

Thursday, 7 December 2023

(10.00 am)

MR BORIS JOHNSON (continued)

Questions from LEAD COUNSEL TO THE INQUIRY (continued)

LADY HALLETT: Mr Keith.

MR KEITH: Mr Johnson, good morning.

A. Good morning, Mr Keith. Good morning.

Q. May we start, please, on the topic of the reduction in the distancing rule from 2 metres to 1 metre?

A. Yes.

Q. You'll recall that, in the summer of 2020, on 23 June, in fact, you announced the adoption of the 1-metre plus rule. It is obvious from the material that -- and you refer to this in a Cabinet meeting -- or in a meeting in the Cabinet Office on 2 June -- that the underlying scientific advice was that staying 2 metres away from other people remained the best way of reducing coronavirus transmission, but it is equally apparent that there was clear economic pressure upon you to reduce the 2-metre rule in order to make business viable.

Was the 2-metre/1-metre rule issue a particularly acute example of that balance between public health epidemiological considerations and economic?

A. In a way, it certainly was, but I think I would just --

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underlying scientific advice [so obviously the combination of the various views that you'd received] was that staying two metres away from ... people remained the best way of reducing coronavirus transmission."

There was no doubt about --

A. 3 metres would have been even better.

Q. Indeed, but there was no doubt at all that, epidemiologically, the existing, the pre-existing 2-metre rule was the best way to proceed epidemiologically. But you were, understandably, under intense economic pressure to try to take a different path in order to be able to alleviate the economic burden?

A. And there were plenty of other countries that had done the same.

Q. That debate took place, of course, in advance of the Eat Out to Help Out scheme, which was put into place in August in those midweek days, Tuesday, Wednesday, Thursday of the four weeks of August.

In your statement, you make plain that you and the Chancellor thought that there was a sound policy rationale for the introduction of the scheme. Were the policy rationales firstly the obvious economic support for the hospitality sector, but secondly to influence

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it wasn't quite as simple as that, because the 2-metre -- your observation that the scientists were recommending 2 metres is of course correct, or some -- many scientists were recommending 2 metres, some were not, some were saying 1 metre was all right, but it was also true that 3 metres would have been better, or 4 metres, 5 metres, would have been epidemiologically more effective than 2 metres. It was a question of where to draw the line.

And the -- there was plenty of evidence from around the world that other countries had gone from -- down to 1 metre, there were other international comparators that had done it safely, and so although you're quite correct that hospitality and other sectors were desperate to be able to operate, because it was very, very difficult under the 2-metre rule, it did not seem to me, on balance, to be epidemiologically unsound to do it. And I of course had to balance the very considerable hardship that was being caused to people by the effective closure of hospitality as a result of the 2-metre rule.

Q. I posed the question the way that I did because I've actually quoted your own words from the summing-up of that Cabinet Office meeting on 2 June:

"Summing up, THE PRIME MINISTER said ... The

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social behaviour by incentivising the public to engage, more generally, indoors hospitality, that was the thinking?

A. The thinking was that the country had made a huge effort, that we'd got the R down below 1, that the disease was no longer spreading in the way that it had been, and that within the budget of risk it was now possible to open up hospitality.

That being so, logically, if we were going to take advantage of that, if we were going to allow people to take advantage of -- allow the hospitality sector to take advantage of the freedom that our collective efforts had won them, then it seemed to me to make sense to make sure that they actually had some -- some customers. That was my thinking. And it seemed to me that if it was safe to open hospitality, then it must be safe for people to go to hospitality.

Q. Do you accept, as Professor Edmunds said in his evidence to this Inquiry, it's one thing to take your foot off the brake, which is of course what had been done in terms of easing the restrictions in June and July, but to put your foot on the accelerator is, by implication, quite different? He in fact used the word "perverse", but I'm just going to suggest to you that it's a different thing to do.

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1 **A.** Utmost respect for Professor Edmunds. All I would say
 2 is that at the time that the Eat Out to Help Out policy
 3 was being aired with me for the first time, it did not
 4 seem -- it was not presented to me as an acceleration,
 5 simply something to make sense of the freedoms that we
 6 were already -- we were already giving. And it was
 7 not -- I'm -- I must emphasise, it was not at the time
 8 presented to me as something that would add to the
 9 budget of risk.

10 **Q.** But it wasn't being presented to you by the scientists,
 11 was it? It was being presented to you by the Treasury
 12 and the Chancellor of the Exchequer. The material makes
 13 quite plain that they were the ones who proposed the
 14 scheme. The paperwork makes that absolutely plain. And
 15 at the same time your Chief Medical Officer,
 16 Professor Sir Chris Whitty, in particular at a Covid-S
 17 meeting on 22 June, was saying that, in general terms,
 18 the proposed easing of restrictions, in relation to
 19 indoor hospitality, was at the top end of the risk
 20 boundary.

21 So you knew that there was an element of risk in
 22 this, there had to be a degree of epidemiological
 23 gamble, that's logical and fair?

24 **A.** I don't -- I don't think that I thought that that scheme
 25 in itself was a particular gamble at the time, and it

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1 expressed your optimism, as it's been described, that
 2 the scheme was a good idea.

3 The material does indeed seem to indicate that there
 4 wasn't a significant increase in infection after the
 5 scheme, although there is in the material some
 6 suggestion it may have gone up to some degree in
 7 different parts of the country, as you might expect.

8 But you knew that the Treasury and HMRC had not in
 9 fact sought scientific advice on the epidemiological
 10 consequences of the scheme; that must have been apparent
 11 to you?

12 **A.** Well, I say in my statement that I thought that Chris
 13 and Patrick must have known or did know about the --
 14 about Eat Out to Help Out, and I said that because it
 15 wasn't a very secret thing, it was a -- I thought,
 16 a pretty well publicised scheme, and I'm fairly
 17 confident that it was discussed several times in
 18 meetings at which I believe they must have been present.

19 You know, I understand that they don't feel that
 20 they were properly consulted, and I remember being --
 21 but I don't quite understand how that can have happened,
 22 to be honest. I remember being surprised later, I think
 23 it was in September, when Chris says, "This is Eat Out
 24 to help the virus", and I thought -- you know, I thought
 25 that's funny, because I didn't -- you know, I didn't

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1 wasn't -- it certainly wasn't presented to me as such,
 2 nor am I confident that there is very substantial
 3 evidence that it did indeed add to the R, though,
 4 you know, I defer to what your Inquiry has discovered.
 5 But I can't see anything that conclusively shows that it
 6 made a big difference. At the time, it wasn't presented
 7 to me as something that would.

8 **Q.** Could we have INQ000232086, pages 1 and then 2. We'll
 9 stick with 1 for the moment.

10 This is just to demonstrate, Mr Johnson, that there
 11 was considerable debate between the Treasury and
 12 Number 10 in relation to a voucher scheme which became
 13 the Eat Out to Help Out scheme. This is an email from
 14 the Treasury dated 22 May. It refers to, at the bottom
 15 of the page, the Chancellor asking her to thank all the
 16 teams as the meeting with you went very well, you'd
 17 complimented him on doing a great job.

18 Then if we just go over the page to the middle, we
 19 can see a reference to presenting a plan for July. And
 20 then right at the bottom of the screen:

21 "[Chancellor] clear that should not do options in
 22 box at bottom of the page, eg IT cut -- people save not
 23 spend. PM very keen on vouchers idea."

24 So there was a general debate going on, obviously
 25 and sensibly, for some time before August, and you

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1 remember any previous controversy about it.

2 **Q.** Mr Johnson, in June and July you had a number of
 3 bilateral meetings with the Treasury and the
 4 Chancellor --

5 **A.** Yes.

6 **Q.** -- at which the scheme was debated.

7 **A.** Yes.

8 **Q.** There were no scientists present at any of those
 9 meetings, were there?

10 **A.** No, but it would have been normal for a project like
 11 that, a scheme like that to have gone through the
 12 Covid-19 Taskforce and, you know, it seemed to me odd
 13 that the scientists hadn't been made aware of it.

14 **Q.** So you knew they hadn't been made aware of it, you knew
 15 that --

16 **A.** Sorry, I don't think I said that.

17 **LADY HALLETT:** It's not what I understood.

18 **MR KEITH:** It seemed to me odd that the scientists -- oh,
 19 I see, sorry. Do you mean now it appears --

20 **A.** Sorry, I thought it was --

21 **Q.** I apologise. I thought you meant at the time it --

22 **A.** So, yeah, no, so my surprise was in, I think it was,
 23 something like September 16th or thereabouts, it's quite
 24 a long time afterwards, when I heard Chris in a Covid-S
 25 say "It's Eat Out to help the virus", and he looked at

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1 me meaningfully, and I thought, well, that's funny,
 2 because I didn't remember this being something that had
 3 previously seemed to attract objection or controversy.
 4 **Q.** But, please may we be clear about this: no scientists
 5 had been present at any of the bilateral discussions --
 6 **A.** That's correct.
 7 **Q.** -- about the voucher or what became the Eat Out to Help
 8 Out scheme?
 9 **A.** Certainly not so far as I can remember.
 10 **Q.** No. The paperwork, and you've obviously received
 11 a number of papers, made no reference, did it, to this
 12 scheme being supported or proposed by the
 13 epidemiological experts?
 14 **A.** It wouldn't -- it didn't say that, but on the other hand
 15 I wouldn't necessarily have drawn the conclusion from
 16 that that it was -- that it had either been opposed or
 17 it had not been discussed with them.
 18 **Q.** In your statement you do say in terms the scheme was, to
 19 use your words, "properly discussed, including with
 20 Chris and Patrick", so --
 21 **A.** I did say that, and that was my belief, and I don't
 22 understand how that -- I don't understand how something
 23 as well publicised as that could have been smuggled past
 24 the ... the scientific advice. I don't -- I don't see
 25 how that could have happened.

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1 **Q.** Enforcement.
 2 There was, at the same time, of course a constant
 3 debate as to whether or not, in order to promote proper
 4 self-isolation, in order to ensure heightened compliance
 5 with the guidance and the regulations, further
 6 enforcement was required or whether or not, or perhaps
 7 alongside it, additional financial support should be
 8 provided. It was an obvious debate that had to be had.
 9 Did you have a position in relation to whether or
 10 not the cure for lack of compliance or for difficulties
 11 with self-isolation should be greater enforcement,
 12 tougher enforcement and bigger fines, or for the setting
 13 up of a more generous system for financial support for
 14 those who were self-isolating; do you recall?
 15 **A.** We -- we did both. We instituted a compensation scheme
 16 for self -- for -- payments for those who were
 17 self-isolating, from September I think, of about £500,
 18 but I also took the view that if we were going to have
 19 a system of enforcement then it needed to be pretty
 20 firm.
 21 **Q.** Do you recall whether or not the amount for -- the
 22 payment went up between March 2020 and September?
 23 **A.** I --
 24 **Q.** Was there any increase before September, Mr Johnson, do
 25 you recall?

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1 **Q.** So that we're entirely clear about this, your statement
 2 appears to positively suggest that it was properly
 3 discussed, including with Chris and Patrick; you're the
 4 one who suggests in your statement that the persons with
 5 whom it was discussed included the CMO and the --
 6 **A.** I --
 7 **Q.** Excuse me.
 8 **A.** Sorry.
 9 **Q.** -- included the CMO and the GCSA, but now today you're
 10 saying you're not sure whether it was discussed with
 11 them, and you're surprised that it wasn't; is that the
 12 position?
 13 **A.** I -- the reason I said that in my statement is because
 14 I frankly assumed that it must have been discussed with
 15 them, and I'm perplexed as to how something as
 16 significant as that can have got through ... there
 17 was -- there must have been several meetings of Covid-S
 18 and Covid-O at which it was discussed, so I'm ...
 19 **Q.** You understand that you make a positive averral, "it was
 20 properly discussed". That word "properly" is your word,
 21 Mr Johnson, not the Inquiry's.
 22 **A.** That's indeed my memory, and I remember the scheme
 23 coming up several times, and that's why I, as I've told
 24 you, I was surprised when, later, I heard that Chris was
 25 calling it "Eat out to help the virus", and taken aback.

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1 **A.** Well, I remember the top whack fine was £10,000.
 2 **Q.** Well, indeed. You declared in a handwritten message,
 3 a handwritten note on a box note given to you on
 4 13 August:
 5 "I agree with the openings but the OVERRIDING
 6 MESSAGE ..."
 7 You said in capital letters.
 8 "... should be about tougher enforcement and BIGGER
 9 FINES."
 10 But at the same time it's notable that you in no way
 11 suggested that an alternative way, or perhaps
 12 a complementary way, might be to increase the amount of
 13 payments for self-isolation?
 14 **A.** No, we did, as I've just said, increase payments for
 15 self-isolation.
 16 **Q.** That wasn't a suggestion that you made at this time,
 17 although it came in later, as you rightly say, in
 18 September. So your position was, it would appear,
 19 enforcement is the only way to go?
 20 **A.** Well, that's obviously not quite right, because we did
 21 give quite generous payments for self-isolation.
 22 I think the concern that we had was that there could be
 23 difficulties, complications, abuse of any system of
 24 payments. We were already spending, as everybody knows,
 25 very considerable sums in support of all kinds, so there

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1 were anxieties about some of the implications of the
2 compensation system, but because it was so important to
3 go with self-isolation, to encourage people and to help
4 people who needed support, we did go for the £500
5 payments.

6 **Q.** On the regulations and the guidance themselves, evidence
7 has been received by the Inquiry from the former
8 Home Secretary, Dame Priti Patel, that in her opinion
9 there was a high degree of confusion surrounding the
10 broad thrust of the regulations as well as their detail,
11 and the Inquiry has seen a diary entry in
12 Sir Patrick Vallance's evening notes where you exclaim
13 in frustration, but plainly perhaps not to be taken too
14 seriously, "Who made these stupid rules" --

15 **A.** Yeah --

16 **Q.** Was that -- against that context, Mr Johnson, to what
17 extent did your advisers and officials come to you over
18 the summer and the autumn of 2020 and say, "There really
19 is a distinct problem about the efficacy and the
20 workability of these regulations, they're very difficult
21 to understand and they're giving rise to a significant
22 degree of confusion"? Did that debate ever take place?

23 **A.** We did -- we did try to make the rules as simple as we
24 could, but the problem was the effort did -- to get
25 people to self-isolate, to avoid contact, because of the

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1 libertarian tendencies, your own message to your
2 advisers, as we see from that document, was bigger
3 fines, more enforcement, a heavier hand?

4 **A.** I wanted -- so here's the picture, I was very
5 concerned -- I knew that we were basically in remission
6 as we come out of the first lockdown, and the reason
7 I go for things like Eat Out to Help Out is because
8 I think it's within the budget of risk, but I know that
9 we're going to -- we're going to face another wave, and
10 I really want people -- if we're going to avoid tougher
11 measures, we need people to obey the existing
12 strictures.

13 **Q.** It was obvious to you, and we'll look at a WhatsApp in
14 a moment, of course by the end of July that the
15 United Kingdom would be hit by a second wave. That was
16 epidemiologically taken for granted in terms of the
17 examination of this viral pandemic.

18 We'll have INQ000048399, page 25. You say it's
19 "completely obvious we are about to be hit by a second
20 wave". It's about halfway down, just after halfway down
21 the page. 8.10.48:

22 "Folks, looking at Spain and France and remembering
23 March, it is completely obvious we are about to be hit
24 by a second wave."

25 On page 32, a month later, 31 August, in the same

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1 complexities of human life, became extremely
2 complicated. And I think we really need -- you know,
3 for the future -- to think about how we do it again,
4 because yes, it was very difficult to enforce. And I do
5 have a great deal of sympathy for those who were -- the
6 police, those who were charged with enforcing it,
7 because it changed very often, I think there were
8 60 separate changes, and the complexities for the public
9 to understand were very great.

10 **Q.** Have you thought about how it might be done differently
11 next time in terms of the promulgation of the legal
12 superstructure?

13 **A.** Well, I think clearly it would be a matter for my Lady
14 and the Inquiry, but I think that there needs to be
15 a great deal of reflection about the -- simplifying the
16 whole approach and seeing what we can do to rely more on
17 common sense and less on regulation and legislation.
18 But there may be limits to that, and I'm not suggesting
19 there is an easy answer, because the reason
20 fundamentally in the UK why you -- and I say this to all
21 the libertarians -- why you need regulation is because
22 ultimately people want to see everybody being obliged to
23 obey the same set of rules and to -- and they want their
24 neighbours to do what they're doing.

25 **Q.** But it must be noted that, despite your declared

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1 WhatsApp group, you say, page 32:

2 "We have seen the wave coming for miles so we should
3 be ready."

4 Thank you.

5 It's obvious that the government was concerned in
6 the summer of 2020 with, as you say, the prospect of
7 being hit by a second wave. Did you, therefore, give
8 consideration to the possibility of putting into place
9 a formal system of segmentation? The Inquiry has heard
10 evidence how, in August and September, the
11 Covid Taskforce considered whether or not it might be
12 possible in advance of the impact of the second wave to
13 consider a formal system of segmentation for the
14 elderly. Do you recall that debate?

15 **A.** I certainly do, and I think that we were looking at all
16 sorts of different solutions.

17 **Q.** There were a number of meetings with the
18 Covid Taskforce. You say in the minutes of a meeting of
19 the strategy committee, Covid-S, in September:

20 "... a plan should be considered on segmentation of
21 the population, to enable a portion of the population to
22 continue to live their lives as normal."

23 That is to say, the remainder.

24 Do you know now, can you recall why the proposals on
25 segmentation were either impractical or not possible to

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1 be taken further? Do you remember?
 2 **A.** A lot of people -- I kept having to explain this to
 3 people, because intuitively it sounds like a very
 4 reasonable thing to do, to protect those who are going
 5 to be most vulnerable, principally the elderly and those
 6 with chronic conditions. The trouble is that when the R
 7 starts circulating above a certain rate, the velocity of
 8 transmission of the disease becomes so extreme that it
 9 just breaks the segregation that you've tried to impose,
 10 and that vulnerable population, a percentage of them
 11 will inevitably get the disease, and as you know,
 12 a small percentage of a very large number is a very
 13 large number.
 14 **Q.** So if we look at INQ000048399, which is the CSA-CMO-PM
 15 WhatsApp group for August, page 28, you entered into
 16 a debate with Sir Chris Whitty and Sir Patrick Vallance
 17 about the merits of giving the elderly a choice, and you
 18 say, in effect: why not give the over 65s a choice?
 19 They can decide whether to enter into spontaneous
 20 self-preservation and keep themselves to themselves, or
 21 run the risk of hugging their grandchildren and engaging
 22 fully in society.
 23 And you put that position to Sir Chris Whitty and he
 24 says in the middle of the page, starting at 7.22.49 pm:
 25 "Agree [it's] entirely reasonable at an individual

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1 **Q.** -- the impossibility of the epidemiological problem?
 2 **A.** I couldn't see how it would fix up our problem, but it
 3 was sometimes a job to explain that to colleagues, but
 4 you can see that we didn't pursue it.
 5 **Q.** Well, it appears to have been quite a job to explain it
 6 to you, because you wanted that choice to be given to
 7 individuals, and your CMO was saying, "Don't do that"?
 8 **A.** And it's -- and, quite rightly, I was interrogating my
 9 advisers about points that had been made to me, with
 10 a view to understanding the arguments and being able to
 11 explain them to the world, that -- which is my job.
 12 **Q.** So by September, in light of what you've agreed, which
 13 is that it was obvious that a second wave was coming,
 14 you say in your statement "we were going to have to do
 15 something", there was this debate about
 16 a circuit-breaker, you'll recall.
 17 The SAGE advice to you, relayed by your CMO and your
 18 Government Chief Scientific Adviser, was to the effect
 19 that the more rapidly interventions are put into place
 20 and the more stringent they are, the faster the
 21 reduction in incidence and prevalence and the greater
 22 the reduction in Covid-related deaths. As a general
 23 proposition, do you accept that?
 24 **A.** That was the advice that they gave then, though
 25 of course it had changed a bit from where we were in

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1 level."
 2 And then --
 3 **A.** It's the second paragraph is the crucial one.
 4 **Q.** Indeed, he says:
 5 "People can rationally make an informed choice they
 6 would rather take a small increased risk of dying and hug
 7 their grandchildren / go clubbing."
 8 Perhaps not the same people both hugging their
 9 grandchildren and going clubbing. But "at a population
 10 level" --
 11 **A.** This is the problem.
 12 **Q.** -- the government is under an obligation to ensure that
 13 the epidemiological line is held so that the R rate
 14 doesn't then go back above 1; was that the nub of the
 15 problem?
 16 **A.** That's it. So Chris in that second paragraph is making
 17 the essential point that even if you've elected to
 18 self- -- to be shielded or even if the government is
 19 trying to shield this segment of the population, it's
 20 not going to work because the infectiousness is too
 21 great.
 22 **Q.** Do you think that is why perhaps the segmentation debate
 23 didn't lead to any practical proposals? It came up
 24 against the --
 25 **A.** I couldn't see --

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1 March, though they were still making the point on the
 2 circuit-breaker. If you look at that -- I think that
 3 SAGE advice in September, they're still saying: if you
 4 do one it may not be enough, and you may have to do
 5 another. Which was, if you remember, Patrick's point
 6 back in March.
 7 **Q.** So if we look at INQ000102265, page 2, this is
 8 a WhatsApp communication on 17 September, we can see
 9 that Mr Cummings says:
 10 "We [should] consider a 2 week circuit breaker, keep
 11 schools open but close bars restaurants ... etc ...
 12 "We [should] consider doing this this week ..."
 13 Then he says:
 14 "Sorry I meant consider now saying this early Next
 15 week for fortnight."
 16 You say:
 17 "What's the difference between a circuit breaker and
 18 a national lockdown and what if it doesn't work."
 19 Is that a nod to the point you've just made, the
 20 difficulty with the circuit-breaker is --
 21 **A.** It is.
 22 **Q.** -- you don't know whether it will work, if it's short
 23 you may run the even worse risk of having to do it
 24 again?
 25 **A.** Yes, so as I think Patrick said again in one of the

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1 meetings, you know, there's the yo-yo risk, and -- which
2 SAGE themselves point to, and I think Matt himself, even
3 though Matt was generally very much on the -- the
4 Health Secretary, was very much on the precautionary
5 side of the argument, was not actually in favour of
6 a circuit-breaker, and I think that was his evidence to
7 you as well, for that reason.

8 **Q.** Patrick Vallance at the bottom of the page says:

9 "Yes lesson is go fast, go a bit harder than you
10 think you need, go a bit wider in geography."

11 So the scientific or epidemiological advice,
12 Mr Johnson, was: there may be risks but in the general
13 epidemiological context, in the public health context,
14 the advice is you've got to go the extra mile. And
15 that, therefore, would mean a circuit-breaker as opposed
16 to local restrictions or varying degrees of stringent
17 restrictions being applied.

18 But your position was, "Well, ultimately I don't
19 think that the epidemiological argument is made out,
20 I want to take a different path", and of course
21 circuit-breakers were not applied; is that the nub of
22 it?

23 **A.** Yes, I just want to try to remind everybody of the
24 context when we're coming out of the first lockdown,
25 because what's happening is that the disease is very

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1 or that I had set my mind absolutely against it. If you
2 look at what I said to the Cabinet on July 21st, I said
3 we've got to keep this as part of our arsenal.

4 But I thought that a local approach was
5 a sensible -- well, or regional approach was a sensible
6 way to go, and it was worth -- worth trying.

7 **Q.** This was a matter of spread of infection and death. To
8 use your words, you thought not having a circuit-breaker
9 and then latterly having a tier system was worth a try.
10 Was that the correct approach when dealing with matters
11 of such momentous importance? The scientific advice --
12 and admittedly, Mr Johnson, the advice is never phrased
13 in terms of "You, the Prime Minister, must impose
14 a circuit-breaker", it is perhaps a little more coyly
15 expressed in terms of "more rapid interventions are
16 required", "go fast, go early", "do more".

17 **A.** Yes.

18 **Q.** So they gave you, by implication, the room to make the
19 decision yourself.

20 **A.** So --

21 **Q.** But was that the right approach? Why didn't you apply
22 what you knew to be the lesson learnt from March, which
23 is: go early, take a precautionary approach, and go the
24 extra mile epidemiologically?

25 **A.** So there were some areas that had outbreaks of the

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1 diversely spread, shall I say, over the country, and
2 there are parts of the UK where it's barely present,
3 some places sadly -- Leicester, some parts of the
4 northwest -- they barely came out of restrictions
5 throughout the time, throughout 2020. And so the
6 question would have been: do we continue with national
7 measures the whole time -- which would have been --
8 which is the logical tendency of some of the submissions
9 that I think that you've had -- you know, that would
10 just write off 2020, or --

11 **Q.** Slow down, please, Mr Johnson.

12 **A.** Forgive me. Or do you try what we tried, which is to
13 respect and reflect the geography of the outbreak, and
14 to say, well, we're not going to close hospitality in
15 Devon and Cornwall because of whatever is happening in
16 the West Midlands or elsewhere.

17 And that, for a while, seemed to a lot of people to
18 be a sensible way forward, and I think -- I mean, we'll
19 probably come to this, but I'm trying to -- the defects
20 in the tiering system, but that led to tiering, and
21 I think it was worth a try, because of the difficulties
22 with the circuit-breaker concept which Patrick and Matt
23 and others have alluded to.

24 So that was my -- that was my hesitation. It wasn't
25 that I was against going into a national lockdown per se

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1 disease that were in very tough measures. And it's not
2 as though we didn't do anything nationally throughout
3 the period; on the contrary, we ratchet up the measures
4 throughout September and October, we intensify the
5 pressure on the virus. So September 9th we go to the
6 rule of six, September 22nd we go back to working from
7 home and a curfew -- forgive me, October 14th we move
8 into the tiering system, some places go straight into
9 lockdown, and so on, and we intensify the tiering
10 system. And we then go into the full lockdown at the
11 end of the month.

12 And I actually think that that programme had a very
13 good chance of working. If you look at where we were by
14 November 22nd, the disease was starting to turn down,
15 incidence was turning down, and the thing that really
16 threw us off was, of course, the Kent variant, the Alpha
17 variant.

18 **Q.** But you're now -- you've now moved further, of course,
19 into November and December. On 17 September --

20 **A.** Yes.

21 **Q.** -- as this debate indicates, quite plainly, your chief
22 adviser was saying we should consider a two-week
23 circuit-breaker, your Government Chief Scientific
24 Adviser was saying:

25 "Circuit breaker would be for 2 weeks ... We can get

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1 the paper round tomorrow on that ... you [can even]
 2 think about doing [it] regionally."
 3 Your Secretary of State for Health and Social Care
 4 was saying:
 5 "[If we want] To avoid a national lockdown we need
 6 to act fast ... [we're] going in the wrong direction."
 7 And your scientific adviser again says "go fast".
 8 You didn't, however, accept the advice set out
 9 there, which was: go for the two-week circuit-breaker?
 10 **A.** Well, we did go -- we went immediately. So a few days
 11 later we go for the working from home and for the
 12 curfew. The Health Secretary --
 13 **Q.** You go for a 10 pm curfew, do you not, Mr Johnson, and
 14 advice on working from home?
 15 **A.** The Health Secretary himself was opposed to -- and
 16 already I think by 22 September 10 million people, in
 17 a country of 67 million, are already in Tier 3,
 18 effectively in lockdown measures. So it's not as though
 19 nothing is happening in that period.
 20 **Q.** No, nobody has suggested nothing was done. There was,
 21 of course, the rule of six, there was the curfew from
 22 10 pm, there was the package of measures which you
 23 described as the package A measures of late September --
 24 **A.** Yes.
 25 **Q.** -- but the circuit-breaker was not done?

25

1 "It was not as though the country was not going
 2 through, or large parts of the country were not going
 3 through, another lockdown [already]."
 4 Is this the position: obviously from July there were
 5 areas in local restrictions, notably Manchester,
 6 Liverpool and parts of the northwest of England, there
 7 was the national rule of six, there was then the
 8 package A measures --
 9 **A.** Correct.
 10 **Q.** -- of 22 September --
 11 **A.** Correct.
 12 **Q.** -- which was a 10 pm curfew and advice to work from
 13 home.
 14 **A.** Yes.
 15 **Q.** But the majority of those regions which, to use your
 16 words, were placed in lockdown, were not in fact placed
 17 in lockdown unless and until they went into Tier 3 in
 18 the tier system, which wasn't introduced until
 19 14 October?
 20 **A.** Yes, but there were restrict -- there were already
 21 restrictions around the country which were -- which were
 22 very severe, and they were localised.
 23 **Q.** They were not, with respect, comparable to lockdown,
 24 were they?
 25 **A.** Well, there were -- people faced restrictions around the

27

1 **A.** The national circuit-breaker, no, for -- because
 2 I was -- I wanted to keep going with a regional
 3 approach. We had 10 million people in lockdown on
 4 22 September. It was not as though the country was not
 5 going through, or large parts of the country were not
 6 going through, another lockdown.
 7 **Q.** Well --
 8 **A.** The issue was whether there was any support for
 9 a continued regional approach, and actually if you look
 10 at the October -- the October 20 Cabinet meeting, you
 11 will see that the CMO says that the country -- and
 12 I think JVT also -- Jonathan Van-Tam also said this, the
 13 country's basically divided into three parts -- those
 14 where the disease is flat, those where it's increasing
 15 slowly, those where it's rising fast -- and a regional
 16 approach is therefore still justified.
 17 And those were -- that is what, as far as
 18 I remember, Chris said in that meeting. And so I -- I'm
 19 not going to pretend that this was an easy decision, and
 20 it certainly wasn't, and it was one I agonised over, but
 21 I thought that the -- a regional approach could still
 22 save us and could still help us.
 23 **Q.** You have said twice that part of the rationale for not
 24 having a circuit-breaker in September was that the --
 25 you said:

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1 country on the basis of where the disease was prevalent
 2 and where it was spreading, and I thought that --
 3 you know, we'd learnt a lot in that period. We'd seen
 4 the horrors of the first wave, and the shock of what had
 5 happened -- you're completely right about that -- and it
 6 was appalling and we'd seen the suffering.
 7 But we'd also seen the impact of the pandemic, of
 8 the measures that we'd taken, and our objective remained
 9 the same, which was to protect the NHS and save life,
 10 but -- and our strategy was to use NPIs, but it seemed
 11 to me, given the disparity in the prevalence across the
 12 country, it seemed to me for that period that a local
 13 approach was worth pursuing and, in justice and
 14 fairness, a lot of people thought the same, because they
 15 thought: the disease is not prevalent here, it is not
 16 circulating in my community, why am I being locked down?
 17 And we had to address that issue as well.
 18 **Q.** But the other people who thought the same, Mr Johnson,
 19 were not the Prime Minister with access to this
 20 epidemiological public health advice which appeared to
 21 be pointing in that direction.
 22 **A.** Some of it did and some of it, as I have just said,
 23 continued to support a regional approach.
 24 **Q.** Is that why you called for the meeting on 20 September
 25 in Downing Street with Professor Gupta,

28

1 Professor Heneghan, Anders Tegnell of Sweden, I think
2 the state epidemiologist, and also Professors Edmunds
3 and McLean because you wanted to have a greater
4 diversity of scientific advice and at least advice
5 beyond the advice which you were receiving but which you
6 were not inclined to accept from your own Chief Medical
7 Officer and Government Chief Scientific Adviser?

8 **A.** I think, with great respect, it was the other way round.
9 What I could say -- this is the -- towards the end of
10 September, middle of September, and I can see that
11 things are going to deteriorate, there's no question,
12 and I can see the direction of travel. I still want to
13 use tough local measures to try to achieve what we need
14 to achieve. But I can see that, as I've told Cabinet,
15 and as I think I've told the public as well, we're
16 probably going to have to go back into national
17 measures. And what I want to -- and I know that where
18 I do that, wherever it comes, there will be of course
19 a lot of downsides and people are going to complain and
20 to object for all sorts of good reasons.

21 I need to have the arguments, I need to understand
22 what -- a lot of people talk about the great Swedish
23 success and, you know, how they managed to do it without
24 lockdowns, and if I'm going to impose another lockdown
25 in the course of the next few weeks, which is indeed

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1 perhaps legitimate grounds for thinking that
2 a circuit-breaker was not a panacea, and I was keen to
3 continue with a local or regional strategy which
4 continued to have scientific support for being
5 reasonable, as I've said.

6 **Q.** The nature of the specific intervention may not have
7 been absolutely clear, because SAGE posed the issue to
8 you in terms of interventions being required, but the
9 debate was plainly -- and you understood it to be
10 plainly -- about the merits of a circuit-breaker. So
11 there was a clarity about the debate. What lacked
12 clarity was what ultimately -- what political decision
13 should be made by you. You were unclear as to what the
14 way forward should be.

15 The meeting on 20 September --

16 **A.** That's not true. With respect, what we decided to do
17 was to continue to tighten the measures that we -- the
18 national measures that we had, but also on October 14th
19 to go for the tiered system.

20 **Q.** On 20 September you deliberately arranged for a meeting
21 at which you allowed yourself to hear from scientists on
22 either side of a completely different debate, which was
23 not to do with the merits of a circuit-breaker, but to
24 do with whether or not, as a general policy, the
25 Great Barrington approach -- that's to say, to use

31

1 what I had to -- I ended up having to do, I need to know
2 what the counterarguments are.

3 **Q.** Mr Johnson, your government and you personally had
4 declared that you would be following, by which you mean
5 you'd be guided by, the science. Throughout the course
6 of that year you had been guided by, accordingly, the
7 Scientific Advisory Group for Emergencies and by your
8 CMO and GCSA.

9 Why did you not continue to follow, to be guided by,
10 that advice in September 2020? Why did you deliberately
11 allow yourself to depart from that stated position?

12 **A.** First of all, because the scientific advice was not
13 clear. There was a -- there was a -- yes, there was
14 a push for a circuit-breaker, but that was not supported
15 by the Health Secretary, as he's testified to you, and
16 he was normally in the -- amongst the toughest in
17 wanting to impose lockdowns. There were question marks
18 about the circuit-breaker and its efficacy, and indeed
19 where a circuit-breaker was tried, as you know, in
20 Wales, it's not clear that it -- that it actually
21 worked.

22 So --

23 **Q.** That was later. It wasn't, of course, imposed until
24 October.

25 **A.** So I was -- sure, but what I'm saying is that there were

30

1 another word, another expression, the "let it rip"
2 approach -- should be applied or whether or not the
3 general approach of caution should be applied. That was
4 the debate on 20 September.

5 **A.** No. Well, actually that was -- I don't remember people
6 discussing the Great Barrington Declaration, but the --

7 **Q.** It's the approach which is later reflected in the Great
8 Barrington Declaration.

9 **A.** What was so interesting about the debate on
10 20 September, to which, as you can imagine, I listened
11 with great care, was that actually the scientists who
12 had been billed as, to use your words, the "let it rip"
13 brigade, did not really support that approach, and the
14 longer the conversation went on, I was fascinated to see
15 how actually they migrated towards a precautionary
16 approach and towards the understanding that NPIs were
17 inevitable and necessary, and that you had to do
18 something.

19 So the question -- so I was -- I was really
20 interested in -- I was thinking ahead in that
21 conversation. I was thinking ahead to where we were
22 going to end up in a few weeks' time, and I wanted to
23 fortify myself against the types of arguments that
24 you've mentioned.

25 **Q.** Bluntly, although you had been given to understand that

32

1 Anders Tegnell, who was the state epidemiologist for
 2 Sweden, would probably recommend a more
 3 herd immunity-style approach, turned out, to your
 4 surprise in the meeting, to argue in fact for stronger
 5 intervention?
 6 **A.** He didn't -- I wouldn't say that, no. Sorry, let me be
 7 clear. I don't remember him or anybody making any
 8 particular comment about, you know, tiers versus
 9 lockdowns or whatever. But what I do remember is
 10 a surprising degree of unanimity, given the divergence
 11 in views that I'd been led to expect.
 12 **Q.** He may not have mentioned, and there is nothing to
 13 suggest he mentioned circuit-breakers or lockdowns or
 14 tiers, but in the general conceptual debate about the
 15 precautionary approach and the need for stronger
 16 intervention --
 17 **A.** Yeah.
 18 **Q.** -- Anders Tegnell made it absolutely plain to you that,
 19 contrary to much of the press reporting about the
 20 Swedish approach, a stronger intervention was merited if
 21 the approach to be adopted by your government was:
 22 there's a second wave coming, we need to do more to stop
 23 it. That was the approach he took in the meeting,
 24 wasn't it?
 25 **A.** I couldn't swear to that, Mr Keith. What I remember is

33

1 events of the spring showed the consequences of making
 2 decisions too late". So you were well aware of the need
 3 to get on and make decisions and to avoid the mistake of
 4 the spring --
 5 **A.** Yes, of course.
 6 **Q.** -- which is to leave the most stringent interventions to
 7 the last minute, correct?
 8 **A.** Well, the mistake of the spring, if you remember, was
 9 that we'd mistaken our place on the curve, and that
 10 was -- but we were in much less doubt about that now.
 11 **Q.** The mistake in the spring was making a decision too
 12 late. The fact that --
 13 **A.** No, sorry --
 14 **Q.** -- one of the reasons for the decision, for that
 15 mistake, Mr Johnson, may have been a misunderstanding as
 16 to where we were on the epidemiological trajectory is
 17 quite different, is it not?
 18 **A.** No, we couldn't have made the decision earlier because
 19 the facts as we understood them were -- were different.
 20 **Q.** Your summary in that meeting --
 21 **LADY HALLETT:** Sorry, you're both losing me.
 22 **MR KEITH:** I'm so sorry.
 23 **LADY HALLETT:** No, it's just that you're both --
 24 **MR KEITH:** Talking over each other.
 25 **LADY HALLETT:** Exactly. That may be part of the problem,

35

1 that he -- that everybody -- and I, you know --
 2 everybody at the meeting was -- I mean, the meeting --
 3 it was more abstract, I think, than concerned with the
 4 details of the current UK position, about which actually
 5 I don't think they necessarily, some of them, knew or
 6 I don't think --
 7 **Q.** Is that right?
 8 **A.** I don't --
 9 **Q.** You don't see one-page papers from every single attendee
 10 about the -- inviting them, and they produced
 11 information -- about the approach that
 12 the United Kingdom Government should adopt. Do you
 13 recall?
 14 **A.** Well, I don't remember them commenting specifically on
 15 the situation that we were in. What I do remember is
 16 there was a much greater uniformity of view that we
 17 needed to do something. What I'm trying to say to you
 18 is that if you're saying to me that Anders Tegnell said,
 19 "You've got to do -- look, you've got to lock down now",
 20 that wasn't --
 21 **Q.** I have not suggested that to you, Mr Johnson.
 22 **A.** No. Well, that's not what -- that's what I remember,
 23 anyway.
 24 **Q.** At a Covid-S meeting on 21 September, the following day,
 25 you said, and the minutes record that you said, "the

34

1 but also can we make sure that we know which period
 2 we're talking about, because we've been talking about
 3 the spring and the autumn. I just want to be clear.
 4 **MR KEITH:** In the autumn, I suggested to you, you had said
 5 in a Covid-S meeting, 21 September, by reference back to
 6 the spring, "the events of the spring showed the
 7 consequences of making decisions too late". Regardless
 8 of why those decisions were taken, Mr Johnson, what were
 9 "the consequences of making decisions too late"? Your
 10 reference.
 11 **A.** Yeah.
 12 **Q.** What did you mean?
 13 **A.** Sorry, so just to clarify this point, in the spring we
 14 couldn't have made the decision any earlier, because we
 15 didn't know the relevant facts. When it came to the
 16 curve in September/October, we were much more on top of
 17 it, we could see where it was going, and the relevant
 18 facts are that the virus was not evenly distributed
 19 across the country, and that was the key thing. It
 20 was -- it looked as though it might be in abeyance for
 21 a long time in parts of the country and therefore it
 22 made little sense to lock it all down. And what we were
 23 trying to find -- and you can criticise us for this, but
 24 I think it was reasonable -- we were trying to find
 25 a way through that allowed as much of the country as

36

1 possible to keep going.

2 **Q.** Mr Johnson, what were "the consequences of making
3 decisions too late"? When you said those words to your
4 colleagues on the Covid-S meeting on 21 September, what
5 did you have in mind by "consequences" and the
6 decision-making having been "too late"?

7 **A.** Well, clearly, if you make any decision too late, then
8 there's going to be a cost and in the case of Covid
9 there's a cost in human life. But what I wouldn't
10 accept is that the decision in -- all the decisions in
11 September, October, November were too late, nor would
12 I accept, knowing what we did then, that the decision in
13 March was too late.

14 **Q.** Well, there we are.

15 On 22 September, you announced the package A
16 measures. You'll recall that you were presented with
17 a paper which had package A measures, the majority of
18 which were described in the very same paper as being
19 unlikely to bring R below 1; some package B measures;
20 package C measure, the more stringent; plus the
21 possibility of a circuit breaker. And you went for all
22 the package A measures and some of the package B, so
23 largely the measures which your own CMO had advised
24 would be unlikely to work, even in combination, to bring
25 R below 1, but that was your right.

37

1 question was: do you go straight back into lockdown,
2 which is what a circuit-breaker is? I mean,
3 a circuit-breaker sounds like a pretty sort of -- it's
4 a glib phrase. It actually means an immensely difficult
5 costly exercise, which falls hardest on the poorest and
6 neediest in society. You then might have to do it again
7 and again, and there's even then no guarantee that it's
8 going to work. And you don't have the -- you don't know
9 what the end state is, because you've got no vaccine.
10 And that was why I thought it was sensible to continue
11 to throw everything we had at a combination of
12 intensified national measures, plus the regional system,
13 the tiering system.

14 **Q.** My question to you was whether or not you, whilst
15 announcing that you would not listen to those who had
16 said "Let the virus rip", had used the words yourself.
17 You deny that, so could you please look at the
18 diaries --

19 **A.** Sorry, what I'm saying is that this was a phrase in
20 common parlance at the time and remained so.

21 **Q.** Sir Patrick Vallance's diaries, INQ000273901, page 92:
22 "Actually having a discussion [Meeting with PM]
23 about 'letting it rip'."

24 **A.** I don't wish to be --

25 **Q.** I'm just going to put --

39

1 You announced that you, we, your government, would
2 not listen to those who say "let the virus rip" nor to
3 those who urge a permanent lockdown when you announced
4 those measures. But the phrase "let the virus rip" and
5 the notion that you as a government would let the virus
6 rip was your own phrase, was it not?

7 **A.** Well, no, there are -- sad to say, there were plenty of
8 people who had used the phrase in conversation with me.
9 I was trying to represent a view which was, sadly, quite
10 widespread, which was that, as you've said already, the
11 approach might be to segment the most vulnerable and to
12 protect them and to allow the vast majority of the
13 population, who were much less vulnerable, to acquire,
14 gradually to acquire immunity.

15 Now, that was not, as we've discussed repeatedly,
16 an approach that I could take at all and I was saying
17 that in order to explain to the public why it was not
18 an approach that we were taking, any more than going
19 into permanent lockdown was an approach that we could
20 take.

21 We faced an appalling -- the problem with this whole
22 period is that we had come out of -- we'd found a way
23 out of lockdown, and we'd got the R below 1, but we
24 didn't yet have either good enough therapeutics or
25 a vaccine, and so our only tools remained NPIs, and the

38

1 **A.** -- repetitive, but this is exactly what you'd expect me
2 to be talking about at this stage.

3 **Q.** Page 245.

4 **A.** This is June 2020.

5 **Q.** I'm going to show you all the ones, Mr Johnson, out of
6 fairness:

7 "[The Prime Minister] meeting -- begins to argue for
8 letting it all rip. Saying yes, there will be more
9 casualties but so be it -- 'they have had a good
10 innings.'"

11 608 -- perhaps that's the same.

12 439:

13 "... we should let this rip a bit."

14 150:

15 "He is obsessed with older people accepting their
16 fate ..."

17 230:

18 "... obsessed with the average age of death being
19 82 ..."

20 Which is longer, you believe, that the average life
21 expectancy.

22 "... 'Get Covid live longer'", you said.

23 245, back to the other one, you say at the bottom of
24 the page, according to Sir Patrick Vallance:

25 "... '... we are in a really tough spot, a complete

40

1 shambles. I really don't want to do another national
2 lockdown."

3 You were told that if you want:

4 "... '... to go down this route of letting go, 'you
5 need to tell people -- you need to tell them you are
6 going to allow people to die' [...]"

7 Was your position, Mr Johnson, that in light of your
8 views, secretly held, about people dying having reached
9 their time anyway, that you were obliged to reject the
10 advice of your advisers that there be a circuit-breaker?

11 **A.** No.

12 **Q.** That there be no national lockdown --

13 **A.** No.

14 **Q.** -- until the last possible moment?

15 **A.** No, this is all rubbish.

16 **Q.** And that you would try a tier system?

17 **A.** No, no. So the implication, or the implication that
18 you're trying to draw from those conversations, is
19 completely wrong, and my position was that we had to
20 save human life at all ages, and that was the objective
21 of the strategy and, by the way, that is what we did.

22 If you look at what we actually did, never mind the
23 accounts that you have culled from people's jottings
24 from meetings that I've been in, if you look at what
25 I actually said and what I actually did, and there is

41

1 case, why wasn't it true that the -- as people were
2 continuously saying in the media and elsewhere, that it
3 was -- the answer was to shield the elderly, protect the
4 elderly and to let it rip otherwise. I needed to have
5 the counterarguments. And if you want to look at what
6 I thought, why don't you look at what I actually said in
7 Cabinet and what I did.

8 And by the way, I -- well, sorry, I don't want to
9 interrupt your question.

10 **Q.** It's obvious, Mr Johnson, that you were not minded at
11 all times all the time to accept the scientific advice
12 that you were being provided with, and that was
13 absolutely your right.

14 It's notable that there was, analogously to SAGE and
15 the CMO and the GCSA, no economic advisory body, no
16 economic analysis being provided to you in a formal
17 structure that could have provided a foundation for the
18 alternative side of this debate. That is to say: well,
19 Prime Minister, you've got a great deal of evidence here
20 epidemiologically and in public health terms, but you've
21 got a terrible decision to have to make again, whether
22 or not to impose a lockdown. And that engages the
23 debate with which we're all familiar, and with which you
24 were anxiously grappling, which is the damage on the
25 economy.

43

1 abundant quotation from me, millions of words that
2 I spoke in Parliament or in press conferences or
3 whatever, if you look at what we actually did, we went
4 into lockdown as soon as we could the first time round,
5 and we sensibly went for a regional approach when the
6 disease picked up again, and then again went into
7 lockdown on 30/31 October.

8 And I think, frankly, it is -- it does not do
9 justice to what we did, our thoughts, our feelings, my
10 thoughts, my feelings, to say that we were remotely
11 reconciled to fatalities across the country or that
12 I believed that it was acceptable to let it rip. What
13 I was asking, and I had to do this, I had to -- we
14 covered a lot of this yesterday, but I had to challenge
15 the consensus in the meeting.

16 You've got to understand that these meetings
17 comprised an overwhelming number of very, very talented,
18 brilliant public health officials, civil servants, and
19 so on, and scientists, and I was representing the only
20 layperson in the meeting, apart from the -- occasionally
21 there would be other politicians, but I was basically --
22 I had to speak for everybody who wasn't in the meeting
23 and who wanted these points put to the scientists before
24 I went out to explain them.

25 I had to get their version of why this wasn't the

42

1 **LADY HALLETT:** Mr Keith, I thought Mr Johnson said yesterday
2 that he did have that kind of analysis. It came from
3 the Treasury.

4 **A.** I was going to say --

5 **MR KEITH:** Thank you, my Lady.

6 My suggestion is a formal economic SAGE, a formal
7 body, advisory group, rather than just the Chancellor
8 and the HMT directly.

9 **A.** I've thought about that and I think -- and, you know,
10 it's a suggestion that I hope the Inquiry -- you know,
11 I bet you're going to look at.

12 But I think that actually -- and I was going to say
13 this at the end, I'll say it now -- I think that the --
14 Cabinet government, there's a reason it's evolved in
15 this country in the way that it has, and I think that
16 the Treasury representing the economy, the Department of
17 Health representing health, actually worked pretty well
18 after a while. I mean, I think it was a great shock
19 adjusting to Covid, but I think that the way it worked
20 was pretty good. Departments did what they needed to
21 do.

22 **Q.** These debates, Mr Johnson, and there are hundreds of
23 meetings at which the CMO and the GCSA attend and where
24 the epidemiological evidence is provided to you, takes
25 place in the Cabinet Office room --

44

1 A. The Cabinet Room, yes.

2 Q. The Cabinet Room or the Cabinet Office room or your
3 study. It's not taking place in Cabinet.

4 A. Well --

5 Q. Mr Cummings has described how the Cabinet process, the
6 debate in Cabinet, was more politically excitable,
7 more --

8 A. Performative?

9 Q. Thank you, performative -- how there were worries about
10 leaks where it was more a matter of political theatre
11 and therefore there wasn't the opportunity, for the
12 reasons he explains, to have this sort of debate and to
13 consider in detail the sort of advice about which --

14 A. Okay, I think that's certainly a fair criticism of some
15 Cabinet meetings, but as time went on and I genuinely
16 think that Cabinet proved to be more and more valuable,
17 and you genuinely started to have different points of
18 view, properly represented, around the table, and
19 different departmental interests, particularly HMT,
20 properly represented. And it became a much more --
21 I started to see the wisdom in the system, and I think
22 it worked.

23 Q. Perhaps one further question before the break, if
24 my Lady wishes it.

25 INQ000236586 is an email from the principal private
45

1 Elizabeth Perelman is referring to but --

2 Q. It's a normal bilateral.

3 A. These would be -- these would be normal conversations
4 that I would have with Rishi. You'd expect me to have
5 them. The plan for NPI easements that she refers to was
6 not something that we have devised at this meeting.
7 It's something that we're discussing and presumably were
8 discussing the funding implications or the economic
9 implications of what's envisaged.

10 Q. Well, there are references to SAGE, there are references
11 to NPI. It's obviously a public health argument debate.

12 A. Yes, yes, it is, but what we're -- everything in that
13 period related to public health, absolutely, and so we
14 would have been talking about, I imagine, what the
15 Chancellor's views were, and I would have been -- I'd
16 have been listening to his -- to what he had to say.

17 Q. Finally, there is evidence, both from Mr Sunak's own
18 witness statement and also from Mr Warner, Ben Warner,
19 as well as actually Mr Cummings, that the Treasury's
20 analytical capabilities would have been assisted by
21 a more formal system of cost-benefit calculation.

22 And just pause there, please, Mr Johnson, before
23 answering.

24 In your strategy update comments -- we'll come to
25 this in a moment, but in response to the final paper or
47

1 secretary to the Chancellor in the Treasury concerning
2 one of your regular bilateral meetings with the
3 Chancellor. You, as Prime Minister, plainly had a large
4 number of bilateral meetings with him, Mr Sunak, and
5 there is a reference in the first paragraph of the email
6 from the principal private secretary to the following:
7 "Following the inconclusive strategy meeting [so
8 a strategy meeting, perhaps a wider strategy meeting in
9 government] the [Prime Minister and Chancellor] met and
10 discussed plan for NPI easements on Friday."
11 So you and your Chancellor meet privately, and by
12 privately I mean in the absence of Cabinet, in the
13 absence of other secretaries of state or civil servants
14 outside Number 10 and HMT, and you discuss "plan for NPI
15 easements", so a public health issue.
16 "No other minister included -- shows the strength of
17 the [Chancellor's] voice in these discussions."
18 So with reference back to my earlier question about
19 a more formal, open, perhaps transparent, process of
20 enabling the Prime Minister to receive economic advice,
21 do you think that these private bilaterals where you
22 discuss with the economic voice in government, the
23 Chancellor, matters of public health, were the right way
24 to have done this?

25 A. I can't remember the meeting that I think it's
46

1 one of the final papers before the second national
2 lockdown from the Covid Taskforce, you wrote in your
3 handwritten annotations at the end in capital letters:
4 "Can I please see some SERIOUS economic analysis."
5 Is there a case, by way of one of the many lessons
6 to be learnt, for a formalised system of cost-benefit
7 calculation so that the Treasury, and the wider world,
8 can see how there can be a quantitative analysis of the
9 impact of interventions economically?

10 A. Well, the Treasury does a phenomenal amount of
11 cost-benefit analysis, as you can imagine, already, and
12 yes, I think that -- as I've said already, my Lady,
13 I think what we really need to have is some proper
14 quantified analysis of the benefits of NPIs and the
15 epidemiological benefits of NPIs, because I think
16 there's still too much uncertainty about those, as well
17 as a proper understanding of the economic -- the
18 economic cost.

19 So, yes, I think if there could be some way of
20 putting those two things together in a formalised way,
21 that might very well be useful. But that was
22 effectively what I was doing the whole time; week in,
23 week out, those were the calculations we were making.
24 But I want to stress that the objective was always
25 saving life and that was what we were trying to do.
48

1 **LADY HALLETT:** That's your final, final question before the
2 break, is it?

3 **MR KEITH:** That's my final, final question before the break.

4 **LADY HALLETT:** 11.30, please.

5 (11.15 am)

6 (A short break)

7 (11.30 am)

8 **LADY HALLETT:** Mr Keith.

9 **MR KEITH:** Mr Johnson, the tier system --

10 **A.** Yes.

11 **Q.** -- about which you've spoken, thank you.

12 Briefly, you received advice from the
13 Covid Taskforce on 7 October. Just to put this in its
14 chronological place, there was a discussion in Number 10
15 that day about regional lockdown measures, a major
16 meeting on 8 October --

17 **A.** Yes.

18 **Q.** -- yourself, the Chancellor, CMO, GCSA, and the chief
19 executive of the NHS --

20 **A.** Yes.

21 **Q.** -- Simon Stevens.

22 The evening notes kept by Sir Patrick Vallance talk
23 about the somewhat desperate nature of the -- or the
24 anxious nature of the decision having to be made by you,
25 and the issues which you ventilated which were troubling

49

1 you know, wanted proper financial help, and to get the
2 tougher measures put on was proving, in a voluntary way,
3 was proving time consuming and costly.

4 **Q.** Is it right to say that there was continuing scientific
5 corroboration for the tiers? The material in Covid-O
6 was to the effect that even the highest level, level 3,
7 would be unlikely to work. Sir Patrick Vallance's notes
8 make plain that at that meeting he felt he was being
9 asked to approve measures knowing that they weren't
10 enough, and the public health epidemiological support
11 appeared to be quite slim. However, the scientists and
12 the public health experts recognised that the public
13 health issue was only one half of the debate. It was
14 for you to weigh up the many issues that you've
15 described, including the economic considerations, and to
16 balance them. That wasn't their call, it was your call.

17 **A.** Well, I had to balance them but there were two things.
18 I think it -- so I was fortified by I think what the CMO
19 said in the Cabinet of October 20th, where I'm fairly
20 certain that he said something and JVT said something at
21 about the same time to the effect that a regional
22 approach was still reasonable.

23 What we wanted out of the tiering system, and we've
24 got to be clear we didn't achieve it, was really to
25 crush the virus where was most prevalent, and I've

51

1 you.

2 The evidence from the Covid-O meeting of 11 October
3 is that the Government Chief Scientific Adviser made
4 plain, because he says it in terms, that the level 3
5 baseline -- that's to say, the standard level 3 but the
6 upper, the higher most level 3 level -- was highly
7 unlikely to bring the R below 1 and so highly unlikely
8 to control the growth of the epidemic.

9 Is that why you said earlier, and you've said it in
10 your statement, you felt the tier system was
11 nevertheless worth a try? There were doubts expressed
12 before you even announced it as to whether or not it
13 would work, but your assessment -- and it was ultimately
14 for you to decide -- was it was worth the shot?

15 **A.** It was, and it wasn't just my assessment. I think that
16 after, even after that meeting, as I said earlier, on
17 the 20th or so you've got continuing scientific
18 corroboration of the rationale behind the regional
19 approach.

20 But what we wanted was of course to try to stamp on
21 the virus, to wallop it wherever it was most prevalent.
22 The difficulty was that it was very laborious and
23 involved some very difficult negotiations,
24 understandably, with areas that had been in restrictions
25 for a very long time, and their leaders, understandably,

50

1 explained that one of the difficulties was, you know,
2 getting local leaders to put in measures fast enough.

3 I think it's possible, and I think there's even some
4 evidence from Patrick that, you know, we had a fighting
5 chance of getting the R below 1. If we'd been able to
6 get some of those measures in, put in harder and faster
7 in those areas, I think it might have worked, and there
8 are other people who think that too.

9 **Q.** The point, Mr Johnson, is you can't rely on what was
10 said on 20 October about the general nature of regional
11 restrictions because you made the decision to go for
12 tiers on 11 October, over eight days before, and the
13 announcement was made on 12 October.

14 **A.** Yes, so what I'm --

15 **Q.** So what was said -- excuse me. What was said
16 subsequently on 20 October in relation to the merits of
17 regional restrictions can't be relied upon as
18 a justification for your decision-making ten days
19 before.

20 **A.** Well, with great respect, I think what it shows is that
21 there was -- around that time, there was continuing
22 scientific support, as I took it, for -- I'm just giving
23 you what I felt -- support for a continued regional
24 approach.

25 And, by the way, it was also my feeling that

52

1 although the suggestion from SAGE had been for
 2 a circuit-breaker, I didn't feel, listening to the
 3 arguments, and this may have been my mistake, but
 4 I didn't feel, listening to the arguments that the
 5 pressure for a circuit-breaker was particularly strong,
 6 and that may be my mistake, but it wasn't coming from
 7 the Health Secretary, and it seemed to me that there
 8 were -- there were countervailing arguments as well.
 9 **Q.** In the event, the tiers, as we know, didn't work.
 10 **A.** Well, they didn't and I'm very sad about that, but
 11 I think that they were logically, rationally, as we came
 12 out of the restrictions in the summer, they were worth
 13 a try. The trouble was that they became very invidious
 14 as between areas, because one village would suddenly
 15 find itself in very heavy restrictions, the village next
 16 door was not, while the incidence of the virus was
 17 exactly the same. Local politicians, politicians of all
 18 kinds, became very worked up, sometimes quite paranoid,
 19 about the tiering approach.

20 It clearly was proving divisive and difficult to
 21 implement. Though I want to say that Eddie Lister, who
 22 was in charge of the negotiations, did a heroic job in
 23 trying to get government to, local government, regional
 24 government to agree.

25 **Q.** In addition, the evidence would appear to suggest -- of
 53

1 **A.** Not to my knowledge, not that I can remember.
 2 **Q.** We then come to the lead-up to the second lockdown.
 3 It does appear that the Covid Taskforce provided
 4 a forward strategy document for you on 25 October, and
 5 there was a meeting in Chequers to discuss it. You then
 6 received a further taskforce advice on 28 October, and
 7 then another paper for a Covid-O meeting, and then there
 8 was ultimately a meeting at which you decided that there
 9 had to be a lockdown, and my question is this: why were
 10 there a number of papers and strategy documents given to
 11 you in the same week, all broadly recommending
 12 a lockdown? It rather looks as if the Covid Taskforce
 13 was trying to bring you to a particular conclusion.
 14 **A.** Well, I don't know the answer to that. I do remember
 15 the papers and, you know, I thank the -- I think it was
 16 the James Bowler paper that I got on the 28th, for
 17 instance.

18 There were -- there was a lot of good paper --
 19 you know, the Covid Taskforce, by the way, was
 20 determined to make the tiering system work, they
 21 thought, you know, we began full of hope that it could
 22 work. But it was clear by the end of the month, towards
 23 the end of the month, that it was just running out of
 24 road.

25 **Q.** Let me be more direct. Mr Shafi's notes of a meeting on
 55

1 course, as ever, a matter for my Lady -- that not only
 2 were there problems that you've identified, Mr Johnson,
 3 but, as Mr Ridley has said, the process overall was
 4 entered into extremely quickly, which gave rise to
 5 problems of its own?

6 **A.** Yeah.

7 **Q.** The negotiations were difficult and prolonged, and
 8 of course when dealing with epidemiological --

9 **A.** Yeah.

10 **Q.** -- exponential growth --

11 **A.** And the virus isn't -- the virus isn't interested in all
 12 this. The virus --

13 **Q.** Indeed. And also, logically, because the virus was
 14 spreading, ultimately, as proved to be the case, it
 15 spread to all areas and therefore there was a level
 16 of -- there was a degree of, it's been described as
 17 epidemiological levelling up, everywhere would have to
 18 eventually go up into tier 3 and that would, of course,
 19 defeat the whole purpose of it?

20 **A.** That's completely right.

21 **Q.** All right.

22 **A.** And I think that's a pretty fair summary.

23 **Q.** Mr Hancock told the Inquiry that he knew on 12 October
 24 when you announced the tier system that it wouldn't
 25 work. Did he tell you that?
 54

1 25 October, the forward strategy meeting, record you as
 2 recognising that the country was in a very tough spot.
 3 You say, according to him, that you were deeply
 4 sceptical about a national lockdown, and you say "We're
 5 not" or "I'm not going to be stampeded into a national
 6 lockdown yet", that's over the weekend.

7 Then three days later, the taskforce comes to you
 8 and says the situation is continuing to deteriorate, we
 9 don't think the tiers are working, there's got to be
 10 a lockdown. And the point I made to you is: to what
 11 degree, if any, do you assess that the Covid Taskforce
 12 was trying to impose on you or trying to recommend
 13 a lockdown because it was aware that you had already
 14 said on the 25th, "I'm really not going to be stampeded
 15 this time"?

16 **A.** But it was quite right not to be stampeded into any
 17 course of action, but the virus -- you know,
 18 irrespective of the Covid Taskforce, the virus was
 19 spreading, and it was spreading exponentially, and that
 20 was -- and that was clear from what James Bowler had to
 21 say, and, you know, that was clear for a long time that
 22 it was spreading in areas where it had seeded --

23 **Q.** Of course.

24 **A.** -- we wanted to try the tiered approach, we wanted to
 25 try the local approach. That was gradually running out
 56

1 of road and we had to go for national measures. But
 2 I always knew that we were -- that was on the cards.
 3 **Q.** Having tried measures which didn't prove to work, having
 4 been told from July that a second wave was inevitable,
 5 do you accept that there is at least a good argument
 6 that the tier system should have been conceptualised and
 7 put into place earlier, at a time when the prevalence
 8 was lower, and therefore the tier system may have been
 9 more likely to work, so for September, alternatively
 10 that a circuit-breaker should have been applied in
 11 September so as to avoid, possibly -- and we will never
 12 know -- possibly the second devastating national
 13 lockdown which you were forced to apply?
 14 **A.** So on the point about the circuit-breaker, I think we've
 15 been round that quite a bit. There were arguments for
 16 and against it. It wasn't actually presented to me as
 17 something that we urgently needed to do, it was
 18 an option. The Health Secretary was against it and
 19 there were clear downsides because of the problem of
 20 bounceback. And, as I say, a circuit-breaker is not
 21 just flipping things on and off, it's a very, very --
 22 a massive intervention, you've got to get it right --
 23 **Q.** Like a lockdown?
 24 **A.** It's a complete lockdown.
 25 So -- and on the -- your point about tiering, should

57

1 there is a greater chance you can get on top of the
 2 virus earlier, you then don't need to have such a long
 3 circuit-breaker or lockdown, and when you come out
 4 prevalence is likely to be lower, thereby obviating the
 5 need for yet another lockdown.
 6 **A.** The answer --
 7 **Q.** If you just let me put the question.
 8 The evidence suggests that if, however, you wait to
 9 the last minute before imposing a lockdown, you have
 10 more of a pronounced rollercoaster approach and
 11 prevalence is unlikely to be as low as it otherwise
 12 would be, and the lockdown, in order to work, has to be
 13 longer, harder and more brutal.
 14 **A.** Right.
 15 **Q.** That's what you ended up with.
 16 **A.** No, so a lot of points there, if I may -- if I may.
 17 So, first of all, we didn't delay and then do
 18 something at the last minute as though -- so neither in
 19 March nor in September/October did we do one single
 20 lockdown. And I think this is one of the most important
 21 points that people need to remember, because it's been
 22 slightly forgotten.
 23 In March there are a crescendo of measures beginning
 24 in -- in -- I think on the 9th, when I first tell people
 25 to avoid contact and so on. There's school closures,

59

1 tiering have been introduced earlier and formalised
 2 earlier, which is I think what you asked, that's
 3 an excellent question, I think that the truth is that we
 4 already, for a long time, had had a kind of tiering in
 5 the sense that, you know, some places remained --
 6 Leicester, the northwest -- remained under measures for
 7 a long time.
 8 It took a while -- I'll be honest, it took a while
 9 to work out the LCAL system, and to work out how to move
 10 places up and down, and I think one of the lessons of
 11 the whole experience is that when you set up these
 12 artificial boundaries between epidemiological areas
 13 in -- using council boundaries or whatever, you're going
 14 to create huge problems, and -- or parliamentary
 15 constituencies, you're going to create huge problems,
 16 and we ran into those. And, you know, I say in my
 17 statement I don't think that it, in the end, worked, but
 18 logically it appeared to be the right way to go as we
 19 came out of the -- out of the first lockdown.
 20 **Q.** And do you accept, Mr Johnson, that the position that
 21 was ultimately reached was that you did have and you
 22 imposed a rollercoaster lockdown process overall?
 23 Epidemiological evidence has been given to this Inquiry
 24 to the effect that if you impose lockdowns,
 25 circuit-breakers, whatever they may be called, earlier

58

1 hospitality closures -- non-essential retail closure and
 2 so on. Then the lockdown on 23rd.
 3 When it comes to the -- to September/October, again
 4 there's a series of steps that we take nationally in
 5 addition to the regional measures. Now -- and I've
 6 described them: 9 September, the rule of six;
 7 22 September, working from home, curfew; so on and so
 8 on -- then the tiering system; then lockdown.
 9 Now, the question about whether the actions helped
 10 depress the -- change the shape of the curve, I think
 11 that they did, I hope that they did, I believe that they
 12 did, but epidemiologists will have -- and I think it's
 13 one of the most important things that the Inquiry has to
 14 evaluate, in my view, is the exact extent to which those
 15 NPIs changed, deflected the progress of the virus.
 16 What I also think is that if you look at what
 17 happened, the -- and particularly the second curve, the
 18 second wave, it's very interesting that the first -- it
 19 goes -- it's in two -- there are two parts to it. And
 20 the first wave you can see that the collective impact of
 21 what we're doing from September onwards, because we're
 22 following it very closely by this time, does bend the
 23 curve. And, you know, again I'll leave it to you to
 24 evaluate the exact extent to which that worked and that
 25 happened, because that's the crucial thing, we need to

60

1 explain it properly.

