

On behalf of the Home Office
Witness Statement of Patricia Hayes
First

Dated: 26 June 2023

EVIDENCE FOR THE COVID 19 INQUIRY

MODULE 2

RESPONSE TO RULE 9 REQUEST TO THE HOME OFFICE

(27 September 2022)

CORE HOME OFFICE WITNESS STATEMENT

WITNESS STATEMENT OF PATRICIA JANE HAYES, CB

SECTION ONE: INTRODUCTION AND OVERVIEW

1. I, **PATRICIA JANE HAYES CB** provide this statement as one of the Home Office's Corporate Witnesses and in response to a request under Rule 9 of the Inquiry Rules 2006 dated 27 September 2022 ("**the Rule 9 Request**"). I confirm that I am duly authorised by the Home Office to provide evidence to assist the Covid-19 Inquiry ("**the Inquiry**").
2. In my role as Second Permanent Secretary from 5 July 2021 until 30 April 2023, and Director General for the Crime, Policing and Fire Group ("**CPFG**") from February 2020, I had personal knowledge of the discharge of the Home Office's responsibilities

concerning the United Kingdom's response to the Covid-19 pandemic ("**the Pandemic**") during the period relevant to the Rule 9 Request.

3. As Second Permanent Secretary, my responsibilities included leadership of the operational functions of the Home Office and its corporate functions. Also, I worked closely with, and supported, the Permanent Secretary, Matthew Rycroft, on all aspects of Home Office leadership. In my previous role as Director General ("**DG**") for CPFG and then the Public Safety Group ("**PSG**"), I was responsible for policing and fire services for the Home Office. In May 2020, I was appointed by the Cabinet Office as the Senior Responsible Owner ("**SRO**") for public order and policing, one of the three programmes of work led by the Home Office to respond to the Covid-19 pandemic.¹ From 30 April 2020, I was the lead DG for the Home Office Covid-19 response, initially accountable to Shona Dunn, as the then Second Permanent Secretary.
4. My statement should be read in conjunction with the **witness statement of Paul Lincoln** (Director General, Border Force) which provides the Home Office response on matters relevant to the management of the UK border during the Pandemic (**Home Office Mod 2 UK Borders Statement**).
5. Both Home Office Witness Statements refer to the detailed Home Office Composite Timeline ("**the Home Office Chronology**") provided in response to the Rule 9 Request. Within my statement I will provide summary timelines focused on particular aspects of the matters upon which information was sought in the Rule 9 Request, and a wider summary of key Home Office activity during the Pandemic. In addition, I will refer to underlying documents which are provided in the disclosure made to the Inquiry, using the production references and Inquiry unique references.
6. I have been provided with invaluable assistance in preparing this statement by senior officials throughout the Department and especially those in the Public Safety Group who were in their roles throughout the relevant period. In addition, I have been able to draw on the knowledge of the dedicated Home Office team formed to support the Covid-19 Inquiry. The Home Office Inquiry support team includes staff who were involved in the Home Office Covid-19 Directorate and have direct knowledge of events at the relevant time. Accordingly, whilst I do not have direct personal knowledge of events during the initial Home Office response in January 2020, I am satisfied that I am able to provide

¹ INQ000053272. PH/01

accurate evidence to assist the Inquiry with the entire period covered by the Rule 9 Request.

7. Given the vast volume of data available concerning the Covid-19 response, I have endeavoured to use my statement to provide a means to understand the central issues and the factual position at the relevant time, and to provide a guide to the most relevant documents. The **Home Office Chronology** provides a comprehensive overview of events.²
8. Before progressing to the detail of my statement, I take this opportunity in opening to pay tribute to all those in public service who came together to meet the challenges posed by the Covid-19 pandemic, including my Home Office colleagues, the chair of the National Police Chiefs Council, Martin Hewitt, and other colleagues elsewhere in law enforcement and fire and rescue services. It remains important to recall that civil servants and the emergency services were required to carry on their essential duties in an environment of unprecedented difficulties, whilst also facing personal anxieties and practical constraints as individual members of the UK population. I am personally grateful for the support I received at all levels throughout the Pandemic from both my own team and operational partners, most particularly the National Police Chiefs Council (“NPCC”) and the College of Policing.
9. Finally, I wish to express my sincere personal condolences, and those of the Home Office as a whole, to those who lost family and friends as a result of the Covid-19 pandemic or whose lives were otherwise seriously adversely affected by it.

Statement Structure and Overview

10. **Section Two** of the statement outlines, as requested, the Home Office’s role, functions, and responsibilities. Further information is provided in **Appendices A - C on Home Office organisational structures**, including for response management and the provision of expert and scientific advice.³
11. **Section Three** provides a high-level overview of the Home Office Covid-19 response in respect of the topics of particular interest to the Inquiry. The topics include:

² This is the document with the filename “20221122 – M2- HomeOffice – R9R-01 - Timeline” provided to the Inquiry on 22 November 2022. PH/02

³ I include a glossary of common Home Office acronyms at Appendix G to assist the reader.

- a. Repatriation and quarantine;
 - b. Non-Pharmaceutical Interventions and impacts on different groups;
 - c. Domestic abuse;
 - d. Enforcement and guidance;
 - e. Lessons learned.
12. **Section Four** charts the principal developments in the Home Office's Pandemic response. I have endeavoured to provide a guide to the key events and issues concerning the Home Office to help understanding of the Department's response in the context of the wider Government response.

SECTION TWO: THE HOME OFFICE ROLE, FUNCTION AND RESPONSIBILITIES

13. In response to the Rule 9 Request, in this section of the witness statement, I will provide:
- a. An overview of Home Office Ministers and key officials during the Pandemic;
 - b. A description of the Department's role and responsibilities;
 - c. A summary of devolved and reserved matters relating to Home Office policy responsibilities;
 - d. A summary of the policy areas in which the Home Office had exclusive responsibility or shared competence with other UK Government ministries, departments, agencies and public bodies;
 - e. An explanation of the operational independence of policing;
 - f. A summary of the emergency measures and other relevant legislation applicable to the Home Office in January 2020;
 - g. A summary of Home Office functions, including its crisis response and scientific advice structures.⁴

⁴Provision of scientific advice to the Home Office is covered in Appendix C.

(a) Home Office Ministers and Key Officials

14. The Right Honourable Dame Priti Patel MP held the post of the Secretary of State for the Home Department (the **Home Secretary**) from 24 July 2019 to 6 September 2022.
15. The Home Secretary has overall responsibility for all Home Office business. This includes overarching responsibility for the departmental portfolio; oversight of the Ministerial team; membership of Cabinet and the National Security Council ("**NSC**"); and oversight of the Security Service. The Home Secretary also had overall responsibility for the Home Office response to the Pandemic.
16. The Home Secretary is supported by a team of ministers whose responsibilities between 1 January 2020 and 24 February 2022 were as set out below:
17. **The Minister for Crime and Policing** was a **joint Minister for the Home Office and Ministry of Justice** ("**MOJ**"). For the Home Office, the Minister's responsibilities included: policing and police powers (including undercover policing, football policing and police technology); crime and the criminal justice system ("**CJS**"); public protection and protests; His Majesty's Inspectorate of Constabulary and Fire & Rescue Services ("**HMICFRS**"); natural disaster relief and unauthorised encampments. The Right Honourable Kit Malthouse MP held the post (which was called the Minister of State for Crime, Policing and the Fire Service until February 2020) from 25 July 2019 to 7 July 2022.
18. **The Minister for Safeguarding** had a portfolio covering: modern slavery; domestic abuse and all forms of violence against women and girls ("**VAWG**"); child sexual abuse and exploitation; early youth intervention on serious violence; the Disclosure and Barring Service ("**DBS**"); prostitution; stalking; online internet safety; victims (including victims of terrorism); antisocial behaviour and 'Operation Warm Welcome,' (the cross-departmental programme of resettlement for Afghans evacuated by the UK Government). The post was held by Victoria Atkins MP between 9 November 2017 and 16 September 2021. Rachel Maclean MP held the post from 16 September 2021 to 6 July 2022.
19. **The Minister for Safe and Legal Migration** was a Ministerial role with responsibility for issues pertaining to immigration and legal migration including: the UK points-based system; simplifying the immigration system; the current and future visa system; the asylum system; net migration figures; the EU settlement scheme and issues relating to Windrush. Kevin Foster MP held the post from 16 December 2019 to 6 September 2022.

The role was known as the Minister for Future Borders and Immigration between February 2020 and December 2021.

20. **The Minister for Security and Borders** had responsibility for matters of security, including cross-border security. This portfolio included: counter terrorism; cybercrime and online harms; economic crime and fraud; hostile state activity; extradition; Royal and VIP protection; the Northern Ireland protocol; aviation and maritime security and border security. The Right Honourable James Brokenshire MP held the post from 13 February 2020 to 11 January 2021. The Right Honourable Damian Hinds MP held the post from 13 August 2021 to 7 July 2022. Between January and August 2021, the portfolio was covered by Baroness Williams, Mr Foster MP, Mr Malthouse MP and Lord Greenhalgh.
21. **The Minister for Justice and Tackling Illegal Migration was a joint Ministerial role for the Home Office and MOJ.** Home Office responsibilities included foreign national offenders in the immigration system; coroners and death management; mental capacity and the Office of Public Guardian. The Right Honourable Chris Philp MP held the post from 13 February 2020 to 16 September 2021. Tom Pursglove MP was the post holder from 17 September 2021 to 7 July 2022.
22. **The Minister for Building Safety, Fire and Communities was a joint Ministerial role for the Home Office and the Department for Levelling Up, Housing and Communities (“DLUHC”)** (which, prior to September 2021, was known as the Ministry of Housing Communities and Local Government (“MHCLG”)). The Minister’s portfolio included the Grenfell Inquiry, Grenfell recovery and rehousing and associated building safety programme. It also included tackling leasehold and freehold abuses; local resilience and emergencies and planning casework. Lord Greenhalgh was the postholder from 18 March 2020 to 8 July 2022.
23. The Home Secretary and Home Office Ministers were supported at official level by the Home Office Executive Committee (“ExCo”) which comprised a mix of Directors General and Directors from across the Home Office (see **Appendix A**). ExCo provided strategic leadership throughout the Pandemic, setting the medium to long-term strategy as well as leading and managing the Department on a day-to-day basis.

(b) Home Office Role, Responsibilities and Priorities

24. The Home Office is the lead Government department for immigration and passports, drugs policy, crime, fire, counter-terrorism and police. It is responsible *inter alia* for:

- a. Keeping the United Kingdom safe from the threat of terrorism;
- b. Reducing and preventing crime, and ensuring people feel safe in their homes and communities;
- c. Supporting visible, responsible and accountable policing by empowering the public and freeing up the police to fight crime;
- d. Working on the problems caused by illegal drug use;
- e. Shaping the alcohol strategy, policy and licensing conditions;
- f. Fire prevention and rescue;
- g. Securing the UK border and controlling immigration;
- h. Considering applications to enter and stay in the UK;
- i. Issuing passports and visas;
- j. Civil registration in England and Wales.

Home Office responsibilities are shared with other Government departments (“**OGDs**”) and partner organisations as set out below in paragraphs 25 – 26.

(c) Devolved and Reserved Matters

25. The below table outlines the relevant devolved and reserved matters for the Home Office:⁵

HO Policy Area	Scotland	Wales	Northern Ireland
Policing, Prevention, detection & investigation of crime & maintenance of public order	Devolved	Reserved	Devolved
Fire	Devolved	Devolved	Devolved
Nationality, Immigration and	Reserved	Reserved	Reserved

⁵ Reserved matters in the United Kingdom, **PH/03 - INQ000216442**

HO Policy Area	Scotland	Wales	Northern Ireland
Asylum (including border security)			
National security, communications interception, official secrets & terrorism	Reserved	Reserved	Reserved
Issue of travel documents	Reserved	Reserved	Reserved
Civil Registration Services	Devolved	Reserved	Devolved
Criminal Records including disclosure and barring	Devolved	Reserved	Devolved

(d) Home Office Exclusive and Shared Competency

26. In addition to the above devolved and reserved matters, the Home Office shared responsibility with other Government departments and / or partner organisations for key aspects of the UK's response to the Pandemic:

Covid-19 Policy Area	Exclusive	Shared
Health Measures at the Border	No	See Home Office Mod 2 UK Borders Statement
Non-Pharmaceutical Interventions, Regulations, Compliance and Enforcement	No	<ul style="list-style-type: none"> ▪ DHSC ▪ Cabinet Office ▪ MOJ ▪ MCHLG / DHLUC ▪ National Police Chiefs Council ▪ College of Policing ▪ Police and Crime Commissioners ▪ Individual police forces <p>See also Home Office Mod 2 UK Borders Statement for bodies with</p>

Covid-19 Policy Area	Exclusive	Shared
		shared responsibility for enforcement of borders measures.
Excess Death Management (including death registration)	No	<ul style="list-style-type: none"> ▪ Local Registration Services ▪ MOJ ▪ DHSC ▪ Cabinet Office ▪ MCHLG / DHLUC

27. When considering events and decision making in relation to the policing and enforcement response, it is helpful to bear in mind i) responsibilities for policy development, legislation, and enforcement and ii) the operational independence of policing. The key points are set out below:

- a. **UK government policy on Non-Pharmaceutical Interventions and the policy content was decided through a process of collective decision making.** The enforcement of Covid-19 regulations was the responsibility of the police or other enforcement agency specified in the regulations. The Department participated in the development of policy options and regulations, providing views from policing to ensure decisions were workable, and inputting Home Office Ministers' views.
- b. **The Home Office role predominantly involved advising on the policing and wider law and order impacts of potential policy options** being developed by Department of Health and Social Care ("DHSC") and the Cabinet Office Taskforce. The Home Office was unable to advise on whether a specific Non-Pharmaceutical Intervention would address the public health issue it was targeting. However, the Department did provide advice, and information, on whether a regulation could be considered "proportionate", for example considering whether it would be comprehensible to the public, practical to enforce, contribute to community tensions, or could cause a breakdown in the policing by consent model. To inform Home Office advice to DHSC, Cabinet Office, and other stakeholders, specific advice was commissioned or considered from the Independent Scientific Pandemic Insights Group on Behaviours ("SPI-B") Policing & Security Sub-Group.⁶ The Home

⁶ See for example: [SPI-B: Areas of intervention \('local lockdown'\) measures to control outbreaks of COVID-19 during the national release phase, 30 July 2020 - GOV.UK \(www.gov.uk\)](#); [SPI-B Policing and Security Sub-Group: COVID-19 security and](#)

Office was an important conduit between the CO Taskforce, DHSC, Number 10, other Government Departments and the NPCC ensuring, where possible, that policing views were considered in the development of enforceable and realistic regulations.

- c. **DHSC owned the Coronavirus Act 2020 and the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 ("The Regulations")**, and all future iterations of the regulations. The Regulations were amended by DHSC in response to the changing environment. Only the Health Protection (Coronavirus) (Restrictions on holding of gatherings and amendment) (England) Regulations 2020 (organising or facilitating illegal gatherings of over 30 people) were formally signed by the Home Office, albeit drafted by DHSC and the CO Taskforce.
- d. **All guidance pertaining to police enforcement of Covid legislation and regulations was developed by the College of Policing for dissemination to forces.** The guidance was submitted to the Home Office in advance for Ministerial awareness, but due to the operational independence of the police, it remained a policing product.
- e. **The Home Office worked with the police to ensure that any changes to the Regulations or guidance were understood and enforced consistently.** We also worked closely with policing partners and OGDs to ensure any decisions regarding further restrictions or relaxations took account of the impact on crime, policing and public order. There were different views throughout the Pandemic about what an appropriate enforcement stance on behalf of the police should be. Both police generally, and individual forces, were subject to criticism for being either too permissive or too authoritarian.

(e) The Principle of the Operational Independence of Policing

- 28. Whilst the Home Office is the lead government department responsible for the police in England and Wales, governance arrangements for police services are built on the principle of operational independence. The Policing Protocol Order 2011 ("**the 2011 Order**") sets out how various actors within the system (i.e. the Home Secretary, Police and Crime Commissioners and Mayors, Chief Constables, and Police and Crime

[policing challenges, 21 September 2020 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/policing-challenges-21-september-2020); [S1111 SPI-B P S Lifting Restrictions.pdf \(publishing.service.gov.uk\)](#)

Panels) should exercise their roles and responsibilities in relation to each other to encourage, maintain, or improve working relationships.⁷ It also seeks to clarify the operational independence of Chief Constables. Operational independence describes matters which are under the direction and control of Chief Constables, the Commissioner of the City of London Police and the Commissioner of the Metropolitan Police (together, referred to as “**Chief Officers**”),⁸ and is fundamental to the British model of policing. There is no agreed or legal definition of the term; rather, paragraph 35 of Schedule 1 to the 2011 Order provides that operational independence is “*not defined in statute, and... by its nature, is fluid and context-driven*”.

