

THE UK COVID-19 INQUIRY

SECOND WITNESS STATEMENT OF THE RT HON. MICHAEL GOVE MP

I, Michael Gove, Secretary of State for Levelling Up, Housing and Communities and Minister for Intergovernmental Relations, will say as follows.

INTRODUCTION

1. I am the Member of Parliament for Surrey Heath, having first been elected to Parliament in 2005. I am the Secretary of State for Levelling Up, Housing and Communities, and the Minister for Intergovernmental Relations.
2. I make this statement in response to the Inquiry's request for evidence dated 20 January 2023 in relation to Module 2: Core UK decision-making and political governance. I have also provided a witness statement in relation to Module 1 (Resilience and preparedness) and invite the Inquiry to read this statement in conjunction with that earlier statement, which includes some reflections which have a bearing on the issues I address here. I have focused on the period between January 2020 and September 2021, when I relinquished my roles as Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office upon my appointment as Secretary of State for Levelling Up, Housing and Communities and the Minister for Intergovernmental Relations and, as a result, whereafter I became significantly less involved in core political and administrative decision-making relating to the UK's response to Covid-19.

3. I have made this statement with the support of the Government Legal Department, counsel and my staff, some of whom were working with me during the relevant period. I have been dependent on others putting documents before me to assist with the chronology of events as set out herein, but any views expressed in this statement are my own. Those assisting me with the statement have sought to identify the documents and correspondence relevant to the Inquiry's Terms of Reference and the matters I have been asked to address, but the scale of the material generated over the relevant period is vast. Should it assist the Inquiry I would be happy to clarify or expand on any aspect of the evidence set out in this statement, and arrange for any further document searches to be conducted.
4. I have structured my statement in three sections.
5. **Section 1** contains an overview of my role and responsibilities as Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office during the period January 2020 to September 2021, including an overview of the decision-making committees and forums I attended and chaired, and an overview of my role in managing relationships with the devolved administrations and regional and local authorities.
6. **Section 2** is a narrative of the period from January 2020 to September 2021 and includes explanations for key decisions and subjective impressions where it seems to me that this may be helpful to the Inquiry (having regard to the Inquiry's Terms of Reference and anything I have specifically been asked about in the Inquiry's Rule 9 request for evidence). It is broken down as follows:
 - a. Paragraphs 20 to 46 cover my initial understanding of Covid-19 and the Government's initial response in the period from January to March 2020 including decision-making up to and including the First National Lockdown.
 - b. Paragraphs 47 to 54 cover the period from the commencement of the first lockdown until May, including the period in April 2020 when the Prime Minister had Covid-19.
 - c. Paragraphs 55 to 73 cover May 2020 and the decision-making concerning the first roadmap out of lockdown.

- d. Paragraphs 74 to 80 cover the summer of 2020 and local interventions during this time.
 - e. Paragraphs 81 to 119 cover the lead up to and decision-making in relation to the second national lockdown in October 2020.
 - f. Paragraphs 120 to 146 cover the lead up to and decision-making regarding the third national lockdown in January 2021.
 - g. Paragraphs 147 to 164 cover the decision-making during the third national lockdown and the road map out of lockdown.
7. **Section 3** covers my reflections on the issues set out below and any lessons I think can be drawn from our experience of responding to Covid-19.
- a. The structures that existed for core decision-making around the Prime Minister and Cabinet during the pandemic;
 - b. Cross-UK four-administration decision-making during the pandemic; and
 - c. Key decisions taken during the pandemic.

SECTION 1: OVERVIEW OF ROLE AND RESPONSIBILITIES

Cabinet Office appointments during and prior to the pandemic

8. As already noted I am currently Secretary of State for Levelling Up, Housing and Communities and the Minister for Intergovernmental Relations. I was appointed to these positions in October 2022, having previously held both positions from September 2021 to 6 July 2022.
9. I was Chancellor of the Duchy of Lancaster from 24 July 2019 to 15 September 2021. Between 13 February 2020 and 15 September 2021, I also served as Minister for the Cabinet Office.
10. I have also previously served as Secretary of State for Education from May 2010 until July 2014, Chief Whip from July 2014 until May 2015, Lord Chancellor and

Justice Secretary from May 2015 until July 2016, and Secretary of State for Environment, Food and Rural Affairs from June 2017 until July 2019.

Overview of responsibilities as Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office in respect of Covid-19

11. In paragraphs 6 to 10 of my Module 1 statement, I explained that from when I was appointed as the Chancellor of the Duchy of Lancaster in 24 July 2019 until 31 January 2020 my overwhelming focus was on preparing the Government, businesses and citizens for our departure from the EU, with or without a deal, and I was not in this time generally involved in the wider work in the Cabinet Office. As I have set out, and is relevant to the structures that were ultimately put in place for responding to the Covid pandemic, the heart of my day-to-day work in this period was chairing the Exit Operations ('XO') cabinet sub-committee.

12. During the first part of my tenure as Chancellor of the Duchy of Lancaster, Oliver Dowden served as Minister for the Cabinet Office, and his portfolio included responsibility for resilience. I took on the role of the Minister for the Cabinet Office on 13 February 2020, in addition to my responsibility as Chancellor of the Duchy of Lancaster. This expanded my portfolio, although in practice there remained various parts of the Cabinet Office (including, but not limited to, the Secretariats - with the exception of the XO Secretariat - and in particular the National Security Secretariat, and the Propriety and Ethics, and Honours teams) which did not consider themselves in any real sense responsible to me and whose work I did not have visibility over. They were however under my nominal responsibility for certain purposes, and my overall responsibilities were reflected in a document detailing the portfolio which I held until 15 September 2021 which included the following responsibilities:
 - a. Oversight of all Cabinet Office policy and appointments;
 - b. Oversight of constitutional policy and enhancement, defending democracy and electoral law;
 - c. Devolution issues and strengthening the Union;
 - d. Leading cross-government and public sector transformation and efficiency;

- e. Oversight of Cabinet Office responsibilities on National Security and resilience, and the Civil Contingencies Secretariat, including Covid-19; and
 - f. Supporting the coordination of the cross-government and the devolution aspects of the response to Covid-19.
13. When Penny Mordaunt was appointed Paymaster General in February 2020, her responsibilities included supporting the Chancellor of the Duchy of Lancaster on civil contingencies issues, which would later specifically include the response to Covid-19. Oliver Dowden had ministerial oversight of civil contingencies issues until 13 February 2020, and from that date I assumed that responsibility, supported by Penny Mordaunt.
14. In simple terms, as Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office I was responsible for coordinating government action across different departments. This involved working with different ministers, officials and experts to develop and deliver on government policy and strategy. Accordingly, given the whole-system requirements of responding to Covid-19, my responsibilities during the pandemic were wide-ranging. Although the Cabinet Office is responsible for overall resilience work, relevant aspects of this are rightly 'owned' by departments - for example pandemics by DHSC and flooding by DEFRA.
15. In September 2021 the position of the Minister for Intergovernmental Relations was created and I was appointed to that position. In Lord Dunlop's Review into UK Government Union Capability (published in March 2021) he had considered ways to configure and improve the structures of government in order to strengthen the Union. As I said in my letter to Lord Dunlop in response to the review, his recommendations aligned with the Prime Minister's desire to make the devolution settlements work more effectively, and the experience of the pandemic had only served to underline the importance of the administrations working closely together

across the UK¹. The Prime Minister had taken the title Minister for the Union, but the view was taken in September 2021, having reflected on the Dunlop Review and the experience of government in recent years, that it would be prudent to have a Minister for Intergovernmental Relations to act as a deputy for the Prime Minister in relations with the devolved administrations. Prior to the creation of this position my portfolio included devolution issues and strengthening the Union, and as will be apparent to the Inquiry, from the outset and throughout the pandemic I had significant liaison and engagement with the devolved administrations. Thus, whilst the creation of the role of Minister for Intergovernmental Relations was important, the role did not of itself fundamentally change the way cross-UK decision making was approached in response to Covid-19. I have reflected on cross-UK decision making in my Module 1 statement. In this statement I use cross-UK or four-administration decision making as shorthand to refer to reaching agreement between the UK Government and the devolved administrations.

Overview of key decision-making forums and groups

16. My responsibilities in respect of the Covid-19 response were primarily discharged through my involvement in and (in some cases) chairing of the decision-making forums and groups set out below. For ease of reference, I provide a brief explanation of each forum but refer the Inquiry to Simon Case's corporate witness statement dated 25 January 2023 which contains a more detailed account.²

a. Cabinet

- i. Cabinet is the ultimate decision-making body of the Government, chaired by the Prime Minister and attended by Secretaries of State and other senior Ministers. The purpose of Cabinet and its Committees is to provide a framework for ministers to consider and make collective decisions on policy issues. As set out in the Ministerial Code, Cabinet and Cabinet Committee business

¹ MG/1 – [INQ000220401]
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/973001/L_Dunlop_Letter.pdf

² MG/234 – [INQ000092893]

consists primarily of questions which significantly engage the collective responsibility of the Government because they raise major issues of policy or because they are of critical importance to the public, and questions on which there is an unresolved disagreement between departments.

ii. I attended Cabinet meetings throughout the pandemic which were convened generally weekly during term time. I attended and chaired dozens of Cabinet committee meetings which met far more regularly, as well as ad hoc meetings or so-called small ministerial groups.

b. COBR

i. COBR is effectively a Cabinet Committee typically convened to handle matters of national emergency or major disruption. It takes its name from the location of its meetings, the Cabinet Office Briefing Rooms. It can be chaired by the Prime Minister or by a relevant Secretary of State or other minister. The way COBR is structured brings together the relevant ministers (including, subject to the nature of the issue, representatives from the devolved administrations or regional mayors or local resilience fora), departmental officials and agencies to ensure a coordinated and effective response across government. It is supported by the Civil Contingencies Secretariat (“CCS”), which is responsible for emergency planning, including maintenance of the National Risk Register.

ii. I attended 16 COBR meetings between March 2020 and February 2022. I chaired the COBR meeting on 20 March 2020. COBR continued to be convened after the Ministerial Implementation Groups (“MIGs”) (see below) had been set up and after the national lockdown decision, albeit less frequently. It was broadly replaced by other groupings.

c. GPSMIG

- i. The General Public Sector Ministerial Implementation Group (“GPSMIG”) was one of four MIGs set up in mid-March 2020 as part of the Government’s Covid-19 response. By this time the response to Covid-19 had gone from being DHSC-led to a full Government response, and more and more resources were being directed to the growing crisis. The MIGs were set up with the intention of coordinating this large-scale approach. They followed a Cabinet Committee structure to deal with the health, economic, public sector, and international aspects of the outbreak on behalf of the whole of the UK. The MIGs were intended to be the principal fora in which decisions were made within their relevant remits. The GPSMIG coordinated and advised on public sector issues relating to Covid-19, excluding NHS and social care (primarily education, public order / policing, transport, prisons, justice and support for vulnerable people).
 - ii. I chaired the GPSMIG. It convened most working days between 17 March 2020 and 21 May 2020. There were 36 GPSMIG meetings.
- d. Covid-19 Daily Strategy Meetings (the 9:15s)
 - i. The 9:15s (so called because that was the time of day they took place) were daily strategy and oversight meetings. The MIGs reported into the 9:15s. The meetings included the presentation of the Dashboard (of Covid data and wider information), discussions about priority issues, communications strategy and the press conference. The 9:15s became the main forum for central oversight of the pandemic response progress and strategy, supported by the MIGs.
 - ii. The 9:15s were chaired by the Prime Minister and attended by key ministers (including the MIG chairs), officials and often a number of No.10 advisers. They took place between 17 March and 15 May 2020, following which they (and the MIGs) were replaced by the Covid-S / Covid-O structure set out below, although I believe the

Prime Minister continued to receive updates via a Dashboard meeting throughout the pandemic.

e. Covid-S

- i. The Covid-19 Strategy Committee (“Covid-S”) was set up as part of a twin committee structure (with the Covid-O Committee – see below) to replace the MIGs when they were disbanded at the end of May 2020³. The Terms of Reference for Covid-S were to “*drive government’s strategic response to COVID-19, considering the impact of both the virus and the response to it, and setting the direction for the recovery strategy*”. Covid-S was chaired by the Prime Minister and attended by me, the Chancellor of the Exchequer (“the Chancellor”), the Secretary of State for Health and Social Care (“SSHSC”), the Home Secretary, the Foreign Secretary and the Business Secretary and usually by the Chief Medical Officer Professor (now Sir) Chris Whitty CBE (“CMO”) and the Government Chief Scientific Advisor Sir Patrick Vallance (“CSA”).
- ii. Covid-S (Ministerial) convened 10 times between June 2020 and February 2021, approximately fortnightly until September 2020 and then once more in February 2021.

f. Covid-O

- i. The Covid-19 Operations Committee (“Covid-O”), also established at the end of May 2020, was set up to oversee the delivery of the policy and operations response to Covid-19.
- ii. Covid-O convened 145 times between 29 May 2020 and 13 September 2021. I usually chaired it although on occasion it was chaired by other Ministerial colleagues and in particular the Prime Minister. SSHSC and the Chancellor (or sometimes Ministers from their departments) routinely attended, and the devolved

³ Minute from Simon Case to CDL, CX and SSHSC 28.5.20, MG/2 - [INQ000217045]

administrations were invited according to the agenda items, and the extent to which the issues for decision were cross-cutting. The Covid-19 Taskforce was the official secretariat for Covid-O and Covid-O tasked the Covid-19 Taskforce.

g. Quad

- i. The “Quad” referred to senior ministerial meetings to discuss (rather than determine) strategy. These meetings did not have formal terms of reference but did usually have agendas, papers and outcomes⁴.
- ii. The “Quad” usually comprised the Prime Minister (save for when he was unwell), the Chancellor, SSHSC and myself, and in the early stages of the response the First Secretary of State and the Foreign Secretary as well. The CMO and Government Chief Scientific Advisor were also frequently in attendance. Quad meetings did not have a prescribed frequency.

17. Annex A to this statement is a chronological list of all the ‘core’ decision making meetings I was involved in with references to the key documents relating to each meeting⁵.

Overview of framework relevant to four-administration decision making

18. As set out in the devolution settlements and detailed in Simon Case’s corporate statement, the devolved administrations have legislative competence in relation to health and social care and education, subject to some express reservations. The general principle is that everything that is not expressly reserved is devolved to the Scottish Government, while the other settlements vary in certain aspects. Whilst Parliament remains sovereign and retains authority to legislate on any issue, Parliament would not normally legislate with regard to devolved matters save with

⁴ See for example email chain with Quad agenda and papers attached and outcomes recorded 15.4.2020, MG/3 - [INQ000195907]

⁵ MG/239 – [INQ000235263]

the agreement of relevant devolved legislatures. Additional funding for crises responses is allocated centrally and distributed through Barnett.

19. By way of general overview, the engagement and data sharing arrangements with the devolved administrations were as follows:

- a. The devolved administrations were invited to COBR meetings concerning Covid-19. At some of the COBR meetings consensus was sought on a UK-wide measure, such as the first lockdown, whereas on other issues, such as certain aspects of social distancing measures, consensus was not required as the powers to take action were devolved. The devolved administrations were invited to attend many, but not all, COBR meetings. My recollection is that the decision as to whether it was appropriate for the devolved administrations to be invited to a particular COBR meeting was made by a combination of No 10 Private Office officials and my Private Office, following advice from various officials including CCS and the various groups working at different points on the Union. At all times, given the speed at which Ministers were being presented with new evidence and asked to take decisions, we were balancing the natural desire of stakeholders to be in the room, the need to take sensitive decisions quickly, and ensuring those decisions were then communicated in a managed and coherent way by HMG.
- b. The MIGs (with the exception of the International MIG) were typically attended by Ministers and officials from the devolved administrations and sometimes by the Secretaries of State and officials of the Territorial Offices (“TOs”) (i.e. the Scotland Office, the Wales Office, and the Northern Ireland Office).
- c. The Dashboard data was shared with the devolved administrations so all governments were working from the same core information.
- d. The devolved administrations were invited to attend the Covid-O meetings where a UK-wide approach was needed (e.g., when considering border issues), but in the main over the summer and early autumn of 2020 they were not in attendance. This was because the majority of the issues for

discussion and determination dealt with at the Covid-O meetings, such as education, transport and support for vulnerable people were devolved, and the advice I received was that the bulk of ministerial engagement should happen through department-led ministerial engagement, primarily in the form of regular calls chaired by me⁶. For a period in the autumn / winter of 2020/2021 the devolved administrations attended weekly Covid-O meetings.

- e. From the time the MIGs were replaced with successor structures, at a ministerial level I led the engagement with the devolved administrations through holding regular calls, at times on a weekly basis, and in any event before significant announcements, with the First Ministers of Scotland and Wales and the First and deputy First Ministers of Northern Ireland. Annex B to this statement is a chronological list of the calls and meetings I held with one or more of the devolved administrations⁷. There were also department-led ministerial meetings with ministers of the devolved administrations in other areas including health.
- f. At official level, as Simon Case's corporate witness statement explains (at paragraph 5.28), coordination between the UK Government and the devolved administrations was supported in the Cabinet Office by the UK Governance Group, which assisted departments and the devolved administrations to ensure the response fully considered the devolution perspective and UK-wide impacts. This included a Devolution Policy Desk which monitored and worked across the UK government and set up regular Cross-UK senior officials forums (at director level) bringing together officials from all four governments to discuss decisions spanning the Covid-19 response.
- g. The UK Scientific Advisory Group for Emergencies ("SAGE") structures allowed the Chief Medical Officers and/or Chief Scientific Advisers of the devolved administrations to coordinate and integrate scientific advice. The

⁶ Briefing for call 19.6.20, MG/4 - [INQ000198966]

⁷ MG/240 – [INQ000235264]

scientific co-ordination was further bolstered across the devolved administrations by the involvement of scientific actors across the various established networks. The Chief Medical Officers for the UK and from each of the three devolved administrations had regular calls with each other.

Overview of framework relevant to engagement with regional and local authorities

20. Engagement with local authorities was a very significant issue from the summer of 2020 onwards, in particular when we looked to impose measures regionally rather than nationally. Although I was closely involved in the decision-making about the measures to be imposed in different local areas I was not personally involved in the negotiations and only very occasionally did local leaders attend the Committee meetings I chaired. The Ministry of Housing, Communities and Local Government generally led engagement with the local authorities. There was an unresolved question as to the best way (or indeed how and whether) to engage metro mayors. While in general it was clear that the devolved administrations had specific responsibility for health, this was of course also at least partially the case for the mayor of Greater Manchester. At times when a local approach was adopted, the role of the mayors and other local leaders became increasingly prominent in decision making. In general, mayors felt that they had a legitimate mandate to represent their areas (some of which were of course larger in population or economic terms than areas represented by the first ministers) and wanted a place at the 'table' to do so.

SECTION 2: NARRATIVE OF THE PERIOD FROM JANUARY 2020 TO SEPTEMBER 2021

21. For much of the detail in this section I am dependent on emails and documents that have been identified by the lawyers assisting me with this statement. Given the way Ministerial offices are run, most correspondence went through my private secretary mailbox rather than to me directly. A huge number of emails are sent to my private secretary mailbox every day, covering an enormous range of policy issues. I did not have access to the private secretary mailbox and so was in general reliant on my staff identifying which documents I needed to read, which would

usually go into my ministerial box although could be forwarded to me (generally if something was urgent and it was out of hours), what they could update me on orally and of what I did not need to be aware. This has been the approach I have taken in all my ministerial roles.