2 But then what happened, as I said earlier on, is
3 that you get Alpha, and that we hadn't budgeted for.
4 And that's why the second curve describes the shape that
5 it does.

6 **Q.** Would you just explain what the significance Alpha was
7 in terms of its additional transmission, Mr Johnson?

8 **A.** Yes. Alpha is, as every -- Alpha is the Kent variant
9 which was identified in early December. I don't know
10 why we called it the Kent variant, it didn't originate
11 in Kent, but -- and it was much more transmissible than
12 the original coronavirus.

13 **Q.** To a very large extent, is this right, the emergence of
14 the Alpha variant swept all the pre-existing
15 considerations before it away, because --

16 **A.** Yes, so --

17 **Q.** -- the transmissibility meant that the government's --

18 **A.** Yes.

19 **Q.** -- room for manoeuvre was very much more constrained
20 thereafter?

21 **A.** That -- that's right. So when you talk about
22 a rollercoaster, I would say that that rollercoaster was
23 very largely driven by nature. The extent to which we
24 were able to control the rollercoaster is something that
25 I think we all need to focus on.

61

1 continued to be applied, whatever view you had reached
2 of the public health crisis; is that a fair summary?

3 **A.** Yes, so our initial plan, as you know, was to open up on
4 December 2nd, which indeed we did. We then see
5 incontrovertible evidence of Alpha and we know we're
6 basically heading for a lockdown, a full lockdown in
7 January, which is what we did.

8 **Q.** There was a debate, of course, about the degree to which
9 you could ease, to the limited extent that you could, in
10 December --

11 **A.** Yeah.

12 **Q.** -- bearing in mind your very clearly stated wish that as
13 much could be done as possible to allow families to
14 spend Christmas together?

15 **A.** We did have that debate, though, if you remember what
16 happened, it just became untenable because of the spread
17 Alpha, and London and a lot of the rest of the country
18 went straight into Tier 4, as we called it.

19 **Q.** I need to ask you, Mr Johnson, to what extent your
20 decision-making in the middle of December was influenced
21 by the press or your backbenchers, because there are
22 references in the Patrick Vallance diaries to you saying
23 that the view of your backbenchers was to take
24 a particular path, you were minded to agree with them,
25 you appeared instinctively to resist the further

63

1 **Q.** Well, indeed. The rollercoaster was plainly evident
2 from November, hence the lockdown. The Kent/Alpha
3 variant did not make itself plain until the first three
4 or four days in December.

5 **A.** That's correct.

6 **Q.** Yes.

7 **A.** Though what's happened with the measures that we put in,
8 as I said to my Lady before, in that second wave, it
9 actually looks, and I remember Matt telling me this, as
10 though we've started to get the numbers under control
11 again. And that was encouraging and so it was
12 unbelievably depressing when we got Alpha.

13 **Q.** There was a small margin for discretion, as far as you
14 could see it, in December, because there was some way of
15 trying to delay the more stringent measures that would
16 be required as a result of the Alpha variant. There was
17 Christmas to consider.

18 **A.** Yeah, yeah.

19 **Q.** Obviously the prevalence level of the virus, the rate of
20 transmission was still relatively high in December,
21 although the November lockdown had of course brought it
22 down significantly, but not to the same level as it had
23 been brought down to in May, and therefore there was no
24 possibility, was there, of opening entirely in December?
25 There had to be fairly stringent restrictions applied,

62

1 reintroduction of the ultimate lockdown measures?

2 **A.** No.

3 **Q.** Is there any truth to that?

4 **A.** It's certainly true that, as I've said before, that in
5 the course of meetings I would, as I thought was my job,
6 and I believe was -- rightly thought was my job, I would
7 express the general view of not just of backbenchers but
8 of other Cabinet ministers who might not be in that
9 meeting about what we were doing, and to try to set up
10 some challenge in the conversation.

11 **Q.** On 2 January, Michael Gove sent you a private note
12 expressing his views, essentially to the effect that
13 there was no alternative but to adopt a "strategy of
14 maximum suppression", as he put it. Did that note,
15 which perhaps traversed well-trodden ground, change your
16 views as to what should be done on 4 January?

17 **A.** No, and we'd already basically knew that -- I was
18 grateful to Michael for his note, but we already knew
19 that we were -- again, we just had to take the toughest
20 measures that we could.

21 **Q.** How did the last minute change in relation to whether or
22 not schools --

23 **A.** Terrible.

24 **Q.** -- as opposed to secondary -- schools not going back at
25 all as opposed to just primary schools going back arise?

64

1 **A.** It was terrible. It was terrible. I mean, it was --
 2 **Q.** How did it happen?
 3 **A.** It was just -- it was inevitable, because we'd ... if
 4 you remember, in the October/November, November
 5 lockdown, we've kept the schools open, because of the
 6 massive detriment to people, you know -- and it's always
 7 the most vulnerable families, it's the poorest kids who
 8 get -- who come off worst from school closures. And
 9 that was definitely the case, we'd seen that in the
 10 first lockdown. Without a shadow of a doubt. So we
 11 were desperate to keep schools open. Yes, did I fight
 12 and fight and fight in my heart and head to keep schools
 13 open? Yes, I did, and I really wanted to do it, but it
 14 just wasn't -- it wasn't a runner and we had to lock
 15 everything down.
 16 **Q.** How did you fight in your heart and head, Mr Johnson?
 17 I ask because Mr Williamson says in his witness
 18 statement that when he and you attended the Cabinet
 19 meeting on 4 January, he made clear that he didn't
 20 think -- of course, he is the Secretary of State for
 21 Education -- he didn't think schools should close again,
 22 if they had to close then they must be opened again by
 23 February half term, and he says:
 24 "... I did not have complete autonomy to make core
 25 decisions, especially those regarding school closure and

65

1 **Q.** Steps, you declared to Cabinet, had to be taken to
 2 protect the public from the variant. For good
 3 precautionary reasons a plan was devised and put into
 4 place, which essentially meant moving from the
 5 pre-existing plan A to a plan B, and you told Covid-O on
 6 8 December that there seemed little option than to
 7 implement plan B: the reality was that we were running
 8 out of road, the choice was to go ahead with plan B or
 9 to wait and be faced with more concerning data and
 10 a rise in hospitalisations. Is that a fair summary?
 11 **A.** I think that sounds right, yes.
 12 **Q.** What was it that took place in the course of the middle
 13 and later part of December that meant that you didn't
 14 have to go to plan B plus, which was right back up to
 15 the more severe interventions, in fact probably
 16 a level 4 --
 17 **A.** That's right.
 18 **Q.** -- lockdown?
 19 **A.** Well, I think this was one of those occasions, possibly
 20 rare, when I felt that I'd got -- maybe I was flattering
 21 myself, but I felt I'd got a pretty good handle on the
 22 data by then, and I was -- I was watching it very, very
 23 closely, and particularly the IFR in the Gauteng
 24 province of South Africa where -- where Omicron was very
 25 prevalent, and what we were studying was the extent to

67

1 school reopening ..."
 2 So, to a significant extent, the views of the
 3 Secretary of State for Education were overridden --
 4 **A.** They were, and I --
 5 **Q.** -- and your Cabinet approved the changes?
 6 **A.** I didn't -- I -- and I listened respectfully to what
 7 Cabinet had to say, and indeed many, many colleagues who
 8 thought that we should try to keep schools open, and
 9 I just couldn't -- you know, the fact is that, sadly,
 10 schools are terrific reservoirs of the virus and in the
 11 cold winter months they were going to be a big vector of
 12 transmission for -- for elderly people, and it wasn't
 13 a runner.
 14 **Q.** Now, may we move forward, in fact almost a year, to
 15 Omicron --
 16 **A.** Yes.
 17 **Q.** -- in 2021.
 18 Without going into the details of the somewhat
 19 arcane and complex issue of plan A and plan B --
 20 **A.** Yes.
 21 **Q.** -- and plan B plus, was this the position from the
 22 beginning of December or the end of November and the
 23 beginning of December: the Omicron variant became
 24 apparent?
 25 **A.** Yes.

66

1 which Omicron translated into -- into deaths. And
 2 of course every one is a tragedy but if the ratio was
 3 starting to diminish, as it seemed to be, then that was
 4 very significant.
 5 And so we were all -- I'm not claiming credit for
 6 myself, but we were all watching this very closely, and
 7 I thought that it seemed to -- the data that we were
 8 seeing from South Africa seemed to me to suggest that
 9 Omicron was less -- less deadly and -- you know,
 10 considerably less deadly.
 11 And I didn't know this, and I was very, very --
 12 I mean, I was -- you know, Omicron was absolutely
 13 terrifying, you know, because it was very transmissible
 14 and there seemed a real risk that it would do a huge
 15 amount of damage to our -- to people. But what I'm
 16 trying to say is that around about the middle, the end
 17 of that month, I start to think that maybe it's less
 18 deadly and there seemed, indeed, to be -- you know, that
 19 did indeed turn out to be the case, and we were lucky
 20 with Omicron.
 21 **Q.** The material shows, Mr Johnson, that there were, as
 22 before, and you've addressed this issue, a number of
 23 bilateral meetings between yourself and the Chancellor
 24 of the Exchequer, and one in particular -- we have
 25 an email concerning a read-out of a meeting between

68

1 yourself and the Chancellor on 18 December -- makes
2 plain that you were -- you seemed "genuinely undecided",
3 you raised a number of points on each side of the
4 argument -- this goes back to your stated tendency to
5 try to ventilate both sides of an argument.

6 The Chancellor, according to the read-out, said
7 "ultimately this is a decision for the
8 [Prime Minister]", but he personally remained
9 unconvinced that there was a compelling case for
10 significant restrictions.

11 And that is ultimately, of course, what you indeed
12 decided.

13 There has been an article in the press dated
14 August 2022 which suggests that at that meeting the
15 Chancellor came as close as he could or used the closest
16 formulation of words that he could to imply that he
17 would resign if there was another lockdown. Does that
18 accord with your recollection?

19 **A.** No. No, I don't remember that.

20 **Q.** The debate, of course, continued in government to the
21 end of December, and you were presented with a paper
22 concerning measures for January and you expressed your
23 scepticism for those additional measures in your
24 habitual way, by using an expletive across the paper to
25 describe what you thought of the measures.

69

1 told me he had gone to Durham during lockdown I only
2 discovered it when the stories ... came out ... He ...
3 claimed that he had told me but that [he said] my brain
4 was so fogged by COVID that I didn't register [but] it's
5 not true. I would have noted it. He never told me."

6 Is that the position you take today?

7 **A.** That's -- that's what I remember.

8 **Q.** The position, though, was, of course, that public
9 confidence in your administration, the United Kingdom
10 Government -- not, I should say, from the data, the
11 Scottish or Welsh administrations or the
12 Northern Ireland Executive -- dipped significantly.
13 There was a very notable drop in confidence in the
14 competence of your government.

15 That obviously was highly regrettable. In the
16 height of a public health crisis of unprecedented
17 proportions, to have that blow to the public confidence
18 in your government's competence was obviously damaging?

19 **A.** It was a bad moment, and I won't -- I won't, you know,
20 pretend otherwise. But actually I think that what
21 happened thereafter was fascinating in that the --
22 you know, whatever the rights and wrongs of the position
23 I took on that episode, people continued to want us to
24 get on with the job of fixing the pandemic and they
25 continue -- in spite of what you say about the

71

1 On 5 January, you told Cabinet it was "time to grip
2 the handlebars tightly as the next few weeks would be
3 bumpy", but the best option for the country was to get
4 through the period without going back to restrictions.
5 Is that correct?

6 **A.** That is correct, and I think that was entirely
7 justified, based on two things, the -- what we were
8 starting to learn about Omicron but also, of course, on
9 the vaccine roll-out, which was by then -- and I think,
10 you know, we'd vaccinated a huge number of people
11 already.

12 **Q.** Now, rule breaking.

13 You supported Mr Cummings when the Barnard Castle
14 affair exploded in Easter 2020, did you not?

15 **A.** I -- I did.

16 **Q.** You -- well, the material, the suggestion is that
17 Mr Cummings drove 250 miles to Durham over the weekend
18 of 27, 28, 29 March at the height of the lockdown, with
19 his wife and child, and then on 12 April he drove to
20 Barnard Castle.

21 He has said that you knew that he had moved his
22 family out of London on that weekend of 27 March. You,
23 the Inquiry is aware, have said in a WhatsApp with
24 another official that:

25 "[Mr] Cummings is a total and utter liar. He never

70

1 confidence factor, they continued to be more than
2 willing to work together to defeat the virus, and that's
3 what they did.

4 **Q.** Is that right, Mr Johnson? The same data which
5 established the significant drop in confidence in your
6 government, data from UCL called the Covid-19 Social
7 Study, also appeared to suggest a drop in self-reported
8 adherence to guidance. So there was a -- there was not
9 just, you would say, a communication or political or
10 presentational issue, there was a substantive impact.

11 **A.** Well, I can't quantify that. What is certainly true is,
12 as we've discussed a lot over the last couple of days,
13 all NPIs start to degrade over time, public adherence
14 starts to fray. Whether that episode helped to
15 exacerbate that problem, I -- to the extent to which it
16 did, I just can't judge.

17 **Q.** The Inquiry, as is everybody, is well aware of course
18 that then the first reports of social gatherings in
19 Number 10 emerged in November of 2021. You were issued
20 with a fixed penalty notice on 12 April 2022, relating
21 to an event in Downing Street on the occasion of your
22 birthday, 19 June 2020, just a few weeks after the
23 Barnard Castle affair.

24 Putting aside the issue of your own fixed penalty
25 notice, did you -- and it's important I ask you this --

72

1 apologise for the impression that had been given that
 2 staff in Downing Street take the rules and the
 3 regulations less than seriously; you in fact I think
 4 described yourself as sickened yourself and furious?
 5 **A.** I did, and I repeated that on many, many occasions.
 6 **Q.** But you acknowledge, of course, that all the breaches
 7 proved to have taken place, but the general behaviour
 8 took place in Downing Street on your watch?
 9 **A.** I do, but I wish to just -- to stress, and I've
 10 continue -- I've always, I hope it's been clear from
 11 everything I've said, I take full responsibility for
 12 everything that the government said or did during the
 13 pandemic. The -- I continue to regret very much what
 14 happened, but I really want to emphasise, and you talk
 15 about the impression, the version of events that has
 16 entered the popular consciousness about what is supposed
 17 to have happened in Downing Street is a million miles
 18 from the reality of what actually happened in Number 10.
 19 And I speak on behalf of, I know, of hundreds and
 20 hundreds of hard working civil servants who thought that
 21 they were following the rules and I know -- I don't
 22 think have been properly characterised by some of the --
 23 not just the media coverage but the dramatic
 24 representations that we're now having of this are
 25 absolutely absurd, and I -- I want to repeat that,

73

1 you know, if I had my time again of course I'd have done
 2 things differently in Number 10 and I would have sent
 3 repeated messages round saying, "Please, you know, make
 4 sure that everybody can see that you're properly
 5 following the guidance", though frankly I think, as some
 6 of your witnesses have said, it was logistically
 7 impossible to do that.

8 But anyway, you --

9 **MR KEITH:** Mr Johnson --

10 **A.** I think people know my views on this.
 11 **Q.** You say it was a million miles away from the reality of
 12 Downing Street. One of your most competent and sterling
 13 civil servants, Helen MacNamara, said in live evidence
 14 to my Lady, "I'd find it hard to pick one day when the
 15 regulations were followed properly inside that
 16 building".
 17 **A.** But that's the point I'm making, because the --
 18 **Q.** Are you saying that this was all a matter of breaches of
 19 the regulations on account of --
 20 **A.** Well, if you look at --
 21 **Q.** -- the formulaic obligations of walking down corridors
 22 and having to work in the building structure of
 23 Downing Street?
 24 **A.** If you read what Helen said in her evidence to you,
 25 I think that is -- I think actually that is what she

75

1 they're a million miles from the reality of what
 2 happened.

3 **LADY HALLETT:** Mr Johnson, one of the problems is that I've
 4 received a number of messages from bereaved people, as
 5 I've travelled around the United Kingdom, and so many of
 6 them who suffered horrific grief during lockdown --

7 **A.** Yes.

8 **LADY HALLETT:** -- we all know that it's far more traumatic
 9 even than many other kinds of grief, and I'm afraid
 10 "Partygate", as it's been called, exacerbated it.

11 **A.** Of course, my Lady, and I totally understand their
 12 feelings, and, you know, I -- what can I do but again
 13 apologise for mistakes that we made in Number 10?
 14 What I'm trying to tell you, and to tell
 15 the Inquiry, is that I think that the characterisation,
 16 the representation has been of what civil servants and
 17 advisers were doing in Number 10 has been a travesty of
 18 the truth. They thought they were working very, very
 19 hard, which they were, and I certainly thought that what
 20 we were doing was, as I've said before, within the
 21 rules.

22 So that is in no way to attempt to mitigate the --
 23 or to -- the offence that has been caused, and
 24 I understand the offence that has been caused, and
 25 I apologise for the offence that has been caused, and,

74

1 was -- she was driving at. There was -- she says there
 2 was one meeting where we were able to do things strictly
 3 by the absolute letter of the guidance, and it was
 4 unsustainable. And that was why the guidance was
 5 written in a way so as to allow businesses to have
 6 flexibility. And the particulars -- I mean, I have been
 7 round this issue many times, and forgive me, but the
 8 situation in Downing Street, the conditions of work
 9 there, we were having to call -- as the Inquiry has
 10 heard -- meeting after meeting after meeting at all
 11 hours of the day and night, in rapid succession, and
 12 summon people rapidly to different meetings. As
 13 Helen MacNamara rightly says, in those conditions it was
 14 very hard to follow the letter of the guidance, and I've
 15 tried to explain that many, many times.

16 But I --

17 **Q.** May we --

18 **A.** -- I understand the offence that has been caused.

19 **Q.** May we have INQ000226239, page 13, please.

20 This is around that time, the time of the revelation
 21 of the partying in Downing Street, a WhatsApp
 22 communication between yourself and your
 23 Cabinet Secretary.

24 Your Cabinet Secretary, Simon Case, was originally
 25 obligated to carry out an investigation, but for

76

1 a variety of reasons which we needn't explore he did not
2 do so. But in the context of that debate, at 23.04 on
3 17 December, Boris Johnson:

4 "In retrospect we all should have told people --
5 above all Lee Cain -- to think about their behaviour in
6 number ten and how it would look. But now we must smash
7 on."

8 So that wasn't about technical breaches of the
9 regulations because of the planning in Downing Street,
10 it was a reference to behaviour, a behaviour of your
11 officials and advisers, and you knew how it would look,
12 but you didn't care that much?

13 **A.** I did care, and to say that I didn't care about what was
14 happening generally is the complete opposite of the
15 truth. And yes, I think that we could have done more in
16 Number 10 to insist that people thought about the way
17 their behaviour would be perceived by others, and I made
18 this point repeatedly to the various inquiries that have
19 been held already into this matter, and we should have
20 thought about what it would look like to have people out
21 in the garden when other people were not allowed in the
22 garden, even though the garden was being used as a place
23 of work.

24 But, you know, the idea that I didn't -- in your
25 line of questioning, which has, you know, been of course

77

1 **A.** Well, I -- thank you for that clarification.

2 **MR KEITH:** My Lady.

3 **LADY HALLETT:** Thank you.

4 Mr Weatherby, I think you're going to ask some
5 questions, and then Ms Campbell.

6 **MR WEATHERBY:** Yes.

7 **LADY HALLETT:** I want to make sure that we don't have too
8 long a morning.

9 **MR WEATHERBY:** I'm happy to crack on as long as you are and
10 the stenographer and Mr Johnson is.

11 **LADY HALLETT:** So if we crack on for about 20 minutes?

12 **MR WEATHERBY:** Yes, indeed.

13 **Questions from MR WEATHERBY KC**

14 **MR WEATHERBY:** Mr Johnson, I am going to ask you some
15 questions on behalf of about 7,000 bereaved family
16 members from across England, Scotland, Wales and
17 Northern Ireland who are supporters of the Covid
18 Bereaved Families for Justice UK, a group which
19 eventually you did meet with at one point.

20 I'm going to ask you questions for about 20 minutes,
21 and some of the points that I'm going to ask you about
22 have been touched upon by Mr Keith, so I hope that you
23 and I can collaborate in dealing with them effectively.

24 I want to start, I want to go back to a point that
25 Mr Keith raised with you about part of your statement

79

1 excellent throughout, you have -- you've dwelt
2 particularly on WhatsApp exchanges and various things
3 that I'm supposed to have said which indicate that
4 I didn't care. I did care, and I continue to care
5 passionately about it. And if you want -- and I haven't
6 talked about this before in public, but -- and it goes
7 to what you were saying earlier about -- about elderly
8 people, and my -- what you claim is my indifference to
9 the pandemic. I just want to remind you that I -- when
10 I went into ITU, to intensive care, I saw around me
11 a lot of people who were not actually elderly, and in
12 fact they were middle-aged men and they were -- they
13 were quite like me, and some of us were going to make it
14 and some of us weren't, and what I'm trying to tell you,
15 in a nutshell -- and the NHS, thank God, did an amazing
16 job and helped me survive, but I knew from that
17 experience what an appalling disease this is. I had
18 absolutely no personal doubt about that from March
19 onwards. To say that I didn't care about the suffering
20 that was being inflicted on the country is simply not
21 right.

22 **Q.** Mr Johnson, I have never suggested you didn't care about
23 the suffering. I suggested you didn't care about the
24 reaction to the behaviour demonstrated, a clear
25 reference on the face of that WhatsApp.

78

1 where you say -- it's paragraph 15 -- where you say that
2 the United Kingdom has "defied most of the gloomier
3 predictions and has ended the pandemic (or the most
4 serious phases of it) well down the global league tables
5 for excess mortality".

6 Now, at the end of your exchange with Mr Keith, my
7 understanding was that you basically stood by that
8 statement; is that right?

9 **A.** Erm, well, I -- the first thing to say is how glad I am
10 that you and the representatives of the bereaved
11 families are here and taking such a big part in this, in
12 these proceedings, I think that's a good thing and
13 I think it's very valuable for the Inquiry.

14 On the data, whatever the data may say, you know,
15 one death is a tragedy --

16 **Q.** Yes.

17 **A.** -- there were too many. I was merely making the point
18 that I thought that the statistics are -- they are --
19 I've seen several --

20 **Q.** Yes.

21 **A.** -- tables that seemed to confirm what I was saying.

22 **Q.** Okay.

23 **A.** I point you to another one by *The Lancet* giving roughly
24 the same impression.

25 **Q.** Okay. My question was: do you stand by the statement

80

1 that you made?

2 **A.** I do.

3 **Q.** Yes. So as far as I can see, in a very lengthy
4 statement, no problem with that, but you don't actually
5 provide much of a basis for that statement, so I just
6 want to probe it a little bit further if that's
7 all right with you, and I want to put up a document.
8 I'm going to actually put up a very small number of
9 documents to you in my time, but I do want you to look
10 at this one.
11 It's INQ000292765, and it's page 10, please.
12 Just while it's going up, this is a graph that's
13 been provided at the Inquiry's direction, and it deals
14 with this very issue, and it's the comparative position
15 of the UK internationally.
16 Now, an earlier witness told us that you have some
17 difficulty with graphs, so whether that's right or not,
18 don't worry, I'm going to actually point out the points
19 that I want to raise with you, but I wanted you to be
20 able to see it.
21 This is the comparative position of the
22 United Kingdom, age-standardised, for excess deaths with
23 other European countries over the period January 2020 to
24 July 2022. What it does is it shows that 18 months into
25 the pandemic -- it gives two points, it shows that

81

1 **A.** What are you doing with Bulgaria then?

2 **Q.** -- but I'm asking you, if you're going to say that the
3 UK defied the gloomier predictions, then the real
4 comparison is with countries such as France or Belgium
5 or Spain or Germany; is that right?

6 **A.** Well, the -- if you look at the -- the point I was
7 making, and which I stand by, is that the UK, the tables
8 I've seen, actually comes about halfway down. And it's
9 not just this table, it's the -- I think there was
10 a Lancet study as well, I think the former
11 Health Secretary alludes to it in his evidence. This is
12 not in any way to diminish the pain and the suffering of
13 people who lost family members during Covid --

14 **Q.** I understand that.

15 **A.** -- it is simply to point out, it is simply to mount --
16 it is to reflect the enormous effort made by the whole
17 of the UK to protect the NHS and save lives --

18 **Q.** Can we stick to the question.

19 **A.** -- and I believe that it did.

20 **Q.** Can we stick to the question.
21 You've raised this in your statement. You made
22 a sweeping assertion that the UK defied the more gloomy
23 predictions. I'm putting to you some cold steel of
24 evidence, and that's what I'm trying to do here.

25 **A.** But I don't believe that your -- I think your -- I don't

83

1 18 months into the pandemic the United Kingdom was ninth
2 highest out of the 33 countries in terms of its excess
3 death adjusted, and then it dropped to 15th after
4 30 months, so it did get better.
5 But the important point to -- that I want to
6 highlight, and want to fairly put to you with the
7 document in front of you, is that only Italy amongst
8 comparable countries had a higher excess mortality rate.
9 So it's right that the UK is in the middle of that
10 graph, but in terms of comparable countries, only Italy
11 has a higher mortality rate. And you would agree with
12 that, I assume, looking at that graph?

13 **A.** Well, I don't quite understand what you mean by
14 comparable in that context.

15 **Q.** Okay. Let me explain, then. It's important, of course,
16 that we don't compare apples with pears, as I'm sure
17 you'll agree.
18 So if it's right, your statement, that the UK
19 "defied most of the gloomier predictions", your words,
20 we would be looking at comparisons, wouldn't we, with
21 countries like France or Belgium or the Netherlands --

22 **A.** If you look at --

23 **Q.** -- rather than Bulgaria or Poland, which are very
24 different countries. I'm not deprecating Bulgaria or
25 Poland, but --

82

1 believe that your evidence stacks up, and I think that
2 actually if you look at --

3 **LADY HALLETT:** Could we just pause, please, Mr Weatherby,
4 Mr Johnson.
5 I'm sorry, I know that emotions are running high,
6 but I have to ask those in the public gallery to keep
7 quiet whatever their emotions, because it's going to
8 disrupt the proceedings and it affects the live feed,
9 the streaming for other people who are trying to follow.
10 I'm really sorry, I do understand, but it has to stop.
11 All right?

12 **MR WEATHERBY:** Thank you, my Lady.
13 Now, Mr Johnson, the point I'm getting at is that
14 you've raised this, I'm actually now trying to present
15 some evidence. The Inquiry has sought this evidence
16 itself.
17 Now, before you -- I'll give you the opportunity to
18 answer, but this evidence is based on ONS, Office of
19 National Statistics, material and Eurostat material that
20 they've got. There is a document accompanying this, I'm
21 not going to put it up, it's quite a detailed document,
22 but it's been provided to the Inquiry -- I'll give it
23 for the record, it's INQ000271350 -- that explains the
24 basis of these figures. The age standardisation which
25 deals with the difference of population and difference

84

1 of age spread, and it deals with the robustness of the
2 international data that is used.

3 So these are, I'm putting to you, the gold standard
4 of the evidence in respect to this. It deals with
5 excess deaths, not just Covid deaths, it deals with
6 excess deaths over the period.

7 So you haven't put forward any evidence to justify
8 your assertion; why are you questioning this?

9 **A.** I'm not questioning this, this shows -- first of all,
10 this shows exactly what I said it shows, which is that
11 if you look at the European tables we come about halfway
12 down. Secondly, actually, if you look at the data, for
13 instance, that the former Health Secretary, Mr Hancock,
14 cites in his own evidence, *The Lancet* study, you can see
15 that the UK, France and Germany and the tables for
16 excess mortality are grouped very close together, and
17 I think Italy, sadly, has a little bit more, and the
18 Netherlands has a little bit more, other nations
19 a little bit more. The interesting thing for me is how,
20 at the end of it all, a prophecy by Chris Whitty was
21 proved correct when he said that the UK would probably
22 end for excess mortality around about the middle of the
23 pack.

24 **Q.** Yes.

25 **A.** And that is indeed what has happened.

85

1 and if you look at *The Lancet* document, *The Lancet*
2 study, the UK is I think about 102nd of 190 or so
3 countries.

4 **Q.** Yes.

5 **A.** But in a way, I don't -- I think this argument is
6 irrelevant. What I was trying -- all I was trying to do
7 was to -- I didn't want the Inquiry to run away with the
8 impression that there was something uniquely awful about
9 the performance of the UK services.

10 **Q.** I've put the evidence to you, I've put it from what I'm
11 describing as the gold standard, I've indicated to you
12 that it's age standardised, it's excess deaths.

13 One further point on this. Looking at the global
14 picture, The Johns Hopkins University institute of
15 medicine has done a review or a research per head of
16 population; the UK comes out as number 20 in its global
17 table of 173 countries for Covid.

18 Similarly, the Worldometer website, which is
19 a dataset provider, which includes providing data to
20 the UK Government, has the UK at number 18 out of 231
21 countries.

22 So again, the UK did far worse than you're trying to
23 suggest, didn't it, Mr Johnson?

24 **A.** Well, I don't agree with that, and I think that if you
25 look at the age of the UK population, as I said earlier

87

1 **Q.** Okay.

2 **A.** That does not in any way diminish the individual
3 tragedies of people who have lost lives.

4 **Q.** You've said that, but just dealing with these ONS
5 statistics, this is what the King's Fund said. Now, the
6 King's Fund, I'm sure you know, is a prestigious
7 independent healthcare institution, set up well over
8 a century ago. This is what it said:

9 "These figures show that, although all European
10 countries have experienced devastating death tolls from
11 Covid-19, and the impacts varied geographically in terms
12 of timing and magnitude, excess mortality in the UK
13 during the pandemic exceeded that of most comparable
14 Western European countries."

15 And it went on:

16 "The UK also had the highest excess mortality rate
17 compared with the baseline among people under 65 in
18 western European countries such as France, Belgium and
19 Sweden."

20 So I'm going to move on, but I put it to you once
21 more that this does not -- this gold standard of the
22 data available does not support what you say in your
23 statement, does it?

24 **A.** Well, I think -- with great respect, I think that
25 actually it does. And what I was responding to in my --

86

1 in my evidence, the comorbidities that we sadly have,
2 the density of the UK --

3 **Q.** Okay.

4 **A.** -- population --

5 **Q.** Well, let's look at that.

6 **A.** -- I think that Chris -- the original prophecy of the
7 Chief Medical Officer has turned out to be broadly
8 correct.

9 **Q.** Okay, let's look at that. You raise age and density.
10 South Korea, a comparatively wealthy country of
11 52 million people, has an older population than the UK,
12 it has a population density of almost twice the UK, and
13 it had a quarter of the UK's deaths.

14 **A.** Can I try -- I'll venture an explanation for that.

15 **Q.** Of course, absolutely.

16 **A.** And I think the answer is well known to people who have
17 followed it, and that is because -- you know, in no way
18 to detract from the wonderful efforts of South Korean
19 healthcare, but they already had substantial experience
20 of plague -- SARS and other such diseases and were well
21 prepared and arguably were better prepared than the
22 UK --

23 **Q.** Yes.

24 **A.** -- to tackle something like this.

25 If you look at the -- you know, notwithstanding what

88

1 you say, if you look at the comparator countries in
 2 Europe -- you haven't mentioned the United States,
 3 where -- which had significantly higher mortality --
 4 **Q.** Yes.
 5 **A.** -- the UK, given its -- the elderliness of the
 6 population, the comorbidities, I do not think it is fair
 7 to say that the UK did significantly worse than others.
 8 **Q.** Yes, with respect, that's deflecting from my point,
 9 isn't it, by going off and talking about another
 10 country? I've given you the full picture here and asked
 11 you to comment on it.
 12 **A.** I'm giving you -- sorry, you asked -- you asked me to --
 13 for my opinion about South Korea, now you're saying that
 14 I shouldn't be talking about another country.
 15 **Q.** No --well, okay, South Korea, that segues me into my
 16 next point, about what happened in March.
 17 It was only by mid-March, wasn't it, that the
 18 United Kingdom Government was serious about sourcing
 19 ventilators and oxygen supply and PPE and protective
 20 clothing, and it had failed to source anywhere near
 21 enough tests, as evidenced by much of the evidence, that
 22 no doubt you've followed, in this Inquiry? That's the
 23 reality, you got to mid-March without having addressed
 24 all of these issues of testing and PPE?
 25 **A.** Well, it took a long time before we had a convenient

89

1 Going back to the point about South Korea, by
 2 mid-March South Korea had actually tested five times the
 3 number of people that the UK had tested, and the reason
 4 for that was partly because they had a history of
 5 learning from SARS and MERS, which apparently the UK
 6 hadn't. But also because you and the government had not
 7 seen the Covid coming over the horizon, or you had seen
 8 it but you hadn't acted on it.

9 I mean, paragraph 46 of your statement:
 10 "Looking back, it is clear that we vastly
 11 underestimated the risks in those early weeks. If we
 12 had properly understood how fast Covid was spreading,
 13 and the fact that it was spreading asymptotically,
 14 there are many things we would have done differently.

15 "47. If we realised what this virus could do, then
 16 we would have immediately laid down stocks of ...
 17 ('PPE'), checked PHE had diagnostic abilities, started
 18 the race for a vaccine, and started to socialise the
 19 public with the idea that they were going to have to do
 20 [NPIs]."

21 That's your own words, that you failed to act on
 22 things like ramping up testing and PPE until it was too
 23 late?

24 **A.** Sorry, what my words say is that we didn't know at the
 25 time what we needed to do, even -- but even had we

91

1 lateral flow test that everybody could use anyway, and
 2 it took a while before that had been devised, partly
 3 thanks to work done at Porton Down. And yes, it --
 4 but -- you know, yes, and I think it's one of the things
 5 that the Inquiry needs to focus on, is yes, our
 6 diagnostics industry and capability was not strong
 7 enough at the time Covid broke.
 8 **Q.** Yes, no doubt.
 9 **A.** That's absolutely true.
 10 **Q.** No doubt.
 11 **A.** One of the legacies, and I should have said this in --
 12 since you've mentioned tests, it can make -- it allows
 13 me to segue conveniently into a point I wanted to make
 14 but didn't, actually what happened was that we went up
 15 massively in our ability to test people --
 16 **Q.** Yes, later.
 17 **A.** -- and by the end of that year we were doing, I think,
 18 300,000 by September and half a million people by --
 19 **Q.** Okay, let's stick to that point --
 20 **A.** And since you make other comparisons with other
 21 countries --
 22 **Q.** Yes?
 23 **A.** -- it is worth bearing in mind that our testing ability
 24 was by far the biggest in Europe.
 25 **Q.** Yes, okay.

90

1 known, even had we known, we would not have been able in
 2 the time available to build up anything like the
 3 diagnostics capabilities that were necessary for a test
 4 and trace scheme, and the test and trace system was
 5 rapidly overwhelmed in every European country.

6 **Q.** Well, the problem is you hadn't got started with it,
 7 Mr Johnson, that's what's you're saying in your
 8 self-reflection in your statement, isn't it? The
 9 reality is --

10 **A.** No, that's not true, we had a -- we had a test and trace
 11 system, and we could already test and trace people, but
 12 it was nothing like big enough, and what I hope will be
 13 one of the legacies of this exercise is that we will
 14 have a much bigger diagnostics industry, as indeed we
 15 now do.

16 **Q.** Well, the reality is that your government was reactive
 17 not to what was on the horizon but what was there in the
 18 here and now, and you've just reacted too late to
 19 provide PPE, source PPE or source testing; isn't that
 20 the reality of it?

21 **A.** No. As soon as we understood the scale of the problem,
 22 we shifted heaven and earth to get both things, and
 23 I think by the end of the year, I think it was something
 24 like 35 billion items of PPE that we'd --

25 **Q.** By 5 April the BBC were reporting, still on the website,

92

1 headline: "Coronavirus: The NHS workers wearing bin bags
2 as protection". Three days later The Daily Telegraph
3 ran a similar article.

4 Even after the first lockdown had started you were
5 woefully short of PPE and testing because you hadn't
6 reacted when it came on the horizon in January, ramped
7 up testing capacity, ramped up PPE?

8 **A.** No, so even if -- even if we'd appreciated -- and I've
9 told you, and I've explained, that we didn't understand
10 the scale and the pace of the virus's advance, but even
11 if we had, I don't believe that it would have made that
12 much difference in January, because the stocks were not
13 great around the world and if you remember what happened
14 we had a terrible situation in March when there were,
15 you know, struggles virtually at airports over
16 consignments of PPE, to make sure they went from one
17 country -- to one country rather than another country.

18 **Q.** The documents show that at the beginning of March, which
19 is when you first started to chair COBR and you went to
20 the hospital shaking hands with Covid patients, at the
21 beginning of March, the CCS, Civil Contingencies
22 Secretariat, was still scoping matters such as PPE and
23 testing. By 26 April, well into the -- a month into the
24 first lockdown, there's a private email between you and
25 Dominic Cummings where you say that the T and T -- the

93

1 absolutely correct, and --

2 **Q.** And your government didn't do anything about it?

3 **A.** -- and that was because I was being told in those
4 early weeks that we were well covered, and I think if
5 you look at what Chief Medical Officer had to say, what
6 Yvonne Doyle had to say, at around that time, you can
7 see that they are -- they believe that we have a big
8 testing capability, and that was -- that was what I was
9 picking up.

10 That turned out not to be true. We reacted. We then
11 set up one of the biggest testing -- well, I think --
12 I think probably -- certainly the biggest testing
13 industries in Europe, and I want to thank Dido Harding
14 very much for everything that she did, I think she did
15 a tremendous job.

16 **Q.** Well, I've put the point to you --

17 **A.** And I want to thank Paul Deighton for what he did on
18 securing PPE --

19 **Q.** You're deflecting again, Mr Johnson, aren't you?

20 **A.** No, I'm telling you what we did.

21 **Q.** I'm going to move on to a final point, if I may, and I'd
22 like you to look, it's a different point, jumping to
23 September, 11 September.

24 Can we have up on the screen, please, INQ000280061,
25 at page 153.

95

1 test and trace plans were "whistling in the dark", with
2 "Legions of imaginary clouseaus and no plan to hire
3 them" and an app that doesn't work. And finally this:

4 "We GOTTA turn it round."

5 That's what you were saying a month into lockdown
6 about testing.

7 **A.** Well, what I was also being told, if you think about the
8 evidence that had been given to me to begin with, I was
9 being told that we did have a very good test and trace
10 system, I was told that we had ample preparations, and
11 that turned out not to be true. So what you're rightly
12 quoting is me responding to the reality and telling the
13 system that we've got to go up several gears and sort it
14 out.

15 **Q.** Just for the record, the reference is INQ000226628, at
16 page 21.

17 But what you're doing there is you're saying,
18 you know, the stable door's open, the horse has bolted,
19 and you're realising that there's no plans in place to
20 ramp up the testing. You've told us this morning that
21 in early March you didn't realise where on the curve you
22 were. Part of the reason for that is that the UK didn't
23 have enough tests.

24 **A.** Sorry, the UK's diagnostics industry was not as well
25 developed when the pandemic began as others, that's

94

1 Now, this is September. Mr Keith's dealt with much
2 of this so I can deal with it very quickly. This is
3 a page from Professor Vallance's diaries relating to
4 that day. I'll read it just through quickly:

5 "11 [September] Schools data reviewed on dashboard."

6 You say:

7 "... 'what am I being told? Is this a great
8 triumph'."

9 Mr Hancock says:

10 "... 'yes, a great triumph'."

11 Professor Vallance comments:

12 "Care homes -- upward spike in cases over the past
13 few days. Here we go again."

14 You say -- and this is the critical point, or one of
15 two critical points here. You say:

16 "... 'We need to remember the grim history of
17 March'."

18 Then Professor Vallance "called for a package of
19 actions".

20 Mr Hancock refers to care home winter plan.

21 And then you say:

22 "... 'everyone says rule of 6 is so unfair,
23 punishing the young but FUCK YOU Daily Mail' --

24 **A.** I apologise for my language.

25 **Q.** Okay, well, it's in shouty capitals and underlined.

96

1 A. Not by me.
 2 Q. By Professor Vallance:
 3 "... '... look this is all about stopping deaths.
 4 We need to tell them'.
 5 "Hospital admissions clearly beginning to increase."
 6 First of all, do you recall this and the flavour of
 7 it being accurate?
 8 A. No, but what I can -- what I can tell you, if indeed it
 9 is -- it is accurate, is that what I would have been
 10 saying is that -- this is the -- this is September --
 11 Q. Yes.
 12 A. -- we're in a -- you can see the -- as I was saying
 13 earlier to Mr Keith and to the Inquiry, you can see the
 14 risk that the virus is going to start taking off again,
 15 I'm --
 16 Q. Yes.
 17 A. -- extremely worried --
 18 Q. That's exactly what I'm putting it to you for.
 19 A. And with great respect to you, sir, it looks to me as
 20 though what I'm saying here is that the priority is
 21 to -- and, you know, I'm sorry to have said this about
 22 the Daily Mail, but the priority is to stop deaths.
 23 Q. Yes. Well, wait for the question.
 24 You were there recognising that we were back in
 25 a position not dissimilar to March, you're also

97

1 A. -- but I hope that, you know, everybody that you,
 2 you know, so ably represent understands, my priority was
 3 saving lives.
 4 Q. But then we get to 21 September with SAGE recommending
 5 this circuit-breaker, just ten days later,
 6 circuit-breaker with attached package, and you reject
 7 it, you go with a tier system which you never refer back
 8 to SAGE, SAGE never gets to look at -- look at SAGE --
 9 A. With great respect, you know, I think we -- we -- I can
 10 repeat, if you like, what I said to the Counsel for the
 11 Inquiry, but the gist of it is that I thought there were
 12 downsides to the proposed circuit-breaker, it wasn't as
 13 simple as all that, it was immensely destructive, the
 14 risk was that you'd have to keep doing it, as they
 15 themselves acknowledge, the Health Secretary himself
 16 didn't support it, and I thought that the best thing
 17 for -- at least for a while was to see if we could
 18 intensify the national measures and then go to --
 19 Q. Yes, you've said that.
 20 Just this, before I sit down: what this demonstrates
 21 is that you understand the problem, you're caught in
 22 this tension between two sides, and you delay and you're
 23 indecisive --
 24 A. No.
 25 Q. -- and the actual proper measures that bring R down

99

1 recognising, with the reference to part of the media,
 2 that you've got competing pressures, aren't you? That's
 3 what's going on. So you're saying, "Let's look for
 4 a package of measures"?"
 5 A. Just for the avoidance of doubt, I don't think that this
 6 is meant to be a general criticism of that great organ
 7 of the press, the Daily Mail. There had presumably been
 8 something that they had said that had wound me up about
 9 the rule of six or whatever --
 10 Q. Here, you're --
 11 A. -- and I -- and what I was saying was we need
 12 restrictions. And I think probably what I'm saying
 13 is -- which I then did, because on the 9th I say that
 14 we've got to have the rule of six.
 15 Q. Yes, that's where I'm going with this, Mr Johnson.
 16 You're recognising -- you've not got your head somewhere
 17 else, you're recognising the problem, you're back in
 18 a position not dissimilar to March, you're recognising
 19 something has to be done, and you're recognising there's
 20 opposition to that, so you've got this tension; that's
 21 right, isn't it? That's what this reflects?
 22 A. And that's what was at the heart of the whole debate.
 23 Q. And then --
 24 A. And of course --
 25 Q. And then we get --

98

1 eventually are punted off --
 2 A. No.
 3 Q. -- until the infection had spread and more people die?
 4 A. If I may respectfully say, that's total rubbish, and --
 5 but I'm -- you know, and I've tried to deal with that
 6 argument. I don't think it stacks up. I think if you
 7 look at both the -- the timing of events in March, the
 8 sequence of things that we did, then the sequence of
 9 things that we did in September, October, November, they
 10 were -- they were reasonable, our priority was to
 11 protect the NHS and save lives. And by the way, unlike
 12 some other countries, we did not have our healthcare
 13 system overwhelmed, and in that respect at least, in
 14 that respect, unlike the scenes we saw in some other
 15 countries, the healthcare system was not overwhelmed in
 16 this country, and in that respect I think the efforts of
 17 the British people paid off.
 18 MR WEATHERBY: Thank you.
 19 Thank you, my Lady.
 20 LADY HALLETT: Thank you very much. We'll break now, the
 21 stenographer has had too long a morning and I'm sorry
 22 for that.
 23 Mr Johnson, this afternoon, if, when you do answer
 24 the questions -- I appreciate it's very difficult -- but
 25 keep your answers slower, because the stenographer is

100

1 trying to keep up.

2 **THE WITNESS:** Okay, I will.

3 **LADY HALLETT:** And I don't want to have to repeat my
4 warnings, please heed what I said this morning, because
5 otherwise I'm going to have to ask other people to leave
6 and that is the last thing I want to do.

7 (12.51 pm)

8 (The short adjournment)

9 (1.50 pm)

10 **LADY HALLETT:** Ms Campbell.

11 Questions from MS CAMPBELL KC

12 **MS CAMPBELL:** Thank you, my Lady.

13 Mr Johnson, my name is Brenda Campbell and I ask
14 questions on behalf of the Northern Ireland Covid
15 Bereaved Families for Justice, which means that I ask
16 questions on behalf of people who are members of a club
17 that they never wished to be members of, but having
18 become members by virtue of their bereavement, they have
19 campaigned for this Inquiry, they have listened intently
20 to all the evidence, including yours, in search for
21 answers. I want you to understand that the questions
22 that I ask are asked on their behalf, and so if I may,
23 can I ask you, please, to answer with clarity and with
24 brevity those questions on their behalf. To put it
25 bluntly, Mr Johnson, where a one-word answer is

101

1 be told, understanding the pain and the distress that
2 families feel.

3 One of Ms Myles' points that she told us about was
4 a galling juxtaposition of being told on
5 18 December 2020 that her father, aged 67, was going to
6 die in the coming days from Covid, and that he died
7 alone, his time of death is not known, five days later
8 on 23 December. The juxtaposition that she told us
9 about, that in her words was sickening, was that on
10 18 December there were one of several Christmas events
11 in Downing Street and around the area to have taken
12 place that month -- this particular event was a wine and
13 cheese party and a secret Santa during a so-called
14 business meeting.

15 Do you understand and, on behalf of the bereaved,
16 really understand the idea that many of those who were
17 denied the possibility of saying goodbye to loved ones
18 whilst at the same time those making the draconian rules
19 were to be seen to be flouting them, is, as Ms Myles
20 told us, galling and sickening? Do you understand that?

21 **A.** Thank you, and the short answer is, as I told the Chair
22 of the Inquiry, yes, I do understand people's pain and
23 people's offence, of course.

24 **Q.** You see, sadly her experience and that of her family is
25 far from unique. The revelations of the unlawful

103

1 sufficient, I'll take it.

2 It's plain from your evidence today and yesterday
3 that you have followed a great deal of the evidence of
4 this Inquiry and that her Ladyship has heard. You told
5 us yesterday that you have seen the impact video that
6 was played at the start of this module, and the impact
7 of Long Covid was reflected powerfully in that. You'll
8 also recall, having watched that, that it captured the
9 experience of our client, Martina Ferguson, who lost her
10 mother, Ursula Derry, on 4 January 2021.

11 But can I ask you: have you also listened and
12 watched the oral evidence of the bereaved in this module
13 and in Module 1?

14 **A.** No.

15 **Q.** Well, the question might be: why not?

16 **A.** Because I'm afraid I haven't been able to watch all the
17 evidence in this Inquiry.

18 **Q.** Well, had you watched it, in Module 1 you would have
19 heard the evidence of Brenda Doherty about the loss of
20 her mother, Ruth, and at the outset of this module on
21 5 October you would have heard the evidence of
22 Catriona Myles, who lost her father, Gerry McLamon,
23 three years ago in fact this month. And if you continue
24 to listen to further modules, you'll hear further
25 stories of bereavement that her Ladyship has invited to

102

1 parties and gatherings in Downing Street have, as
2 her Ladyship has acknowledged this morning, compounded
3 the distress and the grief felt by families who were
4 denied the opportunity either to say a final goodbye or
5 to host a wake or to host a funeral for their loved
6 ones.

7 If you do understand that, as you tell us you do,
8 why was it allowed to happen?

9 **A.** Thank you. I've extensively tried to explain how
10 I think that came about and why I think the people who
11 were working in Downing Street for a very long time, and
12 very hard, believed that they were operating, working
13 within the rules at the time, though, as I say to you,
14 to those you represent, and again to the -- to my Lady,
15 I understand fully the point that you are making, and
16 I regret it very much.

17 **Q.** I'm going to move on from this topic, but it's perhaps
18 important to note that by 18 December 2020 there had
19 been 86,886 Covid-related deaths that year. This, I'm
20 going to suggest, is not a matter of hindsight, it was
21 plain that the country and that those who were bereaved
22 were in extreme pain and distress. Could you have done
23 more to stop it?

24 **A.** To stop the pandemic?

25 **Q.** The gatherings, the Partygate, the wine and cheese

104

1 parties, the secret Santas, the pub quizzes or the Zoom
 2 quizzes.
 3 **A.** I had no knowledge of the event on the 18th, at the
 4 time --
 5 **Q.** That was not my question.
 6 **A.** -- at the time that it took place.
 7 **Q.** Could you have done more to stop it?
 8 **A.** I think that the trouble was, as I've said, that people
 9 were working extremely hard in crap circumstances and --
 10 **Q.** Mr Johnson, I'm going to -- we've heard that. My
 11 question is --
 12 **A.** Sorry, please go ahead.
 13 **Q.** And this may be one where a "yes" or "no" answer would
 14 suffice. Could you have done more to stop it?
 15 **A.** I think the answer to that is that, given what I knew at
 16 the time about what was going on, the answer to that is
 17 no, but what I possibly should have done is issued
 18 a general instruction to everybody to be mindful of the
 19 rules and how things would appear. And, as I say,
 20 I think in one of the WhatsApps that was earlier quoted
 21 by Counsel to the Inquiry, that -- that's my view.
 22 **Q.** That WhatsApp was dated almost exactly one year later,
 23 on 17 December 2021.
 24 **LADY HALLETT:** Ms Campbell, you need to move on, you have
 25 gone beyond my permitted questions already.

105

1 **Q.** Well, but the point that I'm making to you, Mr Johnson,
 2 is that the point of stopping the COBRs and replacing
 3 them with four nations calls, at which you would not be
 4 present nor participate, was a deliberate decision to
 5 manage the devolved administrations?
 6 **A.** It was my judgement that the DAs, with whom, you know,
 7 we had excellent relations, and I think that
 8 overwhelmingly things worked well across the UK, but
 9 I thought that the CDL was well placed to deal with
 10 them, and he did.
 11 **Q.** So the answer to my question, that it was a deliberate
 12 decision, is yes?
 13 **A.** Yes.
 14 **Q.** And it was deliberate because, we've heard yesterday, it
 15 was, in your view at the time, optically wrong. It was,
 16 as you told us in your statement, more importantly,
 17 because you, in that way, would not be communicating
 18 directly with the First Minister of Scotland, and it was
 19 deliberate, I think, as you told us yesterday, in order
 20 to have a mechanism that would avoid leaks or so-called
 21 divergence.

22 But there was an opportunity, wasn't there, for some
 23 form of what you called integrated decision-making and
 24 direct communications that was, as you told us
 25 yesterday, in hindsight desirable, but you opted not to

107

1 **MS CAMPBELL:** Yes.

2 Keeping on the theme, if we may, of perhaps not
 3 doing quite enough, may I return to the issue of your
 4 communications with the devolved administrations, and
 5 you touched on this yesterday.

6 You told us why, in your view, COBRs at which the
 7 leaders of the devolved administrations attended were
 8 not working and we heard about the concern of leaks and
 9 so on. But you knew, when COBRs were stopped in
 10 May 2020, that that left no formal means by which you
 11 could meet the leaders of the devolved administrations
 12 in the middle of this global pandemic; you understood
 13 that, didn't you?

14 **A.** I don't think that's quite true. There were obviously
 15 plenty of opportunities in which I could meet the
 16 leaders of the devolved administrations. I had
 17 excellent relations both with Michelle and
 18 Arlene Foster, but as the Inquiry has heard, we tried to
 19 split the labour.

20 **Q.** Well, in fact the decision, if you call it, to split the
 21 labour, and the consequence of it was that between May
 22 and October/September 2020, you didn't have any direct
 23 meetings with the leaders of the devolved
 24 administrations; that's a fact.

25 **A.** Well, meetings themselves were quite difficult.

106

1 take it, and that was the Joint Ministerial Committee?
 2 Do you agree you opted not to take it deliberately?

3 **A.** I think the problem with the -- and I remember we
 4 covered this yesterday. The problem with that
 5 particular approach was that it was still vulnerable to
 6 some of the weaknesses you've just mentioned.

7 **Q.** The benefit of that particular approach is that it would
 8 have been an independent stream, a committee, chaired by
 9 you in which you would have met and discussed with the
 10 leaders of the devolved administrations the great crisis
 11 that this country was facing at the time. It may have
 12 been constitutionally weird, to use your word from
 13 yesterday, or perhaps even imperfect, but it was
 14 an option available to you, wasn't it?

15 **A.** Yes, that's certainly correct, though I want to stress
 16 that I think that the overwhelming result of the
 17 co-operation we had with the DAs was very productive and
 18 harmonious.

19 **Q.** Your evidence yesterday, Mr Johnson, was that perhaps
 20 you should have done more, on reflection.

21 **A.** I think what I said was that I would like a -- what we
 22 need is some sort of leak-proof integrated system.
 23 That's the grail.

24 **Q.** Surely what you needed was better forms of direct
 25 communications with the leaders of the devolved

108

1 administrations in an environment that best benefitted
 2 communication across all of the devolved
 3 administrations?
 4 **A.** I think we had excellent communications across all of
 5 the DAs, and I think that the overall performance of the
 6 UK in the pandemic as a single entity was remarkable,
 7 and every part of the UK played an important part --
 8 an important part in the effort. If you look at it,
 9 there was a huge amount of joined-up work going on
 10 across the whole -- across the whole country.
 11 **Q.** Well, what credence, then, do you give to the complaints
 12 coming from the leaders of the devolved administrations,
 13 I mean across the board, not just in Northern Ireland,
 14 of a high-handed, incommunicative approach from
 15 Westminster?
 16 **A.** Well, I don't recognise that version of events.
 17 **Q.** So just to be clear, you reject the idea of
 18 a high-handed, incommunicative approach by Westminster
 19 as complained about by the devolved administrations?
 20 **A.** I do, and I think that we had a huge amount of contact
 21 between Number 10 and the DAs, between central
 22 government and the DAs, and every effort was made to
 23 bring along everybody together.
 24 **Q.** I'm going to move on, if I may, then, to what you
 25 suggested in your statement was a way in which we could

109

1 questions about that at the end, but just dealing with
 2 the issue of a pan-UK Civil Contingencies Act, you
 3 obviously now realise that your proposal for such
 4 a pan-UK Act achieved relatively rare cross-party unity
 5 in Northern Ireland against that proposal, in fact it
 6 was the united view that there is a need for a bespoke
 7 and devolved level response to the pandemic to take into
 8 account each administration's social, political
 9 landscape. And you must surely agree, Mr Johnson, that
 10 given the regional and, indeed, significant geographical
 11 differences, particularly for the north of Ireland and
 12 the epidemiological reality of the island of Ireland,
 13 that any pandemic response must allow for regional
 14 flexibility and divergence?
 15 **A.** Yes, I see that argument, I think we've had quite a lot
 16 of discussion this morning about the downsides of
 17 regional divergence, and the downsides of different
 18 parts of the country taking a different approach.
 19 I think that was -- there was quite a lot about that
 20 this morning.
 21 **Q.** The discussion this morning focused on the difference
 22 between Devon and Cornwall and the West Midlands or
 23 further north. I'm asking you questions on behalf of
 24 the bereaved families of Northern Ireland.
 25 Do you not agree that particularly when it comes to

111

1 have brought everybody together, and that is your
 2 proposal for a pan-UK Civil Contingencies Act. Although
 3 that is the position in your statement, should we
 4 understand that your updated position is that there are
 5 powerful arguments against that proposal?
 6 **A.** I've noticed in the course of these excellent hearings
 7 and the discussion that's gone on that people think that
 8 the CCA is not the right framework. I'm listening to
 9 that. I think that maybe though something could be done
 10 under the 1984 Public Health Act, as I think I said
 11 yesterday. Somehow or other, I think we need to
 12 recognise that a pandemic presents a particular problem
 13 for the whole of the -- a cross-boundary problem for the
 14 whole of the UK, and that there needs to be some sort of
 15 way of making sure that our messages are united. That
 16 was the point I was making.
 17 And I'm sure the Inquiry will attach whatever
 18 importance to this it thinks is right, but I felt during
 19 the course of the pandemic occasionally that messages
 20 were being blurred and people were being confused
 21 because of a succession of press conferences from
 22 different parts of the UK.
 23 Now, I may have -- I may have been supersensitive to
 24 that, but I was getting quite a lot of echo about that.
 25 **Q.** Well, time permitting I would like to ask you some

110

1 the north of Ireland, on the island, that there is
 2 a need to recognise the particular geographical and
 3 regional features of that place?
 4 **A.** So when it comes to Northern Ireland, yes, clearly
 5 you're right, there's a -- we have to take account of
 6 the greater epidemiological unity of the island of
 7 Ireland, and what you say has force, but --
 8 **Q.** Thank you, Mr Johnson.
 9 **A.** -- but I still think that there's a -- you asked
 10 generally about the DAs. I think the more unified we
 11 can be the better.
 12 **Q.** Well, of course, but the suggestion of unity and of
 13 an integrated approach led by Westminster, be it either
 14 written in statute or achieved by more meaningful and
 15 direct communication, must assume, mustn't it, that
 16 Westminster is capable of real leadership, both in
 17 public and behind closed doors, and that it is capable
 18 of taking timely and proportionate action in response to
 19 the pandemic in all corners of the UK?
 20 **A.** And indeed that's what Westminster did. And I remember
 21 vividly going to Northern Ireland in early 2021 and
 22 seeing how very, very much faster the vaccines were
 23 being rolled out in Northern Ireland than they were
 24 in -- and, you know, nobody will thank me for saying it,
 25 but I've got to say it, than they were over the border

112

1 in the EU, and there were reasons for that, and I think
 2 that the Westminster --
 3 **Q.** Mr Johnson, again, brevity, please.
 4 **A.** -- the Westminster approach that you've deprecated led
 5 to significant benefits for the people of
 6 Northern Ireland.
 7 **Q.** Does it follow from your agreement with that suggestion
 8 that you would not countenance binding the devolved
 9 administrations to a one-nation approach led by
 10 Westminster that flip-flopped, dithered, delayed,
 11 exercised indecision and/or poor judgement?
 12 **A.** I don't think I agreed with your approach and it does
 13 not follow.
 14 **Q.** Divergence and clarity in messaging is something that
 15 you touched on -- and, my Lady, it's my final topic.
 16 You blame divergence of the devolved
 17 administrations, some getting more blame than others,
 18 but you blame that divergence and differentiation of
 19 approach for the lack of clarity in messaging.
 20 You know that the devolved administrations and the
 21 leaders, who have provided statements to my Lady don't
 22 necessarily agree with you. That the concerns raised by
 23 Paul Givan, to take one example, is that: "If there is
 24 a need for divergence across the four nations, the
 25 communication around it simply needs to be managed.

113

1 clear a -- and giving a clear understanding of the need
 2 for regional differences?
 3 **A.** No, I think the reason was the difference in the
 4 messaging and people being confused as to what exactly
 5 they were being asked to do.
 6 **MS CAMPBELL:** Thank you, my Lady.
 7 **LADY HALLETT:** Thank you, Ms Campbell.
 8 Ms Harris.
 9 If you look around the pillar, Mr Johnson, Ms Harris
 10 is down the back.
 11 **THE WITNESS:** I see Ms Harris, yes.

12 **Questions from MS HARRIS**

13 **MS HARRIS:** Good afternoon, my Lady.
 14 Good afternoon, Mr Johnson. I appear on behalf of
 15 Covid-19 Bereaved Families for Justice Cymru,
 16 representing bereaved families in Wales.
 17 In the time I have available, I'd like to ask you
 18 some questions again about relations between the UK
 19 Government and the Welsh Government, this time, and
 20 including some questions relating to the different
 21 approaches during autumn of 2020.
 22 I apologise in advance that there is some treading
 23 on ground which has already been covered. I will be
 24 approaching matters from, obviously, a Welsh Government
 25 perspective.

115

1 This was something that was not done well at the early
 2 stages of the pandemic. The Prime Minister tended to
 3 speak as though he was speaking for all four nations
 4 rather than giving space to the devolved administrations
 5 to manage communications."

6 My Lady has heard a great deal of evidence about
 7 England-focused data being cited or about an England or
 8 even London-centric approach being adopted by
 9 Westminster.

10 To borrow the words of Professor Henderson, if you
 11 choose not to be clear in your messaging, Mr Johnson, do
 12 you accept that that's your choice?

13 **A.** I think the issue was that the -- within the UK, and
 14 accepting the particular issues raised by the island of
 15 Ireland, it's a single epidemiological unit, the trouble
 16 was that we were from time to time -- and, you know, we
 17 mustn't exaggerate this -- from time to time there was
 18 a dissonance in the message, I think that when the
 19 message was so important, it would have been -- ideally
 20 we would have had complete coherence, because I think
 21 sometimes people found it hard to follow, couldn't see
 22 why one area was different from another.
 23 **Q.** Was a reason for that confusion, to the extent that
 24 there was confusion, because of your government choosing
 25 a lack of clarity in message and not respecting the

114

1 First of all, with regards to co-ordination and
 2 decision-making between the four nations, and I'd like
 3 to ask you a question about the approach to the
 4 arrangements for the four nations to communicate with
 5 each other and to seek to reach agreement on the way
 6 forward.

7 First of all, I'd like to refer to a passage in the
 8 report which has been commissioned by the Inquiry from,
 9 this has been mentioned, Professor Henderson. This
 10 records that at the early stage of the pandemic there
 11 was praise for the way that intergovernmental relations
 12 were conducted, and the report cites Mr Vaughan Gething,
 13 health minister for Wales, on 10 March 2020 saying about
 14 COBR the following:

15 "I don't always agree with Matt Hancock, and
 16 I certainly don't always agree with Boris Johnson, but,
 17 during our COBRA calls, there has been a genuinely
 18 serious and grown-up attempt to go through issues and to
 19 reach agreement on finding the best way through."