29. Chief Officers are expected to be able to make independent decisions, free from political interference. What falls under a Chief Constable’s direction and control is “fluid and context-driven” because politicians have statutory responsibilities to scrutinise these decisions and powers to make strategic decisions regarding police services. The 2011 Order goes some way to defining boundaries between matters subject to political scrutiny/influence and matters under the direction and control of Chief Officers. It provides a list of matters which are definitely operational, including:
 - a. Decisions concerning the configuration and organisation of policing resources or the decision as to whether to deploy police officers and staff;
 - b. Total discretion to investigate or to require an investigation into crimes and individuals as he or she sees fit;
 - c. Decisions taken with the purpose of balancing competing operational needs within the framework of priorities and objectives set by the police Chief Constable; and
 - d. Operational decisions to reallocate resource to meet immediate demand.
30. Accordingly, the Home Office works closely with the police, and represents its interests at Government level, but respects the operational independence of Chief Officers at all

⁷ The Police Reform and Social Responsibility Act 2011 (PRSA) introduced Police and Crime Commissioners (PCCs) as locally elected and democratically accountable leaders. They have a mandate to hold their Chief Constable to account, on behalf of the public, for the delivery and performance of their police force. PCCs produce Police and Crime Plans, which outline their strategic aims and objectives for policing and crime. Before issuing their plan, PCCs must consult with their local communities, key stakeholders and the force’s Chief Constable. (See: PRSA, section 1(6) to 1(8) and section 5 and section 14).

⁸ Regarding City of London Police – the 2011 Order “does not legally bind the Commissioner of the City of London Police or the Common Council of the City of London, which continues to form the police authority for the City of London. However, they are encouraged to abide by the working principles of this Protocol” (See: Paragraph 6 of the 2011 Order).

times. This close and highly effective working relationship meant that the Home Office was ideally placed to act as a conduit between policy and operational decision-making throughout the Pandemic.

31. Whilst the Home Office liaised closely with the NPCC throughout the Pandemic, operational independence meant that individual police forces were responsible for their own response. Chief Police Officers recognised from the outset the need for a consistent approach to ensure public safety, set clear expectations, and help contain the spread of the virus. Accordingly, the NPCC developed an enhanced cross-portfolio command structure named '**Operation Talla**', which worked with government bodies and health organisations to offer consistency in approach and guidance to forces throughout the Pandemic.
32. The overarching aim of Operation Talla was to work with the Government and all other appropriate agencies to assist in mitigating the impact of Covid-19 on the public whilst maintaining police priorities of preserving life, maintaining law and order, and preventing crime. CPFG / PSG within the Home Office worked closely and collaboratively with Operation Talla throughout the Pandemic on a wide range of police impacts and contingencies, including, but not limited to:
 - a. Supporting preparedness across policing in response to Cabinet Office Reasonable Worst-Case Scenario ("**RWCS**") plans;
 - b. Provision of a weekly overview of PPE stocks across the forces;
 - c. Regular abstraction data;
 - d. Input into policy development and enforcement approaches;
 - e. Weekly updates on activity being undertaken by forces including to demonstrate the impact of additional funding provided during the Pandemic.

(f) Home Office Emergency Measures

33. The Civil Contingencies Act 2004 ("**CCA 2004**"), and accompanying non-legislative measures, delivers a single framework for civil protection in the UK. The CCA 2004 is separated into 2 substantive parts: local arrangements for civil protection (Part 1); and emergency powers (Part 2).
34. Part 1 of the CCA 2004, supporting Regulations and statutory guidance ('Emergency preparedness') establish a clear set of roles and responsibilities for those involved in

emergency preparation and response at the local level. The Act divides local responders into 2 categories, imposing a different set of duties on each.

35. The Home Office has no specified civil protection duties in the CCA 2004; it is not a Category 1 or 2 responder under the Act.
36. The powers which were available to Border Force Officers in January 2020 to prevent entry to the UK are outlined in **Home Office Mod 2 UK Borders Statement**.
37. The powers which were available to the police in January 2020 to support public health measures are described below in paragraph 53.

SECTION THREE: THE HOME OFFICE RESPONSE TO THE PANDEMIC

38. The Rule 9 Request requests a high-level summary overview of the Home Office's role in key decision-making in the period between the beginning of January 2020 to 24 February 2022, with a particular focus on the period 1 January 2020 to 26 March 2020. In this Section, the statement provides that overview and as requested includes an account of the Home Office's role in respect of the repatriation and quarantine of British citizens; the impact of non-pharmaceutical interventions ("**NPIs**") on different groups in society, the support provided to address these impacts; and the enforcement of Covid-19 legislation, regulations, and guidance.
39. To assist the Inquiry to understand the development of the Home Office response in its chronological context, the statement will set out the relevant activity during each of the following phases:
 1. **Initial Response:** January 2020 to March 2020
 2. **National Measures:** March 2020 to June 2020
 3. **Local Measures:** July 2020 to November 2020
 4. **Further National Measures:** November 2020 to July 2021
 5. **Continued Caution:** July 2021 to February 2022
40. Each stage of the response was a dynamic situation in which the information and circumstances constantly changed. Consequently, policy and operations must be viewed through the lens of (a) what was known at that particular time, (b) the available

laws and regulatory powers, (c) the pre-existing policies and plans and (d) the resources available at each stage to address the developments as the Pandemic unfolded.

(1) Initial Response: January to March 2020

41. The key events to note in this initial phase of the Pandemic include:
- **9 January 2020:** Home Office Covid-19 response begins
 - **26 January 2020:** Home Office begins support for repatriation of UK citizens
 - **29 January 2020:** Home Office declares a critical incident
 - **23 March 2020:** First National Lockdown begins
42. The World Health Organisation (“**WHO**”) reported on 9 January 2020 that a novel coronavirus had been identified in Wuhan. The Home Office response began the same day when the Border Force National Border Targeting Centre (“**NBTC**”) was contacted by Public Health England with a request for passenger data for direct flights from Wuhan to the UK. This data, and subsequent requests for data, was provided from 10 January 2020. More information about the role of Border Force in supporting the UK Government’s response to the Pandemic is provided in the **Home Office Mod 2 UK Borders Statement (the First Witness Statement of Paul Lincoln)**.
43. During January 2020, the initial Home Office response was managed through the Border Force National Command Centre (“**NCC**”). Potential health threats occur relatively regularly, and Border Force has operational plans in place to manage the impacts of infectious disease outbreaks. In the first weeks of January 2020, when the risk to the UK population was assessed as very low, there was nothing to indicate that the novel Coronavirus would require a different response to previous health threats such as Swine Flu, Ebola, or the Zika virus.
44. It was during the week beginning 20 January 2020 that the Department’s response to the emerging health threat began to expand beyond Border Force. On 22 January 2020, the Home Office Deputy Chief Scientific Advisor attended a SAGE meeting which included information from DHSC on current declared cases, deaths and geographic spread, and consideration of the New and Emerging Respiratory Virus Threats Advisory Group’s (“**NERVTAG**”) advice against implementing port entry screening.⁹
45. The then Permanent Secretary, Sir Philip Rutnam, attended a cross-government Heads of Department meeting on the same day (22 January 2020), with Departmental records

⁹ INQ000051718. PH/06

showing he received a similar briefing on the Coronavirus outbreak in Wuhan. Following that meeting, an informal read out was sent to Ministerial Private Offices with a request for Ministers to be updated on the emerging situation, including the position on port entry screening.¹⁰ This read out also noted that DHSC were in contact with the Home Office UK Visas and Immigration (“UKVI”) function on issues relating to Chinese students studying in the UK. Managing the impact of international travel restrictions on Chinese nationals whose visas or leave to remain was expiring was to become an increasing issue for UKVI in the coming weeks (see paragraphs 61 – 63). The wellbeing of the Home Office’s 300 employees based in China and Hong Kong was also a concern, and records show that we were in contact with FCDO for advice for our overseas teams.

46. The Home Secretary received further briefing on the emerging situation on 24 January 2020 following an initial COBR attended for the Home Office by the Border Force Chief Operating Officer.¹¹ The Home Secretary was advised on the work underway between Border Force and Public Health England (“PHE”) to share data, where legally possible, and the measures being implemented at ports.
47. On the same day, initial PHE guidance was issued within the Home Office’s Immigration Removal Centre estate to support the identification and management of potential cases of Coronavirus, and the first internal departmental co-ordination meeting on the Coronavirus response was chaired by the Major and Critical Events team.¹²
48. From 26 January 2020, the Home Office supported the repatriation of British Citizens initially from China and then from cruise ships.¹³ The repatriation effort continued into Spring 2020, and involved Home Office colleagues from Border Force, UKVI, and CPFG. The Home Secretary, Ministers, and senior officials received regular updates on the repatriation effort through the Departmental situation report (“SitRep”) (see paragraph 52). Further information about the role of the Home Office in supporting repatriation is provided in **Appendix D**.
49. By late January 2020 the impacts of the virus were beginning to affect our global visa operations. On 27 January 2020, UKVI made the decision to keep the Chinese visa application centres closed until 3 February 2020 in line with the extended Chinese New

¹⁰ INQ000051712. PH/07

¹¹ INQ000051761. PH/08

¹² INQ000051747 / INQ000051746. PH/09 / PH/10

¹³ INQ000051762. PH/11

Year.¹⁴ The following day the Department received notification that Secure English Language Testing in China, Hong Kong and Macau had been suspended, and 21 Tuberculosis testing centres in China had closed due to local restrictions.¹⁵ These closures were the start of considerable disruption to our visa operations throughout the Pandemic, as centres across the world closed, re-opened, and closed again in line with local restrictions. The **Home Office Chronology** outlines the number of changes to visa operations during the Pandemic.

50. At this stage, the impacts of the emerging situation were starting to be felt across the wider Borders, Immigration and Citizenship system ("**BICS**") within the Home Office. In response to the expanding policy and operational implications of the virus, Shona Dunn, my predecessor as Second Permanent Secretary, called a critical incident on 29 January 2020.¹⁶ This decision enabled the Home Office's formal critical incident management procedures to be activated, including the appointment of Gold command roles and the activation of the Departmental Operations Centre ("**DOC**").
51. The Home Office initial Covid-19 response structures drew on the Department's No Deal EU Exit response arrangements. Paul Lincoln, Director General Border Force, was appointed as the lead DG and led the initial response. Direction was set by the Strategic Oversight Group which reported to ExCo. The lead DG responsibility subsequently passed to me (Patricia Hayes) on 30 April 2020. Further information about the Home Office response management procedures and governance for the Covid-19 response is outlined in **Appendix B**.
52. From the activation of the DOC, on 29 January 2020, the Home Secretary, Ministers, and senior officials received daily SitReps providing information on the latest scientific advice from SAGE, international and domestic case rates, emerging risks, and impacts on Home Office operations and policy areas. These SitReps ensured the Department had a shared situational awareness and informed decision making and advice throughout the Pandemic.
53. Police gold command structures were also being initiated at this time. On 31 January 2020, DCC Paul Netherton, NPCC Lead for Civil Contingencies, wrote to all Chief Constables outlining the legal advice in relation to police powers to detain individuals

¹⁴ INQ000051775. **PH/12**

¹⁵ INQ000051788 / INQ000051789. **PH/13 / PH/14**

¹⁶ INQ000051811. **PH/15**

who Public Health England wished to place in isolation to prevent the spread of the Coronavirus. This guidance note was agreed with the Home Office. In the covering letter, DCC Netherton stated that a teleconference with Chief Constables was being convened for 3 February 2020 with the aim of establishing a police gold group to co-ordinate the response.¹⁷

54. On 10 February 2020, The Health Protection (Coronavirus) Regulations 2020 (**"the Regulations"**) took immediate effect. This Statutory Instrument provided the powers for the police to take a person with suspected or confirmed Coronavirus, into a suitable place for detention or isolation, and to return the individual to detention, isolation or another suitable place specified by a public health officer if the individual had absconded (Section 13). The powers pertaining to potentially infectious persons within the Health Protection Regulations 2020 were revoked in March 2020, and subsequently included within Schedule 21 of the Coronavirus Act 2020 (the **"CA 2020"**) which extended the powers to immigration officers and Devolved Administrations.
55. Consideration of the additional powers that the Home Office and police required to respond effectively to the Pandemic continued in February 2020. The **Home Office Mod 2 UK Borders Statement** outlines the consideration given to the powers required for Border Force / Immigration officers. The Department's further contribution to the Coronavirus Bill, (later the Coronavirus 2020 Act) drew on substantial work undertaken by the General Register Office (**"GRO"**) dating back to **Exercise Winter Willow** in 2007.¹⁸ Understanding the development of this work inevitably overlaps with Module 1 (resilience and preparedness) which examines the preparations which pre-dated the Covid-19 pandemic. The Home Office corporate witness statement for Module 1 provides further detail about Departmental pandemic planning before 2020. To avoid duplication with that statement whilst also contextualising the work of the Department in contributing to the Coronavirus Act 2020, I have briefly summarised Home Office activity resulting from the outcomes of **Exercise Cygnus in 2016** because this directly informed the drafting of the Coronavirus Bill in early 2020.
56. In February 2017, the National Security Council (**"NSC"**) (Threats, Hazards, Resilience and Contingencies (**"THRC"**) Committee), chaired by the Prime Minister, agreed a work

¹⁷ PH/16 - INQ000051846

¹⁸ Exercise Winter Willow took place in January and February 2007. It was a full-scale, Tier 1 exercise testing all levels of the planned UK response to an influenza pandemic. Over 5,000 people from a wide variety of UK organisations representing national and regional government, industry and the voluntary sector participated.

programme to enhance influenza pandemic preparedness, including the preparation of a draft Pandemic Influenza Bill. The work, led by Cabinet Office and Department of Health was taken forward as part of a cross-Government work programme with the full support of No10.

57. The Minister for Immigration was advised in February 2018 that GRO had identified, during its preparation for the draft Pandemic Influenza Bill, that changes to the Births and Deaths Registration Act 1953, and the associated regulations, would be required to enable GRO to ensure all deaths were registered in accordance with legislation during a pandemic. These changes included:
 - a. to allow any medical practitioner to complete a Medical Certificate of Cause of Death (“**MCCD**”) relating to an influenza pandemic death
 - b. to provide for a death to be registered by means other than face to face with a registrar (to reduce spread of infection).¹⁹
58. As Civil Registration is a devolved matter in Scotland and Northern Ireland, GRO undertook engagement with the Devolved Administrations on these draft clauses in 2018 for inclusion in the draft Pandemic Influenza Bill.
59. In February 2020, this earlier work on the draft Pandemic Influenza Bill informed the development of the Coronavirus Bill and the subsequent 2020 Act. The Home Office worked with DHSC to ensure that temporary modifications to the registration procedures of deaths and still-births in England and Wales were included in the 2020 Act (Section 18(1). Schedule 13 (Part 1)) allowed deaths to be registered by telephone or by any other means specified in guidance by the Registrar General, a MCCD to be accepted for registration purposes and to be issued by a medical practitioner without attending the deceased, and to be transferred electronically. The **Home Office Chronology** outlines the regular communication and guidance provided by GRO on these powers and subsequent actions to manage civil registration in England and Wales throughout the Pandemic.
60. The Coronavirus Act 2020, which received Royal Assent on 25 March 2020, also included the following powers necessary for the Home Office to undertake its functions during the Pandemic:

¹⁹ INQ000097457. **[PH/17]**

- a. Temporary powers to appoint temporary judicial commissioners (“JCs”) in the event that there were insufficient JCs available to carry out their function under the Investigatory Powers Act 2016 (Section 22);
 - b. Temporary extension of time limits for the retention of fingerprints and DNA profiles for national security purposes for an additional six months beyond normal statutory retention periods (Section 24);
 - c. Temporary powers to direct a port officer to suspend operations (Section 50 and Schedule 20); and,
 - d. Temporary powers for Police and immigration officers to detain those suspected of infection for screening and assessment (Section 51 and Schedule 21).
61. The developing international situation had increasing impacts on in-country immigration cases from February 2020. These impacts included Chinese nationals in the UK with visas expiring who were unable to return to China, and Chinese nationals with no leave to remain and who were subject to a voluntary departure or enforced removal action. Advice to the Immigration Minister and Home Secretary on 31 January 2020 drew on the Department’s experience from the Ebola outbreak in 2014, the latest travel advice from FCDO, and the World Health Organisation’s position on travel restrictions. Following this advice Ministers agreed that Chinese nationals who had previously complied with the conditions of their leave, should not be penalised or treated as overstayers.²⁰
62. Further advice to the Immigration Minister and Home Secretary on 7 February 2020 outlined the actions the Department was taking to establish a helpline for overseas nationals worried about their immigration status as a result of the Pandemic. The service was designed to allow a route for concerned nationals and supporting organisations to contact the Department via a freephone number and email. The service went live on 18 February 2020.²¹
63. The day before, on 17 February 2020, the Department announced that Chinese Nationals in the UK whose leave to remain was due to expire, would receive an automatic extension to 31 March 2020 if their leave had an expiry date between 24 January 2020 and 30 March 2020, and if they had been compliant with the conditions of

²⁰ INQ000051854. PH/18

²¹ INQ000052064. PH/19

their leave prior to the coronavirus outbreak.²² This was one of the many changes that would be made to visa arrangements throughout the Pandemic to reflect the changing domestic and international situation. In addition to providing support for individuals, the Department also provided guidance to sponsors for work and study routes to mitigate the impact on migrant workers and international students. The **Home Office Chronology** outlines the nature and frequency of the changes to our visa operations throughout the Pandemic.

