necessary and regulatory approvals in order to drive measures forward [EL/33 - INQ000214184].
32. In September 2020, the R number was rising. A circuit breaker was proposed in response to this increase and the Health Secretary was pushing hard for this to take place. However, the opposition to any form of lockdown was intense. I recall the PM saying in September 2020 that he would rather “let the bodies pile high” than impose another lockdown. Whilst this was an unfortunate turn of phrase, it should be born in mind that by this point the Government was trying to avoid a further lockdown given the already severe impact on the economy and education.
33. In that period the “R” number in London and the south was low (below R1) but it was higher in northern cities. Manchester was R3. From memory, Newcastle and the north-east were worse. In the event, a circuit breaker was never used. Instead, a 3-tier system of restrictions was introduced on 14 October 2020. I was strongly in favour of this. Rates of infection varied tremendously across the country and Local Authorities with low rates were arguing strongly against lockdown. I was responsible for initial negotiations and tasked with trying to get voluntary agreement on a region-by-region basis to accept tiering. One of the biggest challenges was that that the hospitality sector had only recently re-opened and those businesses in a higher tier would not have to close again. Businesses were fragile and would potentially collapse without additional grants by the local authority. Manchester was a good example of this. Mayor Burnham always sought more money than I was willing to approve but this was understandable given that the hospitality industry had been crippled and Manchester was a hotspot for increasing cases.
34. These negotiations were difficult and further complicated by the differences on the ground between boroughs within a local authority. For example, Bolton was a hotspot and

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Stockport was not. We couldn't feasibly negotiate on a borough-by-borough basis, despite the differences in rates between each borough.

35. Ultimately, Lancashire agreed with a funding formula and then with some tweaks Warrington followed. Manchester held out and it was only resolved with additional funding from the Treasury, which was then also applied to Lancashire and Warrington on a pro-rata basis. Negotiations followed with all the other local authority areas. My emails around this time reflect the complicated process that was involved with tiering and how I liaised extensively with Council leaders in the North of England and in particular those in South Yorkshire, Lancashire, Liverpool, Warrington, Cheshire and Greater Manchester in relation to the tiering provisions and suitable funding packages. Examples of such are: [EL/68 - INQ000214190; EL/69 - INQ000214191; EL/70 - INQ000214194; EL/71 - INQ000214192; EL/72 - INQ000214193; EL/73 - INQ000214198; EL/74 - INQ000214199; EL/75 - INQ000214197; EL/76 - INQ000214196; EL/77 - INQ000214195; EL/78 - INQ000214202; EL/79 - INQ000214204; EL/80 - INQ000214205 and EL/81 - INQ000214201].
36. Notwithstanding the increasing R number, I think the tiering system would have worked without the need for further lockdowns. In my opinion the increasing numbers were manageable, particularly with the introduction of the vaccine. However, this attempt at managing the virus was in vain with the emergence of the Kent variant of Covid-19 and so on 5 November 2020 the UK entered a second lockdown. As soon as it became clear that there was a new variant of the disease, a second lockdown was swiftly implemented.
37. The second lockdown was driven by a sharp increase in cases and deaths and a knowledge that those with vulnerabilities, especially those with underlying health conditions, were at greater risk of dying. This became the rationale for further lockdowns. In my view however, there was an insufficient balance between those risks and the wider detriment to the economy and the education sector. The price of school closures was, in my view, too high. There was no evidence that young people were badly affected by Covid-19 but the argument was that it was necessary to protect their parents and in particular their grandparents who were much more likely to be vulnerable. By autumn 2020 I felt that this argument lacked force given the commencement of the vaccine programme and the fact that once older and medically vulnerable individuals had been vaccinated the pressure eased.

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38. It is also vitally important to remember what happened in higher education establishments, particularly universities, which suffered from either no teaching whatsoever or remote teaching with students being prevented from travelling and being stuck in halls of residence very far from home, with little support.
39. As Christmas 2020 approached, the vaccines were holding up and the pressure to lift the lockdown was immense. On 2 December 2020 the Government announced a return to the tiering system with the introduction of a new higher tier 4. The R number remained high at this time leading to the need for restrictions over the Christmas period. DHSC wanted a full lockdown at this time and so it was already considered that there would be a third lockdown after Christmas which was subsequently implemented on 5 January 2021 with the closure of schools and all non-essential shops. Schools were officially permitted to re-open on 9 March 2021 with a roadmap for easing lockdown having been announced by the PM on 22 February 2021.
40. The second lockdown was difficult with growing opposition and the third one was, in my view, doomed almost from the beginning with considerable opposition. I recall that there was polling carried out by the Cabinet Office on this which, if available, would be useful. The second and third lockdowns did not have the same level of support or compliance. The actual polling results have not been made available to me, but there are references to some of the poll results in the 'Outer Office' WhatsApp messages [EL/7 INQ000232066] (e.g. pp.3-6, 15).
41. There was very real disagreement within Government about the imposition of the second and third lockdowns. Many MPs felt that the PM was too quick to lock the country down when the R number increased and, broadly, I agreed with this sentiment. I did not agree that the second or third lockdowns were necessary, and I felt that tiering with the vaccines was sufficient. The impact of on-going restrictions on the economy continued to grow and we were constantly trying to balance the economic costs of the lockdowns. The steel, shipbuilding and car manufacturing industries were on their knees. Financial houses were reporting that these industries needed money to survive, and hospitality needed significant financial support. For example, on 5 November 2020 I requested the Business Team to pick up concerns around loss of staff and revenue [EL/82 - INQ000214207] and on 30 November 2020 I sent an email regarding HM Treasury's support for the hospitality sector stating that it was necessary to support restaurants who were in Tier 3 as it appeared that support was only being suggested for wet pubs in Tiers 2 and 3 [EL/83 - INQ000214209]. It weighed heavily on my mind that on one side we had a pandemic and people were dying

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but the flipside was a falling and crippling economy. In comparison to some other European countries such as Sweden, we had similar data on the prevalence of Covid-19 but they were not addressing this by way of further lockdowns.