January – March 2020

22. I can see that from mid-January 2020 onwards my private secretary mailbox received regular updates from the CCS Control Mailbox about the outbreak of a viral pneumonia in Wuhan⁸, and I think there would have been other correspondence from around this time about the virus. I do not now recall precisely when I first became aware of the virus; it would have been around or shortly after this time but at that time it would have appeared primarily to be an international issue.
23. On 24 January 2020 the first of five initial Ministerial COBR meetings⁹ concerning COVID-19 was chaired by SSHSC¹⁰. As noted above, COBR is convened to handle matters of national emergency or major disruption and supported by the CCS. It was the most appropriate forum, at least initially, to coordinate the Government's response to Covid-19. I did not attend these initial COBR meetings, but Cabinet was updated of developments at the meetings over the following weeks (see below) and the CCS continued to produce almost daily updates (which from 4 February included producing and circulating daily cross-department situational reports ("SitReps") containing data regarding the virus and the response).
24. On 31 January 2020 the CCS advised that DHSC had confirmed two cases of Covid-19 in the UK and that a four-way CMO call was planned for the following morning¹¹. The CCS update that evening included: (i) details of the tests that had

⁸ See e.g. email from CCS to Cabinet Office including Michael Gove Private Secretary mailbox 13.1.20, MG/5 - [INQ000097687]

⁹ COBR(M) meetings: 24 January 2020 MG/6 - [INQ000056214]; 29 January 2020 MG/7 - [INQ000056226]; 5 February 2020, MG/8 - [INQ000056215]; 18 February 2020, MG/9 - [INQ000056227]; 26 February 2020, MG/10 - [INQ000056216]

¹⁰ Minutes of COBR 24.1.20, MG/6 - [INQ000056214]

¹¹ Email Mandy Mackenzie 31.1.20, MG/11 - [INQ000217027]

been conducted in the UK and outcomes, (ii) confirmation that on 30 January 2020 the outbreak had been declared a public health emergency of international concern, (iii) a statement that the CMO had increased the risk to the public from “low” to “moderate”, and (iv) details of the cross-government meetings and actions that were in train¹².

25. On this same day I have noted from documents provided to me that officials held an ad-hoc Outbreak of Coronavirus meeting in which they identified a series of actions, including:

- a. Repatriation issues (for the FCO and DHSC).
- b. Travel advice to China (for the FCO).
- c. Advice on preventative measures for the general public and frontline staff (DHSC).
- d. SAGE review of planning assumptions for the virus response.
- e. Devise communications strategy to be presented at COBR the following week (DHSC, CO and National Security Communications teams).
- f. All departments to review and comment on the paper on *Priorities for planning for the Reasonable Worst Case Scenario Planning Assumptions* and to alert HM Treasury to any immediate costs they were likely to incur in response to the virus¹³. The paper set out the key elements of pandemic response from a 2011 strategy, the responsible department, and sought input on readiness. Reviewing this paper I can see that at that stage most of the actions were for DHSC and the devolved administrations on health and social care issues, and the HO and FCO on border / travel issues.

26. During the course of this week I supplemented the official briefings I received by reading around the subject. I was grateful to friends outside Government for

¹² CCS Update 31.1.20 MG/12 - [INQ000217026]

¹³ Email CCS to multiple departments Ad-Hoc (O) 200131-Actions 31.1.20 MG/13 - [INQ000217024] and *Priorities for planning for the Reasonable Worst Case Scenario Planning Assumptions* MG/14 - [INQ000051843]

sending me material which indicated the nature of the gathering storm, most particularly reporting by Ian Bremmer which highlighted the worsening situation in China, Iran and Italy.

27. The virus was discussed in Cabinet on a number of occasions over the following month as set out below. Given Covid-19 was still primarily an issue for DHSC and the FCDO in late January / early February (in that there were issues with repatriation of citizens from Wuhan and borders to consider, and DHSC were the departmental lead for pandemic preparedness) I would have been abreast of key developments but not closely involved in the early decision making outside of Cabinet.
- a. At the meeting on 31 January 2020, SSHSC gave an update on Covid-19. He noted that two cases had been confirmed in the UK. These were the first confirmed cases of Covid-19 in the UK. He explained that the rate of infection was similar to that of SARS but with a much lower mortality rate. He went on to say that if China was able to get a grip on the situation, there would be no problem but if they were unable to contain the virus, it would quickly become a worldwide problem¹⁴.
 - b. At the meeting on 6 February SSHSC provided a further update on Covid-19. He advised that China's attempts to contain the virus were failing and the spread in China was very serious. However, he said that the mortality rate was only around 2%. He further advised that "*the Government had a plan to deal with this illness, and that it was guided by science*" and that "*cross government working was essential*". The Prime Minister noted it was important the Government remained measured in its response, noting the risk of significant economic damage of a crisis often came from political overreaction rather than from the problem itself¹⁵.
 - c. At the meeting on 14 February the CMO gave a further update. It was becoming clear that the virus was increasingly widespread. The CMO advised that if the virus spread beyond China to its neighbours and across

¹⁴ Minutes of Cabinet 31.1.20 MG/15 - [INQ000056125]

¹⁵ Minutes of Cabinet 6.2.20 MG/16 - [INQ000056137]

the world then the UK would not be immune. Either the whole world would be affected or the virus would effectively be restricted to China. There was no in-between scenario. There was also some discussion on whether to suspend flights from China; the advice from the CMO was that this would potentially delay, but would not stop, the spread of the virus. SSHSC reiterated that the Government had a plan, informed by science, to deal with the virus. The Prime Minister noted there was a potential for the virus to have a large impact on the UK's economy and it was important to be ready for that¹⁶.

- d. At the meeting on 25 February a further brief update was provided by SSHSC, noting the increase in cases in Italy and the change in the advice for those returning from the affected region showing symptoms to isolate for 14 days and those returning from quarantined areas to self-isolate regardless of symptoms¹⁷. It was also noted that a lot of research had been done on how public messaging was being received, and that a new public information campaign would focus on handwashing which was at the time believed to be critical to preventing the spread of the virus.

28. As it became clear that the virus would spread in the UK, the Prime Minister started to chair COBR meetings on the virus. The Prime Minister chaired COBR on 2 March, attended by most of Cabinet (myself included) and the First Ministers of the devolved administrations. The CMO explained that contact tracing for the sources of infection in the last two cases in the UK had not been successful and advised that in France and Germany there was now sustained community transmission. The CMO explained that if the “contain” phase failed the aim for the “delay” phase would be to delay and reduce the peak of infections and minimise loss of life. The CMO explained that the interventions to delay the spread should not be implemented too early to ensure maximum effectiveness. Various planning updates were provided: the devolved administrations had been drafting their response plans, the 38 Local Resilience Forums had plans for responding to a viral update but their plans varied and a DHSC action plan would be published the next

¹⁶ Minutes of Cabinet 14.2.20 MG/17 - [INQ000056138]

¹⁷ Minutes of Cabinet 25.2.20 MG/18 - [INQ000056140]

day. There was discussion about clear communications with the public, modelling for hospital bed requirements, ventilation capacity and training, and the legislative vehicle to give the Government emergency powers in the event of the reasonable worst case scenario occurring. It was agreed that the action plan (i.e. (1) contain, (2) delay, (3) research and (4) mitigate) would be published and preparations for the Covid-19 Bill should commence¹⁸.

29. At a Cabinet Meeting on 3 March, SSHSC advised that there were now 39 cases in the UK, and noted the rise in the number of cases in Italy, France and Germany. Although the scientific advice was that a pandemic could be averted, this was looking increasingly unlikely. The action plan would be published. The Prime Minister confirmed that the UK was still in the “contain” phase at that time¹⁹.
30. On 12 March at a COBR meeting chaired by the Prime Minister, the CSA advised that, according to SAGE, the UK was “*approximately four weeks behind Italy*”, which had a very high number of cases and expected the UK epidemic to follow a similar trajectory in terms of numbers. A number of social and behavioural interventions had been outlined by SAGE²⁰, with the objective being to “*change the shape of the infection “epicurve” [of virus infection], ideally delaying the peak until summer when transmission may be lower and flattening the peak so as not to completely swamp NHS resources.*” The CSA described a good outcome “*being that by September 2020 herd immunity would be established.*” The goal of completely suppressing the virus was viewed as impossible and likely to result in a second larger peak later in the year. Ultimately the decision made at this meeting was to instruct all those with mild symptoms to stay at home for 7 days and this advice was then relayed to the public at a press conference²¹.
31. Throughout the week commencing Monday 9 March I became more and more inclined to believe we needed tougher measures to combat the spread of the virus.

¹⁸ Minutes of COBR 2.3.20 MG/19 - [INQ000056217]

¹⁹ Minutes of Cabinet 3.3.20 MG/20 - [INQ000056139]

²⁰ COBR(M) Intervention Measures 12.3.20 MG/21 - [INQ000056209] (paper produced by the Cabinet Secretariat for the COBR meeting on 12.3.20 containing advice as to available intervention measures and implementation).

²¹ Minutes of COBR 12.3.20 MG/22 - [INQ000056221]

I was struck by the force of the arguments that the former international development minister, Rory Stewart, was making based on his experiences with the Ebola pandemic. And friends outside Government, particularly those involved in horizon scanning in the financial sector, shared material with me that led me to believe we needed a dramatic step-up in our response. I was particularly struck by the arguments made by Thomas Pueyo and became more “hawkish” in the need for restrictions. I was also concerned that we needed more challenge in the assessment of the steps we were taking and shared my thinking in an email sent to Matt Hancock and Dominic Cummings on March 10.²² The then Health Secretary, Matt Hancock, replied to say we should discuss the issues raised at a COBR meeting.

32. On Saturday 14 March, I attended a meeting with the Prime Minister, SSHSC, the CMO and CSA and other senior officials on Covid-19. We discussed the changing situation based on new analysis which suggested that we would have to implement measures to control the virus sooner than anticipated. This was a turning point, where we really began to shift gears to a more robust response and plans had to be accelerated. A lot of the actions that came out of that meeting were for the Cabinet Office to coordinate, including a package on shielding the vulnerable and elderly and advice to cover the full package of measures that might be required concerning mass gatherings, social distancing, schools and school meals, isolation, regional overlay to plans and flights²³.
33. On 16 March, the Prime Minister chaired a further COBR meeting²⁴. At this meeting the CSA advised that, given the increases in confirmed cases and deaths in the UK, we were now at the cusp of a fast upward swing in infection; on the basis of the NHS capacity model further action should be taken. A number of further interventions were agreed (as contained in the situation report ‘CRIP’ of that day) including²⁵:

²² Email to Dominic Cummings and Matt Hancock MG/237 – [INQ000263380]

²³ Email from Imran Shafi “Readout: Prime Minister Meeting” 14.3.20 MG/23 - [INQ000136751]

²⁴ Minutes of COBR 16.3.20 MG/24 - [INQ000056210]

²⁵ CRIP 16.3.20 MG/25 - [INQ000056184]

- a. Household stay at home: when any member of a household is symptomatic, the whole household should stay at home.
 - b. Social distancing:
 - i. Advice to the whole population: to reduce social contact where they can through 'soft' social distancing – e.g. encouraging home working, advising against social mixing, not going into crowded areas when unnecessary.
 - ii. Advice to specific groups: for those in a more vulnerable category (over the age of 70; under 70 with defined long term medical conditions; pregnant women), the advice is to follow the above social distancing guidance more rigorously.
 - c. Shielding the most vulnerable: Within the next week, moves would be made to shield the most vulnerable. A full support package would be announced later in the week.
 - d. Large Gatherings: Advised that large gatherings should not go ahead and that public emergency service cover would not be provided to any large events (this was advice but not a ban).
34. The Prime Minister announced the above measures at the press conference on 16 March 2020. These measures exemplify a shift in the Government approach from 'contain' to 'delay'.
35. On the same day the MIGs (see paragraph 16(c) above) were established by the Prime Minister, acting on the advice of the Cabinet Secretary, with the intention of aiding decision making on the Government's Covid-19 response. The GPSMIG was set up to coordinate and advise on public sector issues relating to the pandemic (excluding NHS and social care).

36. I chaired the first GPSMIG meeting on 17 March²⁶. It was attended by a number of senior Cabinet ministers, the Territorial Offices and senior officials. At this meeting we discussed the proposed priorities for the committee. At that time, and on a “first cut” basis, those priorities were:
- a. education (including messaging and decisions on schools, free school meals and exams);
 - b. welfare and jobs (including ensuring normal service and welfare support),
 - c. housing (including temporary emergency accommodation and services to homeless and vulnerable people);
 - d. transport (particularly ensuring it continued to run), food supply (including supply to vulnerable groups and hospitals);
 - e. local government (including death management, ability to perform essential services and their own resilience); and
 - f. the police and Border Force and the public order response, justice (including the continued running of prisons, probation and the courts).
37. There were also cross-cutting priorities, including communications, data and information flow, resourcing the public sector’s response (including childcare for key workers, IT and buildings), deploying the voluntary sector appropriately and deployment of emergency services.
38. There was, inevitably, a lot of discussion about how the committee would work, where the dividing line was between the GPSMIG’s responsibilities and those of the Health MIG, and various policy priorities. The Secretary of State for Housing, Communities and Local Government (“SSHCLG”) raised the issue of how information from the Local Resilience Forums would be brought to the GPSMIG. I asked that all departments review their resilience plans and bring them to the committee as appropriate.

²⁶ Minutes of GPSMIG 17.3.20 MG/26 - [INQ000056023]. See also paper prepared by the Secretariat ‘General Public Sector Ministerial Implementation Group: operating model’ which explains the approach and primary functions of the GPSMIG, and at Annex B details the Priorities and Metrics for group MG/27 - [INQ000217030]

39. It was agreed that committee decision making would be better supported by metrics and data rather than policy submissions.

First National Lockdown

40. From 17 March 2020 the Prime Minister chaired daily strategy meetings (the 9:15s) on the Covid-19 response which I attended.
41. On 18 March the Prime Minister chaired a COBR meeting at which we spoke about domestic preparedness for Covid-19²⁷. The key objective of the meeting was to understand the latest scientific advice on school closures and agree an announcement on their potential closure. That scientific advice had been discussed at a SAGE meeting earlier that day²⁸. The CSA advised that without further interventions London was approximately 2-3 weeks away from intensive care units being overwhelmed. SAGE modelling predicted closing schools could potentially reduce Covid-19 cases by 10-15%, keeping them below the threshold for breaching ICU capacity. It was agreed that schools would be closed (but for a minimal service for the children of key workers and vulnerable children) on 20 March, bringing forward the Easter holidays.
42. On 19 March I chaired a GPSMIG meeting at which there was extensive discussion about, among other things, the definition of key worker particularly in the context of school place provision. We decided that it should be kept broad and kept under review. We discussed school capacity and place provision for the children of key workers and vulnerable children²⁹. Provision of school places during lockdown was a complex issue. There were high level and sometimes conflicting principles such as the welfare of children particularly vulnerable children; keeping the numbers at a level that would reduce the spread of the virus; ensuring that in any given area school closures did not do more damage than the virus itself, for example where there was critical national infrastructure in the vicinity of the school; ensuring clear and consistent messaging. And there were implementation considerations such as transport, teacher numbers and their welfare, the space

²⁷ Minutes of COBR 18.3.20 MG/28 - [INQ000056211]

²⁸ Minutes of SAGE 18.04.2020 MG/29 - [INQ000129062]

²⁹ Minutes of GPSMIG 19.3.20 MG/30 - [INQ000056038]

and size of school facilities, definitions and numbers of key workers and vulnerable children in different areas - and many of these with national, regional and local variations.

43. At the 9:15 Strategy Meeting on 20 March 2020 the Prime Minister said a decision would need to be taken that day to strengthen advice on social distancing. He wanted to consider whether measures to close pubs, bars and restaurants needed to be applied to the whole of the UK or just London, and whether other shops should also be closed³⁰. The Prime Minister also asked DHSC, working with the CMO, CSA and me, to articulate a three-month battle plan to tackle the virus, which should include testing and new technology, data gathering and social interventions. The Prime Minister stressed this was urgent as the current plans across the board were not moving quickly enough. A Health and Social Care Battleplan was presented to the 9:15 Strategy meeting on 24 March³¹. It goes without saying that by this point, the Covid response had already replaced all other domestic priorities in importance and attention, and was the Cabinet Office's overwhelming focus.
44. I chaired the COBR meeting later that day at which it was agreed that further measures, aimed at tackling social interactions, would come into force³². Those additional social distancing measures are set out in the paper entitled 'Social Distancing: Additional Measures'³³. These decisions were taken on the basis of the advice given that infections were likely to double every four to five days. The objective was to get to a 75% reduction in non-essential social mixing. There was considerable discussion about enforcement. The devolved administrations observed, among other matters, that the proposed measures were a strengthening of existing social distancing policy and were in line with scientific advice, but raised concerns around enforcement, the economic package required to support businesses and the need for a clear picture of upcoming decisions. In terms of

³⁰ Minutes of 9:15 meeting on 20.3.20 MG/31 - [INQ000056265]

³¹ Email from C-19 Secretariat attaching 8:15 and 9:15 papers 24.3.20 MG/32 - [INQ000056108]; DHSC Health and Social Care Battleplan MG/33 - [INQ000056110]

³² Minutes of COBR 20.3.20 MG/34 - [INQ000056212]

³³ MG/35 – [INQ000106263]

legislation, it was recommended that regulations under the Public Health Act 1984 be issued.

45. On 23 March at a meeting of COBR it was agreed that the UK would implement a national lockdown³⁴. The devolved administrations agreed that the lockdown measures were necessary. Sadiq Khan, the Mayor of London, was present at this COBR meeting and gave specific input into the operation of the London Underground. There were no other mayors or local authorities present, and I would not have expected them to be. I am not aware that there was consultation with local authorities prior to the decision to implement the lockdown but this would be a matter for the Department for Housing, Communities and Local Government to clarify. I cannot recall whether there was consultation with the Devolved Administrations prior to this COBR meeting, but I suspect that, due to the speed of the decision, any consultation would have been at a very high level.
46. The lockdown measures were set out in a paper entitled “Social Distancing: Temporary Additional Measures”³⁵.

March – May 2020 (GPMISMIG and Prime Minister’s illness)

GPMISMIGs

47. I continued to chair the GPMISMIG meetings through March until the end of May 2020 when they were replaced with the Covid-O meetings. As I have noted, the GPMISMIGs coordinated and advised on public sector issues relating to Covid-19, excluding NHS and social care. Annex A provides the references to agendas, minutes and actions (where they have been located) for the GPMISMIGs³⁶. At the outset of every GPMISMIG meeting there was an update on the Covid-19 dashboard to ensure that as far as possible decisions were taken in the context of a good understanding of the present state of the pandemic. Many Cabinet Office officials,

³⁴ Minutes of COBR 23.3.20 MG/36 - [INQ000056213]. The minutes do not reflect that I was there, but my recollection is that I was present.

³⁵ Paper Social Distancing: Temporary Additional Measures MG/37 - [INQ000089938]

³⁶ MG/239 – [INQ000235263]

including some of my most capable officials, were now reassigned to supporting the work of the MIGs and in particular GPSMIG.