64. The risks for individuals in asylum accommodation and the immigration detention estate were also being managed as part of the wider Home Office response. From late January 2020, Home Office officials had been in regular contact with PHE and other public health bodies to understand how to prevent, respond to, and control outbreaks in Home Office provided accommodation. This engagement continued throughout the Pandemic and is outlined in the **Home Office Chronology**.
65. The provision for self-isolation for individuals in asylum accommodation and immigration detention, as well as in other atypical situations relating to Home Office policy areas received further consideration after a COBR (Officials) meeting on 8 March 2020.²³ On 17 March 2020, the Home Office responded to a Cabinet Office commission outlining actions being taken to protect individuals in the below situations:
- a. immigration detention: all IRCs, short-term holding facilities and escort providers had in place contingency plans covering a wide range of risks, including communicable diseases, tested on a regular basis (and audited by Home Office compliance teams). The communicable disease plans had been refreshed to deal with the specific threat presented by Covid-19;
 - b. asylum accommodation: the latest public health guidance was being followed and the Home Office was continuing to work with other agencies to consider where to accommodate symptomatic claimants;
 - c. domestic abuse refuges: guidance had been issued to those in supported living provision, including advice on safety, cleaning and isolation. Refuge providers were also engaging in their own contingency planning in relation to accommodation and associated support services in line with PHE advice;

²² PH/20 - INQ000052096

²³ INQ000052389 PH/21

- d. modern slavery safehouses: the Home Office was working with the Salvation Army to produce guidance for people working in safehouses, for victims of modern slavery, and for other support workers.
 - e. police custody: the police had put in place contingency plans to ensure the operation of critical functions, including police custody. It was anticipated that a reduction in police capacity would result in fewer arrests.
66. On 2 March 2020, the Home Office ExCo conducted a table top exercise to test Departmental resilience and our capacity to deliver the minimal viable products, relating to protecting people, upholding law and order, protecting the border, and supporting Ministers.²⁴ The Home Office exercise was based on the scenario tested in the Ministerial Exercise Nimbus, held on 12 February 2020, which was attended for the Home Office by the Minister for Crime and Policing.²⁵ On 6 March 2020, an extraordinary ExCo was held to agree an outline operating framework and to define shared assumptions for Reasonable Worst-Case Scenario (“**RWCS**”) planning. Later that day, the Home Secretary was advised that existing business continuity plans may not be appropriate if workforce abstraction reached 50% and vulnerable colleagues were required to shield.²⁶ This advice was based on the latest RWCS by the Civil Contingencies Secretariat and the most recent advice from SAGE on the scale and timings of the Pandemic’s peak.
67. The Home Secretary was informed of a revised approach to resilience planning based on protecting critical activities and being able to pause non-essential work where necessary. Immediate actions being taken by officials included taking steps to ensure redeployment of suitable staff resources to critical border security roles and exploring options for surge resourcing (see **the Home Office Mod 2 UK Borders Statement**).²⁷
68. Further ExCo meetings held on 10 and 17 March 2020 continued to review Departmental plans for areas of risk, critical gaps, priorities and mitigation capability as UK case rates continued to rise. This included considering prioritisation heat maps which would enable

²⁴ INQ000052294. **PH/22**

²⁵ INQ000052012. **PH/23**

²⁶ INQ000052385. **PH/24**

²⁷ INQ000052385.

the Home Office to direct resource from lesser priority services to critical services if workforce abstraction rates necessitated such action.²⁸

69. In the final week before the first national lockdown, the Home Secretary received regular advice on the increasing impacts of the Pandemic on Home Office operations and services. On 16 March 2020 advice was provided covering Departmental and police preparedness for prolonged (13 or more weeks) workforce abstraction of 20% or higher.²⁹ On 18 March 2020, the Home Secretary was advised that Immigration Enforcement would prioritise work related to the maritime clandestine threat in addition to securing the detention estate and keeping detainees, staff, and contractors safe on site.³⁰ On 19 March 2020, the Home Secretary received advice on the operational impacts of the Pandemic on the UK asylum system. This included an outline of the changes being made to protect the health of those seeking protection in the UK, and the subsequent pressures this would put on available asylum accommodation.³¹ Finally, on 19 and 20 March 2020 the Home Secretary was advised of impacts on UK visa and passport operations.³² By 20 March 2020, 26% of HMPO's workforce were absent for Covid-19 related reasons including infection and self-isolation. On the same day, the Home Secretary received advice on potential disruption to the Short Strait flow and the corresponding risk to medical and food supplies for the United Kingdom and the Republic of Ireland.³³
70. It was within this operational environment for the Home Office that COBR met on 18, 20 and 23 March 2020 to discuss increasing measures. On the meeting on 18 March 2020, the Home Secretary raised the need to include vulnerable children within the category of 'vulnerable' and to consider, for example, the impact of extended school closures on victims of Child Sexual Exploitation and children experiencing drug abuse within households. She also requested that people working in charities delivering front line services, for example volunteers and workers in domestic violence refuges, should be included as key workers.³⁴

²⁸ INQ000052418. PH/25

²⁹ INQ000052563. PH/26

³⁰ INQ000052637. PH/27

³¹ INQ000052644. PH/28

³² INQ000052660. PH/29

³³ INQ000052663. PH/30

³⁴ INQ000052628. PH/31

71. In advance of COBR on 20 March 2020, the Home Secretary received advice on the feasibility of various restrictions being applied to slow the transmission of Covid-19 in London. The advice followed SAGE on 18 March 2020 which considered the situation in London, noting that the city may have been 1-2 weeks ahead of the rest of the country, and that Covid-19 related intensive care capacity in London could be reached by early April.³⁵
72. Home Office advice focused on two scenarios: i) closure of leisure facilities and non-essential shops with more mandatory home working (this option was under consideration in government), ii) the implementation of a “fuller lockdown” in London including curfews. This second scenario was not the focus of COBR considerations but was included in the advice to the Home Secretary to outline the policing impacts of a higher level of restrictions for London. The advice had been developed following engagement with the Chair of the NPCC, and the Commissioner and Deputy Commissioner of the Metropolitan Police Service.³⁶
73. The advice identified the challenges of policing different restrictions between adjacent designated geographical areas, concerns about community tensions, and impacts on key workers living outside London who would need to commute into areas where higher restrictions applied. The Home Secretary was advised to raise these issues in Cabinet level discussions about options for slowing transmission in London.
74. The advice to the Home Secretary was superseded by the changing national situation. Departmental records show that we received a short notice Calling Notice for COBR on Friday 20 March 2020 at which social distancing measures for the entire UK, rather than just London, were considered.³⁷
75. On 23 March 2020, SAGE advised that London could exceed National Health Service (“NHS”) capacity within the next ten days. Across the UK, social distancing measures had been adopted but SAGE considered there was uncertainty on whether the measures were being observed at the level to bring case rates within NHS capacity. SAGE also reaffirmed its position, on the advice of the Scientific Pandemic Insights

³⁵ INQ000052639. PH/32

³⁶ INQ000052643. PH/33

³⁷ INQ000052651. PH/34

Group on Modelling (“**SPI-M**”), that the effect of closing the UK border would have negligible effect on transmission.³⁸

76. In advance of COBR at 17:00hrs, Home Office officials responded to a Cabinet Office commission on i) police enforcement of social distancing and ii) restrictions at the border. In this response at 14:47, we noted that we had not yet received the latest SAGE advice on the border. The Home Office advice to the Cabinet Office, agreed with Home Office Special Advisors, outlined existing legal powers to prevent entry to the UK and identified the need for exemptions if restrictive border measures were decided upon. The advice on police enforcement identified that additional legislation would be required to enable the police to manage dispersals and curfews.³⁹
77. Subsequent briefing for the Home Secretary for COBR advised that it was for Department for Transport (“**DfT**”) and DHSC to determine whether to implement specific bans on international routes to the UK. Under their powers, they could implement regulations prohibiting aircraft and other vessels arriving from specific locations provided there was a risk to public health. The Home Secretary was also briefed on the latest SAGE advice on the impact of border closures, noting that in the previous four days, the UK had seen approximately 100k new domestic cases whereas modelling suggested there may have been only 500 cases imported from Italy, France, Spain, Germany and Iran combined.⁴⁰
78. Throughout the afternoon and evening of 23 March 2020, Home Officials continued to advise on police powers for enforcement of additional restrictions including giving consideration to the use of a validated form for individuals leaving their homes, as used in other countries. The Home Office advice, in conjunction with the advice of other departments, was used to inform the Prime Minister’s statement to the nation at 20:30hrs outlining the stay at home message.
79. By the implementation of the first National Lockdown on 23 March 2020, 6117 Home Office employees were absent for Covid-19 related reasons, 23,571 police staff and officers (9.5% of the national establishment), were absent (all reasons), and 2387 fire and rescue service staff were absent. Home Office employees who were able to work remotely were advised not to attend a workplace, and throughout the day, Home Office

³⁸ INQ000052717. **PH/35**

³⁹ INQ000212301 / INQ000212302. **PH/36 / PH/37**

⁴⁰ INQ000052677 / INQ000212303 / INQ000212304. **PH/38 / PH/39 / PH/40**

officials made decisions to suspend or reduce services requiring face to face contact, including visiting activity to immigration removal centres, registration services, and on site animal inspections.

(2) National Measures: 24 March to June 2020

80. The key events to note in this phase of the pandemic include:
- **24 March 2020:** Visa extensions announced for all nationals unable to return to their countries.
 - **26 March 2020:** Coronavirus Act 2020 and the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 come into force.
 - **11 May 2020:** Prime Minister announces a roadmap to ease restrictions.
81. The suspension or reduction of front line Home Office services continued on 24 March 2020 as further consideration was given to the impacts of the national lockdown. These changes included the suspension of super priority and priority overseas visa applications, the pausing of assisted and family returns by Immigration Enforcement, and the pausing of in person Channel panels (early intervention for people identified at risk of being drawn into terrorism).
82. On 27 March 2020, the Home Office paused the issuing of notices to vacate accommodation to asylum seekers, supported under section 95 of the Immigration and Asylum Act 1999, whose claim or appeal had been decided. This decision applied to all individuals whether their claim had been accepted or rejected and was consistent with the protection against eviction provided to social and private tenants in the Coronavirus Act 2020. The policy intention was to ensure individuals had secure accommodation in which to isolate and to relieve pressure on local authorities. The suspension of issuing all notices to vacate accommodation remained in place until September 2020.
83. A similar policy change was announced by the Minister for Safeguarding on 3 April 2020.⁴¹ This change covered individuals supported through the modern slavery victim care contract and enabled them to stay in government-funded safe accommodation for the following three months. The Home Office continued to work with The Salvation Army, the primary provider of support, on reviewing processes and policy to maintain the services provided to modern slavery victims during the Pandemic.

⁴¹INQ000052921. PH/41

84. **The Home Office Chronology** outlines the numerous other immediate policy and operational changes made in the initial two weeks after the implementation of the first National Lockdown to address the impacts of the Pandemic. In this period, the Department also continued work to support the Government's sustained response and to manage the impacts on different groups. This work delivered further changes from late March to June 2020 across multiple policy areas and is summarised below.

Visas and Immigration

85. On 24 March 2020, the Home Secretary announced that all visa nationals who could not return to their home country due to travel restrictions or self-isolation would be able to extend their visa until at least 31 May 2020.⁴² This policy applied to anyone whose leave expired after the 24 January 2020. A dedicated team was established in UKVI to support the processing of these extensions, and on 6 April 2020 a new online form went live to support the extension process.⁴³
86. In addition to processing visa extensions for people unable to leave the country, UKVI worked with DHSC to mitigate the impacts of the Pandemic on overseas staff employed in the health and social care sector, and to address shortages of critical workers. These visa policy changes continued throughout the Pandemic.
87. On 31 March 2020, the Home Secretary announced that NHS Doctors, nurses and paramedics with visas due to expire before 1 October 2020 would have them automatically extended for one year. The extension also applied to their family members and was in recognition of the valuable contribution made by overseas NHS staff to the Pandemic. The visa extensions were exempt from all fees and charges, including the Immigration Health Surcharge ("IHS"). The scheme was re-launched in April 2021 to extend all applicable visas expiring before October 2021 for a further year. The Home Secretary also announced on 31 March 2020, that the Home Office had lifted the restriction on the amount of hours overseas student nurses and doctors could work in the NHS during term time.⁴⁴
88. On 29 April 2020, the Home Secretary and the Secretary of State for Health and Social Care announced that free visa extensions would be automatically granted to more overseas health and care workers including midwives, pharmacists, physiotherapists,

⁴² [Visas extended for those currently unable to return home due to COVID-19 - GOV.UK \(www.gov.uk\)](#)

PH/42 - INQ000215593

⁴³ PH/43 - INQ000052931

⁴⁴ [NHS frontline workers visas extended so they can focus on fighting coronavirus - GOV.UK \(www.gov.uk\)](#)

PH/44 - INQ000215578

medical radiographers, therapy professionals not elsewhere classified, occupational therapists, health professionals not elsewhere classified, podiatrists, speech and language therapists, psychologists, ophthalmologists, biological scientists and biochemists, dental practitioners and social workers. The extension applied to approximately 3000 health and care workers and their families, and all were exempt from the IHS. The Home Secretary also announced that family members and dependants of healthcare workers who died as a result of contracting the virus would be offered immediate indefinite leave to remain.⁴⁵

89. On 20 May 2020, the Home Office extended the offer of indefinite leave to remain, free of charge, to the families and dependants of NHS support staff and social care workers who died as result of contracting Covid-19.⁴⁶
90. On 22 May 2020, the Home Secretary announced a further extension to visas for overseas nationals who could not return home because of the Pandemic. The extension lasted until 31 July 2020 with the expectation that people in the UK on temporary visas, such as visitor visas, should return home as soon as it is safe and possible to do so.

Non-Pharmaceutical Interventions and Enforcement

91. The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 came into force in England on 26 March 2020.⁴⁷ These regulations were introduced by DHSC and granted a range of enforcement powers to police officers, special constables, community support officers and other designated officers to enforce the national lockdown. This included the power to issue Fixed Penalty Notices (“FPNs”) of £60 (reduced to £30 if paid within 14 days) or £120 for second time offenders (doubling on each repeat offence). Officers were also granted powers to arrest individuals who refused to comply with regulations, where considered proportionate and necessary. The Home Office worked with DHSC to develop the provisions contained within these regulations.
92. To support ministers and senior officials from CPFG in the delivery of the response, a specialist team known as the ‘Covid Response Team’ (and, later, a ‘Covid Enforcement Team’) was created. The team’s remit focused on police response, resilience and preparedness, enforcement, planning and the operational policing and public order

⁴⁵ <https://committees.parliament.uk/publications/1448/documents/13243/default/>; <https://www.gov.uk/government/news/home-office-extends-bereavement-scheme-to-nhs-support-staff-and-social-care-workers> PH/45 - INQ000052489

⁴⁶ [Home Office extends bereavement scheme to NHS support staff and social care workers - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/home-office-extends-bereavement-scheme-to-nhs-support-staff-and-social-care-workers) PH/46 - INQ000215571

⁴⁷ [The Health Protection \(Coronavirus, Restrictions\) \(England\) Regulations 2020 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2020/047/contents/made) PH/47 - INQ000106304

response. The team worked within the wider Covid-19 directorate (see **Appendix B**) and provided a single point of contact on policing issues, co-ordinating or delivering responses to tasking and liaising with key sectors (including the Police and Fire and Rescue Services).