42. The financial impact on individuals was also manifest. On 19 October 2020 I had a call with GM leaders on the issue around top up JSS payments to minimum wage for their residents and using additional economic support from the government [EL/84 - INQ000214203].
43. During this latter period a number of further challenges remained for the Government. In particular was the issue of border controls and travel. By the later part of 2020 the restrictions had started to ease and a number of other countries were opening up. There were some relatively heated arguments at special meetings convened on this issue. For example, the airlines were struggling severely and were operating routes primarily for freight, but needed to get passenger traffic back in order ease their financial burden. A number of Zoom calls were held with the industry and with overseas airlines. On 1 September 2020 I was involved in discussions with the Health and Transport Secretaries, Andrew Gilligan, and Rupert Reid on the issue of travel corridors. In an email it is noted that I was supportive of such a policy, but I was keen for the PM to be involved [EL/85 - INQ000214187]. On 25 September 2020 I was to attend the Covid-19 Travel Taskforce meeting regarding the opening of airspace, and it was my view that for British Airways to improve its financial position, it was essential to reopen routes to and from North America, [EL/86 - INQ000214189]. On 4 November 2020 I shared a letter with the PM regarding the impact on airports of the new lockdown [EL/87 - INQ000214206].
44. On 26 November 2020, Dan Rosenfeld was announced as the new chief of Staff to the PM, with effect from 1 January 2021. I was to stay on for a period to assist his transition into the role [EL/88 - INQ000214208] and continued to liaise with various Mayors in relation to restoring the economy post-pandemic [EL/89 - INQ000214210 and EL/90 - INQ000214212]. On 18 January 2021 I had a call with the Build Back Better Council to discuss business recovery from Covid-19 [EL/91 - INQ000214211].
45. I also kept apprised of daily vaccination statistics and on 18 February 2021 I was updated as to the position in cohorts 5 and 6 [EL/92 - INQ000217351] as well as by various informative governmental papers on the latest Covid position [EL/93 - INQ000214213].

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Reflections

46. It is clear that this was a very challenging time for the government. At any given time, there were a number of issues that needed to be addressed.
47. It will be clear from what I have said above that I question the value of the second and third lockdowns. I felt that tiering with mass testing and the vaccination program would provide sufficient protection against Covid-19.
48. In reflecting further over the period in question, with hindsight, it might be said that facemasks could have been introduced sooner than they were.
49. Reductions in the ability for people to meet and later the 'rule of six' was interpreted far too harshly in my view. From memory the rule of six was an arbitrary number and this concept, as well as others such as household 'bubbles' were introduced as a means of compromise between isolation and full contact. Preventing people from seeing elderly or dying relatives / friends was extremely harsh and created a strong sense of unfairness. However, at the time it was felt that any relaxation of such restrictions would make the rules unenforceable. In hindsight some of the messaging about Covid-19 and the restrictions imposed seemed heartless given the situation that people found themselves in. However, this was an unprecedented time and it is perhaps easier to make these comments now with the benefit of hindsight.
50. I did feel uncomfortable about Parliament being cut out of the management of Covid-19 and in hindsight it may have been better to keep Parliament more closely involved. However, it must be remembered that the General Election was in the November of 2019 and there were many new MP's still learning about the way Parliament worked. They were at home, not meeting their colleagues except on zoom calls, but receiving considerable numbers of emails and social media. If a way to keep Parliament operating in person had been devised, then this would have made communications easier, and MPs would have been both advocates in their constituencies as well as a better sounding board for policy. This issue was highlighted at the time of the second lockdown and on 11 October 2020 I was questioned by Sir Graham Brady MP as to MPs being involved in decisions relating to their own constituency areas [EL/94 - INQ000214200].

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51. In terms of what the UK did well, we received regular updates from Europe and in the main, no country was in a much better position than we were. We led in the vaccine programme which ultimately succeeded in curbing the effects of the virus.
52. I personally had no role in the preparation of data, but I can confirm that data drove much of the decision-making and became more refined as the pandemic progressed.
53. There was limited preparedness for a pandemic of this nature and no slack in the NHS system when it took hold. The Government was fortunate that it had a CSA and CMO who knew about pandemics and vaccines, and they helped the PM make the most important decision of all, which was to purchase vaccines at speed. Professors Patrick Vallance and Chris Whitty were rightly held in high regard by the PM who maintained open lines of communication with them throughout and fully heeded their views. They were always present and usually provided significant information at the 9.15 meetings. Usually, one or the other were also present at the 4pm press conferences and it was an early decision to have a politician and scientist at those. Those conferences worked exceptionally well and in my view were well received by the public.
54. I consider that lessons could be learned in relation to procurement. As explained above, it was necessary to procure PPE and similar supplies. Calls were made to the UK Embassies and in China people were dispatched to check on factories which was inherently difficult given that China was in lockdown also. The people despatched were not trained in procurement or the products required, and it was more a case of who was available. There were some very notable successes in procurement. For example, the Kingdom of Saudi Arabia was able to help supply the material to make medical gowns. If there is a lesson to learn it is that there is a need to have a strategic stock of PPE although that comes with storage and maintenance costs.
55. I have not taken part in any internal or external reviews or Select Committees concerning Covid-19.

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Statement of Truth

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

Personal Data

Signed

Name: *Lord Udny- Lister*

Dated..... *09 - 08 - 2022*.....