48. Although the Inquiry will wish to review the totality of the minutes, I have identified some of the particular issues that we attempted to address through the GPSMIGs below:

School Children and Vulnerable Children

- a. Issues concerning the education, welfare and support of children, including vulnerable children, were a major focus of the GPSMIG. I refer the inquiry in particular to the following GPSMIG meetings.
- b. On 24 March³⁷, I chaired a GPSMIG meeting at which, among other things, children of critical workers and vulnerable children were discussed. There was concern that many children who depended on free school meals for lunch would now go without. As such an approach was agreed to provide children with supermarket vouchers to replace free school meals. The Department for Education (“DfE”) would then consider an uplift to the child benefit scheme as a more sustainable alternative. The Home Office (“HO”), alongside DfE, agreed to work together to provide an update on proposed steps to safeguard children who might be more vulnerable to increased risks of exploitation and abuse at home.
- c. At the meeting on 1 April 2020³⁸ slides prepared by the DfE on keeping vulnerable children and young people safe from the increased risks of exploitation and abuse were considered³⁹. The slides highlighted the increased pressure being created by the pandemic, particularly with social distancing measures meaning increased time being spent with family. The slides outlined plans to mitigate the risks of increased exploitation and abuse. A main factor in getting children out of these

³⁷ Minutes of GPSMIG 24.3.20 MG/38 - [INQ000056008]

³⁸ Minutes of GPSMIG 1.4.20 MG/39 - [INQ000083356]

³⁹ DfE slides presented 1.4.20 GPSMIG MG/40 - [INQ000083361]

situations was to ensure as many vulnerable children as possible were able to attend school. It was agreed that DfE would work with MHCLG and the Children's Commissioner to develop a live automated dashboard tracking the number and type of vulnerable children attending school against available capacity.

- d. At the meeting on 7 April⁴⁰ it was agreed that DfE would develop updated guidance for schools and parents to encourage increased attendance by vulnerable children and the children of critical workers at school and that DfE and HO would accelerate their joint work to protect vulnerable children from online harm, domestic abuse and exploitation by county lines gangs working across local and central government. In that meeting it was also agreed that we should ensure that actions agreed at the GPSMIG in reserved matters (which include education and social care) should be considered UK-wide and relevant information shared with the devolved administrations. On the same day there was a Cabinet call in which I noted that whilst the low attendance rate at schools was a success for the social distancing policy, it raised worrying questions about the welfare of vulnerable children⁴¹.

- e. On 17 April DfE provided an update on the progress made on the work on vulnerable children and young people⁴². Good progress had been made in terms of encouraging attendance at schools, safeguarding children (via re-registration and deployment of social workers, publishing online guidance and supporting abuse helplines) and planning for recovery. A dashboard focusing on vulnerable children had also been developed to support decision-making and showed the data for that day. The report identified the action needed from other government departments to support the work to protect vulnerable children and young people. Underpinning a lot of the work on vulnerable

⁴⁰ Actions from GPSMIG 7.4.20 MG/41 - [INQ000083392 pp.4-5]

⁴¹ Minute of Cabinet Call 7.2.20 MG/42 - [INQ000088952 p.2]

⁴² Vulnerable Children and Young People (VCYP): progress and next steps MG/43 - [INQ000083459], Minutes of GPSMIG 7.4.20 MG/44 - [INQ000083599]

children was the understanding that the social distancing measures risked less visibility of vulnerable children to services.

- f. On 21 April⁴³ there was further discussion about Free School Meals and the problems some schools were having with the scheme. It was noted that a more detailed review of the scheme would be required in due course as to its longer viability and wider interactions with the benefits system and food supply.
- g. On 21 May there was a presentation on the Vulnerable Children Deep Dive (i.e., intensive work) that had been conducted. Children's Minister Vicky Ford provided an update to the Committee, noting that there were cases of serious harm in relation to young children and teenagers and there were a number of operational challenges that required cross-departmental work, such as getting birth registration services back up and running, keeping Family Courts running and ensuring food access for vulnerable children. As the notes reflect, I was particularly interested in understanding which local authorities and schools had performed well in the return of schools and why⁴⁴.

Non-shielded socially and financially vulnerable people and rough sleeping

- h. Support for non-shielded socially and financially vulnerable people was a significant focus of the GPSMIG (whereas shielded people were primarily under the purview of the Health MIG). At the meeting on 25 March a new sub-group, comprising the Department for Digital, Culture, Media and Sport (DCMS), DfE, DEFRA, WP, and MHCLG, was set up to monitor the support available to socially and financially vulnerable people and the Secretariat to introduce a map / flowchart showing the services available to non-shielded vulnerable people to inform the work of the new sub-group⁴⁵. A paper coordinated by DWP looked at some

⁴³ GPSMIG Briefing 21.4.20 MG/45 - [INQ000083478] and actions MG/46 - [INQ000083472]

⁴⁴ Actions, Bullets and Readout from GPSMIG 21.5.20 MG/47 - [INQ000083626]

⁴⁵ Actions from GPSMIG 25.3.20 MG/48 - [INQ000056017]

of the issues concerning food demand and supply for vulnerable groups and set out steps the Government may wish to consider to support the food aid network⁴⁶.

- i. On 3 April updates were provided on both the broader mapping work to identify vulnerable cohorts and the support available to them, and the more specific work on ensuring access to food. It was agreed that we should be backing local delivery of support and that financial aid to critical third sector organisations must be considered; that where possible voluntary organisations should be used and supported. As reflected in the actions note, at that time DEFRA had a lead minister and Senior Responsible Officer for the work on food and essential supplies, and a new Senior Responsible Officer, Simon Case, would be joining the Cabinet Office to support the wider work⁴⁷.
- j. Shortly after Simon Case started working on non-shielded vulnerable people, he sent me a detailed email setting out his view that whilst there was a lot of relevant work being done across government it was not yet sufficiently joined up and the sum total of the work was not being properly articulated or represented at the centre of government which was making it harder to spot where the real gaps were. He explained what he thought the issues were and how best to take the work forward⁴⁸.
- k. At the meeting on 21 April, DEFRA presented a paper on access to food for the non-shielded vulnerable. The paper estimated that there were 1.7 million people at risk of not being able to afford food and 630,000 people at risk of not having access to food even though they could afford it. Although some progress had been made, the report identified further government action needed. The proposed, and

⁴⁶Covid-19 – Supporting Financially Vulnerable Groups paper for GPSMIG 23.3.20 MG/49 - [INQ000056013]

⁴⁷Briefing for GPSMIG on 3.4.20 MG/50 - [INQ000083612] and Actions from GPSMIG on 3.4.20 MG/51 - [INQ000083613]

⁴⁸ Email from Simon Case 7.4.20 MG/52 - [INQ000137204]

approved, approach included increasing funding for food charities and working through local authorities, charities and supermarkets both to provide access to food and make people aware of the options available to them⁴⁹.

- i. At the meeting on 22 April there was detailed discussion about the emergency response work underway and required for rough sleepers. A lot of effort had already been made to get rough sleepers off the street and into some form of accommodation. The next step was to make sure arrangements were in place to meet their basic health needs in accommodation⁵⁰. Following that meeting there was also extensive discussion of the 'non-shielding vulnerable groups programme'. The approach that was agreed at the GPSMIG is set out in a paper produced for the Covid-S meeting on 24 April 2020. As the paper explains in summary, the Government's approach was to signpost people to existing support (whether local, national or voluntary) and, where existing support was inadequate, capture the need and, where feasible, put in place the appropriate support. This second phase was being developed in partnership with relevant departments, local authorities and the voluntary and community sector⁵¹. Overall responsibility for ensuring nobody was falling through the cracks rested with the Government⁵².

- m. At the meeting on 11 May 2020, MHCLG and the devolved administrations provided updates on the work to protect rough sleepers⁵³.

⁴⁹ DEFRA paper "Access to food for non-shielded vulnerable people: delivery proposition for consideration at GMPSMIG MG/53 - [INQ000083476] Actions from meeting on 21.4.20 MG/46 - [INQ000083472]

⁵⁰ Update on Rough Sleeping Paper 22.4.20 MG/54 - [INQ000083485] Minutes of GPSMIG meeting 22.4.20 MG/55 - [INQ000083602]

⁵¹ 'Deep Dive' paper on Non-Shielded Vulnerable Groups for Covid-S Meeting 24.2.20 MG/56 - [INQ000088666]

⁵² See Covid-S Deep Dive meeting minutes 24.4.20 MG/57 - [INQ000137206]

⁵³ Minutes of GPSMIG 11.5.20 MG/58 - [INQ000083609]

- n. At the meeting on 21 May 2020,⁵⁴ updates were provided on the Deep Dives that had been conducted into Access to Food⁵⁵ and on the impact of Covid-19 on people living with disabilities⁵⁶. In respect of the impact on those with disabilities, as set out in the paper produced for the meeting, there were indications that social distancing and lockdown measures were disproportionately affecting people with disabilities. The Cabinet Office identified that the Government needed a better understanding of the impact of Covid-19 on people with disabilities including their health, employment and education needs, and that engagement with disability stakeholders needed to be maintained and strengthened. Following input from the Welsh and Scottish Governments on the issue and their actions in relation to it, I noted that we should work to achieve alignment across the governments on these matters⁵⁷.

Other issues

- o. As the agendas, papers and minutes reflect, updates were provided at the GPSMIG by the appropriate departments on how the public order challenge was being met, issues with domestic transport, justice and prisons, benefits payments, higher education, labour supply to the agricultural industry, PPE for public sector workers, funerals and excess deaths, and other issues as they arose.

Prime Minister's Illness

49. I am asked what effect, if any, the Prime Minister's illness during this period had on the Government's response to Covid-19. The Prime Minister was admitted to hospital on 5 April and returned to full duties on c. 27 April 2020. Over this time

⁵⁴ Agenda GPSMIG 21.5.20 MG/59 - [INQ000083587]

⁵⁵ GPSMIG Deep Dive paper on Access to Food for Non-Shielded Vulnerable People 20.5.20 MG/60 - [INQ000083585]

⁵⁶ 'The Impact of Covid-19 on Disabled People' paper prepared by the Cabinet Office presented for discussion at the meeting on 21.5.20 MG/61 - [INQ000083584]

⁵⁷ Actions, Bullets and Readout from GPSMIG 21.5.20 MG/47 - [INQ000083626]

Dominic Raab, as the First Secretary of State ("the FSS"), deputised for the Prime Minister. This decision was taken quickly and with the full support of the senior Cabinet. On 6 April 2020, the FSS chaired Covid-S and took the national press conference. For the time the Prime Minister was in hospital and convalescing the MIGs continued to meet and make progress on the issues within their remits, and to the best of my recollection both No 10 and the Cabinet Office also continued to function reasonably normally (in the context of what were in any event extremely abnormal operating conditions). It helped that, by that time, the majority of the key decisions as to lockdowns, grounding flights, closing schools etc. had already been taken and implemented, and although it was necessary to keep the lockdown measures under close review throughout the period, support implementation of those measures and make preparations for how they could safely and practically be lifted⁵⁸, the data was such that decisions about the roadmap out of lockdown were not finalised until some weeks after the Prime Minister returned.

50. The Prime Minister's illness was of course a matter of huge concern, both personally and for the potential impact on national stability, but everyone worked to ensure the transitional arrangements during this period were as seamless as possible so as not to compromise the strategies and processes which we had implemented to meet the challenges of the virus. The daily rhythms that had been in place for some weeks prior to the Prime Minister's illness continued under the FSS and work was progressed. I do not, therefore, overall consider that the response to the virus was particularly impeded by the Prime Minister's illness given his speedy return. It is possible that some of the structural changes to the decision-making forums, and the official structures to support them, that I will discuss below might have been implemented a little sooner.

⁵⁸ On 16.4.20 the Cabinet Secretariat presented a paper to Cabinet setting out COBR(M)'s recommendation that the social distancing measures that were in place should be maintained on a UK-wide basis MG/62 - [INQ000083790]. Cabinet agreed to the proposal to maintain the existing measures at that time following advice from the CSA on the basis that whilst it now looked as though the epidemic was reaching its peak, any changes to the existing measures risked undoing the progress made and the virus spreading exponentially MG/63 - [INQ000089020]. Although I was not in attendance at that meeting, I am aware that at COBR(M) later that day the devolved administrations agreed to the continuation of the current social distancing measures to be reviewed at the end of April.

Structural changes

51. Quite soon after the establishment of the MIGs I was generally concerned as to whether we had the right governance structures in place to coordinate government's activities and provide the right clarity over delivery, and assurance to the Prime Minister. I expressed some of these concerns in an email to Sir Mark Sedwill (as he then was) on 2 April 2020⁵⁹. Whilst the 9:15 meetings were important, there was a limit to what could be covered in that forum. It primarily served as an update and an opportunity for the Prime Minister to provide overall steers. Whilst the MIGs were helpful, they lacked the same power and gravity of COBR or a Cabinet committee, and the many divergent priorities did not have enough of a tie to a central strategy. It was also becoming increasingly hard to define what policy sat in which MIG - for example, the provision of PPE was a matter for the health MIG, but the provision of PPE to the wider public service (e.g. prisons, schools) was a matter for GPSMIG, and the procurement of PPE necessarily touched the international committee.
52. Similar concerns were shared by the FSS and some senior officials in the Cabinet Office and at No.10 and discussions began about making changes to the decision-making structure. Through April and into May 2020 there was thought put into working through what was required, including discussion of moving from the MIGs to an XO/XS structure, such as we used for the Brexit negotiations, the creation of a Covid Taskforce and the appointment of a Permanent Secretary within the Cabinet Office to lead on Covid⁶⁰. As set out in a report I prepared for the FSS on 14 April, I strongly supported the proposal for a Taskforce in general, and I considered it was vital that the unit had its own dedicated Permanent Secretary. I also wanted to ensure the unit had a proper structure which could effectively integrate with existing structures within the Cabinet Office to ensure the work of the unit was as effective as it could be – I refer to an email chain between myself and Mark Sedwill in this regard sent on 17 April 2020⁶¹.

⁵⁹ Email to Mark Sedwill 2.4.20 MG/64 - [INQ000217031]

⁶⁰ See e.g. Report of CDL to FSS re C-19 Taskforce 14.4.2020 MG/65 - [INQ000217034]; organogram C-19 Taskforce MG/66 - [INQ000217033]

⁶¹ Email chain re C-19 Taskforce from CDL to Mark Sedwill MG/67 - [INQ000217035]

53. As the Prime Minister was due to be returning in the next few weeks, it was assumed that any significant structural changes were a matter on which he should be consulted and that he should be the ultimate decision-maker. However, the proposals continued to be discussed and shaped over the coming weeks in the Prime Minister's absence so that he could have a fully worked-up solution to consider upon his return.
54. The Covid-19 Taskforce was established by the Prime Minister towards the end of May 2020 with Simon Case appointed as Permanent Secretary of the unit. In addition, from 28 May 2020 the four MIGs were shut down and the Covid-S (chaired by the Prime Minister) and Covid-O (usually chaired by me) committees were established along the lines of the Brexit structure we had implemented. Covid-S, together with quad meetings, drove the strategic response and Covid-O was set up to deliver the operational and policy response. The dedicated Taskforce would support the new Covid-S and Covid-O committees making for a much more aligned and focused pandemic management structure. The first Covid-O meeting took place on 29 May 2020⁶², and the first Covid-S meeting took place on 4 June 2020⁶³. I believe that this was a much more successful structure albeit one arrived at several weeks into the pandemic.

May – June: Roadmap/Coming Out of Lockdown

55. On 4 April the First Ministers of Scotland, Wales and Northern Ireland and the First and deputy First Ministers of Northern Ireland wrote to the Prime Minister requesting a COBR meeting be scheduled for the following week to allow for proper and joint analysis of the options at head of government level. The letter noted that whilst rapidly convened COBR meetings earlier in the pandemic had been understandable, the anticipated review of lockdown measures was a predictable milestone and an orderly process should be established⁶⁴.

⁶² Minutes of COVID-O 29.05.2020 MG/68 - [INQ000088784]

⁶³ Minutes of COVID-S 04.06.2020 MG/69 - [INQ000088234]

⁶⁴ Letter from First Ministers of the devolved administrations to the Prime Minister MG/70 - [INQ000217032]

56. At the COBR meeting on 9 April, attended by the devolved administrations, it was agreed that it was too early to lift the restrictions in place and that a decision would not be taken until the end of the following week⁶⁵. At Covid-S on 11 April it was confirmed that Ministers wanted the devolved administrations to be involved at official and scientific level in the decision-making about lifting restrictions. A call with the devolved administrations was arranged on 15 April. In this call all were agreed on the need to understand the context in each of the nations, and to try to agree a single approach for lifting measures as far as possible⁶⁶. It was agreed that comprehensive information sharing was going to be key in achieving a single approach. The First Minister for Wales suggested that any change of measure should be backed by advice from SAGE, to which there was general agreement. At the end of the call, there was an agreement that all Administrations would share thoughts about possible refinements to current social distancing measures ahead of a COBR meeting the following day.
57. Although I did not attend this meeting, the minutes reflect that the Committee agreed, on a Four Nations basis, to maintain the social distancing measures in place and to review these measures at the end of April 2020, in line with SAGE advice⁶⁷. Following the meeting, the Government announced that the first lockdown would be extended by at least three weeks and the Government would need to be satisfied of five things before it would be considered safe to adjust any of the measures in place. At the time of the decision to extend the lockdown Cabinet was very well aware of the need to use the weeks ahead to put together a detailed plan as to how the measures would be eased and to publish guidance to support people returning to work safely.
58. Work on the overarching roadmap out of lockdown was driven by No.10 with the Covid Taskforce. The detail of the delivery plans for coming out of lockdown was worked through by departments for their policy areas but I was involved in discussions across a wide range of areas to a greater or lesser degree. As many

⁶⁵ Minutes of COBR(M) 9.4.20 MG/71 - [INQ000083830]

⁶⁶ Minutes of CDL call with the First Ministers of the devolved administrations and the Mayor of London MG/72 - [INQ000198990]

⁶⁷ Minutes of Cabinet 16.4.20 MG/63 - [INQ000089020]

of the documents exhibited reflect, a frequent feature of the discussions I was involved in was looking to align the approach across the UK through engagement with the devolved administrations. For example:

- a. Re-opening schools⁶⁸
- b. Re-opening and supporting the Early Years sector⁶⁹
- c. PPE sourcing and supply⁷⁰
- d. Border measures⁷¹
- e. Shielding⁷²

59. I was very aware throughout this period how finely balanced the data was and wanted to ensure at every step that I understood the data and whether the decisions being taken were based on a proper understanding of it. The CSO and CMA were usually present at the Prime Minister's 9:15am meetings and at Cabinet, and if there were issues I felt I needed to understand better I sought their specific input. For example, on 16 May I had a conversation with the CSA about a number of issues on which I wanted clarity to inform discussions about easing of measures, including returning children to school and regional variation⁷³.