93. On 26 March 2020 guidance was produced by the NPCC and the College of Policing to assist police forces in relation to the new powers contained in the public health regulations. The Home Office provided comments on the draft which recommended a public health based approach to maintain public support, and a copy was provided to Home Office ministers for awareness. The guidance encouraged officers to rely on 'policing by consent', with the strategy being to 'engage, explain and encourage' in order to promote compliance, and only as a last resort to use sanctions to force compliance with the regulations. This approach was encapsulated by a four-step escalation model of:
 - a. *Engage*: officers were advised to encourage voluntary compliance from members of the public;
 - b. *Explain*: where members of the public breached regulations, officers would stress the risks to public health and to the NHS in order to educate people about the risks and the wider social factors;
 - c. *Encourage*: officers were advised to encourage compliance by emphasising the benefits to the NHS of staying at home, how this could save lives and reduce risk for more vulnerable people in society; and
 - d. *Enforce*: officers would only direct individuals to return to the place where they live where encouragement had been unsuccessful. Officers were advised that they could use reasonable force to return members of the public to their home only where it was a necessary and proportionate means of ensuring compliance.
94. The Pandemic placed additional and unanticipated demands on policing coupled with increased abstraction rates. From 25 March 2020 to mid April 2020, Home Office officials worked with the NPCC to understand and quantify the impacts of Covid-19 on the police workforce including consideration of the action that forces could take, and were already taking, to mitigate impacts, and to mobilise their regular and volunteer workforces. On 17 April 2020, a police workforce strategy was provided to the Home Secretary and

Minister for Crime and Policing. This strategy outlined short, medium, and longer term measures to support the response.⁴⁸

95. On 11 May 2020, I was appointed by the Cabinet Office as the Civil Servant responsible for the Public Order and Policing programme within the Cabinet Office's Covid-19 portfolio. This was one of three programmes that the Home Office had been designated to lead.⁴⁹
96. The Public Order and Policing programme brought together pre-existing work into six workstreams, each with a Home Office and policing lead:
- a. Workforce;
 - b. PPE and testing;
 - c. Social distancing measures: powers and enforcement;
 - d. Crime trends and policy implications;
 - e. Impact on the CJS; and
 - f. Road to recovery.
97. Accordingly, a plan, known as the **Policing Plan**, was developed by the Home Office jointly with Op Talla leads. The Policing Plan was kept under review by me and the NPCC Chair, Martin Hewitt, at fortnightly SRO meetings. It provided an overview of the broad range of emerging threats, risks and concurrent issues affecting policing during the Pandemic, and aimed to help the police maintain effective policing.
98. The SRO meetings enabled the review and discussion of key developments and risks. They also provided a forum for the Home Office to understand the issues experienced by the police, which could be escalated and further inform future discussions with DHSC and the CO Taskforce in relation to future revisions to the regulations. The Policing Plan was used to discuss police readiness for significant peaks in Covid-19, and to consider the potential introduction of further restrictions and measures if required. This work informed the police response in subsequent phases of the Pandemic.

⁴⁸ INQ000053119. **PH/48**

⁴⁹ INQ000053272. **PH/01**

Hidden Harms

99. On 26 March 2020, the Home Secretary and the Minister for Safeguarding received advice on the potential impact of Covid-19 on crimes involving Violence Against Women and Girls (“**VAWG**”).⁵⁰ The advice outlined how the Home Office, MHCLG and MOJ were working together to understand how best to support victims of domestic abuse and VAWG during the Pandemic. It summarised concerns from stakeholders that incidences of all VAWG crimes would increase in the UK during social distancing measures in line with evidence from China and Italy. To mitigate this risk, Home Office officials outlined the work being undertaken with the national policing lead on domestic abuse and the College of Policing to develop national guidance on the continued use of police protective orders such as Domestic Violence Protection Orders (“**DVPOs**”) to protect victims of domestic abuse.
100. On 31 March 2020, the Home Office updated its publicly available guidance, adding a factsheet entitled “Coronavirus (COVID-19): support for victims of domestic abuse”, to signpost the available help for victims of domestic abuse during the Pandemic.⁵¹ The publicly available guidance continued to be updated throughout the Pandemic.
101. In parallel, the Home Office was working with MHCLG (later DLUHC) to explore options for emergency accommodation for perpetrators who were made homeless by the requirements of a DVPO, either because of the enforced closure of hotels and B&Bs or because they could not stay with family or friends due to the risk of Covid-19 infection. Further work with MOJ was underway to address police concerns that protective orders may be more difficult to obtain due to court closures. The judiciary had identified a list of critical business priorities for each jurisdiction. In the family courts, and Family Law Act injunctions (e.g. non-molestation orders and occupation orders), Female Genital Mutilation (“**FGM**”) Protection Orders and Forced Marriage Protection Orders were all included.⁵²
102. Following a request by the Home Secretary to provide an action plan and gap analysis for cross government work on domestic abuse, a further briefing was sent to the Home Secretary and the Minister for Safeguarding, on 3 April 2020.⁵³ This confirmed that engagement with the sector indicated that online services might be the only way some

⁵⁰ INQ000052784. **PH/49**

⁵¹ INQ000052887. **PH/50**

⁵² INQ000052784. **PH/49**

⁵³ INQ000052918. **PH/51**

victims could access help due to the difficulties of reporting whilst in lockdown with their abuser. Home Office officials therefore recommended an immediate increase in funding to the sector to support the development of technology and provision of online services. The aim of the funding was to mitigate the effect of the national measures on victims of domestic abuse by: (i) supporting and sustaining sector organisations; (ii) finding novel ways to support victims, such as chat rooms, code words and apps; and (iii) communicating effectively with victims, perpetrators and the wider public.

103. As part of the £750 million provision for frontline charities announced by the Chancellor of the Exchequer on 8 April 2020, £76 million was allocated across government departments specifically to support victims of sexual violence, domestic abuse, modern slavery and vulnerable children and their families.⁵⁴ National and regional domestic violence charities providing support in the community, for which other domestic abuse-focused funding streams, managed by MOJ and MHLCG, were not specifically designed, were subsequently invited to apply for funding from an additional £1.7 million managed by the Home Office on 22 May 2020 and again on 6 July 2020.⁵⁵ There were 28 successful bids from domestic abuse organisations and the funding enabled them to continue to respond to victims of domestic abuse.
104. On 11 April 2020, the Home Secretary announced a £2 million fund to enhance online support services and domestic abuse hotlines. This funding was allocated to providers of national helpline and web-based services. The funding announcement coincided with the launch of a Home Office public awareness campaign (under the hashtag #YouAreNotAlone) in recognition of the increased risk of domestic violence as a result of the national lockdown.⁵⁶
105. The #YouAreNotAlone campaign aimed to reassure victims and publicise the support available including the freephone, 24 hour National Domestic Abuse Helpline number – 0808 2000 247 – run by Refuge, and www.nationaldahelpline.org.uk. It had a Black, Asian and Minority Ethnic strand working with social media influencers and specialist media outlets to target diverse audiences (including through African, South Asian and Polish media outlets). The campaign was delivered through paid for advertising on digital channels including social media, search engines and online banners.

⁵⁴ [Chancellor sets out extra £750 million coronavirus funding for frontline charities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/chancellor-sets-out-extra-750-million-coronavirus-funding-for-frontline-charities)

PH/52 - INQ000215567

⁵⁵ <https://www.gov.uk/Government/publications/COVID-19-home-office-extraordinary-funding-for-domestic-abuse-support-services>

PH/53 - INQ000215569

⁵⁶ INQ000053039.

PH/54

106. A further £3.1 million for specialist support services for children who had been directly or indirectly affected by domestic abuse was announced by the Home Secretary on 28 April 2020.⁵⁷ The funding was split between local authorities, children's charities and Police and Crime Commissioners across England and Wales.
107. By 30 April 2020, the following cross-government activity on domestic abuse was in place:
- a. A weekly official call with MHCLG, MOJ, DWP and DHSC to share information on: family and criminal courts; safe accommodation and refuges; and sharing domestic abuse advice as part of testing programme.
 - b. A weekly victims call led by the MOJ and involving the Home Office, MHCLG, Department for Education ("DfE"), DHSC and other stakeholders;
 - c. A ministerial trilateral weekly call between the Home Office, MOJ and MHCLG; and,
 - d. Cross-departmental work on supporting vulnerable children.⁵⁸
108. On 14 May 2020, the Home Secretary presented a threat assessment relating to hidden crimes at the General Public Sector Ministerial Implementation Group. The threat assessment considered changing trends in reporting from police data and expert insight. Data provided by the police indicated that reporting was consistent with levels in 2019, however the National Domestic Abuse Helpline had reported a 29% increase in calls in the week before 14 May 2022. Throughout the Pandemic, the Home Office received data relating to hidden harms from Operation Talla. Interpreting the trends was difficult due to the variable effects of holidays and lockdown restrictions, but there was little evidence of the significant increase in reported domestic abuse that was expected at the start of lockdown.
109. In parallel with the work outlined above, the Home Office also participated in cross-Government work targeted at reducing the impact of national measures on vulnerable groups. On 21 May 2020 the Prime Minister chaired the Hidden Harms Summit which brought together representatives from across Government and other bodies including the NHS, police, charities and sector organisations, to discuss the best ways to protect victims of 'hidden' crimes such as domestic violence; modern slavery; child sexual abuse and county lines (the transportation of illegal drugs from one area to another by children

⁵⁷ INQ000053203. **PH/55**

⁵⁸ INQ000053220. **PH/56**

or vulnerable people). The Government report of the virtual summit was published on 26 June 2020.⁵⁹ To coincide with the summit the Home Secretary announced further Home Office/police initiatives:

- a. The development of a codeword initiative to enable domestic violence victims to covertly access support. This initiative was developed during this period and launched in January 2021 (see paragraph 170); and
- b. Two policing initiatives:
 1. A police pilot across three police forces (Cumbria, South Wales and Sussex) aimed at identifying those posing a high risk of perpetrating domestic abuse and multiagency approaches to prevent re-offending; and
 2. An initiative across four forces (North Yorkshire, Devon and Cornwall, Metropolitan Police Service and Sussex) involving a 'deep dive' into all available data and information on current patterns of abuse, to inform domestic abuse policing approaches during the Pandemic. The Home Office convened a Ministerial roundtable of academics on 22 May 2020 to inform this work.⁶⁰

110. The subsequent work following on from the Hidden Harms summit and other initiatives is covered in paragraphs 133 – 138 below.

Supply of Controlled Drugs

111. On 27 March 2020, the Home Secretary and the Minister for Crime and Policing were advised by Home Office officials that DHSC had identified an urgent need for registered pharmacists to be given additional prescribing powers to ensure patients continued to have access to medicines critical for on-going treatment, to free-up clinician capacity and to maintain the safe supply of medicines.⁶¹
112. On 1 April 2020, the Home Secretary wrote to the Advisory Council on the Misuse of Drugs ("ACMD") to request urgent advice on the introduction of legislation to allow for

⁵⁹https://assets.publishing.service.gov.uk/Government/uploads/system/uploads/attachment_data/file/897490/HH_Summit_Report.pdf

⁶⁰ INQ000053891. PH/58

⁶¹ INQ000052838. PH/59

the emergency supply of medication by pharmacists.⁶² The ACMD provided its advice on 7 April 2020.⁶³

113. On 29 April 2020, a Written Ministerial Statement (“**WMS**”) by the Home Secretary was laid outlining the Misuse of Drugs (Coronavirus) (Amendments Relating to the Supply of Controlled Drugs During a Pandemic etc.) Regulations 2020.⁶⁴ The regulations, which came into force on 30 April 2020, amended the Misuse of Drugs Regulations 2001 to allow pharmacists at a registered pharmacy business to supply, in a pandemic situation, medicines without a prescription, where the patient has been receiving a Schedule 2, 3 or Part 1 Schedule 4 controlled drug as part of on-going treatment, and to supply Schedule 2, 3 or Part 1 Schedule 4 controlled drugs under a Serious Shortage Protocol. The amendments also allowed pharmacists, in a pandemic situation, to change the intervals on instalment prescriptions for Schedule 2 and 3 controlled drugs without the immediate need for a new prescription from an authorised prescriber under the 2001 Regulations, with the approval of the prescriber or their appointed representative. The amendments were enabling and were only to be used in limited circumstances following an announcement by the Secretary of State and under conditions specified by the health service in the area(s) to which the announcement applies.

Civil Registration Services

114. On 24 March 2020, the General Register Office provided guidance to Superintendent Registrars, Registrars of Births and Deaths, Additional Registrars, Registration Authorities, and Proper Officers on the implications of the Coronavirus Act 2020.⁶⁵ The guidance outlined the changes to i) birth registration and claims for child benefit or Universal Credit, ii) citizen ceremonies, iii) marriage and civil partnerships, iv) deaths and still birth registrations. GRO also provided on call contact numbers for emergency marriage provision arrangements. Further logistical information was issued by GRO on 27 March 2020 to confirm registration procedures following the Royal Assent of the Coronavirus Act.⁶⁶

⁶² [Letter from the Home Secretary to the Chair of the Advisory Council on the Misuse of Drugs \(accessible version\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/letter-from-the-home-secretary-to-the-chair-of-the-advisory-council-on-the-misuse-of-drugs) PH/60 - INQ000215576

⁶³ [ACMD advice on proposed COVID-19 legislative changes \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/consultations/acmd-advice-on-proposed-covid-19-legislative-changes) PH/61 - INQ000216443

⁶⁴ INQ000053211. PH/62

⁶⁵ INQ000052734. PH/63

⁶⁶ INQ000052828. PH/64

115. As measures began to be eased in the later weeks of this phase, GRO managed the recommencement of services in England and Wales. On 9 June 2020, The Registration of Births and Deaths (Coronavirus) (Amendment) Regulations 2020 came into force.⁶⁷ The amendment to regulation 9(1) in the Registration of Births and Deaths Regulations 1987 enabled the entry of information in a birth registration entry without the registrar needing to be in the presence of the informant. This amendment was one of several changes made to civil registration services throughout the Pandemic to mitigate the impacts of non-pharmaceutical interventions.
116. In total, during this phase of the Covid-19 response, GRO issued 16 circulars to update local registration services on changes to GRO service provision. This engagement continued in later phases of the Pandemic.

Management of the Border

117. The work of Border Force during this period is outlined in the **Home Office Mod 2 UK Borders Statement**.
118. As outlined above, throughout March to July 2020, the Department sought to mitigate the immediate impacts of the Pandemic, maintain critical service delivery, protect our workforce and those people in Home Office provided accommodation, and prepare for the easing of national measures from June 2020.

(3) Local Measures: July – November 2020

119. The key events to note in this phase of the Pandemic include:
- **4 July 2020:** 1st Local Lockdown in Leicester and surrounding areas begins
 - **5 August 2020:** Initial regulations introduced for Greater Manchester
 - **14 September 2020:** 'Rule of six' introduced
 - **14 October 2020:** Tier System introduced
 - **31 October 2020:** The Prime Minister announces a second national lockdown will start on 5 November 2020
120. This phase saw the easing of national social distancing measures and the implementation of local measures in areas where there was high prevalence of Covid-19. As we moved into Autumn 2020, new national measures for England such as the 'Rule of six' and the tiered restrictions were introduced. Finally, contingency planning for

⁶⁷ [The Registration of Births and Deaths \(Coronavirus\) \(Amendment\) Regulations 2020 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukdsi/2020/01/13/ukdsi202001131300001.pdf)

winter 20/21 was initiated. The work of the Home Office during this period is outlined below and in the **Home Office Mod 2 UK Borders Statement**.