20 That's what he said. The report then goes on to say
 21 that by September 2020 enthusiasm had waned, and it was
 22 suggested that an absence of four nations meetings had
 23 not been helpful when it came to clarity in
 24 communications.

25 My second point of context for this question is that

116

1 we know, of course, as has been mentioned, COBR did not
2 meet at all between 10 May and 22 September 2020, and
3 that of course included the period when the UK as
4 a whole was coming out of lockdown. Having gone into
5 lockdown together, it included the time -- that period
6 included the time when the UK and -- of course the
7 four nations together were coming out of lockdown.

8 So bearing that in mind, my questions are: do you
9 agree that the type of endeavour that Mr Gething
10 describes in the quote, ie genuinely serious and
11 grown-up attempts to go through issues and reach
12 agreement, do you agree that that is what was needed
13 between the four nations during the pandemic? That's
14 the first part.

15 The second part of the question is: do you agree,
16 and I think you may have indicated your opinion on this
17 already, but I'd like to ask you for any further
18 reflections on the point, do you agree that in order for
19 this to be the best chance for that type of engagement
20 having been sustained throughout the pandemic, that
21 there needed to have been different arrangements after
22 May 2020 to those that were in place at that stage? And
23 I'm not asking about changing the responsibilities of
24 devolved nations, I'm asking about the machinery for
25 interactions given the framework that we have.

117

1 opportunity for that to happen, then that would have
2 meant that it would have been more possible and more
3 likely that differences could have been ironed out and
4 there could have been a more coherent and co-ordinated
5 approach forged between the four nations?

6 **A.** I think that the -- every Prime Minister would like to
7 do much more the whole time. I had to do whatever
8 I could to fight Covid. I thought that the system we
9 had going was pretty good, and it seem -- and I felt
10 that the Chancellor of the Duchy of Lancaster was doing
11 a good job of interacting with the DAs. If I'd felt
12 that that wasn't the case, if I'd felt that there was
13 a serious breakdown of relations between the centre and
14 the DAs, I would of course have intervened. But that
15 didn't happen.

16 **Q.** So, to summarise, then, Mr Johnson, you evidently felt
17 that the arrangements that there were in place were
18 sufficient to promote a forging of a co-ordinated
19 four nations approach, I think that's your indication?

20 **A.** I think that within the limits of what was going to be
21 politically realistic, given the prerogatives of the
22 DAs, I think that that's entirely right.

23 **Q.** And you're aware, of course, that that's not a view that
24 is shared across the devolved administrations?

25 **A.** Well, I'm, as I said to you just now, I'm not certain

119

1 **A.** I -- so I think the answer is yes, and then no, if I've
2 got your questions in the right order.

3 **Q.** Yes, you have got my questions in the right order. Yes.
4 So -- and your answer "no" is to my suggestion that
5 what was needed in order to sustain that kind of serious
6 and grown-up attempt type engagement did not need, as
7 has been suggested, a more predictable pattern of
8 engagement with the Prime Minister for the devolved
9 administrations than existed with the arrangements that
10 were in place?

11 **A.** I don't think it -- I don't think it did. I think the
12 UK effort was remarkable and there was far, far more
13 that united us than divided us.

14 I have excellent relations and did have excellent
15 relations with Mark Drakeford -- I know he always wanted
16 to have more meetings, but I did believe that
17 Michael Gove was doing an excellent job, and I believe
18 that Mr Drakeford recently told Mr Gove that actually he
19 thought that the collaboration had been very good.

20 **Q.** In Mr Drakeford's evidence he has said that there was
21 a vacuum, in that there wasn't the possibility of
22 speaking directly to the Prime Minister sufficiently,
23 and he's referred to the need for regular check points
24 with the Prime Minister.

25 Would you not agree that had there been a greater
118

1 that -- quite how strongly your point is echoed.
2 I think actually I've heard that Mr Drakeford in
3 particular feels that the level of co-operation was
4 good.

5 **Q.** Well, Mr Johnson, that's not evidence that's been
6 submitted to Module 2 in this Inquiry, and that is
7 certainly not consistent with the written evidence
8 that's been submitted on behalf of Mr Drakeford.

9 I'd like to ask you about the phrase that you used,
10 and the point that's made in your witness statement,
11 where you stated:

12 "It is optically wrong ... for the UK Prime Minister
13 to hold regular meetings with other [devolved
14 administration] ... Ministers."

15 This, of course, has been highlighted previously.
16 It is a statement that you made not in -- it's not in
17 a WhatsApp message or it's not in somebody's diary not
18 intended to be published. This is in your witness
19 statement.

20 Would you agree that, as a Prime Minister in the
21 time of a pandemic public health crisis, that you should
22 have decided on what were the appropriate arrangements
23 for consultation with the devolved administrations
24 solely on the basis of what would be best to further the
25 aim of an effective response to the pandemic and not

120

1 your views about optics, that optics should not have
 2 formed part of that decision-making?
 3 **A.** Well, I think that -- and that was the reason we did it,
 4 because I think that -- I think that the Chancellor of
 5 the Duchy of Lancaster was well -- well placed to
 6 conciliate, to bring people together and to get on with
 7 explaining and co-ordinating the position.
 8 **Q.** I understand that that's your view, Mr Johnson, but with
 9 regard to the statement about optics, it can't be right,
 10 can it, that optics are a factor when deciding on what's
 11 the best set-up for engagement with the other devolved
 12 governments during a pandemic? You would agree with
 13 that?
 14 **A.** I think -- as I said, I think my considerations were
 15 prime -- the risk of -- to be absolutely frank with
 16 the Inquiry, the risk of pointless political friction
 17 and grandstanding, because the -- of the -- you know,
 18 the well known opposition of some of the DA
 19 administrations to the government and also to avoid
 20 unnecessary leaks, and I thought that the way to
 21 minimise divergence and tensions actually -- and this,
 22 you know, you can quarrel with this judgement, but
 23 I thought the way to minimise divergence and tensions
 24 was to take the temperature down and to have
 25 business-like and practical meetings between the CDL and
 121

1 **Q.** Was there any thinking that it would be better for both
 2 nations to be acting in a co-ordinated way together at
 3 that point?
 4 **A.** I'm sure that we would have -- I don't remember any
 5 specific conversations about this, but I'm sure we were
 6 thinking the whole time about the choice between
 7 firebreaks, lockdowns and intensifying tiering and all
 8 the other things that we've discussed today, and that
 9 might have meant England and Wales acting together or it
 10 might not, but I'm certain that, you know, that would
 11 have been -- you're right to make the point that that
 12 would have been one of the advantages had we chosen to
 13 have gone that way -- to go that way, but we didn't.
 14 **Q.** Right.
 15 One of the points that you've made in your witness
 16 statement is that you can understand why Wales decided
 17 on a firebreak, as the incidence in Wales was high and
 18 tiering was not working well. That's your observation.
 19 And you go on to state your view that the Welsh
 20 firebreak was not effective. You say "it doesn't seem
 21 to have made a difference in Wales".
 22 So I'd like to ask you, in hindsight, what do you
 23 think would have been the right course for Wales? Is it
 24 the case that Wales should have had, in fact, a longer
 25 lockdown? It was 17 days, and we know, of course, the
 123

1 the DAs, and that's what we did. And I think by and
 2 large it was extremely effective.
 3 **Q.** Thank you.
 4 I've heard your answer, Mr Johnson, I'll move on to
 5 the next question, and I'd like to ask you now to
 6 address, please, how the United Kingdom Government
 7 regarded the Welsh firebreak which was in place from
 8 23 October to 9 November 2020.
 9 The first question is: when the UK Government was
 10 informed by the Welsh Government of its plan to enter
 11 a firebreak, which is as we know a short lockdown, did
 12 this trigger any consideration by the UK Government of
 13 alignment of England with Wales by which both nations
 14 would move forward together to a lockdown at the same
 15 time? And that's bearing in mind that the UK Government
 16 announced a national lockdown for England on 31 October,
 17 so only a few days later, the duration of which was
 18 four weeks, to 2 December.
 19 **A.** Of course I gave con -- I can't remember the exact date
 20 when I saw the -- to answer your question -- the news of
 21 the Welsh firebreak or when I was informed about it.
 22 I'm sure that we would have thought about seeing if we
 23 could do things together. We've gone extensively this
 24 morning through my thinking around that issue, and
 25 that's why we went for the option that we did.
 122

1 English lockdown was four weeks. Should Wales also
 2 simply have had a four-week long lockdown, or should it
 3 have had its lockdown earlier?
 4 **A.** I think it was -- it was striking that we ended up
 5 really doing pretty much the same sort of thing, and
 6 I think that the -- it was an illustration of how the UK
 7 tended to -- in spite of everything, to move more in
 8 step than sometimes the politics seemed to suggest.
 9 **Q.** Thank you.
 10 So I'd like to ask you now about clarity in
 11 messaging, and one of the points that you made in your
 12 evidence yesterday was that clarity and unity of
 13 messaging was very important, and I'd like to ask you
 14 about the change of message from the UK Government's
 15 Stay at Home to Stay Alert, and how that was handled.
 16 By way of context to the question, the change was
 17 related to the route out of lockdown.
 18 And if I could ask to pull up on the screen, please,
 19 document INQ000256846. And that's there, thank you very
 20 much.
 21 So what you see there is a record compiled by the
 22 principal private secretary of the First Minister for
 23 Wales, and it's in an email dated 8/5/2020 and it's
 24 a record of a meeting with Mr Gove on 8 May of the
 25 devolved administrations' First Ministers, and it
 124

1 precedes the COBR meeting, which was on 10 May, which
2 dealt with the announcement or the discussion prior to
3 the announcement of the road out of lockdown.

4 If I could refer to some passages briefly in this,
5 just to introduce the question that I'd like to ask you,
6 having looked at this document, and one other document,
7 very briefly.

8 So first of all, we have the text:

9 "Key points from call today with CDL and FMs
10 Scotland and NI ..."

11 Obviously the Welsh First Minister was present as
12 well. First bullet point:

13 "COBR expected Sunday afternoon."

14 A little bit further down the page:

15 "Recognition that different jurisdictions may move
16 at different pace depending on progress of disease, and
17 practicalities eg different school calendars, but this
18 does not undermine 4 nations approach."

19 Then a little further down, if we go to the
20 penultimate bullet point:

21 "DAs emphasised keeping core Stay at Home message --
22 Gove will reinforce with PM."

23 Then:

24 "CDL summarised:

25 "- Recognition that different pace of change
125

1 messages."

2 And then in the next paragraph we see that the UK
3 director of communications, Alex Aiken, he makes some
4 observations. I think it's fair to say that the summary
5 of what he's saying is that he's summarising the merits
6 of the change to Stay Alert. He says:

7 "Stay alert encourages people to change behaviour
8 and permissions, it has polled well. Monday into
9 Tuesday we will start national advertising to start to
10 change behaviours."

11 Then if we look a little bit further on, it refers
12 to, in the next paragraph:

13 "[The First Minister for Scotland] reiterat[ing]
14 that they would not be moving to stay alert messages
15 [and looking for] assurance[s] there will be no paid for
16 ads on TV or elsewhere in Scotland -- this will
17 undermine [messages of the Scottish Government].
18 [Prime Minister] said they will deconflict messaging as
19 far as possible. We can move forward as four nations.
20 Now is the moment to recalibrate messaging ..."

21 And then further text relating to what you then went
22 on to say.

23 So the question that I'd like to ask arising out of
24 looking at those passages is: as you can recall, what
25 did the UK Government do to make sure that the change of
127

1 reflects devolution and pace of disease.

2 "- He will make sure we have time to contribute to
3 COBRA discussions."

4 Then finally:

5 "- Will talk to PM re Stay at Home narrative."

6 So it's obvious of course from that document,

7 Mr Johnson, just to confirm, that the devolved
8 administrations wanted to stay with the Stay at Home
9 message at that time. Thank you.

10 If I could now ask for this next document to be
11 pulled up, please, it's INQ000216537.

12 And this is a record that has been compiled of the
13 COBR meeting on 10 May. This is the record compiled by
14 the communications director for the Welsh Government.

15 This record, if I can ask to go to the third page of
16 this record, and just very briefly some of the
17 observations that are recorded that were made, the issue
18 about messaging relating to the change of message from
19 Stay at Home to Stay Alert was raised by the
20 First Minister for Scotland, but as we know it was
21 a matter where there were concerns from all the devolved
22 administrations. She has raised the point, and at the
23 top of page 3, we see:

24 "[Prime Minister] responded that nothing will appear
25 in Scotland that will cut across the stay at home
126

1 message took account of the fact that the devolved
2 administrations were not changing their message, they
3 wanted to stay with Stay at Home as the main message,
4 and what did the plan to deconflict amount to?

5 **A.** Well, if I may say so, and thank you very much for
6 taking us through all this, I think, you know, you're
7 rather eloquently illustrating one of the problems that
8 we had, and you're perfectly correct that there was
9 a divergence in the message, and in the advice. And in
10 England, certainly, we felt that the people had been
11 through an awful lot, there had been a huge sacrifice,
12 effort by the public to get the R down below 1, people
13 needed to know whether they should go back to work or
14 not, we wanted to have a message to allow people to go
15 back to work if they could, and to get things going,
16 because of the very serious harms that we had seen.

17 Now, the difficulty was, as you rightly say, that in
18 other parts of the UK, they had a slightly different
19 approach, and it was -- it was hard to get a message
20 that everybody could agree upon.

21 **Q.** Yes, and a message wasn't agreed on, that's clear, isn't
22 it, there wasn't agreement about the move to Stay Alert?
23 The devolved administrations, as you've confirmed,
24 wanted to stay with Stay at Home and my question is:
25 what did the UK Government do, did it plough ahead with
128

1 Stay Alert regardless, with very little adjustment, or
2 did it do all that could sensibly be done that make sure
3 that there was, and you've emphasised the need for
4 clarity, that there was as much clarity as possible so
5 that people who lived in each of the four nations knew
6 what applied to them?

7 Did the UK Government do all it could sensibly do in
8 order to bring about that outcome?

9 **A.** The difficulty was, I think that we tried as much as we
10 could to forge a consensus, I think it would be fair to
11 say that in -- certainly in Scotland and Wales, I'm not
12 certain of Northern Ireland, but certainly in Scotland
13 and Wales there was throughout the pandemic, under the
14 Labour government in Wales and under the SNP in
15 Scotland, a general -- a greater degree of caution and
16 a greater desire to keep within lockdown measures than
17 there was in the UK Government as a whole. And
18 I sympathised with that. I understood why people felt
19 like that, and I think that went very much with the
20 grain of a lot of public opinion, but we also had to try
21 to reflect the fact that we'd got the R down below 1 and
22 there was no point in doing that unless you were going
23 to try to ... not just to save life, but also to take
24 advantage of the -- of the freedom that that gave us.
25 And it was ... and this is a perfect example of the

129

1 Questions from MS MITCHELL KC

2 **MS MITCHELL:** Mr Johnson, I am instructed by Amer Anwar &
3 Company on behalf of the Scottish Covid Bereaved. In
4 his evidence to the Inquiry, Lord Edward Udney-Lister
5 was asked about a chain of emails where the
6 First Minister, Nicola Sturgeon, was requesting
7 a telephone call with you, and this was on 5 March 2020,
8 an important day because it was the day that Covid was
9 added to the list of notifiable diseases, so it was
10 a landmark day.

11 In answer to asking why there was a reluctance to
12 have the First Minister contact you, Lord Edward
13 Udney-Lister gave the following evidence, and this is
14 from the transcript of 7 November 2023, page 105:

15 "... well, I mean, as you can see from the exchange
16 of emails, the meeting took place, so it -- I certainly
17 wasn't trying to block that meeting taking place. But
18 there was quite a lot of tension between the
19 Prime Minister and the First Minister, they had no real
20 personal relationship of any kind other than that they,
21 I think, generally didn't like each other very much."

22 I would like to ask: is this a fair characterisation
23 of the relationship between you and the First Minister
24 of Scotland, Nicola Sturgeon?

25 **A.** Well, I'm sorry to hear Eddie said that. Actually,

131

1 difficulty that we had of having public health messaging
2 that was divergent across the -- across the UK.

3 And frankly I --

4 **Q.** Mr Johnson, I --

5 **A.** It would have been better --

6 **LADY HALLETT:** I'm afraid there's no more time, Ms Harris.

7 **A.** It would have been better to have a unified approach,
8 though I appreciate that -- and I can -- from all the
9 questionings that I've had, the legitimate sensitivities
10 that that raises in the DAs. We've got to find a way of
11 doing this that doesn't tread on people's toes but
12 produces a unified answer.

13 **MS HARRIS:** The UK Government itself needed to be clear,
14 didn't it? You would agree with that?

15 **A.** And the UK Government was clear. The problem was that
16 we, within the UK, we have under our devolved
17 settlement, we have the perfect right of people to
18 announce policies that were divergent.

19 **LADY HALLETT:** Thank you very much, Ms Harris.

20 I'm afraid everybody's running over and we can't
21 have too long a day today. So could everybody else who
22 is coming afterwards please stick to their time limits.

23 Ms Mitchell.

24 Ms Mitchell is over there, Mr Johnson.

25 **THE WITNESS:** Yes.

130

1 I had no ill will whatsoever towards the First Minister
2 of Scotland. When I've talked to her we've got on --
3 we've got on very well and had a friendly relationship.
4 And as I think you just said, we did indeed have
5 a meeting.

6 **Q.** Is it odd that such a close and senior person working
7 for you got that impression?

8 **A.** Well, I think that -- let's put it this way, the -- much
9 as I love the SNP, you know, they weren't -- politically
10 there was a certain amount of toing and froing between
11 SNP and me as the Prime Minister. I think -- and
12 I wouldn't like to, you know, produce everything that
13 they've said about me over the years, but quite a lot of
14 it --

15 **Q.** Let's just focus on these particular questions.

16 You say you had plenty of opportunity to meet the
17 leaders of the devolved administrations, but as one of
18 my learned friends has already pointed out to you,
19 between May and October you hadn't.

20 If it were to be correct that you had a certain
21 degree of reluctance to meet with the First Minister,
22 does that play into the fact that there were so few
23 meetings during this time?

24 **A.** I think we have gone into the reasons for all this quite
25 a -- quite a lot, and I think we ... there were --

132

1 I think Nicola was at a COBR that we had quite shortly
2 thereafter, I remember a conversation, a long discussion
3 involving -- and several discussions involving her at
4 meetings throughout the pandemic, and genuinely my
5 relations with her have always been friendly and
6 professional. I think that the reasons for the approach
7 that we took were, as I've been saying to others, that
8 I thought a grown-up way of doing this, that would take
9 the steam out of things, keep things focused on the
10 needs of the UK public, would be to manage it in the way
11 that we did.

12 **Q.** And why would, as you say, taking the steam out of
13 things, why would that require Mr Gove to be appointed
14 to the role?

15 **A.** Well, as I say in my statement, I think he was well
16 suited to the job of bringing people together, hearing
17 people's opinions, conciliating, without, you know,
18 people who are not necessarily my number one political
19 fans feeling the need to chip paint off the government.

20 **Q.** Mr Johnson, I don't need this up, but you say at
21 paragraph 191 of your statement that you have given to
22 this Inquiry that sometimes when you had to make
23 political decisions about what was going to happen with
24 the country:

25 "... sometimes decisions were urgent and needed to
133

1 pandemic. The virus -- the virus doesn't respect any
2 borders within the UK. The virus doesn't respect --

3 **Q.** Well --

4 **A.** -- administrative boundaries, and it -- and what -- and
5 we saw this problem with the tiering approach, I think
6 that we need to think as far as we possibly can about
7 ways of getting a unified message.

8 And I say that --

9 **Q.** I'm coming on to --

10 **A.** -- with maximum respect to the DAs and to their
11 prerogatives.

12 **Q.** I'm coming on to the issue of messaging, that will be
13 a chapter I will develop. But at the moment I would
14 like to stay with the issue of how to interact with the
15 DAs in the times of, for example, a pandemic.

16 You have talked about the need to be a structure
17 that should be put in place to allow for consultation
18 between the UK Government and the devolved
19 administrations during emergency situations, and you
20 have indicated that what you would like is a leak-proof
21 integrated system.

22 Can you help the Inquiry as to how that might be
23 done?

24 **A.** Not at present, no, because I think it's very difficult,
25 and I -- it may be that it's a contradiction in terms,
135

1 be made extremely quickly which could present
2 a challenge: either we would need to convene [a] COBR,
3 invite the DAs to a Cabinet meeting or a UK Government
4 Subcommittee meeting (at which their role was not always
5 completely clear) or we would need to take a decision
6 ourselves and then bring the DAs on board. None of this
7 was ideal."

8 Now, as we've seen from this Inquiry as it's taken
9 place, a lot of government in the modern day appears to
10 be done by way of very fast means of communication,
11 text, email, WhatsApps, phone, video conferencing. Why
12 do you consider that consulting the DAs would have
13 prevented urgent decision-making?

14 **A.** I'm sure there could have been -- in an ideal world,
15 perhaps we could have found a way of doing it. My
16 concern was that the DAs would understandably use their
17 legitimate prerogatives to do things differently and,
18 from time to time, to come out of what were meant to be
19 confidential meetings and, understandably, want to talk
20 to their own media within the DAs about what was going
21 on, and to explain the position.

22 Now, I think the Inquiry needs to reflect upon
23 this -- and, you know, it's not for me to say what
24 the Inquiry needs to reflect on -- but I found that it
25 was a difficulty during the conduct of the -- of the
134

1 but that's the ideal.

2 **Q.** It has certainly, I think, been said earlier in
3 the Inquiry that government leaks.

4 **A.** It does. But what you don't typically have in
5 government is a mixture of politicians who are, by
6 definition, adversarial to each other in wanting to
7 remove each other from office in the sense they belong
8 to different parties, and --

9 **Q.** But Mr Johnson --

10 **A.** -- that's one of the complexities that the pandemic
11 threw up.

12 **Q.** The questions that were being discussed in these
13 meetings weren't about that sort of thing, they were
14 about dates and times and what should be used, whether
15 we should use masks or ... there wasn't a necessity or
16 scope for that in those meetings.

17 **A.** I -- well, I think what happened was that every topic
18 rapidly became political, because of course different
19 constituencies in different parts of the country had
20 different views about things, and that's the sad
21 reality. I'm not saying this problem is insoluble, I'm
22 just saying that within the time that we had available
23 it was hard to manage. I thought the best way to manage
24 it, given the urgency, was to try to take the heat out
25 of things, to get CDL to bring people together, to
136

1 explain and to conciliate, and if necessary I would come
2 in and --

3 **Q.** We've heard that, Mr Johnson.

4 **A.** -- talk to people as much as I could.

5 **Q.** We've heard that, Mr Johnson.

6 I wonder if I could have INQ000136751 up, please.

7 This is an email from Imran Shafi to Chris Whitty,
8 and it relates to a meeting on 14 March. There was
9 a meeting on 14 March involving yourself, the Secretary
10 of State for Health and Social Care, CDL, the CMO, the
11 CSA, and other senior officials -- there was no DA
12 present at this meeting, so no one from Scotland, Wales
13 or Northern Ireland -- which discussed the need for
14 a cross-government signed-off package on shielding the
15 vulnerable and elderly. It was noted that the decision
16 on when to implement this package would be based on
17 advice from the CMO and the CSA. The advice was to
18 include "how to handle the DAs".

19 You can see that in respect of the particular
20 document at the very last entry, on number 1.

21 What did you understand or what do you understand by
22 the phrase "how to handle the DAs"?

23 **A.** Well, I think that the Inquiry will know very well the
24 context of this email within the timetable of --

25 **Q.** Indeed.

137

1 transmission would be even higher. That was the logic.

2 **Q.** I think Mr Whitty described it as in a sense technically
3 correct but logically incoherent to the general public.

4 **A.** Well, I think that it was put to me that it was
5 logically coherent in the sense that we wanted to reduce
6 the -- we wanted to do what we could to reduce
7 transmission and it was put to me that banning mass
8 gatherings itself would not really help, because -- for
9 the reason I've given.

10 **Q.** Can I have the document INQ000129230. This is
11 a WhatsApp message with yourself dated 11/3/2020. As we
12 can see it reads:

13 "I spoke to Chris Whitty at length about your
14 concerns about the comms tomorrow getting over
15 complicated. He thinks there is a really simple way of
16 describing what we want people to do in future based on:
17 from Monday if you're ill stay home.

18 "He is going to make sure that by Cobr we're in
19 a good ... position.

20 "However, he also thinks the Scots are going soft on
21 mass gatherings -- and the Nicola has decided she
22 definitely wants to move on some totemic cancellations."

23 The reason I flag this up is this has been used as
24 a possible reason for Scotland just doing things
25 differently. Would it be fair to say that in fact, in

139

1 **A.** -- Covid. It's coming the very day, in the early
2 afternoon of the very day when we've realised that we're
3 behind in the curve, and that we have to take very
4 urgent action. So --

5 **Q.** Mr Johnson, I think we're clear on that.

6 **A.** So what this email reflects is the view of my private
7 secretary, Imran, that we've got to get on to the DAs as
8 fast as possible.

9 **Q.** Well, what is meant "how to handle the DAs"? You say
10 it's his view, but you were there at this meeting and
11 this meeting concluded with action points and it's the
12 first action point.

13 **A.** Well, the question would have been who to ring, how to
14 set the ball rolling, how to bring people together.

15 **Q.** Earlier on in your evidence yesterday you were asked
16 about mass gatherings, and I think it would be fair to
17 say that broadly you accepted that had been the wrong
18 call to allow mass gatherings to go ahead; is that
19 correct?

20 **A.** Well, I think what I said was that the advice on mass
21 gatherings was that the -- was paradoxical in the sense
22 that it was counterintuitive because the scientific
23 advice was that they were -- banning mass gatherings
24 could be worse, because you would drive people into
25 smaller locations, pubs and so on, where the

138

1 retrospect, the correct call was to call off those
2 gatherings and to send the correct signal to the public
3 that this was an important thing and everybody had to be
4 very careful about their health?

5 **A.** Well, I can't -- I can't say how much of a difference it
6 would have made at that stage. What I've tried to tell
7 you is the reasons why we, at a very early stage in our
8 understanding of the pandemic, had gone for one option,
9 and what you've clearly got here is -- for what we
10 thought were sound epidemiological reasons -- and what
11 you've got is Scotland using its prerogatives to do
12 something different. Whatever the rights and wrongs of
13 the epidemiology, you have a divergence of approach --

14 **Q.** Indeed, and what I'm asking you is retrospectively --

15 **A.** -- and the risk is that in the end you start to
16 undermine public understanding --

17 **Q.** Indeed, the Inquiry has heard that and understands it.
18 What I am asking you to reflect upon is,
19 retrospectively, was that the right call?

20 **A.** I can't -- I can't say. I think that --

21 **Q.** I'd like to --

22 **A.** -- what certainly wasn't helpful throughout was to have
23 different messages.

24 **Q.** Well, that's exactly the matter I'm coming on to.
25 The issue of differential messaging is one which has

140

1 peppered your evidence so far. In your statement at
2 page 30, I don't need that brought up, but in your
3 statement at page 30, paragraph 126, it says:

4 "Looking back, we should have thought much harder
5 about the legal basis for the measures proposed. There
6 is a respectable argument that we should have used civil
7 contingencies legislation rather than public health
8 legislation. By allowing for at least the appearance of
9 a divergence in approach between the various parts of
10 the UK, we were risking considerable public confusion
11 and frustration -- when clarity of message was crucial."

12 Given, as you've already identified, the prerogative
13 of devolved administrations, in particular Scotland,
14 where health is a devolved matter in Scotland, where
15 Scotland has access to its own data, its own government,
16 its own CMO, its own DCMO, and it has, I suppose, the
17 best view on what's happening in its own area, ie the
18 different spread of Covid perhaps between the Scottish
19 islands and London, are your comments fair or proper?

20 **A.** My comments on?

21 **Q.** Is your comment that the appearance of divergence in
22 approach between the various parts of the UK were
23 risking considerable public confusion and frustration
24 when you wanted clarity?

25 **A.** Obviously that's for the Inquiry to decide, but I think
141

1 administrations didn't?

2 **A.** I think perhaps I could put it this way. The pandemic
3 changed and the virus changed and -- its virulence, and
4 we had to change our response. And I think that --

5 **Q.** The difficulty --

6 **A.** -- just to complete the point, I think the problem was
7 that we would find sometimes that there was a difference
8 in message. I'm not -- I don't want to make too much
9 heavy weather of this, but I think sometimes it was
10 a problem.

11 **Q.** That brings me to my last point, but just before I leave
12 the issue of Stay Alert, Professor Halpern has given
13 evidence to this Inquiry that the phrase that was
14 changed was so bad because it told you to worry and it
15 didn't tell you what to do. He described it as the
16 worst combination. And I would respectfully allow you
17 to reflect upon that.

18 If I can take you on to my final point, and it's in
19 relation to a report, an expert report which has been
20 heard detail of in this Inquiry, by
21 Professor Ailsa Henderson, and it's about confusing
22 messages.

23 You have said in your evidence that messaging was
24 incredibly important:

25 "Messaging, in the end, was the most important tool
143

1 I was -- look, I'm really grateful to you for, you know,
2 raising all this, but I was worried that there was
3 a continual dissonance of messaging and I was worried
4 that that would do two things: it would confuse people
5 and, in the end, it would undermine people's confidence
6 in the message. One or other of these points had to be
7 right, which one was it?

8 **Q.** And I would like to take you to that.

9 First of all -- I've got two issues left. First of
10 all, the Stay Alert message. You say clarity and
11 consistency were important, you were sensitive to this,
12 that the messaging was so important, and you were
13 concerned that people found it hard to follow. The fact
14 was that the message was Stay at Home, Protect the NHS,
15 Save Lives and it was changed by the UK Government, by
16 itself, to Stay Alert, did you have any communications
17 with the devolved administrations saying that you were
18 going to change it?

19 **A.** Well, I think the previous counsel for, I believe it
20 was, the Welsh bereaved families, indicated that there
21 had been a consultation about that.

22 **Q.** If I may put this to you: if there was such a meeting
23 and conversations were had, why was consistency of
24 messaging not an issue when the UK Government decided to
25 change its advice but the other three devolved
142

1 we had to deal with the virus. I don't wish to --
2 I don't think we should deprecate the importance of
3 messaging."

4 So at the heart of what you were doing you thought
5 messaging was a vitally -- a critical tool in relation
6 to the pandemic.

7 If we can have before us INQ000269372, the report by
8 Professor Ailsa Henderson, page 49, paragraphs 151 and
9 152.

10 This was about advice given by the UK Government
11 over communications with the public. About halfway down
12 the paragraph it starts:

13 "An analysis of the texts of prepared speeches
14 throughout 2020 shows that those speaking on behalf of
15 the UK government did an incomplete job of outlining the
16 territorial scope of their data, information or
17 guidance. In the first months, there was almost no
18 mention of the devolved administrations or their
19 First Ministers. There was little attempt to outline
20 what applied UK-wide and what applied only to England.
21 The phrase 'this country' was employed frequently to
22 mean England, or Great Britain or the UK. In general,
23 spokespeople were slightly more likely to clarify if
24 a UK-wide matter applied to the whole of the UK."

25 And it goes on to give an instance.
144

1 Given, by your own admission, the critical nature of
2 the communications and the fact that messaging was the
3 most important tool the UK had to deal with the virus,
4 was sufficient consideration given by the UK Government
5 to ensuring that the geographical, jurisdictional -- of
6 their data and information and guidance was made clear?

7 **A.** Well, I did my level best during the press conferences
8 to try to make clear where the restrictions applied to,
9 and I remember several times saying that they applied
10 only in England and to trying to restrict what we were
11 saying, but I think --

12 **Q.** Well, Mr Johnson, I have one example --

13 **A.** -- you can't blame ministers for talking about this
14 country or -- when that's common parlance. And if I may
15 say --

16 **Q.** The difficulty is that ministers are talking on behalf
17 of the UK Government to all the people that they are
18 getting at, so if they say "this country", it has to be
19 made clear which country it refers to. For example --

20 **A.** We're all one country.

21 **Q.** For example, on 23 June 2020 you clarified that measures
22 applied to England only, and that's the one occasion it
23 appears that's been highlighted, and then set out rules
24 to follow for the "British public".

25 Is what was needed was clarity and isn't it,
145

1 what we were trying to say, it was remarkable how
2 clearly people got the message considering the extreme
3 complexity of the rules and considering the fact that
4 there was divergence, as I've said, across the DAs.

5 **Q.** Mr Johnson, given the complexity --

6 **A.** I think that what you've got here is, in all this
7 conversation, a perfect example of how different
8 messaging can be confusing for ministers, for people
9 across the whole of the UK. The virus thinks --
10 whatever the SNP may think, the virus thinks this is all
11 one country. That's the reality.

12 **Q.** I'm not asking questions about the SNP, I'm asking
13 questions about you and your ministers' messaging during
14 the pandemic. You have said that what it was was
15 extremely complex issues, and there may be no doubt that
16 that is so, but wouldn't that be all the more reason
17 that you made absolutely clear every time you stood up
18 and spoke to the four nations that you made it
19 absolutely clear what the rules were for each nation in
20 each country?

21 **A.** Well, I could have done that, I think that -- and that
22 might indeed be a way forward. I think that it may be
23 that you've hit on a solution, which is that in future
24 it should be entirely the job of the Prime Minister of
25 the United Kingdom to announce the different rules that
147

1 in fact, that the problem was that the difficulty was
2 created by the UK Government?

3 **A.** No, no.

4 **Q.** Later on in this report it says that:

5 "Notwithstanding ... efforts ... throughout 2020,
6 [the] UK COVID press briefings repeatedly failed to
7 clarify ... rules governing school closures, rules for
8 social gatherings, funds for local authorities, funds
9 for the Coronavirus Community Support Fund, the renewal
10 task force, dedicated funding for mental health, bike
11 voucher schemes, increased marshals on rail networks,
12 the reopening of car showrooms or other retail were all
13 England-specific."

14 And they say -- the report goes on to say:

15 "This is particularly important as in some instances
16 government spokespeople were calling for individuals to
17 change their behaviour, and such rules would not have
18 applied throughout the UK. Indeed it was advice about
19 rules, rather than data, that suffered from a particular
20 lack of clarity ..."

21 So given what is said in this report, Mr Johnson,
22 did the UK Government fail to properly implement the
23 most important tool the UK Government had to deal with
24 the virus?

25 **A.** I think that if you look at the public understanding of
146

1 apply in different places across the UK, rather than
2 having those messages blurred or anticipated.

3 I happen to think that that would still be immensely
4 complicated and people wouldn't understand quite why
5 there were differences.

6 All I'm saying is that the -- I think there were --
7 legitimate, democratic desire of the DAs to have their
8 own approach to public health. I totally get that and
9 I support that. But, in the particular context of
10 a brutal, pitiless pandemic, there had to be some way of
11 helping the public with greater unity of messaging.
12 That's all I'm saying.

13 **Q.** And the best way is not to look for unity but to look
14 for clarity; would that be correct?

15 **A.** I think that clarity follows unity.

16 **LADY HALLETT:** I think we have gone far enough.

17 **MS MITCHELL:** I'm obliged.

18 **LADY HALLETT:** This is not going to become seminal, with
19 respect.

20 I shall return at 3.15.

21 (3.03 pm)

(A short break)

22 (3.15 pm)

23 **LADY HALLETT:** Mr Thomas.

24 **Questions from PROFESSOR THOMAS KC**
148

1 **PROFESSOR THOMAS:** Former Prime Minister Johnson, may
2 I start by saying how much I appreciate your time here
3 today. I'm Leslie Thomas and I represent FEHMO, the
4 Federation of Ethnic Minority Healthcare Organisations.

5 Now, I want to see what we can agree on. Can we
6 agree that it's important to acknowledge the collective
7 sacrifice and dedication of healthcare workers,
8 especially those from diverse ethnic backgrounds; can we
9 agree on that?

10 **A.** I certainly think it's crucial to acknowledge the
11 sacrifice of healthcare workers in the UK everywhere,
12 absolutely.

13 **Q.** Thank you. Thank you. We know that they tirelessly put
14 their lives on the line during the pandemic. You
15 remember, don't you, the nationwide applause every
16 Thursday at 8 pm; yes? Do you remember that?

17 **A.** I do.

18 **Q.** Yes. And indeed you yourself owe them a debt in
19 relation to when you were hospitalised and ill; we can
20 agree on that?

21 **A.** I certainly do, and they put themselves in the frontline
22 of danger in many cases and particularly, sadly, those
23 from ethnic minority backgrounds paid a terrible price.

24 **Q.** They did, they paid a terrible price.

25 So it's in this context that FEHMO seeks insights
149

1 typically -- typically, it's a generalisation -- be more
2 vulnerable.

3 **Q.** Yes.

4 **A.** So at that particular stage it was one of the reasons
5 why we were so careful about the timeliness of the
6 lockdowns that we've described.

7 **Q.** Mr Johnson, just help me with this, because I may have
8 missed this: bearing in mind that these, as you've just
9 said, were anticipated in lower income groups, ethnic
10 minorities, tell me what were the measures that your
11 government put in place to protect these groups?

12 **A.** What we -- so I've described the disparate impacts of
13 NPIs and lockdowns and the way that affected policy.
14 What we didn't at that stage know, and I think that's
15 what Patrick is talking about, but what we didn't at
16 that stage know is the extent to which the virus itself
17 would impact different groups differently, and that was
18 only really to become apparent in the course of
19 the weeks ahead.

20 **Q.** Well, you say in the weeks ahead, very early on it
21 became apparent: the first ten doctors who died were
22 from ethnic minority backgrounds. The first ten doctors
23 were doctors of colour, Mr Johnson; you knew that,
24 right?

25 **A.** And that is correct, and --
151

1 into various aspects and understands the challenges
2 faced by ethnic minority healthcare workers and
3 communities during this unprecedented time.

4 Now, let me start -- I've only got a handful of
5 topics. Let me start with my first topic.

6 Mr Johnson, considering the expert testimony of the
7 Chief Scientific Adviser, Sir Patrick Vallance, that
8 disparate health outcomes based on vulnerabilities were
9 "entirely foreseeable", and the acknowledgement that
10 pandemics exacerbate existing inequalities rather than
11 creating them, I would like to focus on the period
12 leading up to the first lockdown in March 2020.

13 During those critical days, why didn't your
14 government put any measures in place in anticipation to
15 mitigate the potential harsher effects of the pandemic
16 on vulnerable and minority groups? Can you help me with
17 that, please.

18 **A.** I certainly can. I think that the -- we recognised that
19 a pandemic, as Sir Patrick has said, was going to be
20 brutal for the whole country, but I think that one of
21 the things that I'd been told from the beginning was
22 that -- if you remember, in the conversations that we'd
23 had about the downsides of lockdown -- is that they were
24 likely to be felt particularly by those from lower
25 income groups, ethnic minority backgrounds, who would
150

1 **Q.** Sorry, can I just clarify, you knew that?

2 **A.** I -- I -- well, let me say what I knew.

3 I knew that from the -- and I think that I'm right
4 in saying that of the victims in the NHS, the NHS staff,
5 I think in the -- I may have got the figure wrong, but
6 I think it's something like 60% in the first year were
7 from ethnic minority backgrounds. I may be wrong about
8 that, but it's something of that order. It was falling
9 disproportionately on BAME staff.

10 And we did spot that very early on, I was very
11 worried about it, and I tried to find out why as fast as
12 we could.

13 **Q.** Yes.

14 Mr Johnson, just so we're clear, I'm not for one
15 moment suggesting that you didn't try to find out why.
16 What my question was aimed at is what you did, what
17 measures, protective measures, did you put in place to
18 protect these vulnerable groups? That was my question.

19 But let me move on because time is short. Let me
20 move on to talk --

21 **A.** We put in all sorts of -- it would be fair to say until
22 we'd established the chain of causation and what was
23 going on, it was difficult to put in specific measures
24 for specific groups, but I -- you know, clearly we
25 needed to do more to protect NHS frontline staff, and
152

1 they made a huge, huge and tragic sacrifice.

2 **Q.** Yes, well, we can agree on that.

3 Let's move on to my second topic. In your witness

4 statement you acknowledge that there was a vast

5 underestimation of the risks related to disparities in

6 health outcomes, and you state this at paragraph 46.

7 Now, considering this acknowledgement, what were the

8 specific factors or considerations that contributed to

9 this underestimation in the context of disparities in

10 health outcomes, particularly those based on ethnicity?

11 **A.** I think that to begin with, we were -- I was looking at

12 the data as it started to come in. We were -- it was

13 heartbreaking, and we were uncertain as to -- as to the

14 cause. And the question, bluntly, was whether there was

15 some -- whether there were medical reasons or whether

16 there were, as it were, occupational reasons for the

17 greater suffering. And I think it took us a while to

18 try to get -- to get to the answer. I mean, we tried to

19 get the answer quite quickly, but a great deal of work

20 was done on that subject. The answer, as I'm sure you

21 of course know, is that it appears that there isn't a --

22 any medical grounds. What it must -- what it,

23 I'm afraid, tragically was, was fantastic NHS staff from

24 ethnic minority backgrounds in the frontline dealing

25 with patients and being exposed to the virus, and --

153

1 report has been cited as a pivotal moment in the

2 understanding and addressing the disparities and risks

3 and outcomes relating to the Covid pandemic. Would you

4 consider this report to be your first substantive

5 opportunity for engagement on this crucial issue?

6 **A.** On which issue?

7 **Q.** I'll repeat the question: on the issue of addressing

8 disparities and risks and outcomes related to the

9 Covid-19 virus.

10 **A.** Right. Well, what we did was to try to make sure that

11 everybody had the best possible protection, and to do

12 whatever we could to stop infection of those

13 particularly black, Asian, minority ethnic groups who

14 were in the frontline of the fight against Covid. And

15 sometimes, tragically, we didn't have PPE that was good

16 enough but we made a huge effort to equip our country

17 with what was necessary.

18 **Q.** Sometimes you didn't have PPE, but there was an issue at

19 times, was there not, in relation to PPE not being

20 culturally appropriate, you know, people with beards,

21 religious outfits, things like that? Were you aware of

22 that?

23 **A.** That wasn't escalated to me. I was concerned that

24 everybody should have the best possible protection.

25 **Q.** Let me move on. Can you share with us your reflections

155

1 **Q.** Well, forgive me, Mr Johnson.

2 **A.** That's what it seems to have been.

3 **Q.** Forgive me, Mr Johnson, it's more than that. We had

4 your former Health Secretary, Mr Hancock, sitting where

5 you are sitting, I believe last Friday, and he agreed

6 with me, and I'm sure you will agree with me, that we

7 can also agree that part of the disproportionate impact

8 on the black, Asian and minority ethnic communities,

9 including healthcare workers, was as a result of

10 institutional racism within the NHS and within the

11 system. Can we agree on that?

12 **A.** I'm not certain, I'm afraid to say, that I've seen

13 evidence to support that.

14 **Q.** Well --

15 **A.** I'd be --

16 **Q.** You are unaware of the report done by Public Health

17 England into the NHS, that Mr Hancock was telling us

18 about, where it was talking about institutional racism?

19 You're completely unaware of that as Prime Minister?

20 **A.** I haven't, I've got to confess to you, seen that report.

21 The information that I had was that it was -- that

22 wasn't the -- the information that I had did not mention

23 that as a factor.

24 **Q.** All right. Let me move on.

25 Mr Johnson, the June 2020 Public Health England

154

1 on how the findings of this report influenced subsequent

2 actions and policies aimed at mitigating these

3 disparities?

4 **A.** I think that what we wanted to do was to make sure that

5 the incredible frontline staff of the NHS had greater

6 protection, above all by being less overworked, and one

7 of the things that we -- and, you know, the pandemic was

8 a terrible time, but one of the things that we did was

9 not only to embark on a programme of -- big programme of

10 hospital building, but recruiting 50,000 more nurses,

11 and I think we're well on the way to -- the subsequent

12 government is well on the way to achieving that now.

13 And if you're a nurse or a frontline worker, then

14 clearly one of the best ways to mitigate the risk that

15 you face, and the disproportionate risk that you face as

16 a black, Asian and minority ethnic frontline care

17 worker, is having an extra pair of hands to help you,

18 and that was one of the key objectives of the programme,

19 and it was -- it's a very large programme.

20 **Q.** Thank you.

21 **A.** There are plenty of other things that the NHS now has,

22 I believe, or certainly did when I was minister, many

23 people than it's ever had --

24 **Q.** Sorry --

25 **A.** Forgive me.

156

1 Q. Thank you.

2 **LADY HALLETT:** They have limited time, Mr Johnson.

3 A. Sorry, I'm not trying to talk you out.

4 **PROFESSOR THOMAS:** I'm sure you're not trying to talk me

5 out --

6 A. I wouldn't dream of it.

7 Q. You wouldn't dream of that, would you, Mr Johnson?

8 A. I wouldn't.

9 Q. No. Right, I have two more topics and I've finished.

10 Given the first indications of starkly

11 disproportionate rates of infection and mortality in

12 ethnic minority communities which began to emerge in

13 late March/early April, can we agree on this: can we

14 agree that there were earlier opportunities for more

15 substantial engagement? Can we agree on that?

16 A. I don't know what you mean by that.

17 Q. Well, let me be blunt. Your government could have done

18 a lot more, a lot earlier.

19 A. Well, we did whatever we could to get all our staff the

20 equipment that we --

21 Q. It wasn't enough, Mr Johnson, was it?

22 A. Well, we worked incredibly hard and fast to get people

23 the equipment we needed. That doesn't mean that I'm not

24 conscious of the immense effort and sacrifice --

25 Q. People we were clapping for; do you remember?

157

1 to be engaged in closed sectors. From my own extensive

2 work as chairman of Transport for London, and all the

3 work I did as mayor, had taught me the massive

4 disproportionate impact measures such as closures of

5 retail, hospitality and so on were likely to have on

6 those very groups.

7 So in a way I didn't need --

8 Q. You didn't need the intelligence?

9 A. I knew that --

10 Q. You knew? Thank you.

11 A. I was getting data, but I also knew that these measures

12 were likely to be disproportionately -- disproportionate

13 in their --

14 Q. Thank you, Mr Johnson.

15 My Lady, I concede another 30 seconds under my time.

16 Thank you.

17 **LADY HALLETT:** Thank you, Mr Thomas.

18 Mr Metzger.

19 That way, Mr Johnson.

20 **Questions from MR METZER KC**

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

22 Mr Johnson, I ask a small number of questions on

23 behalf of the Long Covid groups.

24 Matt Hancock and Dominic Cummings have said they

25 were advised in early 2020 about the possibility of

159

1 A. I do, and I am deeply conscious of the sacrifice that

2 they made.

3 Q. Fine. Last topic and then I'll sit down and I'll shut

4 up.

5 At paragraph 656 of your witness statement, you say:

6 "... I was not provided with and did not consider

7 any 'Equality Impact Assessments' when making decisions

8 about imposing, easing or making exceptions to NPIs but

9 that is not to say I did not receive and consider many

10 documents containing details of the effects of lockdowns

11 across society or 'Equalities and Distributional

12 Impacts' ..."

13 Question: in the absence of such assessments, and

14 that's the equality impact assessments, can you shed

15 light on the sources of intelligence or information that

16 informed you, informed your understanding, of the

17 disproportionate impact of NPIs on ethnic minority

18 groups? What were the sources of your intelligence and

19 information?

20 A. Well, there was data that I saw -- I can't tell you

21 exactly the provenance, but there was data that

22 suggested that, I think, when you come to lockdowns,

23 people from the Bangladeshi community were four times

24 more likely to be engaged in closed sectors, people from

25 the Pakistani community were, I think, twice as likely

158

1 longer term sequelae of Covid-19 by both Patrick

2 Vallance and Chris Whitty.

3 On 17 May 2020, you shared an article -- we needn't

4 go to it -- about people reporting prolonged symptoms of

5 Covid-19 in a WhatsApp group with them all. In short,

6 did you also receive advice about long-term sequelae

7 from Patrick Vallance and Chris Whitty at that time?

8 A. Not as far as I can remember at that time. I do

9 remember repeatedly asking for advice, and I think that

10 I finally got a paper, from memory, in summer of 2021.

11 Q. Yes, we'll come to that.

12 You were never provided with scientific advice

13 doubting the existence of Long Covid, yet you said that

14 you were only persuaded that Long Covid existed in

15 June 2021. You've referred to that.

16 A. I didn't say that. I was only given scientific advice

17 on Long Covid in June 2021.

18 Q. Yes. I'm asking you questions about when you were

19 persuaded. You were only convinced by him -- that's

20 Chris Whitty -- that Long Covid was a serious problem

21 when, from July 2020, you had been receiving letters

22 from patient advocates and Members of Parliament asking

23 for formal recognition of Long Covid. In

24 September 2020, Mr Hancock reminded you about

25 Long Covid. In October 2020 the NHSE announced

160

1 a five-point plan for Long Covid. And on 13 October
2 2020, Sir Patrick Vallance advised you about considering
3 Long Covid at a Cabinet meeting, and he said in evidence
4 here that he described Long Covid to you, and you were
5 sceptical about it.

6 **A.** When was this?

7 **Q.** 13 October 2020, Sir Patrick Vallance was.

8 So I've given you a sequence of from July to
9 October. Why wasn't this overwhelming body of advice
10 and correspondence in 2020 sufficient to persuade you
11 that Long Covid was a serious problem at that time?

12 **A.** I don't want you to think -- so, first of all, I don't
13 want anybody to think that I didn't think that it could
14 be a serious problem. What I wanted to know was the
15 evidence, and I wanted to understand the -- how -- what
16 exactly the sequelae consisted in, and how I should
17 explain it to people, what the symptoms exactly were,
18 and what kind of a syndrome it really was. And I was
19 having some difficulty getting a clear picture, and that
20 was the -- that was the reality.

21 **Q.** So this was a question, it appears, in relation to
22 formal advice, written advice. But the box grid of
23 October 2020 -- and we needn't go to it, it's at
24 INQ000251910 -- that you scrawled "Bollocks" on was
25 referring to the first NIHR report into Long Covid,

161

1 In July 2021 the Cabinet Office planned a policy
2 which accepted high prevalence of Covid-19. It noted
3 that the strategy was to continue to live with Covid
4 without restrictions. One risk was noted as high rates
5 of Long Covid. The autumn/winter plan of 2021/2022
6 published in September 2021 emphasised building defences
7 through pharmaceutical interventions and, for
8 Long Covid, only acknowledged the need for treatment.

9 There was no effective treatment for Long Covid, as
10 there were no pharmaceutical interventions to prevent
11 its development, and you agree the best way to prevent
12 Long Covid is to prevent infection of Covid-19?

13 **A.** Correct.

14 **Q.** Did the government choose to adopt a policy which you
15 knew would result in a significant number of people,
16 including young people, suffering from Long Covid?

17 **A.** What we did was to try to fight Covid, to try to fight
18 infection and mortality in people of all ages by
19 stopping the spread of the disease, and I thought that
20 by fighting Covid *a fortiori* you could fight Long Covid.

21 **Q.** Yes, but you understand in relation to the decisions in
22 relation to Covid and Long Covid, they have different
23 symptomatology.

24 **A.** And that was precisely what I wanted to understand, and
25 that was why I requested the report and the advice that

163

1 a research paper that had already been published on
2 Long Covid by that time. It laid out symptomatology on
3 Long Covid. If you wanted advice, why didn't you simply
4 ask for that report to be provided to you?

5 **A.** I did ask for the evidence and I did ask for reports to
6 be provided and eventually one was provided. I think
7 that, it's -- you know, I think it was a slight
8 conceptual -- first of all, I wish to again recognise
9 the hurt that those words must have caused to people
10 suffering from Long Covid and the very real suffering
11 that they endure, and -- but what I was -- when
12 I referred to Gulf War syndrome, I was making a --
13 I think a reasonable question, and I'm sure you wouldn't
14 say that everybody suffering from Gulf War syndrome is
15 mistaken.

16 **Q.** Mr Covid(sic) -- Mr Johnson, I don't want to develop
17 about Gulf War syndrome. I just want to ask you: do you
18 agree you never asked for the NIHR report to be provided
19 to you?

20 **A.** I certainly asked for a report to be provided for me in
21 to Long Covid and it was eventually provided but much
22 later on.

23 **Q.** Yes. So not that report, do you agree?

24 **A.** Yes.

25 **Q.** Thank you.

162

1 I did. And when I spoke about Gulf War syndrome, what
2 I meant literally was: can somebody explain to me,
3 because Gulf War syndrome, as I'm sure you -- you know,
4 nobody would say, I'm sure you wouldn't, that everybody
5 suffering from Gulf War syndrome is mistaken, so --

6 **Q.** Mr Johnson, I want to move away from Gulf War syndrome,
7 with the greatest of respect.

8 A choice was taken to allow high rates of
9 transmission which brought more cases of Long Covid, and
10 you've said a number of times that messaging was
11 incredibly important, messaging in the end was the most
12 important tool we had to deal with the virus. Why
13 didn't you therefore communicate the risk of Long Covid
14 to the public so they could take measures to protect
15 themselves?

16 **A.** Well, the way to protect yourself against Long Covid is
17 to avoid getting Covid.

18 **Q.** That's not the simple -- it doesn't follow, does it?
19 They're not -- there are other specific features to
20 Long Covid.

21 **A.** Unless I'm much mistaken, I don't believe there is a way
22 of contracting Long Covid without getting Covid.

23 **Q.** But it has a different risk profile; do you appreciate
24 that?

25 **A.** Well, forgive me, and look, I don't wish in any way to,

164

1 you know, to minimise the importance of what you're
 2 saying, but I -- I thought that the best way to fight
 3 the possibility of people having long-term sequelae from
 4 Covid was to stop them getting Covid in the first place.

5 **Q.** Yes. Do you accept there is an indiscriminate risk to
 6 all people, children and the young, which has
 7 a different risk profile specific to Long Covid?

8 **A.** Well, that was one of the things I was very interested
 9 to understand. I think that may very well be the case.
 10 But it is still also true, logically, that the best
 11 way to stop those individuals contracting Covid is to
 12 stop the spread of the disease full stop.

13 **Q.** Yes. So can I take from that that people do need to
 14 know about Long Covid specifically, they can suffer from
 15 prolonged symptoms of Covid-19 and that nothing
 16 specifically was done about the risk of Long Covid; do
 17 you accept that?

18 **A.** Well, I don't accept that nothing was done about the
 19 risk of Long Covid because the government did everything
 20 that we could to stop the spread of Covid.

21 **Q.** Yes.
 22 Last question, last topic. Yesterday you said in
 23 your view some people thought they may be suffering from
 24 Long Covid but there was in fact another cause. The
 25 NIHR report, summarised in the October 2020 box return,

165

1 consideration of Long Covid; do you accept that?

2 **A.** No, I think that we -- there were going to be risks
 3 involved in releasing the NPIs. They were going to be
 4 basically the risk that the disease would spread, and
 5 that was the thing we wanted to fight.

6 **Q.** Yes.

7 **MR KEITH:** Thank you, Mr Metzger.

8 **MR METZER:** Can I just complete the question please,
 9 my Lady. It's the last question, I promise you.
 10 Do you accept that widespread transmission of the
 11 disease without public communications on the risk of
 12 Long Covid, and without other mitigation measures, meant
 13 people could not take steps to protect themselves from
 14 Long Covid? Do you accept that?

15 **A.** No, I think that people were given plenty of advice to
 16 protect themselves from Covid, and as soon as we began
 17 to understand what Long Covid was and its risks, we also
 18 publicised the risks of Long Covid as well.

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

20 **LADY HALLETT:** Thank you, Mr Metzger.
 21 Mr Menon, you've moved, trying to confuse me.

22 **Questions from MR MENON KC**

23 **MR MENON:** Thank you, my Lady.
 24 Good afternoon, Mr Johnson, I ask questions on
 25 behalf of a number of children's rights organisations.

167

1 addressed those very concerns that:
 2 "The lack of recognition of the pattern of symptoms
 3 by the public and by healthcare services meant people
 4 frequently felt their experiences were not believed and
 5 this left many feeling isolated and alone in coping with
 6 their disease."
 7 **A.** And that's the same with Gulf War syndrome, by the way.

8 **Q.** Yes. I haven't asked the question yet.
 9 It concluded, did the report, that more recognition
 10 and more support was needed. Having come to accept, as
 11 you have now, that Long Covid is a debilitating and
 12 disabling illness causing almost 2 million adults and
 13 children to suffer, do you now recognise that your
 14 prolonged disbelief in Long Covid --

15 **A.** No.

16 **Q.** -- contributed to the delay in recognising Long Covid,
 17 led to unwell people not being believed, and has meant
 18 decisions were taken on releasing NPIs without
 19 consideration of Long Covid?

20 **A.** No, I don't think that. I think that if you look at
 21 what actually happened, from a very early stage we start
 22 investing in research into Long Covid, and I think
 23 50 million followed by another £75 million, into trying
 24 to establish the exact pathology of the illness.

25 **Q.** But the decisions were taken on releasing NPIs without

166

1 Can I start by seeing if we can agree on two
 2 matters, which I hope are uncontroversial.
 3 Firstly, in March 2020, when schools were closed for
 4 most children, you believed that schools should only
 5 close as a last resort if necessary to save lives and
 6 protect the NHS; is that right?

7 **A.** I certainly believed that the closure of schools was
 8 a very, very damaging thing for kids, particularly, as
 9 I said earlier on, for kids on lower incomes.

10 **Q.** Secondly, the reason that you believed that schools,
 11 I suggest, should only close as a last resort was that
 12 you recognised at that time, when we went into lockdown
 13 in March 2020, that school closures would have
 14 a devastating lasting harmful impact on many children,
 15 particularly vulnerable children, in terms of their
 16 development, their socialisation, their educational
 17 attainment, their life chances, their physical health
 18 and their psychological wellbeing; is that fair?

19 **A.** We did recognise that.

20 **Q.** Now, given those answers, can we also agree that the
 21 primary problem in March 2020 was not the fact that
 22 schools were closed for most children to save lives and
 23 protect the NHS, the problem was that prior to schools
 24 being closed there was no proper plan, there was no
 25 clearly established framework, there was no guidance for

168

1 schools on remote education, and no arrangements for
 2 delivering face-to-face education to vulnerable children
 3 under the new social distancing restrictions? That was
 4 the problem, wasn't it, in March 2020?

5 **A.** I think that the difficulties we had in delivering
 6 education remotely, and the other things that you've
 7 mentioned certainly compounded the problem, but the
 8 basic problem, the prior problem, was that kids were
 9 deprived of the vital education that they needed at
 10 a critical time in their development. They were
 11 deprived of the society of other kids, they were unable
 12 to socialise, it was a terrible, terrible time. And the
 13 evidence is, as I'm sure you know, that this was felt
 14 most keenly by those on lower incomes, and they
 15 basically received about 30% less education as a -- than
 16 kids from wealthier backgrounds.

17 **Q.** So we agree on impact, can we also agree there was no
 18 proper plan?

19 **A.** I think it would be fair to say from everything that
 20 the Inquiry has heard so far, certainly from me, that
 21 this was a once-in-a-century event and we were not
 22 prepared suddenly to be forced to close schools for the
 23 length of time that we did. I think that's -- that's
 24 fair.

25 **Q.** Thank you.

169

1 it sensible, given where we were in the school calendar,
 2 to resume with the normal return of school.

3 **Q.** But the reality is that, contrary to what you'd
 4 indicated earlier, schools were not the last to close
 5 and the first to re-open, were they? Because priority
 6 was given in your budget of risk to amongst other things
 7 pubs and hairdressers. That's the reality, isn't it?

8 **A.** Well, as I say, the -- we faced an unlocking which went
 9 on until July, the school holidays normally began then,
 10 there were reasons for thinking that it might be
 11 sensible to resume school when school normally resumes.

12 **Q.** Rather than, for example, as an alternative, keep
 13 schools open into August because schools had been closed
 14 for so long beforehand?

15 **A.** I think we did -- we did look at that. I'm not sure
 16 that it was practically very easy to do.

17 **Q.** Moving then, Mr Johnson, from school closures to the
 18 social distancing restrictions. Why did your government
 19 largely ignore calls from the Children's
 20 Commissioner for England, Anne Longfield, and numerous
 21 children's rights organisations, to exempt children in
 22 England from the social distancing restrictions that
 23 became law on 1 June and 14 September?

24 **A.** Why did we ignore calls to exempt them from social
 25 distancing?

171

1 In your witness statement, Mr Johnson, I don't want
 2 to ask for it to be put the screen, the reference is
 3 page 107, paragraph 397, you say that the re-opening of
 4 schools was one of your key priorities in the summer of
 5 2020, when the first lockdown was easing, putting it
 6 ahead, in your words, of the need to lift social and
 7 economic measures.

8 Why, then -- this is the question: why then were
 9 hospitality and cultural venues, including pubs, bars,
 10 cafés, restaurants, hairdressers and beauty salons,
 11 allowed to re-open on 4 July 2020, dubbed "Independence
 12 Day" by some in government, but not schools?

13 **A.** I think that the -- I think I gave the answer earlier in
 14 a previous discussion. The reason was that we -- two
 15 things. I think we thought we would go through till the
 16 resumption of the normal school term. But secondly,
 17 schools are big potential reservoirs of risk, and
 18 younger people can easily transmit the virus to older
 19 and more vulnerable people.

20 **Q.** You think schools are larger reservoirs of risk than
 21 pubs and restaurants and hairdressers and beauty salons,
 22 and non-essential retail for that matter?

23 **A.** I think that we were thinking about how to do things,
 24 how to sequence things, and I'd have to go back and look
 25 at some of the discussions, but I think that we thought

170

1 **Q.** Yes.

2 **A.** I would have to look back at the discussions, and
 3 forgive me, but I think it would -- my instinct is it
 4 would have been because we wanted to minimise the risk
 5 of transmission.

6 **Q.** Let me just remind you of what the position was:
 7 1 June, outdoor gatherings of up to six people from
 8 more than one household became law.
 9 4 July, so-called Independence Day, all outdoor
 10 restrictions lifted except in Leicester.
 11 14 September, when numbers began to rise again, the
 12 so-called rule of six reintroduced at that stage.

13 So the position was that in England children weren't
 14 exempted, but in Scotland and Wales younger children
 15 were exempted from the social distancing restrictions,
 16 as I'm sure you're aware. Yes?

17 **A.** And I think -- well, that takes us back to the
 18 conversations we were having just now with the counsel
 19 for the DAs, and I think in an ideal world we would be
 20 able to proceed as one epidemiological unit with one set
 21 of messages.

22 Look, I hated all the restrictions that we had to
 23 place on schools, and I wanted to get them open, and --
 24 but we faced a really, really awful pandemic and the
 25 judgement was that -- and this was one of the areas

172

1 where the scientific emphasis changed, because it wasn't
 2 quite as clear back in March, but the judgement was,
 3 I remember, in -- later on in 2020 that schools really
 4 did present a considerable addition to the budget of
 5 risk.

6 **Q.** Mr Johnson, I moved on from schools to the social
 7 distancing restrictions.

8 **A.** I thought you were talking about social distancing
 9 restrictions within schools.

10 **Q.** Not within schools.

11 **A.** Oh, forgive me.

12 **Q.** Generally.

13 **A.** Sorry.

14 **Q.** Just to be clear about this, just to remind you, the
 15 position was that in England children under the age
 16 of 12, in other words children who can't go out from
 17 their homes independently, were not exempt from the
 18 restrictions, they were not given, to use the
 19 government's language, that freedom and independence
 20 that children in Scotland and Wales were. So I'm
 21 asking: why did England pursue a more draconian approach
 22 than Scotland and Wales as far as younger children were
 23 concerned?

24 **A.** Well, I think the -- I'd refer you to what I said just
 25 a moment ago. I think that we were -- we were trying to

173

1 Helen Whately says this:
 2 "Wish we could loosen on children under 12 on
 3 rule of 6 for tier 1."
 4 Then about an hour later she says:
 5 "It would make such a difference for families and
 6 there isn't a robust rationale for it. Now is a really
 7 good chance to show we have listened. (Lots of MPs were
 8 pushing on this during last weeks' debates)."
 9 Matt Hancock replies:
 10 "They don't want to go there on this."
 11 She asks:
 12 "Are we they?!"
 13 Then this from Matt Hancock:
 14 "As in No10. Also on curfew -- they don't want to
 15 shift an inch."
 16 In respect of that, first question: were you aware
 17 at this time in --
 18 **A.** So this is October?
 19 **Q.** Yes, mid-October, so this is about a month after
 20 Scotland and Wales have exempted children from the
 21 rule of six, were you aware at that time that
 22 Helen Whately and "lots of MPs", to use her words, were
 23 calling for children to be exempt from the rule of six?
 24 Were you aware of it at the time?
 25 **A.** I just want to say how grateful I am to you for bringing

175

1 reduce transmission, trying to reduce risk, but clearly
 2 there was a divergence between the various parts of the
 3 UK. I'm not certain in future whether we would want to
 4 do it that way.