60. A White Paper entitled 'Our Plan to Rebuild' was presented to Parliament on 10 May 2020⁷⁴. Chapter 4 was the roadmap to lift restrictions. Prior to publication I

⁶⁸ Briefing note for GPSMIG meeting 30.4.30 MG/73 - [INQ000083619]

⁶⁹ Briefing note for GPSMIG meeting 30.4.30 MG/73 - [INQ000083619]

⁷⁰e.g. GPSMIG meeting briefing paper for 7 May 2020 MG/74 - [INQ000083549]

⁷¹ See for example readout of CDL/ Alexis Kohler (Secretary General of the Elysée Palace) call 16.5.20 MG/75 - [INQ000217037]; briefing paper for teleconference with First Ministers re UK approach to Border Health Measures 16.5.20 MG/76 - [INQ000217039]; Readout from Call with First Ministers on Border Measures MG/77 - [INQ000217040]; Borders Update Note to Prime Minister 16.5.20 MG/78 - [INQ000217041]; Paper for 18.5.2020 GPSMIG "Health Measures at the Border" MG/79 - [INQ000147642]; and GPSMIG meeting minutes 18.5.20 MG/80 - [INQ000083625]

⁷² Minutes of Covid-O 3.6.20 MG/81 - [INQ000088783]

⁷³ Readout CDL-CSA conversation 16.5.20 MG/82 - [INQ000217038]

⁷⁴ Our Plan to Rebuild: The UK Government's Covid-19 Recovery Strategy May 2020 MG/83 - [INQ000137210]

reviewed the draft of the White Paper and in particular Chapter 4 and made a number of drafting suggestions, in particular emphasising the need for clarity on the section on the return of schools⁷⁵.

61. As reflected in Chapter 1 of the White Paper, at that time the devolved administrations were making their own assessments about when to lift measures and we acknowledged that although we wanted to work closely with the devolved administrations to make the response UK-wide, measures may need to change in different ways and at different times in different parts of the UK.
62. I am not personally aware of whether the devolved administrations were given notice of the change in messaging in the UK from “Stay at Home” to “Stay Alert” in May 2020. I acknowledge that this may have been an occasion where the FM for Scotland expressed irritation, however it was my experience that the focus remained on the job at hand and good work continued.
63. At Cabinet on 25 May 2020, it was decided that phased reopening of schools would begin on 1 June, and that non-essential retailers would reopen from 15 June⁷⁶.
64. On 29 May 2020 I chaired the first of the Covid-O committee meetings. As set out in the briefing note for that meeting the purpose of the committee was to drive delivery and provide assurance across five principal lines of operation, namely (i) Smart Lockdowns, (ii) Supply and Capacity, (iii) Vaccines and Treatments, (iv) a Covid Resilient Economy and (v) Vulnerability⁷⁷. Ahead of that meeting Tom Shinner, then a senior official working as an adviser to the Prime Minister, produced a Delivery Summary Overview Paper⁷⁸ which identified what the immediate risks to delivery were and what the issues with future delivery appeared to be. As the Inquiry will note, Mr Shinner’s paper identified the issues with the Test and Trace platform at that time and the return of schools amongst a number of others. The paper also noted that one of the bigger delivery risks was the limited amount of forward planning that was undertaken for contingent scenarios, and set

⁷⁵ Email to private office 'Drafting thoughts on White Paper' 7.5.20 MG/84 - [INQ000217036].

⁷⁶ Minutes of Cabinet 25.5.20 MG/85 - [INQ000089074]

⁷⁷ Briefing for Covid-O 29.5.20 MG/86 - [INQ000217044]

⁷⁸ Covid Delivery Overview Paper prepared by Tom Shinner 28.5.20 MG/87 - [INQ000217043]

out the medium-term strategic questions that needed to be addressed including, for example, the question of how the NHS was to deal with Covid-related treatment whilst ensuring access to the NHS was as close as possible to normal levels for non-Covid patients.

65. At the Covid-O meeting on 3 June 2020 there was detailed discussion about the next steps for the shielding programme working towards withdrawing the shielding advice on 1 July 2020. I identified a need for data sharing across government to enable us better to understand whether those that were financially vulnerable were a large or small part of the cohort of those who were clinically vulnerable so that interventions could be shaped accordingly. The Deputy CMO advised that whilst the devolved administrations were working towards slightly different dates and so there would not be a UK-wide policy, there should be a shared rationale underpinning the decisions⁷⁹.
66. At Covid-O meetings on 4 June⁸⁰ and 11 June⁸¹ local lockdowns were the primary topic of discussion, to understand how these might work, the interaction with Test and Trace, what data was required and would inform decisions, how the split between local and central decision making would operate and what resources were needed.
67. At the Covid-O meeting on 5 June the challenges to opening up non-essential retail were discussed⁸². Ultimately it was concluded that more clear and stringent guidance was required to support further reopening of business in the next step, set to be taken on 15 June. On 9 June 2020, Cabinet agreed that the Prime Minister would announce the relaxation of restrictions, recognising the fine balance of risks⁸³. On 19 June, Covid-O discussed the regulations, restrictions and policy

⁷⁹ Minutes of Covid-O 3.6.20 MG/81 - [INQ000088783]

⁸⁰ Minutes of Covid-O 4.6.20 MG/88 - [INQ000088798]

⁸¹ Minutes of Covid-O 11.6.20 MG/89 - [INQ000088793]

⁸² Minutes of Covid-O 5.6.20 MG/90 - [INQ000088792]

⁸³ Minutes of Cabinet 9.6.20 MG/91 - [INQ000088978]

needed to enable more of the economy to open (the Covid-19 Secure Guidelines)⁸⁴.

68. On 17 June, Covid-O considered the transport supply and demand issues and reactive measures to be taken as passenger volume increased, as it would be necessary for social distancing measures on public transport to be made less restrictive as the economy opened up and in due course when schools fully returned in September. The meeting was informed by a detailed paper including comparisons with measures in other countries⁸⁵.
69. At the Covid-S meeting on 22 June, it was agreed that the 5 tests required to move to Step Three of the Roadmap had been met and therefore it was agreed to reduce restrictions further on 4 July, including reducing the 2-metre rule⁸⁶.
70. On 23 June, I chaired a call with the First Ministers of the devolved administrations to discuss the decisions regarding social distancing that Cabinet were going to be asked to make that day. The First Ministers raised various questions about the justification for the changes and explained changes they were implementing or considering. One of the issues was the evidence base for the review of the 2-metre rule and I explained that the CMO and Government's CSA would be sharing their workings⁸⁷.
71. At the Covid-S meeting on 16 July 2020, it was agreed that a new roadmap would be set out, with the goal of removing further restrictions and getting the UK "moving again."⁸⁸
72. By this time, although the approach of each of the four administrations to easing restrictions was broadly similar and the objectives broadly consistent, there were differences as to when measures were eased or introduced, and the public messaging involved. I refer the Inquiry to a table prepared on 22 July 2020 which

⁸⁴ Minutes of Covid-O 19.6.20 MG/92 - [INQ000088795]

⁸⁵ Minutes of Covid-O 17.6.20 MG/93 - [INQ000088794]

⁸⁶ Minutes of Covid-S 22.6.20 MG/94 - [INQ000088242]

⁸⁷ Minutes of CDL call with the First Ministers of the devolved administrations and the Mayor of London 23.6.20 MG/95 - [INQ000199026]

⁸⁸ Minutes of Covid-S 16.7.20 MG/96 - [INQ000088282]

shows the UK-wide position on key social distancing measures which provides a helpful summary of how and when each administration was dealing with the key measures⁸⁹. Discussions commenced around this time about preparing a joint statement around the shared objective of all four administrations across the UK, which all ultimately agreed was suppressing the virus to the lowest level practicable. The objective of a joint statement was to identify and demonstrate to the public shared goals, whilst recognising that there were specific devolved competencies that must be understood and respected⁹⁰.

June – July 2020: Specific Local Interventions

73. Towards the end of June and early July 2020, while in most of the country the R-number was decreasing, Leicester was the exception, showing an increasing R-number⁹¹. Data presented up to 29 June from Public Health England showed that the infection rate over the last 7 days in Leicester was three times higher than the next most concerning areas in the country. The CSA advised that there was a risk of the outbreak spreading to other areas of the country.
74. Consequently, on the evening of 29 June the Covid-O committee (chaired by the Prime Minister) agreed to pause the 4 July easing of restrictions in Leicester only, and to reverse the easing of restrictions on 15 June (i.e. non-essential retail restrictions would be re-imposed) for a minimum of two weeks in Leicester⁹². Schools would be closed for a 2-week period. This was to be the first local lockdown. This decision was made in consultation with the Mayor of Leicester. The Mayor was not enthusiastic about it but had been convinced by the clinical argument of the need for further intervention. Concerns were expressed at the meeting about the challenges of achieving buy-in to an approach to local lockdowns, and about the fact that local leaders were not as active as they should be in identifying and addressing issues. Reflecting these concerns, the actions

⁸⁹ Annex to briefing for CDL for meeting with devolved administrations on 24.7.20 MG/97 - [INQ000199170]

⁹⁰ See e.g. Minutes of CDL calls with the First Ministers of the devolved administrations on 24.7.20 MG/98 - [INQ000199172] and on 7.9.20 MG/99 - [INQ000199180]

⁹¹ Update on Leicester for the Prime Minister 29.6.20 slides MG/100 - [INQ000062363]

⁹² Minutes of Covid-O 29.6.20 MG/101 - [INQ000088764]

from the meeting included for the SSHCLG to deliver a strong message at the Local Government Association conference the following week on the role of councils in monitoring and taking swift action, and for SSHSC to identify a minister to deploy on the ground to Leicester to be a local point of contact⁹³.

75. On 2 July, a second Covid-O was convened specifically to consider enforcement in response to the situation that had arisen in Leicester. I noted that in Leicester there had been a cocktail of factors affecting the lockdown and in future early and targeted steps would be preferable. At that time, work was ongoing to ensure there were appropriate powers in place available to the Government if needed in the future, and MHCLG was working to increase enforcement capacity. In summing up I said that SSHCLG should explore options to improve things where local authorities were not performing, and that communications should stress that a minority were negatively impacting everyone⁹⁴.
76. At the Covid-O meeting on 14 July there was further discussion about local lockdown powers. New ministerial powers were agreed to enable swifter action in the case of a need for local lockdowns. It was noted that the powers should be aligned with the devolved administrations, and further, that the role of Mayors should be recognised in local lockdown decisions, and they should be involved in communication and community engagement to ensure compliance⁹⁵. The Joint Biosecurity Centre presented a paper addressing Ministerial decision-making for managing Covid-19 outbreaks⁹⁶. In very broad outline there was a Bronze / Silver / Gold structure for reviewing local areas of concern, with an escalation to Covid-O at the point at which there was a need to decide on national measures that required collective agreement. The Contain Framework was also developed around this time by the UK Health Security Agency which was a guide for local decision makers which set out how national regional and local partners should

⁹³ Actions from Covid-O meeting 29.6.20 MG/102 - [INQ000088758]

⁹⁴ Minutes of Covid-O 2.7.20 MG/103 - [INQ000088799]

⁹⁵ Minutes of Covid-O 14.7.20 MG/104 - [INQ000088800]

⁹⁶ Joint Biosecurity Centre paper 'Ministerial decision making for managing Covid-19 outbreaks' MG/105 - [INQ000088864]

work with each other and the public, businesses and the community to prevent, manage and contain outbreaks of Covid-19.

77. On 16 July the Prime Minister chaired the Covid-O meeting in which it was decided restrictions on schools, and early years and further education settings and on non-essential retail in Leicester would be relaxed from 24 July, and the boundaries of the lockdown zone changed⁹⁷.
78. On 30 July the Prime Minister chaired a Covid-O meeting convened to address a rise in cases, and the assessment that the R rate of transmission was above 1. It was assessed that action needed to be taken to address hotspot areas around the country. The Committee was informed that there was a growing belt of areas beyond Leicester where there were higher infection rates, notwithstanding that some local action had been taken. The main driver of the infection rates had been household mixing indoors. It was agreed that local lockdown restrictions would be imposed to ban households mixing in private homes. In addition, national measures would be taken; the easing of restrictions that had been planned for 1 August would be delayed by at least 2 weeks, face coverings would be extended to more indoor settings and messaging on return to work would be muted. The Prime Minister said he would contact the leaders of the devolved administrations about these plans and urge them to act in concert with the UK Government, recognising the risks of disparity of messaging between the four home nations.
79. At that time there was daily engagement between the devolved administrations and DHSC on local outbreaks. I refer the Inquiry to the minute of a call with the devolved administrations on 5 August, at which the First Minister of Scotland provided an update on the localised outbreak of Covid-19 in Aberdeenshire and the Scottish Government's proposed mitigations. There was discussion about the detail of the mitigations, testing capacity support and furlough arrangements. I agreed to consult across the UK Government and respond to the First Minister of Scotland's request to explore options for economic support in localised outbreaks⁹⁸. On this occasion, and others, I saw part of my responsibility as

⁹⁷ Minutes of Covid-O 16.7.20 MG/106 - [INQ000088773] and actions MG/107 - [INQ000088825]

⁹⁸ Minutes of CDL call with the First Ministers of the devolved administrations 5.8.20 MG/108 - [INQ000199177]

representing the views of devolved administration counterparts in discussions with UK Government colleagues - that is not to say that I necessarily agreed with them, but I believed that for the sake of good governance their legitimate positions needed to be understood.

August – November 2020: Second National Lockdown

80. Over the summer of 2020, a number of relevant events had occurred following the publication of the Government's Recovery Strategy plan published in July 2020⁹⁹. By way of overview and general context:
- a. On 14 August the Government eased lockdown measures further to those already implemented in July 2020¹⁰⁰. At this time, theatres, bowling alleys, and soft play centres were permitted to re-open. This was effectively the last re-opening step which featured in the Recovery Strategy Plan.
 - b. For around a period of three-four weeks, the country then benefitted from a period of relatively low infection levels as we had a good summer which assisted in preventing the spread of the virus. Infections began to rise again as we moved into September 2020.
 - c. On 9 September the Government announced the imposition of the 'rule of six' restriction. That banned indoor and outdoor social gatherings of people in a group of more than 6¹⁰¹. This rule change was to come into force on 14 September and was considered necessary due to a steep rise in infections. The plans to pilot larger sports events and conferences were limited to smaller numbers to be reviewed on 1 October.
 - d. On 22 September, further restrictions were imposed to attempt to curb the risk of a second wave of infections. These included imposing a curfew of 10pm on hospitality sector businesses and venues, and the public were

⁹⁹MG/109 -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/901521/6.6783_CO_Our_Plan_to_Rebuild_FINAL_170720_WEB.pdf

¹⁰⁰ MG/110 – [INQ000220402]

¹⁰¹ MG/111 – [INQ000065350]

again advised to work from home whenever possible¹⁰². Face coverings were again mandated where there was close contact, and hospitality sector businesses had to provide an at table service only.

- e. On 30 September the Prime Minister made a speech updating the public on the position of the virus¹⁰³. By this stage, the number of patients being admitted to hospital with Covid-19 had doubled over the course of 14 days and the rate of infections was still rising concerningly.
- f. On 12 October 2020 the Prime Minister announced a three-Tier system of restrictions¹⁰⁴.
- g. Finally, on 31 October the Prime Minister announced a full national lockdown – the second to have occurred during the course of the pandemic.

81. Decisions throughout this period were difficult and finely balanced. On the one hand, we had the reality that infections were rising concerningly. At this point a vaccine was still some way off and although there had been advances in treatment and understanding of the virus, the effects of the virus remained stark. There was no doubt that action was required to meet the rise in infection and to protect the NHS, and everyone, going into the winter period. On the other hand, we had successfully managed to re-open social and economic activity over the height of the summer and this had been a huge relief, and benefit, for everyone in the country – a sense of limited normality had almost returned. It was clear that the bluntness of the first national lockdown was something which had had massive ramifications for people at all levels of their lives and there was, quite understandably, a significant reluctance to have to venture down that route again without first trying to see what other mitigating measures could be implemented to curb infection rates and keep the country open. That meant that an incremental

¹⁰² MG/112 – [INQ000053832]

¹⁰³ MG/113 – [INQ000220405]

¹⁰⁴ MG/114 – [INQ000075749]

approach was ultimately chosen to meet the rise in infections, with a further national lockdown being a measure of the last resort – a point we did reach.

82. By 9 September the recorded increase in infections was a cause for concern. The Prime Minister made a public address that day which featured a presentation of the latest data by the CMO¹⁰⁵. The data at that point indicated that infection rates meant we were facing a scenario similar to that which we had faced at the end of February 2020 – and indeed this was endorsed by SAGE at their meeting the following day¹⁰⁶. As a result, new measures were announced, including as covered above, the Rule of 6, a delay in sports and conferences pilots and the introduction of a requirement that certain businesses collect and retain NHS Test and Trace data. Details of the latest measures as announced on 9 September were sent to the First Ministers of the devolved administrations the following day¹⁰⁷.
83. The strategy of local lockdowns and then tiering was to try and minimise the impact of the virus nationally while allowing local economies to function in areas of low infection. Areas of high infection were monitored by the DHSC Local Action Committee. Pursuant to the decision-making process set out in the paper considered at the meeting on 14 July (see paragraph 76 above), when a local infection rate reached a point where intervention may be required by way of national action I would be informed, as Chair of Covid-O, of the DHSC's intention to intervene and their plan for doing so, the proposals would be discussed in Covid-O and agreed (or not). We aimed to move swiftly. For example:
- a. At the meeting on 10 September, DHSC Coronavirus Local Action Committee GOLD presented situation reports which covered current areas of national intervention and further areas of interest where infections were rising concerningly¹⁰⁸. The Committee approved the Local Action

¹⁰⁵ MG/115 – [INQ000137275]

¹⁰⁶ Minutes of SAGE meeting 10.09.2020 MG/116 – [INQ000120554]

¹⁰⁷ Email from MG Office 'Quick Update on UKG COVID measures' 10.09.2020 MG/117 - [INQ000217047]; Core Script of Prime Minister's announcement of 09.09.2023 send to devolved administrations on 10.09.2020 MG/118 - [INQ000217048]

¹⁰⁸ Minutes of Covid-O 10.09.20 MG/119 - [INQ000090173]; DHSC Coronavirus Local Action Committee Doc Areas of National Intervention 10.09.20 MG/120 - [INQ000089993]; DHSC

Committee group's recommendations about which areas needed interventions, which needed to be escalated to be provided with enhanced testing support and which could be de-escalated.

- b. On 15 September, SSHSC wrote to me recommending adding North-East to the Watchlist as an area of national intervention and in that letter he proposed imposing several restrictions to mitigate infection and set out a timeline for doing so¹⁰⁹. The letter stated that further engagement with Council leaders had been requested. The proposed measures were discussed in Covid-O and agreed¹¹⁰. The importance of engaging with the Local Resilience Forum and police to enable them to support and enforce the measures was noted. The Committee noted that the request by the Councils concerned for Government intervention was a model of how to take local action in the future¹¹¹. Ultimately, the area could introduce a local lockdown if those initial measures were insufficient.
- c. On 24 September, SSHSC wrote following the DHSC Coronavirus Local Action Committee GOLD meeting that morning recommending: (i) national interventions in Wigan, Stockport, Blackpool and Leeds and (ii) London be added to the Watchlist as an area of concern. The letter also noted serious concerns about the North East and that the CMO was chairing a Silver meeting to discuss the position the following day¹¹².
- d. On 30 September SSHSC wrote following the DHSC Coronavirus Local Action Committee Gold meeting that morning recommending (i) national intervention to match the measures in the North-East in Hartlepool, Middlesbrough, Liverpool City and Warrington to come into force on 3 October, (ii) bringing Bolton in line with the measures in place throughout the rest of Greater Manchester, (iii) adding Sheffield to the list of Areas of

Coronavirus Local Action Committee Doc Other Areas of Interest 10.09.20 MG/121 - [INQ000089994]

¹⁰⁹ Letter from SSHSC re. North East Intervention dated 15.09.2020 MG/122 - [INQ000090011]

¹¹⁰ Minutes of Covid-O 15.09.20 MG/123 - [INQ000090165]

¹¹¹ Minutes of Covid-O 15.09.20 MG/123 - [INQ000090165]

¹¹² Letter from SSHSC re. proposed Interventions dated 24.09.20 MG/124 - [INQ000090048]

Enhanced Support and (iv) adding a number of other areas to the Watchlist as areas of concern¹¹³.