Non-Pharmaceutical Interventions and Enforcement: Local Measures

121. On 29 June 2020, the Secretary of State for Health and Social Care made an oral statement in the House of Commons covering plans to implement local measures in Leicester, Oadby, Wigston, and areas of Blaby and Charnwood.⁶⁸ To support the development of policy on these local measures, the Home Office provided advice to the Cabinet Office on enforcement and compliance options.
122. Home Office advice, dated 30 June 2020, recommended that the police should not be used to purely enforce rules and regulations, and instead the Engage, Explain and Encourage model was considered more appropriate.⁶⁹ In the following days until The Health Protection (Coronavirus, Restrictions) (Leicester) Regulations 2020 came into force on 4 July 2020, the Home Office continued to engage with the Joint Biosecurity Centre (“JBC”), DHSC, MHCLG and PHE to respond to and support the situation in Leicester, and ensure the police were involved in local decision making. Police were also cognisant that they had to work with local communities and uphold the British model of policing by consent by following the four-step escalation principles – engaging, explaining, encouraging, and then enforcing.
123. The implications of the local measures in Leicester, and surrounding areas, for Immigration Enforcement, asylum accommodation, and civil registration were also considered by the Department in this period. On 30 June 2020, the Home Secretary received advice on the approach being taken by Immigration Enforcement which had been agreed with the police.⁷⁰ This advice stated that IE would continue to deploy in and around the Leicester area where there was intelligence to justify the deployment of resources, either in isolation or as part of a wider multi-agency approach. In particular, IE and the police remained committed to tackling high harm and safeguarding cases.
124. On 23 July 2020, the JBC Gold group meeting agreed to exclude Luton and Blackburn & Darwen from the relaxation of measures that were due to take effect nationally on 25 July (the reopening of gyms, nail bars and other close quarters services).⁷¹ On 30 July

⁶⁸ INQ000053541. PH/66

⁶⁹ INQ000053555. PH/67

⁷⁰ INQ000053545. PH/68

⁷¹ INQ000053650. PH/69

2020, the JBC Gold call decided that local messaging on social distancing and other mitigations was insufficient and that regulation to prevent inter-household mixing might be required. The Home Secretary was advised by Home Office officials that any requirement for the police to implement and enforce new regulations on inter-household mixing would be extremely challenging, partly relating to capacity issues, but also given that the police do not have powers of entry unless they believe that a crime is being committed.⁷²

125. At Covid-O on 30 July 2020, it was decided that inter-household mixing would be prohibited outside of existing support bubble arrangements in areas of high Covid-19 incidence rates.⁷³ Consequently, The Health Protection (Coronavirus, Restrictions on Gatherings) (North of England) Regulations 2020 came into force on 5 August 2020.⁷⁴ The Home Office received, from DHSC, a draft submission to the Secretary of State for Health and Social Care outlining the geographical boundaries of the measures and the latest epidemiological data.
126. On 28 August 2020, the Health Protection (Coronavirus) (Restrictions on holding of gatherings and amendment) (England) Regulations 2020 came into force.⁷⁵ The regulations introduced a new criminal offence targeting people organising or facilitating unlawful gatherings, with anyone facilitating or organising illegal raves, unlicensed music events, or any other unlawful gathering of more than 30 people facing a £10,000 fine.⁷⁶ These regulations were the only enforcement regulations signed by the Home Office at the request of Number 10 - for reasons of Ministerial availability. However, these regulations were drafted by DHSC, CO Taskforce, and Number 10 who considered the restrictions imposed by these regulations to be necessary and proportionate to what the Government wanted to achieve.
127. In advance of the regulations coming into force, the Secretary of State for Health and Social Care, and the Home Secretary received written advice from Home Office officials regarding the proportionality of the proposed new offence and the level at which the Fixed Penalty Notice had been set.⁷⁷ This advice outlined that the FPN level was

⁷² INQ000053650. PH/69

⁷³ INQ000053678. PH/70

⁷⁴ [The Health Protection \(Coronavirus, Restrictions on Gatherings\) \(North of England\) Regulations 2020 \(legislation.gov.uk\)](#). PH/71 - INQ000215590

⁷⁵ [The Health Protection \(Coronavirus\) \(Restrictions on Holding of Gatherings and Amendment\) \(England\) Regulations 2020 \(legislation.gov.uk\)](#). PH/72 - INQ000053704

⁷⁶ [Tougher fines ahead of Bank Holiday to crack down on illegal gatherings - GOV.UK \(www.gov.uk\)](#). PH/73 - INQ000215592

⁷⁷ INQ000212310 / INQ000212309. PH/74 / PH/75

intended to provide a greater deterrent to serial organisers or facilitators of large illegal gatherings. The advice included a Public Sector Equality Duty: Equality Impact Assessment which provided an analysis of the impacts of the Health Protection (Coronavirus, Restrictions) (England) (No2) regulations, specifically the plans to bring in a new offence for those holding or involved in the holding of an illegal gathering of over 30 people and introducing a laddering system for Fixed Penalty Notices for face coverings Regulations.

128. Following reports in November 2020 that the police were going to suspend issuing £10K fines for breaching coronavirus restrictions, the department worked closely with forces to ensure the public were fully aware of their options when issued with an FPN. After discussions with the NPCC, a statement was issued by the NPCC confirming that forces would resume issuing £10,000 fixed penalty notices where appropriate.
129. As we moved into Autumn and the national epidemiological position continued to change, the Home Office worked with DHSC and the CO Taskforce to develop regulations to support new measures. On 14 October 2020, a new three-tier system of Covid-19 restrictions was implemented (to replace the system of local lockdowns which had been in place since July 2020) via the following regulations:
 - a. Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020;⁷⁸
 - b. Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020;⁷⁹ and
 - c. Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020.⁸⁰
130. These regulations set out a series of rules and restrictions based on three different alert levels. The Home Office worked closely with DHSC, the CO Taskforce and Number 10 to develop the legislation and to ensure that all offences created by these regulations were enforceable and proportionate. This included highlighting proposals which were not practical to expect the police to enforce.
131. The primary enforcement responsibility for the requirements placed on business premises by the tier system regulations was with the respective local authorities and the

⁷⁸ [The Health Protection \(Coronavirus, Local COVID-19 Alert Level\) \(Very High\) \(England\) Regulations 2020 \(legislation.gov.uk\)](#) PH/76 - INQ000109839

⁷⁹ [The Health Protection \(Coronavirus, Local COVID-19 Alert Level\) \(High\) \(England\) Regulations 2020 \(legislation.gov.uk\)](#) PH/77 - INQ000215589

⁸⁰ [The Health Protection \(Coronavirus, Local COVID-19 Alert Level\) \(Medium\) \(England\) Regulations 2020 \(legislation.gov.uk\)](#) PH/78 - INQ000065423

Health and Safety Executive. The police continued to provide backstop enforcement powers, where required, and agreed to respond to all incidents where individuals were violent or abusive towards shopworkers or members of the public.

132. On 16 October 2020, the Home Secretary hosted calls with the Chief Constables for some of the areas which were currently the subject of the most intense local activity on Covid regulation (Merseyside, Greater Manchester, Lancashire and the four Welsh forces). The purpose of the Home Secretary's calls was to hear first-hand about the policing and public order challenges on the ground, to discuss their enforcement planning and activity, and to offer any support needed from the Government to enable them to play a full role in dealing with this challenging moment in the Covid-19 response.⁸¹
133. In response to the changes in local and national restrictions the Home Office allocated £30 million of new funding to police forces in October 2020. This funding was to support enforcement activity and was accompanied by a letter from the Minister for Crime and Policing to outline the expectation (set by Number 10 and the CO Taskforce) that the funding would be used on immediate, visible enforcement activity. The funding was intended to cover officer overtime and other workforce related pressures.⁸²
134. On 31 October 2020, the Prime Minister announced the implementation of the second national lockdown from 5 November 2020. The Home Office position was that i) a multi-agency response was required to support public compliance with the new regulations rather than assume enforcement to be the starting point, ii) hidden crimes increased during lockdown and that iii) impacts on the most vulnerable needed to be minimised.⁸³ The sections below outline the key activity undertaken by the Home Office in Summer and Autumn 2020 to address the impacts of the Pandemic and prepare for further restrictions in advance of the second national lockdown.

Hidden Harms

135. On 7 October 2020, the Minister for Safeguarding received briefing from Home Office officials on i) progress since the Hidden Harms summit on 21 May 2020, and ii) Home

⁸¹ INQ000053932. PH/79

⁸² INQ000053939. PH/80

⁸³ INQ000054040. PH/81

Office planning for Winter 20/21.⁸⁴ This included consideration of the impacts of the Pandemic on victims of domestic abuse, child sexual abuse, and modern slavery.

136. The briefing outlined the work of the Home Office in partnership with DfE, DHSC, MOJ, and the national police lead for vulnerability, Chief Constable Simon Bailey, in engaging with charities and multi-agency safeguarding partners to understand and respond to the emerging picture of harm to children during the Pandemic. This included participation in fortnightly calls, chaired by CC Bailey, with relevant charities which provided important information about emerging issues and trends. The Home Office also worked with DfE's National Board for Vulnerable Children to engage key stakeholders.
137. Throughout this period, the Home Office maintained regular dialogue with our third sector partners delivering the cross cutting £13.2m Trusted Relationships Fund to ensure the continued delivery of support to 10-17 year olds at risk of sexual exploitation, county lines gang crime, or relationship abuse. Work also continued on the development of the Tackling Child Sexual Abuse Strategy (published January 2021) to ensure it reflected the impacts of Covid-19.⁸⁵
138. The Minister for Safeguarding was also briefed on the work of the Department in planning for the impacts of any future national lockdown on victims of modern slavery. This included consideration of information from law enforcement agencies and the Joint Slavery and Trafficking Centre on the changing nature of exploitation during the Pandemic. Planning for winter 20/21 noted the flexibility within the Victim Care Contract, awarded to The Salvation Army on 29 June 2020, to address potential impacts of increased restrictions.⁸⁶ Also included in the contingency plans for winter were:
 - a. measures put in place during the first national lockdown, including the ability for victims to receive their financial support on payment cards rather than in cash (which required a face-to-face interaction with a support worker), which were still in operation.
 - b. The ability for non-specific helplines to spot the signs of modern slavery, following Home Office support to the Modern Slavery and Organised Immigration Crime programme to deliver training to these helplines to help if they received the overflow of victim calls during the height of the pandemic.

⁸⁴ INQ000053891. PH/58

⁸⁵ [Tackling Child Sexual Abuse Strategy - GOV.UK \(www.gov.uk\)](#). PH/82 - INQ000215588

⁸⁶ [New contract to deliver improved support for modern slavery victims - GOV.UK \(www.gov.uk\)](#) PH/83 - INQ000215577

139. Throughout this phase the #YouAreNotAlone communications campaign ran in reaction to the Pandemic to inform victims of domestic abuse that they could leave home; signpost them to available support available; and demonstrate that they had not been forgotten. The initial campaign activity ran from 11 April – 31 May with further activity in July, August and Sept 2020.
140. The Home Office also continued to engage regularly with the national police lead for domestic abuse, and with the Domestic Abuse Commissioner for England and Wales. This included participation in weekly and fortnightly calls to understand issues and reporting to domestic abuse helplines.

Disproportionately Impacted Groups

141. On 23 July 2020, the Home Secretary and the Minister for Policing and the Fire Service received briefing on the NPCC report examining the extent of racial disproportionality in police use of new powers under the Public Health Regulations.⁸⁷ The report had been prepared by Government Statistical Service staff in Home Office Analysis and Insight, for the NPCC, by using police force data from English and Welsh forces for the number of FPNs issued between 27 March 2020 and 25 May 2020 for breaching public health regulations. This report, published on 27 July 2020, showed that:
- a. Men, especially those under 45 years-old, were disproportionately represented in those given an FPN – 70 per cent of FPNs issued went to men under 45 when they comprise 22 per cent of the population.
 - b. This was most evident for young men aged 18-34 years old who make up 14 per cent of the resident population but accounted for 57 per cent of those issued with an FPN, a rate some four times higher than would be expected if FPNs were issued proportionately across all age-groups.
 - c. The number of FPNs issued to all black, Asian and minority ethnic people (BAME) across all of England and Wales was at a rate of 4.0 per 10,000 population. This compared with 2.5 per 10,000 population for people who identified as white. Rates per 10,000 were highest for Asian (4.7) and black people (4.6), followed by mixed (3.1) and other minority ethnic people (2.6).
 - d. Expressed as a disparity rate (i.e. the rates per 10,000 BAME people as a ratio of the rates per 10,000 White people) showed that it was 1.6 times higher for BAME people than white people. Disparity rates were higher than the BAME average for

⁸⁷ INQ000053635. PH/84

Asian and black people (both 1.8 times higher than white people). Those people in the mixed ethnic group experienced a rate 1.2 times higher than white people, while those from the other ethnic minority groups had the same rate as for white people.

- e. Young men (aged 18-24 and 25-34) from BAME backgrounds were over-represented by around twice the rate of young white men in the same age-groups. In contrast, young women (18-24) from a white background had similar levels of representation (among those issued with FPNs) as their representation in the general population whereas women of the same age from a BAME background were slightly under-represented.⁸⁸

142. The report concluded that the analysis highlighted the complexity around the police enforcement of the public health regulations introduced to prevent the spread of Covid-19. It was apparent that police forces issued FPNs at varied rates. The data on its own could not identify whether that is due to different approaches to enforcement activity, possibly reflecting local context, or because observance of the regulations varied across the country.⁸⁹ The NPCC considered the findings of the Home Office analysis in their action plan on disproportionality in policing, which influenced guidance subsequently prepared by the College of Policing pertaining to police enforcement of Covid-19 legislation and regulations.

143. On 24 September 2020, Covid-O considered the Government's response in relation to disproportionately impacted groups. The Home Office outlined the work being undertaken by the Department to support victims of domestic abuse. The Home Office's response on 12 October and 26 October 2020 to a subsequent Covid-O commission recommended further funding be provided to support domestic abuse charities and other sector organisations to provide support to victims, in particular domestic abuse helplines.

Home Office Resilience Planning

144. As outlined above, planning for winter 20/21 had been in progress throughout Summer and Autumn 2020. The Home Office Chronology outlines further work undertaken by Departmental functions to prepare for a potentially challenging winter.

145. In October 2020, the Home Office business continuity team conducted reviews of Departmental plans, including specific winter resilience plans. On 3 November 2020, the

⁸⁸ [Analysis of Coronavirus fines published \(npcc.police.uk\)](#).

PH/85 - INQ000215563

⁸⁹ [Policing the Pandemic-4 \(npcc.police.uk\)](#).

PH/86 - INQ000099940

Home Office Winter Readiness Board was established to manage the risks and interdependencies for the Home Office relating to the UK government's D20 response. D20 planning considered the potential for the UK to face concurrent responses including the end of the EU Transition period, Covid-19, flooding and a winter influenza outbreak. A small Winter Co-ordination Cell was established to support the integrated management of a number of potential responses. This cell worked with the Covid-19 directorate and produced combined SitReps for the Home Secretary, Ministers, and senior officials throughout Winter 20/21. These SitReps ensured a shared situational awareness across the Home Office and informed briefing and relevant decision making throughout the Winter.

(4) Further National Measures: November 2020 to July 2021

146. The key events to note in this phase of the Pandemic include:

- **5 November 2020:** Second National Lockdown comes into force
- **19 December 2020:** Tier 4 Regulations introduced in England
- **5 January 2021:** Third National Lockdown comes into force
- **22 February 2021:** Prime Minister announces roadmap for easing restrictions
- **19 July 2021:** England moves to step 4 of the national roadmap

147. The worsening epidemiological situation in late Autumn and throughout Winter 20/21 presented the Department with a variety of challenges. In addition to supporting the drafting and enforcement of regulations designed to address the continuously changing nature of the Pandemic, the Home Office was also managing the impacts of the new regulations across its policy areas. Key elements of the Home Office response in relation to the second and third national lockdown, and their easements, are outlined below.

Non-Pharmaceutical Interventions and Enforcement

148. The Home Office was involved in the development and drafting of the Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020, which came into force on 5 November 2020 and provided for the second national lockdown. DHSC shared draft versions of the regulations for the Home Office to provide comments and highlight any areas of concern regarding the workability of enforcement.