5 **Q.** Just to be fair to you on this, so you know, the Inquiry
 6 has not heard any scientific or medical evidence from
 7 either the CMO or the GCSA to the effect that what
 8 Scotland and Wales was doing was somehow dangerous and
 9 that the English approach was better. Just so you
 10 understand the position.

11 Now, opposition to the decision not to exempt
 12 younger children from the social distancing restrictions
 13 was not confined to the Children's Commissioner and
 14 children's rights organisations. Members of your own
 15 government and political party were expressing concerns
 16 about this. And I'd like to show you one particular
 17 WhatsApp exchange, if I may.

18 The reference is INQ000176785, page 24.
 19 And if you could indicate when you have that on your
 20 screen, it would be appreciated. I think so you have it
 21 now.

22 If we could turn to 11 October, please, the entry at
 23 15.46.59. This is a WhatsApp exchange between
 24 Matt Hancock and Helen Whately, who, as you know, was
 25 minister of state in the DHSC at the time.

174

1 this to my attention, because I hadn't clocked this, but
 2 what it -- so it's a great example of the kind of
 3 thinking and the kind of debate that was going on at
 4 a time when, as everyone knows, and we have been
 5 discussing this extensively this morning, the R was
 6 going up, and we were about to announce the tiered
 7 system.

8 So 11 October, we're literally days away from having
 9 to ask the country to go back into -- parts of the
 10 country to go back into lockdown. And we are -- the --
 11 so the last thing -- to explain why it might have been
 12 a -- difficult for us to signal any kind of relaxation
 13 at that stage, to suddenly to say that we were going to
 14 relax the rules on social distancing for kids, for young
 15 people, would have been a very, very peculiar signal to
 16 send out at the very moment when we were trying to
 17 get -- we were desperately trying to get the existing
 18 measures to work and we were on the point of toughening
 19 them up. So I think that probably explains -- that
 20 probably answers the -- your question.

21 **Q.** So I think what you're saying is that Matt Hancock was
 22 right? When he said to Helen Whately in this WhatsApp
 23 exchange that Number 10 doesn't want to shift an inch,
 24 that he's right about that?
 25 **A.** I don't remember -- to be frank, I don't remember

176

1 a conversation about it, but I can see why we would have
2 been reluctant at that stage, given what was going on in
3 the pandemic.

4 **Q.** Finally, Mr Johnson, I hope, again, this is
5 uncontentious, taking a global view of the position,
6 although children had fewer health risks from Covid than
7 adults, particularly older and more vulnerable adults,
8 do you agree that children suffered disproportionately
9 from the government's non-pharmaceutical interventions
10 to contain the virus, both in the short and the
11 long term? Taking an overall view of the pandemic.

12 **A.** I absolutely do, and that's why we put a lot of money
13 into CAMHS, into children's mental health services,
14 that's why the government decided to have a big catch-up
15 programme -- a big tutoring programme, not as big
16 perhaps as I would have loved to see, but I do think it
17 was an important thing to do, and the short answer is:
18 yes, I do think that the educational detriment was
19 a huge, huge consideration, the loss of life chances for
20 young people has to be put in the scales when you're
21 making these appalling choices, as you say, about NPIs,
22 and kids were very much in our minds. But the priority
23 was to save life.

24 **Q.** Mr Johnson, much as I'd like to challenge you on the
25 nature of the government response, the Inquiry has

177

1 by your government, and what you say you truly care
2 about, and no doubt the Chair will look at all that
3 evidence.

4 Our first question: in your choice of words to your
5 government and advisers, were you not being shamefully
6 ageist against those in later life and normalising their
7 premature death?

8 **A.** Thank you very much.

9 No, I was doing my best to reflect what was,
10 I'm afraid, a debate that was very live -- and live,
11 I may say, with a great number of older people who would
12 make these points to me. And I wanted to get the
13 answers. And we've discussed earlier on today the
14 downsides of the segmentation approach, that wasn't
15 really going to be enough, but people found that very
16 counterintuitive, they didn't understand why
17 segmentation wouldn't be enough and you really had to
18 explain it to them.

19 **LADY HALLETT:** Mr Friedman, can I just put a marker down,
20 I did not give permission for you to ask the question
21 "shamefully ageist", just so that people understand.

22 Can we please avoid -- everybody avoid language which
23 I haven't approved which could be considered emotive.

24 **MR FRIEDMAN:** Absolutely, my Lady.

25 **LADY HALLETT:** Thank you.

179

1 understandably decided that that is a matter to be
2 properly explored in 2025 in a separate module. So
3 I don't accept what you've just said, in particular in
4 relation to the catch-up programme, but I'm going to
5 have to deal with that on another occasion. Do you
6 understand?

7 **A.** Well, I think I -- I think I've conceded that it wasn't
8 as -- I wanted a totally massive one, it was pretty big,
9 but I think that it -- we had -- it was a big, big
10 priority of mine to get --

11 **Q.** I understand your answer.

12 **LADY HALLETT:** You've put your marker down, Mr Menon.

13 **MR MENON:** I have.

14 **A.** I'm sure you'll come back to it, sir.

15 **MR MENON:** Thank you very much.

16 **LADY HALLETT:** Thank you, Mr Menon.

17 Mr Friedman.

18 Questions from MR FRIEDMAN KC

19 **MR FRIEDMAN:** Mr Johnson, I act for four national disabled
20 people's organisations. They too want to ask you about
21 your repeated comments in meetings and on WhatsApp
22 messages about older people, for example that they're
23 going to die anyway, have had a good innings and should
24 accept their fate rather than destroying the economy.

25 Now, please leave aside for a moment what was done

178

1 **MR FRIEDMAN:** Yes, I accept and I apologise, it wasn't
2 my Lady's choice of words, it was mine.

3 **LADY HALLETT:** It's what I call a forensic flourish,
4 Mr Friedman. Thank you.

5 **MR FRIEDMAN:** So be it, my Lady.

6 Let me nevertheless reflect on your answer just now,
7 and your answer to Mr Keith this morning about these
8 various comments, that I know you feel very sensitive
9 about. I just want to paraphrase what we understood to
10 be your answer: "as the layperson in the room, I as the
11 Prime Minister, who had to take the ultimate decision
12 was voicing these ideas about older people to deal with
13 counterarguments out there in the public domain that
14 only the elderly should be shielded".

15 **A.** No, not only the elderly. Sorry, forgive me.

16 **Q.** Yes.

17 **A.** No. So from the beginning, we had a massive programme
18 of shielding for the vulnerable, as you know, and went
19 up from about 1.3, 1.5, to about -- ultimately about
20 2.5 million people, some of whom were shielding for
21 an incredibly long time. And it was a miserable, lonely
22 business. Given all the detriments that people endured,
23 their inability to get the medical healthcare that they
24 might need, that -- all the downsides of that, it was,
25 I think, reasonable to think about other approaches and

180

1 whether the continued lockdowns were effective --
 2 **Q.** Yes, of course, Mr Johnson --
 3 **A.** -- but in the end we had no alternative.
 4 **Q.** Of course, Mr Johnson, forgive me for interrupting you,
 5 but I have to take you back to these comments, however
 6 one puts them emotively or otherwise, once we get into
 7 August and September and these comments are mostly made
 8 in October, you have had those discussions about how
 9 a more dedicated form of segregation for the elderly and
 10 their households is not going to work essentially
 11 because the virus will break out of the shielding
 12 system, and you were taken to the WhatsApp messages by
 13 Mr Keith.

14 So how does your answer to Counsel to the Inquiry
 15 this morning and to me just now about you putting
 16 arguments for only older people being segregated in some
 17 form of supershielding therefore have anything to do
 18 with your repeated assertions that old people are going
 19 to die anyway, that they've had a good innings and we
 20 should not sacrifice the economy because of them?
 21 **A.** So what I'm trying to put to the scientific opinion is
 22 the -- I want to understand, first of all, who is -- who
 23 the potential victims of Covid are at that particular
 24 moment and, as everybody knows, it's people of all ages,
 25 and I've seen it for myself, because I've seen some

181

1 **Q.** Well, that being the case, we do not find you repeatedly
 2 raising at this juncture with your government and your
 3 senior advisers in WhatsApps and notes and meetings
 4 about that problem, in a sense, leading from the front
 5 with words and actions to let your government know in no
 6 uncertain times that disabled people's lives are worth
 7 living. Why is that?
 8 **A.** Actually, that's not true. What we did was to try to
 9 stop the spread of the virus and to protect those who
 10 were shielding and vulnerable from a break-out.
 11 **Q.** Well, lastly, and standing back, my Lady, if I may, and
 12 it does follow from what's been said.

13 The public know, you know, that sometimes you use
 14 language, florid language, and one way to conclude about
 15 your use of language is that's just Boris Johnson being
 16 Boris Johnson. It's a matter for my Lady, but is that
 17 the kind of conclusion you would want her to reach, or
 18 would you rather her reach a conclusion that language of
 19 that florid kind of nature, even if said in jest, should
 20 not be used by a government official and especially one
 21 who had the power that you enjoyed in autumn 2020?

22 **LADY HALLETT:** Sorry, which language, Mr Friedman?

23 **MR FRIEDMAN:** Well, the kind of language, whether I describe
 24 it emotively or not, that old people have had a good
 25 innings --

183

1 figures, I think, for the average or the median age of
 2 Covid victims.

3 I'm trying to understand what alternatives we have,
 4 and I'm reflecting a widespread view that there must be
 5 some twin-track strategy. There must be some way in
 6 which we can somehow avoid this damage to the entire
 7 economy and society whilst looking after the interests
 8 of the elderly. And what I'm trying to get from the
 9 scientists is, you know, and from everybody in the room
 10 is, well, what is the answer to this? And the answer
 11 is, as everybody knows, that there is no alternative
 12 approach. If you let -- if you -- there is no way of
 13 sequestering the elderly population or the vulnerable
 14 sufficiently and they will die, tragically, in great
 15 numbers when the R gets uncontrollable.

16 **Q.** Well, let me then ask you about your knowledge and your
 17 words around the broader population of disabled people
 18 that were dying. Did you know then, as of autumn of
 19 2020, that Covid posed risks to a wide range of disabled
 20 people of all ages? And in that I include people with
 21 learning disability, people with Down's Syndrome, and
 22 the like?

23 **A.** Yes, we certainly knew that people with a huge variety
 24 of syndromes were particularly vulnerable, and that's
 25 why we had a shielding scheme.

182

1 **LADY HALLETT:** Oh, I see what you mean.

2 **MR FRIEDMAN:** -- that they're going to die anyway.

3 **A.** Well, let me --

4 **Q.** I think you understand the question I put to you.

5 **A.** I do understand.

6 **Q.** You've probably heard it before.

7 **A.** I do understand that, so let me give you a straight
 8 answer on that. I think, first of all, I regret all
 9 hurt and offence caused by publication of language that
 10 was not intended for publication, whether it's been
 11 recorded in someone's notes or diaries or whatever.
 12 These were private conversations with officials.

13 Secondly, a lot of what has been reported is
 14 incorrect, and there are words that are ascribed to me
 15 that I simply don't recognise.

16 But the third thing is, insofar as it's obviously
 17 true that I was from time to time speaking bluntly and
 18 in an unpolished way about these issues, it was for two
 19 reasons.

20 First of all, I wanted to, as I say, represent the
 21 layman and to get an answer that was intelligible.

22 Number two, I wanted everybody in the room to feel
 23 that they could also speak freely. Because I think when
 24 you're sitting in a room full of conversations conducted
 25 in learned or bureaucratic language about these complex

184

1 phenomena, you do need people to feel that they have the
2 space, without being embarrassed, to say things simply,
3 even if, taken out of context, they can be made to look
4 unfeeling or uncaring -- when people really aren't being
5 unfeeling or uncaring; they're trying to express ideas
6 as simply and as concisely as they can.

7 **LADY HALLETT:** Thank you, Mr Friedman.

8 **MR FRIEDMAN:** Thank you, my Lady.

9 **LADY HALLETT:** Ms Davies is over that way, Mr Johnson.

10 **Questions from MS DAVIES KC**

11 **MS DAVIES:** Can you see and hear me, Mr Johnson?

12 **A.** Yes, I can, thank you.

13 **Q.** I ask questions on behalf of Southall Black Sisters and
14 Solace Women's Aid, who, as you will know, are part of
15 the violence against women and girls sector.

16 **A.** Yes, yes.

17 **Q.** So my two topics are on domestic abuse --

18 **A.** Yes.

19 **Q.** -- which is something that you told us yesterday you
20 were personally very alive to that issue.

21 **A.** Yes.

22 **Q.** And you will know that the regulations, the stay at home
23 regulations, contained a number of exemptions. One of
24 them was that you could leave because of risk of injury,
25 and we've heard from Mr Hancock, and it's obvious, that

185

1 harm". But on none of those addresses throughout 2020
2 do you say that people can leave if they're at risk of
3 domestic abuse. You do say that on 4 January 2021. You
4 say that explicitly, where you say "or to escape
5 domestic abuse".

6 So why was domestic abuse not mentioned earlier than
7 January 2021?

8 **A.** Thank you. I think that you're making a very good
9 point, and I think in retrospect we should have given
10 consideration to mentioning that issue explicitly
11 earlier. That didn't mean we were silent or inattentive
12 to the problem. We put money into helplines almost
13 immediately, I think in April. We set up the Ask for
14 ANI scheme, I think there was -- so people could go --
15 under the rules people could go out to the chemist, for
16 instance, and --

17 **Q.** I'm going to stop you because I will probably come on to
18 that --

19 **A.** Forgive me.

20 **Q.** -- and I'm interested in messaging for the moment.

21 Would you say that the failure to mention it, which
22 you've just acknowledged in hindsight was an error, is
23 compounded by that phrase of 23 March saying, "That's
24 all, these are the only reasons you should leave your
25 home"?

187

1 that was intended to include risk of domestic abuse
2 besides anything else. Yes.

3 I want to ask you about messaging. My first topic
4 is on messaging, which you've told us is not just
5 an important part of an NPI but actually an important
6 NPI in itself, and the messages are your addresses to
7 the nation when you announced lockdown, and there were
8 five in total: 23 March, the first lockdown; 31 October,
9 when you say there's going to be the second lockdown;
10 5 November when the details of the second lockdown are
11 announced; 19 December, which is Tier 4; and then
12 4 January 2021, when you announced the third lockdown.

13 In all those addresses you emphasised, quite
14 rightly, that people must stay at home throughout and
15 you also refer to some of the exemptions. So on
16 23 March you say people will only be allowed to leave
17 their home for the following very limited purposes, and
18 those four purposes are: shopping, exercise, medical
19 need, travelling to and from work if that's absolutely
20 necessary. And you conclude that part by saying,
21 "That's all -- these are the only reasons you should
22 leave your home".

23 On the other occasions, 31 October, 5 November and
24 19 December, you give similar lists. On 31 October, you
25 do include the words "[escaping] risk of injury or

186

1 **A.** Well, I think that -- I hope that people would have
2 understood that to report a criminal offence was also
3 a reason to leave your home, but clearly it was
4 something we should have -- we should have made
5 explicit.

6 **Q.** In her evidence to the Inquiry, Dame Priti Patel, your
7 Home Secretary at the time, said that she and her
8 department had raised the need with Downing Street to
9 refer to domestic abuse amongst the exemptions. So why
10 did you or your team not respond to those
11 representations sooner than January 2021?

12 **A.** I don't remember her raising that with me.

13 **Q.** My second topic is about the hidden harms, which is
14 I think what you were referring to a moment ago when
15 I stopped you, and you say at paragraph 542 of your
16 statement:

17 "We had learned many lessons from the first lockdown
18 ... We considered such things as the 'hidden harms' like
19 increased domestic abuse and child abuse and [we] wanted
20 to ensure it was essential that services supporting
21 women and children remained available and steps were
22 taken to tackle these crimes."

23 So that's post first lockdown, learning lessons, and
24 of course there was a hidden harms summit in May 2020 as
25 we're beginning to come out of the first lockdown.

188

1 In fact, during the second and third lockdown the
2 same thing happened with domestic abuse as had happened
3 with the first lockdown: rates of domestic abuse
4 increased during lockdown.

5 So what lessons were learned and implemented for the
6 second and third lockdowns in order to protect women and
7 girls from domestic abuse?

8 **A.** Well, the -- in addition to the investment in the
9 helplines, which I think, as I say, began almost
10 immediately, and the Ask for ANI scheme where a victim
11 of domestic abuse could go to the chemist and say that
12 she --

13 **Q.** That was in February 2021.

14 **A.** -- say that she had a problem. In, I think, March 2020
15 and April 2020 the Domestic Violence Bill is going
16 through the Commons.

17 **Q.** That's got nothing to do with lockdown.

18 **A.** Well, it was actually, I think, a useful tool against
19 DV, giving new statutory powers against coercive
20 behaviour of one kind or another, and other measures.
21 We put money into independent -- I think right from the
22 beginning of the government, we put more money into
23 independent sexual violence advisers and independent
24 domestic violence advisers, and across Whitehall -- so
25 people you could ring up or people who could, who would

189

1 Mr Jacobs, are you hiding? Where is he?

2 **MR JACOBS:** At the back this time, my Lady.

3 **MR KEITH:** He's usually over there. Yes, Mr Jacobs.

4 **Questions from MR JACOBS**

5 **MR JACOBS:** Mr Johnson, I ask questions on behalf of the
6 Trades Union Congress, okay.

7 My first topic for you is on the approach that you
8 engendered in your government as to consultation with
9 key partners such as unions, and I'm going to ask you
10 about a meeting in July 2021. You will recall, I'm
11 sure, that at that time there was discussion about
12 return to workplaces and the unions that I act for were
13 calling for various measures to advance workplace
14 safety.

15 If we have on screen INQ000273901 and page 478, we
16 will see a note from Sir Patrick of a meeting on
17 2 July 2021, and towards the middle of that entry you
18 will see some quotations attributed to you, Mr Johnson:

19 "Are we going to encourage people to wear masks?"

20 'Are we going to continue this bollocks?' he says.

21 Wants everyone back at work. 'We can't have the
22 bollocks of consulting with employees and trade unions.

23 They need to all come back to work.' 'All the
24 malingering work shy people' says how much of [civil
25 service] is back ..."

191

1 help you address the appalling issues that you face.

2 But what we also did across Whitehall was to try to
3 solve what in my view is still a chronic problem, which
4 is the inability of the criminal justice system to deal
5 with crimes of rape, domestic violence, sexual violence
6 of all kinds, and to get enough prosecutions.

7 **Q.** All right.

8 **A.** So that the government, as a whole, was working a great
9 deal on this issue and specifically trying to address
10 the needs of women in lockdown.

11 **Q.** The Domestic Abuse Bill received Royal Assent in April
12 2021 --

13 **A.** Correct.

14 **Q.** -- and started to come into force in July 2021.

15 **A.** Correct.

16 **Q.** So that doesn't help us with --

17 **A.** But you asked me what we were doing and --

18 **Q.** In respect of the second and third lockdowns. Did you
19 not hear that part? I apologise.

20 **A.** Well, as I said, we put money into helplines almost
21 immediately, and did our best to encourage people to
22 come forward.

23 **MS DAVIES:** Thank you very much.

24 Thank you, my Lady.

25 **LADY HALLETT:** Thank you, Ms Davies.

190

1 Mr Johnson, was it wrong for you, as the

2 Prime Minister, to set such a dismissive approach
3 towards consultation with the unions?

4 **A.** I don't believe that we would ignore the interests of
5 working people at any stage, and I think that the
6 difficulty that we faced was the colossal damage to the
7 interests of people on -- particularly on -- people on
8 lower incomes, of continuing with lockdowns. And --

9 **Q.** Mr Johnson --

10 **A.** -- I was very keen to get people back if we possibly
11 could.

12 **Q.** I understand you're keen for people to work --

13 **A.** If you look --

14 **Q.** No, no, I'm sorry, Mr Johnson, I'm going to put my
15 question again. I'm asking you specifically about the
16 approach you engendered in your government towards
17 consultation with the unions. A Prime Minister who says
18 "We can't have the bollocks of consulting with employees
19 and trade unions" is setting a dismissive approach;
20 surely you agree with that, Mr Johnson?

21 **A.** Well, I'm -- not necessarily. I think what I didn't
22 want to see was -- well, this is July 2021, we've
23 vaccinated a huge proportion of the population, I think
24 by July well over 50%, faster than any other European
25 country. I'm determined to get people back to work if

192

1 I possibly can. I think that we've -- by the superhuman
2 exertions of the vaccine roll-out programme, we've put
3 ourselves in a very good position to stage a strong
4 bounceback from Covid, it is vital that we take
5 advantage of the sacrifices that we've made both in
6 lockdowns and in rolling out the vaccines, I want to --

7 **Q.** Mr Johnson --

8 **A.** -- see people back in work.

9 **Q.** -- do any of those matters sensibly mean that you don't
10 consult openly with key partners such as trade unions?

11 **A.** Well, I don't -- I've nothing against consultation.
12 What I didn't want to see was a drag anchor put on
13 people getting back into the workplace after the
14 colossal changes that we'd been able to make in the
15 epidemic, in the pandemic. The vaccination programme
16 had radically changed our relation to the virus, and
17 I -- my worry was, to be absolutely frank with you, that
18 people were going to be slow to acknowledge that, and
19 that they were -- there was going to be an inertia and
20 a desire to stay with the working from home pattern,
21 which was not, in my view, necessarily going to be
22 beneficial for a strong economic recovery which would
23 benefit Trades Union members and their families.

24 **Q.** If we move, Mr Johnson, from the slightly more general
25 to the more specific, an issue on which you may recall

193

1 "5) weeks ago, we recommended to PM that we create
2 permissive guidance around masks, because we could
3 foresee it was going to be a drama in [September].
4 Gavin discussed at a Covid [committee meeting]. Because
5 at that stage it was Unions pressing for masks (no
6 science back-up), Gavin was in 'no surrender' mode and
7 didn't want to give an inch to the unions, so said we
8 should hold firm. PM gave him full support in this
9 approach."

10 Then in his conclusions, his third conclusion is:

11 "at every turn, PM backs bullshit 'no surrender'
12 ideas from Hancock/Williamson/Shapps and then totally
13 regrets it later."

14 Mr Johnson, when it comes to consultation, working
15 with unions, do we see here the proof in the pudding, in
16 that we have a 1policy that you obviously saw as
17 wrongheaded arrived at further to being pointlessly
18 oppositional with unions?

19 **A.** No, the reality is that the advice on masks -- as
20 the Inquiry knows very well, the position on masks
21 changed during the pandemic, and the advice initially
22 from Chris, and particularly from Patrick, was that
23 masks were of -- were thought to be of limited benefit.
24 They might be thought to be of some symbolic benefit.
25 That changed as the scientists thought that, in the end,

195

1 a similar difference of view between unions, education
2 unions in particular, and government was on the issue of
3 masks in schools. In the summer of 2020, if you recall,
4 education unions were generally advocating guidance
5 requiring masks in schools, government policy was
6 permissive guidance in communal areas, and Scotland and
7 the World Health Organisation took a different approach.

8 If we have on screen INQ000283369 and page 41, we
9 will see a text message exchange between you and
10 Dominic Cummings and Lee Cain, and at the very bottom we
11 see, 25 August, a message, a WhatsApp from you, you say:

12 "I am on a train trying to make sense of our totally
13 fucked up face mask policy."

14 If we just hold that in our mind, Mr Johnson, in
15 terms of your assessment of the face mask policy in
16 schools, if we go to INQ000048313, page 53, we see some
17 messages from the following day with Lee Cain again,
18 Mr Cummings again, and this time Mr Case. At the top
19 Mr Cummings asks, in language with which we've become
20 familiar:

21 "What's the true reason for the turn on masks? We
22 just slow catching up? WHO and Scotland bounced? Gavin
23 fucked up? PM dithering?"

24 Then Simon Case, your soon to be Cabinet Secretary,
25 offers an explanation, and point 5 is:

194

1 it was a powerful signal to people, to wear a mask, that
2 you were taking precautions and that you felt that the
3 virus was still something that was very dangerous, and
4 there were also -- as time went on, there was more
5 evidence about droplet spray and so on and the potential
6 of masks to interrupt transmission.

7 So what you're seeing there in that exchange is the
8 natural political result of a change in advice and
9 a change in understanding of the virus eventually
10 bringing about a change in policy, and that's what you'd
11 expect.

12 **Q.** Mr Johnson, is what we're seeing here in fact quite
13 simply what's on the page, in that you describe -- well,
14 I'm not going to repeat your words -- but a wrong-headed
15 mask policy? There is then an exchange with --

16 **A.** No, no, sorry --

17 **Q.** Sorry, Mr Johnson, let me -- if you're going to dispute
18 that I will repeat it. Your phrase was totally --

19 **LADY HALLETT:** Mr Jacobs, you're running out of time. So if
20 you want to pursue this, I think you've got an answer.

21 **A.** I think the adjective I use, which I won't repeat, was
22 intended to convey my sense that a mask policy which had
23 been in position, one, was going to have to change
24 because of changing scientific advice and changing
25 appreciation of the value of masks, and that was the

196

1 reality. It was going to be politically difficult to
 2 execute, but we were going to have to do it.

3 **MR JACOBS:** Mr Johnson, I'll try to deal with my final and
 4 different topic very quickly.

5 You've described your concern as to lockdown hitting
 6 the poorest. Do you think it's right to say that
 7 self-isolation also hit the poorest hardest, and was it
 8 understood by you that financial support for
 9 self-isolation was one way of mitigating the unequal
 10 impacts of the pandemic?

11 **A.** Yes, and, well, that's why we had the -- not just the
 12 £500 for self-isolation payment but also we increased
 13 Universal Credit by £1,000, working family tax credit by
 14 £1,000, and gave councils a very large budget to deal
 15 with those who were most in need of help.

16 **Q.** Finally, if that's the case, Mr Johnson, why was it not
 17 until the end of September before that payment to which
 18 you refer was introduced?

19 **A.** Because, for the reasons I think that we discussed
 20 earlier, I was anxious -- we'd spent a huge amount
 21 supporting the country already through the pandemic.
 22 I was anxious about some of the distorting effects of
 23 payments to isolate. We discussed the punitive
 24 approach, but eventually I thought, well, we'd better go
 25 with some more support as well, and we did.

197

1 again on 8 December 2021, in response to the emergence
 2 of the Omicron variant, which you've discussed earlier
 3 with Mr Keith.

4 Mr Johnson, the question is: to what extent do you
 5 think that this mistaken belief that the pandemic was
 6 over was influenced by government messaging which framed
 7 the removal of public health protections as freedom?

8 **A.** Well, I accept the, you know, the -- people are going to
 9 quarrel with some of the language that we chose, and
 10 I have a massive respect for the BMA, but I think if you
 11 look at the curve of the pandemic and where we are,
 12 where we were, then in the -- in that period of
 13 July 2021 what was to go on, the subsequent movement of
 14 the epi curve, I think it wasn't an irrational choice of
 15 expression.

16 We had been able to get a huge amount of resistance
 17 into the arms of the British public but we'd, I think by
 18 that stage, vaccinated all the elderly and vulnerable.
 19 It was an amazing achievement and I didn't think it was
 20 an inappropriate way to talk about it and, as I said in
 21 my answer to the gentleman from the TUC, I was concerned
 22 that we were going to remain too much, too cautious for
 23 too long. I think we needed to understand that we'd
 24 achieved a great deal and that, if it wasn't quite the
 25 end, it was at least the beginning of the end.

199

1 **MR JACOBS:** My Lady, thank you.

2 **LADY HALLETT:** Thank you, Mr Jacobs.

3 Now, Mr Stanton is hiding in that corner, I can see
 4 him. Mr Johnson, he chose to sit over there or was put
 5 over there; so don't worry, he's used to seeing a
 6 back -- because we need you to face towards the
 7 microphone, Mr Johnson, sorry. Address your answers to
 8 me then.

9 **Questions from MR STANTON**

10 **MR STANTON:** Thank you, my Lady.

11 Good afternoon, Mr Johnson. I'd like to ask you
 12 a question on behalf of the British Medical Association
 13 about the removal of legal limits on social contact
 14 during the summer of 2021, which has been described as
 15 freedom day.

16 **A.** Right.

17 **Q.** In his witness statement to the Inquiry, Professor
 18 Philip Banfield, the current chair of the BMA, raises
 19 concerns about the government's framing of the removal
 20 of restrictions in the context of freedom, which sent
 21 the wrong message that the threat of the virus had been
 22 fully contained. And in Sajid Javid's witness
 23 statement, he states that by late autumn and early
 24 winter of 2021 many people felt that the pandemic was
 25 over, only for protective measures to be needed once

198

1 **Q.** Thank you, Mr Johnson.

2 Could I just ask quickly in follow-up: accepting
 3 that the slogan "freedom day" wasn't a government
 4 communication strategy, but once it had taken hold in
 5 public consciousness, do you think more should have been
 6 done to counter that belief, having regard to the need
 7 for a precautionary approach?

8 **A.** Honestly, no.

9 **MR STANTON:** Thank you, Mr Johnson.

10 Thank you, my Lady.

11 **LADY HALLETT:** Mr Keith, does that complete -- Mr Altman, no
 12 questions that you wish to add?

13 **MR ALTMAN:** No, my Lady.

14 **LADY HALLETT:** No. That completes the evidence for today.

15 Thank you very much indeed, Mr Johnson. I know how
 16 difficult it must be to have two days giving evidence.

17 **THE WITNESS:** No, no, I'm rather sad it's over, because I --

18 **MR KEITH:** My Lady, there is an issue that I wanted to put.

19 **THE WITNESS:** -- I wanted to -- please.

20 **MR KEITH:** No, no, I was --

21 **A.** I may not see you again, so I just wanted to say one
 22 thing, which is that I do think all the testimony and
 23 evidence is incredibly valuable, but I do -- I do hope
 24 that at the end of all this, there's one -- there's
 25 a few things in particular that I hope that the Inquiry

200

1 will be able to think about, and not just the
2 governmental stuff that we've discussed exhaustively in
3 this module, but I do think that when you come to --
4 I think the issues of health and social care are
5 absolutely critical, and the government that I led was
6 embarked on a big programme to try and bring them
7 together. I think the fact that we had those delayed
8 discharge patients was very, very difficult in the NHS.
9 I hope that this Inquiry will give a kick to the powers
10 that be to make sure that we really address that.
11 **LADY HALLETT:** Don't worry, we have specific modules both on
12 health and on social care.
13 **THE WITNESS:** A final, final point, I absolutely promise
14 you. I do think that -- I know it's outside your scope,
15 but I do think that the British public and future
16 governments will need to be elucidated about how exactly
17 this thing originated and I think some -- even if you
18 can't -- and I don't think you can look into it, the
19 Inquiry can look into it yourselves, but some sort of
20 prod to the world to get the answer to the real origins
21 of Covid I think is going to be very, very important.
22 **LADY HALLETT:** Mr Johnson, you set my terms of reference; so
23 I'm afraid I can't go there.
24 **THE WITNESS:** All I'm asking you to do is encourage others.
25 **(The witness withdrew)**

1 **LADY HALLETT:** Right, thank you very much. 10.30 on Monday.
2 **(4.36 pm)**
3 **(The hearing adjourned until 10.30 am**
4 **on Monday, 11 December 2023)**
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1 **I N D E X**

2 **PAGE**

3 MR BORIS JOHNSON (continued) 1

4 Questions from LEAD COUNSEL TO THE INQUIRY ... 1

5 (continued)

6 Questions from MR WEATHERBY KC 79

7 Questions from MS CAMPBELL KC 101

8 Questions from MS HARRIS 115

9 Questions from MS MITCHELL KC 131

10 Questions from PROFESSOR THOMAS KC 149

11 Questions from MR METZER KC 159

12 Questions from MR MENON KC 167

13 Questions from MR FRIEDMAN KC 178

14 Questions from MS DAVIES KC 185

15 Questions from MR JACOBS 191

16 Questions from MR STANTON 198

LADY HALLETT: [45] 1/5 8/17 35/21 35/23 35/25 44/1 49/1 49/4 49/8 74/3 74/8 79/3 79/7 79/11 84/3 100/20 101/3 101/10 105/24 115/7 130/6 130/19 148/16 148/18 148/24 157/2 159/17 167/20 178/12 178/16 179/19 179/25 180/3 183/22 184/1 185/7 185/9 190/25 196/19 198/2 200/11 200/14 201/11 201/22 202/1	'hidden [1] 188/18 'letting [1] 39/23 'no [2] 195/6 195/11 'PPE' [1] 91/17 'they [1] 40/9 'this [1] 144/21 'We [2] 96/16 191/21 'what [1] 96/7 'yes [1] 96/10 'you [1] 41/4	13 August [1] 12/4 13 October [1] 161/1 13 October 2020 [1] 161/7 14 March [2] 137/8 137/9 14 October [1] 27/19 14 September [2] 171/23 172/11 14th [2] 24/7 31/18 15 [1] 80/1 15.46.59 [1] 174/23 150 [1] 40/14 151 [1] 144/8 152 [1] 144/9 153 [1] 95/25 15th [1] 82/3 16th [1] 8/23 17 days [1] 123/25 17 December [1] 77/3 17 December 2021 [1] 105/23 17 May 2020 [1] 160/3 17 September [2] 20/8 24/19 173 countries [1] 87/17 18 [1] 87/20 18 December [2] 69/1 103/10 18 December 2020 [2] 103/5 104/18 18 months [2] 81/24 82/1 18th [1] 105/3 19 [9] 72/6 86/11 115/15 155/9 160/1 160/5 163/2 163/12 165/15 19 December [2] 186/11 186/24 19 June 2020 [1] 72/22 190 [1] 87/2 191 [1] 133/21 1984 [1] 110/10 1policy [1] 195/16	1/22 2.5 million [1] 180/20 20 [2] 26/10 87/16 20 minutes [2] 79/11 79/20 20 October [2] 52/10 52/16 20 September [5] 28/24 31/15 31/20 32/4 32/10 2020 [53] 1/11 11/22 13/18 16/6 22/5 22/10 30/10 40/4 70/14 72/22 81/23 103/5 104/18 106/10 106/22 115/21 116/13 116/21 117/2 117/22 122/8 124/23 131/7 139/11 144/14 145/21 146/5 150/12 154/25 159/25 160/3 160/21 160/24 160/25 161/2 161/7 161/10 161/23 165/25 168/3 168/13 168/21 169/4 170/5 170/11 173/3 182/19 183/21 187/1 188/24 189/14 189/15 194/3 2021 [24] 66/17 72/19 102/10 105/23 112/21 160/10 160/15 160/17 163/1 163/6 186/12 187/3 187/7 188/11 189/13 190/12 190/14 191/10 191/17 192/22 198/14 198/24 199/1 199/13 2021/2022 [1] 163/5 2022 [4] 69/14 72/20 81/24 163/5 2023 [3] 1/1 131/14 202/4 2025 [1] 178/2 20th [2] 50/17 51/19 21 [1] 94/16 21 September [4] 34/24 36/5 37/4 99/4 21st [1] 23/2 22 June [1] 5/17 22 May [1] 6/14 22 September [5] 25/16 26/4 27/10 37/15 60/7 22 September 2020 [1] 117/2 22nd [2] 24/6 24/14 23 December [1] 103/8 23 June [1] 1/11 23 June 2020 [1] 145/21 23 March [3] 186/8 186/16 187/23 23 October [1] 122/8	23.04 [1] 77/2 230 [1] 40/17 231 [1] 87/20 23rd [1] 60/2 24 [1] 174/18 245 [2] 40/3 40/23 25 [1] 15/18 25 August [1] 194/11 25 October [2] 55/4 56/1 250 miles [1] 70/17 25th [1] 56/14 26 April [1] 93/23 27 [1] 70/18 27 March [1] 70/22 28 [2] 17/15 70/18 28 October [1] 55/6 28th [1] 55/16 29 March [1] 70/18 2nd [1] 63/4
MR ALTMAN: [1] 200/13 MR FRIEDMAN: [7] 178/19 179/24 180/1 180/5 183/23 184/2 185/8 MR JACOBS: [4] 191/2 191/5 197/3 198/1 MR KEITH: [14] 1/6 8/18 35/22 35/24 36/4 44/5 49/3 49/9 75/9 79/2 167/7 191/3 200/18 200/20 MR MENON: [3] 167/23 178/13 178/15 MR METZER: [3] 159/21 167/8 167/19 MR STANTON: [2] 198/10 200/9 MR WEATHERBY: [6] 79/6 79/9 79/12 79/14 84/12 100/18 MS CAMPBELL: [3] 101/12 106/1 115/6 MS DAVIES: [2] 185/11 190/23 MS HARRIS: [2] 115/13 130/13 MS MITCHELL: [2] 131/2 148/17 PROFESSOR THOMAS: [2] 149/1 157/4 THE WITNESS: [7] 101/2 115/11 130/25 200/17 200/19 201/13 201/24	- --well [1] 89/15 1 1 June [2] 171/23 172/7 1 metre [3] 1/9 2/5 2/12 1,000 [2] 197/13 197/14 1-metre [1] 1/12 1.3 [1] 180/19 1.5 [1] 180/19 1.50 pm [1] 101/9 10 [12] 6/12 46/14 49/14 72/19 73/18 74/13 74/17 75/2 77/16 81/11 109/21 176/23 10 March 2020 [1] 116/13 10 May [3] 117/2 125/1 126/13 10 million [2] 25/16 26/3 10 pm [1] 25/22 10,000 [1] 12/1 10.00 am [1] 1/2 10.30 [1] 202/1 10.30 am [1] 202/3 102nd [1] 87/2 105 [1] 131/14 107 [1] 170/3 11 [1] 96/5 11 December 2023 [1] 202/4 11 October [4] 50/2 52/12 174/22 176/8 11 September [1] 95/23 11.15 am [1] 49/5 11.30 [1] 49/4 11.30 am [1] 49/7 11/3/2020 [1] 139/11 12 [3] 52/13 173/16 175/2 12 April [1] 70/19 12 April 2022 [1] 72/20 12 October [1] 54/23 12.51 pm [1] 101/7 126 [1] 141/3 13 [1] 76/19	2 2 December [1] 122/18 2 January [1] 64/11 2 July 2021 [1] 191/17 2 June [2] 1/15 2/24 2 metres [5] 1/9 1/16 2/3 2/4 2/8 2 million [1] 166/12 2 weeks [1] 24/25 2-metre [5] 1/20 2/2 2/16 2/21 3/10 2-metre/1-metre [1]	3 3 metres [1] 3/7 3.03 pm [1] 148/21 3.15 [1] 148/20 3.15 pm [1] 148/23 30 [3] 141/2 141/3 169/15 30 months [1] 82/4 30 seconds [1] 159/15 30/31 October [1] 42/7 300,000 [1] 90/18 31 August [1] 15/25 31 October [4] 122/16 186/8 186/23 186/24 32 [2] 15/25 16/1 33 countries [1] 82/2 35 billion items [1] 92/24 397 [1] 170/3	
'All [1] 191/23 'Are [2] 191/19 191/20 'Equalities [1] 158/11 'Equality [1] 158/7 'everyone [1] 96/22 'Get [1] 40/22				4 4 January [1] 64/16 4 January 2021 [3] 102/10 186/12 187/3 4 July [1] 172/9 4 July 2020 [1] 170/11 4 metres [1] 2/7 4.36 pm [1] 202/2 41 [1] 194/8 439 [1] 40/12 46 [2] 91/9 153/6 47 [1] 91/15 478 [1] 191/15 49 [1] 144/8
				5 5 April [1] 92/25 5 January [1] 70/1 5 March 2020 [1]

5	90/23	achieving [1] 156/12	adjourned [1] 202/3	adviser [7] 19/18
5 March 2020... [1] 131/7	able [13] 2/15 3/13	acknowledge [6] 73/6 99/15 149/6	adjournment [1] 101/8	24/22 24/24 25/7 29/7
5 November [2] 186/10 186/23	19/10 52/5 61/24 76/2	149/10 153/4 193/18	adjusted [1] 82/3	50/3 150/7
5 October [1] 102/21	81/20 92/1 102/16	acknowledged [3] 104/2 163/8 187/22	adjusting [1] 44/19	advisers [10] 13/17
50 [1] 192/24	172/20 193/14 199/16	acknowledgement [2] 150/9 153/7	adjustment [1] 129/1	15/2 19/9 41/10 74/17
50 million [1] 166/23	201/1	acquire [2] 38/13	administration [2] 71/9 120/14	77/11 179/5 183/3
50,000 more [1] 156/10	ably [1] 99/2	38/14	administration's [1] 111/8	189/23 189/24
500 [3] 11/17 13/4	absence [4] 46/12	across [22] 28/11	administrations [30] 71/11 106/4 106/7	advisory [3] 30/7
197/12	46/13 116/22 158/13	36/19 42/11 69/24	106/11 106/16 106/24	43/15 44/7
52 million [1] 88/11	absolute [1] 76/3	79/16 107/8 109/2	107/5 108/10 109/1	advocates [1] 160/22
53 [1] 194/16	absolutely [22] 5/14	109/4 109/10 109/10	109/3 109/12 109/19	advocating [1] 194/4
542 [1] 188/15	23/1 31/7 33/18 43/13	109/13 113/24 119/24	113/9 113/17 113/20	affair [2] 70/14 72/23
6	47/13 68/12 73/25	126/25 130/2 130/2	114/4 118/9 119/24	affected [1] 151/13
60 [1] 152/6	78/18 88/15 90/9 95/1	147/4 147/9 148/1	120/23 121/19 126/8	affects [1] 84/8
60 separate [1] 14/8	121/15 147/17 147/19	158/11 189/24 190/2	126/22 128/2 128/23	afraid [8] 74/9 102/16
608 [1] 40/11	149/12 177/12 179/24	110/2 110/10 111/2	132/17 135/19 141/13	130/6 130/20 153/23
65 [1] 86/17	186/19 193/17 201/5	111/4 178/19 191/12	142/17 143/1 144/18	154/12 179/10 201/23
656 [1] 158/5	201/13	acted [1] 91/8	administrations' [1] 124/25	Africa [2] 67/24 68/8
65s [1] 17/18	abstract [1] 34/3	acting [2] 123/2	administrative [1] 135/4	after [14] 7/4 15/20
67 [1] 103/5	absurd [1] 73/25	123/9	admission [1] 145/1	44/18 50/16 50/16
67 million [1] 25/17	abundant [1] 42/1	action [5] 56/17	admissions [1] 97/5	72/22 76/10 76/10
7	abuse [14] 12/23	112/18 138/4 138/11	admittedly [1] 23/12	82/3 93/4 117/21
7 December 2023 [1] 1/1	185/17 186/1 187/3	138/12	adopt [3] 34/12 64/13	175/19 182/7 193/13
7 November 2023 [1] 131/14	187/5 187/6 188/9	actions [4] 60/9	163/14	afternoon [7] 100/23
7 October [1] 49/13	188/19 188/19 189/2	96/19 156/2 183/5	adoption [1] 114/8	115/13 115/14 125/13
7,000 [1] 79/15	189/3 189/7 189/11	actual [1] 99/25	adopts [2] 33/21	138/2 167/24 198/11
7.22.49 pm [1] 17/24	190/11	actually [44] 2/23	114/8	afterwards [2] 8/24
75 million [1] 166/23	acceleration [1] 5/4	4/14 21/5 24/12 26/9	adults [3] 166/12	130/22
8	accelerator [1] 4/22	30/20 32/5 32/11	177/7 177/7	again [32] 14/3 20/24
8 December [1] 67/6	accept [21] 4/18	32/15 34/4 39/4 39/22	advance [5] 3/17	20/25 25/7 39/6 39/7
8 December 2021 [1] 199/1	19/23 25/8 29/6 37/10	41/22 41/25 41/25	16/12 93/10 115/22	42/6 42/6 43/21 60/3
8 May [1] 124/24	37/12 43/11 57/5	42/3 43/6 44/12 44/17	191/13	60/23 62/11 64/19
8 October [1] 49/16	58/20 114/12 165/5	47/19 57/16 62/9	adoption [1] 1/12	65/21 65/22 74/12
8 pm [1] 149/16	165/17 165/18 166/10	71/20 73/18 75/25	ads [1] 127/16	75/1 87/22 95/19
8.10.48 [1] 15/21	167/1 167/10 167/14	78/11 81/4 81/8 81/18	adults [3] 166/12	96/13 97/14 104/14
8/5/2020 [1] 124/23	178/3 178/24 180/1	83/8 84/2 84/14 85/12	177/7 177/7	113/3 115/18 162/8
82 [1] 40/19	199/8	86/25 90/14 91/2	advantage [5] 4/10	172/11 177/4 192/15
86,886 [1] 104/19	acceptable [1] 42/12	118/18 120/2 121/21	4/11 4/12 129/24	194/17 194/18 199/1
9	accepted [2] 138/17	131/25 166/21 183/8	193/5	200/21
9 November 2020 [1] 122/8	163/2	186/5 189/18	advantages [1] 123/12	against [16] 13/16
9 September [1] 60/6	accepting [3] 40/15	acute [1] 1/23	adversarial [1] 136/6	18/24 22/25 23/1
92 [1] 39/21	114/14 200/2	add [3] 5/8 6/3	advertising [1] 127/9	32/23 57/16 57/18
9th [3] 24/5 59/24	access [2] 28/19	200/12	advice [48] 1/16 3/1	110/5 111/5 155/14
98/13	141/15	added [1] 131/9	7/9 9/24 19/17 19/24	164/16 179/6 185/15
A	accompanying [1] 84/20	addition [4] 53/25	20/3 21/11 21/14	189/18 189/19 193/11
Aamer [1] 131/2	accord [1] 69/18	60/5 173/4 189/8	23/11 23/12 25/8	age [9] 40/18 81/22
Aamer Anwar [1] 131/2	according [3] 40/24	additional [3] 11/7	25/14 27/12 28/20	84/24 85/1 87/12
aback [1] 10/25	56/3 69/6	61/7 69/23	29/4 29/4 29/5 30/10	87/25 88/9 173/15
abeyance [1] 36/20	accordingly [1] 30/6	address [6] 28/17	30/12 41/10 43/11	182/1
abilities [1] 91/17	account [4] 75/19	122/6 190/1 190/9	45/13 46/20 49/12	age-standardised [1] 81/22
ability [2] 90/15	111/8 112/5 128/1	198/7 201/10	55/6 128/9 137/17	aged [2] 78/12 103/5
	accounts [1] 41/23	addressed [3] 68/22	137/17 138/20 138/23	ageist [2] 179/6
	accurate [2] 97/7	89/23 166/1	142/25 144/10 146/18	179/21
	97/9	addresses [3] 186/6	160/6 160/9 160/12	ages [4] 41/20
	achieve [3] 29/13	186/13 187/1	160/16 161/9 161/22	163/18 181/24 182/20
	29/14 51/24	addressing [2] 155/2	161/22 162/3 163/25	ago [5] 86/8 102/23
	achieved [3] 111/4	155/7	167/15 195/19 195/21	173/25 188/14 195/1
	112/14 199/24	adherence [2] 72/8	196/8 196/24	agonised [1] 26/20
	achievement [1] 199/19	72/13	advised [3] 37/23	agree [42] 12/5 17/25
		adjective [1] 196/21	159/25 161/2	53/24 63/24 82/11
				82/17 87/24 108/2
				111/9 111/25 113/22
				116/15 116/16 117/9

A	163/18 165/6 172/9 172/22 179/2 180/22 180/24 181/22 181/24 182/20 184/8 184/8 184/20 186/13 186/21 187/24 190/6 190/7 191/23 199/18 200/22 200/24 201/24 all right [6] 2/5 54/21 81/7 84/11 154/24 190/7 alleviate [1] 3/13 allow [13] 4/10 4/11 30/11 38/12 41/6 63/13 76/5 111/13 128/14 135/17 138/18 143/16 164/8 allowed [6] 31/21 36/25 77/21 104/8 170/11 186/16 allowing [1] 141/8 allows [1] 90/12 alluded [1] 22/23 alludes [1] 83/11 almost [8] 66/14 88/12 105/22 144/17 166/12 187/12 189/9 190/20 alone [2] 103/7 166/5 along [1] 109/23 alongside [1] 11/7 Alpha [11] 24/16 61/3 61/6 61/8 61/8 61/14 62/2 62/12 62/16 63/5 63/17 already [25] 5/6 5/6 12/24 25/16 25/17 27/3 27/20 38/10 48/11 48/12 56/13 58/4 64/17 64/18 70/11 77/19 88/19 92/11 105/25 115/23 117/17 132/18 141/12 162/1 197/21 also [40] 2/6 11/18 26/12 26/12 28/7 29/2 31/18 36/1 47/18 52/25 54/13 60/16 70/8 72/7 86/16 91/6 94/7 97/25 102/8 102/11 121/19 124/1 129/20 129/23 139/20 154/7 159/11 160/6 165/10 167/17 168/20 169/17 175/14 184/23 186/15 188/2 190/2 196/4 197/7 197/12 alternative [6] 12/11 43/18 64/13 171/12 181/3 182/11 alternatively [1] 57/9 alternatives [1] 182/3 although [9] 2/13 7/5	12/17 32/25 53/1 62/21 86/9 110/2 177/6 Altman [1] 200/11 always [9] 48/24 57/2 65/6 73/10 116/15 116/16 118/15 133/5 134/4 am [14] 1/2 6/2 28/16 49/5 49/7 79/14 80/9 96/7 131/2 140/18 158/1 175/25 194/12 202/3 amazing [2] 78/15 199/19 among [1] 86/17 amongst [4] 30/16 82/7 171/6 188/9 amount [10] 11/21 12/12 48/10 68/15 109/9 109/20 128/4 132/10 197/20 199/16 ample [1] 94/10 analogously [1] 43/14 analysis [7] 43/16 44/2 48/4 48/8 48/11 48/14 144/13 analytical [1] 47/20 anchor [1] 193/12 Anders [4] 29/1 33/1 33/18 34/18 Anders Tegnell [4] 29/1 33/1 33/18 34/18 ANI [2] 187/14 189/10 Anne [1] 171/20 Anne Longfield [1] 171/20 annotations [1] 48/3 announce [3] 130/18 147/25 176/6 announced [11] 1/12 37/15 38/1 38/3 50/12 54/24 122/16 160/25 186/7 186/11 186/12 announcement [3] 52/13 125/2 125/3 announcing [1] 39/15 another [22] 15/9 20/5 26/6 27/3 29/24 32/1 32/1 41/1 55/7 59/5 69/17 70/24 80/23 89/9 89/14 93/17 114/22 159/15 165/24 166/23 178/5 189/20 answer [37] 14/19 43/3 55/14 59/6 84/18 88/16 100/23 101/23 101/25 103/21 105/13 105/15 105/16 107/11 118/1 118/4 122/4	122/20 130/12 131/11 153/18 153/19 153/20 170/13 177/17 178/11 180/6 180/7 180/10 181/14 182/10 182/10 184/8 184/21 196/20 199/21 201/20 answering [1] 47/23 answers [6] 100/25 101/21 168/20 176/20 179/13 198/7 anticipated [2] 148/2 151/9 anticipation [1] 150/14 Anwar [1] 131/2 anxieties [1] 13/1 anxious [3] 49/24 197/20 197/22 anxiously [1] 43/24 any [35] 8/1 8/8 9/5 11/24 12/23 18/23 26/8 33/7 36/14 37/7 38/18 56/11 56/16 64/3 83/12 85/7 86/2 106/22 111/13 117/17 122/12 123/1 123/4 131/20 135/1 142/16 150/14 153/22 158/7 164/25 174/6 176/12 192/5 192/24 193/9 anybody [2] 33/7 161/13 anything [6] 6/5 24/2 92/2 95/2 181/17 186/2 anyway [7] 34/23 41/9 75/8 90/1 178/23 181/19 184/2 anywhere [1] 89/20 apart [1] 42/20 apologise [8] 8/21 73/1 74/13 74/25 96/24 115/22 180/1 190/19 app [1] 94/3 appalling [5] 28/6 38/21 78/17 177/21 190/1 apparent [5] 1/18 7/10 66/24 151/18 151/21 apparently [1] 91/5 appear [6] 12/18 53/25 55/3 105/19 115/14 126/24 appearance [2] 141/8 141/21 appeared [5] 28/20 51/11 58/18 63/25 72/7 appears [7] 8/19 10/2 19/5 134/9 145/23 153/21 161/21	applause [1] 149/15 apples [1] 82/16 applied [15] 21/17 21/21 32/2 32/3 57/10 62/25 63/1 129/6 144/20 144/20 144/24 145/8 145/9 145/22 146/18 apply [3] 23/21 57/13 148/1 appointed [1] 133/13 appreciate [4] 100/24 130/8 149/2 164/23 appreciated [2] 93/8 174/20 appreciation [1] 196/25 approach [71] 14/16 23/4 23/5 23/10 23/21 23/23 26/3 26/9 26/16 26/21 28/13 28/23 31/25 32/2 32/3 32/7 32/13 32/16 33/3 33/15 33/20 33/21 33/23 34/11 38/11 38/16 38/18 38/19 42/5 50/19 51/22 52/24 53/19 56/24 56/25 59/10 108/5 108/7 109/14 109/18 111/18 112/13 113/4 113/9 113/12 113/19 114/8 116/3 119/5 119/19 125/18 128/19 130/7 133/6 135/5 140/13 141/9 141/22 148/8 173/21 174/9 179/14 182/12 191/7 192/2 192/16 192/19 194/7 195/9 197/24 200/7 approaches [2] 115/21 180/25 approaching [1] 115/24 appropriate [2] 120/22 155/20 approve [1] 51/9 approved [2] 66/5 179/23 April [8] 70/19 72/20 92/25 93/23 157/13 187/13 189/15 190/11 April 2020 [1] 189/15 arcane [1] 66/19 are [82] 15/19 15/23 17/4 19/19 19/20 22/2 23/15 25/17 29/11 29/19 30/2 36/18 37/14 38/7 40/25 41/5 44/22 47/10 47/10 52/8 56/9 59/23 60/19 63/21 66/10 73/24
----------	---	---	---	---

A	155/13 156/16 aside [2] 72/24 178/25 ask [48] 63/19 65/17 72/25 79/4 79/14 79/20 79/21 84/6 101/5 101/13 101/15 101/22 101/23 102/11 110/25 115/17 116/3 117/17 120/9 122/5 123/22 124/10 124/13 124/18 125/5 126/10 126/15 127/23 131/22 159/22 162/4 162/5 162/5 162/17 167/24 170/2 176/9 178/20 179/20 182/16 185/13 186/3 187/13 189/10 191/5 191/9 198/11 200/2 asked [14] 51/9 58/2 89/10 89/12 89/12 101/22 112/9 115/5 131/5 138/15 162/18 162/20 166/8 190/17 asking [17] 6/15 42/13 83/2 111/23 117/23 117/24 131/11 140/14 140/18 147/12 147/12 160/9 160/18 160/22 173/21 192/15 201/24 asks [2] 175/11 194/19 aspects [1] 150/1 Assent [1] 190/11 assertion [2] 83/22 85/8 assertions [1] 181/18 assess [1] 56/11 assessment [3] 50/13 50/15 194/15 assessments [2] 158/13 158/14 Assessments' [1] 158/7 assisted [1] 47/20 Association [1] 198/12 assume [2] 82/12 112/15 assumed [1] 10/14 assurance [1] 127/15 asymptotically [1] 91/13 at [212] at present [1] 135/24 attach [1] 110/17 attached [1] 99/6 attainment [1] 168/17 attempt [4] 74/22 116/18 118/6 144/19	attempts [1] 117/11 attend [1] 44/23 attended [2] 65/18 106/7 attendee [1] 34/9 attention [1] 176/1 attract [1] 9/3 attributed [1] 191/18 August [11] 3/19 3/20 6/25 12/4 15/25 16/10 17/15 69/14 171/13 181/7 194/11 August 2022 [1] 69/14 authorities [1] 146/8 autonomy [1] 65/24 autumn [8] 13/18 36/3 36/4 115/21 163/5 182/18 183/21 198/23 autumn/winter [1] 163/5 available [6] 86/22 92/2 108/14 115/17 136/22 188/21 average [3] 40/18 40/20 182/1 averral [1] 10/19 avoid [12] 13/25 15/10 25/5 35/3 57/11 59/25 107/20 121/19 164/17 179/22 179/22 182/6 avoidance [1] 98/5 aware [12] 8/13 8/14 35/2 56/13 70/23 72/17 119/23 155/21 172/16 175/16 175/21 175/24 away [7] 1/16 3/3 61/15 75/11 87/7 164/6 176/8 awful [3] 87/8 128/11 172/24	149/8 149/23 150/25 151/22 152/7 153/24 169/16 backs [1] 195/11 bad [2] 71/19 143/14 bags [1] 93/1 balance [5] 1/23 2/17 2/18 51/16 51/17 ball [1] 138/14 BAME [1] 152/9 Banfield [1] 198/18 Bangladeshi [1] 158/23 banning [2] 138/23 139/7 barely [2] 22/2 22/4 Barnard [3] 70/13 70/20 72/23 Barnard Castle [3] 70/13 70/20 72/23 Barrington [3] 31/25 32/6 32/8 bars [2] 20/11 170/9 based [6] 70/7 84/18 137/16 139/16 150/8 153/10 baseline [2] 50/5 86/17 basic [1] 169/8 basically [8] 15/5 26/13 42/21 63/6 64/17 80/7 167/4 169/15 basis [5] 28/1 81/5 84/24 120/24 141/5 BBC [1] 92/25 be [232] beards [1] 155/20 bearing [5] 63/12 90/23 117/8 122/15 151/8 beauty [2] 170/10 170/21 became [12] 6/12 9/7 14/1 45/20 53/13 53/18 63/16 66/23 136/18 151/21 171/23 172/8 because [97] 2/1 2/15 2/22 7/14 7/25 9/2 10/13 12/20 13/2 13/25 14/4 14/7 14/19 14/21 15/7 17/3 18/20 19/6 21/25 22/15 22/21 26/1 28/14 29/3 30/12 31/7 35/18 36/2 36/14 39/9 48/15 50/4 52/11 53/14 54/13 56/13 57/19 59/21 60/21 60/25 61/15 62/14 63/16 63/21 65/3 65/5 65/17 68/13 75/17 77/9 84/7 88/17 91/4 91/6 93/5 93/12	95/3 98/13 100/25 101/4 102/16 107/14 107/17 110/21 114/20 114/24 121/4 121/17 128/16 131/8 135/24 136/18 138/22 138/24 139/8 143/14 151/7 152/19 164/3 165/19 171/5 171/13 172/4 173/1 176/1 181/11 181/20 181/25 184/23 185/24 187/17 195/2 195/4 196/24 197/19 198/6 200/17 become [4] 101/18 148/18 151/18 194/19 becomes [1] 17/8 been [132] 2/6 2/7 3/7 4/7 4/20 7/1 7/10 7/18 8/10 8/13 8/14 9/5 9/16 9/17 9/23 10/14 10/17 13/7 19/5 19/9 22/6 22/7 30/6 31/7 32/12 32/25 33/11 35/15 36/2 37/6 41/24 47/14 47/15 47/16 47/20 50/24 52/5 53/1 53/3 54/16 57/4 57/6 57/8 57/10 57/15 58/1 58/23 59/21 62/23 69/13 73/1 73/10 73/22 74/10 74/16 74/17 74/23 74/24 74/25 76/6 76/18 77/19 77/25 79/22 81/13 84/22 90/2 92/1 94/8 97/9 98/7 102/16 104/19 108/8 108/12 110/23 114/19 115/23 116/8 116/9 116/17 116/23 117/1 117/20 117/21 118/7 118/19 118/25 119/2 119/3 119/4 120/5 120/8 120/15 123/11 123/12 123/23 126/12 128/10 128/11 130/5 130/7 133/5 133/7 134/14 136/2 138/13 138/17 139/23 142/21 143/19 145/23 150/21 154/2 155/1 160/21 162/1 171/13 172/4 176/4 176/11 176/15 177/2 183/12 184/10 184/13 193/14 196/23 198/14 198/21 199/16 200/5 before [26] 6/25 11/24 42/23 45/23 47/22 48/1 49/1 49/3 50/12 52/12 52/19 59/9 61/15 62/8 64/4 68/22 74/20 78/6
----------	---	---	--	---

B	128/12 129/21 Ben [1] 47/18 Ben Warner [1] 47/18 bend [1] 60/22 beneficial [1] 193/22 benefit [7] 47/21 48/6 48/11 108/7 193/23 195/23 195/24 benefits [3] 48/14 48/15 113/5 benefitted [1] 109/1 bereaved [13] 74/4 79/15 79/18 80/10 101/15 102/12 103/15 104/21 111/24 115/15 115/16 131/3 142/20 bereavement [2] 101/18 102/25 besides [1] 186/2 bespoke [1] 111/6 best [22] 1/17 3/4 3/10 70/3 99/16 109/1 116/19 117/19 120/24 121/11 136/23 141/17 145/7 148/13 155/11 155/24 156/14 163/11 165/2 165/10 179/9 190/21 bet [1] 44/11 better [11] 2/6 3/7 82/4 88/21 108/24 112/11 123/1 130/5 130/7 174/9 197/24 between [35] 1/23 6/11 11/22 20/17 53/14 58/12 68/23 68/25 76/22 93/24 99/22 106/21 109/21 109/21 111/22 115/18 116/2 117/2 117/13 119/5 119/13 121/25 123/6 131/18 131/23 132/10 132/19 135/18 141/9 141/18 141/22 174/2 174/23 194/1 194/9 beyond [2] 29/5 105/25 big [14] 6/6 66/11 80/11 92/12 95/7 156/9 170/17 177/14 177/15 177/15 178/8 178/9 178/9 201/6 bigger [4] 11/12 12/8 15/2 92/14 biggest [3] 90/24 95/11 95/12 bike [1] 146/10 bilateral [6] 8/3 9/5 46/2 46/4 47/2 68/23 bilaterals [1] 46/21 Bill [2] 189/15 190/11 billed [1] 32/12	billion [1] 92/24 bin [1] 93/1 binding [1] 113/8 birthday [1] 72/22 bit [11] 19/25 21/9 21/10 40/13 57/15 81/6 85/17 85/18 85/19 125/14 127/11 black [4] 154/8 155/13 156/16 185/13 blame [4] 113/16 113/17 113/18 145/13 block [1] 131/17 blow [1] 71/17 blunt [1] 157/17 bluntly [4] 32/25 101/25 153/14 184/17 blurred [2] 110/20 148/2 BMA [2] 198/18 199/10 board [2] 109/13 134/6 body [3] 43/15 44/7 161/9 bollocks [4] 161/24 191/20 191/22 192/18 bolted [1] 94/18 border [1] 112/25 borders [1] 135/2 BORIS [6] 1/3 77/3 116/16 183/15 183/16 203/3 Boris Johnson [4] 77/3 116/16 183/15 183/16 borrow [1] 114/10 both [16] 11/15 18/8 35/21 35/23 47/17 69/5 92/22 100/7 106/17 112/16 122/13 123/1 160/1 177/10 193/5 201/11 bottom [6] 6/14 6/20 6/22 21/8 40/23 194/10 bounceback [2] 57/20 193/4 bounced [1] 194/22 boundaries [3] 58/12 58/13 135/4 boundary [2] 5/20 110/13 Bowler [2] 55/16 56/20 box [4] 6/22 12/3 161/22 165/25 brain [1] 71/3 brake [1] 4/20 breaches [3] 73/6 75/18 77/8 break [8] 45/23 49/2 49/3 49/6 100/20 148/22 181/11 183/10	breakdown [1] 119/13 breaker [35] 19/16 20/2 20/10 20/17 20/20 21/6 21/15 22/22 23/8 23/14 24/23 24/25 25/9 25/25 26/1 26/24 30/14 30/18 30/19 31/2 31/10 31/23 37/21 39/2 39/3 41/10 53/2 53/5 57/10 57/14 57/20 59/3 99/5 99/6 99/12 breakers [3] 21/21 33/13 58/25 breaking [1] 70/12 breaks [1] 17/9 Brenda [2] 101/13 102/19 Brenda Campbell [1] 101/13 Brenda Doherty [1] 102/19 brevery [2] 101/24 113/3 briefings [1] 146/6 briefly [4] 49/12 125/4 125/7 126/16 brigade [1] 32/13 brilliant [1] 42/18 bring [12] 37/19 37/24 50/7 55/13 99/25 109/23 121/6 129/8 134/6 136/25 138/14 201/6 bringing [3] 133/16 175/25 196/10 brings [1] 143/11 Britain [1] 144/22 British [5] 100/17 145/24 198/12 199/17 201/15 broad [1] 13/10 broader [1] 182/17 broadly [3] 55/11 88/7 138/17 broke [1] 90/7 brought [5] 62/21 62/23 110/1 141/2 164/9 brutal [3] 59/13 148/10 150/20 budget [6] 4/7 5/9 15/8 171/6 173/4 197/14 budgeted [1] 61/3 build [1] 92/2 building [4] 75/16 75/22 156/10 163/6 Bulgaria [3] 82/23 82/24 83/1 bullet [2] 125/12 125/20	bullshit [1] 195/11 bumpy [1] 70/3 burden [1] 3/14 bureaucratic [1] 184/25 business [4] 1/20 103/14 121/25 180/22 business-like [1] 121/25 businesses [1] 76/5 but [271]
			C	
			Cabinet [31] 1/14 1/15 2/24 23/2 26/10 29/14 43/7 44/14 44/25 45/1 45/2 45/2 45/3 45/5 45/6 45/15 45/16 46/12 51/19 64/8 65/18 66/5 66/7 67/1 70/1 76/23 76/24 134/3 161/3 163/1 194/24 Cabinet Office [4] 1/15 2/24 44/25 163/1 Cabinet Secretary [3] 76/23 76/24 194/24 cafés [1] 170/10 Cain [3] 77/5 194/10 194/17 calculation [2] 47/21 48/7 calculations [1] 48/23 calendar [1] 171/1 calendars [1] 125/17 call [11] 51/16 51/16 76/9 106/20 125/9 131/7 138/18 140/1 140/1 140/19 180/3 called [12] 28/24 58/25 61/10 63/18 72/6 74/10 96/18 103/13 107/20 107/23 172/9 172/12 calling [4] 10/25 146/16 175/23 191/13 calls [4] 107/3 116/17 171/19 171/24 came [12] 12/17 18/23 22/4 36/15 44/2 53/11 58/19 69/15 71/2 93/6 104/10 116/23 CAMHS [1] 177/13 campaigned [1] 101/19 Campbell [7] 79/5 101/10 101/11 101/13 105/24 115/7 203/7 can [99] 6/19 7/21 9/9 10/16 14/16 16/24 17/19 18/5 19/4 20/8 24/25 25/1 29/10	