84. Alongside this work, the Covid-19 Taskforce was continuing its work to deliver mass testing, support vaccine innovation and relevant procurement. I will leave discussion of that work, however, to those witnesses directly working in the Taskforce at that time. Suffice to say, that the work of the Taskforce continued to dovetail with, inform and guide the decision-making process of the Covid-O committee.
85. On 16 September, the Scientific Pandemic Influenza Group on Modelling, Operational Sub-Group ('SPI-M-O')¹¹⁴ produced an agreed report that highlighted that the epidemic situation was very serious. The R rate was between 1.1-1.4 and infections were growing 2-7% per day across the UK as a whole. The reasonable worst case scenario was predicting up to 38,000 new infections in England per day subject to the impact of the recently announced restrictions. Within this report, it was mooted that a planned circuit breaker period for 2 weeks in October could reduce infections, hospitalisations and deaths.
86. On 17 September, I chaired a Covid-O which included detailed discussion around the 1 October roadmap and in particular whether fans should be allowed to return to sports stadia and whether business events should be allowed to resume. The Secretary of State for Digital, Culture, Media and Sport ("SSDCMS") explained the consequences of a delay in allowing events to recommence. In terms of businesses, the UK was rapidly losing its market share of events. Sports clubs were struggling with debt and many lower league clubs would be likely to collapse. SSDCMS said the department was willing to look at a further range of mitigations, such as closure of pubs within a certain radius of stadia, or requirement for facemasks to be worn. The Deputy CMO gave advice on the increased risk of indoor settings for business events and explained that the key concern with sports events was the end-to-end journey of fans. The Committee recommended that the restriction on sports events be lifted from 1 October 2020 but with enhanced

¹¹³ Letter from DHSC Local Action Committee 30.09.2020 MG/125 - [INQ000217056]

¹¹⁴ SPI-M-O: Consensus Statement on COVID-19 16.09.2020 MG/126 - [INQ000183960]

mitigations. But, as set out below, in light of the data and report of the Covid Taskforce, on 21 September Covid-S decided to delay the planned return from 1 October of business events and socially distanced crowds in stadia.

87. On 18 September, I was sent the latest slides and data prepared by the CMO and GCSA¹¹⁵. That data supported the position of the SPI-M-O report of the same date. The email signaled that the Prime Minister was considering imposing a national lockdown for 2-3 weeks, but he wanted COVID-S to discuss the options. I chaired a Covid-O meeting on 21 September at which Tiers and Self-Isolation were discussed¹¹⁶. At this stage, a solution of tiering regions depending on infection rates was being discussed as a solution to avoid national lockdowns by focusing on driving down infection in areas of concern whilst allowing other low-infection areas to continue to open-up. Since the summer the approach to localised interventions had been bespoke to each area. Tiering represented a targeted but more simplified approach, which would be clearer for the public to understand. It also had the advantage that legislation would not be required for each localised intervention. At this stage a three-tiered approach was considered appropriate, and any decisions to impose measures beyond the tiers would be returned to Covid-O or Covid-S.
88. At around this time, in light of the escalating situation across the UK, and the need for a coordinated approach as far as possible, it was agreed that there should be increased participation of the devolved administrations at Covid-O meetings¹¹⁷.
89. On 19 September I held a call with the First Ministers of the devolved administrations¹¹⁸. The objective of the call was to make sure the response to the increase in infections was as coordinated as possible and set out the concerns the UK Government had arising from the recent increase in infection rate across the

¹¹⁵ Email to CDL of 18.9.20 containing latest data from CMO and CSA MG/127 - [INQ000217049]; CMO and CSA slides of 16.9.20 MG/128 - [INQ000062620]

¹¹⁶ Minutes of Covid-O 21.9.20 MG/129 - [INQ000090177]

¹¹⁷ Email of 18.09.20 'Submission: Increasing devolved administrations' Involvement in XO' MG/130 - [INQ000217051]

¹¹⁸ Email readout of meeting with devolved administrations on 19.09.20 MG/131 - [INQ000217053] Minutes of call between CDL and First Ministers 19.9.20 MG/132 - [INQ000199184]

UK. It was also important to understand what approach the devolved administrations were taking and what sort of measures they were considering. I explained the tiering approach, and also the mandatory conditions for those asked to self-isolate (this issue engaged Barnett principles given the proposal to provide financial support to those on benefits required to self-isolate). The First Minister of Scotland had already requested a COBR meeting given the Scottish Government's concerns about the rising number of cases and the need to take measures to bring the situation under control.

90. That day, the COVID-19 Taskforce produced a report which recommended the introduction of restrictions, particularly in the hospitality sector, to curb infection rates across the country¹¹⁹. Further additional 'packages' were recommended such as to impose national restrictions along the lines of those implemented in the North-East already (as referred to above), the rule of 6 restriction and hospitality business curfews. The final alternative package of restrictions was, essentially, to implement a 3-week lockdown over the October half-term period (so as to minimise disruption and maximise impact).
91. On 21 September I attended a Covid-S meeting at 2pm¹²⁰. The data presented indicated that there may be 50,000 new infections per day in the coming weeks. The CMOs of the four home nations had met that morning and agreed to recommend that the coronavirus alert level be moved from 3 to 4. Simon Ridley, the Director General of the Covid Taskforce, presented the package of intervention measures proposed in the updated Taskforce report¹²¹ and noted the need for Government to balance its objectives on public health, non-coronavirus related health outcomes, the economy and broader society. By this time, the Taskforce's proposal did not include the option of a circuit breaker lockdown, but rather proposed less strict interventions i.e., working from home, local interventions, restrictions on hospitality, face coverings etc. However, the package did note that a clear message needed to be conveyed to the public that winter would be difficult, and a circuit breaker may be necessary if infections continued to grow. The

¹¹⁹ C-19 Taskforce Winter Strategy report of 19.09.20 MG/133 - [INQ000137293]

¹²⁰ Covid-S Minutes 21.09.19 MG/134 - [INQ000088271]

¹²¹ Covid-Winter Strategy Paper (9) 21.09.20 MG/135 - [INQ000088299]

Committee agreed with the proposed package (set out at paragraphs 4 – 6 of the Winter Strategy Paper) which included clear messaging to the public, a return to working from home guidance, codification of local interventions into tiers, restrictions on hospitality, cancellation of proposed return to business events and crowds in stadia, broadening of local interventions and enforcement measures.

92. I chaired the Covid-O meeting that evening in order to agree to the detailed implementation package of the strategy agreed by Covid-S¹²².
93. At Cabinet on the morning of 22 September the data presented indicated hospital admissions had roughly doubled in the last week and that there were 4,000 new infections per day¹²³. Cabinet agreed to the introduction of measures as had been recommended by Covid-S the previous day, noting that the balance struck by these restrictions between controlling the virus and trying to ensure that schools, business and social interactions continued so far as they could was the correct one.
94. All four administrations endorsed the principles of the seven sets of measures proposed by the Government at the COBR meeting held straight after Cabinet on 22 September¹²⁴. The First Minister of Scotland agreed that as much alignment as possible was important, but raised a concern about this being challenging when information was shared by press release rather than direct communications with the UK Government. I disagree with these comments. In my view we were as open as we could be with the devolved administrations. Indeed, at times the devolved administrations were brought into conversations before the government departments were. As an example, devolved administration ministers regularly attended Covid-O meetings whereas not all UKG departments were represented. And I repeat the observations set out in paragraph 19 above. In this case, the SSHSC said that the devolved administrations had been informed before the package was announced in the media. It was also agreed that all four administrations would issue the joint statement that had been under discussion for

¹²² Covid-O Minutes 21.09.20 MG/136 - [INQ000090182]

¹²³ Minutes of Cabinet Meeting 22.09.20 MG/137 - [INQ000089060]

¹²⁴ COBR Minutes 22.09.20 MG/138 - [INQ000083849]

some time to demonstrate their shared commitment and common intent (this was published on 25 September 2020¹²⁵). Earlier that day I had been interviewed and confirmed the Government's position was based on evidence and that we continued to be guided by the scientific advice, and in which I also made it clear that the imposition of the restrictions was to strike a balance with the social and economic needs of the country as well¹²⁶.

95. Over the coming days and weeks, we continued to monitor closely the virus infection rate, and the impact of the new restrictions. Covid-O meetings took place most days of the week over this period, addressing local restrictions, national changes (such as the tiering system) and specific policy areas that warranted close attention (for example there was an Adult Social Care deep dive meeting on 6 October¹²⁷, and issues with border controls were considered on 8 October¹²⁸).
96. Further to the decision that there should be increased involvement with the devolved administrations, I wrote to the First Ministers on 30 September inviting their governments to attend weekly Covid-O meetings¹²⁹. I proposed that at the weekly official level calls, agreement would be sought on agenda items, and that papers should be shared with all attendees as far in advance as possible.
97. On 30 September I attended a Cabinet Meeting at which the Prime Minister noted that infections were still rising, the number of deaths was at the highest for three months, and that the impact of the measures already taken would only be seen at the end of the following week at the earliest. The Prime Minister urged that we continue to monitor the virus and the impact of measures and should continue on the course that we had decided on the previous week. I also provided an update as to the winter readiness plan, which was not limited to the pandemic response, and also covered other significant matters which would come in the winter.

¹²⁵ Joint statement on coronavirus (COVID-19): 25 September 2020: MG/139 - [INQ000086851]

¹²⁶ Readout of Radio 4 interview 22.09.2020 at 08:10hrs MG/140 - [INQ000217054]

¹²⁷ Minutes of Covid-O 5.10.20 MG/141 - [INQ000090171]

¹²⁸ Minutes of Covid-O 8.10.20 MG/142 - [INQ000090172]

¹²⁹ Letter from CDL to devolved administrations inviting attendance at Covid-O Meetings 30.09.20 MG/143 - [INQ000217055]

SSHCLG noted that LRFs would have a role in all the events considered in the context of winter readiness planning and that they were changing in character to become more professional crisis response mechanisms¹³⁰.

98. Later that same day, I held a call with the First Minister of Scotland¹³¹ in response to her letter to the Prime Minister of 23 September in which she had queried whether the measures introduced on 22 September went far enough, and asked what arrangements could be put in place in the event that there was not cross-UK agreement, to ensure the devolved administrations were not constrained in making what they judged to be essential public health decisions because of a lack of financial flexibility¹³². The First Minister explained she sought an open discussion about the various interventions available and the accompanying options for economic support available to each administration either individually or collectively. The First Minister sought help facilitating a four administration discussion with the Treasury on options and it was agreed a paper would be prepared setting out the views of the Scottish Government on fiscal options and the necessary economic support required to facilitate increasing levels of restrictions and interventions across the UK.
99. At the Covid-O meeting on 5 October, SSHSC stated that final agreement on the tiers and tiering system was now needed; there was at that time an array of different interventions in place across various local areas which had caused inconsistencies and complexity. The new tiering system could reduce the inconsistencies and mitigate future criticism from local leaders. SSHSC advised that the tiering proposal had been sent to trusted local authorities, who were broadly supportive of the proposal but wanted the measures to match what was in place in their areas which would not always be possible. During the meeting it was noted that increased joint working was needed with local authorities and councils, and that councils would be a vital partner in enforcement, compliance and communications; urgent engagement was needed with local leaders, including

¹³⁰ Minutes of Cabinet 30.09.2020 MG/144 - [INQ000089096]

¹³¹ Minutes of call between CDL and First Minister of Scotland MG/145 - [INQ000199186];
Ministerial Brief for call with First Minister of Scotland on 30.09.2020 MG/146 - [INQ000217058]

¹³² Letter FM Scotland to Boris Johnson 23.09.2020 MG/147 - [INQ000217057]

mayors and councils, to ensure this partnership could work in the best way. In summing up I said that the Committee gave broad, overall support to the tiering proposals, that engagement with local authorities should continue, and that tier 3 should at that time not be specifically set out but remain a bespoke intervention for each area. Escalation to tier 3 should require agreement from the Prime Minister, the Chancellor and SSHSC¹³³.

100. That afternoon I again spoke with the First Ministers of the devolved administrations, regarding the measures presently in place - the issue of a 'circuit breaker' was still being mooted and, as discussed with the First Minister of Scotland, there needed to be an open discussion as to measures which could be implemented in the future¹³⁴. One of the key objectives of the meeting was to identify areas where closer working could result in UK-wide alignment. I provided an overview of the proposed tiering system. Whilst the details of the three tiers were still being refined I committed to ensuring they were shared with the devolved administrations. I noted that the UK Government was responsible for most, but not all, economic interventions and that it would be helpful to have a shared understanding of what economic interventions would be beneficial to support certain restrictions. The First Ministers did not particularly raise concerns at this meeting about a need for full lockdown, although the First Minister of Scotland noted that circumstances would dictate what restrictions were imposed and whether they were imposed nationally or regionally. The First Ministers made representations about how financial support should be approached. I raised the Hands Face Space advertising campaign which was at that time not in use in Scotland but which the UK Government felt would be beneficial if it was introduced and could work with the Scottish FACTS¹³⁵ Campaign. The First Minister was not opposed to introducing the Hands Face Space campaign. There was discussion about travel restrictions between areas of high and low prevalence. I said I would remit work to the Joint Biosecurity Centre to establish how enforcement of travel

¹³³ Minutes of Covid-O 5.10.21 MG/233 - [INQ000090081]

¹³⁴ Ministerial Brief for meeting with First Ministers 05.10.2020 MG/148 - [INQ000217060];
Minutes of call with First Ministers 5.10.2020 MG/149 - [INQ000198969]

¹³⁵ **F**ace coverings, **A**void crowded places, **C**lean your hands regularly, **T**wo metre distance, **S**elf-isolate and book a test if you have symptoms.

restrictions between areas of high and low prevalence might align with the wider UK Government decision making structures.

101. At the Covid-O meeting on 11 October, Simon Ridley provided an update on the tiering system ahead of the Cabinet meeting scheduled for that evening, where further discussions were had on tiering. At that time the 'baseline' measures for tier 3 needed to be agreed. The proposal was for level 3 to include baseline measures with the option to go further as agreed with local leaders. The CMO and GCSA were present at this meeting and the GCSA advised that there were now between 27,000 and 57,000 new cases each day with an increase in hospitalisations and deaths. The GCSA also confirmed that the proposed local tier system approach was in line with the SAGE advice that local measures were the most effective for reducing transmission¹³⁶. At this point the feedback from the impact of the previous imposition of restrictions was somewhat mixed in the sense that there had been some successes in some areas in reducing transmission but not in others. The GCSA explained that the baseline level 3 measures were highly unlikely to bring R below 1, and so highly unlikely to control the growth of the epidemic, but if the full set of available level 3 measures were imposed there would be a chance of bringing R below 1. However, the GCSA stated that whether or not the proposed measures were appropriate depended on the Government's strategy. There was considerable discussion about working with and expectations of local leaders. I noted that Government was putting a lot of responsibility onto local leaders with the new strategy, and with that came a duty and responsibility on Government to be clear in its communications on why local leaders ought to take action. I was concerned that local leaders had an incentive to let others take the burden of increasing restrictions to control the virus, and thus that clear communications would be needed to overcome this problem.
102. Over the coming days work continued towards the introduction of the tier system including evaluating localities geographically, and setting up lines of communication as to what would be required for each tier, and funding support to local authorities affected by the harsher restrictions.

¹³⁶ Minutes of Covid-O 11.10.20 MG/150 - [INQ000090163]

103. On 12 October the Prime Minister chaired a COBR meeting. The devolved administrations were in attendance and the Mayor of Liverpool also attended this meeting and participated in discussions¹³⁷. The Prime Minister was clear that the objective was to get the national R-Rate down below 1 (at the time of the meeting the CMO advised that it was between 1.2 and 1.5 nationally). Simon Ridley explained that the overall aim was to strike the right balance between suppressing the virus and managing the impact on local and regional economies, and that areas would move into tiers depending on assessment by the Joint Biosecurity Centre. The CMO and GCSA again advised that baseline Tier 3 restrictions would not reduce the R-Rate in localities and local leaders would have to go further with their restrictions to do that. The GCSA advised that a circuit-breaker approach – i.e. a hard period of intervention for a limited time period such as 3 weeks – was an option SAGE had considered and could reduce R to below 1. He also noted that an advantage of circuit-breakers was they could be planned for, but acknowledged that final decisions would be based on strategic aims. The devolved administrations all raised the importance of economic intervention to support the restrictions and the Chancellor re-iterated the need for financial packages of support to be long-term, focused and economically sustainable. The First Minister of Wales expressed concern about the ability for cross-border travel. The Prime Minister explained that although the concerns were understood, regulations would be challenging to enforce and existing guidance already stated people should not be moving to low areas of infection.
104. In the afternoon of 12 October a Winter Summit meeting was convened with the devolved administrations (including First Ministers and health ministers) and the TOs¹³⁸. The purpose of the meeting was to support the UK government and the devolved administrations in working effectively together. This was a lengthy meeting and a large number of issues were discussed, including matters specific to the Covid-19 response (such as whether a circuit breaker lockdown would be required, education, travel and economic interventions) and other concurrent risks going into the winter (including seasonal flu and flooding). Various actions were

¹³⁷ Minutes of COBR 12.10.20 MG/151 - [INQ000083851]

¹³⁸ Minutes of Winter Summit 12.10.20 MG/152 - [INQ000199190]. See also private office email exchange 19.10.20 for record of initial progress on actions MG/153 - [INQ000217062]

identified including ensuring there was an appropriate rhythm of UK Government and devolved administration engagement and mechanisms for information sharing, in relation to data sharing, alignment in strategic approach on the management of testing, and resilience exercising.

105. On the evening of 12 October, the Prime Minister announced the introduction of the tier system¹³⁹. On 14 October, the tier system became operational.
106. On 16 October the First Minister for Wales wrote to the Prime Minister, copying myself and the other First Ministers in, confirming the Welsh Government was considering a circuit-breaker in Wales for two or three weeks to coincide with half-term¹⁴⁰. On 19 October the First Minister's office confirmed that the decision had been taken to impose that circuit breaker between 23 October and 9 November 2020 and that it would be announced that day¹⁴¹. I understood the reasoning behind the decision and I did not seek to dissuade the Welsh Government; I was aware this had been a step they had been keeping under very close review for some time. Ultimately, it was a matter for Wales as to whether the tier system could be implemented effectively in the time available, and whether they took the view that their Covid-19 situation was such that they required more restriction than they felt they could implement through the tiering model. Although we worked with the devolved administrations during this period very closely, and looked as far as possible to achieve a coordinated and consistent approach across all parts of the UK, the Government did not seek to mandate to the devolved administrations the steps that they had to take.
107. I chaired a Covid-O meeting on 21 October 2020 at which the committee discussed Local Authority enforcement powers, received a situation report on case numbers and an update from DHSC Coronavirus Local Action Committee about areas where case numbers were rising¹⁴². Case numbers nationally were continuing to rise. At this point, South Yorkshire had just moved into Tier 3 and it was expected

¹³⁹ Prime Minister announces new local COVID Alert Levels: 12.10.20: MG/154 – [INQ000137280]

¹⁴⁰ Letter from First Minister of Wales to Prime Minister 16.10.20 MG/155 - [INQ000217061]

¹⁴¹ Email from private office First Minister of Wales 19.10.20 MG/156 - [INQ000217063]

¹⁴² Minute of COVID-O meeting 21.10.20 MG/157 - [INQ000217064]

that West Yorkshire would follow. Concerning upward infection trends in Tyneside and Tees Valley were also reported, and significant concern was expressed for Warrington and Nottinghamshire which were also being readied to move to Tier 3 with local representatives being spoken to about potential support. A number of other areas of concern were also noted. As the data indicated an area should be moved up a tier, Government representatives engaged with local leaders to try and agree and provide financial and other support for the region whilst it remained in the higher tier. From then, there was significant dialogue with local leaders and health authorities to keep us informed of the position in each area.