149. The Home Office worked with relevant Government Departments such as DfT, DHSC and Ministry of Defence (“**MOD**”) to carry out light touch scoping work in advance of these measures to consider the workability of imposing travel restrictions on discrete local areas – i.e. how a town / street / city could be locked down, putting in place road blocks etc. The Home Office highlighted the impracticality of doing so on the basis of wider implications such as the need for essential ambulances and food delivery services to be able to move freely around the country, as well as noting the significant resourcing impact.
150. The Home Office was also actively involved in discussions about the wider enforcement strategy to be adopted at this time. During the initial phase of the Pandemic when restrictions were first introduced, acquisitive crime demand reduced significantly enabling police to prioritise the enforcement of Covid-19 offences. However, over time one of the key challenges was how to balance rising Covid-19 related absences in police forces with the need for (a) ‘normal policing’ (relating to general crime and public order) and (b) enforcement activity in response to the Pandemic. It was against this backdrop that the Home Office engaged with DHSC, NPCC, the CO Taskforce, Number 10 and the police to pull together a clear Covid-19 Police Enforcement Strategy (the Enforcement Strategy). The final version was agreed by the CO Taskforce and Number 10 prior to publication by NPCC.⁹⁰ The Enforcement Strategy was underpinned by the need for finite police resources to be used most effectively.
151. The Enforcement Strategy aimed to formalise how the police would meet the Government’s objectives – at this time the key objective was ‘to bring R below 1, and to keep it there on a sustained basis until enough people had been vaccinated so that we could begin to ease restrictions and ultimately remove them altogether’.⁹¹
152. The Enforcement Strategy set out how the police would prioritise resources and focus on high-risk offences (for example, large indoor gatherings such as house parties) as well as increasing the police’s visibility. Police efforts were designed to focus on the most egregious breaches and activities with the potential to spread the virus most widely. It identified three objectives for the police, designed to deliver the Government’s overarching objective:

⁹⁰ INQ000054913 / INQ000054915 / INQ000054916. PH/87 / PH/88 / PH/89

⁹¹ The number of people infected by a single case of Coronavirus.

- a. *Infection*: to help slow the rate of infection by disrupting high risk behaviours and activities;
- b. *Public confidence*: to give the public confidence that measures were being fairly and proportionately enforced; and
- c. *Public trust*: to maintain or increase the broad public support, which was considered to be the cornerstone of the model of policing by consent.

153. These objectives were underpinned by four key tenets:

- a. Targeting enforcement on the highest risk activities and prioritising other aspects of enforcement depending on the trajectory of the virus and emerging science.
- b. Public visibility: Police visibility and activity weighted towards areas of high infection.
- c. Better monitoring: tracking progress against the key strategic objectives through data on high-risk gatherings, public confidence and trust.
- d. Use of evidence: understanding the limitations of enforcement as a means of achieving compliance and using police activity where it is most effective.

154. In line with the Enforcement Strategy, it was agreed enforcement activity would focus on large indoor gatherings over the festive period. A significant challenge facing police in that regard was persuading young people to comply.⁹²

155. The emergence of the B.1.1.7 variant (referred to initially as the 'Kent' variant and then the 'Alpha' variant) in December 2020 presented further challenges for compliance and enforcement. On 19 December 2020, in response to the new Covid-19 variant, the Prime Minister announced the creation of Tier 4 restrictions and changes to the measures in place for Christmas 2020.⁹³ This included limiting household mixing from five days to one for areas below tier 4. In Tier 4 areas, restrictions were broadly equivalent to the national 'stay at home' restrictions which had been in place in November 2020. The restrictions were defined in The Health Protection (Coronavirus, Restrictions) (All Tiers and Obligations of Undertakings) (England) (Amendment) Regulations 2020 which came into force on 20 December 2020 and were owned by DHSC.⁹⁴

⁹² INQ000054360. PH/90

⁹³ INQ000054363. PH/91

⁹⁴ [The Health Protection \(Coronavirus, Restrictions\) \(All Tiers and Obligations of Undertakings\) \(England\) \(Amendment\) Regulations 2020 \(legislation.gov.uk\)](#). PH/92 - INQ000217267

156. The Home Office worked closely with DHSC, CO Taskforce and Number 10 on ensuring offences in the new regulations were enforceable and realistic for police forces. Decisions on the timing of implementing the regulations, and the reversal of the Christmas easements, were made at Covid-O on 19 December 2020.⁹⁵ Following the signing of the Tier 4 regulations on 20 December 2020, the Crime and Policing Minister held separate calls with first NPCC and Chief Constables and then with the Association of Police and Crime Commissioners to discuss the new regulations and impact on policing.
157. At Covid-O on 23 December 2020, it was decided to move more geographical areas into higher tiers, with effect from 26 December 2020, in response to the worsening situation across England. The Home Office position was that clarity on timing and measures would support compliance with the further changes being announced.⁹⁶ Further changes to the tier allocations were made on 31 December 2020, following decisions made at Covid-O on 29 December 2020.⁹⁷ The Home Office continued to advise that the police would enforce the most egregious breaches of the regulations.
158. On 4 January 2021, the Prime Minister announced a third national lockdown which would take effect from 5 January 2021.⁹⁸ Departmental briefing in advance of Cabinet on 5 January 2021 outlined concerns about public fatigue with compliance, the impact of lockdowns on vulnerable people including children and domestic violence victims, and measures being taken in the asylum estate to support people in the Department's care.⁹⁹
159. On 6 January 2021, the Crime and Policing Minister held calls with Chief Constables and the Association of Police and Crime Commissioners to ask for the prioritisation of the key elements of the enforcement strategy namely, increased visibility, patrols and the disruption of high-risk activities such as house parties.
160. The Ministerial Covid-O on 15 January 2021, considered enforcement by the police and local authorities during the third National Lockdown. The Home Secretary presented a paper which outlined a commitment to increasing enforcement activity, a review with DHSC of the operating model for self-isolation enforcement and proposed i) an increase in the data and analysis available to the police to support a more robust approach to

⁹⁵ INQ000054362 PH/93

⁹⁶ INQ000054375. PH/94

⁹⁷ INQ000054395 / INQ000054391. PH/95 / PH/96

⁹⁸ INQ000054404. PH/97

⁹⁹ INQ000054399. PH/98

enforcement, and ii) a new £400 fine for those that attended house parties. These proposals were agreed at Covid-O. The Home Office, DHSC, and CO Taskforce were tasked with drafting and laying regulations enacting the new penalty regime for house parties.¹⁰⁰

161. On 21 January 2021, the Home Secretary led the Downing Street briefing on the Pandemic, where she announced a new £800 fine for people who attended house parties which would double for each repeat offence to a maximum level of £6,400, and apply to those who attended illegal gatherings of more than 15 people.¹⁰¹ These regulations, The Health Protection (Coronavirus, Restrictions) (All Tiers and Self-Isolation) (England) (Amendment) Regulations 2021, came into force on 29 January 2021.¹⁰²
162. The day the regulations came into force, the Home Office provided an update on enforcement to Number 10, outlining that forces continued to report indoor gatherings and house parties as the main focus of their Covid-19 related incidents. Department records show that forces in England and Wales issued 7,480 FPNs during the latest two full weeks for which data was held (8th – 21st Jan 2021), a 65.3% increase from the prior two-week period (4,525).¹⁰³
163. By 5 March 2021, data on enforcement relating to the third National Lockdown shows that 39,833 fines had been issued in England since national restrictions had come into force on 6th January. Also, since 29 January 2021, 978 £800 FPNs had been issued to individuals for attending illegal gatherings of over 15 people in England. To 5 March 2021, 280 £10K fines (introduced on 28 August 2020) had been issued in England and Wales for gatherings of more than 30 people.¹⁰⁴
164. On 29 March 2021 regulations were introduced to provide a stepped approach to easing restrictions (Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021). The regulations included restrictions relating to leaving the UK, and large or organised gatherings.¹⁰⁵ The Home Office worked closely with the DHSC, CO Taskforce and Number 10 to ensure the offences were proportionate and capable of being

¹⁰⁰ INQ000054479 / INQ000054490. PH/99 / PH/100

¹⁰¹ PH/101 - INQ000216444

¹⁰² INQ000054568. PH/102

¹⁰³ INQ000054564. PH/103

¹⁰⁴ INQ000054813. PH/104

¹⁰⁵ INQ000054897. PH/105

enforced in practice by police forces. Decisions on the regulations, and the timing of their implementation, were taken at Covid-O.

165. The easing of restrictions, combined with emerging concerns around strains of the virus with the potential to escape vaccine immunity, presented new challenges to enforcement. Accordingly, the Home Office and the NPCC jointly reassessed the situation and agreed a refreshed strategy to cover the period until the proposed end of social restrictions in the summer of 2021 (the Revised Enforcement Strategy). As with the original strategy, the revision was agreed by both the CO Taskforce and Number 10 before dissemination.
166. In April 2021 the Home Secretary and the Chair of the NPCC wrote to Chief Constables with details of the Revised Enforcement Strategy.¹⁰⁶ The Government's objective by this stage was 'to cautiously and safely ease restrictions so that we can return to a normal way of life, and manage the future risks posed by COVID-19'. The three key objectives for the police remained the same, but the underlying approach was revised to ensure the priorities were based on the latest available scientific evidence and continued to target the highest-risk behaviours. Specifically, the approach:
- a. Formally acknowledged as an enforcement priority – alongside large indoor gatherings – efforts to prevent the spread of Variants of Concern ("VOCs") including: Police support for managed quarantine services; responses to call outs for breaches of international self-isolation; and support for local efforts to manage VOC outbreaks. (It was felt that a VOC which escaped vaccine induced immunity could significantly set back the country's progress against the virus, hence work to mitigate the spread of VOCs was regarded as a priority.)
 - b. Looked to provide a baseline level of public visibility during key re-opening dates and holidays to maintain public confidence and provide a deterrence against egregious breaches, whilst noting that enforcement capacity more generally would be reduced due to the likely rise in major events and crime with the lifting of restrictions. Domestic enforcement efforts would remain an important aspect of the broader public health response.

¹⁰⁶ INQ000054941 / INQ000054954. PH/106 / PH/107

Enforcement of International Travel Regulations

167. On 15th February 2021 the Health Protection (Coronavirus, International Travel) (England) (Amendment) (No. 7) Regulations 2021 were introduced which established the Managed Quarantine Service (“**MQS**”) for red list arrivals and placed requirements on individuals to complete an outbound travel declaration form to deter and prevent non-essential outbound international travel. The Department helped develop proposals for an enforcement framework to support the MQS, ensuring that police obtained necessary and proportionate powers to detain and return absconders to MQS facilities. The Department also inputted into the regulations which placed a requirement on international travellers to complete an outbound travel declaration. It was agreed that police would provide a visible enforcement presence at the departure areas of ports, airports and international railway stations and undertake spot checks on a proportion of outbound travellers using the established 4 Es process. The resourcing impact was mitigated by a £2m funding pot agreed for forces with particularly extensive involvement in enforcing international travel measures. Evidence of additional enforcement activity was included in the weekly NPCC briefings provided to the Home Office.
168. On 18 March 2021, the Home Office launched a procurement process to procure up to three providers to carry out self-isolation checks on those isolating at home following international travel. This service meant that the police could focus their attention on those cases where individuals were suspected of not complying with quarantine requirements. The previous system was reliant on the police to undertake up to 1,000 visits per day. The contract was awarded to Mitie, and the service went live on 12 April 2021. The contract was novated to DHSC on 19 October 2021. Further information about the Mitie contract and its role in compliance and enforcement is provided in **Appendix E**.

Hidden Harms

169. In parallel with the work on enforcement throughout the second and third national lockdown, the Home Office continued to provide support to address the increased risk of hidden harms including domestic abuse during the periods of national restrictions.
170. Working with MOJ, on 18 November 2020 the Home Office announced an £18 million package of support to target rape and domestic abuse.¹⁰⁷ The funding included £10.1 million to rape and domestic abuse support centres and Police and Crime

¹⁰⁷ <https://www.gov.uk/Government/news/funding-boost-for-rape-and-domestic-abuse-support>

PH/107 - INQ000054174

Commissioners to fund services across England and Wales (via the MOJ); and funding awards totalling £7.17 million for a range of programmes aimed at changing the behaviours of perpetrators and preventing domestic abuse (via the Home Office). It also included £683,000 made available to 34 domestic abuse organisations that had shown a need for extra funds – this was not ‘new money’ but underspends from the £2 million budget referred to in paragraph 104. A further £294,000 from underspends elsewhere in the budget of the Home Office’s Interpersonal Abuse Unit was also allocated to these organisations.

171. In December 2020, a letter was sent from the Home Secretary, Secretary of State for Education, and Lord Chancellor, to update attendees after the Hidden Harms Virtual Summit which took place in May 2020. This provided detail of a range of activities which covered safeguarding, policing and victims and survivors. This included:
- a. Working across Government to provide £7.6m of funding via the Vulnerable Children’s National Charities Strategic Relief Fund and over £4m to organisations offering specialist support to vulnerable children. Specifically, to facilitate reporting safeguarding concerns and expand services, we had made £1.790m available to the NSPCC so they could expand and promote their helpline.
 - b. Providing an additional £310,000 to NSPCC to enhance the Childline service offer for children and young people who are at risk of harm by isolation. To enable helpline staff to work from home, we provided a £25,000 uplift for the Lucy Faithful Foundation providing immediate support to national helplines.
 - c. Supporting 4,294 children back to school and 2,600 parents with children under 5, by funding phase 1 of the Barnardo’s See, Hear, Respond service, delivered by national and local charities between June – November 2020.
 - d. Providing an additional £4.2m to extend key elements of the Barnardo’s See, Hear, Respond service so they could continue to deliver services which help children to reintegrate into school, join in with youth work activities and provide, support for new or struggling parents until March 2021.
 - e. Encouraging young people to recognise different forms of abuse, including sexual and physical, to report it and receive help, by launching on 17 November 2020 the month-long ‘Something’s Not Right’ communications campaign. The campaign used animated adverts aimed at secondary school-aged pupils across social media platforms, with young people directed to a dedicated page on Childline where they could access information and seek support.

172. The package of support also included the renewal of the #YouAreNotAlone campaign for the period of new restrictions which signposted people towards support services and online resources (and reminded victims that national restrictions did not apply to those in danger at home). This included the launch of the Ask for ANI codeword scheme on 14 January 2021 which enabled victims to discretely warn trained pharmacy workers that they needed to access domestic abuse support. The scheme was launched in partnership with Boots and thousands of independent pharmacies across the UK.¹⁰⁸

Vaccine Security

173. To support the successful roll out of the vaccination programme, the Home Office seconded Richard Alcock CBE, Chief Operating Officer, Office for Security and Counter Terrorism to DHSC on 1 December 2020. At DHSC, he was the UK SRO for Vaccines Security by the Cabinet Office, with responsibility for ensuring security (i) at vaccine manufacturing facilities and (ii) during the transportation of vaccines from manufacturing sites to distribution points; and ensuring the resilience of the UK vaccine supply chain (working with the FCDO and the Vaccines Taskforce).

174. Home Office officials liaised with the NPCC over the support police forces could provide to the vaccine roll-out programme.¹⁰⁹ The NPCC wrote to all police forces to provide details of vaccine storage and distribution sites in their local areas to enable risk assessments to be carried out for a range of risks (including protest, terrorism, disorder and traffic management). Support for the roll-out was organised at a local level via Local Resilience Forums (multi-agency forums of representatives from police, local authorities and other bodies (“**LRFs**”)) and Strategic Coordination Groups (“**SCGs**”) and included providing increased visibility and patrols; monitoring any protest activity and responding to incidents.¹¹⁰

(5) Continued Caution July 2021 – February 2021

175. The key events to note in this phase of the Pandemic include:

- **14 September 2021:** Autumn and Winter Plan 2021 published
- **26 November 2021:** Omicron designated as a variant of concern
- **8 December 2021:** The Prime Minister announces Plan B in England

¹⁰⁸ <https://www.gov.uk/Government/news/pharmacies-launch-codeword-scheme-to-offer-lifeline-to-domestic-abuse-victims> PH/108 - INQ000054472

¹⁰⁹ INQ000055660 / INQ000055656. PH/110 / PH/111

¹¹⁰ INQ000054278. PH/112

- **27 January 2022:** Plan B expires in England
- **21 February 2021:** Living with Covid-19 Plan published

176. This phase of the response covered the lifting of measures in England in July, planning for autumn and winter 2021, the emergence of the Omicron variant, re-implementation of domestic NPIs and restrictions on international travel, and the move to the Living with Covid-19 plan in February 2022. The key work of the Home Office during this period is outlined below and in the **Home Office Mod 2 UK Borders Statement**.

Visas and Immigration

177. To support the unprecedented challenges within the social care sector prompted by the Pandemic, the Home Secretary and the Secretary of State for Health and Social Care announced changes to the Health and Care Visa scheme on 24 December 2021. These changes, agreed at Covid-O on 23 December 2021, added Care Workers and Home Carers to the Shortage Occupation List (“**SOL**”) and to the Health and Care visa, on a time-limited 12-month basis at the existing minimum salary threshold of the SOL.¹¹¹

Non-Pharmaceutical Interventions and Enforcement

178. On 14 September 2021, the UK Government's Autumn and Winter Plan 2021 was published. This plan set out the Government's plans to sustain the progress made and prepare the country for future challenges, whilst ensuring the NHS did not come under unsustainable pressure.¹¹² During Autumn 2021, Home Office officials worked with DHCS, CO Taskforce and Number 10 to ensure that plans for Winter 2021 adopted compliance-based measures rather than enforcement, reflecting the continuing police enforcement strategy and significant operational resourcing pressures.