C			
can... [86] 29/12 29/14 32/10 36/1 36/23 48/4 48/8 48/8 48/11 55/1 59/1 60/20 74/12 75/4 79/23 81/3 83/18 83/20 85/14 88/14 90/12 95/6 95/24 96/2 97/8 97/8 97/12 97/13 99/9 101/23 102/11 112/11 121/10 121/22 123/16 126/15 127/19 127/24 130/8 131/15 135/6 135/22 137/19 139/10 139/12 143/18 144/7 147/8 149/5 149/5 149/8 149/19 150/16 150/18 152/1 153/2 154/7 154/11 155/25 157/13 157/13 157/15 158/14 160/8 164/2 165/13 165/14 167/8 168/1 168/1 168/20 169/17 170/18 177/1 179/19 179/22 182/6 185/3 185/6 185/11 185/12 187/2 193/1 198/3 201/18 201/19	case [15] 37/8 43/1 48/5 54/14 65/9 68/19 69/9 76/24 119/12 123/24 165/9 183/1 194/18 194/24 197/16	175/7	choose [2] 114/11 163/14
can't [20] 6/5 46/25 52/9 52/17 72/11 72/16 121/9 122/19 130/20 140/5 140/5 140/20 140/20 145/13 158/20 173/16 191/21 192/18 201/18 201/23	cases [3] 96/12 149/22 164/9	Chancellor [18] 3/22 5/12 6/15 6/21 8/4 44/7 46/1 46/3 46/9 46/11 46/23 49/18 68/23 69/1 69/6 69/15 119/10 121/4	choosing [1] 114/24
cancellations [1] 139/22	Castle [3] 70/13 70/20 72/23	Chancellor's [2] 46/17 47/15	chose [2] 198/4 199/9
capabilities [2] 47/20 92/3	casualties [1] 40/9	chances [2] 168/17 177/19	chosen [1] 123/12
capability [2] 90/6 95/8	catch [2] 177/14 178/4	change [19] 60/10 64/15 64/21 124/14 124/16 125/25 126/18 127/6 127/7 127/10 127/25 142/18 142/25 143/4 146/17 196/8 196/9 196/10 196/23	Chris [19] 5/16 7/12 7/23 8/24 9/20 10/3 10/24 17/16 17/23 18/16 26/18 85/20 88/6 137/7 139/13 160/2 160/7 160/20 195/22
capable [2] 112/16 112/17	catch-up [2] 177/14 178/4	changed [11] 14/7 19/25 60/15 142/15 143/3 143/3 143/14 173/1 193/16 195/21 195/25	Chris Whitty [7] 5/16 85/20 137/7 139/13 160/2 160/7 160/20
capacity [1] 93/7	catching [1] 194/22	changes [3] 14/8 66/5 193/14	Christmas [3] 62/17 63/14 103/10
capital [2] 12/7 48/3	Catriona [1] 102/22	changing [4] 117/23 128/2 196/24 196/24	chronic [2] 17/6 190/3
capitals [1] 96/25	Catriona Myles [1] 102/22	chapter [1] 135/13	chronological [1] 49/14
captured [1] 102/8	caught [1] 99/21	characterisation [2] 74/15 131/22	circuit [38] 19/16 20/2 20/10 20/17 20/20 21/6 21/15 21/21 22/22 23/8 23/14 24/23 24/25 25/9 25/25 26/1 26/24 30/14 30/18 30/19 31/2 31/10 31/23 33/13 37/21 39/2 39/3 41/10 53/2 53/5 57/10 57/14 57/20 58/25 59/3 99/5 99/6 99/12
car [1] 146/12	causation [1] 152/22	characterised [1] 73/22	circuit-breaker [13] 20/2 20/20 22/22 24/23 25/9 25/25 26/1 30/18 57/14 59/3 99/5 99/6 99/12
cards [1] 57/2	cause [2] 153/14 165/24	charge [1] 53/22	circulating [2] 17/7 28/16
care [19] 25/3 32/11 77/12 77/13 77/13 78/4 78/4 78/4 78/10 78/19 78/22 78/23 96/12 96/20 137/10 156/16 179/1 201/4 201/12	caused [7] 2/19 74/23 74/24 74/25 76/18 162/9 184/9	charged [1] 14/6	circumstances [1] 105/9
care home [1] 96/20	causing [1] 166/12	check [1] 118/23	cited [2] 114/7 155/1
Care homes [1] 96/12	caution [2] 32/3 129/15	checked [1] 91/17	cites [2] 85/14 116/12
careful [2] 140/4 151/5	cautious [1] 199/22	cheese [2] 103/13 104/25	civil [10] 42/18 46/13 73/20 74/16 75/13 93/21 110/2 111/2 141/6 191/24
carry [1] 76/25	CCA [1] 110/8	chemist [2] 187/15 189/11	claim [1] 78/8
	CCS [1] 93/21	Chequers [1] 55/5	claimed [1] 71/3
	CDL [6] 107/9 121/25 125/9 125/24 136/25 137/10	chief [11] 5/15 19/18 24/21 24/23 29/6 29/7 49/18 50/3 88/7 95/5 150/7	claiming [1] 68/5
	central [1] 109/21	child [2] 70/19 188/19	clapping [1] 157/25
	centre [1] 119/13	children [21] 165/6 166/13 168/4 168/14 168/15 168/22 169/2 171/21 172/13 172/14 173/15 173/16 173/20 173/22 174/12 175/2 175/20 175/23 177/6 177/8 188/21	clarification [1] 79/1
	centric [1] 114/8	children's [6] 167/25 171/19 171/21 174/13 174/14 177/13	clarified [1] 145/21
	century [2] 86/8 169/21	chip [1] 133/19	clarify [4] 36/13 144/23 146/7 152/1
	certain [9] 17/7 51/20 119/25 123/10 129/12 132/10 132/20 154/12 174/3	choice [11] 17/17 17/18 18/5 19/6 67/8 114/12 123/6 164/8 179/4 180/2 199/14	clarity [18] 31/11 31/12 101/23 113/14 113/19 114/25 116/23 124/10 124/12 129/4
	certainly [28] 1/25 6/1 9/9 16/15 26/20 45/14 64/4 72/11 74/19 95/12 108/15 116/16 120/7 128/10 129/11 129/12 131/16 136/2 140/22 149/10 149/21 150/18 156/22 162/20 168/7 169/7 169/20 182/23	choices [1] 177/21	clocked [1] 176/1
	chain [2] 131/5 152/22		close [11] 20/11 22/14 65/21 65/22 69/15 85/16 132/6 168/5 168/11 169/22 171/4
	chair [4] 93/19 103/21 179/2 198/18		closed [7] 112/17 158/24 159/1 168/3 168/22 168/24 171/13
	chaired [1] 108/8		closely [3] 60/22 67/23 68/6
	chairman [1] 159/2		closest [1] 69/15
	challenge [4] 42/14 64/10 134/2 177/24		closure [4] 2/20 60/1 65/25 168/7
	challenges [1] 150/1		closure [7] 59/25 60/1 65/8 146/7 159/4 168/13 171/17
	chance [5] 24/13 52/5 59/1 117/19		clothing [1] 89/20
			clouseaus [1] 94/2
			club [1] 101/16
			clubbing [2] 18/7 18/9
			CMO [16] 10/5 10/9 17/14 19/7 19/17 26/11 30/8 37/23 43/15 44/23 49/18 51/18 137/10 137/17 141/16 174/7
			co [7] 108/17 116/1 119/4 119/18 120/3 121/7 123/2
			co-operation [2] 108/17 120/3
			co-ordinated [1] 119/4
			co-ordinating [1] 121/7
			co-ordination [1] 116/1
			COBR [9] 93/19 116/14 117/1 125/1 125/13 126/13 133/1 134/2 139/18

C	communicating [1] 11/10 107/17	11/10	confuse [2] 142/4 167/21	consuming [1] 51/3
COBRA [2] 116/17 126/3	communication [8] 20/8 72/9 76/22 109/2 112/15 113/25 134/10 200/4	complicated [3] 14/2 139/15 148/4	confused [2] 110/20 115/4	contact [5] 13/25 59/25 109/20 131/12 198/13
COBRs [3] 106/6 106/9 107/2	communications [12] 106/4 107/24 108/25 109/4 114/5 116/24 126/14 127/3 142/16 144/11 145/2 167/11	complications [1] 12/23	confusing [2] 143/21 147/8	contain [1] 177/10
coercive [1] 189/19	communities [3] 150/3 154/8 157/12	complimented [1] 6/17	confusion [6] 13/9 13/22 114/23 114/24 141/10 141/23	contained [2] 185/23 198/22
coherence [1] 114/20	community [4] 28/16 146/9 158/23 158/25	compounded [3] 104/2 169/7 187/23	Congress [1] 191/6	containing [1] 158/10
coherent [2] 119/4 139/5	comorbidities [2] 88/1 89/6	comprised [1] 42/17	conscious [2] 157/24 158/1	context [14] 13/16 21/13 21/13 21/24 77/2 82/14 116/25 124/16 137/24 148/9 149/25 153/9 185/3 198/20
cold [2] 66/11 83/23	Company [1] 131/3	con [1] 122/19	consciousness [2] 73/16 200/5	contingencies [4] 93/21 110/2 111/2 141/7
collaborate [1] 79/23	comparable [5] 27/23 82/8 82/10 82/14 86/13	concede [1] 159/15	consensus [2] 42/15 129/10	continual [1] 142/3
collaboration [1] 118/19	comparative [2] 81/14 81/21	conceded [1] 178/7	consequence [1] 106/21	continue [13] 16/22 22/6 30/9 31/3 31/17 39/10 71/25 73/10 73/13 78/4 102/23 163/3 191/20
colleagues [3] 19/3 37/4 66/7	comparatively [1] 88/10	concept [1] 22/22	consequences [6] 7/10 35/1 36/7 36/9 37/2 37/5	continued [13] 1/3 1/4 26/9 28/23 31/4 52/23 63/1 69/20 71/23 72/1 181/1 203/3 203/5
collective [3] 4/12 60/20 149/6	comparator [1] 89/1	conceptual [2] 33/14 162/8	consider [11] 16/13 20/10 20/12 20/14 24/22 45/13 62/17 134/12 155/4 158/6 158/9	continuing [5] 50/17 51/4 52/21 56/8 192/8
colossal [2] 192/6 193/14	comparators [1] 2/12	conceptualised [1] 57/6	considerable [6] 2/18 6/11 12/25 141/10 141/23 173/4 68/10	continuously [1] 43/2
colour [1] 151/23	compare [1] 82/16	concern [4] 12/22 106/8 134/16 197/5	considerably [1] 68/10	contracting [2] 164/22 165/11
combination [4] 3/2 37/24 39/11 143/16	compared [1] 86/17	concerned [7] 15/5 16/5 34/3 142/13 155/23 173/23 199/21	consideration [7] 16/8 122/12 145/4 166/19 167/1 177/19 187/10	contradiction [1] 135/25
come [22] 13/17 15/6 22/19 38/22 47/24 55/2 59/3 65/8 85/11 134/18 137/1 153/12 158/22 160/11 166/10 178/14 187/17 188/25 190/14 190/22 191/23 201/3	comparison [1] 83/4	concerning [4] 46/1 67/9 68/25 69/22	considerations [5] 1/24 51/15 61/15 121/14 153/8	contrary [3] 24/3 33/19 171/3
comes [8] 29/18 56/7 60/3 83/8 87/16 111/25 112/4 195/14	comparisons [2] 82/20 90/20	conclude [2] 183/14 186/20	considering [5] 147/2 147/3 150/6 153/7 161/2	contribute [1] 126/2
coming [16] 10/23 16/2 19/13 21/24 33/22 53/6 91/7 103/6 109/12 117/4 117/7 130/22 135/9 135/12 138/1 140/24	compelling [1] 69/9	concluded [2] 138/11 166/9	consignments [1] 93/16	contributed [2] 153/8 166/16
comment [3] 33/8 89/11 141/21	compensation [2] 11/15 13/2	conclusion [5] 9/15 55/13 183/17 183/18 195/10	consisted [1] 161/16	control [3] 50/8 61/24 62/10
commenting [1] 34/14	competence [2] 71/14 71/18	conclusions [1] 195/10	consistency [2] 142/11 142/23	controversy [2] 8/1 9/3
comments [8] 47/24 96/11 141/19 141/20 178/21 180/8 181/5 181/7	competent [1] 75/12	conclusively [1] 6/5	consistent [1] 120/7	convene [1] 134/2
commissioned [1] 116/8	compiling [3] 124/21 126/12 126/13	conditions [3] 17/6 76/8 76/13	constant [1] 11/2	convenient [1] 89/25
Commissioner [2] 171/20 174/13	complain [1] 29/19	conduct [1] 134/25	constituencies [2] 58/15 136/19	conveniently [1] 90/13
Commissioner for [1] 171/20	complained [1] 109/19	conducted [2] 116/12 184/24	constitutionally [1] 108/12	conversation [7] 32/14 32/21 38/8 64/10 133/2 147/7 177/1
committee [4] 16/19 108/1 108/8 195/4	complaints [1] 109/11	conferences [3] 42/2 110/21 145/7	constrained [1] 61/19	conversations [8] 41/18 47/3 123/5 142/23 150/22 172/18 184/12 184/24
common [3] 14/17 39/20 145/14	complementary [1] 12/12	conferencing [1] 134/11	consult [1] 193/10	convey [1] 196/22
Commons [1] 189/16	complete [8] 40/25 57/24 65/24 77/14 114/20 143/6 167/8 200/11	confess [1] 154/20	consultation [8] 120/23 135/17 142/21 191/8 192/3 192/17 193/11 195/14	convinced [1] 160/19
comms [1] 139/14	completely [8] 15/19 15/23 28/5 31/22 41/19 54/20 134/5 154/19	confidence [6] 71/9 71/13 71/17 72/1 72/5 142/5	consulted [1] 7/20	coping [1] 166/5
communal [1] 194/6	completes [1] 200/14	confident [2] 6/2 7/17	consulting [3] 134/12 191/22 192/18	core [2] 65/24 125/21
communicate [2] 116/4 164/13	complex [3] 66/19 147/15 184/25	confidential [1] 134/19		corner [1] 198/3
	complexities [3] 14/1 14/8 136/10	confined [1] 174/13		corners [1] 112/19
	complexity [2] 147/3 147/5	confirm [2] 80/21 126/7		
	compliance [2] 11/4	confirmed [1] 128/23		

<p>C</p> <p>Cornwall [2] 22/15 111/22</p> <p>coronavirus [4] 1/18 3/4 61/12 146/9</p> <p>Coronavirus: [1] 93/1</p> <p>Coronavirus: The [1] 93/1</p> <p>correct [25] 2/3 2/13 9/6 23/10 27/9 27/11 35/7 62/5 70/5 70/6 85/21 88/8 95/1 108/15 128/8 132/20 138/19 139/3 140/1 140/2 148/14 151/25 163/13 190/13 190/15</p> <p>correspondence [1] 161/10</p> <p>corridors [1] 75/21</p> <p>corroboration [2] 50/18 51/5</p> <p>cost [6] 37/8 37/9 47/21 48/6 48/11 48/18</p> <p>cost-benefit [3] 47/21 48/6 48/11</p> <p>costly [2] 39/5 51/3</p> <p>could [81] 6/8 9/23 9/25 12/22 13/24 26/21 26/22 29/9 36/17 38/16 38/19 39/17 42/4 43/17 48/19 55/21 62/14 63/9 63/9 63/13 64/20 69/15 69/16 77/15 84/3 90/1 91/15 92/11 99/17 104/22 105/7 105/14 106/11 106/15 109/25 110/9 119/3 119/4 119/8 122/23 124/18 125/4 126/10 128/15 128/20 129/2 129/7 129/10 130/21 134/1 134/14 134/15 137/4 137/6 138/24 139/6 143/2 147/21 152/12 155/12 157/17 157/19 161/13 163/20 164/14 165/20 167/13 174/19 174/22 175/2 179/23 184/23 185/24 187/14 187/15 189/11 189/25 189/25 192/11 195/2 200/2</p> <p>couldn't [7] 18/25 19/2 33/25 35/18 36/14 66/9 114/21</p> <p>council [1] 58/13</p> <p>councils [1] 197/14</p> <p>counsel [7] 1/4 99/10 105/21 142/19 172/18 181/14 203/4</p>	<p>countenance [1] 113/8</p> <p>counter [1] 200/6</p> <p>counterarguments [3] 30/2 43/5 180/13</p> <p>counterintuitive [2] 138/22 179/16</p> <p>countervailing [1] 53/8</p> <p>countries [19] 2/11 3/15 81/23 82/2 82/8 82/10 82/21 82/24 83/4 86/10 86/14 86/18 87/3 87/17 87/21 89/1 90/21 100/12 100/15</p> <p>country [47] 4/4 7/7 22/1 25/17 26/4 26/5 26/11 27/1 27/2 27/21 28/1 28/12 36/19 36/21 36/25 42/11 44/15 56/2 63/17 70/3 78/20 88/10 89/10 89/14 92/5 93/17 93/17 93/17 100/16 104/21 108/11 109/10 111/18 133/24 136/19 145/14 145/18 145/19 145/20 147/11 147/20 150/20 155/16 176/9 176/10 192/25 197/21</p> <p>country' [1] 144/21</p> <p>country's [1] 26/13</p> <p>couple [1] 72/12</p> <p>course [60] 2/3 2/18 3/17 4/20 11/2 15/14 19/25 21/20 24/16 24/18 25/21 29/18 29/25 30/5 30/23 35/5 50/20 54/1 54/8 54/18 56/17 56/23 62/21 63/8 64/5 65/20 67/12 68/2 69/11 69/20 70/8 71/8 72/17 73/6 74/11 75/1 77/25 82/15 88/15 98/24 103/23 110/6 110/19 112/12 117/1 117/3 117/6 119/14 119/23 120/15 122/19 123/23 123/25 126/6 136/18 151/18 153/21 181/2 181/4 188/24</p> <p>coverage [1] 73/23</p> <p>covered [4] 42/14 95/4 108/4 115/23</p> <p>Covid [118] 5/16 8/12 8/24 10/17 10/18 16/11 16/18 16/19 19/22 34/24 36/5 37/4 37/8 40/22 44/19 48/2 49/13 50/2 51/5 55/3 55/7 55/12 55/19 56/11 56/18 67/5 71/4</p>	<p>72/6 79/17 83/13 85/5 86/11 87/17 90/7 91/7 91/12 93/20 101/14 102/7 103/6 104/19 115/15 119/8 131/3 131/8 138/1 141/18 146/6 155/3 155/9 155/14 159/23 160/1 160/5 160/13 160/14 160/17 160/20 160/23 160/25 161/1 161/3 161/4 161/11 161/25 162/2 162/3 162/10 162/16 162/21 163/2 163/3 163/5 163/8 163/9 163/12 163/12 163/16 163/17 163/20 163/20 163/22 163/22 164/9 164/13 164/16 164/17 164/20 164/22 164/22 165/4 165/4 165/7 165/11 165/14 165/15 165/16 165/19 165/20 165/24 166/11 166/14 166/16 166/19 166/22 167/1 167/12 167/14 167/16 167/17 167/18 177/6 181/23 182/2 182/19 193/4 195/4 201/21</p> <p>Covid Taskforce [9] 16/11 16/18 48/2 49/13 55/3 55/12 55/19 56/11 56/18</p> <p>Covid-19 [9] 72/6 86/11 115/15 155/9 160/1 160/5 163/2 163/12 165/15</p> <p>Covid-19 Taskforce [1] 8/12</p> <p>Covid-O [4] 10/18 50/2 51/5 67/5</p> <p>Covid-related [2] 19/22 104/19</p> <p>Covid-S [3] 10/17 16/19 37/4</p> <p>coyly [1] 23/14</p> <p>crack [2] 79/9 79/11</p> <p>crap [1] 105/9</p> <p>create [3] 58/14 58/15 195/1</p> <p>created [1] 146/2</p> <p>creating [1] 150/11</p> <p>credence [1] 109/11</p> <p>credit [3] 68/5 197/13 197/13</p> <p>crescendo [1] 59/23</p> <p>crimes [2] 188/22 190/5</p> <p>criminal [2] 188/2 190/4</p> <p>crisis [4] 63/2 71/16 108/10 120/21</p> <p>critical [7] 96/14</p>	<p>96/15 144/5 145/1 150/13 169/10 201/5</p> <p>criticise [1] 36/23</p> <p>criticism [2] 45/14 98/6</p> <p>cross [3] 110/13 111/4 137/14</p> <p>cross-party [1] 111/4</p> <p>crucial [5] 18/3 60/25 141/11 149/10 155/5</p> <p>crush [1] 51/25</p> <p>CSA [3] 17/14 137/11 137/17</p> <p>CSA-CMO-PM [1] 17/14</p> <p>culled [1] 41/23</p> <p>cultural [1] 170/9</p> <p>culturally [1] 155/20</p> <p>Cummings [11] 20/9 45/5 47/19 70/13 70/17 70/25 93/25 159/24 194/10 194/18 194/19</p> <p>cure [1] 11/10</p> <p>curfew [7] 24/7 25/12 25/13 25/21 27/12 60/7 175/14</p> <p>current [2] 34/4 198/18</p> <p>curve [10] 35/9 36/16 60/10 60/17 60/23 61/4 94/21 138/3 199/11 199/14</p> <p>customers [1] 4/15</p> <p>cut [2] 6/22 126/25</p> <p>Cymru [1] 115/15</p>	<p>dashboard [1] 96/5</p> <p>data [22] 67/9 67/22 68/7 71/10 72/4 72/6 80/14 80/14 85/2 85/12 86/22 87/19 96/5 114/7 141/15 144/16 145/6 146/19 153/12 158/20 158/21 159/11</p> <p>dataset [1] 87/19</p> <p>date [1] 122/19</p> <p>dated [5] 6/14 69/13 105/22 124/23 139/11</p> <p>dates [1] 136/14</p> <p>Davies [4] 185/9 185/10 190/25 203/14</p> <p>day [17] 34/24 49/15 75/14 76/11 96/4 130/21 131/8 131/8 131/10 134/9 138/1 138/2 170/12 172/9 194/17 198/15 200/3</p> <p>days [17] 3/19 25/10 52/12 52/18 56/7 62/4 72/12 93/2 96/13 99/5 103/6 103/7 122/17 123/25 150/13 176/8 200/16</p> <p>DCMO [1] 141/16</p> <p>deadly [3] 68/9 68/10 68/18</p> <p>deal [20] 14/5 14/15 43/19 96/2 100/5 102/3 107/9 114/6 144/1 145/3 146/23 153/19 164/12 178/5 180/12 190/4 190/9 197/3 197/14 199/24</p> <p>dealing [6] 23/10 54/8 79/23 86/4 111/1 153/24</p> <p>deals [5] 81/13 84/25 85/1 85/4 85/5</p> <p>dealt [2] 96/1 125/2</p> <p>death [7] 23/7 40/18 80/15 82/3 86/10 103/7 179/7</p> <p>deaths [11] 19/22 68/1 81/22 85/5 85/5 85/6 87/12 88/13 97/3 97/22 104/19</p> <p>debate [30] 3/17 6/11 6/24 11/3 11/8 13/22 16/14 17/16 18/22 19/15 24/21 31/9 31/11 31/22 32/4 32/9 33/14 43/18 43/23 45/6 45/12 47/11 51/13 63/8 63/15 69/20 77/2 98/22 176/3 179/10</p> <p>debated [1] 8/6</p> <p>debates [2] 44/22 175/8</p>
--	---	--	---	---

D	degrade [1] 72/13	176/17	54/25 58/21 59/19	difference [12] 6/6
debilitating [1]	degree [10] 5/22 7/6	despite [1] 14/25	60/11 60/11 60/12	20/17 84/25 84/25
166/11	13/9 13/22 33/10	destroying [1]	62/3 63/4 63/7 63/15	93/12 111/21 115/3
debt [1] 149/18	54/16 56/11 63/8	178/24	64/14 64/21 65/2	123/21 140/5 143/7
December [27] 1/1	129/15 132/21	destructive [1] 99/13	65/11 65/13 65/16	175/5 194/1
24/19 61/9 62/4 62/14	degrees [1] 21/16	detail [3] 13/10 45/13	65/24 68/19 70/14	differences [4]
62/20 62/24 63/4	Deighton [1] 95/17	143/20	70/15 72/3 72/16	111/11 115/2 119/3
63/10 63/20 66/22	delay [4] 59/17 62/15	detailed [1] 84/21	72/25 73/5 73/12 77/1	148/5
66/23 67/6 67/13 69/1	99/22 166/16	details [4] 34/4 66/18	77/13 78/4 78/15	different [41] 3/12
69/21 77/3 103/5	delayed [2] 113/10	158/10 186/10	79/19 82/4 83/19	4/23 4/25 7/7 16/16
103/8 103/10 104/18	201/7	deteriorate [2] 29/11	87/22 89/7 94/9 95/14	21/20 31/22 35/17
105/23 122/18 186/11	deliberate [4] 107/4	56/8	95/14 95/17 95/20	35/19 45/17 45/19
186/24 199/1 202/4	107/11 107/14 107/19	determined [2] 55/20	98/13 100/8 100/9	76/12 82/24 95/22
December 2nd [1]	deliberately [3] 30/10	192/25	100/12 107/10 112/20	110/22 111/17 111/18
63/4	31/20 108/2	detract [1] 88/18	117/1 118/6 118/11	114/22 115/20 117/21
decide [3] 17/19	delivering [2] 169/2	detriment [2] 65/6	118/14 118/16 121/3	125/15 125/16 125/17
50/14 141/25	169/5	177/18	122/1 122/11 122/25	125/25 128/18 136/8
decided [9] 31/16	democratic [1] 148/7	detriments [1]	127/25 128/4 128/25	136/18 136/19 136/20
55/8 69/12 120/22	demonstrate [1] 6/10	180/22	128/25 129/2 129/7	140/12 140/23 141/18
123/16 139/21 142/24	demonstrated [1]	devastating [3] 57/12	132/4 133/11 137/21	147/7 147/25 148/1
177/14 178/1	78/24	86/10 168/14	142/16 144/15 145/7	151/17 163/22 164/23
deciding [1] 121/10	demonstrates [1]	develop [2] 135/13	146/22 149/24 152/10	165/7 194/7 197/4
decision [28] 23/19	99/20	162/16	152/16 152/17 154/22	differential [1]
26/19 31/12 35/11	denied [2] 103/17	developed [1] 94/25	155/10 156/8 156/22	140/25
35/14 35/18 36/14	104/4	development [3]	157/19 158/6 158/9	differentiation [1]
37/6 37/7 37/10 37/12	density [3] 88/2 88/9	163/11 168/16 169/10	159/3 160/6 162/5	113/18
43/21 49/24 52/11	88/12	devised [3] 47/6 67/3	162/5 163/14 163/17	differently [6] 14/10
52/18 63/20 69/7	deny [1] 39/17	90/2	164/1 165/19 166/9	75/2 91/14 134/17
106/20 107/4 107/12	depart [1] 30/11	devolution [1] 126/1	168/19 169/23 171/15	139/25 151/17
107/23 116/2 121/2	department [2] 44/16	devolved [35] 106/4	171/15 171/18 171/24	difficult [15] 2/15
134/5 134/13 137/15	188/8	106/7 106/11 106/16	173/4 173/21 179/20	13/20 14/4 39/4 50/23
174/11 180/11	departmental [1]	106/23 107/5 108/10	182/18 183/8 188/10	53/20 54/7 100/24
decision-making [7]	45/19	108/25 109/2 109/12	190/2 190/18 190/21	106/25 135/24 152/23
37/6 52/18 63/20	Departments [1]	109/19 111/7 113/8	197/25	176/12 197/1 200/16
107/23 116/2 121/2	44/20	113/16 113/20 114/4	didn't [68] 7/25 7/25	201/8
134/13	depending [1]	117/24 118/8 119/24	9/2 9/14 18/23 19/4	difficulties [5] 11/10
decisions [14] 35/2	125/16	120/13 120/23 121/11	23/21 24/2 25/8 33/6	12/23 22/21 52/1
35/3 36/7 36/8 36/9	deprecate [1] 144/2	124/25 126/7 126/21	36/15 38/24 51/24	169/5
37/3 37/10 65/25	deprecated [1] 113/4	128/1 128/23 130/16	53/2 53/4 53/9 53/10	difficulty [12] 20/20
133/23 133/25 158/7	deprecating [1]	132/17 135/18 141/13	57/3 59/17 61/10	50/22 81/17 128/17
163/21 166/18 166/25	82/24	141/14 142/17 142/25	65/19 65/21 66/6	129/9 130/1 134/25
Declaration [2] 32/6	depress [1] 60/10	144/18	67/13 68/11 71/4	143/5 145/16 146/1
32/8	depressing [1] 62/12	Devon [2] 22/15	77/12 77/13 77/24	161/19 192/6
declared [4] 12/2	deprived [2] 169/9	111/22	78/4 78/19 78/22	diminish [3] 68/3
14/25 30/4 67/1	169/11	DHSC [1] 174/25	78/23 87/7 87/23	83/12 86/2
deconflict [2] 127/18	Derry [1] 102/10	diagnostic [1] 91/17	90/14 91/24 93/9	dipped [1] 71/12
128/4	describe [3] 69/25	diagnostics [4] 90/6	94/21 94/22 95/2	direct [5] 55/25
dedicated [2] 146/10	183/23 196/13	92/3 92/14 94/24	99/16 106/13 106/22	106/22 107/24 108/24
181/9	described [15] 7/1	diaries [5] 39/18	119/15 123/13 130/14	112/15
dedication [1] 149/7	25/23 37/18 45/5	39/21 63/22 96/3	131/21 143/1 143/15	direction [4] 25/6
deeply [2] 56/3 158/1	51/15 54/16 60/6 73/4	184/11	150/13 151/14 151/15	28/21 29/12 81/13
defeat [2] 54/19 72/2	139/2 143/15 151/6	diary [2] 13/11	152/15 155/15 155/18	directly [3] 44/8
defects [1] 22/19	151/12 161/4 197/5	120/17	159/7 159/8 160/16	107/18 118/22
defences [1] 163/6	198/14	did [138] 2/16 2/22	161/13 162/3 164/13	director [2] 126/14
defer [1] 6/4	describes [2] 61/4	5/3 6/3 7/13 9/11 9/21	179/16 187/11 192/21	127/3
defied [4] 80/2 82/19	117/10	11/9 11/15 12/14	193/12 195/7 199/19	disability [1] 182/21
83/3 83/22	describing [2] 87/11	12/20 13/4 13/17	Dido [1] 95/13	disabled [4] 178/19
definitely [2] 65/9	139/16	13/22 13/23 13/23	Dido Harding [1]	182/17 182/19 183/6
139/22	desirable [1] 107/25	13/24 16/7 25/10	95/13	disabling [1] 166/12
definition [1] 136/6	desire [3] 129/16	28/22 30/9 30/10	die [6] 100/3 103/6	disbelief [1] 166/14
deflected [1] 60/15	148/7 193/20	32/13 36/12 37/5	178/23 181/19 182/14	discharge [1] 201/8
deflecting [2] 89/8	desperate [3] 2/14	37/12 41/21 41/22	184/2	discovered [2] 6/4
95/19	49/23 65/11	41/25 42/3 42/9 43/7	die' [1] 41/6	71/2
	desperately [1]	44/2 44/20 53/22	died [2] 103/6 151/21	discretion [1] 62/13

D	33/10 107/21 111/14 111/17 113/14 113/16 113/18 113/24 121/21 121/23 128/9 140/13 141/9 141/21 147/4 174/2 divergent [2] 130/2 130/18 diverse [1] 149/8 diversely [1] 22/1 diversity [1] 29/4 divided [2] 26/13 118/13 divisive [1] 53/20 do [162] 2/17 4/18 4/25 6/21 8/19 9/18 11/14 11/21 11/24 14/3 14/4 14/16 14/24 16/14 16/15 16/24 17/1 17/4 18/22 19/7 19/14 19/23 20/4 20/4 20/23 22/6 22/12 23/16 24/2 25/13 29/18 29/23 30/1 31/16 31/23 31/24 32/17 33/9 33/22 34/12 34/15 34/17 34/19 39/1 39/6 41/1 42/8 42/13 44/21 46/21 48/25 55/14 56/11 57/5 57/17 58/20 59/17 59/19 65/13 68/14 73/9 74/12 75/7 76/2 77/2 80/25 81/2 81/9 83/24 84/10 87/6 89/6 91/15 91/19 91/25 92/15 95/2 97/6 100/23 101/6 103/15 103/20 103/22 104/7 104/7 108/2 109/11 109/20 111/25 114/11 115/5 117/8 117/12 117/15 117/18 119/7 119/7 122/23 123/22 127/25 128/25 129/2 129/7 129/7 134/12 134/17 137/21 139/6 139/16 140/11 142/4 143/15 149/16 149/17 149/21 152/25 155/11 156/4 157/25 158/1 160/8 162/17 162/23 164/23 165/5 165/13 165/16 166/13 167/1 167/10 167/14 170/23 171/16 174/4 177/8 177/12 177/16 177/17 177/18 178/5 181/17 183/1 184/5 184/7 185/1 186/25 187/2 187/3 189/17 193/9 195/15 197/2 197/6 199/4 200/5 200/22 200/23	200/23 201/3 201/14 201/15 201/24 doctors [3] 151/21 151/22 151/23 document [14] 15/2 55/4 81/7 82/7 84/20 84/21 87/1 124/19 125/6 125/6 126/6 126/10 137/20 139/10 documents [4] 55/10 81/9 93/18 158/10 does [22] 7/3 42/8 48/10 55/3 60/22 61/5 69/17 81/24 86/2 86/21 86/22 86/23 86/25 113/7 113/12 125/18 132/22 136/4 164/18 181/14 183/12 200/11 doesn't [11] 18/14 20/18 94/3 123/20 130/11 135/1 135/2 157/23 164/18 176/23 190/16 Doherty [1] 102/19 doing [26] 6/17 14/24 20/12 25/2 48/22 60/21 64/9 74/17 74/20 83/1 90/17 94/17 99/14 106/3 118/17 119/10 124/5 129/22 130/11 133/8 134/15 139/24 144/4 174/8 179/9 190/17 domain [1] 180/13 domestic [15] 185/17 186/1 187/3 187/5 187/6 188/9 188/19 189/2 189/3 189/7 189/11 189/15 189/24 190/5 190/11 Dominic [3] 93/25 159/24 194/10 Dominic Cummings [3] 93/25 159/24 194/10 don't [83] 5/24 5/24 7/19 7/21 8/16 9/21 9/22 9/24 9/24 19/7 20/22 21/18 32/5 33/7 34/5 34/6 34/8 34/9 34/14 39/8 39/8 39/24 41/1 43/6 43/8 55/14 56/9 58/17 59/2 61/9 69/19 73/21 79/7 81/4 81/18 82/13 82/16 83/25 83/25 87/5 87/24 93/11 98/5 100/6 101/3 106/14 109/16 113/12 113/21 116/15 116/16 118/11 118/11 123/4 133/20 136/4 141/2 143/8 144/1 144/2 149/15	157/16 161/12 161/12 162/16 164/21 164/25 165/18 166/20 170/1 175/10 175/14 176/25 176/25 178/3 184/15 188/12 192/4 193/9 193/11 198/5 201/11 201/18 done [33] 2/13 3/15 4/20 14/10 25/20 25/25 46/24 63/13 64/16 75/1 77/15 87/15 90/3 91/14 98/19 104/22 105/7 105/14 105/17 108/20 110/9 114/1 129/2 134/10 135/23 147/21 153/20 154/16 157/17 165/16 165/18 178/25 200/6 door [1] 53/16 door's [1] 94/18 doors [1] 112/17 doubt [11] 3/6 3/8 35/10 65/10 78/18 89/22 90/8 90/10 98/5 147/15 179/2 doubting [1] 160/13 doubts [1] 50/11 down [33] 2/11 4/5 15/20 15/20 22/11 24/14 24/15 28/16 34/19 36/22 41/4 58/10 62/22 62/23 65/15 75/21 80/4 83/8 85/12 90/3 91/16 99/20 99/25 115/10 121/24 125/14 125/19 128/12 129/21 144/11 158/3 178/12 179/19 Down's [1] 182/21 Down's Syndrome [1] 182/21 Downing [14] 28/25 72/21 73/2 73/8 73/17 75/12 75/23 76/8 76/21 77/9 103/11 104/1 104/11 188/8 Downing Street [14] 28/25 72/21 73/2 73/8 73/17 75/12 75/23 76/8 76/21 77/9 103/11 104/1 104/11 188/8 downsides [8] 29/19 57/19 99/12 111/16 111/17 150/23 179/14 180/24 Doyle [1] 95/6 draconian [2] 103/18 173/21 drag [1] 193/12 Drakeford [4] 118/15 118/18 120/2 120/8	Drakeford's [1] 118/20 drama [1] 195/3 dramatic [1] 73/23 draw [2] 2/9 41/18 drawn [1] 9/15 dream [2] 157/6 157/7 drive [1] 138/24 driven [1] 61/23 driving [1] 76/1 drop [3] 71/13 72/5 72/7 droplet [1] 196/5 dropped [1] 82/3 drove [2] 70/17 70/19 dubbed [1] 170/11 Duchy [2] 119/10 121/5 duration [1] 122/17 Durham [2] 70/17 71/1 during [24] 71/1 73/12 74/6 83/13 86/13 103/13 110/18 115/21 116/17 117/13 121/12 132/23 134/25 135/19 145/7 147/13 149/14 150/3 150/13 175/8 189/1 189/4 195/21 198/14 DV [1] 189/19 dwelt [1] 78/1 dying [3] 18/6 41/8 182/18
			E	
			each [10] 35/24 69/3 111/8 116/5 129/5 131/21 136/6 136/7 147/19 147/20 earlier [29] 35/18 36/14 46/18 50/9 50/16 57/7 58/1 58/2 58/25 59/2 61/2 78/7 81/16 87/25 97/13 105/20 124/3 136/2 138/15 157/14 157/18 168/9 170/13 171/4 179/13 187/6 187/11 197/20 199/2 early [18] 20/14 23/16 23/23 61/9 91/11 94/21 95/4 112/21 114/1 116/10 138/1 140/7 151/20 152/10 157/13 159/25 166/21 198/23 early weeks [2] 91/11 95/4 earth [1] 92/22 ease [1] 63/9 easements [3] 46/10 46/15 47/5	

E	17/5 17/17 43/3 43/4 66/12 78/7 78/11 137/15 180/14 180/15 181/9 182/8 182/13 199/18	181/3 195/25 197/17 199/25 199/25 200/24	epidemic [2] 50/8 193/15	93/10 108/13 114/8 139/1 183/19 185/3 201/17
easily [1] 170/18	elected [1] 18/17	endeavour [1] 117/9	epidemiological [23]	evening [2] 13/12 49/22
easing [4] 4/21 5/18 158/8 170/5	element [1] 5/21	ended [4] 30/1 59/15 80/3 124/4	1/24 5/22 7/9 9/13 18/13 19/1 21/11 21/13 21/19 28/20 35/16 44/24 48/15 51/10 54/8 54/17 58/12 58/23 111/12 112/6 114/15 140/10 172/20	event [5] 53/9 72/21 103/12 105/3 169/21
Easter [1] 70/14	Elizabeth [1] 47/1	endure [1] 162/11	epidemiologist [2]	events [6] 35/1 36/6 73/15 100/7 103/10 109/16
easy [3] 14/19 26/19 171/16	Elizabeth Perelman [1] 47/1	endured [1] 180/22	29/2 33/1	eventually [7] 54/18 79/19 100/1 162/6 162/21 196/9 197/24
Eat [9] 3/17 5/2 6/13 7/14 7/23 8/25 9/7 10/25 15/7	eloquently [1] 128/7	enforce [1] 14/4	epidemiologists [1]	ever [3] 13/22 54/1 156/23
echo [1] 110/24	else [3] 98/17 130/21 186/2	enforcement [8] 11/1 11/6 11/11 11/12 11/19 12/8 12/19 15/3	60/12	every [11] 34/9 61/8 68/2 92/5 109/7 109/22 119/6 136/17 147/17 149/15 195/11
echoed [1] 120/1	elsewhere [3] 22/16 43/2 127/16	enforcing [1] 14/6	epidemiology [1]	everybody [25] 12/24 14/22 21/23 34/1 34/2 42/22 72/17 75/4 90/1 99/1 105/18 109/23 110/1 128/20 130/21 140/3 155/11 155/24 162/14 164/4 179/22 181/24 182/9 182/11 184/22
economic [17] 1/19 1/24 3/12 3/13 3/24 43/15 43/16 44/6 46/20 46/22 47/8 48/4 48/17 48/18 51/15 170/7 193/22	elucidated [1] 201/16	engage [1] 4/1	140/13	everybody's [1] 130/20
economically [1] 48/9	email [10] 6/13 45/25 46/5 68/25 93/24 124/23 134/11 137/7 137/24 138/6	engaged [2] 158/24 159/1	episode [2] 71/23 72/14	everyone [2] 176/4 191/21
economy [5] 43/25 44/16 178/24 181/20 182/7	emails [2] 131/5 131/16	engagement [6] 117/19 118/6 118/8 121/11 155/5 157/15	equality [1] 158/14	everything [10] 39/11 47/12 65/15 73/11 73/12 95/14 124/7 132/12 165/19 169/19
Eddie [2] 53/21 131/25	embark [1] 156/9	engages [1] 43/22	equally [1] 1/18	everywhere [2] 54/17 149/11
Eddie Lister [1] 53/21	embarked [1] 201/6	engaging [1] 17/21	equip [1] 155/16	evidence [61] 2/10 4/18 6/3 13/6 16/10 21/6 43/19 44/24 47/17 50/2 52/4 53/25 58/23 59/8 63/5 75/13 75/24 83/11 83/24 84/1 84/15 84/15 84/18 85/4 85/7 85/14 87/10 88/1 89/21 94/8 101/20 102/2 102/3 102/12 102/17 102/19 102/21 108/19 114/6 118/20 120/5 120/7 124/12 131/4 131/13 138/15 141/1 143/13 143/23 154/13 161/3 161/15 162/5 169/13 174/6 179/3 188/6 196/5 200/14 200/16 200/23
Edmunds [3] 4/18 5/1 29/2	embarrassed [1] 185/2	engendered [2] 191/8 192/16	equipment [2] 157/20 157/23	evolved [1] 44/14
education [9] 65/21 66/3 169/1 169/2 169/6 169/9 169/15 194/1 194/4	emerge [1] 157/12	England [20] 27/6 79/16 114/7 114/7 122/13 122/16 123/9 128/10 144/20 144/22 145/10 145/22 146/13 154/17 154/25 171/20 171/22 172/13 173/15 173/21	Erm [1] 80/9	
educational [2] 168/16 177/18	emerged [1] 72/19	England-focused [1] 114/7	error [1] 187/22	
Edward [2] 131/4 131/12	emergence [2] 61/13 199/1	England-specific [1] 146/13	escalated [1] 155/23	
effect [7] 17/18 19/18 51/6 51/21 58/24 64/12 174/7	Emergencies [1] 30/7	English [2] 124/1 174/9	escape [1] 187/4	
effective [7] 2/8 2/20 120/25 122/2 123/20 163/9 181/1	emergency [1] 135/19	enjoyed [1] 183/21	escaping [1] 186/25	
effectively [3] 25/18 48/22 79/23	emotions [2] 84/5 84/7	enormous [1] 83/16	especially [3] 65/25 149/8 183/20	
effects [3] 150/15 158/10 197/22	emotive [1] 179/23	enough [15] 20/4 38/24 51/10 52/2 89/21 90/7 92/12 94/23 106/3 148/16 155/16 157/21 179/15 179/17 190/6	essential [4] 18/17 60/1 170/22 188/20	
efficacy [2] 13/19 30/18	emotively [2] 181/6 183/24	ensure [3] 11/4 18/12 188/20	essentially [3] 64/12 67/4 181/10	
effort [9] 4/5 13/24 83/16 109/8 109/22 118/12 128/12 155/16 157/24	emphasis [1] 173/1	enter [2] 17/19 122/10	establish [1] 166/24	
efforts [4] 4/13 88/18 100/16 146/5	emphasise [2] 5/7 73/14	entered [3] 17/15 54/4 73/16	established [3] 72/5 152/22 168/25	
eg [2] 6/22 125/17	emphasised [4] 125/21 129/3 163/6 186/13	entire [1] 182/6	etc [1] 20/11	
eight [1] 52/12	employed [1] 144/21	entirely [7] 10/1 17/25 62/24 70/6 119/22 147/24 150/9	ethnic [14] 149/4 149/8 149/23 150/2 150/25 151/9 151/22 152/7 153/24 154/8 155/13 156/16 157/12 158/17	
eight days [1] 52/12	employees [2] 191/22 192/18	entity [1] 109/6	ethnicity [1] 153/10	
either [8] 9/16 16/25 31/22 38/24 104/4 112/13 134/2 174/7	enable [1] 16/21	entry [4] 13/11 137/20 174/22 191/17	EU [1] 113/1	
elderliness [1] 89/5	enabling [1] 46/20	environment [1] 109/1	Europe [3] 89/2 90/24 95/13	
elderly [15] 16/14	encourage [4] 13/3 190/21 191/19 201/24	envisaged [1] 47/9	European [7] 81/23 85/11 86/9 86/14 86/18 92/5 192/24	
	encourages [1] 127/7	epi [1] 199/14	Eurostat [1] 84/19	
	encouraging [1] 62/11		evaluate [2] 60/14 60/24	
	end [30] 5/19 15/14 24/11 29/9 32/22 39/9 44/13 48/3 55/22 55/23 58/17 66/22 68/16 69/21 80/6 85/20 85/22 90/17 92/23 111/1 140/15 142/5 143/25 164/11		even [27] 3/7 18/17 18/18 20/23 21/2 25/1 37/24 39/7 50/12 50/16 51/6 52/3 74/9 77/22 91/25 91/25 92/1 93/4 93/8 93/8	

E	15/11 61/14 67/5 150/10 176/17	F	152/11 157/22	finding [1] 116/19
exacerbate [2] 72/15 150/10	expect [5] 7/7 33/11 40/1 47/4 196/11	face [10] 15/9 78/25 156/15 156/15 169/2 169/2 190/1 194/13 194/15 198/6	faster [4] 19/20 52/6 112/22 192/24	findings [1] 156/1
exacerbated [1] 74/10	expectancy [1] 40/21	fatalities [1] 42/11	fate [2] 40/16 178/24	fine [2] 12/1 158/3
exact [4] 60/14 60/24 122/19 166/24	expected [1] 125/13	father [2] 102/22 103/5	favoured [1] 21/5	finer [3] 11/12 12/9 15/3
exactly [12] 35/25 40/1 53/17 85/10 97/18 105/22 115/4 140/24 158/21 161/16 161/17 201/16	experience [5] 58/11 78/17 88/19 102/9 103/24	faced [7] 27/25 38/21 67/9 150/2 171/8 172/24 192/6	features [2] 112/3 164/19	finished [1] 157/9
exaggerate [1] 114/17	experienced [1] 86/10	facial [1] 108/11	February [2] 65/23 189/13	firebreak [5] 122/7 122/11 122/21 123/17 123/20
examination [1] 15/17	experiences [1] 166/4	fact [30] 1/12 4/23 7/9 27/16 33/4 35/12 66/9 66/14 67/15 73/3 78/12 91/13 102/23 106/20 106/24 111/5 123/24 128/1 129/21 132/22 139/25 142/13 145/2 146/1 147/3 165/24 168/21 189/1 196/12 201/7	February 2021 [1] 189/13	firebreaks [1] 123/7
example [11] 1/23 113/23 129/25 135/15 145/12 145/19 145/21 147/7 171/12 176/2 178/22	expert [2] 143/19 150/6	factoring [1] 108/11	Federation [1] 149/4	firm [2] 11/20 195/8
exceeded [1] 86/13	experts [2] 9/13 51/12	factor [3] 72/1 121/10 154/23	feed [1] 84/8	first [69] 5/3 15/6 21/24 28/4 30/12 42/4 46/5 58/19 59/17 59/24 60/18 60/20 62/3 65/10 72/18 80/9 85/9 93/4 93/19 93/24 97/6 107/18 116/1 116/7 117/14 122/9 124/22 124/25 125/8 125/11 125/12 126/20 127/13 131/6 131/12 131/19 131/23 132/1 132/21 138/12 142/9 142/9 144/17 144/19 150/5 150/12 151/21 151/22 152/6 155/4 157/10 161/12 161/25 162/8 165/4 170/5 171/5 175/16 179/4 181/22 184/8 184/20 186/3 186/8 188/17 188/23 188/25 189/3 191/7
excellent [9] 58/3 78/1 106/17 107/7 109/4 110/6 118/14 118/14 118/17	explained [2] 52/1 93/9	factorial [1] 153/8	feel [7] 7/19 53/2 53/4 103/2 180/8 184/22 185/1	feelings [3] 52/25 133/19 166/5
except [1] 172/10	explaining [1] 121/7	facts [3] 35/19 36/15 36/18	feelings [3] 42/9 42/10 74/12	feels [1] 120/3
exceptions [1] 158/8	explains [3] 45/12 84/23 176/19	fail [1] 146/22	FEHMO [2] 149/3 149/25	felt [18] 50/10 51/8 52/23 67/20 67/21 104/3 110/18 119/9 119/11 119/12 119/16 128/10 129/18 150/24 166/4 169/13 196/2 198/24
excess [11] 80/5 81/22 82/2 82/8 85/5 85/6 85/16 85/22 86/12 86/16 87/12	explanation [2] 88/14 194/25	failed [3] 89/20 91/21 146/6	Ferguson [1] 102/9	few [9] 25/10 29/25 32/22 70/2 72/22 96/13 122/17 132/22 200/25
exchange [8] 80/6 131/15 174/17 174/23 176/23 194/9 196/7 196/15	expletive [1] 69/24	failure [1] 187/21	fewer [2] 29/25 70/2	fight [11] 65/11 65/12 65/12 65/16 119/8 155/14 163/17 163/17 163/20 165/2 167/5
exchanges [1] 78/2	explicit [1] 188/5	fair [17] 5/23 45/14 54/22 63/2 67/10 89/6 127/4 129/10 131/22 138/16 139/25 141/19 152/21 168/18 169/19 169/24 174/5	fighting [2] 52/4 163/20	figure [1] 152/5
Exchequer [2] 5/12 68/24	explicitly [2] 187/4 187/10	fairly [4] 7/16 51/19 62/25 82/6	figures [3] 84/24 86/9 182/1	figures [3] 84/24 86/9 182/1
excitable [1] 45/6	exploded [1] 70/14	fairness [2] 28/14 40/6	final [13] 47/25 48/1 49/1 49/1 49/3 49/3 95/21 104/4 113/15 143/18 197/3 201/13 201/13	finally [6] 47/17 94/3 126/4 160/10 177/4 197/16
exclaim [1] 13/12	explore [1] 77/1	falling [1] 152/8	financial [4] 11/7 11/13 51/1 197/8	find [9] 36/23 36/24 53/15 75/14 130/10 143/7 152/11 152/15 183/1
excuse [2] 10/7 52/15	explored [1] 178/2	falls [1] 39/5		
execute [1] 197/2	exponential [1] 54/10	familiar [2] 43/23 194/20		
executive [2] 49/19 71/12	exponentially [1] 56/19	families [13] 63/13 65/7 79/18 80/11 101/15 103/2 104/3 111/24 115/15 115/16 142/20 175/5 193/23		
exempt [5] 171/21 171/24 173/17 174/11 175/23	exposed [1] 153/25	family [5] 70/22 79/15 83/13 103/24 197/13		
exempted [3] 172/14 172/15 175/20	express [2] 64/7 185/5	family [5] 70/22 79/15 83/13 103/24 197/13		
exemptions [3] 185/23 186/15 188/9	expressed [4] 7/1 23/15 50/11 69/22	family [5] 70/22 79/15 83/13 103/24 197/13		
exercise [3] 39/5 92/13 186/18	expressing [2] 64/12 174/15	family [5] 70/22 79/15 83/13 103/24 197/13		
exercised [1] 113/11	expression [2] 32/1 199/15	family [5] 70/22 79/15 83/13 103/24 197/13		
exertions [1] 193/2	extensive [1] 159/1	family [5] 70/22 79/15 83/13 103/24 197/13		
exhaustively [1] 201/2	extensively [3] 104/9 122/23 176/5	family [5] 70/22 79/15 83/13 103/24 197/13		
existed [2] 118/9 160/14	extent [13] 13/17 60/14 60/24 61/13 61/23 63/9 63/19 66/2 67/25 72/15 114/23 151/16 199/4	family [5] 70/22 79/15 83/13 103/24 197/13		
existence [1] 160/13	extra [3] 21/14 23/24 156/17	family [5] 70/22 79/15 83/13 103/24 197/13		
existing [7] 3/9 3/9	extreme [3] 17/8 104/22 147/2	family [5] 70/22 79/15 83/13 103/24 197/13		
	extremely [7] 14/1 54/4 97/17 105/9 122/2 134/1 147/15	family [5] 70/22 79/15 83/13 103/24 197/13		

F	found [6] 38/22 114/21 134/15 134/24 142/13 179/15	fully [3] 17/22 104/15 198/22	geographical [3] 111/10 112/2 145/5	go [67] 4/17 6/18 12/19 13/3 13/4 15/7 18/7 18/14 21/9 21/9 21/10 21/14 23/6 23/16 23/16 23/23 23/23 24/5 24/6 24/8 24/10 25/7 25/9 25/10 25/11 25/13 29/16 31/19 39/1 41/4 41/4 52/11 54/18 57/1 58/18 67/8 67/14 79/24 94/13 96/13 99/7 99/18 105/12 116/18 117/11 123/13 123/19 125/19 126/15 128/13 128/14 138/18 160/4 161/23 170/15 170/24 173/16 175/10 176/9 176/10 187/14 187/15 189/11 194/16 197/24 199/13 201/23
FMs [1] 125/9	foundation [1] 43/17	Fund [3] 86/5 86/6 146/9	geographically [1] 86/11	God [1] 78/15
focus [4] 61/25 90/5 132/15 150/11	four [21] 3/20 62/4 107/3 113/24 114/3 116/2 116/4 116/22 117/7 117/13 119/5 119/19 122/18 124/1 124/2 127/19 129/5 147/18 158/23 178/19 186/18	fundamentally [1] 14/20	geography [2] 21/10 22/13	goes [6] 60/19 69/4 78/6 116/20 144/25 146/14
focused [3] 111/21 114/7 133/9	four days [1] 62/4	funding [2] 47/8 146/10	Germany [2] 83/5 85/15	going [117] 4/9 4/10 4/24 6/24 11/18 15/9 15/9 15/10 17/4 18/9 18/20 19/14 22/14 22/25 25/6 26/2 26/5 26/6 26/19 27/1 27/2 29/11 29/16 29/19 29/24 32/22 36/17 37/1 37/8 38/18 39/8 39/25 40/5 41/6 44/4 44/11 44/12 56/5 56/14 58/13 58/15 64/24 64/25 66/11 66/18 70/4 78/13 79/4 79/14 79/20 79/21 81/8 81/12 81/18 83/2 84/7 84/21 86/20 89/9 91/1 91/19 95/21 97/14 98/3 98/15 101/5 103/5 104/17 104/20 105/10 105/16 109/9 109/24 112/21 119/9 119/20 128/15 129/22 133/23 134/20 139/18 139/20 142/18 148/18 150/19 152/23 167/2 167/3 176/3 176/6 176/13 177/2 178/4 178/23 179/15 181/10 181/18 184/2 186/9 187/17 189/15 191/9 191/19 191/20 192/14 193/18 193/19 193/21 195/3 196/14 196/17 196/23 197/1 197/2 199/8 199/22 201/21
fogged [1] 71/4	four nations [13] 107/3 113/24 114/3 116/2 116/4 116/22 117/7 117/13 119/5 119/19 127/19 129/5 147/18	funds [2] 146/8 146/8	Gerry [1] 102/22	gold [3] 85/3 86/21 87/11
Folks [1] 15/22	four weeks [3] 3/20 122/18 124/1	funeral [1] 104/5	get [45] 13/24 17/11 24/25 35/3 42/25 51/1 52/6 53/23 57/22 59/1 61/3 62/10 65/8 70/3 71/24 82/4 92/22 98/25 99/4 121/6 128/12 128/15 128/19 136/25 138/7 148/8 153/18 153/18 153/19 157/19 157/22 172/23 176/17 176/17 178/10 179/12 180/23 181/6 182/8 184/21 190/6 192/10 192/25 199/16 201/20	
follow [11] 30/9 76/14 84/9 113/7 113/13 114/21 142/13 145/24 164/18 183/12 200/2	framed [1] 199/6	funny [2] 7/25 9/1	Getting [2] 116/12 117/9	
follow-up [1] 200/2	framework [3] 110/8 117/25 168/25	furios [1] 73/4	gets [2] 99/8 182/15	
followed [5] 75/15 88/17 89/22 102/3 166/23	framing [1] 198/19	further [18] 11/5 17/1 24/18 45/23 55/6 63/25 81/6 87/13 102/24 102/24 111/23 117/17 120/24 125/14 125/19 127/11 127/21 195/17	getting [14] 52/2 52/5 84/13 110/24 113/17 135/7 139/14 145/18 159/11 161/19 164/17 164/22 165/4 193/13	
following [11] 30/4 34/24 46/6 46/7 60/22 73/21 75/5 116/14 131/13 186/17 194/17	France [5] 15/22 82/21 83/4 85/15 86/18	future [5] 14/3 139/16 147/23 174/3 201/15	gets [2] 99/8 182/15	
follows [1] 148/15	frank [3] 121/15 176/25 193/17	gallery [1] 84/6	getting [14] 52/2 52/5 84/13 110/24 113/17 135/7 139/14 145/18 159/11 161/19 164/17 164/22 165/4 193/13	
foot [2] 4/19 4/22	frankly [4] 10/14 42/8 75/5 130/3	galling [2] 103/4 103/20	girls [2] 185/15 189/7	
force [3] 112/7 146/10 190/14	fray [1] 72/14	gamble [2] 5/23 5/25	gist [1] 99/11	
forced [2] 57/13 169/22	freedom [7] 4/12 129/24 173/19 198/15 198/20 199/7 200/3	garden [3] 77/21 77/22 77/22	Givan [1] 113/23	
forensic [1] 180/3	freedom day [2] 198/15 200/3	gatherings [12] 72/18 104/1 104/25 138/16 138/18 138/21 138/23 139/8 139/21 140/2 146/8 172/7	give [12] 12/21 16/7 17/18 84/17 84/22 109/11 144/25 179/20 184/7 186/24 195/7 201/9	
foresee [1] 195/3	freedoms [1] 5/5	Gauteng [1] 67/23	given [36] 12/3 19/6 28/11 32/25 33/10 55/10 58/23 73/1 89/5 89/10 94/8 105/15 111/10 117/25 119/21 133/21 136/24 139/9 141/12 143/12 144/10 145/1 145/4 146/21 147/5 157/10 160/16 161/8 167/15 168/20 171/1 171/6 173/18 177/2 180/22 187/9	
foreseeable [1] 150/9	freely [1] 184/23	Gave [9] 19/24 23/18 54/4 122/19 129/24 131/13 170/13 195/8 197/14	gives [1] 81/25	
forge [1] 129/10	frequently [2] 144/21 166/4	Gavin [3] 194/22 195/4 195/6	giving [10] 5/6 13/21 17/17 52/22 80/23 89/12 114/4 115/1 189/19 200/16	
forged [1] 119/5	friction [1] 121/16	GCSA [6] 10/9 30/8 43/15 44/23 49/18 174/7	glad [1] 80/9	
forging [1] 119/18	Friday [2] 46/10 154/5	gears [1] 94/13	glib [1] 39/4	
forgive [12] 22/12 24/7 76/7 154/1 154/3 156/25 164/25 172/3 173/11 180/15 181/4 187/19	Friedman [7] 178/17 178/18 179/19 180/4 183/22 185/7 203/13	general [16] 5/17 6/24 19/22 21/12 31/24 32/3 33/14 52/10 64/7 73/7 98/6 105/18 129/15 139/3 144/22 193/24	global [5] 80/4 87/13 87/16 106/12 177/5	
forgotten [1] 59/22	friendly [2] 132/3 133/5	generalisation [1] 151/1	gloomier [3] 80/2 82/19 83/3	
form [3] 107/23 181/9 181/17	friends [1] 132/18	generally [7] 4/2 21/3 77/14 112/10 131/21 173/12 194/4	gloomy [1] 83/22	
formal [10] 16/9 16/13 43/16 44/6 44/6 46/19 47/21 106/10 160/23 161/22	froing [1] 132/10	generous [2] 11/13 12/21		
formalised [3] 48/6 48/20 58/1	front [2] 82/7 183/4	gentleman [1] 199/21		
formed [1] 121/2	frontline [7] 149/21 152/25 153/24 155/14 156/5 156/13 156/16	genuinely [6] 45/15 45/17 69/2 116/17 117/10 133/4		
former [5] 13/7 83/10 85/13 149/1 154/4	FUCK [1] 96/23			
forms [1] 108/24	fucked [2] 194/13 194/23			
formulaic [1] 75/21	full [8] 24/10 55/21 63/6 73/11 89/10 165/12 184/24 195/8			
formulaic [1] 75/21				
formulation [1] 69/16				
fortified [1] 51/18				
fortify [1] 32/23				
fortiori [1] 163/20				
fortnight [1] 20/15				
forward [11] 22/18 31/14 55/4 56/1 66/14 85/7 116/6 122/14 127/19 147/22 190/22				
Foster [1] 106/18				