108. The Covid-O on 22 October was with the devolved administrations and so the issues for consideration were those that affected all four home nations. There was discussion about the countries to be added to or removed from the travel corridor list. All four governments were broadly aligned although there was some discussion about how quickly travel corridor recommendations should be put into effect. There was also discussion about how returning home for Christmas would work for students in higher education. The proposals were not fully worked up at this stage and there were different considerations identified for each of the four home nations. I asked for a more developed proposal for the higher education Christmas plan to be considered in due course and noted that the unique nature of the individual nations' higher education systems along with mental health impacts be considered in developing the proposal¹⁴³.
109. On 23 October Covid-O conducted a 'Schools' deep dive in the morning and an Adult Social Care deep dive in the afternoon, both supported by detailed papers.
 - a. Issues discussed at the Schools deep dive included the challenges faced by schools due to the pressure on the workforce caused by self-isolation requirements, the need to prioritise testing in schools, the financial pressures on schools and the importance of improving the quality and quantity of remote learning. It was noted that core to the Government's strategy was keeping schools open; in addition to supporting pupils' education and allowing their parents to remain in the workforce, it was

¹⁴³ Minutes of Covid-O 22.10.2020 MG/158 - [INQ000090174]

supported by growing scientific consensus. There was increased confidence that schools, and in particular primary schools, had limited impact on the spread of the virus. It was agreed that work should be done to refine the primary schools protocol to identify when, and in what circumstances, pupils should be sent home¹⁴⁴.

- b. The Adult Social Care deep dive looked at paying staff full wages to self-isolate, the Care Quality Commission's oversight and compliance, regular testing and family visits. The intention was for a more humane visiting policy to be introduced when the compliance work provided appropriate reassurance that care homes were Covid secure¹⁴⁵.

110. On 27 October I chaired a Covid-O meeting¹⁴⁶. At that time the case numbers in Nottinghamshire were very high. In Mansfield they were over 300 per 100,000 which was two and a half times the rate of the rest of England. There was discussion about the trajectory and timeframe of the spread. The Covid Taskforce proposed a package of measures for the area that was more extensive than had been imposed in other areas including restricting the sale of alcohol to 9pm at night, closing indoor entertainment and tourism venues, restricting hospitality to take away only, advising against all indoor fitness exercise except at home and closing personal care settings¹⁴⁷. In supporting the new restrictions that were proposed, the Deputy Chief Medical officer noted that Nottingham had been epidemiologically ready for restrictions for the previous 10 days, but the problem was that from the point of epidemiological readiness it took seven to ten days to get local agreement, which was almost a doubling time in public health terms. In discussion it was noted that the time being taken to come to a conclusion on measures was due to the time it took to explore measures above the level 3 baseline.

¹⁴⁴ Minutes of Covid-O 23.10.2020 morning MG/159 - [INQ000090158]

¹⁴⁵ Minutes of Covid-O 23.10.2020 afternoon MG/160 - [INQ000090302]

¹⁴⁶ Minutes of Covid-O 27.10.2020 MG/161 - [INQ000090164]

¹⁴⁷ Covid-19 Taskforce paper on Local Covid Alert Level 3 in the Nottingham Region MG/162 - [INQ000090295]

111. On 29 October I chaired two consecutive Covid-O meetings.
- a. At the first meeting the Director for Epidemiology at the Joint Biosecurity Centre explained that the data was going in the wrong direction across the board. The upwards curve in infection rates was broadly consistent across the four nations of the UK, with areas in the North-West of England where the case rate had reached 493 per 100,000. It was expected that NHS capacity would be exceeded by at least 10% in the next 4-5 weeks and hospital occupancy would exceed the first wave by approximately 11 November. The death rate was beginning to increase. The Deputy Chief Medical Officer said that whilst 2 weeks earlier it had seemed inappropriate to take action in a low prevalence area such as the South West this was no longer the case and the Government needed to do more. SSHSC noted that the coming weeks were the final opportunity to prevent the overflow of the NHS using the regional approach but we were very close to that approach failing. Whilst he considered a regional approach to be preferable, more stringent action was now needed. The Committee noted that going forward areas should be placed into level 3 restrictions at most 72 hours after a direction from Covid-O¹⁴⁸.
 - b. The second meeting was attended by the devolved administrations for discussion about travel corridors. There was then detailed discussion about groups disproportionately affected by the pandemic, and about how to improve and speed up the process for introducing measures in level 3 areas. It was noted that the Government should reserve the right to impose measures unilaterally should it be necessary¹⁴⁹.
112. On 30 October I attended a small Covid-O meeting with the Prime Minister, the Chancellor, SSHSC, the CMO, the GCSA, James Bowler of the Covid Taskforce and a number of advisers¹⁵⁰. Ahead of that meeting we received the latest data

¹⁴⁸ Minutes of Covid-O 29.10.20 MG/163 - [INQ000090176]

¹⁴⁹ Minutes of Covid-O 29.10.20 MG/164 - [INQ000090185]

¹⁵⁰ Minutes of Covid-O 30.10.20 MG/165 - [INQ000090156]

and modelling predictions from the ONS¹⁵¹. That confirmed the picture that had been increasingly evident over the previous days, that although the measures the Government and local authorities had introduced to date had slowed the rate of infections in the preceding days, the curve was still on an upward trajectory both nationally and in the majority of regions surveyed. The Covid Taskforce presented a paper arguing for further intervention¹⁵². It was reported in these documents that NHS capacity could well be breached in the coming days without further intervention. The choices presented for discussion were whether to impose a national lockdown or regional lockdowns in all current Tier 3 areas, and elevate all Tier 1 areas into Tier 2 status. The difficulty was that Tier 3 areas now covered the majority of the country and there was the significant risk that Tier 2 areas would soon move into Tier 3 in any event given that regional R-levels were being reported as above 1 across the country. At the meeting it was noted how severe the economic impact would be of the proposed package. Three million people were already facing unemployment as a consequence of past and existing restrictions and the impact would be more severe if the proposed intervention was the first of a cycle of restrictions and relaxations later. However it was also noted that countries that had taken tougher action earlier had suffered less economic damage overall. In conclusion the Prime Minister said that the current predicted number of deaths would be intolerable and the Government had a duty to save lives where it could and to take action to prevent the spread of the virus. The package of measures approved by the Committee was considered reasonable and was approved. Schools and universities would remain open.

113. Cabinet was convened the following day on 31 October¹⁵³. This was over the weekend because there had been a leak about the decision to impose national measures, which necessitated bringing forward the collective decision and the press briefing. At Cabinet the Prime Minister explained the reasons it was necessary to act. There was very detailed discussion of the implications of the new

¹⁵¹ Data and Modelling to 30.10.20 MG/166 - [INQ000217065]

¹⁵² Plan for Intervention 30.10.20 MG/167 - [INQ000136684]

¹⁵³ Covid Taskforce Cabinet Paper November National Package 31.10.20 MG/168 - [INQ000185092]; Minutes of Cabinet 31.10.20 MG/169 - [INQ000089102]

measures, both social and economic, how to learn from the first lockdown and how to mitigate the economic damage.

114. After Cabinet I held a call with the First Ministers of the devolved administrations to identify if there were opportunities for alignment of approach ahead of the introduction of national measures by the UK Government, to secure agreement on common messaging and to identify any immediate policy concerns of the devolved administrations¹⁵⁴.
115. All nations had a level of restrictions in place but there was little alignment in terms of direction. The First Minister for Wales set out that the Welsh Government was halfway through a “firebreak” lockdown, set to end on 9 November and indicated that the restrictions in England would present complexities when Welsh restrictions lifted. The First Minister for Scotland noted that Scotland already had a range of restrictions in place and a level system, with level four measures being similar to lockdown. The First Minister for Northern Ireland noted that there were also restrictions in place in Northern Ireland, but that schools would be reopening the following Monday with other restrictions due to end on 13 November. Northern Ireland’s executive were focused on a plan to exit restrictions. Both the Welsh Government and Scottish Government were concerned about the borders and both the Scottish and Northern Irish Governments raised the need to consider financial support for retail and hospitality sectors that were being heavily affected by these measures.¹⁵⁵
116. Following my meeting with the devolved administrations, the second national lockdown in England was announced by the Prime Minister and came into force on 5 November¹⁵⁶. It remained in place until 2 December.
117. Through the second national lockdown I continued to convene Covid-O most days Monday to Friday. The time was used to conduct deep dives into adult social care and prisons, look very closely at a wide range of winter planning issues, including

¹⁵⁴ Ministerial Brief for telephone call to FMs of devolved administrations 31.10.20 MG/170 - [INQ000217067]

¹⁵⁵ Minute of call to FMs of devolved administrations 31.10.20 MG/235 – [INQ000198972]

¹⁵⁶ MG/171 – [INQ000086830]

rough sleeping and homelessness, Higher Education winter arrangements, mass / whole community testing, police resourcing and local authority capacity, schools and early years contingency planning, transport and Christmas plans, decide on how vaccines should be prioritised from December and combat anti-vaccine misinformation, and to plan for the approach from 2 December.

118. Although the lockdown brought R below 1, case numbers were still high and the risks were ongoing. It was clear that a tougher tiering system than the system in place in October would be needed, combined with mass testing. At the Covid-O meeting chaired by the Prime Minister on 17 November it was agreed that the new tiering system would not involve any negotiations with local authorities and measures within the tiers would be consistent in each area. The Prime Minister acknowledged that robust methods would be needed to avoid a third wave and third national lockdown, and it was not certain that tiering would be able to prevent a further lockdown¹⁵⁷. The detail of the tiering proposals continued to be worked through by the Covid Taskforce and debated by the Covid-O Committee¹⁵⁸. The Covid-19 winter plan, which contained the tiering proposals, was presented to Parliament on 23 November. On 25 November Covid-O, chaired by the Prime Minister, considered allocation of tiers¹⁵⁹.

December 2020 – March 2021: Third National Lockdown

119. In the early part of December 2020, Covid-O considered, amongst other issues, plans for vaccine deployment operation readiness, vaccine supply chains at the end of the transition period, Christmas travel plans and enforcement and compliance issues¹⁶⁰.
120. On 14 December the Prime Minister chaired a Covid-O meeting at which there was a data presentation by the Joint Biosecurity Centre as to the very steep increase in infection rates in London and the South East in particular as a result of a new

¹⁵⁷ Minutes of Covid-O 17.11.20 MG/172 - [INQ000090928]

¹⁵⁸ Minutes of Covid-O 21.11.20 MG/173 - [INQ000090954]

¹⁵⁹ Minutes of Covid-O 25.11.20 MG/174 - [INQ000090969]

¹⁶⁰ Weekly Covid Operations Update 4.12.20 MG/175 - [INQ000217069]; Weekly Covid Operations Update 11.12.20 MG/176 - [INQ000217070]

variant. Concerns were raised that the recent lockdown and the tier 3 measures were not having sufficient impact and the Committee was enjoined to consider messaging around Christmas. There was detailed discussion about a range of policy areas impacted by the uptick in cases including education – namely keeping schools open before Christmas and options for return in January. Consistent with the recommendations of the Local Action Committee (Gold) group paper¹⁶¹ and the Covid Taskforce¹⁶², it was decided to move areas in London and the South East into Tier 3. The Prime Minister noted that Christmas plans would need to be reconsidered in light of the surge in infections¹⁶³.

121. On 15 December I held a call with the devolved administrations during which there was considerable discussion of Christmas in particular and the risks associated with allowing bubbling weighed against the problems of changing the rules. We agreed that each administration would review the position overnight to consider any necessary proposals in strengthening guidance and / or proposed changes to the regulations¹⁶⁴. At the call the following morning we discussed again the importance of maintaining cross-UK messaging as much as possible, and that any public communications should respect divergence in the position across the United Kingdom. It was agreed the four administrations would look to agree wording on a joint statement about staying safe at Christmas. The joint statement was published that day¹⁶⁵.

122. The Prime Minister chaired the tier review at Covid-O on 16 December at which further areas were moved into Tier 3, placing 70% of the country into Tier 3. There was considerable emphasis at this meeting about the importance of very clear communications around Christmas, and the risks if there was a dip in compliance with measures as a result of the brief relaxation of measures for Christmas¹⁶⁶.

¹⁶¹ Local Action Committee (Gold) Recommendations for Covid-O 14.12.20 MG/177 - [INQ000054310]

¹⁶² Urgent Tier Review Paper from the Covid-19 Taskforce MG/178 - [INQ000054311]

¹⁶³ Minutes of Covid-O 14.12.20 MG/179 - [INQ000091065]

¹⁶⁴ Minutes of CDL call with devolved administrations 15.12.20 MG/180 - [INQ000199004]

¹⁶⁵ Joint statement MG/181 - [INQ000220411]

¹⁶⁶ Minutes of Covid-O 16.12.20 MG/182 - [INQ000091076]

123. The Prime Minister chaired Covid-O on the evening of 18 December to discuss the extent of the action that was now necessary to deal with the virus, and whether action should take the form of guidance or law. This meeting was convened following briefings given to the Prime Minister that day by the CMO and GCSA and the Covid Taskforce at which the advice had been that further policy measures would be required to hold the variant. The Covid Taskforce had been asked to develop an urgent policy response¹⁶⁷. At a briefing I held that evening with the Taskforce, CMO and GCSA it was very clear that urgent decisions needed to be taken about Christmas, chaired by the Prime Minister.
124. As recorded in the Covid-O minutes of that evening's meeting, a number of the Committee members spoke out against allowing Christmas bubbles. The meeting was convened in the evening and the Committee was given overnight to reflect before reaching a decision as to next steps¹⁶⁸. The following day the Committee reconvened and considered the proposal to create a new 'Tier 4' with significantly increased restrictions. The decision was taken to cancel the Christmas bubble plans in tier 4 areas and in other parts of the country allow 3 households to meet but only on Christmas day¹⁶⁹. Very shortly after the decision in Covid-O, I held a call with the devolved administrations to update them on the new Tier 4 arrangements and changes to the Christmas policy. The meeting was attended by the GCSA and the Director of Analysis and Data Directorate¹⁷⁰
125. The Prime Minister chaired Covid-O on 29 December. Case numbers were continuing to rise and the Committee considered recommended tier changes¹⁷¹. At a further Covid-O meeting that evening there was a Covid-O to discuss whether to delay the return of schools and universities. It was agreed at that stage that there should be some delay in the return of secondary schools and a reduced return for universities. For primary schools every effort should be made to get children back

¹⁶⁷ Email from Prime Minister's Private Office 18.12.20 MG/183 - [INQ000146623]

¹⁶⁸ Minutes of Covid-O 18.12.2020 MG/184 - [INQ000091087]

¹⁶⁹ Minutes of Covid-O 19.12.2020 MG/185 - [INQ000091091]

¹⁷⁰ Minutes of CDL call with devolved administrations 19.12.2020 MG/186 - [INQ000199009]

¹⁷¹ Minutes of Covid-O 29.12.20 MG/187 - [INQ000091113]

on 4 January although in some areas cases were so high that the start of term would have to be delayed¹⁷².

126. On 1 January 2021 I chaired a Winter Review COBR meeting to review any emerging or potential winter risks associated with the end of the transition period (the UK had left the EU at the end of the transition period on 31 December 2020), the increase in cases of Covid-19 and the concurrent winter risks¹⁷³. That afternoon I attended a Local Action Committee Gold meeting at which situation reports on the data across England was presented¹⁷⁴. SSHSC, the Secretary of State for Education and the Deputy Chief Medical Officer were amongst those in attendance. It was reported that the situation in London was alarming from an epidemiological perspective and had materially worsened since the last meeting of Gold. At that time the decision had been taken to close some schools in London borough by borough and I queried whether the data indicated that we should delay opening all primary schools in London. The Deputy CMO advised she supported this measure. The Secretary of State for Education emphasised the importance of opening schools as soon as possible and that the decision to close schools was made reluctantly¹⁷⁵.

127. On 2 January I sent the Prime Minister a note advising him of my view that we had no alternative but to adopt a strategy of maximum suppression over the following 2 months whilst we vaccinated the minority of the population who bore the lion's share of the mortality risk¹⁷⁶. As the note sets out it seemed to me that we faced a situation at that time which was in the immediate term at least as grave as it had been in March 2020, and we were only at the start of the winter. I considered our approach needed to be as clear and simple as possible which meant acting nationally, and as far as possible in concert with the devolved administrations. I

¹⁷² Minutes of Covid-O 29.12.20 MG/188 - [INQ000136708]

¹⁷³ Chair's Brief COBR 1.1.21 MG/189 - [INQ000217072]; Agenda COBR 1.1.21 MG/238 –

[INQ000271956]

¹⁷⁴ Local Action Committee Silver and Gold South East and East of England w/c 28 December 2020 MG/190 - [INQ000091111]; Local Action Committee Silver and Gold Main Body w/c 28 December 2020 MG/191 - [INQ000091112]

¹⁷⁵ Readout from Local Action Committee GOLD 1.1.21 MG/192 - [INQ000217071]

¹⁷⁶ Political Note – Covid 2.1.21 MG/193 - [INQ000184013]

advised that Tier 4 restrictions should be applied across England, the 'Stay at Home' messaging should be deployed more prominently, secondary schools should be closed until February half term and primary schools closed until at least 18 January and consideration should be given to further restrictions nationally. In the meantime all possible steps should be taken to go further and faster with vaccine distribution.

128. On 4 January 2021 at 5pm I had a call with the first ministers of the devolved administrations. I set out the plans for another lockdown that the UK Government, subject to cabinet agreement, was intending to put into place. I noted that all four CMO's had unanimously agreed to move the UK to level 5 alert. Wales, Scotland and Northern Ireland were already in lockdown at this stage.¹⁷⁷
129. After the call with the devolved administrations there was a Cabinet Call at which the reasons for the lockdown decision were discussed¹⁷⁸. Following which, at 6pm the Prime Minister announced the third national lockdown¹⁷⁹.
130. On 7 January I chaired a Covid-O meeting. We agreed that pre-departure testing would be implemented on all transport modes as an additional layer of security, with these measures to last until the end of the lockdown, and a review to take place before they were relaxed. The committee also agreed to the recommendations by the Transport Secretary to remove Botswana, the Seychelles, Mauritius and Israel and Jerusalem from the Travel Corridor list. The Transport Secretary announced mandatory Covid-19 testing for international arrivals the following day¹⁸⁰.
131. On 10 January I chaired a Covid-O meeting where the committee discussed several options to increase the effectiveness of the lockdown and go further in driving down the levels of Covid incidence nationally. The NHS was under significant pressure at the time due to growing case numbers, and the committee

¹⁷⁷ Minute of call with FMs of devolved administration dated 4.1.21 MG/236 – [INQ000199011]

¹⁷⁸ Cabinet Call 4.1.21 MG/194 - [INQ000088943]

¹⁷⁹ MG/195 - INQ000065415

¹⁸⁰ Chair's Brief for Covid-O 7.1.21 MG/196 - [INQ000092247]; Actions arising from Covid-O MG/197 - [INQ000092246]

agreed that stronger communications and visible encouragement and enforcement of regulations by police would help to reinforce the 'stay at home' message. The options that were considered included implementing guidance on the wearing of face coverings in more settings, preventing communal worship, and options to reduce transmission rates in supermarkets and retail outlets. The committee decided to remove the provision that allowed exercise with one other person from another household as well as the exemption for angling¹⁸¹.