179. On 27 October 2021, Covid-O (Officials) reviewed Government readiness for implementing “Plan B”, which included consideration of the proposed NPIs and enforcement approach. Following this meeting, the Home Office was tasked with working with the Cabinet Office and DLUHC to ensure there was proactive and strategic engagement planned with the police (including British Transport Police) and Local Authorities on prioritisation and options for enforcement.¹¹³

¹¹¹ INQ000055694 / INQ000055689 PH/113 / PH/114

¹¹² [COVID-19 Response: Autumn and Winter Plan 2021 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/covid-19-response-autumn-and-winter-plan-2021) PH/115 - INQ000055304

¹¹³ INQ000055572. PH/116

180. On 5 November 2021, the Policing Minister received briefing on the Government Autumn and Winter Plan, including Plan B.¹¹⁴ This briefing outlined the proposed measures and the enforcement implications for each NPI, noting that it was not feasible for the police to verify exemptions given for not wearing a face covering and that police action was likely to be limited to an inquisitive posture, asking questions of individuals rather than actively enforcing. This position was in line with the 4Es approach adopted by police to support compliance whereby encouragement and explanation preceded formal enforcement.
181. The briefing on the Autumn and Winter Plan also noted the significant pressure on police resourcing resulting from overall higher demand compared to pre-Covid-19 levels, continuing high-profile protest activity, winter pressures, and major events such as COP26 where approximately 10,000 officers were provided under mutual aid. To best utilise police resource, the Home Office had sought clarity from the Cabinet Office on the highest risk settings and areas where compliance was most essential.
182. Following the designation of the variant B.1.1.529 as a variant of concern (Omicron) on 26 November 2021, the Home Secretary received briefing on 27 November 2021 in advance of Cabinet on the same day. This briefing was predominately focused on the international travel measures under consideration, and the operational implications for Border Force.¹¹⁵ At the daily press conference, the Prime Minister announced the red-listing of countries and the implementation of a proportionate testing regime for arrivals from across the whole world.¹¹⁶ Further information about Border Force's response to the Omicron variant is in the **Home Office Mod 2 UK Borders Statement**.
183. On 30 November 2021, face coverings in shops, on public transport, and in other settings became compulsory. All contacts of suspected Omicron cases were also required to self-isolate. In advance of the changes coming into force, the mandatory face covering regulations had been shared with the police, by the Home Office, to produce operational guidance to support the enforcement of the regulations.¹¹⁷ The police were not responsible for enforcement in business premises but committed to responding to all incidents where individuals were violent or abusive towards shopworkers or members of the public when asked to comply with the regulations.

¹¹⁴ INQ000055593. PH/117

¹¹⁵ INQ000055621. PH/118

¹¹⁶ [PM opening statement at COVID-19 press conference: 27 November 2021 - GOV.UK \(www.gov.uk\)](#). PH/119 - INQ000055627

¹¹⁷ INQ000055630. PH/120

184. On 7 December 2021, SAGE advised that the number of Omicron infections in the UK was increasing rapidly, with evidence of community transmission and a doubling time of between 3-5 days in England.¹¹⁸ SAGE considered that decision makers needed to consider urgently which measures to introduce to slow the growth of infections to reduce the likelihood of unsustainable pressure on the NHS. The Home Office Deputy Chief Scientific Advisor attended this SAGE in an observer capacity, and the Home Secretary was briefed on the latest scientific advice in advance of the Covid-O and Cabinet meetings held the following day.¹¹⁹
185. Following Covid-O and Cabinet on 8 December 2021 in response to the SAGE advice, the Prime Minister announced the move to Plan B measures in England. These measures covered:
- From 10 December 2021, face coverings became compulsory in most public indoor venues, such as cinemas, theatres and places of worship in England, with some exemptions in venues where wearing face coverings was not practical;
 - From 13 December 2021, people who could work remotely were advised to do so;
 - From 15 December 2021, the NHS Covid-19 pass became mandatory for entry into nightclubs and large crowd settings, including unseated indoor events with 500 or more attendees, unseated outdoor events with 4,000 or more attendees and any event with 10,000 or more attendees.¹²⁰
186. The certification regulations placed a legal duty on operators to check the Covid-19 status of visitors entering high-risk venues. Local Authorities were responsible for enforcement of breaches by businesses via FPNs set on a sliding scale of £1,000 - £10,000. The regulations also contained an offence for the production or sale of fake certificates. This offence required police to enforce against individuals producing or selling fake certification as it was a criminal offence under the new regulations. The penalty for this offence was set at £10,000 and was consistent with previous egregious Covid-19 offence penalties.¹²¹
187. As infection rates rose, Covid-O moved to a daily meeting from 17 December 2021. These meetings were specifically focused on workforce abstraction and resilience in key

¹¹⁸ [SAGE 98 minutes: Coronavirus \(COVID-19\) response, 7 December 2021 - GOV.UK \(www.gov.uk\)](#). PH/121 - INQ000215584

¹¹⁹ PH/122 - INQ000055648

¹²⁰ [Prime Minister confirms move to Plan B in England - GOV.UK \(www.gov.uk\)](#). PH/123 - INQ000055650

¹²¹ PH/122 - INQ000055648

sectors including the police, fire and rescue services and Border Force.¹²² The Home Office provided regular reporting and presented on sector resilience plans at these meetings as required by the Cabinet Office.

188. On 20 December 2021, the Home Secretary chaired a call with police leaders to understand the latest position on Covid-19 from a policing perspective.¹²³ By this date 7.7% of officers nationally were absent, and there was concern that the high level of caution being shown by the public would end after Christmas.
189. On 28 December 2021, the Home Secretary wrote to the Secretary of State for Health and Social Care outlining concerns regarding access to Lateral Flow Devices for the police and fire and rescue services.¹²⁴ Home Office officials worked with DHSC and UKHSA officials to ensure supply of devices to critical frontline staff for precautionary testing. On 4 January 2022, the Cabinet Office confirmed that the Home Office had been allocated precautionary testing for 14,370 critical workers in the police, fire and rescue services and Border Force.¹²⁵
190. On 19 January 2022, the Secretary of State for Health and Social Care announced that England would revert to “Plan A” on 27 January 2022.¹²⁶ This included removing the legal requirements for face coverings to be worn in any setting and the use of the NHS Covid-19 pass in venues. This decision was made at Cabinet earlier on the same day.
191. On 21 February 2022, the Government announced the Living with Covid-19 Plan, following Cabinet approval earlier on the same day. In advance of this meeting, the Home Secretary had been briefed on the Home Office’s position on allowing the sunset of Home Office clauses in the Coronavirus Act in March 2022, and the implications for policing of removing all Covid-19 regulations.¹²⁷

Lessons Learned

192. **Appendix F** provides, as requested in the Rule 9 Request, a chronological list of internal or external reviews, lessons learned exercises, and other reports involving, authored,

¹²² INQ000055672. PH/124

¹²³ INQ000055681 / INQ000055686. PH/125 / PH/126

¹²⁴ PH/127 - INQ000055702

¹²⁵ INQ000055711. PH/128

¹²⁶ [England to return to Plan A following the success of the booster programme - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/england-to-return-to-plan-a-following-the-success-of-the-boosters-programme). PH/129 - INQ000055742

¹²⁷ INQ000055797. PH/130

overseen, or corresponded to by the Home Office relating to the Department's Covid-19 response.

193. The Home Office corporate witness statement for Module 1 outlines how the experiences of policy and operational colleagues in the Department, and the external scrutiny and feedback from industry, stakeholders, and passengers received during the Pandemic are informing the Department's future pandemic planning and the refresh of the Cabinet Office led UK Biological Security Strategy.

Statement of Truth

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

I am content for this witness statement to form part of the evidence before the UK Covid-19 Inquiry and to be published on the Inquiry's website.

Signed:

Personal Data

Patricia Jane Hayes

Dated: 26 June 2023

APPENDIX A

HOME OFFICE FUNCTIONS AND EXECUTIVE COMMITTEE MEMBERS

194. The tables below reflect the Home Office functions in place in February 2022, following the implementation of a new organisational structure on 1 April 2021.
195. The new organisational structure on 1 April 2021 introduced new names for some functions, minor changes in function scope, and some changes in senior reporting lines. The changes did not impact on the Home Office's Covid-19 response.

Public Safety and Homeland Security Functions

Function	Summary of Responsibilities
Public Safety Group Previously: <ul style="list-style-type: none">▪ Crime, Police, and Fire Group▪ Serious Organised Crime Group	<ul style="list-style-type: none">▪ Law Enforcement Strategy and Resources▪ Policing Policy▪ Crime Reduction▪ International Criminality▪ Tackling Exploitation and Abuse▪ Fire▪ Emergency Services Mobile Communications Programme
Homeland Security Group Previously: <ul style="list-style-type: none">▪ Office of Security and Counter-Terrorism	<ul style="list-style-type: none">▪ Data, Information and Operations▪ Economic Crime▪ Homeland Security Centre▪ National Security▪ State Threats and Cyber

Borders, Immigration, Asylum, and Customer Service Functions

Function	Summary of Responsibilities
Borders and Enforcement <ul style="list-style-type: none">▪ Border Force▪ Immigration Enforcement	<ul style="list-style-type: none">▪ Border Force Operations▪ Border Systems and Change Delivery▪ Enforcement, Compliance and Crime▪ Foreign National Offenders, Returns and Detention Operations▪ Intelligence▪ Strategic Capabilities and Planning

Function	Summary of Responsibilities
Migration and Borders Group	<ul style="list-style-type: none"> Asylum, Protection and Enforcement Borders, Visitors and International Migration Digitising the Border Migration and Citizenship Directorate Sovereign Borders System Leadership and Strategy Directorate
Asylum and Protection	<ul style="list-style-type: none"> Immigration and Protection Resettlement, Asylum Support and Integration
Customer Services <ul style="list-style-type: none"> UK Visas and Immigration HM Passport Office General Register Office 	<ul style="list-style-type: none"> UK visa services for overseas nationals who wish to work, study or visit the UK Passport services for British nationals residing in the UK and, in association with our partners at the Foreign & Commonwealth Office, to those residing overseas Administering civil registration in England and Wales

Corporate Functions

Function	Summary of Responsibilities
Science, Technology, Analysis and Research (STAR) Group	<ul style="list-style-type: none"> Data and Identity (D&I) Home Office Science and Technology Delivery and Strategy (HOS) Home Office Analysis and Insights (HOAI) International Strategy, Engagement and Devolution (ISED)
Delivery Group	<ul style="list-style-type: none"> Private Office Group Strategy Directorate Home Office Transformation Portfolio and Project Delivery
Corporate Enablers	<ul style="list-style-type: none"> Commercial Digital, Data and Technology Finance Security, Estates and Information
Human Resources	<ul style="list-style-type: none"> HR services Health and Safety
Communications	<ul style="list-style-type: none"> External Media including Press Office Internal Communication

Function	Summary of Responsibilities
Home Office Legal Advisors	<ul style="list-style-type: none"> ▪ Providing risk based legal advice in relation to policy and operational work ▪ Supporting the creation and drafting of statutory instruments ▪ Working with parliamentary counsel, Ministers, and stakeholders on legislation

Home Office Executive Committee Members

196. Members of the Home Office Executive Committee during the Pandemic are listed below. Members of ExCo at the start of the Pandemic are identified as having been a member prior to January 2020.

Name	Role	ExCo Member From	ExCo End Date
Matthew Rycroft	Permanent Secretary	Mar-20	N/A
Philip Rutnam	Permanent Secretary	Prior to Jan 2020	Feb-20
Patricia Hayes	Director General: Public Safety Group Second Permanent Secretary / SRO: Covid-19	Feb-20	Apr-23
Shona Dunn	Second Permanent Secretary	Prior to Jan 2020	Nov-20
Paul Lincoln	Director General: Border Force SRO: Covid-19	Prior to Jan 2020	Sept-21
Phil Douglas	Director General: Border Force	Nov-21	N/A
Tyson Hepple	Director General: Immigration Enforcement	Prior to Jan 2020	Jul-21
Tony Eastaugh	Director: Crime & Enforcement Director General: Immigration Enforcement	Jul-21	N/A
Emma Churchill	Director General: Migration and Borders	Jan-22	N/A
Glyn Williams	Director General: Migration and Borders	Prior to Jan 2020	Jan-22
Abi Tierney	Director General: HMPO / UKVI and Registrar General for England	Feb-20	N/A

Name	Role	ExCo Member From	ExCo End Date
Emma Haddad	Director General: Asylum and Protection	Feb-21	Oct 22
Jaee Samant	Director General: Public Safety Group	Nov-21	N/A
Chloe Squires	Director: National Security Director General: Homeland Security	Feb-21	N/A
Tom Hurd	Director General: Homeland Security (Office of Security and Counter Terrorism)	Prior to Jan 2020	Feb-21
Professor Jennifer Rubin	Chief Scientific Adviser and Director General for Science, Technology, Analysis, Research and Strategy	Jan-21	N/A
Professor John Aston	Chief Scientific Adviser	Prior to Jan 2020	Dec-20
Gus Jaspert	Director General: Delivery Group	Sep-21	Jul-22
David Kuenssberg	Director General: Corporate Enablers	Oct-21	N/A
Charu Gorasia	Director General: Corporate Enablers	Prior to Jan 2020	Sep-21
Julie Blomley	Chief People Officer	Dec 21	N/A
Jill Hatcher	Chief People Officer	Prior to Jan 2020	Jul-21
Joanna Davinson	Chief Digital, Data and Technology Officer	Prior to Jan 2020	Jan-21

APPENDIX B

HOME OFFICE RESPONSE STRUCTURES

197. The Home Office activated the Departmental Operation Centre (“**DOC**”) on 29 January 2020 in recognition of the increasing scale of cross-government activity, and impacts on Home Office policy areas, relating to the new Coronavirus.
198. The Home Office DOC is a cross-departmental 24/7 capability which is activated in response to national level critical incidents (such as major fires or public disorder) and any major crisis that impacts on the Home Office (such as Afghanistan and Ukraine). It was established as part of the department’s EU Exit No Deal preparations following an external review in 2018 of the Home Office’s critical incident management capabilities for non-terrorism related critical incidents.
199. The DOC is resourced by a cadre of on call Home Office employees who are released, as required, from their business as usual roles to support the Department’s response to a specific incident. The DOC is designed for short duration responses and is stood down at the conclusion of an incident or event.
200. The DOC employs C3 (command, control and coordination) arrangements to ensure that the Department:
- a. has a clear accurate situational understanding
 - b. can make the right decisions quickly at the right level
 - c. can minimise the impact on the Department’s resources
 - d. can respond to a concurrent critical incident or event
201. The DOC activated for the Covid-19 response, drew from No Deal EU Exit response arrangements, and was directed by the Strategic Oversight Group (**SOG**). Paul Lincoln, Director General Border Force, was initially appointed as the lead DG for the response.¹²⁸
202. To support the lead DG, Senior Civil Servants acted as Gold command on a roster throughout the Pandemic. To enable the wider Government response, members of the DOC were embedded with key HMG departments to ensure effective communication and co-operation.

¹²⁸ INQ000052085. **PH/131**

203. The sustained nature of the Covid-19 response led to the creation of a dedicated Covid-19 Directorate from 30 April 2020 to co-ordinate the operational response. The Covid-19 Directorate was underpinned by a programmatic approach and provided strategic direction and expertise. The Covid-19 Directorate operated a hub and spoke model with Covid-19 response teams established in each of the Department's functions. These teams lead on specific policy or operational elements of the response.
204. The Covid-19 Directorate, also referred to as the Covid Hub, was responsible for:
- a. Co-ordination of the Home Office response, including providing advice and briefing to ministers;
 - b. Liaison with the Civil Contingencies Secretariat and Cabinet Office Task Force to ensure Home Office attendance at Ministerial and official committees;
 - c. Maintaining a shared situational awareness across the Home Office, providing daily SitReps, and ensuring the latest data from DHSC, public health bodies, and Cabinet Office was being cascaded to Ministers and senior officials to inform policy development;
 - d. Co-ordinating Departmental business continuity and resilience planning
 - e. Oversight of Departmental PPE and testing provision.
205. On 14 May 2020, the then Second Permanent Secretary (Shona Dunn) established an internal response and recovery programme board. The board's remit included mitigating the impacts of Covid-19 on the Department to ensure the effective delivery of Home Office priorities and the support of the wider UK Government response. Board attendees included the 2nd Permanent Secretary (Chair), DG Border Force, DG Crime, Police and Fire Group (myself), the Home Office Chief People Officer, the Home Office Covid-19 programme director, and a Home Office Non-Executive Director. I (Patricia Hayes) subsequently chaired this board.
206. In winter 20/21, a specific Winter Cell was established to co-ordinate the Home Office's D20 response which included Covid-19, end of the EU transition period, winter flu and flooding. The Winter Cell worked with the Covid-19 Directorate to manage the intersection of responsibilities and activities relating to each of these winter risks.
207. The Covid-19 Directorate provided a 24/7 response throughout the Pandemic and was formally stood down on 31 March 2022. From 1 April 2022, the small residual team have formed the dedicated response for the Inquiry.