G	163/14 165/19 170/12 171/18 174/15 177/14 177/25 179/1 179/5 183/2 183/5 183/20 189/22 190/8 191/8 192/16 194/2 194/5 199/6 200/3 201/5	grown [4] 116/18 117/11 118/6 133/8 grown-up [3] 116/18 117/11 118/6 growth [2] 50/8 54/10 guarantee [1] 39/7 guidance [13] 11/5 13/6 72/8 75/5 76/3 76/4 76/14 144/17 145/6 168/25 194/4 194/6 195/2 guided [3] 30/5 30/6 30/9 Gulf [8] 162/12 162/14 162/17 164/1 164/3 164/5 164/6 166/7 Gulf War [8] 162/12 162/14 162/17 164/1 164/3 164/5 164/6 166/7 Gupta [1] 28/25	128/16 128/18 129/20 130/1 130/9 131/19 132/1 132/3 132/16 132/20 133/1 133/22 136/19 136/22 138/17 140/3 140/8 142/6 142/21 142/23 143/4 144/1 145/3 146/23 148/10 150/23 154/3 154/21 154/22 155/11 156/5 156/23 159/3 160/21 162/1 164/12 169/5 171/13 172/22 177/6 178/9 178/23 179/17 180/11 180/17 181/3 181/8 181/19 182/25 183/21 183/24 188/8 188/17 189/2 189/14 193/16 196/22 197/11 198/21 199/16 200/4 201/7 hadn't [9] 8/13 8/14 61/3 91/6 91/8 92/6 93/5 132/19 176/1 hairstressers [3] 170/10 170/21 171/7 half [3] 51/13 65/23 90/18 half term [1] 65/23 halfway [5] 15/20 15/20 83/8 85/11 144/11 Halpern [1] 143/12 Hancock [15] 54/23 85/13 96/9 96/20 116/15 154/4 154/17 159/24 160/24 174/24 175/9 175/13 176/21 185/25 195/12 Hancock/Williamson/ Shapps [1] 195/12 hand [2] 9/14 15/3 handed [2] 109/14 109/18 handful [1] 150/4 handle [4] 67/21 137/18 137/22 138/9 handlebars [1] 70/2 handled [1] 124/15 hands [2] 93/20 156/17 handwritten [3] 12/2 12/3 48/3 happen [6] 65/2 104/8 119/1 119/15 133/23 148/3 happened [21] 7/21 9/25 28/5 60/17 60/25 61/2 62/7 63/16 71/21 73/14 73/17 73/18 74/2 85/25 89/16 90/14 93/13 136/17 166/21 189/2 189/2 happening [5] 21/25	22/15 25/19 77/14 141/17 happy [1] 79/9 hard [11] 73/20 74/19 75/14 76/14 104/12 105/9 114/21 128/19 136/23 142/13 157/22 harder [4] 21/9 52/6 59/13 141/4 hardest [2] 39/5 197/7 Harding [1] 95/13 hardship [1] 2/19 harm [1] 187/1 harmful [1] 168/14 harmonious [1] 108/18 harms [3] 128/16 188/13 188/24 harms' [1] 188/18 Harris [7] 115/8 115/9 115/11 115/12 130/6 130/19 203/8 harsher [1] 150/15 has [78] 6/4 13/7 13/11 16/9 25/20 44/15 45/5 54/3 58/23 59/12 60/13 69/13 70/21 73/15 74/16 74/17 74/23 74/24 74/25 76/9 76/18 77/25 80/2 80/3 82/11 84/10 84/15 85/17 85/18 85/25 87/15 87/20 88/7 88/11 88/12 94/18 98/19 100/21 102/4 102/25 104/2 106/18 112/7 114/6 115/23 116/8 116/9 116/17 117/1 118/7 118/20 120/15 126/12 126/22 127/8 132/18 136/2 139/21 139/23 140/17 140/25 141/15 141/16 143/12 143/19 145/18 150/19 155/1 156/21 164/23 165/6 166/17 169/20 174/6 177/20 177/25 184/13 198/14 hated [1] 172/22 have [267] haven't [7] 78/5 85/7 89/2 102/16 154/20 166/8 179/23 having [30] 17/2 20/23 23/8 23/9 26/24 30/1 37/6 39/22 41/8 49/24 57/3 57/3 73/24 75/22 76/9 89/23 101/17 102/8 117/4 117/20 125/6 130/1 148/2 156/17 161/19 165/3 166/10 172/18
	163/14 165/19 170/12 171/18 174/15 177/14 177/25 179/1 179/5 183/2 183/5 183/20 189/22 190/8 191/8 192/16 194/2 194/5 199/6 200/3 201/5 government's [6] 61/17 71/18 124/14 173/19 177/9 198/19 governmental [1] 201/2 governments [2] 121/12 201/16 gradually [2] 38/14 56/25 grail [1] 108/23 grain [1] 129/20 grandchildren [3] 17/21 18/7 18/9 grandstanding [1] 121/17 granted [1] 15/16 graph [3] 81/12 82/10 82/12 graphs [1] 81/17 grappling [1] 43/24 grateful [3] 64/18 142/1 175/25 great [31] 6/17 14/5 14/9 14/15 18/21 29/8 29/22 31/25 32/6 32/7 32/11 43/19 44/18 52/20 86/24 93/13 96/7 96/10 97/19 98/6 99/9 102/3 108/10 114/6 144/22 153/19 176/2 179/11 182/14 190/8 199/24 Great Barrington [1] 31/25 greater [12] 11/11 19/21 29/3 34/16 59/1 112/6 118/25 129/15 129/16 148/11 153/17 156/5 greatest [1] 164/7 grid [1] 161/22 grief [3] 74/6 74/9 104/3 grim [1] 96/16 grip [1] 70/1 ground [2] 64/15 115/23 grounds [2] 31/1 153/22 group [6] 16/1 17/15 30/7 44/7 79/18 160/5 grouped [1] 85/16 groups [11] 150/16 150/25 151/9 151/11 151/17 152/18 152/24 155/13 158/18 159/6 159/23	habitual [1] 69/24 had [194] 2/11 2/13 2/18 3/15 4/4 4/6 4/13 4/14 4/20 5/22 7/8 8/2 9/2 9/5 9/16 9/17 11/8 11/8 12/22 19/9 19/25 22/9 23/1 23/25 24/12 26/3 28/4 28/17 30/1 30/3 30/6 31/18 32/12 32/17 32/25 36/4 37/17 37/23 38/8 38/22 39/11 39/15 39/16 40/9 41/19 42/13 42/13 42/14 42/22 42/25 46/3 47/16 50/24 51/17 52/4 53/1 55/9 56/13 56/20 56/22 57/1 58/4 58/4 62/21 62/22 62/25 63/1 64/19 65/14 65/22 66/7 67/1 70/21 71/1 71/3 73/1 75/1 78/17 82/8 86/16 88/13 88/19 89/3 89/20 89/25 90/2 91/2 91/3 91/4 91/6 91/7 91/12 91/17 91/25 92/1 92/10 92/10 93/4 93/11 93/14 94/8 94/10 95/5 95/6 98/7 98/8 98/8 100/3 100/21 102/18 104/18 105/3 106/16 107/7 108/17 109/4 109/20 111/15 114/20 116/21 116/22 118/19 118/25 119/7 119/9 123/12 123/24 124/2 124/3 128/8 128/10 128/11	H habitual [1] 69/24 had [194] 2/11 2/13 2/18 3/15 4/4 4/6 4/13 4/14 4/20 5/22 7/8 8/2 9/2 9/5 9/16 9/17 11/8 11/8 12/22 19/9 19/25 22/9 23/1 23/25 24/12 26/3 28/4 28/17 30/1 30/3 30/6 31/18 32/12 32/17 32/25 36/4 37/17 37/23 38/8 38/22 39/11 39/15 39/16 40/9 41/19 42/13 42/13 42/14 42/22 42/25 46/3 47/16 50/24 51/17 52/4 53/1 55/9 56/13 56/20 56/22 57/1 58/4 58/4 62/21 62/22 62/25 63/1 64/19 65/14 65/22 66/7 67/1 70/21 71/1 71/3 73/1 75/1 78/17 82/8 86/16 88/13 88/19 89/3 89/20 89/25 90/2 91/2 91/3 91/4 91/6 91/7 91/12 91/17 91/25 92/1 92/10 92/10 93/4 93/11 93/14 94/8 94/10 95/5 95/6 98/7 98/8 98/8 100/3 100/21 102/18 104/18 105/3 106/16 107/7 108/17 109/4 109/20 111/15 114/20 116/21 116/22 118/19 118/25 119/7 119/9 123/12 123/24 124/2 124/3 128/8 128/10 128/11	hairdressers [3] 170/10 170/21 171/7 half [3] 51/13 65/23 90/18 half term [1] 65/23 halfway [5] 15/20 15/20 83/8 85/11 144/11 Halpern [1] 143/12 Hancock [15] 54/23 85/13 96/9 96/20 116/15 154/4 154/17 159/24 160/24 174/24 175/9 175/13 176/21 185/25 195/12 Hancock/Williamson/ Shapps [1] 195/12 hand [2] 9/14 15/3 handed [2] 109/14 109/18 handful [1] 150/4 handle [4] 67/21 137/18 137/22 138/9 handlebars [1] 70/2 handled [1] 124/15 hands [2] 93/20 156/17 handwritten [3] 12/2 12/3 48/3 happen [6] 65/2 104/8 119/1 119/15 133/23 148/3 happened [21] 7/21 9/25 28/5 60/17 60/25 61/2 62/7 63/16 71/21 73/14 73/17 73/18 74/2 85/25 89/16 90/14 93/13 136/17 166/21 189/2 189/2 happening [5] 21/25

H	106/8 106/18 107/14 114/6 120/2 122/4 137/3 137/5 140/17 143/20 169/20 174/6 184/6 185/25 hearing [2] 133/16 202/3 hearings [1] 110/6 heart [4] 65/12 65/16 98/22 144/4 heartbreaking [1] 153/13 heat [1] 136/24 heaven [1] 92/22 heavier [1] 15/3 heavy [2] 53/15 143/9 heed [1] 101/4 height [2] 70/18 71/16 heightened [1] 11/4 held [3] 18/13 41/8 77/19 Helen [7] 75/13 75/24 76/13 174/24 175/1 175/22 176/22 Helen MacNamara [2] 75/13 76/13 Helen Whately [4] 174/24 175/1 175/22 176/22 help [20] 3/18 5/2 6/13 7/14 7/24 8/25 9/7 10/25 13/3 15/7 26/22 51/1 135/22 139/8 150/16 151/7 156/17 190/1 190/16 197/15 helped [3] 60/9 72/14 78/16 helpful [2] 116/23 140/22 helping [1] 148/11 helplines [3] 187/12 189/9 190/20 hence [1] 62/2 Henderson [4] 114/10 116/9 143/21 144/8 Heneghan [1] 29/1 her [22] 6/15 13/8 75/24 102/4 102/9 102/20 102/22 102/25 103/5 103/9 103/24 103/24 104/2 132/2 133/3 133/5 175/22 183/17 183/18 188/6 188/7 188/12 her Ladyship [3] 102/4 102/25 104/2 herd [1] 33/3 herd immunity-style [1] 33/3 here [16] 28/15 43/19	80/11 83/24 89/10 92/18 96/13 96/15 97/20 98/10 140/9 147/6 149/2 161/4 195/15 196/12 here's [1] 15/4 heroic [1] 53/22 hesitation [1] 22/24 hidden [2] 188/13 188/24 hiding [2] 191/1 198/3 high [9] 13/9 62/20 84/5 109/14 109/18 123/17 163/2 163/4 164/8 higher [5] 50/6 82/8 82/11 89/3 139/1 highest [3] 51/6 82/2 86/16 highlight [1] 82/6 highlighted [2] 120/15 145/23 highly [3] 50/6 50/7 71/15 him [7] 6/17 33/7 46/4 56/3 160/19 195/8 198/4 himself [3] 21/2 25/15 99/15 hindsight [4] 104/20 107/25 123/22 187/22 hire [1] 94/2 his [16] 4/18 21/6 47/16 64/12 64/18 65/17 70/19 70/21 83/11 85/14 103/7 131/4 138/10 195/10 195/10 198/17 history [2] 91/4 96/16 hit [6] 15/15 15/19 15/23 16/7 147/23 197/7 hitting [1] 197/5 HMRC [1] 7/8 HMT [3] 44/8 45/19 46/14 hold [4] 120/13 194/14 195/8 200/4 holidays [1] 171/9 home [25] 13/8 24/7 25/11 25/14 27/13 60/7 96/20 124/15 125/21 126/5 126/8 126/19 126/25 128/3 128/24 139/17 142/14 185/22 186/14 186/17 186/22 187/25 188/3 188/7 193/20 Home Secretary [2] 13/8 188/7 homes [2] 96/12 173/17 honest [2] 7/22 58/8	Honestly [1] 200/8 hope [13] 44/10 55/21 60/11 73/10 79/22 92/12 99/1 168/2 177/4 188/1 200/23 200/25 201/9 Hopkins [1] 87/14 horizon [3] 91/7 92/17 93/6 horrific [1] 74/6 horrors [1] 28/4 horse [1] 94/18 hospital [3] 93/20 97/5 156/10 hospitalisations [1] 67/10 hospitalised [1] 149/19 hospitality [13] 2/14 2/20 3/25 4/2 4/8 4/11 4/16 4/17 5/19 22/14 60/1 159/5 170/9 host [2] 104/5 104/5 hour [1] 175/4 hours [1] 76/11 household [1] 172/8 households [1] 181/10 how [52] 7/21 9/22 9/22 9/25 10/15 14/3 14/10 16/10 19/2 29/23 32/15 45/5 45/9 48/8 58/9 64/21 65/2 65/16 77/6 77/11 80/9 85/19 91/12 104/9 105/19 112/22 120/1 122/6 124/6 124/15 135/14 135/22 137/18 137/22 138/9 138/13 138/14 140/5 147/1 147/7 149/2 156/1 161/15 161/16 170/23 170/24 175/25 181/8 181/14 191/24 200/15 201/16 however [5] 25/8 51/11 59/8 139/20 181/5 hug [1] 18/6 huge [17] 4/4 58/14 58/15 68/14 70/10 109/9 109/20 128/11 153/1 153/1 155/16 177/19 177/19 182/23 192/23 197/20 199/16 hugging [2] 17/21 18/8 human [3] 14/1 37/9 41/20 hundreds [3] 44/22 73/19 73/20 hurt [2] 162/9 184/9	I I absolutely [2] 177/12 201/13 I accept [3] 37/12 180/1 199/8 I act [1] 191/12 I actually [4] 24/12 41/25 41/25 43/6 I agonised [1] 26/20 I agree [1] 12/5 I agreed [1] 113/12 I also [3] 11/18 60/16 159/11 I always [1] 57/2 I am [6] 79/14 80/9 131/2 140/18 175/25 194/12 I apologise [5] 74/25 96/24 115/22 180/1 190/19 I appear [1] 115/14 I appreciate [3] 100/24 130/8 149/2 I as [1] 180/10 I ask [10] 65/17 72/25 101/13 101/15 101/22 101/23 102/11 159/22 167/24 191/5 I assume [1] 82/12 I being [2] 28/16 96/7 I believe [7] 7/18 60/11 83/19 118/17 142/19 154/5 156/22 I believe was [1] 64/6 I believed [1] 42/12 I bet [1] 44/11 I call [1] 180/3 I can [18] 9/9 29/10 29/12 29/14 55/1 79/23 81/3 96/2 97/8 97/8 99/9 126/15 130/8 143/18 160/8 177/1 185/12 198/3 I can't [10] 6/5 46/25 72/11 122/19 140/5 140/5 140/20 140/20 158/20 201/23 I certainly [9] 16/15 74/19 116/16 131/16 149/10 149/21 150/18 162/20 168/7 I concede [1] 159/15 I confident [1] 6/2 I continue [2] 73/13 78/4 I could [10] 29/9 106/15 119/8 124/18 125/4 126/10 137/4 137/6 143/2 147/21 I couldn't [3] 18/25 19/2 33/25 I defer [1] 6/4
----------	---	---	--	---

I	I hated [1] 172/22	I regret [2] 104/16 184/8	I took [2] 52/22 71/23	75/14 95/21 115/17
I describe [1] 183/23	I have [11] 28/22	I remember [14] 7/20	I totally [2] 74/11	116/2 116/7 117/17
I did [16] 2/22 9/21	34/21 76/6 78/22 84/6	7/22 10/22 12/1 26/18	148/8	119/11 119/12 120/9
43/7 65/13 70/15 73/5	115/17 118/14 139/10	33/25 34/22 62/9 71/7	I tried [1] 152/11	122/5 123/22 124/10
77/13 78/4 118/16	157/9 181/5 199/10	108/3 112/20 133/2	I try [1] 88/14	124/13 125/5 127/23
145/7 158/9 159/3	I haven't [5] 78/5	145/9 173/3	I understand [8] 7/19	140/21 150/21 154/15
162/5 162/5 164/1	102/16 154/20 166/8	I repeated [1] 73/5	74/24 76/18 83/14	170/24 173/24 174/16
179/20	179/23	I represent [1] 149/3	104/15 121/8 178/11	177/24 198/11
I didn't [19] 7/25 7/25	I heard [2] 8/24 10/24	I requested [1]	192/12	I'll [13] 44/13 58/8
9/2 53/2 53/4 66/6	I hope [11] 44/10	163/25	I understood [2] 8/17	60/23 84/17 84/22
68/11 71/4 77/13	60/11 73/10 79/22	I return [1] 106/3	129/18	88/14 96/4 102/1
77/24 78/4 78/19 87/7	92/12 99/1 168/2	I said [21] 7/14 8/16	I use [1] 196/21	122/4 155/7 158/3
159/7 160/16 161/13	177/4 188/1 200/25	10/13 23/2 23/2 50/16	I want [21] 21/20	158/3 197/3
192/21 193/12 199/19	201/9	61/2 62/8 85/10 87/25	29/17 48/24 53/21	I'm [136] 4/24 5/7
I do [25] 14/4 29/18	I imagine [1] 47/14	99/10 101/4 108/21	73/25 79/7 79/24	7/16 10/15 10/18
33/9 34/15 55/14 73/9	I include [1] 182/20	110/10 119/25 121/14	79/24 81/7 81/19 82/5	14/18 22/19 26/18
74/12 81/2 81/9 84/10	I just [12] 21/23 36/3	138/20 168/9 173/24	95/13 95/17 101/6	29/24 30/25 34/17
89/6 103/22 109/20	66/9 72/16 78/9 81/5	190/20 199/20	101/21 108/15 149/5	35/22 39/19 39/25
149/17 158/1 160/8	152/1 175/25 179/19	I saw [3] 78/10	164/6 181/22 186/3	40/5 51/19 52/14
177/16 177/18 184/5	180/9 200/2 200/21	122/20 158/20	193/6	52/22 53/10 56/5
184/7 200/22 200/23	I kept [1] 17/2	I say [13] 7/12 14/20	I wanted [13] 15/4	56/14 68/5 68/15 74/9
201/3 201/14 201/15	I knew [6] 15/5 78/16	22/1 57/20 58/16	26/2 32/22 81/19	74/14 75/17 78/3
I don't [58] 5/24 5/24	105/15 152/2 152/3	98/13 104/13 105/19	90/13 161/14 161/15	78/14 79/9 79/20
7/21 8/16 9/21 9/22	159/9	133/15 135/8 171/8	163/24 172/23 179/12	79/21 81/8 81/18
9/24 9/24 21/18 32/5	I know [9] 15/8 29/17	184/20 189/9	184/20 184/22 200/18	82/16 82/24 83/2
33/7 34/5 34/6 34/14	73/19 73/21 84/5	I see [3] 8/19 111/15	I was [59] 10/24 15/4	83/23 83/24 84/5
39/24 43/8 55/14	118/15 180/8 200/15	115/11	19/8 22/25 26/2 31/2	84/10 84/13 84/14
58/17 61/9 69/19	201/14	I shall [1] 148/20	32/14 32/19 32/19	84/20 85/3 85/9 86/6
73/21 82/13 83/25	I leave [1] 143/11	I should [3] 71/10	32/20 32/21 38/9	86/20 87/10 89/12
83/25 87/5 87/24	I led [1] 201/5	90/11 161/16	38/16 42/13 42/19	95/20 95/21 97/15
93/11 98/5 100/6	I listened [2] 32/10	I shouldn't [1] 89/14	42/21 44/12 48/22	97/18 97/20 97/21
101/3 106/14 109/16	66/6	I simply [1] 184/15	51/18 64/17 67/20	98/12 98/15 100/5
113/12 116/15 118/11	I love [1] 132/9	I sit [1] 99/20	67/22 67/22 68/11	100/21 101/5 102/16
118/11 123/4 133/20	I made [2] 56/10	I speak [1] 73/19	68/12 80/17 80/21	104/17 104/19 105/10
141/2 143/8 144/1	77/17	I spoke [3] 42/2	83/6 86/25 87/6 87/6	107/1 109/24 110/8
144/2 157/16 161/12	I may [17] 59/16	139/13 164/1	94/7 94/8 94/10 95/3	110/17 111/23 117/23
161/12 162/16 164/21	95/21 100/4 101/22	I stand [1] 83/7	95/8 97/12 98/11	117/24 119/25 119/25
164/25 165/18 166/20	109/24 110/23 110/23	I start [3] 68/17 149/2	110/16 110/24 122/21	122/22 123/4 123/5
170/1 176/25 176/25	128/5 142/22 145/14	168/1	142/1 142/2 142/3	123/10 129/11 130/6
178/3 188/12 192/4	151/7 152/5 152/7	I started [1] 45/21	152/10 155/23 158/6	130/20 131/25 134/14
193/11 201/18	174/17 179/11 183/11	I still [2] 29/12 112/9	159/11 160/16 161/18	135/9 135/12 136/21
I ended [1] 30/1	200/21	I stopped [1] 188/15	162/11 162/12 165/8	136/21 140/14 140/24
I felt [5] 52/23 67/20	I mean [11] 22/18	I suggest [1] 168/11	179/9 184/17 192/10	142/1 143/8 147/12
67/21 110/18 119/9	34/2 39/2 44/18 46/12	I suggested [2] 36/4	197/20 197/22 199/21	147/12 148/6 148/12
I fight [1] 65/11	68/12 76/6 91/9	78/23	I went [2] 42/24	148/17 149/3 152/3
I finally [1] 160/10	109/13 131/15 153/18	I support [1] 148/9	78/10	152/14 153/20 153/23
I first [1] 59/24	I meant [2] 20/14	I suppose [1] 141/16	I will [4] 115/23	154/6 154/12 154/12
I flag [1] 139/23	164/2	I sympathised [1]	135/13 187/17 196/18	157/3 157/4 157/23
I found [1] 134/24	I moved [1] 173/6	129/18	I wish [2] 73/9 162/8	160/18 162/13 164/3
I frankly [1] 10/14	I must [1] 5/7	I take [1] 73/11	I won't [3] 71/19	164/4 164/21 169/13
I gave [2] 122/19	I need [4] 29/21	I thank [1] 55/15	71/19 196/21	171/15 172/16 173/20
170/13	29/21 30/1 63/19	I then [1] 98/13	I wonder [1] 137/6	174/3 178/4 178/14
I genuinely [1] 45/15	I needed [1] 43/4	I think [242]	I would [21] 1/25 5/1	179/10 181/21 182/3
I go [1] 15/7	I only [1] 71/1	I thought [27] 5/24	47/4 47/15 61/22 64/5	182/4 182/8 187/17
I got [1] 55/16	I please [1] 48/4	7/12 7/15 7/24 7/24	64/6 71/5 75/2 97/9	187/20 191/9 191/10
I had [15] 23/1 30/1	I point [1] 80/23	9/1 23/4 26/21 28/2	108/21 110/25 119/14	192/14 192/14 192/15
42/13 42/13 42/14	I posed [1] 2/22	39/10 43/6 44/1 64/5	131/22 135/13 137/1	192/21 192/25 196/14
42/22 42/25 75/1	I possibly [2] 105/17	68/7 80/18 99/11	142/8 143/16 150/11	200/17 201/23 201/24
78/17 105/3 106/16	193/1	99/16 107/9 119/8	172/2 177/16	I'm afraid [8] 74/9
119/7 132/1 154/21	I promise [1] 167/9	121/20 121/23 133/8	I wouldn't [5] 9/15	102/16 130/6 130/20
154/22	I put [2] 86/20 184/4	136/23 163/19 165/2	33/6 37/9 132/12	153/23 154/12 179/10
I hadn't [1] 176/1	I really [4] 15/10 41/1	173/8 197/24	157/8	201/23
I happen [1] 148/3	65/13 73/14	I told [1] 103/21	I'd [28] 33/11 47/15	I've [53] 2/22 10/23
	I referred [1] 162/12		67/20 67/21 75/1	12/14 29/14 29/15

I	168/1 168/5 174/17 174/19 174/22 182/12 182/12 183/11 183/19 185/3 186/19 187/2 191/15 192/10 192/13 192/25 193/24 194/3 194/8 194/14 194/16 196/17 196/19 197/16 199/10 199/24 201/17	43/22 56/12 58/24 imposed [2] 30/23 58/22 imposing [2] 59/9 158/8 impossibility [1] 19/1 impossible [1] 75/7 impractical [1] 16/25 impression [5] 73/1 73/15 80/24 87/8 132/7 Imran [2] 137/7 138/7 Imran Shafi [1] 137/7 inability [2] 180/23 190/4 inappropriate [1] 199/20 inattentive [1] 187/11 incentivising [1] 4/1 inch [3] 175/15 176/23 195/7 incidence [4] 19/21 24/15 53/16 123/17 inclined [1] 29/6 include [4] 137/18 182/20 186/1 186/25 included [6] 10/5 10/9 46/16 117/3 117/5 117/6 includes [1] 87/19 including [8] 9/19 10/3 51/15 101/20 115/20 154/9 163/16 170/9 incoherent [1] 139/3 income [2] 150/25 151/9 incomes [3] 168/9 169/14 192/8 incommunicative [2] 109/14 109/18 incomplete [1] 144/15 inconclusive [1] 46/7 incontrovertible [1] 63/5 incorrect [1] 184/14 increase [5] 7/4 11/24 12/12 12/14 97/5 increased [5] 18/6 146/11 188/19 189/4 197/12 increasing [1] 26/14 incredible [1] 156/5 incredibly [5] 143/24 157/22 164/11 180/21 200/23 indecision [1] 113/11 indecisive [1] 99/23 indeed [29] 3/8 6/3 7/3 10/22 12/2 18/4 29/25 30/18 54/13 62/1 63/4 66/7 68/18	68/19 69/11 79/12 85/25 92/14 97/8 111/10 112/20 132/4 137/25 140/14 140/17 146/18 147/22 149/18 200/15 independence [3] 170/11 172/9 173/19 independent [5] 86/7 108/8 189/21 189/23 189/23 independently [1] 173/17 indicate [3] 7/3 78/3 174/19 indicated [5] 87/11 117/16 135/20 142/20 171/4 indicates [1] 24/21 indication [1] 119/19 indications [1] 157/10 indifference [1] 78/8 indiscriminate [1] 165/5 individual [2] 17/25 86/2 individuals [3] 19/7 146/16 165/11 indoor [1] 5/19 indoors [1] 4/2 industries [1] 95/13 industry [3] 90/6 92/14 94/24 inequalities [1] 150/10 inertia [1] 193/19 inevitable [3] 32/17 57/4 65/3 inevitably [1] 17/11 infection [7] 7/4 23/7 100/3 155/12 157/11 163/12 163/18 infectiousness [1] 18/20 inflicted [1] 78/20 influence [1] 3/25 influenced [3] 63/20 156/1 199/6 information [7] 34/11 144/16 145/6 154/21 154/22 158/15 158/19 informed [5] 18/5 122/10 122/21 158/16 158/16 ing [1] 127/13 initial [1] 63/3 initially [1] 195/21 injury [2] 185/24 186/25 innings [3] 178/23 181/19 183/25 innings.' [1] 40/10 INQ00048313 [1]	194/16 INQ00048399 [2] 15/18 17/14 INQ000102265 [1] 20/7 INQ000129230 [1] 139/10 INQ000136751 [1] 137/6 INQ000176785 [1] 174/18 INQ000216537 [1] 126/11 INQ000226239 [1] 76/19 INQ000226628 [1] 94/15 INQ000232086 [1] 6/8 INQ000236586 [1] 45/25 INQ000251910 [1] 161/24 INQ000256846 [1] 124/19 INQ000269372 [1] 144/7 INQ000271350 [1] 84/23 INQ000273901 [2] 39/21 191/15 INQ000280061 [1] 95/24 INQ000283369 [1] 194/8 INQ000292765 [1] 81/11 inquiries [1] 77/18 INQUIRY [56] 1/4 4/19 6/4 13/7 13/11 14/14 16/9 44/10 54/23 58/23 60/13 70/23 72/17 74/15 76/9 80/13 84/15 84/22 87/7 89/22 90/5 97/13 99/11 101/19 102/4 102/17 103/22 105/21 106/18 110/17 116/8 120/6 121/16 131/4 133/22 134/8 134/22 134/24 135/22 136/3 137/23 140/17 141/25 143/13 143/20 169/20 174/5 177/25 181/14 188/6 195/20 198/17 200/25 201/9 201/19 203/4 Inquiry's [2] 10/21 81/13 inside [1] 75/15 insights [1] 149/25 insist [1] 77/16 insofar [1] 184/16 insoluble [1] 136/21
----------	--	---	---	---

I	17/15 17/19 19/19 22/25 24/8 24/8 24/10 24/19 26/13 27/17 29/16 38/19 39/1 42/4 42/6 54/4 54/18 56/5 56/16 57/7 58/16 63/18 66/18 67/3 68/1 68/1 77/19 78/10 81/24 82/1 89/15 90/13 93/23 93/23 94/5 111/7 117/4 127/8 132/22 132/24 138/24 150/1 154/17 161/25 166/22 166/23 168/12 171/13 176/9 176/10 177/13 177/13 181/6 187/12 189/21 189/22 190/14 190/20 193/13 199/17 201/18 201/19	12/21 13/3 197/7 197/9 197/12 issue [32] 1/22 26/8 28/17 31/7 46/15 51/13 66/19 68/22 72/10 72/24 76/7 81/14 106/3 111/2 114/13 122/24 126/17 135/12 135/14 140/25 142/24 143/12 155/5 155/6 155/7 155/18 185/20 187/10 190/9 193/25 194/2 200/18 issued [2] 72/19 105/17 issues [11] 49/25 51/14 89/24 114/14 116/18 117/11 142/9 147/15 184/18 190/1 201/4 it [569] it's [115] 4/19 4/24 7/1 8/17 8/23 8/25 12/10 15/8 15/18 15/20 16/5 17/25 18/3 18/19 19/8 20/22 22/2 24/1 25/18 26/14 26/15 30/20 32/7 35/23 39/3 39/7 43/10 43/14 44/10 44/14 45/3 46/25 47/2 47/7 47/11 52/3 54/16 57/21 57/24 59/21 60/12 60/18 60/19 64/4 65/6 65/7 68/17 71/4 72/25 73/10 74/8 74/10 80/1 80/13 81/11 81/11 81/12 82/18 83/8 83/9 84/7 84/21 84/22 84/23 87/12 87/12 90/4 95/22 96/25 100/24 102/2 104/17 113/15 114/15 120/16 120/17 124/23 124/23 126/6 126/11 127/4 134/8 134/23 135/24 135/25 138/1 138/10 138/11 143/18 143/21 149/6 149/10 149/25 151/1 152/6 152/8 154/3 156/19 156/23 161/23 162/7 167/9 176/2 180/3 181/24 183/16 184/10 184/16 185/25 197/6 200/17 201/14 Italy [3] 82/7 82/10 85/17 items [1] 92/24 its [19] 30/18 49/13 54/5 61/7 82/2 87/16 89/5 122/10 124/3 140/11 141/15 141/15	141/16 141/16 141/17 142/25 143/3 163/11 167/17 itself [9] 5/25 53/15 62/3 84/16 130/13 139/8 142/16 151/16 186/6 ITU [1] 78/10	177/24 178/19 181/2 181/4 183/15 183/16 185/9 185/11 191/5 191/18 192/1 192/9 192/14 192/20 193/7 193/24 194/14 195/14 196/12 196/17 197/3 197/16 198/4 198/7 198/11 199/4 200/1 200/9 200/15 201/22 203/3 joined [1] 109/9 joined-up [1] 109/9 Joint [1] 108/1 Jonathan [1] 26/12 Jonathan Van-Tam [1] 26/12 jottings [1] 41/23 judge [1] 72/16 judgement [5] 107/6 113/11 121/22 172/25 173/2 July [20] 4/21 6/19 8/2 15/14 23/2 27/4 57/4 81/24 160/21 161/8 163/1 170/11 171/9 172/9 190/14 191/10 191/17 192/22 192/24 199/13 July 2020 [1] 160/21 July 2021 [4] 163/1 191/10 192/22 199/13 July 2022 [1] 81/24 July 21st [1] 23/2 jumping [1] 95/22 junction [1] 183/2 June [14] 1/11 1/15 2/24 4/21 5/17 8/2 40/4 72/22 145/21 154/25 160/15 160/17 171/23 172/7 June 2020 [2] 40/4 154/25 June 2021 [2] 160/15 160/17 jurisdictional [1] 145/5 jurisdictions [1] 125/15 just [93] 1/25 4/24 6/10 6/18 12/14 15/20 17/9 20/19 21/23 22/10 28/22 35/23 36/3 36/13 39/25 44/7 47/22 49/13 50/15 52/22 55/23 57/21 59/7 61/6 63/16 64/7 64/19 64/25 65/3 65/14 66/9 72/9 72/16 72/22 73/9 73/23 78/9 81/5 81/12 83/9 84/3 85/5 86/4 92/18 94/15 96/4 98/5 99/5 99/20 108/6 109/13 109/17
instance [4] 55/17 85/13 144/25 187/16 instances [1] 146/15 instinct [1] 172/3 instinctively [1] 63/25 institute [1] 87/14 instituted [1] 11/15 institution [1] 86/7 institutional [2] 154/10 154/18 instructed [1] 131/2 instruction [1] 105/18 integrated [4] 107/23 108/22 112/13 135/21 intelligence [3] 158/15 158/18 159/8 intelligible [1] 184/21 intended [4] 120/18 184/10 186/1 196/22 intense [1] 3/12 intensified [1] 39/12 intensify [3] 24/4 24/9 99/18 intensifying [1] 123/7 intensive [1] 78/10 intently [1] 101/19 interact [1] 135/14 interacting [1] 119/11 interactions [1] 117/25 interested [4] 32/20 54/11 165/8 187/20 interesting [3] 32/9 60/18 85/19 interests [4] 45/19 182/7 192/4 192/7 intergovernmental [1] 116/11 international [2] 2/12 85/2 internationally [1] 81/15 interrogating [1] 19/8 interrupt [2] 43/9 196/6 interrupting [1] 181/4 intervened [1] 119/14 intervention [5] 31/6 33/5 33/16 33/20 57/22 interventions [9] 19/19 23/15 31/8 35/6 48/9 67/15 163/7 163/10 177/9 into [64] 3/18 16/8	introduce [1] 125/5 introduced [3] 27/18 58/1 197/18 introduction [1] 3/23 intuitively [1] 17/3 investigation [1] 76/25 investing [1] 166/22 investment [1] 189/8 invidious [1] 53/13 invite [1] 134/3 invited [1] 102/25 inviting [1] 34/10 involved [2] 50/23 167/3 involving [3] 133/3 133/3 137/9 Ireland [17] 71/12 79/17 101/14 109/13 111/5 111/11 111/12 111/24 112/1 112/4 112/7 112/21 112/23 113/6 114/15 129/12 137/13 ironed [1] 119/3 irrational [1] 199/14 irrelevant [1] 87/6 irrespective [1] 56/18 is [390] island [4] 111/12 112/1 112/6 114/14 islands [1] 141/19 isn't [11] 54/11 54/11 89/9 92/8 92/19 98/21 128/21 145/25 153/21 171/7 175/6 isolate [2] 13/25 197/23 isolated [1] 166/5 isolating [2] 11/14 11/17 isolation [9] 11/4 11/11 12/13 12/15	J Jacobs [6] 191/1 191/3 191/4 196/19 198/2 203/15 James [2] 55/16 56/20 James Bowler [2] 55/16 56/20 January [14] 63/7 64/11 64/16 65/19 69/22 70/1 81/23 93/6 93/12 102/10 186/12 187/3 187/7 188/11 January 2020 [1] 81/23 January 2021 [2] 187/7 188/11 Javid's [1] 198/22 jest [1] 183/19 job [15] 6/17 19/3 19/5 19/11 53/22 64/5 64/6 71/24 78/16 95/15 118/17 119/11 133/16 144/15 147/24 Johns [1] 87/14 JOHNSON [125] 1/3 1/6 6/10 8/2 10/21 11/24 13/16 21/12 22/11 23/12 25/13 28/18 30/3 34/21 35/15 36/8 37/2 40/5 41/7 43/10 44/1 44/22 47/22 49/9 52/9 54/2 58/20 61/7 63/19 65/16 68/21 72/4 74/3 75/9 77/3 78/22 79/10 79/14 84/4 84/13 87/23 92/7 95/19 98/15 100/23 101/13 101/25 105/10 107/1 108/19 111/9 112/8 113/3 114/11 115/9 115/14 116/16 119/16 120/5 121/8 122/4 126/7 130/4 130/24 131/2 133/20 136/9 137/3 137/5 138/5 145/12 146/21 147/5 149/1 150/6 151/7 151/23 152/14 154/1 154/3 154/25 157/2 157/7 157/21 159/14 159/19 159/22 162/16 164/6 167/24 170/1 171/17 173/6 177/4		

J	kind [12] 44/2 58/4 118/5 131/20 161/18 176/2 176/3 176/12 183/17 183/19 183/23 189/20 kinds [4] 12/25 53/18 74/9 190/6 King's [2] 86/5 86/6 King's Fund [2] 86/5 86/6 Kingdom [10] 15/15 34/12 71/9 74/5 80/2 81/22 82/1 89/18 122/6 147/25 knew [26] 5/21 7/8 8/14 8/14 15/5 23/22 34/5 54/23 57/2 64/17 64/18 70/21 77/11 78/16 105/15 106/9 129/5 151/23 152/1 152/2 152/3 159/9 159/10 159/11 163/15 182/23 know [123] 6/4 7/13 7/19 7/24 7/25 8/12 14/2 15/8 16/24 17/11 20/22 21/1 22/9 28/3 29/17 29/23 30/1 30/19 33/8 34/1 36/1 36/15 39/8 44/9 44/10 51/1 52/1 52/4 53/9 55/14 55/15 55/19 55/21 56/17 56/21 57/12 58/5 58/16 60/23 61/9 63/3 63/5 65/6 66/9 68/9 68/11 68/12 68/13 68/18 70/10 71/19 71/22 73/19 73/21 74/8 74/12 75/1 75/3 75/10 77/24 77/25 80/14 84/5 86/6 88/17 88/25 90/4 91/24 93/15 94/18 97/21 99/1 99/2 99/9 100/5 107/6 112/24 113/20 114/16 117/1 118/15 121/17 121/22 122/11 123/10 123/25 126/20 128/6 128/13 132/9 132/12 133/17 134/23 137/23 142/1 149/13 151/14 151/16 152/24 153/21 155/20 156/7 157/16 161/14 162/7 164/3 165/1 165/14 169/13 174/5 174/24 180/8 180/18 182/9 182/18 183/5 183/13 183/13 185/14 185/22 199/8 200/15 201/14 knowing [2] 37/12 51/9 knowledge [3] 55/1	105/3 182/16 known [6] 7/13 88/16 92/1 92/1 103/7 121/18 knows [5] 12/24 176/4 181/24 182/11 195/20 Korea [5] 88/10 89/13 89/15 91/1 91/2 Korean [1] 88/18	91/23 92/18 157/13 198/23 later [21] 7/22 10/24 12/17 15/25 25/11 30/23 32/7 56/7 67/13 90/16 93/2 99/5 103/7 105/22 122/17 146/4 162/22 173/3 175/4 179/6 195/13 lateral [1] 90/1 latterly [1] 23/9 law [2] 171/23 172/8 layman [1] 184/21 layperson [2] 42/20 180/10 LCAL [1] 58/9 lead [4] 1/4 18/23 55/2 203/4 lead-up [1] 55/2 leaders [11] 50/25 52/2 106/7 106/11 106/16 106/23 108/10 108/25 109/12 113/21 132/17 leadership [1] 112/16 leading [2] 150/12 183/4 league [1] 80/4 leak [2] 108/22 135/20 leak-proof [1] 108/22 leaks [5] 45/10 106/8 107/20 121/20 136/3 learn [1] 70/8 learned [4] 132/18 184/25 188/17 189/5 learning [3] 91/5 182/21 188/23 learnt [3] 23/22 28/3 48/6 least [6] 29/4 57/5 99/17 100/13 141/8 199/25 leave [11] 35/6 60/23 101/5 143/11 178/25 185/24 186/16 186/22 187/2 187/24 188/3 led [7] 22/20 33/11 112/13 113/4 113/9 166/17 201/5 Lee [3] 77/5 194/10 194/17 Lee Cain [3] 77/5 194/10 194/17 left [3] 106/10 142/9 166/5 legacies [2] 90/11 92/13 legal [3] 14/11 141/5 198/13 Legions [1] 94/2 legislation [3] 14/17 141/7 141/8	legitimate [4] 31/1 130/9 134/17 148/7 Leicester [3] 22/3 58/6 172/10 length [2] 139/13 169/23 lengthy [1] 81/3 Leslie [1] 149/3 less [10] 14/17 35/10 38/13 68/9 68/9 68/10 68/17 73/3 156/6 169/15 lesson [2] 21/9 23/22 lessons [5] 48/5 58/10 188/17 188/23 189/5 let [29] 32/1 32/12 33/6 38/2 38/4 38/5 39/16 40/13 42/12 43/4 55/25 59/7 82/15 150/4 150/5 152/2 152/19 152/19 154/24 155/25 157/17 172/6 180/6 182/12 182/16 183/5 184/3 184/7 196/17 let's [7] 88/5 88/9 90/19 98/3 132/8 132/15 153/3 letter [2] 76/3 76/14 letters [3] 12/7 48/3 160/21 letting [2] 40/8 41/4 level [15] 18/1 18/10 50/4 50/5 50/6 50/6 51/6 51/6 54/15 62/19 62/22 67/16 111/7 120/3 145/7 level 3 [3] 50/5 50/6 51/6 levelling [1] 54/17 liar [1] 70/25 libertarian [1] 15/1 libertarians [1] 14/21 life [11] 14/1 28/9 37/9 40/20 41/20 48/25 129/23 168/17 177/19 177/23 179/6 lift [1] 170/6 lifted [1] 172/10 light [3] 19/12 41/7 158/15 like [48] 8/10 8/11 8/23 15/7 17/3 39/3 57/23 77/20 78/13 82/21 88/24 91/22 92/2 92/12 92/24 95/22 99/10 108/21 110/25 115/17 116/2 116/7 117/17 119/6 120/9 121/25 122/5 123/22 124/10 124/13 125/5 127/23 129/19 131/21 131/22 132/12
K	KC [16] 79/13 101/11 131/1 148/25 159/20 167/22 178/18 185/10 203/6 203/7 203/9 203/10 203/11 203/12 203/13 203/14 keen [4] 6/23 31/2 192/10 192/12 keenly [1] 169/14 keep [15] 17/20 20/10 23/3 26/2 37/1 65/11 65/12 66/8 84/6 99/14 100/25 101/1 129/16 133/9 171/12 keeping [2] 106/2 125/21 Keith [13] 1/5 1/7 33/25 44/1 49/8 79/22 79/25 80/6 97/13 180/7 181/13 199/3 200/11 Keith's [1] 96/1 Kent [5] 24/16 61/8 61/10 61/11 62/2 Kent/Alpha [1] 62/2 kept [3] 17/2 49/22 65/5 key [6] 36/19 125/9 156/18 170/4 191/9 193/10 kick [1] 201/9 kids [8] 65/7 168/8 168/9 169/8 169/11 169/16 176/14 177/22	laborious [1] 50/22 labour [3] 106/19 106/21 129/14 lack [5] 11/10 113/19 114/25 146/20 166/2 lacked [1] 31/11 Lady [35] 14/13 44/5 45/24 48/12 54/1 62/8 74/11 75/14 79/2 84/12 100/19 101/12 104/14 113/15 113/21 114/6 115/6 115/13 159/15 159/21 167/9 167/19 167/23 179/24 180/5 183/11 183/16 185/8 190/24 191/2 198/1 198/10 200/10 200/13 200/18 Lady's [1] 180/2 Ladyship [3] 102/4 102/25 104/2 laid [2] 91/16 162/2 Lancaster [2] 119/10 121/5 Lancet [5] 80/23 83/10 85/14 87/1 87/1 landmark [1] 131/10 landscape [1] 111/9 language [13] 96/24 173/19 179/22 183/14 183/14 183/15 183/18 183/22 183/23 184/9 184/25 194/19 199/9 large [9] 17/12 17/13 26/5 27/2 46/3 61/13 122/2 156/19 197/14 largely [3] 37/23 61/23 171/19 larger [1] 170/20 last [19] 35/7 41/14 59/9 59/18 64/21 72/12 101/6 137/20 143/11 154/5 158/3 165/22 165/22 167/9 168/5 168/11 171/4 175/8 176/11 last weeks' [1] 175/8 lasting [1] 168/14 lastly [1] 183/11 late [14] 25/23 35/2 35/12 36/7 36/9 37/3 37/6 37/7 37/11 37/13	legislation [3] 14/17 141/7 141/8	

L	59/20 60/2 60/8 62/2 62/21 63/6 63/6 64/1 65/5 65/10 67/18 69/17 70/18 71/1 74/6 93/4 93/24 94/5 117/4 117/5 117/7 122/11 122/14 122/16 123/25 124/1 124/2 124/3 124/17 125/3 129/16 150/12 150/23 168/12 170/5 176/10 186/7 186/8 186/9 186/10 186/12 188/17 188/23 188/25 189/1 189/3 189/4 189/17 190/10 197/5	162/10 162/21 163/5 163/8 163/9 163/12 163/16 163/20 163/22 164/9 164/13 164/16 164/20 164/22 165/7 165/14 165/16 165/19 165/24 166/11 166/14 166/16 166/19 166/22 167/1 167/12 167/14 167/17 167/18	lots [2] 175/7 175/22 love [1] 132/9 loved [3] 103/17 104/5 177/16 low [1] 59/11 lower [7] 57/8 59/4 150/24 151/9 168/9 169/14 192/8 lucky [1] 68/19	114/5 133/10 136/23 136/23 managed [2] 29/23 113/25 Manchester [1] 27/5 manoeuvre [1] 61/19 many [22] 2/4 48/5 51/14 66/7 66/7 73/5 73/5 74/5 74/9 76/7 76/15 76/15 80/17 91/14 103/16 149/22 156/22 158/9 166/5 168/14 188/17 198/24 March [37] 11/22 15/23 20/1 20/6 23/22 37/13 59/19 59/23 70/18 70/22 78/18 89/16 89/17 89/23 91/2 93/14 93/18 93/21 94/21 97/25 98/18 100/7 116/13 131/7 137/8 137/9 150/12 157/13 168/3 168/13 168/21 169/4 173/2 186/8 186/16 187/23 189/14 March 2020 [7] 11/22 150/12 168/3 168/13 168/21 169/4 189/14 March' [1] 96/17 March/early [1] 157/13 margin [1] 62/13 Mark [1] 118/15 Mark Drakeford [1] 118/15 marker [2] 178/12 179/19 marks [1] 30/17 marshals [1] 146/11 Martina [1] 102/9 mask [5] 194/13 194/15 196/1 196/15 196/22 masks [12] 136/15 191/19 194/3 194/5 194/21 195/2 195/5 195/19 195/20 195/23 196/6 196/25 mass [6] 138/16 138/18 138/20 138/23 139/7 139/21 massive [6] 57/22 65/6 159/3 178/8 180/17 199/10 massively [1] 90/15 material [9] 1/13 5/12 7/3 7/5 51/5 68/21 70/16 84/19 84/19 Matt [10] 21/2 21/3 22/22 62/9 116/15 159/24 174/24 175/9 175/13 176/21 Matt Hancock [6]
like... [12] 135/14 135/20 140/21 142/8 150/11 152/6 155/21 174/16 177/24 182/22 188/18 198/11 likely [9] 57/9 59/4 119/3 144/23 150/24 158/24 158/25 159/5 159/12 limited [4] 63/9 157/2 186/17 195/23 limits [4] 14/18 119/20 130/22 198/13 line [4] 2/9 18/13 77/25 149/14 list [1] 131/9 listen [3] 38/2 39/15 102/24 listened [5] 32/10 66/6 101/19 102/11 175/7 listening [4] 47/16 53/2 53/4 110/8 Lister [3] 53/21 131/4 131/13 lists [1] 186/24 literally [2] 164/2 176/8 little [12] 23/14 36/22 67/6 81/6 85/17 85/18 85/19 125/14 125/19 127/11 129/1 144/19 live [7] 16/22 40/22 75/13 84/8 163/3 179/10 179/10 lived [1] 129/5 Liverpool [1] 27/6 lives [10] 16/22 83/17 86/3 99/3 100/11 142/15 149/14 168/5 168/22 183/6 living [1] 183/7 local [11] 21/16 23/4 27/5 28/12 29/13 31/3 52/2 53/17 53/23 56/25 146/8 localised [1] 27/22 locations [1] 138/25 lock [3] 34/19 36/22 65/14 lockdown [91] 15/6 20/18 21/24 22/25 24/9 24/10 25/5 25/18 26/3 26/6 27/3 27/16 27/17 27/23 29/24 38/3 38/19 38/23 39/1 41/12 42/4 42/7 43/22 48/2 49/15 55/2 55/9 55/12 56/4 56/6 56/10 56/13 57/13 57/23 57/24 58/19 58/22 59/3 59/5 59/9 59/12	lockdown.' [1] 41/2 lockdowns [15] 29/24 30/17 33/9 33/13 58/24 123/7 151/6 151/13 158/10 158/22 181/1 189/6 190/18 192/8 193/6 locked [1] 28/16 logic [1] 139/1 logical [2] 5/23 22/8 logically [7] 4/9 53/11 54/13 58/18 139/3 139/5 165/10 logistically [1] 75/6 London [5] 63/17 70/22 114/8 141/19 159/2 London-centric [1] 114/8 lonely [1] 180/21 long [65] 8/24 36/21 50/25 56/21 58/4 58/7 59/2 79/8 79/9 89/25 100/21 102/7 104/11 124/2 130/21 133/2 159/23 160/6 160/13 160/14 160/17 160/20 160/23 160/25 161/1 161/3 161/4 161/11 161/25 162/2 162/3 162/10 162/21 163/5 163/8 163/9 163/12 163/16 163/20 163/22 164/9 164/13 164/16 164/20 164/22 165/3 165/7 165/14 165/16 165/19 165/24 166/11 166/14 166/16 166/19 166/22 167/1 167/12 167/14 167/17 167/18 171/14 177/11 180/21 199/23 Long Covid [44] 102/7 159/23 160/13 160/14 160/17 160/20 160/23 160/25 161/1 161/3 161/4 161/11 161/25 162/2 162/3	long term [1] 177/11 long-term [2] 160/6 165/3 longer [6] 4/6 32/14 40/20 59/13 123/24 160/1 longer' [1] 40/22 Longfield [1] 171/20 look [58] 15/13 17/14 20/2 20/7 23/2 24/13 26/9 34/19 39/17 41/22 41/24 42/3 43/5 43/6 44/11 60/16 75/20 77/6 77/11 77/20 81/9 82/22 83/6 84/2 85/11 85/12 87/1 87/25 88/5 88/9 88/25 89/1 95/5 95/22 97/3 98/3 99/8 99/8 100/7 109/8 115/9 127/11 142/1 146/25 148/13 148/13 164/25 166/20 170/24 171/15 172/2 172/22 179/2 185/3 192/13 199/11 201/18 201/19 looked [3] 8/25 36/20 125/6 looking [11] 15/22 16/15 82/12 82/20 87/13 91/10 127/15 127/24 141/4 153/11 182/7 looks [3] 55/12 62/9 97/19 loosen [1] 175/2 Lord [2] 131/4 131/12 Lord Edward [2] 131/4 131/12 losing [1] 35/21 loss [2] 102/19 177/19 lost [4] 83/13 86/3 102/9 102/22 lot [25] 17/2 22/17 28/3 28/14 29/19 29/22 42/14 55/18 59/16 63/17 72/12 78/11 110/24 111/15 111/19 128/11 129/20 131/18 132/13 132/25 134/9 157/18 157/18 177/12 184/13	M machinery [1] 117/24 MacNamara [2] 75/13 76/13 made [47] 4/4 6/6 8/13 8/14 9/11 12/16 13/14 19/9 20/19 21/19 31/13 33/18 35/18 36/14 36/22 49/24 50/3 52/11 52/13 56/10 65/19 74/13 77/17 81/1 83/16 83/21 93/11 109/22 120/10 120/16 123/15 123/21 124/11 126/17 134/1 140/6 145/6 145/19 147/17 147/18 153/1 155/16 158/2 181/7 185/3 188/4 193/5 magnitude [1] 86/12 Mail [3] 96/23 97/22 98/7 main [1] 128/3 major [1] 49/15 majority [3] 27/15 37/17 38/12 make [39] 1/20 3/21 4/13 4/14 5/5 10/19 13/23 18/5 23/18 35/3 36/1 37/7 43/21 51/8 55/20 62/3 65/24 75/3 78/13 79/7 90/12 90/13 90/20 93/16 123/11 126/2 127/25 129/2 133/22 139/18 143/8 145/8 155/10 156/4 175/5 179/12 193/14 194/12 201/10 makes [4] 5/12 5/14 69/1 127/3 making [29] 18/16 20/1 33/7 35/1 35/11 36/7 36/9 37/2 37/6 48/23 52/18 63/20 75/17 80/17 83/7 103/18 104/15 107/1 107/23 110/15 110/16 116/2 121/2 134/13 158/7 158/8 162/12 177/21 187/8 malingering [1] 191/24 manage [5] 107/5	

M	157/17 159/3 162/20 164/2 164/25 167/21 169/20 172/3 172/6 173/11 179/12 180/6 180/15 181/4 181/15 182/16 184/3 184/7 184/14 185/11 187/19 188/12 190/17 196/17 198/8	34/24 35/20 36/5 37/4 39/22 40/7 42/15 42/20 42/22 46/7 46/8 46/8 46/25 47/6 49/16 50/2 50/16 51/8 55/5 55/7 55/8 55/25 56/1 64/9 65/19 68/25 69/14 76/2 76/10 76/10 76/10 103/14 124/24 125/1 126/13 131/16 131/17 132/5 134/3 134/4 137/8 137/9 137/12 138/10 138/11 142/22 161/3 191/10 191/16 195/4	75/3 110/15 110/19 127/1 127/14 127/17 140/23 143/22 148/2 172/21 178/22 181/12 186/6 194/17	180/20
Matt Hancock... [6] 116/15 159/24 174/24 175/9 175/13 176/21	mean [23] 8/19 21/15 22/18 30/4 34/2 36/12 39/2 44/18 46/12 65/1 68/12 76/6 82/13 91/9 109/13 131/15 144/22 153/18 157/16 157/23 184/1 187/11 193/9	meetings [28] 7/18 8/3 8/9 10/17 16/17 21/1 41/24 42/16 44/23 45/15 46/2 46/4 64/5 68/23 76/12 106/23 106/25 116/22 118/16 120/13 121/25 132/23 133/4 134/19 136/13 136/16 178/21 183/3	messaging [29] 113/14 113/19 114/11 115/4 124/11 124/13 126/18 127/18 127/20 130/1 135/12 140/25 142/3 142/12 142/24 143/23 143/25 144/3 144/5 145/2 147/8 147/13 148/11 164/10 164/11 186/3 186/4 187/20 199/6	millions [1] 42/1 mind [9] 23/1 37/5 41/22 63/12 90/23 117/8 122/15 151/8 194/14
matter [14] 14/13 23/7 45/10 54/1 75/18 77/19 104/20 126/21 140/24 141/14 144/24 170/22 178/1 183/16	meaningful [1] 112/14	met [2] 46/9 108/9	metre [11] 1/9 1/12 1/20 1/22 1/22 2/2 2/5 2/12 2/16 2/21 3/10	minded [2] 43/10 63/24
matters [6] 23/10 46/23 93/22 115/24 168/2 193/9	meaningfully [1] 9/1	metres [10] 1/9 1/16 2/3 2/4 2/6 2/7 2/7 2/8 3/3 3/7	metzer [5] 159/18 159/20 167/7 167/20 203/11	mindful [1] 105/18 minds [1] 177/22
maximum [2] 64/14 135/10	means [4] 39/4 101/15 106/10 134/10	members [8] 79/16 83/13 101/16 101/17 101/18 160/22 174/14 193/23	Michael [3] 64/11 64/18 118/17	mine [2] 178/10 180/2
may [64] 1/8 6/14 7/6 9/4 14/18 20/4 20/4 20/23 21/12 31/6 33/12 35/15 35/25 53/3 53/6 57/8 58/25 59/16 59/16 62/23 66/14 76/17 76/19 80/14 95/21 100/4 101/22 105/13 106/2 106/3 106/10 106/21 108/11 109/24 110/23 110/23 117/2 117/16 117/22 124/24 125/1 125/15 126/13 128/5 132/19 135/25 142/22 145/14 147/10 147/15 147/22 149/1 151/7 152/5 152/7 160/3 165/9 165/23 174/17 179/11 183/11 188/24 193/25 200/21	meant [14] 8/21 20/14 61/17 67/4 67/13 98/6 119/2 123/9 134/18 138/9 164/2 166/3 166/17 167/12	memory [2] 10/22 160/10	Michael Gove [2] 64/11 118/17	minimise [4] 121/21 121/23 165/1 172/4
May 2020 [3] 106/10 117/22 188/24	measure [1] 37/20	men [1] 78/12	Michelle [1] 106/17	minister [41] 2/25 23/13 28/19 40/7 43/19 46/3 46/9 46/16 46/20 69/8 107/18 114/2 116/13 118/8 118/22 118/24 119/6 120/12 120/20 124/22 125/11 126/20 126/24 127/13 127/18 131/6 131/12 131/19 131/19 131/23 132/1 132/11 132/21 147/24 149/1 154/19 156/22 174/25 180/11 192/2 192/17
maybe [3] 67/20 68/17 110/9	measures [57] 15/11 22/7 24/1 24/3 25/18 25/22 25/23 27/8 28/8 29/13 29/17 31/17 31/18 37/16 37/17 37/19 37/22 37/23 38/4 39/12 49/15 51/2 51/9 52/2 52/6 57/1 57/3 58/6 59/23 60/5 62/7 62/15 64/1 64/20 69/22 69/23 69/25 98/4 99/18 99/25 129/16 141/5 145/21 150/14 151/10 152/17 152/17 152/23 159/4 159/11 164/14 167/12 170/7 176/18 189/20 191/13 198/25	Menon [5] 167/21 167/22 178/12 178/16 203/12	mid [4] 89/17 89/23 91/2 175/19	Ministerial [1] 108/1
mayor [1] 159/3	mechanism [1] 107/20	mental [2] 146/10 177/13	mid-March [3] 89/17 89/23 91/2	ministers [7] 64/8 120/14 124/25 144/19 145/13 145/16 147/8
McLarnon [1] 102/22	media [4] 43/2 73/23 98/1 134/20	mention [3] 144/18 154/22 187/21	mid-October [1] 175/19	ministers' [1] 147/13
McLean [1] 29/3	median [1] 182/1	mentioned [10] 32/24 33/12 33/13 89/2 90/12 108/6 116/9 117/1 169/7 187/6	mid-October [1] 175/19	minorities [1] 151/10
me [97] 2/16 4/13 4/15 5/3 5/4 5/8 6/1 6/7 8/12 8/18 9/1 10/7 19/9 22/12 24/7 28/11 28/12 33/6 34/18 35/21 38/8 40/1 42/1 47/4 52/15 53/7 55/25 57/16 59/7 62/9 68/8 71/1 71/3 71/5 76/7 78/10 78/13 78/16 82/15 85/19 89/12 89/15 90/13 94/8 94/12 97/1 97/19 98/8 112/24 132/11 132/13 134/23 139/4 139/7 143/11 150/4 150/5 150/16 151/7 151/10 152/2 152/19 152/19 154/1 154/3 154/6 154/6 154/24 155/23 155/25 156/25 157/4	medical [10] 5/15 29/6 88/7 95/5 153/15 153/22 174/6 180/23 186/18 198/12	mentioning [1] 187/10	mid-October [1] 175/19	minority [13] 149/4 149/23 150/2 150/16 150/25 151/22 152/7 153/24 154/8 155/13 156/16 157/12 158/17
	medicine [1] 87/15	merely [1] 80/17	middle [11] 6/18 17/24 29/10 63/20 67/12 68/16 78/12 82/9 85/22 106/12 191/17	minute [4] 35/7 59/9 59/18 64/21
	meet [7] 46/11 79/19 106/11 106/15 117/2 132/16 132/21	merited [1] 33/20	middle-aged [1] 78/12	minutes [4] 16/18 34/25 79/11 79/20
	meeting [65] 1/14 1/14 2/24 5/17 6/16 16/18 26/10 26/18 28/24 31/15 31/20 33/4 33/23 34/2 34/2	merits [5] 17/17 31/10 31/23 52/16 127/5	Midlands [2] 22/16 111/22	miserable [1] 180/21
		MERS [1] 91/5	midweek [1] 3/19	missed [1] 151/8
		message [29] 12/2 12/6 15/1 114/18 114/19 114/25 120/17 124/14 125/21 126/9 126/18 128/1 128/2 128/3 128/9 128/14 128/19 128/21 135/7 139/11 141/11 142/6 142/10 142/14 143/8 147/2 194/9 194/11 198/21	might [19] 7/7 12/12 14/10 16/11 36/20 38/11 39/6 48/21 52/7 64/8 102/15 123/9 123/10 135/22 147/22 171/10 176/11 180/24 195/24	mistake [6] 35/3 35/8 35/11 35/15 53/3 53/6
		messages [15] 74/4	mile [2] 21/14 23/24	mistaken [5] 35/9 162/15 164/5 164/21 199/5