132. On 25 January at 5:45pm, I chaired a Covid-O meeting, where the committee discussed ways that vaccine uptake could be increased among disproportionately impacted groups. Although vaccine confidence was generally very high at the time, the committee was concerned that the 15% of people who were vaccine hesitant skewed towards Black, Asian and Minority Ethnic (BAME) communities. It was decided that the DHSC and the Minister for Vaccines would identify and gather more detailed datasets on take up within disproportionately affected and hard-to-reach communities to target communications and activity by local authorities to address any gaps. It was agreed that national communications should be supportive and reassuring, and avoid stigmatising communities, and empower local government to tailor communications based on community insight. Summing up, I highlighted that there was a need to maintain confidence in the system, and ensure other challenges which may be present in the BAME community or for those living with disabilities were integrated into any plan¹⁸².
133. On 26 January I attended a Covid-O meeting regarding international travel and further border options. The meeting was chaired by the Prime Minister. The Prime Minister was of the view that a complete border lockdown was not viable and should be ruled out, as the UK was dependent on transport. Following discussion, the committee agreed that the Government should clarify that travelling for a holiday was illegal under the stay-at-home regulations and to add a requirement for arrivals from the 'red list' of countries to isolate in government-overseen

¹⁸¹ Minutes of Covid-O 10.1.21 MG/198 - [INQ000091647]

¹⁸² Minutes of Covid-O 25.1.21 MG/199 - [INQ000091823]

facilities. The committee also agreed that I should oversee work to rapidly tighten the list of exemptions to the self-isolation component of the border¹⁸³.

134. On 27 January I attended a Covid-O meeting regarding the return to education. The meeting was chaired by the Prime Minister. The Prime Minister's view was that the right way forward was to set the earliest possible date by which children could return to schools. The Prime Minister proposed that this date should be 8 March 2021 as schools would then have a few weeks to plan and the Government would have had an opportunity to review the success of the vaccination programme. The committee agreed with this approach and with the proposed prioritisation order for a staggered return, in the event that it was not possible to return all pupils to school on that date¹⁸⁴. The Prime Minister led a press conference later that day which covered the plan to reopen schools from 8 March.
135. On 3 February I chaired a Covid-O meeting, the primary focus of which was on using the QCOVID model to identify individuals to add to the Shielded Patient List. The QCOVID model was an algorithm created as a way to predict who may be at high risk of serious illness if they were to catch Covid. At that stage the algorithm had undergone peer review, been validated by the Office for National Statistics and had received approval from the Medicines & Healthcare products Regulatory Agency, so it was ready to be used by Government to add people to the Shielded Patient List and to support vaccination prioritisation. The recommendation to apply QCOVID for this purpose was agreed, as was the recommendation to extend the shielding expiry date from 21 February to 31 March 2021¹⁸⁵.
136. On 4 February I chaired a Covid-O meeting which focused on managed isolation facilities. Following discussion, the committee agreed to introduce a requirement for travelers from red-listed countries to have booked a quarantine and/or testing package prior to departure. The testing package comprised of a test for genomic sequencing purposes on day 2 and a 'release test' on day 8. We agreed to implement a further option for those arriving from non-red-list countries with the

¹⁸³ Minutes of Covid-O 26.1.21 MG/200 - [INQ000091682]

¹⁸⁴ Minutes of Covid-O 27.1.21 MG/201 - [INQ000091687]

¹⁸⁵ Minutes of Covid-O 3.2.21 MG/202 - [INQ000092326]

'test to release' scheme where arrivals could leave isolation on day 5 with a negative test. Those who opted into this scheme would be required to bear the cost in addition to the testing package they would have purchased¹⁸⁶. The following day the DHSC announced the introduction of a mandatory hotel quarantine for anyone travelling to the UK from a country on the travel ban list from 15 February.

137. On 22 February the Government published the Covid-19 Response - Spring 2021, setting out the roadmap out of England's third lockdown¹⁸⁷.
138. On 8 March, primary and secondary schools in England reopened to students. Although the stay-at-home order remained in place, recreation in an outdoor public space was allowed between two people.
139. On 9 March I chaired a Covid-O meeting. During that meeting the committee discussed publication of an updated version of the Contain Framework with an enhanced toolkit for addressing variants of concern, in line with the deadline set out in the Roadmap. To protect the strategy set out in the Roadmap, the committee considered that it was vital to ensure national resources were targeted where they would have the most impact; and that local authorities should have access to the right tools and interventions to respond to local outbreak and address enduring transmission. To that end, it was agreed that the DHSC would work quickly on the scope and implementation of pilots to tackle enduring transmission. It was also agreed that an updated version of the Contain Framework would be published subject to the departmental concerns raised in the meeting being taken into account¹⁸⁸.
140. On 11 March 2021 I chaired a Covid-O meeting. The committee discussed vaccine uptake with a focus on ensuring that those who were disproportionately affected, BAME groups and the clinically extremely vulnerable were not further left behind. It was agreed that the DHSC would consider potential mechanisms that could drive uptake such as allowing group vaccination of adults in the same household. It was also agreed that the DHSC would continue to develop and implement strategies to

¹⁸⁶ Minutes of Covid-O 4.2.21 MG/203 - [INQ000091731]

¹⁸⁷ Roadmap MG/204 - [INQ000185087]

¹⁸⁸ Minutes of Covid-O 9.3.21 MG/205 - [INQ000217078]

address hesitancy and uptake for specific communities including the British Polish community, the Muslim community, and rough sleepers and the homeless. Although the committee planned to discuss vaccinations as a requirement for employment in the social care sector at a future Covid-O meeting, at that stage the aim was to encourage, support and facilitate vaccinations rather than require them¹⁸⁹.

141. On 12 March I chaired two Covid-O meetings – the first at 2.00pm with the UK Government ministers and the second at 2.45pm with the devolved administrations also in attendance. During the earlier meeting the committee resolved the Government’s position in relation to the travel restrictions proposed by the DHSC before the devolved administrations were invited and the items revisited. There was concern that vaccines could be less effective, or ineffective, against new variants of the virus that were emerging abroad, and it was agreed that further travel restrictions would be implemented to reduce that risk.
142. The committee agreed that flight bans from Ethiopia, Oman and Qatar would be implemented and that only UK and Ireland residents would be allowed entry to the UK, with all arrivals required to enter into the Managed Quarantine Service. It was also agreed that arrivals from several other countries would be subject to enhanced monitoring requirements. For both meetings two items were on the agenda: enhanced travel restrictions (which had two sub-items – risk assessment and options) and bespoke testing regime¹⁹⁰.
143. On 17 March I chaired a Covid-O meeting at which the focus of discussion was a proposal by the DHSC to enforce the vaccination of staff at care homes for people aged over 65 years as a condition of deployment in health and adult social care settings. The committee was concerned that there was a high risk of legal challenge to secondary legislation, but that primary legislation would take too long to implement. It was thought to be critical to have such measures in place for the coming winter. In summing up, I agreed that secondary legislation was the right vehicle to use. The DHSC was tasked with creating plans to assess and mitigate

¹⁸⁹ Minutes of Covid-O 11.3.21 MG/206 - [INQ000091870]

¹⁹⁰ Minutes of Covid-O 12.3.21 at 2:00pm MG/207 - [INQ000091933]; Minutes of Covid-O 12.3.21 at 2:45pm MG/208 - [INQ000091932]

the likely impact of these measures on the adult social care workforce, focusing on Disproportionately Impacted Groups and high-risk areas. It was also decided that the DHSC would develop a robust handling plan to address vaccine hesitancy and equality issues¹⁹¹.

144. On 25 March I chaired a Covid-O meeting to discuss any concerns regarding the Government's readiness to implement the move to step two of the Roadmap out of Lockdown on 12 April. This move would follow the planned relaxation of rules on 29 March to allow groups of people to meet outdoors. The committee agreed that there were sufficient plans in place to proceed safely with the plan to reopen¹⁹².
145. On 29 March, the stay-at-home order ended but people were encouraged to stay local.

April 2021

146. On 5 April 2021 the Prime Minister chaired a Covid-O meeting at which it was agreed that we would move to step 2 of the Roadmap on 12 April¹⁹³. The Prime Minister led a press conference confirming this decision. This saw the opening of non-essential retail, indoor leisure activities and most outdoor attractions. Hospitality venues were also allowed to serve people outdoors.
147. In April I chaired two Covid-O meetings relating to travel restrictions whereby we discussed international travel including 'red listed' countries and the border system¹⁹⁴.
148. On 10 May Cabinet approved the decision to move to step 3 of the roadmap on 17 May. Step 3 allowed for the reopening of the majority of indoor and the remaining outdoor economy. People were able to exercise their own personal judgment on

¹⁹¹ Minutes of Covid-O 17.3.21 MG/209 - [INQ000092064]

¹⁹² Minutes of Covid-O 25.3.21 MG/210 - [INQ000092027]

¹⁹³ Minutes of Covid-O 5.4.21 MG/211 - [INQ000091856]

¹⁹⁴ Minutes of Covid-O 15.4.21 MG/212 - [INQ000217087]; Minutes of Covid-O 29.4.21 MG/213 - [INQ000092126]

close contact (recognising it still carried a risk). Outdoor gathering numbers also increased to 30¹⁹⁵.

149. At Cabinet on 18 May SSHSC confirmed that the current case numbers were very low but that everyone was acutely aware of the new variant (the Delta variant) and its prevalence in particular areas such as Bolton and Blackburn. The Prime Minister confirmed that it was not clear how high and strong the UK's defences were against a wave of the incoming variant. While noting the signs were positive, he said the Government would take a cautious approach until the picture was clearer in a few weeks¹⁹⁶.
150. On 3 June I chaired two Covid-O meetings – the first in relation to international travel and events¹⁹⁷ and the second relating to local response and action¹⁹⁸.
151. At Cabinet on 8 June, the Prime Minister confirmed that he was due to give an update on the Spring 2021 Roadmap soon. He confirmed that the modelling showed that cases would be at a very high level if we were to move to step 4 and confirmed that a cautious approach would be needed¹⁹⁹.
152. On 14 June, I chaired a Covid-O meeting in relation to step 4 of the roadmap. At the meeting we endorsed the proposed relaxations and agreed to a four-week pause in moving to step four²⁰⁰. Later that day, the Prime Minister confirmed in his press conference that there would be a delay until at least 19 July 2021, due to the rapid spread of the Delta variant.
153. On 24 June I chaired a Covid-O meeting in relation to country risk allocation and international travel exemptions²⁰¹.

¹⁹⁵ Minutes of Cabinet 10.5.21 MG/214 - [INQ000088894]

¹⁹⁶ Minutes of Cabinet 18.5.21 MG/215 - [INQ000089033]

¹⁹⁷ Minutes of Covid-O 3.6.21 MG/216 - [INQ000092150]

¹⁹⁸ Minutes of Covid-O 3.6.21 MG/217 - [INQ000091954]

¹⁹⁹ Minutes of Cabinet 8.6.21 MG/218 - [INQ000088958]

²⁰⁰ Minutes of Covid-O 14.6.21 MG/219 - [INQ000092236]

²⁰¹ Minutes of Covid-O 24.6.21 MG/220 - [INQ000092176]

154. On 2 July, I chaired a Covid-O meeting that included discussion about education and adult social care. In terms of education, it was agreed that 1) contact tracing would be removed from Step 4; 2) asymptomatic testing would continue until the end of September; and 3) there would be a full return to school and an expectation that all students should be in school (unless sick or with a positive test result). With regard to social care, it was agreed that the number of visitors in care homes would remain as two per day²⁰².
155. At Cabinet on 5 July, the Prime Minister confirmed that the decision to move to Step 4 would be taken the following week, hopefully to be implemented on 19 July²⁰³. This would include substantial relaxation of measures and life would return to being as normal as possible.
156. On 12 July I chaired a Covid-O meeting²⁰⁴. The purpose of the meeting was for the committee to decide whether to move to step four of the Covid Roadmap. Although the country was in a third wave and infection rates were increasing at that stage, the vaccination programme had significantly reduced the risk of hospitalisation and death as a result of the virus. As schools were reaching the end of the summer term and the weather was improving, it was thought that if the restrictions did not ease at that time, it would be difficult to say when it could take place later in the year.
157. Advice from SAGE²⁰⁵ was that the benefits of further delaying the move to step four were unclear and could compound risks by pushing the third wave into winter. The recommendation was that the four tests had been met, although there was lower confidence around test three and the exact rate of hospitalisations was uncertain. The Committee's priority was to avoid a rapid return to pre-pandemic behaviour with messaging focused on a gradual and cautious return and

²⁰² Minutes of Covid-O 2.7.21 MG/221 - [INQ000092087]

²⁰³ Minutes of Cabinet 5.7.21 MG/222 - [INQ000088901]

²⁰⁴ Minutes of Covid-O 12.7.21 (misdated 12.6.21) MG/223 - [INQ000092214]

²⁰⁵ Covid-19 Data Brief and the Four Tests 12.7.21 MG/224 - [INQ000055220]

reopening. The committee agreed that the country would move to step four of the Roadmap²⁰⁶.

158. On 14 July I chaired a Covid-O meeting. The committee reviewed the traffic light system and discussed the assignment of countries to the red, amber and green lists. Of particular concern at the time was travellers arriving from France because of the prevalence of the Beta variant which presented a great risk of vaccine escape. Although public health advice was to add France to the red list, there was concern that this move could lead to diplomatic handling problems. The committee decided that the move to the red list should not take place straight away and that France should remain on the amber list. The committee also agreed to begin work on reopening travel for fully vaccinated individuals from the whole of the EU²⁰⁷.
159. On 15 July I chaired a Covid-O meeting which was convened to discuss how the Government should refine its approach to dealing with outbreaks in local areas and areas of enduring transmission. The problem was that there was significant uncertainty about the impact of removing restrictions at step four, particularly in relation to the pressure this could put on the NHS. A paper presented by the Minister for Innovation proposed an approach to tackle localised sharp increases in cases through measures such as targeted PCR testing, logistical support for vaccine roll out and door to door testing campaigns. The approach had the overall support of the committee, but I said further discussion was needed on the longer term holistic approach to local action, including how central government might need to intervene. I also considered there should be a discussion on governance structures between Gold Local Action Committee and the Covid-O committee to ensure the process worked as effectively as possible²⁰⁸.
160. On 19 July I chaired a Covid-O meeting in which the committee discussed and agreed to exemptions in very limited and specific circumstances that fully vaccinated contacts could leave self-isolation early to carry out critical roles. The committee also agreed to introduce mandatory vaccine-only certification from the

²⁰⁶ Actions from Covid-O 12.7.21 MG/225 - [INQ000092034]

²⁰⁷ Actions from Covid-O 14.7.21 MG/226 - [INQ000092045]

²⁰⁸ Minutes of Covid-O 15.7.21 MG/227 - [INQ000092224]

end of September that year in certain settings. The DHSC was tasked with preparing a detailed plan for implementation²⁰⁹. The Prime Minister led a press conference on nightclubs and the use of the NHS Covid Pass as a means of entry that day.

161. On 22 July I chaired a Covid-O meeting. The purpose of the meeting was to discuss the key live risks that were being caused by the high prevalence of Covid at the time and to agree what action could be taken to mitigate these risks. The committee agreed to expand daily contact testing to approximately 2000 sites in the most critical areas using existing workplace test sites wherever possible and prioritising the food sector given the risks related to food distribution²¹⁰.
162. On 13 September I chaired a Covid-O meeting. The committee discussed and agreed to Plan A which was set out in the Covid-19 Taskforce paper entitled "Covid-19 Response: Autumn". This plan recommended implementing vaccination for 12-15 year olds, and a booster programme in line with Joint Committee on Vaccination and Immunisation advice. The committee also agreed to the contingency plans as set out in Plan B of the paper if they were needed²¹¹. This was the final Covid-O meeting that I chaired.
163. Following a reshuffle in cabinet on 15 September 2021, my time as Minister for Cabinet Office and CDL ended and I was appointed Secretary of State for Levelling Up, Housing and Communities and Minister for Intergovernmental Relations.

SECTION 3: REFLECTIONS

Decision-making structures

164. As set out in my Module 1 statement, one of the central lessons of the pandemic that I have identified is that whole-system resilience issues should be planned for better. The initial structures were simply not adequate for a civil contingency of this

²⁰⁹ Minutes of Covid-O 19.7.21 MG/228 - [INQ000092225]

²¹⁰ Minutes of Covid-O 22.7.21 MG/229 - [INQ000092219]

²¹¹ Minutes of Covid-O 13.9.21 MG/230 - [INQ000092120]

scale and nature. The pandemic required a truly cross-Government, whole-system response, with delivery structures on an integrated and coordinated basis engaging all relevant line departments and stakeholders, with ministers and officials working closely together, and one which brought together the different administrations across the UK.

165. Even the physical structures were inadequate for a modern cross-government response of the type that was required. The COBR rooms, for instance, are designed to be highly secure, but this was a barrier to the technology and communications requirements where the flow of accurate and timely information is particularly important. We had already seen during our Brexit preparation work that it was a challenge to use standard video conferencing while in the COBRA suite. Equally, Government was not well provisioned at the start of the pandemic with sufficient equipment to support remote working and secure virtual meetings.

166. The Covid-O and Covid-S model, based on the EU exit model of XO and XS, ultimately worked well as a decision-making structure when it was established a few months into the pandemic. But this format was not adopted initially - at first the CCS supported COBR structure was used which was quickly largely replaced with the MIG structure. Although MIGs were useful in some respects, decision making and accountability in the centre of Government was too confused during the early part of the crisis. The pandemic was a whole-system crisis, and there was a degree of artificiality in separating out the policy areas between health, the economy, foreign and international issues and general public sector issues. It was therefore necessary to have the core departments represented at almost all the MIGs to ensure the approach was joined up and decisions were thought through holistically. Although bringing everything under Covid-S and Covid-O meant the breadth of issues we covered was very extensive, it was more efficient. The operation of Covid-S and O were significantly improved by the establishment of a dedicated Covid Taskforce and secretariat. I would also reflect that chairing committee meetings is difficult – particularly when the issues are so complex, decisions have immediate consequences for whole swathes of society, and the range of perspectives will be diverse – and I think we should look at providing more training to Ministers and indeed officials to support them in getting the most out of committee meetings,

whether as participant or chair. I was well placed to chair Covid-O in part because of the experience I had in chairing dozens of XO meetings which raised similarly extensive and cross-cutting issues, but this was partly a matter of good fortune rather than good planning. As is clear, Covid-S met far less frequently than Covid-O, and in part this was because the larger standing cast list of Covid-S made for less flexible meetings. For example, the Prime Minister sometimes preferred to chair a Covid-O bringing together the Chancellor, SSHSC and me. I agree that these smaller meetings meant for improved decision making. There was also, however, an inevitable need to 'bring' the wider Cabinet into decisions, and at times this was done - partly for reasons of speed - too little, too late.