M	82/8 82/11 85/16 85/22 86/12 86/16 89/3 157/11 163/18 most [22] 17/5 35/6 38/11 50/6 50/21 51/25 59/20 60/13 65/7 75/12 80/2 80/3 82/19 86/13 143/25 145/3 146/23 164/11 168/4 168/22 169/14 197/15 mostly [1] 181/7 mother [2] 102/10 102/20 mount [1] 83/15 move [22] 24/7 58/9 66/14 86/20 95/21 104/17 105/24 109/24 122/4 122/14 124/7 125/15 127/19 128/22 139/22 152/19 152/20 153/3 154/24 155/25 164/6 193/24 moved [4] 24/18 70/21 167/21 173/6 movement [1] 199/13 moving [3] 67/4 127/14 171/17 MPs [2] 175/7 175/22 MR [201] 1/3 1/5 1/6 1/7 6/10 8/2 10/21 11/24 13/16 20/9 21/12 22/11 23/12 25/13 28/18 30/3 33/25 34/21 35/15 36/8 37/2 40/5 41/7 43/10 44/1 44/1 44/22 45/5 46/4 47/17 47/18 47/19 47/22 49/8 49/9 52/9 54/2 54/3 54/23 55/25 58/20 61/7 63/19 65/16 65/17 68/21 70/13 70/17 70/25 72/4 74/3 75/9 78/22 79/4 79/10 79/13 79/14 79/22 79/25 80/6 84/3 84/4 84/13 85/13 87/23 92/7 95/19 96/1 96/9 96/20 97/13 98/15 100/23 101/13 101/25 105/10 107/1 108/19 111/9 112/8 113/3 114/11 115/9 115/14 116/12 117/9 118/18 118/18 118/20 119/16 120/2 120/5 120/8 121/8 122/4 124/24 126/7 130/4 130/24 131/2 133/13 133/20 136/9 137/3 137/5 138/5 139/2 145/12 146/21 147/5 148/24	150/6 151/7 151/23 152/14 154/1 154/3 154/4 154/17 154/25 157/2 157/7 157/21 159/14 159/17 159/18 159/19 159/20 159/22 160/24 162/16 162/16 164/6 167/7 167/20 167/21 167/22 167/24 170/1 171/17 173/6 177/4 177/24 178/12 178/16 178/17 178/18 178/19 179/19 180/4 180/7 181/2 181/4 181/13 183/22 185/7 185/9 185/11 185/25 191/1 191/3 191/4 191/5 191/18 192/1 192/9 192/14 192/20 193/7 193/24 194/14 194/18 194/18 194/19 195/14 196/12 196/17 196/19 197/3 197/16 198/2 198/3 198/4 198/7 198/9 198/11 199/3 199/4 200/1 200/9 200/11 200/11 200/15 201/22 203/3 203/6 203/11 203/12 203/13 203/15 203/16 Mr Altman [1] 200/11 Mr Case [1] 194/18 Mr Covid [1] 162/16 Mr Cummings [7] 20/9 45/5 47/19 70/13 70/17 194/18 194/19 Mr Drakeford [3] 118/18 120/2 120/8 Mr Drakeford's [1] 118/20 Mr Friedman [4] 179/19 180/4 183/22 185/7 Mr Gething [1] 117/9 Mr Gove [3] 118/18 124/24 133/13 Mr Hancock [8] 54/23 85/13 96/9 96/20 154/4 154/17 160/24 185/25 Mr Jacobs [3] 191/1 196/19 198/2 Mr Johnson [110] 1/6 6/10 8/2 10/21 11/24 13/16 21/12 22/11 23/12 25/13 28/18 30/3 34/21 35/15 36/8 37/2 40/5 41/7 43/10 44/1 44/22 47/22 49/9 52/9 54/2 58/20 61/7 63/19 65/16 68/21 72/4 74/3 75/9 78/22 79/10 79/14 84/4 84/13	87/23 92/7 95/19 98/15 101/13 101/25 107/1 108/19 111/9 112/8 113/3 114/11 115/9 115/14 119/16 120/5 121/8 122/4 126/7 130/4 130/24 131/2 136/9 137/3 137/5 138/5 146/21 147/5 150/6 151/7 151/23 152/14 154/1 154/3 154/25 157/2 157/7 157/21 159/14 159/19 159/22 164/6 167/24 170/1 171/17 173/6 177/4 177/24 181/2 181/4 185/9 191/5 191/18 192/1 192/9 192/14 192/20 193/7 193/24 194/14 195/14 196/12 196/17 197/3 197/16 198/4 198/11 199/4 200/1 200/9 200/15 201/22 Mr Keith [13] 1/5 1/7 33/25 44/1 49/8 79/22 79/25 80/6 97/13 180/7 181/13 199/3 200/11 Mr Keith's [1] 96/1 Mr Menon [1] 167/21 Mr Metzger [2] 159/18 167/20 Mr Ridley [1] 54/3 Mr Shafi's [1] 55/25 Mr Stanton [1] 198/3 Mr Sunak [1] 46/4 Mr Sunak's [1] 47/17 Mr Thomas [1] 159/17 Mr Vaughan Gething [1] 116/12 Mr Warner [1] 47/18 Mr Weatherby [2] 79/4 84/3 Mr Whitty [1] 139/2 Mr Williamson [1] 65/17 Ms [23] 79/5 101/10 101/11 103/3 103/19 105/24 115/7 115/8 115/9 115/11 115/12 130/6 130/19 130/23 130/24 131/1 185/9 185/10 190/25 203/7 203/8 203/9 203/14 Ms Campbell [4] 79/5 101/10 105/24 115/7 Ms Davies [2] 185/9 190/25 Ms Harris [5] 115/8 115/9 115/11 130/6 130/19	Ms Mitchell [2] 130/23 130/24 Ms Myles [1] 103/19 Ms Myles' [1] 103/3 much [50] 21/3 21/4 33/19 34/16 35/10 36/16 36/25 38/13 45/20 48/16 61/11 61/19 63/13 73/13 77/12 81/5 89/21 92/14 93/12 95/14 96/1 100/20 104/16 112/22 119/7 124/5 124/20 128/5 129/4 129/9 129/19 130/19 131/21 132/8 137/4 140/5 141/4 143/8 149/2 162/21 164/21 177/22 177/24 178/15 179/8 190/23 191/24 199/22 200/15 202/1 must [20] 4/16 5/7 7/10 7/13 7/18 10/14 10/17 14/25 23/13 65/22 77/6 111/9 111/13 112/15 153/22 162/9 182/4 182/5 186/14 200/16 mustn't [2] 112/15 114/17 my [129] 4/15 7/12 8/22 9/21 10/13 10/22 14/13 19/8 19/11 22/24 22/24 23/1 28/16 39/14 41/19 42/9 42/10 44/5 44/6 45/24 46/18 48/12 49/3 50/15 52/25 53/3 53/6 54/1 55/1 55/9 58/16 60/14 62/8 64/5 64/6 65/12 71/3 74/11 75/1 75/10 75/14 78/8 78/8 79/2 80/6 80/25 81/9 84/12 86/25 88/1 89/8 89/13 89/15 91/24 96/24 99/2 100/19 101/3 101/12 101/13 104/14 105/5 105/10 105/21 105/25 107/6 107/11 113/15 113/15 113/21 114/6 115/6 115/13 116/25 117/8 118/3 118/4 121/14 122/24 128/24 132/18 133/4 133/15 133/18 134/15 138/6 141/20 143/11 143/18 145/7 150/5 152/16 152/18 153/3 159/1 159/15 159/15 159/21 167/9 167/19 167/23 172/3 176/1 179/9 179/24 180/2 180/5 183/11 183/16 185/8
----------	--	---	--	---

M	29/13 29/21 29/21 30/1 33/15 33/22 35/2 41/5 41/5 48/13 59/2 59/5 59/21 60/25 61/25 63/19 96/16 97/4 98/11 105/24 108/22 110/11 111/6 112/2 113/24 115/1 118/6 118/23 129/3 133/19 133/20 134/2 134/5 135/6 135/16 137/13 141/2 159/7 159/8 163/8 165/13 170/6 180/24 185/1 186/19 188/8 191/23 197/15 198/6 200/6 201/16	NIHR [3] 161/25 162/18 165/25 ninth [1] 82/1 no [110] 3/6 3/8 4/6 8/8 8/10 8/22 9/4 9/10 9/11 12/10 12/14 25/20 26/1 29/11 32/5 33/6 34/22 35/13 35/18 35/23 38/7 39/7 39/9 41/11 41/12 41/13 41/15 41/17 41/17 43/15 43/15 46/16 59/16 62/23 64/2 64/13 64/17 69/19 69/19 74/22 78/18 81/4 88/17 89/15 89/22 90/8 90/10 92/10 92/21 93/8 94/2 94/19 95/20 97/8 99/24 100/2 102/14 105/3 105/13 105/17 106/10 115/3 118/1 118/4 127/15 129/22 130/6 131/19 132/1 135/24 137/11 137/12 144/17 146/3 146/3 147/15 157/9 163/9 163/10 166/15 166/20 167/2 167/15 168/24 168/24 168/25 169/1 169/17 179/2 179/9 180/15 180/17 181/3 182/11 182/12 183/5 192/14 192/14 195/5 195/19 196/16 196/16 200/8 200/11 200/13 200/14 200/17 200/17 200/20 200/20	112/21 112/23 113/6 129/12 137/13 Northern Ireland [12] 71/12 79/17 101/14 109/13 111/5 111/24 112/4 112/21 112/23 113/6 129/12 137/13 northwest [3] 22/4 27/6 58/6 not [237] notable [3] 12/10 43/14 71/13 notably [1] 27/5 notably Manchester [1] 27/5 note [7] 12/3 12/3 64/11 64/14 64/18 104/18 191/16 noted [5] 14/25 71/5 137/15 163/2 163/4 notes [6] 13/12 49/22 51/7 55/25 183/3 184/11 nothing [9] 25/19 25/20 33/12 92/12 126/24 165/15 165/18 189/17 193/11 notice [2] 72/20 72/25 noticed [1] 110/6 notifiable [1] 131/9 notion [1] 38/5 notwithstanding [2] 88/25 146/5 November [14] 24/14 24/19 37/11 62/2 62/21 65/4 65/4 66/22 72/19 100/9 122/8 131/14 186/10 186/23 November 22nd [1] 24/14 now [54] 4/7 8/19 10/9 16/24 20/14 24/18 24/18 34/19 35/10 38/15 44/13 60/5 60/9 66/14 70/12 73/24 77/6 80/6 81/16 84/13 84/14 84/17 86/5 89/13 92/15 92/18 96/1 100/20 110/23 111/3 119/25 122/5 124/10 126/10 127/20 128/17 134/8 134/22 149/5 150/4 153/7 156/12 156/21 166/11 166/13 168/20 172/18 174/11 174/21 175/6 178/25 180/6 181/15 198/3 NPI [6] 46/10 46/14 47/5 47/11 186/5 186/6 NPIs [15] 28/10 32/16 38/25 48/14	48/15 60/15 72/13 91/20 151/13 158/8 158/17 166/18 166/25 167/3 177/21 nub [2] 18/14 21/21 number [37] 6/12 8/2 9/11 16/17 17/12 17/13 42/17 46/4 46/14 49/14 55/10 68/22 69/3 70/10 72/19 73/18 74/4 74/13 74/17 75/2 77/6 77/16 81/8 87/16 87/20 91/3 109/21 133/18 137/20 159/22 163/15 164/10 167/25 176/23 179/11 184/22 185/23 number 1 [1] 137/20 Number 10 [11] 6/12 46/14 49/14 72/19 73/18 74/13 74/17 75/2 77/16 109/21 176/23 number 20 [1] 87/16 number one [1] 133/18 number ten [1] 77/6 numbers [3] 62/10 172/11 182/15 numerous [1] 171/20 nurse [1] 156/13 nurses [1] 156/10 nutshell [1] 78/15	
N	needed [21] 11/19 13/4 34/17 43/4 44/20 57/17 91/25 108/24 117/12 117/21 118/5 128/13 130/13 133/25 145/25 152/25 157/23 166/10 169/9 198/25 199/23 neediest [1] 39/6 needn't [3] 77/1 160/3 161/23 needs [8] 14/14 90/5 110/14 113/25 133/10 134/22 134/24 190/10 negotiations [3] 50/23 53/22 54/7 neighbours [1] 14/24 neither [1] 59/18 Netherlands [2] 82/21 85/18 networks [1] 146/11 never [11] 23/12 41/22 57/11 70/25 71/5 78/22 99/7 99/8 101/17 160/12 162/18 nevertheless [2] 50/11 180/6 new [2] 169/3 189/19 news [1] 122/20 next [10] 14/11 20/14 29/25 53/15 70/2 89/16 122/5 126/10 127/2 127/12 NHS [18] 28/9 49/19 78/15 83/17 93/1 100/11 142/14 152/4 152/4 152/25 153/23 154/10 154/17 156/5 156/21 168/6 168/23 201/8 NHSE [1] 160/25 NI [1] 125/10 Nicola [4] 131/6 131/24 133/1 139/21 Nicola Sturgeon [2] 131/6 131/24 night [1] 76/11	name [1] 101/13 narrative [1] 126/5 nation [3] 113/9 147/19 186/7 national [21] 20/18 22/6 22/25 25/5 26/1 27/7 29/16 31/18 39/12 41/1 41/12 48/1 56/4 56/5 57/1 57/12 84/19 99/18 122/16 127/9 178/19 nationally [2] 24/2 60/4 nations [18] 85/18 107/3 113/24 114/3 116/2 116/4 116/22 117/7 117/13 117/24 119/5 119/19 122/13 123/2 125/18 127/19 129/5 147/18 nationwide [1] 149/15 natural [1] 196/8 nature [8] 31/6 49/23 49/24 52/10 61/23 145/1 177/25 183/19 near [1] 89/20 necessarily [6] 9/15 34/5 113/22 133/18 192/21 193/21 necessary [6] 32/17 92/3 137/1 155/17 168/5 186/20 necessity [1] 136/15 need [56] 14/2 14/21 15/11 21/10 25/5	no one [1] 137/12 No10 [1] 175/14 nobody [3] 25/20 112/24 164/4 nod [1] 20/19 non [3] 60/1 170/22 177/9 non-essential [2] 60/1 170/22 non-pharmaceutical [1] 177/9 none [2] 134/6 187/1 nor [5] 6/2 37/11 38/2 59/19 107/4 normal [6] 8/10 16/22 47/2 47/3 170/16 171/2 normalising [1] 179/6 normally [3] 30/16 171/9 171/11 north [3] 111/11 111/23 112/1 Northern [12] 71/12 79/17 101/14 109/13 111/5 111/24 112/4	November 22nd [1] 24/14 now [54] 4/7 8/19 10/9 16/24 20/14 24/18 24/18 34/19 35/10 38/15 44/13 60/5 60/9 66/14 70/12 73/24 77/6 80/6 81/16 84/13 84/14 84/17 86/5 89/13 92/15 92/18 96/1 100/20 110/23 111/3 119/25 122/5 124/10 126/10 127/20 128/17 134/8 134/22 149/5 150/4 153/7 156/12 156/21 166/11 166/13 168/20 172/18 174/11 174/21 175/6 178/25 180/6 181/15 198/3 NPI [6] 46/10 46/14 47/5 47/11 186/5 186/6 NPIs [15] 28/10 32/16 38/25 48/14	obey [2] 14/23 15/11 object [1] 29/20 objection [1] 9/3 objective [3] 28/8 41/20 48/24 objectives [1] 156/18 obligated [1] 76/25 obligation [1] 18/12 obligations [1] 75/21 obliged [3] 14/22 41/9 148/17 observation [2] 2/2 123/18 observations [2] 126/17 127/4 obsessed [2] 40/15 40/18 obviating [1] 59/4 obvious [11] 1/13 3/24 11/8 15/13 15/19 15/23 16/5 19/13 43/10 126/6 185/25 obviously [16] 3/1 6/24 9/10 12/20 27/4 47/11 62/19 71/15 71/18 106/14 111/3 115/24 125/11 141/25 184/16 195/16
			O		

<p>O</p> <p>occasion [3] 72/21 145/22 178/5</p> <p>occasionally [2] 42/20 110/19</p> <p>occasions [3] 67/19 73/5 186/23</p> <p>occupational [1] 153/16</p> <p>October [45] 24/4 24/7 26/10 26/10 27/19 30/24 31/18 36/16 37/11 42/7 49/13 49/16 50/2 51/19 52/10 52/12 52/13 52/16 54/23 55/4 55/6 56/1 59/19 60/3 65/4 100/9 102/21 106/22 122/8 122/16 132/19 160/25 161/1 161/7 161/9 161/23 165/25 174/22 175/18 175/19 176/8 181/8 186/8 186/23 186/24</p> <p>October 14th [2] 24/7 31/18</p> <p>October 20 [1] 26/10</p> <p>October 2020 [3] 160/25 161/23 165/25</p> <p>October 20th [1] 51/19</p> <p>October/November [1] 65/4</p> <p>October/September 2020 [1] 106/22</p> <p>odd [3] 8/12 8/18 132/6</p> <p>off [12] 4/19 22/10 24/16 57/21 65/8 89/9 97/14 100/1 100/17 133/19 137/14 140/1</p> <p>offence [7] 74/23 74/24 74/25 76/18 103/23 184/9 188/2</p> <p>offers [1] 194/25</p> <p>office [7] 1/15 2/24 44/25 45/2 84/18 136/7 163/1</p> <p>Officer [4] 5/15 29/7 88/7 95/5</p> <p>official [2] 70/24 183/20</p> <p>officials [5] 13/17 42/18 77/11 137/11 184/12</p> <p>often [1] 14/7</p> <p>oh [3] 8/18 173/11 184/1</p> <p>okay [13] 45/14 80/22 80/25 82/15 86/1 88/3 88/9 89/15 90/19 90/25 96/25</p>	<p>101/2 191/6</p> <p>old [2] 181/18 183/24</p> <p>older [8] 40/15 88/11 170/18 177/7 178/22 179/11 180/12 181/16</p> <p>Omicron [9] 66/15 66/23 67/24 68/1 68/9 68/12 68/20 70/8 199/2</p> <p>on [338]</p> <p>once [5] 86/20 169/21 181/6 198/25 200/4</p> <p>one [91] 4/19 10/4 18/3 20/4 20/25 26/20 34/9 35/14 40/23 45/23 46/2 48/1 48/5 51/13 52/1 53/14 58/10 59/19 59/20 60/13 67/19 68/2 68/24 74/3 75/12 75/14 76/2 79/19 80/15 80/23 81/10 87/13 90/4 90/11 92/13 93/16 93/17 95/11 96/14 101/25 103/3 103/10 105/13 105/20 105/22 113/9 113/23 114/22 123/12 123/15 124/11 125/6 128/7 132/17 133/18 136/10 137/12 140/8 140/25 142/6 142/7 145/12 145/20 145/22 147/11 150/20 151/4 152/14 156/6 156/8 156/14 156/18 162/6 163/4 165/8 170/4 172/8 172/20 172/20 172/25 174/16 178/8 181/6 183/14 183/20 185/23 189/20 196/23 197/9 200/21 200/24</p> <p>one day [1] 75/14</p> <p>one year [1] 105/22</p> <p>one-page [1] 34/9</p> <p>ones [4] 5/13 40/5 103/17 104/6</p> <p>only [29] 12/19 38/25 42/19 51/13 54/1 71/1 82/7 82/10 89/17 122/17 144/20 145/10 145/22 150/4 151/18 156/9 160/14 160/16 160/19 163/8 168/4 168/11 180/14 180/15 181/16 186/16 186/21 187/24 198/25</p> <p>ONS [2] 84/18 86/4</p> <p>onwards [2] 60/21 78/19</p> <p>open [14] 4/8 4/16 20/11 46/19 63/3 65/5 65/11 65/13 66/8</p>	<p>94/18 170/11 171/5 171/13 172/23</p> <p>opened [1] 65/22</p> <p>opening [2] 62/24 170/3</p> <p>openings [1] 12/5</p> <p>openly [1] 193/10</p> <p>operate [1] 2/15</p> <p>operating [1] 104/12</p> <p>operation [2] 108/17 120/3</p> <p>opinion [5] 13/8 89/13 117/16 129/20 181/21</p> <p>opinions [1] 133/17</p> <p>opportunities [2] 106/15 157/14</p> <p>opportunity [7] 45/11 84/17 104/4 107/22 119/1 132/16 155/5</p> <p>opposed [5] 9/16 21/15 25/15 64/24 64/25</p> <p>opposite [1] 77/14</p> <p>opposition [3] 98/20 121/18 174/11</p> <p>oppositional [1] 195/18</p> <p>opted [2] 107/25 108/2</p> <p>optically [2] 107/15 120/12</p> <p>optics [4] 121/1 121/1 121/9 121/10</p> <p>optimism [1] 7/1</p> <p>option [6] 57/18 67/6 70/3 108/14 122/25 140/8</p> <p>options [1] 6/21</p> <p>or [148] 1/14 2/3 2/6 7/13 8/23 9/3 9/7 9/12 9/16 11/3 11/6 11/6 11/6 11/9 11/10 11/12 11/21 12/11 16/11 16/25 17/20 18/18 21/11 21/16 22/10 22/12 22/16 23/1 23/5 26/5 27/2 31/3 31/24 32/2 32/2 33/7 33/9 33/13 33/13 34/5 38/24 39/14 41/17 42/2 42/2 42/11 43/22 45/2 45/2 46/13 47/8 47/25 49/23 50/12 50/17 56/5 56/12 58/13 58/14 59/3 62/4 63/21 64/21 66/22 67/8 69/15 71/11 71/11 72/9 72/9 73/12 74/23 80/3 81/17 82/21 82/21 82/23 82/24 83/4 83/5 83/5 87/2 87/15 91/7 92/19 96/14 98/9 104/4</p>	<p>104/5 105/1 105/13 107/20 108/13 110/11 111/22 112/14 113/11 114/7 114/7 120/17 122/21 123/9 124/2 125/2 127/16 128/13 129/1 134/3 134/5 136/15 136/15 137/13 137/21 141/19 142/6 144/16 144/18 144/22 144/22 145/14 146/12 148/2 153/8 153/15 156/13 156/22 158/8 158/11 158/15 174/6 174/7 181/6 182/1 182/13 183/17 183/24 184/11 184/11 184/25 185/4 185/5 186/25 187/4 187/11 188/10 189/20 189/25 198/4</p> <p>oral [1] 102/12</p> <p>order [14] 1/20 3/13 11/3 11/4 38/17 59/12 107/19 117/18 118/2 118/3 118/5 129/8 152/8 189/6</p> <p>ordained [3] 119/4 119/18 123/2</p> <p>ordinating [1] 121/7</p> <p>ordination [1] 116/1</p> <p>organ [1] 98/6</p> <p>Organisation [1] 194/7</p> <p>organisations [5] 149/4 167/25 171/21 174/14 178/20</p> <p>original [2] 61/12 88/6</p> <p>originally [1] 76/24</p> <p>originate [1] 61/10</p> <p>originated [1] 201/17</p> <p>origins [1] 201/20</p> <p>other [52] 1/17 2/11 2/12 2/14 3/15 9/14 28/18 29/8 35/24 40/23 42/21 46/13 46/16 52/8 64/8 74/9 77/21 81/23 84/9 85/18 88/20 90/20 90/20 100/12 100/14 101/5 110/11 116/5 120/13 121/11 123/8 125/6 128/18 131/20 131/21 136/6 136/7 137/11 142/6 142/25 146/12 156/21 164/19 167/12 169/6 169/11 171/6 173/16 180/25 186/23 189/20 192/24</p> <p>others [7] 22/23 77/17 89/7 94/25 113/17 133/7 201/24</p> <p>otherwise [5] 43/4 59/11 71/20 101/5</p>	<p>181/6</p> <p>our [30] 4/12 19/2 23/3 28/8 28/10 35/9 38/25 42/9 42/9 63/3 68/15 90/5 90/15 90/23 100/10 100/12 102/9 110/15 116/17 130/16 140/7 143/4 155/16 157/19 177/22 179/4 190/21 193/16 194/12 194/14</p> <p>ourselves [2] 134/6 193/3</p> <p>out [82] 3/18 3/18 5/2 5/2 6/13 6/13 7/14 7/14 7/23 8/25 9/7 9/8 10/25 15/6 15/7 15/7 21/19 21/24 22/4 25/8 33/3 38/22 38/23 40/5 42/24 48/23 51/23 53/12 55/23 56/25 58/9 58/9 58/19 58/19 59/3 67/8 68/19 68/25 69/6 70/9 70/22 71/2 76/25 77/20 81/18 82/2 83/15 87/16 87/20 88/7 94/11 94/14 95/10 112/23 117/4 117/7 119/3 124/17 125/3 127/23 132/18 133/9 133/12 134/18 136/24 145/23 152/11 152/15 157/3 157/5 162/2 173/16 176/16 180/13 181/11 183/10 185/3 187/15 188/25 193/2 193/6 196/19</p> <p>outbreak [1] 22/13</p> <p>outbreaks [1] 23/25</p> <p>outcome [1] 129/8</p> <p>outcomes [5] 150/8 153/6 153/10 155/3 155/8</p> <p>outdoor [2] 172/7 172/9</p> <p>outfits [1] 155/21</p> <p>outline [1] 144/19</p> <p>outlining [1] 144/15</p> <p>outset [1] 102/20</p> <p>outside [2] 46/14 201/14</p> <p>over [31] 6/18 13/17 17/18 22/1 26/20 35/24 52/12 56/6 70/17 72/12 72/13 81/23 85/6 86/7 91/7 93/15 96/12 112/25 130/20 130/24 132/13 139/14 144/11 185/9 191/3 192/24 198/4 198/5 198/25 199/6 200/17</p> <p>overall [4] 54/3 58/22</p>
--	--	---	--	--

O	141/3	paragraph 542 [1] 188/15	path [3] 3/13 21/20 63/24	148/4 155/20 156/23 157/22 157/25 158/23 158/24 160/4 161/17 162/9 163/15 163/16 163/18 165/3 165/6 165/13 165/23 166/3 166/17 167/13 167/15 170/18 170/19 172/7 176/15 177/20 178/22 179/11 179/15 179/21 180/12 180/20 180/22 181/16 181/18 181/24 182/17 182/20 182/20 182/21 182/23 183/24 185/1 185/4 186/14 186/16 187/2 187/14 187/15 188/1 189/25 189/25 190/21 191/19 192/5 192/7 192/7 192/10 192/12 192/25 193/8 193/13 193/18 196/1 198/24 199/8
overall... [2] 109/5 177/11	page 32 [2] 15/25 16/1	paragraph 656 [1] 158/5	pathology [1] 166/24	191/24
overridden [1] 66/3	page 41 [1] 194/8	paragraph it [1] 144/12	patient [1] 160/22	people's [8] 41/23
OVERRIDING [1] 12/5	page 478 [1] 191/15	paragraphs [1] 144/8	patients [3] 93/20 153/25 201/8	103/22 103/23 130/11 133/17 142/5 178/20 183/6
overwhelmed [3] 92/5 100/13 100/15	page 49 [1] 144/8	paragraphs 151 [1] 144/8	Patrick [23] 7/13 9/20 10/3 13/12 17/16 20/25 21/8 22/22 39/21 40/24 49/22 51/7 52/4 63/22 150/7 150/19 151/15 160/1 160/7 161/2 161/7 191/16 195/22	peppered [1] 141/1
overwhelming [3] 42/17 108/16 161/9	page 53 [1] 194/16	paranoid [1] 53/18	Patrick Vallance [3] 21/8 63/22 160/7	per [2] 22/25 87/15
overwhelmingly [1] 107/8	page 92 [1] 39/21	paraphrase [1] 180/9	Patrick's [1] 20/5	per se [1] 22/25
overworked [1] 156/6	pages [1] 6/8	parlance [2] 39/20 145/14	pattern [3] 118/7 166/2 193/20	perceived [1] 77/17
owe [1] 149/18	pages 1 [1] 6/8	Parliament [2] 42/2 160/22	Paul [2] 95/17 113/23	percentage [2] 17/10 17/12
own [20] 2/23 15/1 29/6 37/23 38/6 47/17 54/5 72/24 85/14 91/21 134/20 141/15 141/15 141/16 141/16 141/17 145/1 148/8 159/1 174/14	paid [4] 100/17 127/15 149/23 149/24	parliamentary [1] 58/14	Paul Deighton [1] 95/17	Perelman [1] 47/1
oxygen [1] 89/19	pain [4] 83/12 103/1 103/22 104/22	part [19] 23/3 26/23 35/25 67/13 79/25 80/11 94/22 98/1 109/7 109/7 109/8 117/14 117/15 121/2 154/7 185/14 186/5 186/20 190/19	Paul Givan [1] 113/23	perfect [3] 129/25 130/17 147/7
P	paint [1] 133/19	participate [1] 107/4	pause [2] 47/22 84/3	perfectly [1] 128/8
pace [4] 93/10 125/16 125/25 126/1	pair [1] 156/17	particular [24] 5/16 5/25 33/8 55/13 63/24 68/24 103/12 108/5 108/7 110/12 112/2 114/14 120/3 132/15 137/19 141/13 146/19 148/9 151/4 174/16 178/3 181/23 194/2 200/25	payment [3] 11/22 197/12 197/17	performance [2] 87/9 109/5
pack [1] 85/23	Pakistani [1] 158/25	particularly [19] 1/22 45/19 53/5 60/17 67/23 78/2 111/11 111/25 146/15 149/22 150/24 153/10 155/13 168/8 168/15 177/7 182/24 192/7 195/22	payments [7] 11/16 12/13 12/14 12/21 12/24 13/5 197/23	performative [2] 45/8 45/9
package [14] 25/22 25/23 27/8 37/15 37/17 37/19 37/20 37/22 37/22 96/18 98/4 99/6 137/14 137/16	pan [3] 110/2 111/2 111/4	partly [2] 90/2 91/4	pears [1] 82/16	perhaps [20] 11/6 12/11 13/13 18/8 18/22 23/14 31/1 40/11 45/23 46/8 46/19 64/15 104/17 106/2 108/13 108/19 134/15 141/18 143/2 177/16
package A [5] 25/23 27/8 37/15 37/17 37/22	panacea [1] 31/2	partners [2] 191/9 193/10	peculiar [1] 176/15	period [14] 24/3 25/19 28/3 28/12 36/1 38/22 47/13 70/4 81/23 85/6 117/3 117/5 150/11 199/12
package B [1] 37/22	pandemic [50] 15/17 28/7 71/24 73/13 78/9 80/3 81/25 82/1 86/13 94/25 104/24 106/12 109/6 110/12 110/19 111/7 111/13 112/19 114/2 116/10 117/13 117/20 120/21 120/25 121/12 129/13 133/4 135/1 135/15 136/10 140/8 143/2 144/6 147/14 148/10 149/14 150/15 150/19 155/3 156/7 172/24 177/3 177/11 193/15 195/21 197/10 197/21 198/24 199/5 199/11	party [3] 103/13 111/4 174/15	penalty [2] 72/20 72/24	permanent [2] 38/3 38/19
page [34] 6/15 6/18 6/22 15/18 15/21 15/25 16/1 17/15 17/24 20/7 21/8 34/9 39/21 40/3 40/24 76/19 81/11 94/16 95/25 96/3 125/14 126/15 126/23 131/14 141/2 141/3 144/8 170/3 174/18 191/15 194/8 194/16 196/13 203/2	pandemics [1] 150/10	Partygate [2] 74/10 104/25	penultimate [1] 125/20	permission [1] 179/20
page 10 [1] 81/11	paper [11] 25/1 37/17 37/18 47/25 55/7 55/16 55/18 69/21 69/24 160/10 162/1	partying [1] 76/21	people [155] 1/17 2/19 3/3 4/10 4/17 6/22 13/3 13/4 13/25 14/22 15/10 15/11 17/2 17/3 18/5 18/8 22/17 25/16 26/3 27/25 28/14 28/18 29/19 29/22 32/5 38/8 40/15 41/5 41/6 41/8 43/1 52/8 59/21 59/24 65/6 66/12 68/15 70/10 71/23 74/4 75/10 76/12 77/4 77/16 77/20 77/21 78/8 78/11 83/13 84/9 86/3 86/17 88/11 88/16 90/15 90/18 91/3 92/11 100/3 100/17 101/5 101/16 104/10 105/8 110/7 110/20 113/5 114/21 115/4 121/6 127/7 128/10 128/12 128/14 129/5 129/18 130/17 133/16 133/18 136/25 137/4 138/14 138/24 139/16 142/4 142/13 145/17 147/2 147/8	permissions [1] 127/8
page 105 [1] 131/14	papers [5] 9/11 34/9 48/1 55/10 55/15	passage [1] 116/7	Paul Deighton [1] 95/17	permissive [2] 194/6 195/2
page 107 [1] 170/3	paperwork [2] 5/14 9/10	passages [2] 125/4 127/24	Paul Vallance [3] 21/8 63/22 160/7	permitted [1] 105/25
page 13 [1] 76/19	paradoxical [1] 138/21	passionately [1] 78/5	Patrick's [1] 20/5	permitting [1] 110/25
page 153 [1] 95/25	paragraph [14] 18/3 18/16 46/5 80/1 91/9 127/2 127/12 133/21 141/3 144/12 153/6 158/5 170/3 188/15	past [2] 9/23 96/12	pattern [3] 118/7 166/2 193/20	
page 2 [1] 20/7	paragraph 126 [1] 141/3	Patel [2] 13/8 188/6	Paul [2] 95/17 113/23	
page 21 [1] 94/16	paragraph 15 [1] 80/1		Paul Deighton [1] 95/17	
page 24 [1] 174/18	paragraph 191 [1] 133/21		Paul Givan [1] 113/23	
Page 245 [1] 40/3	paragraph 397 [1] 170/3		pause [2] 47/22 84/3	
page 25 [1] 15/18	paragraph 46 [2] 91/9 153/6		payment [3] 11/22 197/12 197/17	
page 28 [1] 17/15			payments [7] 11/16 12/13 12/14 12/21 12/24 13/5 197/23	
page 3 [1] 126/23			pears [1] 82/16	
page 30 [2] 141/2			peculiar [1] 176/15	

P	67/3 67/5 67/5 67/7 67/8 67/14 94/2 96/20 122/10 128/4 161/1 163/5 168/24 169/18 plan A [2] 66/19 67/5 plan B [6] 66/19 66/21 67/5 67/7 67/8 67/14 planned [1] 163/1 planning [1] 77/9 plans [2] 94/1 94/19 play [1] 132/22 played [2] 102/6 109/7 please [27] 1/8 9/4 22/11 39/17 47/22 48/4 49/4 75/3 76/19 81/11 84/3 95/24 101/4 101/23 105/12 113/3 122/6 124/18 126/11 130/22 137/6 150/17 167/8 174/22 178/25 179/22 200/19 plenty [7] 2/10 3/15 38/7 106/15 132/16 156/21 167/15 plough [1] 128/25 plus [5] 1/12 37/20 39/12 66/21 67/14 pm [19] 6/23 17/14 17/24 25/13 25/22 27/12 39/22 101/7 101/9 125/22 126/5 148/21 148/23 149/16 194/23 195/1 195/8 195/11 202/2 point [54] 18/17 20/1 20/5 20/19 21/2 36/13 52/9 56/10 57/14 57/25 75/17 77/18 79/19 79/24 80/17 80/23 81/18 82/5 83/6 83/15 84/13 87/13 89/8 89/16 90/13 90/19 91/1 95/16 95/21 95/22 96/14 104/15 107/1 107/2 110/16 116/25 117/18 120/1 120/10 123/3 123/11 125/12 125/20 126/22 129/22 138/12 143/6 143/11 143/18 161/1 176/18 187/9 194/25 201/13 pointed [1] 132/18 pointing [1] 28/21 pointless [1] 121/16 pointlessly [1] 195/17 points [18] 19/9 42/23 45/17 59/16 59/21 69/3 79/21 81/18 81/25 96/15 103/3 118/23 123/15	124/11 125/9 138/11 142/6 179/12 Poland [2] 82/23 82/25 police [1] 14/6 policies [2] 130/18 156/2 policy [13] 3/22 3/24 5/2 31/24 151/13 163/1 163/14 194/5 194/13 194/15 196/10 196/15 196/22 political [10] 31/12 45/10 72/9 111/8 121/16 133/18 133/23 136/18 174/15 196/8 politically [4] 45/6 119/21 132/9 197/1 politicians [4] 42/21 53/17 53/17 136/5 politics [1] 124/8 polled [1] 127/8 poor [1] 113/11 poorest [4] 39/5 65/7 197/6 197/7 popular [1] 73/16 population [16] 16/21 16/21 17/10 18/9 18/19 38/13 84/25 87/16 87/25 88/4 88/11 88/12 89/6 182/13 182/17 192/23 portion [1] 16/21 Porton [1] 90/3 Porton Down [1] 90/3 posed [3] 2/22 31/7 182/19 position [32] 10/12 11/9 12/18 17/23 21/18 27/4 30/11 34/4 41/7 41/19 58/20 66/21 71/6 71/8 71/22 81/14 81/21 97/25 98/18 110/3 110/4 121/7 134/21 139/19 172/6 172/13 173/15 174/10 177/5 193/3 195/20 196/23 positive [1] 10/19 positively [1] 10/2 possibility [7] 16/8 37/21 62/24 103/17 118/21 159/25 165/3 possible [14] 4/8 16/12 16/25 37/1 41/14 52/3 63/13 119/2 127/19 129/4 138/8 139/24 155/11 155/24 possibly [7] 57/11 57/12 67/19 105/17 135/6 192/10 193/1 post [1] 188/23	potential [4] 150/15 170/17 181/23 196/5 power [1] 183/21 powerful [2] 110/5 196/1 powerfully [1] 102/7 powers [2] 189/19 201/9 PPE [14] 89/19 89/24 91/22 92/19 92/19 92/24 93/5 93/7 93/16 93/22 95/18 155/15 155/18 155/19 practical [2] 18/23 121/25 practicalities [1] 125/17 practically [1] 171/16 praise [1] 116/11 pre [3] 3/9 61/14 67/5 pre-existing [3] 3/9 61/14 67/5 precautionary [6] 21/4 23/23 32/15 33/15 67/3 200/7 precautions [1] 196/2 precedes [1] 125/1 precisely [1] 163/24 predictable [1] 118/7 predictions [4] 80/3 82/19 83/3 83/23 premature [1] 179/7 preparations [1] 94/10 prepared [4] 88/21 88/21 144/13 169/22 prerogative [1] 141/12 prerogatives [4] 119/21 134/17 135/11 140/11 present [11] 7/18 8/8 9/5 22/2 84/14 107/4 125/11 134/1 135/24 137/12 173/4 presentational [1] 72/10 presented [9] 5/4 5/8 5/10 5/11 6/1 6/6 37/16 57/16 69/21 presenting [1] 6/19 presents [1] 110/12 preservation [1] 17/20 press [8] 33/19 42/2 63/21 69/13 98/7 110/21 145/7 146/6 pressing [1] 195/5 pressure [4] 1/19 3/12 24/5 53/5 pressures [1] 98/2 prestigious [1] 86/6 presumably [2] 47/7	98/7 pretend [2] 26/19 71/20 pretty [10] 7/16 11/19 39/3 44/17 44/20 54/22 67/21 119/9 124/5 178/8 prevalence [7] 19/21 28/11 57/7 59/4 59/11 62/19 163/2 prevalent [5] 28/1 28/15 50/21 51/25 67/25 prevent [3] 163/10 163/11 163/12 prevented [1] 134/13 previous [3] 8/1 142/19 170/14 previously [2] 9/3 120/15 price [2] 149/23 149/24 primary [2] 64/25 168/21 prime [27] 2/25 23/13 28/19 40/7 43/19 46/3 46/9 46/20 69/8 114/2 118/8 118/22 118/24 119/6 120/12 120/20 121/15 126/24 127/18 131/19 132/11 147/24 149/1 154/19 180/11 192/2 192/17 PRIME MINISTER [23] 2/25 23/13 28/19 43/19 46/3 46/9 46/20 69/8 114/2 118/8 118/22 118/24 119/6 120/12 126/24 127/18 131/19 132/11 147/24 149/1 154/19 180/11 192/2 principal [3] 45/25 46/6 124/22 principally [1] 17/5 prior [3] 125/2 168/23 169/8 priorities [1] 170/4 priority [7] 97/20 97/22 99/2 100/10 171/5 177/22 178/10 Priti [2] 13/8 188/6 private [8] 45/25 46/6 46/21 64/11 93/24 124/22 138/6 184/12 privately [2] 46/11 46/12 probably [11] 22/19 29/16 33/2 67/15 85/21 95/12 98/12 176/19 176/20 184/6 187/17 probe [1] 81/6 problem [38] 13/19
----------	---	---	---	--

P	177/15 178/4 180/17 193/2 193/15 201/6 progress [2] 60/15 125/16 project [1] 8/10 prolonged [4] 54/7 160/4 165/15 166/14 promise [2] 167/9 201/13 promote [2] 11/3 119/18 promulgation [1] 14/11 pronounced [1] 59/10 proof [3] 108/22 135/20 195/15 proper [8] 11/3 48/13 48/17 51/1 99/25 141/19 168/24 169/18 properly [14] 7/20 9/19 10/2 10/20 10/20 45/18 45/20 61/1 73/22 75/4 75/15 91/12 146/22 178/2 prophecy [2] 85/20 88/6 proportion [1] 192/23 proportionate [1] 112/18 proportions [1] 71/17 proposal [4] 110/2 110/5 111/3 111/5 proposals [2] 16/24 18/23 proposed [5] 5/13 5/18 9/12 99/12 141/5 proposition [1] 19/23 prosecutions [1] 190/6 prospect [1] 16/6 protect [19] 17/4 28/9 38/12 43/3 67/2 83/17 100/11 142/14 151/11 152/18 152/25 164/14 164/16 167/13 167/16 168/6 168/23 183/9 189/6 protection [4] 93/2 155/11 155/24 156/6 protections [1] 199/7 protective [3] 89/19 152/17 198/25 prove [1] 57/3 proved [4] 45/16 54/14 73/7 85/21 provenance [1] 158/21 provide [2] 81/5 92/19 provided [17] 11/8 43/12 43/16 43/17	44/24 55/3 81/13 84/22 113/21 158/6 160/12 162/4 162/6 162/6 162/18 162/20 162/21 provider [1] 87/19 providing [1] 87/19 province [1] 67/24 proving [3] 51/2 51/3 53/20 psychological [1] 168/18 pub [1] 105/1 public [54] 1/23 4/1 14/8 21/13 28/20 29/15 38/17 42/18 43/20 46/15 46/23 47/11 47/13 51/10 51/12 51/12 63/2 67/2 71/8 71/16 71/17 72/13 78/6 84/6 91/19 110/10 112/17 120/21 128/12 129/20 130/1 133/10 139/3 140/2 140/16 141/7 141/10 141/23 144/11 145/24 146/25 148/8 148/11 154/16 154/25 164/14 166/3 167/11 180/13 183/13 199/7 199/17 200/5 201/15 publication [2] 184/9 184/10 publicised [3] 7/16 9/23 167/18 published [3] 120/18 162/1 163/6 pubs [4] 138/25 170/9 170/21 171/7 pudding [1] 195/15 pull [1] 124/18 pulled [1] 126/11 punishing [1] 96/23 punitive [1] 197/23 punted [1] 100/1 purpose [1] 54/19 purposes [2] 186/17 186/18 pursue [3] 19/4 173/21 196/20 pursuing [1] 28/13 push [1] 30/14 pushing [1] 175/8 put [54] 3/18 4/22 17/23 19/19 39/25 42/23 49/13 51/2 52/2 52/6 57/7 59/7 62/7 64/14 67/3 81/7 81/8 82/6 84/21 85/7 86/20 87/10 87/10 95/16 101/24 132/8 135/17 139/4 139/7 142/22 143/2 149/13 149/21 150/14 151/11 152/17	152/21 152/23 170/2 177/12 177/20 178/12 179/19 181/21 184/4 187/12 189/21 189/22 190/20 192/14 193/2 193/12 198/4 200/18 puts [1] 181/6 putting [8] 16/8 48/20 72/24 83/23 85/3 97/18 170/5 181/15 Q quantified [1] 48/14 quantify [1] 72/11 quantitative [1] 48/8 quarrel [2] 121/22 199/9 quarter [1] 88/13 question [56] 2/8 2/22 22/6 29/11 30/17 32/19 39/1 39/14 43/9 45/23 46/18 49/1 49/3 55/9 58/3 59/7 60/9 80/25 83/18 83/20 97/23 102/15 105/5 105/11 107/11 116/3 116/25 117/15 122/5 122/9 122/20 124/16 125/5 127/23 128/24 138/13 152/16 152/18 153/14 155/7 158/13 161/21 162/13 165/22 166/8 167/8 167/9 170/8 175/16 176/20 179/4 179/20 184/4 192/15 198/12 199/4 questioning [3] 77/25 85/8 85/9 questionings [1] 130/9 questions [50] 1/4 79/5 79/13 79/15 79/20 100/24 101/11 101/14 101/16 101/21 101/24 105/25 111/1 111/23 115/12 115/18 115/20 117/8 118/2 118/3 131/1 132/15 136/12 147/12 147/13 148/25 159/20 159/22 160/18 167/22 167/24 178/18 185/10 185/13 191/4 191/5 198/9 200/12 203/4 203/6 203/7 203/8 203/9 203/10 203/11 203/12 203/13 203/14 203/15 203/16 quickly [7] 54/4 96/2 96/4 134/1 153/19 197/4 200/2 quiet [1] 84/7 quite [38] 2/1 2/13	4/23 5/13 7/21 8/23 12/20 12/21 19/5 19/8 24/21 35/17 38/9 51/11 53/18 56/16 57/15 78/13 82/13 84/21 106/3 106/14 106/25 110/24 111/15 111/19 120/1 131/18 132/13 132/24 132/25 133/1 148/4 153/19 173/2 186/13 196/12 199/24 quizzes [2] 105/1 105/2 quotation [1] 42/1 quotations [1] 191/18 quote [1] 117/10 quoted [2] 2/23 105/20 quoting [1] 94/12 R R rate [1] 18/13 race [1] 91/18 racism [2] 154/10 154/18 radically [1] 193/16 rail [1] 146/11 raise [2] 81/19 88/9 raised [9] 69/3 79/25 83/21 84/14 113/22 114/14 126/19 126/22 188/8 raises [2] 130/10 198/18 raising [3] 142/2 183/2 188/12 ramp [1] 94/20 ramped [2] 93/6 93/7 ramping [1] 91/22 ran [2] 58/16 93/3 range [1] 182/19 rape [1] 190/5 rapid [2] 23/15 76/11 rapidly [4] 19/19 76/12 92/5 136/18 rare [2] 67/20 111/4 ratchet [1] 24/3 rate [6] 17/7 18/13 62/19 82/8 82/11 86/16 rates [4] 157/11 163/4 164/8 189/3 rather [15] 18/6 44/7 55/12 82/23 93/17 114/4 128/7 141/7 146/19 148/1 150/10 171/12 178/24 183/18 200/17 ratio [1] 68/2 rationale [4] 3/23 26/23 50/18 175/6 rationales [1] 3/24
----------	--	---	---	--

R	153/15 153/16 171/10 184/19 186/21 187/24 197/19	referred [3] 118/23 160/15 162/12 referring [3] 47/1 161/25 188/14 refers [5] 6/14 47/5 96/20 127/11 145/19 reflect [9] 22/13 83/16 129/21 134/22 134/24 140/18 143/17 179/9 180/6 reflected [2] 32/7 102/7 reflecting [1] 182/4 reflection [3] 14/15 92/8 108/20 reflections [2] 117/18 155/25 reflects [3] 98/21 126/1 138/6 regard [2] 121/9 200/6 regarded [1] 122/7 regarding [1] 65/25 regardless [2] 36/7 129/1 regards [1] 116/1 regional [22] 23/5 26/2 26/9 26/15 26/21 28/23 31/3 39/12 42/5 49/15 50/18 51/21 52/10 52/17 52/23 53/23 60/5 111/10 111/13 111/17 112/3 115/2 regionally [1] 25/2 regions [1] 27/15 register [1] 71/4 regret [3] 73/13 104/16 184/8 regrets [1] 195/13 regrettable [1] 71/15 regular [3] 46/2 118/23 120/13 regulation [2] 14/17 14/21 regulations [10] 11/5 13/6 13/10 13/20 73/3 75/15 75/19 77/9 185/22 185/23 reinforce [1] 125/22 reintroduced [1] 172/12 reintroduction [1] 64/1 reiterat [1] 127/13 reject [3] 41/9 99/6 109/17 related [6] 19/22 47/13 104/19 124/17 153/5 155/8 relates [1] 137/8 relating [6] 72/20 96/3 115/20 126/18 127/21 155/3	relation [14] 5/18 6/12 11/9 52/16 64/21 143/19 144/5 149/19 155/19 161/21 163/21 163/22 178/4 193/16 relations [8] 106/17 107/7 115/18 116/11 118/14 118/15 119/13 133/5 relationship [3] 131/20 131/23 132/3 relatively [2] 62/20 111/4 relax [1] 176/14 relaxation [1] 176/12 relayed [1] 19/17 releasing [3] 166/18 166/25 167/3 relevant [2] 36/15 36/17 relied [1] 52/17 religious [1] 155/21 reluctance [2] 131/11 132/21 reluctant [1] 177/2 rely [2] 14/16 52/9 remain [1] 199/22 remainder [1] 16/23 remained [9] 1/17 3/4 28/8 38/25 39/20 58/5 58/6 69/8 188/21 remarkable [3] 109/6 118/12 147/1 remember [45] 7/20 7/22 8/1 9/2 9/9 10/22 12/1 17/1 20/5 26/18 32/5 33/7 33/9 33/25 34/14 34/15 34/22 35/8 46/25 55/1 55/14 59/21 62/9 63/15 65/4 69/19 71/7 93/13 96/16 108/3 112/20 122/19 123/4 133/2 145/9 149/15 149/16 150/22 157/25 160/8 160/9 173/3 176/25 176/25 188/12 remembering [1] 15/22 remind [4] 21/23 78/9 172/6 173/14 reminded [1] 160/24 remission [1] 15/5 remote [1] 169/1 remotely [2] 42/10 169/6 removal [3] 198/13 198/19 199/7 remove [1] 136/7 renewal [1] 146/9 reopening [2] 66/1 146/12 repeat [7] 73/25 99/10 101/3 155/7	196/14 196/18 196/21 repeated [4] 73/5 75/3 178/21 181/18 repeatedly [5] 38/15 77/18 146/6 160/9 183/1 repetitive [1] 40/1 replacing [1] 107/2 replies [1] 175/9 report [23] 116/8 116/12 116/20 143/19 143/19 144/7 146/4 146/14 146/21 154/16 154/20 155/1 155/4 156/1 161/25 162/4 162/18 162/20 162/23 163/25 165/25 166/9 188/2 reported [2] 72/7 184/13 reporting [3] 33/19 92/25 160/4 reports [2] 72/18 162/5 represent [5] 38/9 99/2 104/14 149/3 184/20 representation [1] 74/16 representations [2] 73/24 188/11 representatives [1] 80/10 represented [2] 45/18 45/20 representing [4] 42/19 44/16 44/17 115/16 requested [1] 163/25 requesting [1] 131/6 require [1] 133/13 required [4] 11/6 23/16 31/8 62/16 requiring [1] 194/5 research [3] 87/15 162/1 166/22 reservoirs [3] 66/10 170/17 170/20 resign [1] 69/17 resist [1] 63/25 resistance [1] 199/16 resort [2] 168/5 168/11 respect [23] 5/1 22/13 27/23 29/8 31/16 52/20 85/4 86/24 89/8 97/19 99/9 100/13 100/14 100/16 135/1 135/2 135/10 137/19 148/19 164/7 175/16 190/18 199/10 respectable [1] 141/6 respectfully [3] 66/6
----------	--	--	--	--

R	67/11 67/14 67/17 72/4 78/21 80/8 81/7 81/17 82/9 82/18 83/5 84/11 98/21 110/8 110/18 112/5 118/2 118/3 119/22 121/9 123/11 123/14 123/23 130/17 140/19 142/7 151/24 152/3 154/24 155/10 157/9 168/6 176/22 176/24 189/21 190/7 197/6 198/16 202/1	184/22 184/24 roughly [1] 80/23 round [7] 25/1 29/8 42/4 57/15 75/3 76/7 94/4 route [2] 41/4 124/17 Royal [1] 190/11 Royal Assent [1] 190/11 rubbish [2] 41/15 100/4 rule [19] 1/9 1/13 1/20 1/22 2/16 2/21 3/10 24/6 25/21 27/7 60/6 70/12 96/22 98/9 98/14 172/12 175/3 175/21 175/23 rules [19] 13/14 13/23 14/23 73/2 73/21 74/21 103/18 104/13 105/19 145/23 146/7 146/7 146/17 146/19 147/3 147/19 147/25 176/14 187/15 run [3] 17/21 20/23 87/7 runner [2] 65/14 66/13 running [6] 55/23 56/25 67/7 84/5 130/20 196/19 Ruth [1] 102/20	74/20 75/6 75/13 75/24 78/3 85/10 85/21 86/4 86/5 86/8 87/25 90/11 97/21 98/8 99/10 99/19 101/4 105/8 108/21 110/10 116/20 118/20 119/25 121/14 127/18 131/25 132/4 132/13 136/2 138/20 143/23 146/21 147/4 147/14 150/19 151/9 159/24 160/13 161/3 164/10 165/22 168/9 173/24 176/22 178/3 183/12 183/19 188/7 190/20 195/7 199/20 Sajid [1] 198/22 Sajid Javid's [1] 198/22 salons [2] 170/10 170/21 same [23] 3/16 5/15 11/2 12/10 14/23 15/25 18/8 28/9 28/14 28/18 37/18 40/11 51/21 53/17 55/11 62/22 72/4 80/24 103/18 122/14 124/5 166/7 189/2 Santa [1] 103/13 Santas [1] 105/1 SARS [2] 88/20 91/5 save [11] 6/22 26/22 28/9 41/20 83/17 100/11 129/23 142/15 168/5 168/22 177/23 saving [2] 48/25 99/3 saw [6] 78/10 100/14 122/20 135/5 158/20 195/16 say [129] 5/1 7/12 8/25 9/14 9/18 9/21 12/17 13/18 14/20 15/18 16/1 16/6 16/18 16/23 17/18 19/14 20/16 22/1 22/14 29/9 31/25 33/6 34/17 38/2 38/7 40/23 42/10 43/18 44/4 44/12 44/13 47/16 50/5 51/4 53/21 56/3 56/4 56/21 57/20 58/16 61/22 66/7 68/16 71/10 71/25 72/9 75/11 77/13 78/19 80/1 80/1 80/9 80/14 83/2 86/22 89/1 89/7 91/24 93/25 95/5 95/6 96/6 96/14 96/15 96/21 98/13 100/4 104/4 104/13 105/19 112/7 112/25 116/20 123/20 127/4 127/22 128/5 128/17	129/11 132/16 133/12 133/15 133/20 134/23 135/8 138/9 138/17 139/25 140/5 140/20 142/10 145/15 145/18 146/14 146/14 147/1 151/20 152/2 152/21 154/12 158/5 158/9 160/16 162/14 164/4 169/19 170/3 171/8 175/25 176/13 177/21 179/1 179/11 184/20 185/2 186/9 186/16 187/2 187/3 187/4 187/4 187/21 188/15 189/9 189/11 189/14 194/11 197/6 200/21 saying [48] 2/5 5/17 10/10 19/7 20/3 20/14 24/22 24/24 25/4 30/25 34/18 38/16 39/19 40/8 43/2 63/22 75/3 75/18 78/7 80/21 89/13 92/7 94/5 94/17 97/10 97/12 97/20 98/3 98/11 98/12 103/17 112/24 116/13 127/5 133/7 136/21 136/22 142/17 145/9 145/11 148/6 148/12 149/2 152/4 165/2 176/21 186/20 187/23 says [24] 7/23 17/24 18/4 20/9 20/13 21/8 25/7 26/11 50/4 56/8 65/17 65/23 76/1 76/13 96/9 96/22 127/6 141/3 146/4 175/1 175/4 191/20 191/24 192/17 scale [2] 92/21 93/10 scales [1] 177/20 scenes [1] 100/14 sceptical [2] 56/4 161/5 scepticism [1] 69/23 scheme [21] 3/18 3/23 5/14 5/24 6/12 6/13 7/2 7/5 7/10 7/16 8/6 8/11 9/8 9/12 9/18 10/22 11/15 92/4 182/25 187/14 189/10 schemes [1] 146/11 school [14] 59/25 65/8 65/25 66/1 125/17 146/7 168/13 170/16 171/1 171/2 171/9 171/11 171/11 171/17 schools [34] 20/11 64/22 64/24 64/25 65/5 65/11 65/12 65/21 66/8 66/10 96/5 168/3 168/4 168/7
	rightly [7] 12/17 19/8 64/6 76/13 94/11 128/17 186/14 rights [5] 71/22 140/12 167/25 171/21 174/14 ring [2] 138/13 189/25 rip [10] 32/1 32/12 38/2 38/4 38/6 39/16 40/8 40/13 42/12 43/4 rip' [1] 39/23 rise [4] 13/21 54/4 67/10 172/11 Rishi [1] 47/4 rising [1] 26/15 risk [36] 4/7 5/9 5/19 5/21 15/8 17/21 18/6 20/23 21/1 68/14 97/14 99/14 121/15 121/16 140/15 156/14 156/15 163/4 164/13 164/23 165/5 165/7 165/16 165/19 167/4 167/11 170/17 170/20 171/6 172/4 173/5 174/1 185/24 186/1 186/25 187/2 risking [2] 141/10 141/23 risks [10] 21/12 91/11 153/5 155/2 155/8 167/2 167/17 167/18 177/6 182/19 road [4] 55/24 57/1 67/8 125/3 robust [1] 175/6 robustness [1] 85/1 role [2] 133/14 134/4 roll [2] 70/9 193/2 roll-out [2] 70/9 193/2 rolled [1] 112/23 rollercoaster [6] 58/22 59/10 61/22 61/22 61/24 62/1 rolling [2] 138/14 193/6 room [10] 23/18 44/25 45/1 45/2 45/2 61/19 180/10 182/9	sacrifice [7] 128/11 149/7 149/11 153/1 157/24 158/1 181/20 sacrifices [1] 193/5 sad [4] 38/7 53/10 136/20 200/17 sadly [7] 22/3 38/9 66/9 85/17 88/1 103/24 149/22 safe [2] 4/16 4/17 safely [1] 2/13 safety [1] 191/14 SAGE [12] 19/17 20/3 21/2 31/7 43/14 44/6 47/10 53/1 99/4 99/8 99/8 99/8 said [99] 2/25 4/18 7/14 8/16 10/13 12/7 12/14 20/25 23/2 23/2 26/12 26/18 26/23 26/25 28/22 31/5 34/18 34/25 34/25 36/4 37/3 38/10 39/16 40/22 41/25 43/6 44/1 48/12 50/9 50/9 50/16 51/19 51/20 51/20 52/10 52/15 52/15 54/3 56/14 61/2 62/8 64/4 69/6 70/21 70/23 71/3 73/11 73/12	S sacrifice [7] 128/11 149/7 149/11 153/1 157/24 158/1 181/20 sacrifices [1] 193/5 sad [4] 38/7 53/10 136/20 200/17 sadly [7] 22/3 38/9 66/9 85/17 88/1 103/24 149/22 safe [2] 4/16 4/17 safely [1] 2/13 safety [1] 191/14 SAGE [12] 19/17 20/3 21/2 31/7 43/14 44/6 47/10 53/1 99/4 99/8 99/8 99/8 said [99] 2/25 4/18 7/14 8/16 10/13 12/7 12/14 20/25 23/2 23/2 26/12 26/18 26/23 26/25 28/22 31/5 34/18 34/25 34/25 36/4 37/3 38/10 39/16 40/22 41/25 43/6 44/1 48/12 50/9 50/9 50/16 51/19 51/20 51/20 52/10 52/15 52/15 54/3 56/14 61/2 62/8 64/4 69/6 70/21 70/23 71/3 73/11 73/12	

S	103/13 105/1	segregation [2] 17/9 181/9	163/6 171/23 172/11 181/7 195/3 197/17	160/3
schools... [20]	Secretariat [1] 93/22	segue [1] 90/13	September 16th [1] 8/23	she [15] 47/5 75/25 76/1 76/1 95/14 95/14 103/3 103/8 126/22 139/21 175/4 175/11 188/7 189/12 189/14
168/10 168/22 168/23 169/1 169/22 170/4 170/12 170/17 170/20 171/4 171/13 171/13 172/23 173/3 173/6 173/9 173/10 194/3 194/5 194/16	secretaries [1] 46/13	segues [1] 89/15	September 2020 [3] 30/10 116/21 160/24	shed [1] 158/14
171/4 171/13 171/13 172/23 173/3 173/6 173/9 173/10 194/3 194/5 194/16	secretary [23] 13/8 21/4 25/3 25/12 25/15 30/15 46/1 46/6 53/7 57/18 65/20 66/3 76/23 76/24 83/11 85/13 99/15 124/22 137/9 138/7 154/4 188/7 194/24	self [17] 11/4 11/11 11/14 11/16 11/17 12/13 12/15 12/21 13/3 13/25 17/20 18/18 72/7 92/8 197/7 197/9 197/12	September 2021 [1] 163/6	shield [2] 18/19 43/3 shielded [2] 18/18 180/14
science [2] 30/5 195/6	secretly [1] 41/8	self-isolate [1] 13/25	September 22nd [1] 24/6	shielding [6] 137/14 180/18 180/20 181/11 182/25 183/10
scientific [27] 1/16 3/1 7/9 9/24 19/18 21/11 23/11 24/23 25/7 29/4 29/7 30/7 30/12 31/4 43/11 50/3 50/17 51/4 52/22 138/22 150/7 160/12 160/16 173/1 174/6 181/21 196/24	sector [3] 3/25 4/11 185/15	self-isolating [2] 11/14 11/17	September 9th [1] 24/5	shifting [2] 175/15 176/23
181/21 196/24	sectors [3] 2/14 158/24 159/1	self-isolation [9] 11/4 11/11 12/13 12/15 12/21 13/3 197/7 197/9 197/12	September/October [3] 36/16 59/19 60/3	shifted [1] 92/22
scientists [14] 2/2 2/4 5/10 8/8 8/13 8/18 9/4 31/21 32/11 42/19 42/23 51/11 182/9 195/25	securing [1] 95/18	self-preservation [1] 17/20	sequelae [4] 160/1 160/6 161/16 165/3	shock [2] 28/4 44/18
195/25	see [57] 6/5 6/19 8/19 9/24 14/22 15/2 18/25 19/2 19/4 20/8 26/11 29/10 29/12 29/14 32/14 34/9 36/17 45/21 48/4 48/8 60/20 62/14 63/4 75/4 81/3 81/20 85/14 95/7 97/12 97/13 99/17 103/24 111/15 114/21 115/11 124/21 126/23 127/2 131/15 137/19 139/12 149/5 177/1 177/16 184/1 185/11 191/16 191/18 192/22 193/8 193/12 194/9 194/11 194/16 195/15 198/3 200/21	self-reflection [1] 92/8	sequence [4] 100/8 100/8 161/8 170/24	shopping [1] 186/18
scope [3] 136/16 144/16 201/14	seeded [1] 56/22	self-reported [1] 72/7	sequestering [1] 182/13	short [11] 20/22 49/6 93/5 101/8 103/21 122/11 148/22 152/19 160/5 177/10 177/17
scoping [1] 93/22	seeing [8] 14/16 68/8 112/22 122/22 168/1 196/7 196/12 198/5	seminal [1] 148/18	series [1] 60/4	shortly [1] 133/1
Scotland [25] 79/16 107/18 125/10 126/20 126/25 127/13 127/16 129/11 129/12 129/15 131/24 132/2 137/12 139/24 140/11 141/13 141/14 141/15 172/14 173/20 173/22 174/8 175/20 194/6 194/22	seem [5] 2/16 5/4 7/3 119/9 123/20	send [2] 140/2 176/16	serious [11] 48/4 80/4 89/18 116/18 117/10 118/5 119/13 128/16 160/20 161/11 161/14	shot [1] 50/14
Scots [1] 139/20	seemed [18] 4/13 4/15 8/12 8/18 9/3 22/17 28/10 28/12 53/7 67/6 68/3 68/7 68/8 68/14 68/18 69/2 80/21 124/8	senior [3] 132/6 137/11 183/3	seriously [2] 13/14 73/3	should [56] 6/21 11/7 11/11 12/8 16/2 16/20 20/10 20/12 24/22 31/13 31/14 32/2 32/3 34/12 40/13 57/6 57/10 57/25 64/16 65/21 66/8 71/10 77/4 77/19 90/11 105/17 108/20 110/3 120/21 121/1 123/24 124/1 124/2 128/13 135/17 136/14 136/15 141/4 141/6 144/2 147/24 155/24 161/16 168/4 168/11 178/23 180/14 181/20 183/19 186/21 187/9 187/24 188/4 188/4 195/8 200/5
Scottish [4] 71/11 127/17 131/3 141/18	seems [1] 154/2	sense [12] 4/13 5/5 14/17 36/22 58/5 136/7 138/21 139/2 139/5 183/4 194/12 196/22	service [1] 191/25	shouldn't [1] 89/14
Scottish Government [1] 127/17	seen [18] 13/11 16/2 28/3 28/6 28/7 65/9 80/19 83/8 91/7 91/7 102/5 103/19 128/16 134/8 154/12 154/20 181/25 181/25	sent [3] 64/11 75/2 198/20	services [4] 87/9 166/3 177/13 188/20	shouty [1] 96/25
scrawled [1] 161/24	seek [1] 116/5	separate [2] 14/8 178/2	set [14] 14/23 23/1 25/8 58/11 64/9 86/7 95/11 121/11 138/14 145/23 172/20 187/13 192/2 201/22	show [5] 40/5 86/9 93/18 174/16 175/7
screen [7] 6/20 95/24 124/18 170/2 174/20 191/15 194/8	seeks [1] 149/25	September [59] 7/23 8/23 11/17 11/22 11/24 12/18 16/10 16/19 19/12 20/3 20/8 24/4 24/5 24/6 24/19 25/16 25/23 26/4 26/24 27/10 28/24 29/10 29/10 30/10 31/15 31/20 32/4 32/10 34/24 36/5 36/16 37/4 37/11 37/15 57/9 57/11 59/19 60/3 60/6 60/7 60/21 90/18 95/23 95/23 96/1 96/5 97/10 99/4 100/9 106/22 116/21 117/2 160/24	set-up [1] 121/11 setting [2] 11/12 192/19	showed [2] 35/1 36/6
se [1] 22/25	seem [5] 2/16 5/4 7/3 119/9 123/20	September [59] 7/23 8/23 11/17 11/22 11/24 12/18 16/10 16/19 19/12 20/3 20/8 24/4 24/5 24/6 24/19 25/16 25/23 26/4 26/24 27/10 28/24 29/10 29/10 30/10 31/15 31/20 32/4 32/10 34/24 36/5 36/16 37/4 37/11 37/15 57/9 57/11 59/19 60/3 60/6 60/7 60/21 90/18 95/23 95/23 96/1 96/5 97/10 99/4 100/9 106/22 116/21 117/2 160/24	settlement [1] 130/17	showrooms [1] 146/12
search [1] 101/20	seemed [18] 4/13 4/15 8/12 8/18 9/3 22/17 28/10 28/12 53/7 67/6 68/3 68/7 68/8 68/14 68/18 69/2 80/21 124/8	senior [3] 132/6 137/11 183/3	several [8] 7/17 10/17 10/23 80/19 94/13 103/10 133/3 145/9	shows [10] 6/5 46/16 52/20 68/21 81/24 81/25 85/9 85/10 85/10 144/14
second [26] 15/15 15/19 15/24 16/7 16/12 18/3 18/16 19/13 33/22 48/1 55/2 57/4 57/12 60/17 60/18 61/4 62/8 116/25 117/15 153/3 186/9 186/10 188/13 189/1 189/6 190/18	seems [1] 154/2	sensibilities [1] 130/9	service [1] 191/25	shut [1] 158/3
secondary [1] 64/24	seen [18] 13/11 16/2 28/3 28/6 28/7 65/9 80/19 83/8 91/7 91/7 102/5 103/19 128/16 134/8 154/12 154/20 181/25 181/25	sensitive [2] 142/11 180/8	services [4] 87/9 166/3 177/13 188/20	shy [1] 191/24
secondly [5] 3/25 85/12 168/10 170/16 184/13	segment [2] 18/19 38/11	sensitivities [1] 130/9	service [1] 191/25	sic [1] 162/16
seconds [1] 159/15	segmentation [7] 16/9 16/13 16/20 16/25 18/22 179/14 179/17	sent [3] 64/11 75/2 198/20	services [4] 87/9 166/3 177/13 188/20	sickened [1] 73/4
secret [3] 7/15	segregated [1] 181/16	separate [2] 14/8 178/2	services [4] 87/9 166/3 177/13 188/20	sickening [2] 103/9 103/20