167. I have been asked about the role that WhatsApp played in the decision-making process and the extent to which it assisted or undermined effective decision-making. It should be recognised that the sheer pace in which the Covid response took place was significantly different to business as usual, and therefore called for agility and flexibility in ways of working. As standard practice outside a crisis, the normal pace of activity would be for Ministers to outline the policy development they wished to see, civil servants would then revert with options and subsequently Ministers would go on to discuss the options; a process typically carried out over a number of weeks. However, during this period the MIGs, Covid-Os and other categories of high-level meetings involved Ministers and civil servants working closely together to solve issues in real time. The increased cadence of activity meant that WhatsApp, and also virtual meeting software, became important tools for allowing the flow of information to occur to all relevant actors. Communication by WhatsApp is not materially different to communication by other means, for example over the phone or face-to-face or indeed in a virtual meeting. For my part, I do not believe key decisions were taken over WhatsApp. WhatsApp facilitated bringing together the key issues and relevant people at short notice to support the rapidity of decision making required, especially when many colleagues and officials were necessarily working remotely, but the decisions themselves were taken at Committees, informed by or based on the papers and information brought to the Committees, all of which was underpinned by a vast amount of work and data by officials and advisers, and all of which were formally recorded.

Four-administration decision making

168. As Chancellor of the Duchy of Lancaster, I became responsible for coordination with the devolved administrations, and worked with the devolved administrations ministers and officials in the course of Brexit preparations. Scottish and Welsh Government ministers and officials from the Northern Ireland Executive were occasionally asked to attend the XO committee and contributed to those discussions. Although the devolved administrations ministers were strongly opposed to EU Exit, we were able to work collaboratively to address shared challenges, for example, preparations to secure capacity for importing so-called Category One goods. My colleague in the Cabinet Office, the Rt Hon Chloe Smith MP, had also been working successfully with the devolved administrations on Common Frameworks – joint approaches on legislation and regulation. While UK Government ministers and officials regularly engaged devolved administrations counterparts, it was our experience that this was not always entirely reciprocal. The devolved administrations did not regularly or systematically sight the UK Government on their internal decision making in devolved areas and we would often only find out about these decisions after they had been made.
169. I note the Inquiry has received Roger Hargreaves' statement which at paragraph 8.52 provides a high-level summary of how the Cabinet Office works with the devolved administrations to inform emergency planning, and on the detail of the arrangements with Scotland, Wales, and Northern Ireland that follow.²¹²
170. At the time of the pandemic, we had been working effectively with the devolved administrations in a variety of ways, but the broader matter of Intergovernmental Relations (IGR) was not clearly agreed. This was subsequently concluded in January 2022.

²¹² "The Cabinet Office cooperates with the devolved administrations to inform emergency planning by way of regular working level discussions, core membership of certain working groups (for example, on risk assessment) and ad-hoc membership in others, as appropriate (for example, the cabinet committee subgroups with responsibility for resilience). The Cabinet Office and the devolved administrations mutually recognize the value of cooperation, sharing good practice and collaboration on risks which cross borders, while respecting devolution settlements. Devolved administrations are, of course, not part of the UK collective government decision making on England only, or reserved matters, but the Cabinet Office looks to share information on issues which could affect their jurisdiction and reach a common view, where practical."

171. It is inherent in devolution that different parts of the UK will approach problems in different ways. The purpose is, in part, to allow different administrations in different parts of the UK to tailor their decisions to local need. I think it is fair to say, however, that the pandemic brought to the fore of the public's imagination just how extensive devolution was, and exposed new problems where different parts of the UK took entirely different and, in some cases, contradictory approaches. This produced problems both of communication and substance which occurs because the UK Government does not hold levers to act UK-wide on health and in related areas, such as travel. These problems were most acute in the context of dealing with the Scottish Government, which at times seemed to have political interests in divergence from a wider UK position due to their separatist political aim.
172. I do not believe these problems are unique to the UK and indeed my conversations during the pandemic with my counterpart in Germany revealed an equivalent difficulty. My readings about the different approaches taken by states within the United States or regions within Italy further confirm this view.
173. We did, however, face a problem as to how we could legitimately bring the devolved administrations into decision making which needed to be taken on a UK-wide basis, but where decisions needed to be taken urgently. This led to the unsatisfactory choice between either asking devolved administration representatives to attend UK Government Cabinet sub-committees or decision-making bodies (with their status somewhat unclear), or reaching agreement first at UK-Government level and then working with the devolved administrations (which inevitably appeared as if decisions were being 'imposed').
174. I do not believe there is a perfect system. The former option exposed intra-UK Government disagreement to the devolved administrations, and meant devolved administration ministers were involved in decisions that did not involve all UK Government colleagues (for those departments not represented in a relevant sub-committee). This was naturally resented by UK Government ministers, including the Territorial Offices which, not unreasonably, felt excluded from discussions. The latter option was equally heavily resisted by the devolved administrations, and it was hard to avoid a dynamic of the Scottish and Welsh Government resisting a decision the UK Government was keen to pursue with urgency. These problems

are fundamentally exacerbated by the devolution settlement which, for example, devolves responsibility for health almost entirely but simultaneously – and rightly in my view – reserves responsibility for the UK’s overall fiscal position. As is well documented, there were other areas where the nature of the devolution settlement exposed particular issues – travel advice and regulation being one obvious example.

175. Later in the pandemic, specific issues which engaged other local leaders emerged – for example the disagreement between the Scottish Government and the Metro Mayor of Greater Manchester on travel. I believe that in future we will need an emergency structure for Government to engage with local leaders both in the devolved administrations and Mayoral Combined Authorities.
176. I have reflected since the pandemic and am convinced that in a future pandemic or equivalent emergency, the UK Government – through its responsibility to all of its citizens across all nations – must have the ability to act UK-wide. Of course, where possible, action should be through consultation across all UK public authorities. I was and remain a strong supporter of devolution both across the UK and within England, but I also believe that we need to strengthen the backstop powers of the UK Government. It was a commonly accepted view by officials and ministers alike that the pandemic revealed the weakness of a devolution ‘settlement’ that failed to reserve key powers to the UK Government to act in an emergency. Officials also remarked that some of the issues which the pandemic exposed had been prefigured by previous crises – for example the attack at Glasgow airport in 2007. On that occasion, it was reported to me by officials that the response was complicated by the requirement to work in lockstep with the Scottish Government.
177. From the outset of the pandemic it was clear that a UK-wide approach was required to ensure a cohesive and effective response with the UK Government and all three devolved administrations taking appropriate action to coordinate their actions. In very general terms it is fair to say that in the early stages of the pandemic there was reasonably good coordination across the four home nations and a common approach to the First National Lockdown, but as the UK moved out of lockdown

there were increasingly divergent, and at times contradictory, approaches both to the easing of measures, and the imposition of new measures at later stages.

178. In practice, the approach we adopted – to invite the devolved administrations to committee meetings where the national picture was such that there was a heightened need for coordinated decision-making and in those meetings to focus on issues that affected all four home nations – worked reasonably well. My recollection is that everyone behaved in a collegiate and responsible fashion in the meetings, although there were concerns raised more generally that some administrations were diverging for the sake of being different. For example, the Scottish Government repeatedly adopted slightly different measures and communication language to that of the UK Government. Sometimes this was due to policy differences; at other times politics.
179. As the minutes reflect, including the devolved administrations in the Covid-Os (as they needed numerous ministers and officials for each nation in attendance as well) meant that those Covid-Os were large meetings, not least as the general practice at some periods was also to include the relevant TO minister. One of the issues that we struggled with was that there was a constant stream of leaks to the media from the Covid-Os which it was believed would have been less of a risk with a smaller cast list. However, my own view is that the risk of leaks from large meetings is always there, and in most cases that risk in itself should not be the basis on which the invitee list is reduced. It is most important to have the right people in the room. We also sadly saw some information leaking from very small meetings.
180. Cross-UK coordination was supported by the very regular telephone calls I held with the First Ministers either collectively or individually, as well as the joint working at official level, the regular calls with the health ministers, and the joint working of the CMOs. The calls I chaired gave all the devolved administrations an opportunity to discuss and explain concerns and propose approaches, and enabled frank discussion about particularly difficult issues such as the economic support that would be available to support restrictions imposed over the period. As the minutes reflect, the devolved administrations frequently raised areas where closer working arrangements could be improved, for example in respect of data sharing, greater

discussion about communications strategy and more advanced notice of proposed changes to strategy or policy so they could consider and reflect on changes to their own strategies and policies. These calls also enabled my team to ensure that concerns were escalated and relevant departments and the Prime Minister understood and considered these issues in their decision making. The meetings were often also attended by officials from relevant UK Government departments.

181. Given the pace at which the information and position changed, and the scale and rate of decision making, regular engagement by way of reasonably informal calls was, in my view, helpful. As will be clear from the notes from the calls, engagement with the devolved administrations was a significant part of my work during the pandemic and a substantial role. It simply would not have been practicable for the Prime Minister to lead the engagement with the devolved administrations (in his capacity as chair of the Joint Ministerial Committee for example) and it made complete sense for me to deputise for him in this respect, not least because as chair of the Covid-Os I was very close to the detail of the plans and options being worked through and well placed to ensure that issues raised by the devolved administrations were brought to the right people's attention. The Secretaries of State for Scotland, Wales and Northern Ireland were present for a lot of the calls but again, given the nature of the issues, it would not have been appropriate for the Territorial Offices to conduct all the discussions and would have created too arms-length a relationship between the devolved administrations and the centre of decision making in the UK government. The devolved administrations' positions, issues and views were fed back to the Prime Minister continuously, through the 9:15 meetings, one-on-ones or through liaison with his private office, Taskforce, and his advisers.
182. My understanding is that generally the devolved administrations were broadly content with the way in which engagement between their administrations and the Cabinet Office operated²¹³, but shared the UK Government's view from around September 2020 that participation in committee meetings needed to be regularised, and requested that the calls were put in the diary so there was not a

²¹³ Private office email exchange 19.10.20 for record of initial progress on actions MG/153 - [INQ000217062]

last-minute scramble to secure attendance and agenda items²¹⁴. Whilst I know efforts were made to improve notice of calls and agenda items, I would accept that this was not always achieved. This was a reflection of the sheer pace of decision making, and speed at which the situation changed – particularly in 2020 and early 2021.

183. I did not generally use WhatsApp to communicate with the devolved administrations.
184. There were, as the minutes and public record reflect, occasions when the UK Government and the devolved administrations followed different courses. However, in the main I do not consider that this was borne of any fundamental disagreement about the steps which were or were not justified. There were significant regional differences within the nations and between the nations in terms of infection rate, and different considerations including for example the capacity of the NHS in each of the four nations or school term dates. It was therefore reasonable for the different governments to take decisions, within their competence under the devolution settlement, that they considered necessary to respond to the situation in their countries. Thus, as already covered, when the Welsh Government assessed a circuit breaker was necessary a week earlier than the UK Government came to that conclusion for England, the UK Government did not disagree with the Welsh Government's decision or seek to dissuade them from it in the interests of alignment. Furthermore, on some issues there were different considerations born of different structures that existed for devolved areas (for example Higher Education). Finally, in some cases different measures would no doubt simply reflect that plans were being worked through by different people who formed different judgements about how to deal with a common issue, and a lack of time or indeed structures to agree a perfectly coordinated response. The discussions about the joint public statement in the call minutes are a good illustration of some of the challenges we faced in trying to deliver consistent messaging, but also of the efforts made by all to find a measure of consensus.

²¹⁴ Minutes of call with First Ministers of Scotland, Wales and Northern Ireland 19.9.20 MG/132 - [INQ000199184]

185. I recall that on some issues we felt greater alignment could be achieved and looked to agree that. For example, the UK Government requested that the Scottish government adopted the Hands Face Space advertising campaign alongside its FACTS campaign because it was felt uniformity of public communications was important, and that Hands Face Space was a simple and clear message. Our officials also believe that the FACTS campaign was poorly understood by the public.
186. Data sharing between the four administrations was always recognised to be a key issue²¹⁵. Whilst officials from all four governments will be better placed to assist with this, it is my understanding that it worked reasonably well and operated on a number of levels, but that the systems were not perfect, and there were occasions where concerns were raised and we looked to address them²¹⁶.
187. I think it is fair to say that, as the rhythm of engagement between the UK Government and the devolved administrations settled, there was an improvement in the communication by the UK Government to the devolved administrations. In the early stages of the response there were certainly occasions where insufficient notice was given to the devolved administrations of decisions that were likely to be taken. However, over time we got better at anticipating what decisions were going to need to be considered, and what issues warranted careful consideration with the devolved administrations before decisions were finalised or announced. However, as I have noted in my Module 1 statement, earlier engagement could cause its own challenges where the Scottish and Welsh governments were resistant to a decision the UK Government was keen to pursue with urgency. Whilst this happened frequently, I cannot recall a specific example.
188. As I have said in my Module 1 statement, I do not think there is a perfect system for cross-UK decision making in an emergency situation or crisis of this scale, and I believe countries with federal governments experienced similar difficulties. My

²¹⁵ See for example: Note of call with First Ministers of Scotland, Wales and Northern Ireland 15.4.20 MG/72 - [INQ000198990]; Winter Summit briefing for 12.10.20 MG/231 - [INQ000199189]

²¹⁶ For example, on 7 September 2020 the First Minister for Wales highlighted a concern that his officials had not been able to secure from the JBC data that had been briefed to the Prime Minister and SSHSC. I agreed to raise the issue with SSHC and revert. See: Note of call with First Ministers of Scotland, Wales and Northern Ireland 7.9.20 MG/99 - [INQ000199180]

fundamental reflection is that the UK Government - through its responsibility to all of its citizens across all nations – must have the ability to act UK-wide and so the backstop powers of the UK Government should be strengthened. That is not to denigrate the importance of consultation, which must be built in, but greater streamlining of decisions and measures would have improved the UK-wide response to the pandemic. I also believe that, especially as the devolved administrations within England have been further strengthened, we will need to develop more formal mechanisms to work with regional mayors, many of whom represent large populations.

Reflections on key decisions taken during the pandemic

189. I am asked to reflect on the timeliness of the decisions to impose and implement lockdowns. Although it is an obvious point, it is important not to lose sight of the fact that we were working at all times with imperfect knowledge and data. We were making decisions based on the best available information, but it was not and could not be complete. Everyone worked rapidly to ensure the data was compiled, analysed and presented in a way that best supported decision making. We were expertly guided through the knowns and the known unknowns by the CMO and GCSA who were always informed, clear and measured in the way they presented information and expressed views. At the outset of the pandemic we were learning daily about transmissibility and starting to build a picture of those most at risk, but it took a long time before all the risk factors were properly understood. As time went on our learning and understanding improved in relation to a huge range of issues including symptoms, the risks of asymptomatic transmission, variants, treatment, effectiveness of measures, effectiveness of vaccines against new variants, and of course harms – short term, medium term and long term - caused by the measures themselves.

190. The first lockdown could have been imposed sooner, and as stated above I grew concerned during the week beginning 9 March that we needed stricter restrictions. But the advice we received was that measures needed to be imposed at the right time if people were to accept them. Behavioural science evidence at that time indicated compliance with measures would be for a limited time, and so imposing measures too early could be counter-productive.

191. In respect of the second lockdown, as the minutes of the meetings disclose, the Government was working extremely hard to make the regional approach work. Although a circuit breaker lockdown had been mooted for several weeks before the decision was taken, we were concerned that it was a short-term fix which came at a cost of completely shutting down communities and businesses which would have to be repeated continually to be effective. The long-term costs of that strategy did not seem to deliver the long-term benefit that we needed and there was a concern that it would need to be cyclical, which would cause huge damage to the economy. There were particular concerns at this time regarding local hospitality industries which were struggling to recover from the first lockdown and were now already under curfew restrictions as part of the 22 September restrictions. A similar concern applied for schoolchildren. We felt that if it could be made to work, local responses were the best way to deal with local outbreaks. The tiering system seemed capable of representing a workable middle-ground between the blunt trauma caused to society, and the economy, by a national lockdown and the need to increase restrictions in areas with rising transmission levels. Unfortunately, as the committee minutes disclose, there were issues with the local system and ultimately too much time passed between an area reaching a level where greater intervention was required and appropriate measures being put in place. The lessons were learnt from that period, and the tiering system that was put in place after the second national lockdown provided uniform messages at each tier and therefore (i) less scope for negotiations with local areas to delay measures, and (ii) a more straightforward legislative passage for imposing restrictions.
192. In respect of the third lockdown, as set out above, I felt strongly that the situation in January was such that strict national measures had to be taken. The situation in the build up to and over the Christmas period had deteriorated rapidly, with the very high rate of transmission of the Kent variant.
193. Government often involves taking decisions quickly, with imperfect information, when all the options are bad and it is rarely completely obvious which course of action is the least worst. That was emphatically the case dealing with the Covid pandemic. A new virus, very possibly, we now know, one which had been engineered in laboratory conditions, had characteristics it took time to understand fully. The measures eventually adopted, particularly lockdown, were naturally

controversial and initial hesitancy over their adoption was influenced by imperfect knowledge about their sustainability. The Inquiry will, I know, learn many lessons from our experience of the pandemic and make valuable recommendations about public policy and preparedness for future shocks. But I would counsel against the belief that every future threat can be perfectly anticipated and urge on all epistemic modesty - an awareness that there is a limit to what can be known at any time about the consequences of actions.

194. In that spirit, I would still offer a few tentative thoughts:

- a. First, the importance of training. The more that ministers, officials and others take part in exercises which simulate, as close to the real-time wargaming approach military decision-makers use, the better prepared they will be. In my case, the months chairing XO were an ideal preparation and many of the same key officials who had supported me there, moved across to become some of the most effective people working on Covid.
- b. Second, the need for challenge. In every meeting there should always be an irritant. At least one informed person prepared to take on the consensus. Respect for expertise and deep domain knowledge is important, but so is critical questioning. A revolution is not a dinner party, Mao once said, and neither should the response to a crisis be - it requires close prosecution of the case for action, or inaction.
- c. Third, and relatedly, the courage to show ignorance. Asking a "daft laddie" question can ensure that what has become acquired thinking among those with expertise has to be explained, justified and communicated in clear and common sense terms.
- d. Fourth, an awareness of the fat tail of risk in crises. It is very difficult to apply policies such as non-pharmaceutical interventions with the precision any of us would like. Some have argued that we applied them too strictly and for too long. Perhaps. But if our response had been much lighter, or less sustained, and the virus had spread, as it was doing, exponentially, the cumulative damage, not just to the NHS and our economy, but in terms of lost lives and devastated families, would have dwarfed the costs we are

now counting. I made the case for our actions at the time of the second lockdown in an article for The Times which is linked below and I stand by the arguments made²¹⁷.

- e. Finally, any assessment of policy success or failure is always relative. And the most illuminating judgements are comparative - how did our performance compare to other jurisdictions, including within the UK? What can we learn from those who were more successful, but also what is different, at a deep level, in those societies that mean the comparison has to be drawn with care.

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.

Signed:

Personal Data

Dated: 01/09/2023

²¹⁷ MG/232 – [INQ000220413]