S	slow [3] 22/11 193/18 194/22	176/11 176/19 176/21 178/2 179/21 180/5 180/17 181/14 181/21 184/7 185/17 186/15 187/6 187/14 188/9 188/23 189/5 189/24 190/8 190/16 195/7 196/5 196/7 196/19 198/5 200/21 201/22	something [31] 5/5 5/8 6/7 8/23 9/2 9/22 10/15 19/15 32/18 34/17 47/6 47/7 51/20 51/20 57/17 59/18 61/24 87/8 88/24 92/23 98/8 98/19 110/9 113/14 114/1 140/12 152/6 152/8 185/19 188/4 196/3	signed [1] 137/14	small [5] 17/12 18/6 62/13 81/8 159/22	so-called [3] 107/20 172/9 172/12	speaking [4] 114/3 118/22 144/14 184/17	signed-off [1] 137/14	smash [1] 77/6	social [20] 4/1 25/3 72/6 72/18 111/8 137/10 146/8 169/3 170/6 171/18 171/22 171/24 172/15 173/6 173/8 174/12 176/14 198/13 201/4 201/12	sometimes [11] 19/3 53/18 114/21 124/8 133/22 133/25 143/7 143/9 155/15 155/18 183/13	specific [10] 31/6 123/5 146/13 152/23 152/24 153/8 164/19 165/7 193/25 201/11 specifically [5] 34/14 165/14 165/16 190/9 192/15	significance [1] 61/6	SNP [5] 129/14 132/9 132/11 147/10 147/12	speeches [1] 144/13	significant [10] 7/4 10/16 13/21 66/2 68/4 69/10 72/5 111/10 113/5 163/15	so [199] 2/13 3/1 4/9 5/21 6/24 8/14 8/22 8/22 9/9 9/20 10/1 10/18 12/18 12/25 13/2 15/4 16/2 17/8 17/14 18/13 18/16 19/12 20/7 20/25 21/11 22/5 22/24 23/18 23/20 23/25 24/5 24/9 25/10 25/18 26/18 30/22 30/25 31/10 32/9 32/19 32/19 35/2 35/22 36/13 37/22 38/25 39/17 39/20 40/9 41/17 42/19 46/7 46/11 46/15 46/18 47/13 48/7 48/19 50/7 50/17 51/18 52/14 52/15 57/9 57/11 57/14 57/25 59/16 59/17 59/18 59/25 60/2 60/7 60/7 61/16 61/21 62/11 63/3 65/10 66/2 68/5 71/4 72/8 74/5 74/22 76/5 77/2 77/8 79/11 79/22 81/3 81/5 81/17 82/4 82/9 82/18 85/3 85/7 86/20 87/2 87/22 93/8 94/11 96/2 96/22 98/3 98/20 99/2 101/22 103/13 106/9 107/11 107/20 109/17 112/4 114/19 117/8 118/1 118/4 119/16 122/17 123/22 124/10 124/21 125/8 126/6 127/23 128/5 129/4 130/21 131/9 131/16 132/22 137/12 138/4 138/6 138/25 141/1 142/12 143/14 144/4 145/18 146/21 147/16 149/25 151/4 151/5 151/12 152/14 159/5 159/7 161/8 161/12 161/21 162/23 164/5 164/14 165/13 169/17 169/20 171/14 172/9 172/12 172/13 173/20 174/5 174/9 174/20 175/18 175/19 176/2 176/8	sooner [1] 188/11	speak [4] 42/22 73/19 114/3 184/23	simple [5] 2/1 13/23 99/13 139/15 164/18	social care [1] 201/12	spoken [1] 49/11	similar [3] 93/3 186/24 194/1	socialisation [1] 168/16	spokespeople [2] 144/23 146/16	Similarly [1] 87/18	socialise [2] 91/18 169/12	spontaneous [1] 17/19	Simon [3] 49/21 76/24 194/24	society [5] 17/22 39/6 158/11 169/11 182/7	spot [3] 40/25 56/2 152/10	Simon Case [2] 76/24 194/24	soft [1] 139/20	spray [1] 196/5	Simon Stevens [1] 49/21	Solace [1] 185/14	sorry [31] 8/16 8/19 8/20 10/8 20/14 33/6 35/13 35/21 35/22 36/13 39/19 43/8 84/5 84/10 89/12 91/24 94/24 97/21 100/21 105/12 131/25 152/1 156/24 157/3 173/13 180/15 183/22 192/14 196/16 196/17 198/7	spread [12] 22/1 23/7 54/15 63/16 85/1 100/3 141/18 163/19 165/12 165/20 167/4 183/9	since [2] 90/12 90/20	solely [1] 120/24	sort [9] 39/3 45/12 45/13 94/13 108/22 110/14 124/5 136/13 201/19	spring [8] 35/1 35/4 35/8 35/11 36/3 36/6 36/6 36/13	single [4] 34/9 59/19 109/6 114/15	solution [1] 147/23	sort of [8] 39/3 45/12 45/13 108/22 110/14 124/5 136/13 201/19	spraying [8] 4/6 28/2 54/14 56/19 56/19 56/22 91/12 91/13	sir [16] 5/16 13/12 17/16 17/16 17/23 39/21 40/24 49/22 51/7 97/19 150/7 150/19 161/2 161/7 178/14 191/16	solve [1] 190/3	sorts [3] 16/16 29/20 152/21	sir Chris Whitty [2] 17/16 17/23	some [76] 2/3 2/4 2/5 4/14 4/14 6/25 7/5 7/6 13/1 22/3 22/3 22/8 23/25 24/8 28/22 28/22 34/5 37/19 37/22 45/14 48/4 48/13 48/19 50/23 52/3 52/6 58/5 62/14 64/10 73/22 75/5 78/13 78/14 79/4 79/14 79/21 81/16 83/23 84/15 100/12 100/14 107/22 108/6 108/22 110/14 110/25 113/17 115/18 115/20 115/22 121/18 125/4 126/16 127/3 139/22 146/15 148/10 153/15 161/19 165/23 170/12 170/25 180/20 181/16 181/25 182/5 182/5 186/15 191/18 194/16 195/24 197/22 197/25 199/9 201/17 201/19	spot [3] 40/25 56/2 152/10	Sir Patrick [2] 150/19 191/16	somebody [1] 164/2	sought [2] 7/9 84/15	stables [1] 94/18	Sir Patrick Vallance [6] 17/16 40/24 49/22 150/7 161/2 161/7	somebody's [1] 120/17	sound [2] 3/22 140/10	stacks [2] 84/1 100/6	Sir Patrick Vallance's [3] 13/12 39/21 51/7	South [8] 67/24 68/8 88/10 88/18 89/13 89/15 91/1 91/2	staff [7] 73/2 152/4 152/9 152/25 153/23 156/5 157/19	Sisters [1] 185/13	South Africa [2] 67/24 68/8	stage [16] 40/2 116/10 117/22 140/6 140/7 151/4 151/14 151/16 166/21 172/12 176/13 177/2 192/5 193/3 195/5 199/18	sit [3] 99/20 158/3 198/4	South Korea [5] 88/10 89/13 89/15 91/1 91/2	stamp [1] 50/20	sitting [3] 154/4 154/5 184/24	South Korean [1] 88/18	stamped [3] 56/5 56/14 56/16	situation [4] 34/15 56/8 76/8 93/14	Southall [1] 185/13	standing [1] 183/11	situations [1] 135/19	space [2] 114/4 185/2		six [10] 24/6 25/21 27/7 60/6 98/9 98/14 172/7 172/12 175/21 175/23	Spain [2] 15/22 83/5		slight [1] 162/7			slightly [4] 59/22 128/18 144/23 193/24			slim [1] 51/11			slogan [1] 200/3		
----------	--	---	---	--------------------------	--	---	---	------------------------------	-----------------------	---	--	--	------------------------------	---	----------------------------	---	--	--------------------------	--	--	-------------------------------	-------------------------	---	---------------------------------	---------------------------------------	----------------------------	--------------------------------------	------------------------------	--	---	--------------------------------------	------------------------------------	------------------------	------------------------	--------------------------------	--------------------------	---	---	------------------------------	--------------------------	---	---	--	----------------------------	---	---	---	------------------------	--	---	---	--------------------------------------	---	---------------------------	-----------------------------	--------------------------	---	------------------------------	---------------------------------	------------------------------	--	---	--	---------------------------	------------------------------------	---	-------------------------------------	---	------------------------	--	-------------------------------	--	---	----------------------------	----------------------------	------------------------------	---------------------------------	--	---	-----------------------------	--	-------------------------	--	--	---	--	--	-----------------------	--	--	-------------------------	--	--

S	sterling [1] 75/12 Stevens [1] 49/21 stick [5] 6/9 83/18 83/20 90/19 130/22 still [17] 20/1 20/3 26/16 26/21 26/22 29/12 48/16 51/22 62/20 92/25 93/22 108/5 112/9 148/3 165/10 190/3 196/3 stocks [2] 91/16 93/12 stood [2] 80/7 147/17 stop [15] 33/22 84/10 97/22 104/23 104/24 105/7 105/14 155/12 165/4 165/11 165/12 165/12 165/20 183/9 187/17 stopped [2] 106/9 188/15 stopping [3] 97/3 107/2 163/19 stories [2] 71/2 102/25 straight [4] 24/8 39/1 63/18 184/7 strategy [15] 16/19 28/10 31/3 41/21 46/7 46/8 46/8 47/24 55/4 55/10 56/1 64/13 163/3 182/5 200/4 stream [1] 108/8 streaming [1] 84/9 Street [14] 28/25 72/21 73/2 73/8 73/17 75/12 75/23 76/8 76/21 77/9 103/11 104/1 104/11 188/8 strength [1] 46/16 stress [3] 48/24 73/9 108/15 strictly [1] 76/2 strictures [1] 15/12 striking [1] 124/4 stringent [6] 19/20 21/16 35/6 37/20 62/15 62/25 strong [4] 53/5 90/6 193/3 193/22 stronger [3] 33/4 33/15 33/20 strongly [1] 120/1 structure [3] 43/17 75/22 135/16 struggles [1] 93/15 study [5] 45/3 72/7 83/10 85/14 87/2 studying [1] 67/25 stuff [1] 201/2 stupid [1] 13/14 Sturgeon [2] 131/6 131/24 style [1] 33/3	Subcommittee [1] 134/4 subject [1] 153/20 submissions [1] 22/8 submitted [2] 120/6 120/8 subsequent [3] 156/1 156/11 199/13 subsequently [1] 52/16 substantial [3] 6/2 88/19 157/15 substantive [2] 72/10 155/4 success [1] 29/23 succession [2] 76/11 110/21 such [19] 6/1 23/11 59/2 80/11 83/4 86/18 88/20 93/22 111/3 132/6 142/22 146/17 158/13 159/4 175/5 188/18 191/9 192/2 193/10 suddenly [3] 53/14 169/22 176/13 suffer [2] 165/14 166/13 suffered [3] 74/6 146/19 177/8 suffering [11] 28/6 78/19 78/23 83/12 153/17 162/10 162/10 162/14 163/16 164/5 165/23 suffice [1] 105/14 sufficient [4] 102/1 119/18 145/4 161/10 sufficiently [2] 118/22 182/14 suggest [10] 4/24 10/2 33/13 53/25 68/8 72/7 87/23 104/20 124/8 168/11 suggested [10] 12/11 25/20 34/21 36/4 78/22 78/23 109/25 116/22 118/7 158/22 suggesting [2] 14/18 152/15 suggestion [9] 7/6 12/16 44/6 44/10 53/1 70/16 112/12 113/7 118/4 suggests [3] 10/4 59/8 69/14 suited [1] 133/16 summarise [1] 119/16 summarised [2] 125/24 165/25 summarising [1] 127/5	summary [5] 35/20 54/22 63/2 67/10 127/4 summer [8] 1/11 13/18 16/6 53/12 160/10 170/4 194/3 198/14 summing [2] 2/23 2/25 summing-up [1] 2/23 summit [1] 188/24 summon [1] 76/12 sums [1] 12/25 Sunak [1] 46/4 Sunak's [1] 47/17 Sunday [1] 125/13 superhuman [1] 193/1 supersensitive [1] 110/23 supershielding [1] 181/17 superstructure [1] 14/12 supply [1] 89/19 support [21] 3/24 11/7 11/13 12/25 13/4 26/8 28/23 31/4 32/13 51/10 52/22 52/23 86/22 99/16 146/9 148/9 154/13 166/10 195/8 197/8 197/25 supported [3] 9/12 30/14 70/13 supporters [1] 79/17 supporting [2] 188/20 197/21 suppose [1] 141/16 supposed [2] 73/16 78/3 suppression [1] 64/14 sure [33] 4/14 10/10 30/25 36/1 75/4 79/7 82/16 86/6 93/16 110/15 110/17 122/22 123/4 123/5 126/2 127/25 129/2 134/14 139/18 153/20 154/6 155/10 156/4 157/4 162/13 164/3 164/4 169/13 171/15 172/16 178/14 191/11 201/10 surely [3] 108/24 111/9 192/20 surprise [2] 8/22 33/4 surprised [3] 7/22 10/11 10/24 surprising [1] 33/10 surrender' [2] 195/6 195/11 surrounding [1] 13/9 survive [1] 78/16	sustain [1] 118/5 sustained [1] 117/20 swear [1] 33/25 Sweden [3] 29/1 33/2 86/19 Swedish [2] 29/22 33/20 sweeping [1] 83/22 swept [1] 61/14 symbolic [1] 195/24 sympathised [1] 129/18 sympathy [1] 14/5 symptomatology [2] 162/2 163/23 symptoms [4] 160/4 161/17 165/15 166/2 syndrome [10] 161/18 162/12 162/14 162/17 164/1 164/3 164/5 164/6 166/7 182/21 syndromes [1] 182/24 system [41] 11/13 11/19 12/23 13/2 16/9 16/13 22/20 23/9 24/8 24/10 27/18 31/19 39/12 39/13 41/16 45/21 47/21 48/6 49/9 50/10 51/23 54/24 55/20 57/6 57/8 58/9 60/8 92/4 92/11 94/10 94/13 99/7 100/13 100/15 108/22 119/8 135/21 154/11 176/7 181/12 190/4
			T	
			table [3] 45/18 83/9 87/17 tables [5] 80/4 80/21 83/7 85/11 85/15 tackle [2] 88/24 188/22 take [37] 3/12 4/9 4/11 4/12 4/19 13/22 18/6 21/20 23/23 38/16 38/20 60/4 63/23 64/19 71/6 73/2 73/11 102/1 108/1 108/2 111/7 112/5 113/23 121/24 129/23 133/8 134/5 136/24 138/3 142/8 143/18 164/14 165/13 167/13 180/11 181/5 193/4 taken [17] 10/25 13/13 15/16 17/1 28/8 36/8 67/1 73/7 103/11 134/8 164/8 166/18 166/25 181/12 185/3 188/22 200/4 takes [2] 44/24	

T	23/13 23/15 31/8 43/20 50/4 61/7 82/2 82/10 86/11 135/25 168/15 194/15 201/22	45/9 49/11 79/1 79/3 84/12 100/18 100/19 103/21 104/9 112/8 115/6 115/7 122/3 124/9 126/9 149/13 149/13 156/20 159/10 159/14 159/16 159/17 159/21 162/25 167/19 167/20 167/23 169/25 179/25 180/4 185/7 185/8 185/12 187/8 190/24 190/25 198/1 198/2 198/10 200/1 200/9 200/10	168/17 168/18 169/10 173/17 178/24 179/6 180/23 181/10 186/17 193/23	62/23 164/13 181/17
takes... [1] 172/17	terrible [10] 43/21 64/23 65/1 65/1 93/14 149/23 149/24 156/8 169/12 169/12	thanks [1] 90/3	them [37] 4/13 9/17 10/11 10/15 17/10 19/11 34/5 34/10 34/14 35/19 38/12 41/5 42/24 47/5 51/16 51/17 60/6 63/24 74/6 79/23 94/3 103/19 107/3 107/10 129/6 149/18 150/11 160/5 165/4 171/24 172/23 176/19 179/18 181/6 181/20 185/24 201/6	these [37] 13/14 13/20 42/16 42/23 44/22 46/17 46/21 47/3 47/3 58/11 80/12 84/24 85/3 86/4 86/9 89/24 110/6 132/15 136/12 142/6 151/8 151/11 152/18 156/2 159/11 177/21 179/12 180/7 180/12 181/5 181/7 184/12 184/18 184/25 186/21 187/24 188/22
taking [12] 38/18 45/3 80/11 97/14 111/18 112/18 128/6 131/17 133/12 177/5 177/11 196/2	terrific [1] 66/10	that [1389]	them' [1] 97/4	they [117] 4/14 5/13 7/18 7/19 7/20 8/14 14/23 17/19 18/5 19/20 19/24 20/1 22/4 23/18 27/17 27/22 27/23 27/24 28/14 29/23 32/15 34/5 34/10 44/20 51/9 53/10 53/11 53/12 53/13 55/20 58/25 60/11 60/11 60/11 65/22 65/22 66/4 66/11 71/24 72/1 72/3 73/21 74/18 74/18 74/19 78/12 78/12 78/12 80/18 88/19 91/4 91/19 93/16 95/7 95/7 98/8 99/14 100/9 100/10 101/17 101/18 101/19 104/12 112/23 112/25 115/5 127/14 127/18 128/2 128/13 128/15 128/18 131/19 131/20 132/9 136/7 136/13 138/23 145/9 145/17 145/18 146/14 149/13 149/21 149/24 149/24 150/23 153/1 157/2 158/2 159/24 162/11 163/22 164/14 165/14 165/23 167/3 169/9 169/10 169/11 169/14 171/5 173/18 175/10 175/12 175/14 178/20 179/16 180/23 182/14 184/23 185/1 185/3 185/6 191/23 193/19 195/24
talked [3] 78/6 132/2 135/16	terrifying [1] 68/13	that's [107] 5/23 7/25 9/1 9/6 10/22 10/23 12/20 18/16 31/16 31/25 34/22 34/22 40/11 45/14 49/1 49/3 50/5 54/20 54/22 56/6 58/2 59/15 60/25 61/4 61/21 62/5 67/17 71/7 71/7 72/2 75/17 80/12 81/6 81/12 81/17 83/24 89/8 89/22 90/9 91/21 92/7 92/10 94/5 94/25 97/18 98/2 98/15 98/20 98/21 98/22 100/4 105/21 106/14 106/24 108/15 108/23 110/7 112/20 114/12 116/20 117/13 119/19 119/22 119/23 120/5 120/5 120/8 120/10 121/8 122/1 122/15 122/25 123/18 124/19 128/21 136/1 136/10 136/20 140/24 141/25 145/14 145/22 145/23 147/11 148/12 151/14 154/2 158/14 160/19 164/18 166/7 169/23 169/23 171/7 177/12 177/14 182/24 183/8 183/15 186/19 186/21 187/23 188/23 189/17 196/10 197/11 197/16	theme [1] 106/2	they're [10] 13/20 13/21 14/24 20/3 74/1 164/19 178/22 184/2 185/5 187/2
talking [12] 35/24 36/2 36/2 40/2 47/14 89/9 89/14 145/13 145/16 151/15 154/18 173/8	test [8] 90/1 90/15 92/3 92/4 92/10 92/11 94/1 94/9	theatre [1] 45/10	there [242]	they've [3] 84/20 132/13 181/19
Tam [1] 26/12	testified [1] 30/15	their [49] 13/10 14/23 16/22 17/21 18/7 18/8 40/15 41/9 42/25 50/25 51/16 74/11 77/5 77/17 84/7 101/18 101/22 101/24 104/5 128/2 130/22 134/4 134/16 134/20 135/10 140/4 144/16 144/18 145/6 146/17 148/7 149/14 159/13 166/4 166/6 168/15 168/16 168/16 168/17	thereabouts [1] 8/23	thing [23] 4/19 4/25 7/15 17/4 24/15 36/19 60/25 80/9 80/12 85/19 99/16 101/6 124/5 136/13 140/3 167/5 168/8 176/11
task [1] 146/10	testimony [2] 150/6 200/22	theater [1] 45/10	thereafter [3] 61/20 71/21 133/2	
taskforce [12] 8/12 16/11 16/18 48/2 49/13 55/3 55/6 55/12 55/19 56/7 56/11 56/18	testing [12] 89/24 90/23 91/22 92/19 93/5 93/7 93/23 94/6 94/20 95/8 95/11 95/12	thereby [1] 59/4	therefore [10] 16/7 21/15 26/16 36/21 45/11 54/15 57/8	
taught [1] 159/3	tests [3] 89/21 90/12 94/23	therapeutics [1] 38/24		
tax [1] 197/13	text [4] 125/8 127/21 134/11 194/9			
team [1] 188/10	texts [1] 144/13			
teams [1] 6/16	than [41] 2/8 21/9 34/3 38/18 44/7 61/11 67/6 72/1 73/3 74/9 82/23 87/22 88/11 88/21 89/7 93/17 112/23 112/25 113/17 114/4 118/9 118/13 124/8 129/16 131/20 141/7 146/19 148/1 150/10 154/3 156/23 169/15 170/20 171/12 172/8 173/22 177/6 178/24 187/6 188/11 192/24			
technical [1] 77/8	thank [63] 6/15 16/4 44/5 45/9 49/11 55/15 78/15 79/1 79/3 84/12 95/13 95/17 100/18 100/19 100/20 101/12 103/21 104/9 112/8 112/24 115/6 115/7 122/3 124/9 124/19 126/9 128/5 130/19 149/13 149/13 156/20 157/1 159/10 159/14 159/16 159/17 159/21 162/25 167/7 167/19 167/20 167/23 169/25 178/15 178/16 179/8 179/25 180/4 185/7 185/8 185/12 187/8 190/23 190/24 190/25 198/1 198/2 198/10 200/1 200/9 200/10 200/15 202/1			
technically [1] 139/2	thank you [43] 16/4			
Tegnell [4] 29/1 33/1 33/18 34/18				
Telegraph [1] 93/2				
telephone [1] 131/7				
tell [14] 41/5 41/5 54/25 59/24 74/14 74/14 78/14 97/4 97/8 104/7 140/6 143/15 151/10 158/20				
telling [4] 62/9 94/12 95/20 154/17				
temperature [1] 121/24				
ten [5] 52/18 77/6 99/5 151/21 151/22				
ten days [2] 52/18 99/5				
tended [2] 114/2 124/7				
tendencies [1] 15/1				
tendency [2] 22/8 69/4				
tension [3] 98/20 99/22 131/18				
tensions [2] 121/21 121/23				
term [6] 65/23 160/1 160/6 165/3 170/16 177/11				
terms [18] 4/21 5/17 9/18 14/11 15/16				

T	thought [55] 3/22 5/24 7/12 7/15 7/24 7/24 8/20 8/21 9/1 14/10 23/4 23/8 26/21 28/2 28/14 28/18 39/10 43/6 44/1 44/9 55/21 64/5 64/6 66/8 68/7 69/25 73/20 74/18 74/19 77/16 77/20 80/18 99/11 99/16 107/9 118/19 119/8 121/20 121/23 122/22 133/8 136/23 140/10 141/4 144/4 163/19 165/2 165/23 170/15 170/25 173/8 195/23 195/24 195/25 197/24	57/25 58/1 58/4 60/8 123/7 123/18 135/5 tiers [6] 33/8 33/14 51/5 52/12 53/9 56/9 tighten [1] 31/17 tightly [1] 70/2 till [1] 170/15 time [103] 5/2 5/3 5/7 5/15 5/25 6/6 6/25 8/21 8/24 11/2 12/10 12/16 14/11 22/5 22/7 32/22 36/21 39/20 41/9 42/4 43/11 45/15 48/22 50/25 51/3 51/21 52/21 56/15 56/21 57/7 58/4 58/7 60/22 70/1 72/13 75/1 76/20 76/20 81/9 89/25 90/7 91/25 92/2 95/6 103/7 103/18 104/11 104/13 105/4 105/6 105/16 107/15 108/11 110/25 114/16 114/16 114/17 114/17 115/17 115/19 117/5 117/6 119/7 120/21 122/15 123/6 126/2 126/9 130/6 130/22 132/23 134/18 134/18 136/22 147/17 149/2 150/3 152/19 156/8 157/2 159/15 160/7 160/8 161/11 162/2 168/12 169/10 169/12 169/23 174/25 175/17 175/21 175/24 176/4 180/21 184/17 184/17 188/7 191/2 191/11 194/18 196/4 196/19	29/15 41/3 54/23 57/4 67/5 70/1 71/1 71/3 71/5 77/4 81/16 93/9 94/7 94/9 94/10 94/20 95/3 96/7 102/4 103/1 103/3 103/4 103/8 103/20 103/21 106/6 107/16 107/19 107/24 118/18 143/14 150/21 185/19 186/4 tolls [1] 86/10 tomorrow [2] 25/1 139/14 too [24] 13/13 18/20 35/2 35/11 36/7 36/9 37/3 37/6 37/7 37/11 37/13 48/16 52/8 79/7 80/17 91/22 92/18 100/21 130/21 143/8 178/20 199/22 199/22 199/23 took [17] 3/17 11/18 33/23 52/22 58/8 58/8 67/12 71/23 73/8 89/25 90/2 105/6 128/1 131/16 133/7 153/17 194/7 tool [6] 143/25 144/5 145/3 146/23 164/12 189/18 tools [1] 38/25 top [6] 5/19 12/1 36/16 59/1 126/23 194/18 topic [12] 1/8 104/17 113/15 136/17 150/5 153/3 158/3 165/22 186/3 188/13 191/7 197/4 topics [3] 150/5 157/9 185/17 total [3] 70/25 100/4 186/8 totally [6] 74/11 148/8 178/8 194/12 195/12 196/18 totemic [1] 139/22 touched [3] 79/22 106/5 113/15 tough [4] 24/1 29/13 40/25 56/2 toughening [1] 176/18 tougher [4] 11/12 12/8 15/10 51/2 toughest [2] 30/16 64/19 towards [9] 29/9 32/15 32/16 55/22 132/1 191/17 192/3 192/16 198/6 trace [6] 92/4 92/4 92/10 92/11 94/1 94/9 track [1] 182/5	trade [3] 191/22 192/19 193/10 Trades [2] 191/6 193/23 Trades Union [2] 191/6 193/23 tragedies [1] 86/3 tragedy [2] 68/2 80/15 tragic [1] 153/1 tragically [3] 153/23 155/15 182/14 train [1] 194/12 trajectory [1] 35/16 transcript [1] 131/14 translated [1] 68/1 transmissibility [1] 61/17 transmissible [2] 61/11 68/13 transmission [13] 1/18 3/5 17/8 61/7 62/20 66/12 139/1 139/7 164/9 167/10 172/5 174/1 196/6 transmit [1] 170/18 transparent [1] 46/19 Transport [1] 159/2 traumatic [1] 74/8 travel [1] 29/12 travelled [1] 74/5 travelling [1] 186/19 traversed [1] 64/15 travesty [1] 74/17 tread [1] 130/11 treading [1] 115/22 Treasury [10] 5/11 6/11 6/14 7/8 8/3 44/3 44/16 46/1 48/7 48/10 Treasury's [1] 47/19 treatment [2] 163/8 163/9 tremendous [1] 95/15 tried [12] 17/9 22/12 30/19 57/3 76/15 100/5 104/9 106/18 129/9 140/6 152/11 153/18 trigger [1] 122/12 triumph' [2] 96/8 96/10 trodden [1] 64/15 trouble [4] 17/6 53/13 105/8 114/15 troubling [1] 49/25 true [15] 2/6 31/16 43/1 64/4 71/5 72/11 90/9 92/10 94/11 95/10 106/14 165/10 183/8 184/17 194/21 truly [1] 179/1 truth [4] 58/3 64/3 74/18 77/15
----------	--	--	--	---

T	82/18 83/3 83/7 83/17 83/22 85/15 85/21 86/12 86/16 87/2 87/9 87/16 87/20 87/20 87/22 87/25 88/2 88/11 88/12 88/22 89/5 89/7 91/3 91/5 94/22 107/8 109/6 109/7 110/2 110/14 110/22 111/2 111/4 112/19 114/13 115/18 117/3 117/6 118/12 120/12 122/9 122/12 122/15 124/6 124/14 127/2 127/25 128/18 128/25 129/7 129/17 130/2 130/13 130/15 130/16 133/10 134/3 135/2 135/18 141/10 141/22 142/15 142/24 144/10 144/15 144/20 144/22 144/24 144/24 145/3 145/4 145/17 146/2 146/6 146/18 146/22 146/23 147/9 148/1 149/11 174/3	91/11 underestimation [2] 153/5 153/9 underlined [1] 96/25 underlying [2] 1/15 3/1 undermine [4] 125/18 127/17 140/16 142/5 understand [47] 7/19 7/21 9/22 9/22 10/19 13/21 14/9 29/21 32/25 42/16 74/11 74/24 76/18 82/13 83/14 84/10 93/9 99/21 101/21 103/15 103/16 103/20 103/22 104/7 104/15 110/4 121/8 123/16 137/21 137/21 148/4 161/15 163/21 163/24 165/9 174/10 178/6 178/11 179/16 179/21 181/22 182/3 184/4 184/5 184/7 192/12 199/23 understandably [6] 3/11 50/24 50/25 134/16 134/19 178/1 understanding [12] 19/10 32/16 48/17 80/7 103/1 115/1 140/8 140/16 146/25 155/2 158/16 196/9 understands [3] 99/2 140/17 150/1 understood [11] 8/17 31/9 35/19 91/12 92/21 106/12 129/18 167/17 180/9 188/2 197/8 unequal [1] 197/9 unfair [1] 96/22 unfeeling [2] 185/4 185/5 unified [4] 112/10 130/7 130/12 135/7 uniformity [1] 34/16 Union [2] 191/6 193/23 unions [14] 191/9 191/12 191/22 192/3 192/17 192/19 193/10 194/1 194/2 194/4 195/5 195/7 195/15 195/18 unique [1] 103/25 uniquely [1] 87/8 unit [2] 114/15 172/20 united [14] 15/15 34/12 71/9 74/5 80/2 81/22 82/1 89/2 89/18 110/15 111/6 118/13 122/6 147/25	United Kingdom [7] 15/15 74/5 80/2 81/22 82/1 89/18 147/25 United States [1] 89/2 unity [7] 111/4 112/6 112/12 124/12 148/11 148/13 148/15 Universal [1] 197/13 Universal Credit [1] 197/13 University [1] 87/14 unlawful [1] 103/25 unless [3] 27/17 129/22 164/21 unlike [2] 100/11 100/14 unlikely [6] 37/19 37/24 50/7 50/7 51/7 59/11 unlocking [1] 171/8 unnecessary [1] 121/20 unpolished [1] 184/18 unprecedented [2] 71/16 150/3 unsound [1] 2/17 unsustainable [1] 76/4 untenable [1] 63/16 until [11] 27/17 27/18 30/23 41/14 62/3 91/22 100/3 152/21 171/9 197/17 202/3 unwell [1] 166/17 up [73] 2/23 2/25 4/8 7/6 10/23 11/13 11/22 18/23 19/2 24/3 30/1 32/22 42/6 51/14 53/18 54/17 54/18 55/2 58/10 58/11 59/15 63/3 64/9 67/14 81/7 81/8 81/12 84/1 84/21 86/7 90/14 91/22 92/2 93/7 93/7 94/13 94/20 95/9 95/11 95/24 98/8 100/6 101/1 109/9 116/18 117/11 118/6 121/11 124/4 124/18 126/11 133/8 133/20 136/11 137/6 139/23 141/2 147/17 150/12 158/4 172/7 176/6 176/19 177/14 178/4 180/19 187/13 189/25 194/13 194/22 194/23 195/6 200/2 update [1] 47/24 updated [1] 110/4 upon [7] 1/19 52/17 79/22 128/20 134/22 140/18 143/17	upper [1] 50/6 upward [1] 96/12 urge [1] 38/3 urgency [1] 136/24 urgent [3] 133/25 134/13 138/4 urgently [1] 57/17 Ursula [1] 102/10 us [31] 24/16 26/22 26/22 36/23 71/23 78/13 78/14 81/16 94/20 102/5 103/3 103/8 103/20 104/7 106/6 107/16 107/19 107/24 118/13 118/13 128/6 129/24 144/7 153/17 154/17 155/25 172/17 176/12 185/19 186/4 190/16 use [16] 9/19 23/8 27/15 28/10 29/13 31/25 32/12 90/1 108/12 134/16 136/15 173/18 175/22 183/13 183/15 196/21 used [12] 4/23 38/8 39/16 69/15 77/22 85/2 120/9 136/14 139/23 141/6 183/20 198/5 useful [2] 48/21 189/18 using [3] 58/13 69/24 140/11 usually [1] 191/3 Utmost [1] 5/1 utter [1] 70/25 uturn [1] 194/21
U	129/17 144/15 145/17 UK Government [3] 129/17 144/15 145/17 UK's [2] 88/13 94/24 UK-wide [1] 144/20 ultimate [2] 64/1 180/11 ultimately [10] 14/22 21/18 31/12 50/13 54/14 55/8 58/21 69/7 69/11 180/19 unable [1] 169/11 unanimity [1] 33/10 unaware [2] 154/16 154/19 unbelievably [1] 62/12 uncaring [2] 185/4 185/5 uncertain [2] 153/13 183/6 uncertainty [1] 48/16 unclear [1] 31/13 uncontentious [1] 177/5 uncontrollable [1] 182/15 uncontroversial [1] 168/2 unconvinced [1] 69/9 undecided [1] 69/2 under [15] 2/16 3/11 18/12 58/6 62/10 86/17 110/10 129/13 129/14 130/16 159/15 169/3 173/15 175/2 187/15 underestimated [1]	UCL [1] 72/6 Udney [2] 131/4 131/13 Udney-Lister [2] 131/4 131/13 UK [87] 14/20 22/2 34/4 79/18 81/15 82/9	UCL [1] 72/6 Udney [2] 131/4 131/13 Udney-Lister [2] 131/4 131/13 UK [87] 14/20 22/2 34/4 79/18 81/15 82/9	V vaccinated [3] 70/10 192/23 199/18 vaccination [1] 193/15 vaccine [5] 38/25 39/9 70/9 91/18 193/2 vaccines [2] 112/22 193/6 vacuum [1] 118/21 Vallance [13] 17/16 21/8 40/24 49/22 63/22 96/11 96/18 97/2 150/7 160/2 160/7 161/2 161/7 Vallance's [4] 13/12 39/21 51/7 96/3 valuable [3] 45/16 80/13 200/23 value [1] 196/25 Van [1] 26/12 variant [10] 24/16 24/17 61/8 61/10 61/14 62/3 62/16 66/23 67/2 199/2

V	201/8 201/21 201/21 202/1	W	6/1 6/1 6/6 7/4 7/15	199/23
varied [1] 86/11	viable [1] 1/21	wait [3] 59/8 67/9 97/23	10/11 12/16 22/24	we'll [7] 6/8 15/13 15/18 22/18 47/24 100/20 160/11
variety [2] 77/1 182/23	victim [1] 189/10	wake [1] 104/5	26/20 27/18 30/23	we're [27] 10/1 15/9 15/9 15/10 21/24 22/14 25/6 29/15 36/2 43/23 47/7 47/12 56/4 60/21 60/21 63/5 73/24 97/12 138/2 138/5 139/18 145/20 152/14 156/11 176/8 188/25 196/12
various [9] 3/2 77/18 78/2 141/9 141/22 150/1 174/2 180/8 191/13	victims [3] 152/4 181/23 182/2	Wales [22] 30/20 79/16 115/16 116/13 122/13 123/9 123/16 123/17 123/21 123/23 123/24 124/1 124/23 129/11 129/13 129/14 137/12 172/14 173/20 173/22 174/8 175/20	42/25 43/1 45/11	we've [32] 23/3 36/2 38/15 51/23 57/14 62/10 65/5 72/12 94/13 98/14 105/10 107/14 111/15 122/23 123/8 130/10 132/2 132/3 134/8 137/3 137/5 138/2 138/7 151/6 179/13 185/25 192/22 193/1 193/2 193/5 194/19 201/2
varying [1] 21/16	video [2] 102/5 134/11	walking [1] 75/21	50/15 51/16 53/6	weaknesses [1] 108/6
vast [2] 38/12 153/4	view [26] 11/18 19/10 34/16 38/9 45/18 60/14 63/1 63/23 64/7 105/21 106/6 107/15 111/6 119/23 121/8 123/19 138/6 138/10 141/17 165/23 177/5 177/11 182/4 190/3 193/21 194/1	wallop [1] 50/21	57/16 65/14 65/14	wealthier [1] 169/16
vastly [1] 91/10	views [10] 3/2 33/11 41/8 47/15 64/12 64/16 66/2 75/10 121/1 136/20	waned [1] 116/21	66/12 77/8 89/17	wealthy [1] 88/10
Vaughan [1] 116/12	village [2] 53/14 53/15	want [61] 14/22 14/23 15/10 21/20 21/23 25/5 29/12 29/17 36/3 41/1 41/3 43/5 43/8 48/24 53/21 71/23 73/14 73/25 78/5 78/9 79/7 79/24 79/24 81/6 81/7 81/9 81/19 82/5 82/6 87/7 95/13 95/17 101/3 101/6 101/21 108/15 134/19 139/16 143/8 149/5 161/12 161/13 162/16 162/17 164/6 170/1 174/3 175/10 175/14 175/25 176/23 178/20 180/9 181/22 183/17 186/3 192/22 193/6 193/12 195/7 196/20	118/21 119/12 128/21	wearing [1] 93/1
vector [1] 66/11	violence [6] 185/15 189/15 189/23 189/24 190/5 190/5	wanted [38] 15/4 19/6 26/2 29/3 32/22 42/23 50/20 51/1 51/23 56/24 56/24 65/13 81/19 90/13 118/15 126/8 128/3 128/14 128/24 139/5 139/6 141/24 156/4 161/14 161/15 162/3 163/24 167/5 172/4 172/23 178/8 179/12 184/20 184/22 188/19 200/18 200/19 200/21	128/22 131/17 136/15	weather [1] 143/9
velocity [1] 17/7	viral [1] 15/17	was [769]	140/22 154/22 155/23	Weatherby [4] 79/4 79/13 84/3 203/6
ventilate [1] 69/5	virtually [1] 93/15	was looking [1] 153/11	157/21 161/9 169/4	website [2] 87/18 92/25
ventilated [1] 49/25	virtue [1] 101/18	wasn't [50] 2/1 5/10	173/1 178/7 179/14	Wednesday [1] 3/19
ventilators [1] 89/19	virulence [1] 143/3		180/1 199/14 199/24 200/3	week [9] 20/10 20/12 20/15 24/22 25/9 48/22 48/23 55/11 124/2
venture [1] 88/14	virus [46] 7/24 8/25 10/25 24/5 36/18 38/2 38/4 38/5 39/16 50/21 51/25 53/16 54/11 54/11 54/12 54/13 56/17 56/18 59/2 60/15 62/19 66/10 72/2 91/15 97/14 135/1 135/1 135/2 143/3 144/1 145/3 146/24 147/9 147/10 151/16 153/25 155/9 164/12 170/18 177/10 181/11 183/9 193/16 196/3 196/9 198/21		200/3	weekend [3] 56/6 70/17 70/22
venues [1] 170/9	virus's [1] 93/10		60/20 62/8	weeks [12] 3/20 24/25 29/25 70/2 72/22 91/11 95/4 122/18 124/1 151/19 151/20 195/1
version [3] 42/25 73/15 109/16	vital [2] 169/9 193/4		wave [14] 15/9 15/15 15/20 15/24 16/2 16/7 16/12 19/13 28/4 33/22 57/4 60/18 60/20 62/8	weeks' [2] 32/22 175/8
versus [1] 33/8	vitality [1] 144/5		way [82] 1/17 1/25 2/22 3/4 3/10 4/6 12/10 12/11 12/12 12/19 22/18 23/6 29/8 31/14 36/25 38/22 41/21 43/8 44/15 44/19 46/23 48/5 48/19 48/20 51/2 52/25 55/19 58/18 62/14 69/24 74/22 76/5 77/16 83/12 86/2 87/5 88/17 100/11 107/17 109/25 110/15 116/5 116/11 116/19 121/20 121/23 123/2 123/13 123/13 124/16 130/10 132/8 133/8 133/10 134/10 134/15 136/23 139/15 143/2 147/22 148/10 148/13 151/13 156/11 156/12 159/7 159/19 163/11 164/16 164/21 164/25 165/2 165/11 166/7 174/4 182/5 182/12 183/14 184/18 185/9 197/9 199/20	weigh [1] 51/14
very [132] 2/15 2/15 2/18 6/2 6/16 6/23 7/15 12/25 13/20 14/4 14/7 14/9 15/4 17/3 17/12 17/12 21/3 21/4 21/25 24/1 24/12 27/22 37/18 42/17 42/17 48/21 50/22 50/23 50/25 53/10 53/13 53/15 53/18 56/2 57/21 57/21 60/18 60/22 61/13 61/19 61/23 63/12 67/22 67/22 67/24 68/4 68/6 68/11 68/11 68/13 71/13 73/13 74/18 74/18 76/14 80/13 81/3 81/8 81/14 82/23 85/16 94/9 95/14 96/2 100/20 100/24 104/11 104/12 104/16 108/17 112/22 112/22 118/19 124/13 124/19 125/7 126/16 128/5 128/16 129/1 129/19 130/19 131/21 132/3 134/10 135/24 137/20 137/23 138/1 138/2 138/3 140/4 140/7 151/20 152/10 152/10 156/19 159/6 162/10 165/8 165/9 166/1 166/21 168/8 168/8 171/16 176/15 176/15 176/16 177/22 178/15 179/8 179/10 179/15 180/8 185/20 186/17 187/8 190/23 192/10 193/3 194/10 195/20 196/3 197/4 197/14 200/15 201/8	voice [2] 46/17 46/22		180/1 199/14 199/24 200/3	weird [1] 108/12
	voicing [1] 180/12		watch [2] 73/8 102/16	well [157] 6/16 7/12 7/16 9/1 9/23 12/1 12/2 12/20 13/10 14/13 19/5 21/7 21/18 22/14 23/5 25/10 26/7 27/25 28/17 29/15 32/5 34/14 34/22 35/2 35/8 37/7 37/14 38/7 43/8 43/18 44/17 45/4 47/10 47/19 48/10 48/16 48/21 51/17 52/20 53/8 53/10
	voluntary [1] 51/2		watched [3] 102/8 102/12 102/18	
	voucher [3] 6/12 9/7 146/11		watching [2] 67/22 68/6	
	vouchers [1] 6/23		wave [14] 15/9 15/15 15/20 15/24 16/2 16/7 16/12 19/13 28/4 33/22 57/4 60/18 60/20 62/8	
	vulnerabilities [1] 150/8		wax [82] 1/17 1/25 2/22 3/4 3/10 4/6 12/10 12/11 12/12 12/19 22/18 23/6 29/8 31/14 36/25 38/22 41/21 43/8 44/15 44/19 46/23 48/5 48/19 48/20 51/2 52/25 55/19 58/18 62/14 69/24 74/22 76/5 77/16 83/12 86/2 87/5 88/17 100/11 107/17 109/25 110/15 116/5 116/11 116/19 121/20 121/23 123/2 123/13 123/13 124/16 130/10 132/8 133/8 133/10 134/10 134/15 136/23 139/15 143/2 147/22 148/10 148/13 151/13 156/11 156/12 159/7 159/19 163/11 164/16 164/21 164/25 165/2 165/11 166/7 174/4 182/5 182/12 183/14 184/18 185/9 197/9 199/20	
	vulnerable [19] 17/5 17/10 38/11 38/13 65/7 108/5 137/15 150/16 151/2 152/18 168/15 169/2 170/19 177/7 180/18 182/13 182/24 183/10 199/18		way [82] 1/17 1/25 2/22 3/4 3/10 4/6 12/10 12/11 12/12 12/19 22/18 23/6 29/8 31/14 36/25 38/22 41/21 43/8 44/15 44/19 46/23 48/5 48/19 48/20 51/2 52/25 55/19 58/18 62/14 69/24 74/22 76/5 77/16 83/12 86/2 87/5 88/17 100/11 107/17 109/25 110/15 116/5 116/11 116/19 121/20 121/23 123/2 123/13 123/13 124/16 130/10 132/8 133/8 133/10 134/10 134/15 136/23 139/15 143/2 147/22 148/10 148/13 151/13 156/11 156/12 159/7 159/19 163/11 164/16 164/21 164/25 165/2 165/11 166/7 174/4 182/5 182/12 183/14 184/18 185/9 197/9 199/20	
			we [466]	
			we'd [24] 4/5 28/3 28/3 28/6 28/7 28/8 35/9 38/22 38/23 52/5 64/17 65/3 65/9 70/10 92/24 93/8 129/21 150/22 152/22 193/14 197/20 197/24 199/17	

W				
well... [116] 55/14 62/1 64/15 67/19 70/16 72/11 72/17 75/20 79/1 80/4 80/9 82/13 83/6 83/10 86/7 86/24 87/24 88/5 88/16 88/20 89/15 89/25 92/6 92/16 93/23 94/7 94/24 95/4 95/11 95/16 96/25 97/23 102/15 102/18 106/20 106/25 107/1 107/8 107/9 109/11 109/16 110/25 112/12 114/1 119/25 120/5 121/3 121/5 121/5 121/18 123/18 125/12 127/8 128/5 131/15 131/25 132/3 132/8 133/15 133/15 135/3 136/17 137/23 137/23 138/9 138/13 138/20 139/4 140/5 140/24 142/19 145/7 145/12 147/21 151/20 152/2 153/2 154/1 154/14 155/10 156/11 156/12 157/17 157/19 157/22 158/20 164/16 164/25 165/8 165/9 165/18 167/18 171/8 172/17 173/24 178/7 182/10 182/16 183/1 183/11 183/23 184/3 188/1 189/8 189/18 190/20 192/21 192/22 192/24 193/11 195/20 196/13 197/11 197/24 197/25 199/8	172/13 West [2] 22/16 111/22 West Midlands [2] 22/16 111/22 western [2] 86/14 86/18 Westminster [9] 109/15 109/18 112/13 112/16 112/20 113/2 113/4 113/10 114/9 whack [1] 12/1 what [280] what's [11] 20/17 21/25 47/9 62/7 92/7 98/3 121/10 141/17 183/12 194/21 196/13 Whately [4] 174/24 175/1 175/22 176/22 whatever [17] 22/15 33/9 42/3 58/13 58/25 63/1 71/22 80/14 84/7 98/9 110/17 119/7 140/12 147/10 155/12 157/19 184/11 WhatsApp [18] 15/13 16/1 17/15 20/8 70/23 76/21 78/2 78/25 105/22 120/17 139/11 160/5 174/17 174/23 176/22 178/21 181/12 194/11 WhatsApps [3] 105/20 134/11 183/3 whatsoever [1] 132/1 when [80] 7/23 8/24 10/24 17/6 21/24 23/10 36/15 37/3 38/3 42/5 54/8 54/24 57/7 58/11 59/3 59/24 60/3 61/21 62/12 65/18 67/20 70/13 71/2 75/14 77/21 78/9 85/21 93/6 93/14 93/19 94/25 100/23 106/9 111/25 112/4 114/18 116/23 117/3 117/6 121/10 122/9 122/20 122/21 132/2 133/22 137/16 138/2 141/11 141/24 142/24 145/14 149/19 156/22 158/7 158/22 160/18 160/21 161/6 162/11 164/1 168/3 168/12 170/5 171/11 172/11 174/19 176/4 176/16 176/22 177/20 182/15 184/23 185/4 186/7 186/9 186/10 186/12 188/14 195/14 201/3 where [48] 2/9 13/12 19/25 22/2 24/13 26/14 26/14 26/15	28/1 28/2 29/17 30/19 32/21 35/16 36/17 44/23 45/10 46/21 51/19 51/25 56/22 67/24 67/24 76/2 80/1 80/1 89/3 93/25 94/21 98/15 101/25 105/13 120/11 126/21 131/5 138/25 141/14 141/14 145/8 154/4 154/18 171/1 173/1 187/4 189/10 191/1 199/11 199/12 wherever [2] 29/18 50/21 whether [27] 10/10 11/3 11/6 11/9 11/21 16/11 17/19 20/22 26/8 31/24 32/2 39/14 43/21 50/12 60/9 64/21 72/14 81/17 128/13 136/14 153/14 153/15 153/15 174/3 181/1 183/23 184/10 which [144] 3/18 4/20 6/12 7/18 8/6 10/18 17/14 19/11 19/12 20/5 21/1 22/7 22/8 22/12 22/22 23/22 25/9 25/22 27/12 27/15 27/18 27/21 27/21 28/9 28/20 29/5 29/5 29/25 30/4 31/3 31/21 31/22 32/7 32/10 34/4 35/6 36/1 37/17 37/18 37/23 38/9 38/10 39/2 39/5 40/20 43/23 43/23 43/24 44/23 45/13 49/11 49/25 49/25 54/4 55/8 57/3 57/13 58/2 60/14 60/24 61/9 61/23 63/4 63/7 63/8 64/15 67/4 67/14 68/1 69/14 70/9 72/4 72/15 74/19 77/1 77/25 78/3 79/18 82/23 83/7 84/24 85/10 87/18 87/19 89/3 91/5 93/18 98/13 99/7 101/15 106/6 106/10 106/15 107/3 108/9 109/25 115/23 116/8 122/7 122/11 122/13 122/17 125/1 125/1 134/1 134/4 137/13 140/25 142/7 143/19 145/19 147/23 151/16 155/6 157/12 163/2 163/14 164/9 165/6 168/2 171/8 179/22 179/23 182/6 183/22 185/19 186/4 186/11 187/21 188/13	189/9 190/3 193/21 193/22 193/25 194/19 196/21 196/22 197/17 198/14 198/20 199/2 199/6 200/22 while [9] 22/17 44/18 53/16 58/8 58/8 81/12 90/2 99/17 153/17 whilst [3] 39/14 103/18 182/7 whistling [1] 94/1 Whitehall [2] 189/24 190/2 Whitty [10] 5/16 17/16 17/23 85/20 137/7 139/2 139/13 160/2 160/7 160/20 who [63] 5/13 10/4 11/14 11/16 13/4 13/14 14/5 14/6 17/4 28/18 32/11 33/1 38/2 38/3 38/8 38/13 39/15 42/22 42/23 52/8 53/21 64/8 65/7 65/8 66/7 73/20 74/6 78/11 79/17 83/13 84/9 86/3 88/16 101/16 102/9 102/22 103/16 104/3 104/10 104/21 113/21 129/5 130/21 133/18 136/5 138/13 150/25 151/21 155/13 173/16 174/24 179/11 180/11 181/22 181/22 183/9 183/21 185/14 189/25 189/25 192/17 194/22 197/15 whole [20] 14/16 22/7 38/21 48/22 54/19 58/11 83/16 98/22 109/10 109/10 110/13 110/14 117/4 119/7 123/6 129/17 144/24 147/9 150/20 190/8 whom [3] 10/5 107/6 180/20 why [62] 10/23 14/20 14/21 16/24 17/18 18/22 23/21 28/16 28/24 30/9 30/10 36/8 38/17 39/10 42/25 43/1 43/6 50/9 55/9 61/4 61/10 76/4 85/8 102/15 104/8 104/10 106/6 114/22 122/25 123/16 129/18 131/11 133/12 133/13 134/11 140/7 142/23 148/4 150/13 151/5 152/11 152/15 161/9 162/3 163/25 164/12 170/8 170/8 171/18 171/24 173/21 176/11 177/1	177/12 177/14 179/16 182/25 183/7 187/6 188/9 197/11 197/16 wide [3] 144/20 144/24 182/19 wider [3] 21/10 46/8 48/7 widespread [3] 38/10 167/10 182/4 wife [1] 70/19 will [42] 17/11 20/22 26/11 29/18 40/8 57/11 60/12 92/12 92/13 101/2 110/17 112/24 115/23 125/22 126/2 126/5 126/24 126/25 127/9 127/15 127/16 127/18 132/1 135/12 135/13 137/23 154/6 179/2 181/11 182/14 185/14 185/22 186/16 187/17 191/10 191/16 191/18 194/9 196/18 201/1 201/9 201/16 Williamson [2] 65/17 195/12 willing [1] 72/2 wine [2] 103/12 104/25 winter [4] 66/11 96/20 163/5 198/24 wisdom [1] 45/21 wish [8] 39/24 63/12 73/9 144/1 162/8 164/25 175/2 200/12 wished [1] 101/17 wishes [1] 45/24 withdrew [1] 201/25 within [16] 4/7 15/8 74/20 104/13 114/13 119/20 129/16 130/16 134/20 135/2 136/22 137/24 154/10 154/10 173/9 173/10 without [13] 29/23 65/10 66/18 70/4 89/23 133/17 163/4 164/22 166/18 166/25 167/11 167/12 185/2 witness [12] 47/18 65/17 81/16 120/10 120/18 123/15 153/3 158/5 170/1 198/17 198/22 201/25 witnesses [1] 75/6 woefully [1] 93/5 wold [1] 18/6 women [4] 185/15 188/21 189/6 190/10 Women's [1] 185/14 won [1] 4/13 won't [3] 71/19 71/19 196/21

<p>W</p> <p>wonder [1] 137/6 wonderful [1] 88/18 word [6] 4/23 10/20 10/20 32/1 101/25 108/12 words [25] 2/23 9/19 23/8 27/16 32/12 37/3 39/16 42/1 69/16 82/19 91/21 91/24 103/9 114/10 162/9 170/6 173/16 175/22 179/4 180/2 182/17 183/5 184/14 186/25 196/14 work [37] 18/20 20/18 20/22 27/12 37/24 39/8 50/13 51/7 53/9 54/25 55/20 55/22 57/3 57/9 58/9 58/9 59/12 72/2 75/22 76/8 77/23 90/3 94/3 109/9 128/13 128/15 153/19 159/2 159/3 176/18 181/10 186/19 191/21 191/24 192/12 192/25 193/8 work.' [1] 191/23 workability [1] 13/20 worked [10] 30/21 44/17 44/19 45/22 52/7 53/18 58/17 60/24 107/8 157/22 worker [2] 156/13 156/17 workers [5] 93/1 149/7 149/11 150/2 154/9 working [19] 24/6 24/13 25/11 25/14 56/9 60/7 73/20 74/18 104/11 104/12 105/9 106/8 123/18 132/6 190/8 192/5 193/20 195/14 197/13 workplace [2] 191/13 193/13 workplaces [1] 191/12 world [8] 2/11 19/11 48/7 93/13 134/14 172/19 194/7 201/20 Worldometer [1] 87/18 worried [4] 97/17 142/2 142/3 152/11 worries [1] 45/9 worry [5] 81/18 143/14 193/17 198/5 201/11 worse [4] 20/23 87/22 89/7 138/24 worst [2] 65/8 143/16</p>	<p>worth [10] 22/21 23/6 23/6 23/9 28/13 50/11 50/14 53/12 90/23 183/6 would [155] 1/25 2/6 2/7 3/7 5/1 5/8 6/7 8/10 12/18 14/13 15/15 19/2 21/15 22/6 22/7 22/9 24/25 30/4 33/2 37/11 37/24 38/1 38/5 39/15 41/16 42/21 47/3 47/3 47/4 47/14 47/15 47/20 50/13 51/7 53/14 53/25 54/17 54/18 59/12 61/6 61/22 62/15 64/5 64/6 68/14 69/17 70/2 71/5 72/9 75/2 77/6 77/11 77/17 77/20 82/11 82/20 85/21 91/14 91/16 92/1 93/11 97/9 102/18 102/21 105/13 105/19 107/3 107/17 107/20 108/7 108/9 108/21 110/25 113/8 114/19 114/20 118/25 119/1 119/2 119/6 119/14 120/20 120/24 121/12 122/14 122/22 123/1 123/4 123/10 123/12 123/23 127/14 129/10 130/5 130/7 130/14 131/22 133/8 133/10 133/12 133/13 134/2 134/5 134/12 134/16 135/13 135/20 137/1 137/16 138/13 138/16 138/24 139/1 139/8 139/25 140/6 142/4 142/4 142/5 142/8 143/7 143/16 146/17 148/3 148/14 150/11 150/25 151/17 152/21 155/3 157/7 163/15 164/4 167/4 168/13 169/19 170/15 172/2 172/3 172/4 172/19 174/3 174/20 175/5 176/15 177/1 177/16 179/11 183/17 183/18 187/21 188/1 189/25 192/4 193/22 wouldn't [15] 9/14 9/15 33/6 37/9 54/24 82/20 132/12 147/16 148/4 157/6 157/7 157/8 162/13 164/4 179/17 wound [1] 98/8 write [1] 22/10 written [4] 76/5 112/14 120/7 161/22 wrong [10] 25/6</p>	<p>41/19 107/15 120/12 138/17 152/5 152/7 192/1 196/14 198/21 wrongheaded [1] 195/17 wrongs [2] 71/22 140/12 wrote [1] 48/2</p> <hr/> <p>Y</p> <p>yeah [9] 8/22 13/15 33/17 36/11 54/6 54/9 62/18 62/18 63/11 year [7] 30/6 66/14 90/17 92/23 104/19 105/22 152/6 years [2] 102/23 132/13 yes [104] 1/10 8/5 8/7 14/4 20/25 21/9 21/23 23/17 24/20 25/24 27/14 27/20 30/13 35/5 40/8 45/1 47/12 47/12 48/12 48/19 49/10 49/17 49/20 52/14 61/8 61/16 61/18 62/6 63/3 65/11 65/13 66/16 66/20 66/25 67/11 74/7 77/15 79/6 79/12 80/16 80/20 81/3 85/24 87/4 88/23 89/4 89/8 90/3 90/4 90/5 90/8 90/16 90/22 90/25 97/11 97/16 97/23 98/15 99/19 103/22 105/13 106/1 107/12 107/13 108/15 111/15 112/4 115/11 118/1 118/3 118/3 128/21 130/25 149/16 149/18 151/3 152/13 153/2 160/11 160/18 162/23 162/24 163/21 165/5 165/13 165/21 166/8 167/6 172/1 172/16 175/19 177/18 180/1 180/16 181/2 182/23 185/12 185/16 185/16 185/18 185/21 186/2 191/3 197/11 yesterday [16] 42/14 44/1 102/2 102/5 106/5 107/14 107/19 107/25 108/4 108/13 108/19 110/11 124/12 138/15 165/22 185/19 yet [5] 38/24 56/6 59/5 160/13 166/8 yo [2] 21/1 21/1 yo-yo [1] 21/1 you [878] you know [68] 6/4 7/19 7/24 7/25 8/12</p>	<p>14/2 21/1 22/9 28/3 29/23 33/8 34/1 44/9 51/1 52/1 52/4 55/15 55/19 55/21 56/17 56/21 58/5 58/16 60/23 65/6 66/9 68/9 68/12 68/13 68/18 70/10 71/19 71/22 74/12 75/1 75/3 77/24 77/25 80/14 88/17 88/25 90/4 93/15 94/18 97/21 99/1 99/2 99/9 100/5 107/6 112/24 114/16 121/17 121/22 123/10 128/6 132/9 132/12 133/17 134/23 142/1 152/24 155/20 156/7 162/7 165/1 182/9 199/8 you raised [1] 69/3 you'd [8] 3/2 6/16 30/5 40/1 47/4 99/14 171/3 196/10 you'll [7] 1/11 19/16 37/16 82/17 102/7 102/24 178/14 you're [54] 2/13 10/3 10/9 10/10 10/11 24/18 28/5 34/18 35/21 35/23 41/18 44/11 58/13 58/15 75/4 79/4 83/2 87/22 89/13 92/7 94/11 94/17 94/17 94/19 95/19 97/25 98/3 98/10 98/16 98/17 98/17 98/18 98/19 99/21 99/22 112/5 119/23 123/11 128/6 128/8 139/17 154/19 156/13 157/4 165/1 172/16 176/21 177/20 184/24 187/8 192/12 196/7 196/17 196/19 you've [58] 9/10 17/9 18/17 19/12 20/19 21/14 22/9 24/18 32/24 34/19 34/19 38/10 39/9 42/16 43/19 43/20 49/11 50/9 50/17 51/14 54/2 57/22 68/22 78/1 83/21 84/14 86/4 89/22 90/12 92/18 94/20 98/2 98/16 98/20 99/19 108/6 113/4 123/15 128/23 129/3 140/9 140/11 141/12 147/6 147/23 151/8 160/15 164/10 167/21 169/6 178/3 178/12 184/6 186/4 187/22 196/20 197/5 199/2</p>	<p>young [5] 96/23 163/16 165/6 176/14 177/20 younger [4] 170/18 172/14 173/22 174/12 your [197] 2/2 2/23 3/21 4/19 4/22 5/15 6/4 7/1 9/18 9/19 10/1 10/4 10/20 12/18 13/17 14/25 15/1 15/1 19/7 19/14 19/17 19/17 21/18 23/8 24/21 24/23 25/3 25/7 27/15 29/6 30/3 30/7 32/12 33/3 33/21 35/20 36/9 37/3 37/23 37/25 38/1 38/6 41/7 41/7 41/10 43/9 43/13 45/2 46/2 46/11 47/24 48/2 49/1 50/10 50/13 51/16 52/18 57/25 63/12 63/19 63/21 63/23 64/15 65/16 66/5 69/4 69/18 69/22 69/23 71/9 71/14 71/18 72/5 72/21 72/24 73/8 75/6 75/12 76/22 76/24 77/10 77/24 79/25 80/6 82/18 82/19 83/21 83/25 83/25 84/1 85/8 86/22 91/9 91/21 92/7 92/8 92/16 95/2 98/16 100/25 102/2 106/3 106/6 107/15 107/16 108/12 108/19 109/25 110/1 110/3 110/4 111/3 113/7 113/12 114/11 114/12 114/24 117/16 118/2 118/4 119/19 120/1 120/10 120/18 121/1 121/8 122/4 122/20 123/15 123/18 123/19 124/11 133/21 138/15 139/13 141/1 141/1 141/2 141/19 141/21 143/23 145/1 147/13 149/2 150/13 151/10 153/3 154/4 155/4 155/25 157/17 158/5 158/16 158/18 165/23 166/13 170/1 170/4 170/6 171/6 171/18 174/14 174/19 176/20 178/11 178/12 178/21 179/1 179/4 179/4 180/6 180/7 180/10 181/14 181/18 182/16 182/16 183/2 183/2 183/5 183/15 186/6 186/22 187/24 188/3 188/6 188/10 188/15 191/8 192/16 194/15 194/24</p>
--	---	---	--	---

Y

your... [5] 196/14
196/18 197/5 198/7
201/14

yours [1] 101/20

yourself [14] 23/19
30/11 31/21 39/16
49/18 68/23 69/1 73/4
73/4 76/22 137/9
139/11 149/18 164/16

yourselves [1]
201/19

Yvonne [1] 95/6

Yvonne Doyle [1]
95/6

Z

Zoom [1] 105/1