APPENDIX C

PROVISION OF SCIENTIFIC AND EXPERT ADVICE TO THE HOME OFFICE

208. The key source of scientific and expert advice to the Home Office was the Scientific Advisory Group for Emergencies (“**SAGE**”). Meetings of SAGE were attended by the Chief Scientific Adviser (“**CSA**”) to the Home Office. During the early period of the Pandemic and until January 2021, this position was held by Professor John Ashton. Professor Jennifer Rubin took over as CSA in January 2021. The CSA was supported throughout the Pandemic by Rupert Shute, the Deputy Chief Scientific Adviser (“**DCSA**”) and the Science, Technology, Analysis and Research (“**STAR**”) directorate within the Home Office. Officials within STAR hold expertise in a number of areas and can draw additional expertise from across Government and partner organisations, or commission external work where required.
209. The CSA participated in discussion and sharing of information and scientific advice with chief scientific advisers from other Government departments as well as the wider scientific community. The DCSA also attended a number of SAGE meetings as an observer. The CSA and DCSA briefed Home Office Ministers and senior officials on the basis of minutes issued by SAGE. Where immediate briefing was required, the CSA provided an oral briefing to Ministers with the caveat that it was subject to confirmation following the issue of SAGE minutes. At officials’ level, scientific advice from SAGE was sent to the Home Office COVID-19 Hub (see **Appendix B**) by a dedicated Home Office science adviser, who was embedded in the Covid Hub to facilitate the response. The latest scientific data and advice from SAGE was included in the Departmental daily SitRep.
210. In addition to meetings of SAGE, the CSA also shared and received public health advice and information and advice from a number of bodies, most notably PHE / UKHSA, the UK Chief Medical Officers and the Government Chief Scientific Adviser, Sir Patrick Vallance. These bodies and departments also provided public health advice to the department via other channels.

APPENDIX D

REPATRIATION AND QUARANTINE

212. From 26 January 2020, the Home Office supported the repatriation of British nationals and their dependants, initially from Wuhan and the Hubei province, and then from international cruise ships. The repatriation exercise was led by the Foreign and Commonwealth Office (“**FCO**”) with support provided by other Government departments including the Home Office.
213. The Home Office and the FCO Global Crisis centre have an established strong working relationship and have undertaken many repatriations operating an efficient process. To support this repatriation exercise, the UK Visas and Immigration Regional Director for Asia-Pacific based at the British Embassy in Beijing, and Border Force, UKVI, and PSG colleagues in the UK worked together to co-ordinate the Home Office’s response. An Assistant Director from UKVI working in the Home Office DOC was embedded in the FCO Global Crisis centre to provide further support.¹²⁹
214. The central issues for the Home Office were: (a) conducting immigration checks, b) issuing visa waivers to enable non-British dependants of British citizens to travel while Visa Application Centres were closed (see paragraph 49); (c) processing passengers on arrival without undue risk to Home Office staff; and (d) liaising with policing colleagues regarding security arrangements for passengers required to quarantine on arrival in the UK.
215. An initial officials’ meeting was chaired by the Civil Contingencies Secretariat on 26 January 2020, attended by the FCO, DHSC, MOD, PHE, DfT, MHCLG and the Home Office, to discuss plans for the first UK repatriation flight with an estimated 300 British Nationals.¹³⁰ The Home Office was tasked i) with FCO, to agree the visa arrangements for any family members of British citizens who were Chinese nationals or holders of other passports requiring a visa for the UK, ii) with FCO and DfT to identify the most suitable airport at which the evacuation flights could land. Following the meeting, the Home Secretary received a briefing outlining the actions being taken by Border Force

¹²⁹ INQ000051768. PH/132

¹³⁰ INQ000106064

and UKVI colleagues to support the repatriation, including the visa waiver process for non-British nationals.¹³¹

216. On 27 January 2020, Border Force proposed RAF Brize Norton as the most suitable landing airport based on its 24/7 operation, size, ability to accommodate any type of aircraft and space to set up isolation or containment areas to facilitate the transfer of passengers.¹³² PHE were the lead decision makers in determining the airport of arrival and making quarantine agreements for passengers on arrival.¹³³
217. A second cross-government meeting was held on 27 January 2020, and DHSC was tasked to work with FCO, Border Force and MHCLG to determine how to operationalise self-isolation guidance for returning individuals.¹³⁴
218. On 29 January 2020, the Home Secretary received further briefing on the planned arrival of the first repatriation flight scheduled to arrive at RAF Brize Norton at 16:45hrs on 30 January 2020.¹³⁵ The briefing included an outline of the process for immigration checks before departure, the checking of identity documents before boarding, and Border Force procedures for remote clearance on arrival in the UK. The decision to conduct remote checks was taken by the Border Force Chief Operating Officer, in line with the Border Force Operating Mandate, to protect Border Force colleagues from the risk of infection.
219. At the Ministerial COBR meeting on 29 January 2020 the Home Office was tasked with supporting NHS England on assessing the security at Arrowe Park Hospital in Merseyside, where the passengers would be quarantined for 14 days.¹³⁶ This responsibility was managed locally through the Merseyside Strategic Coordination Group and arrangements were made for local police officers to support private security contractors and to increase patrols in the area.¹³⁷ Ministers at COBR decided on the advice of the Chief Medical Officer that it was not necessary for the crew of the repatriation flight to be quarantined as long as sufficient personal protection equipment (PPE) was worn during the flight.

¹³¹ INQ000051763 / INQ000051766 PH/134 / PH/135

¹³² INQ000212300. PH/136

¹³³ INQ000051810. PH/137

¹³⁴ INQ000051783. PH/138

¹³⁵ INQ000051810. PH/137

¹³⁶ INQ000051809. PH/139

¹³⁷ INQ000051806. PH/140

220. Plans for the first UK repatriation flight were finalised at a further officials' meeting on 30 January 2020, chaired by DHSC, including details of the flights arrival, transit of passengers, quarantine, communications and follow-up.¹³⁸ The following day (31 January 2020) a civilian aircraft chartered by the FCO arrived at RAF Brize Norton from Wuhan carrying 83 British citizens and 41 foreign nationals, respectively. On arrival, the British citizens (and dependents) were transferred directly to Arrowe Park Hospital where they were quarantined for 14 days.
221. As part of the quarantine arrangements, Home Office officials liaised with DHSC and the police regarding the powers available to detain individuals arriving from Wuhan in the event that they did not submit to quarantine. Consideration was given by DHSC to powers under Part 2A of the Public Health (Control of Diseases) Act 1984 (specifically sections 45G and 45J) and how these powers could be applied in relation to the repatriation flight. Guidance was issued to all police forces by DCC Paul Netherton outlining that a Local Authority could apply to a magistrate's court for a quarantine order under Part 2A of the Public Health (Control of Disease) Act 1984.¹³⁹
222. The Home Office continued to contribute to discussions around police powers throughout this period, which resulted in the introduction of the Health Protection (Coronavirus) Regulations 2020 on 10 February 2020, granting additional powers of detention. The new regulations granted powers to police officers to enforce the detention of individuals arriving from infected areas for a period of 48 hours provided that public health professionals had reasonable grounds to believe they may be infected with Coronavirus, or that there was a risk that they may infect others. In introducing the regulations, the Health Secretary designated Arrowe Park Hospital, Kents Hill Park, and Ariel Hotel at Heathrow Airport as isolation facilities where passengers could be detained.¹⁴⁰ These regulations were replaced by section 51 and schedule 21 of the Coronavirus Act 2020.
223. On 2 February 2020, the Home Office supported the repatriation of 11 entitled passengers, including British nationals and minors, on a French evacuation flight arriving at RAF Brize Norton. Passengers arriving on the French organised flight were transferred to Arrowe Park Hospital for quarantine. Home Office procedures for

¹³⁹ INQ000051816. PH/141

¹³⁹ INQ000051845 / INQ000051846. PH/142 / PH/16

¹⁴⁰ [Secretary of State makes new regulations on coronavirus - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/secretary-of-state-makes-new-regulations-on-coronavirus). PH/143 - INQ000215586

immigration checks, visa waivers and remote clearance were outlined in briefing for the Home Secretary and Security Minister before the arrival of the flight.¹⁴¹

224. On 4 February 2020, Home Office officials issued formal operational guidance setting out the procedure to be used for issuing visa waivers to non-British citizens in relation to evacuation flights, or on other compelling or compassionate grounds.¹⁴²
225. Also on 4 February 2020, the Home Office supported the evacuation of 11 entitled passengers from China on a New Zealand evacuation flight. Those individuals subsequently quarantined in New Zealand for 14 days before returning to the UK.
226. The second UK repatriation flight, led by FCO with support from other departments including the Home Office, landed in the UK from Wuhan on 9 February 2020 carrying 253 entitled passengers (including 93 British citizens and 55 foreign national dependents). The Home Office applied the same process as for earlier repatriation activity. As Arrowe Park Hospital was at full capacity following the earlier repatriation flights, all passengers disembarking in the UK were taken to Kents Hill Park conference centre in Milton Keynes to quarantine for 14 days.¹⁴³
227. The Home Office provided similar support for the repatriation of British citizens from cruise ships including the Diamond Princess, the Grand Princess, the Silver Shadow, the Braemar, and Marella Explorer 2. The Home Secretary, Ministers, and senior officials received regular updates on the repatriation of individuals from cruise ships and continuing flights into spring 2020 via the daily departmental SitRep.¹⁴⁴

¹⁴¹ INQ000051865. PH/144

¹⁴² INQ000051923. PH/145

¹⁴³ INQ000051977. PH/146

¹⁴⁴ Various Home Office SitReps have been provided to the Inquiry.

APPENDIX E

ENFORCEMENT OF SELF ISOLATION

228. Several public agencies shared responsibility for enforcing coronavirus restrictions, including the police, local authorities and Public Health England's Isolation Assurance Service ("IAS").
229. For domestic regulations, members of the public could contact the police to report an individual(s) believed not to be complying with the regulations, for example, via 101. Following notification, police forces could contact NHS Test and Trace to check if an individual should have been self-isolating. If NHS Test and Trace confirmed that an individual should be self-isolating, forces would risk assess the report and, if appropriate, visit the address provided by the individual as the place where they are self-isolating to determine compliance with the Regulations. The four-step escalation principles (Engage, Explain, Encourage, Enforce) applied.
230. The **Home Office Mod 2 UK Borders Statement** provides information about the responsibilities for enforcing international travel regulations, including the role of the IAS in checking that people were quarantining and alerting the police to potential breaches.
231. On 31 March 2021, the Home Office awarded a £90m contract to Mitie for a service to carry out visits on people who had a duty to quarantine following international travel.¹⁴⁵ The aim of the service was to deliver a compliance, rather than enforcement, mechanism which could influence behaviours to allow policing to focus enforcement activity on only the most egregious breaches.
232. The decision to outsource the service followed consideration of the likely high volume of checks required and the subsequent impact on operational policing, in addition to existing pressures on policing because of Covid-19 related workforce abstraction.

Scientific Advice

233. To develop the service, the Home Office engaged with PHE behavioural scientists to understand potential behaviours by individuals following international travel. Research by the SPI-B Policing and Security subgroup of SAGE also informed decision making. Practical consideration was given to the design, build, test and implementation

¹⁴⁵ INQ000054902. **PH/147**

timescales for any solution, as well as feedback from the police who were already undertaking compliance and enforcement visits.

234. In developing the service consideration was also given to methods, used internationally, of ensuring adherence to quarantine. These included electronic monitoring, denying entry to public spaces without electronically validated proof of being virus-free, and mandating self-isolation and quarantine in supervised facilities.
235. The advice from the SPI-B Policing and Security sub-group was subsequently published and covered:
- a. Behavioural aspects of international importation;
 - b. Key issues that may arise regarding a technological approach to enforcement;
 - c. Assessing the value of an enforcement-based approach to Covid.¹⁴⁶
236. In their advice, SPI-B considered the impact of different policing models and cultures on an individual's acceptance of quarantine. In SPI-B's assessment, countries such as Australia, Singapore, Vietnam, China, and South Korea had greater success in achieving enforcement and compliance because of either their approach to policing or their collective culture. SPI-B considered that the strategies used by these countries were less likely to be successful in the UK because of a focus on individual liberty here.
237. SPI-B also considered that emerging evidence in September 2020 indicated that enforcement was not central to preventing transmission. Evidence from a World Health Organisation study with senior police officers across the globe (but chiefly in Europe, Africa and South America) and with Interpol, suggested that the primary route to reducing transmission was through generating public adherence. The WHO study also suggested that public adherence could be undermined for a variety of reasons but most commonly by excessively draconian enforcement approaches.
238. SPI-B advised that frequent, random spot-checks on self-adherence may provide a more reliable and socially acceptable alternative in the UK compared to other international strategies.

¹⁴⁶ [SPI-B Policing and Security Sub-Group: Behavioural aspects of international importation, 20 January 2021 - GOV.UK \(www.gov.uk\)](#), [SPI-B Technological approach to enforcement 14 October 2020.pdf \(publishing.service.gov.uk\)](#), [SPI-B PS Assessing the value of an enforcement-based approach 21 September 2020.pdf \(publishing.service.gov.uk\)](#).

The Procurement Process

239. The Home Office launched the procurement for the service on 18 March 2021. The compliant route to market was through the Crown Commercial Services Framework RM 3830, Facilities Management (FM) Marketplace. The framework covers all FM services, including security. The Framework is organised regionally and is available to all public sector entities.
240. The Framework is divided into three Lots with a total of 44 suppliers. This procurement was completed under Lot 1c, for contracts over £50 million. The bid pack was released to suppliers using the Jaggaer procurement portal and the bid pack was only visible to suppliers pre-selected to be included under Lot 1c. Of the 20 bidders, five suppliers expressed an interest in bidding prior to bid pack release, three suppliers declined to respond to the tender and five suppliers opened the bid. Only one supplier, Mitie, submitted a response to the tender.
241. An assessment against the Accounting Officer responsibilities, as set out in Managing Public Money, was completed. In terms of Regularity, Propriety, Value for Money and Feasibility the investment did not raise any specific concerns. The proposal was within Home Office powers and delegated authority. The Chief Secretary to the Treasury approved the Home Office letting the contract.

Novation of the Contract

242. The contract was novated to DHSC on 19 October 2021. The novation was agreed because the service was a public health intervention and lay within the wider remit of DHSC to manage in-country compliance with international travel measures.¹⁴⁷
243. The Home Office spent £78m whilst it was responsible for the contract and transferred £12m of the overall £90m budget to DHSC.

¹⁴⁷ INQ000055270. PH/150

APPENDIX F

LESSONS LEARNED

244. This document provides a summary of published external scrutiny on the Home Office's Covid-19 response from January 2020 – February 2022.

Travel and Borders

245. The Home Affairs Select Committee:

- Home Office preparedness for COVID-19 (coronavirus): management of the borders: [Home Office preparedness for COVID-19 \(coronavirus\): management of the borders - Home Affairs Committee - House of Commons \(parliament.uk\)](#) (5 August 2020) PH/152 - INQ000075358
- Government Response: [Home Office preparedness for COVID-19 \(coronavirus\): management of the borders: Government Response to the Committee's Fifth Report \(parliament.uk\)](#) (13 November 2020) PH/153 - INQ000075365

246. National Audit Office:

The NAO considered the UK government's implementation of measures relating to cross border travel between February 2021 and March 2022:

- [The government's preparedness for the COVID-19 pandemic: lessons for government on risk management - National Audit Office \(NAO\) Report](#) (21 April 2022) PH/154 - INQ000055612

Justice System and Domestic Abuse

247. The reports and inspections below cover Home Office policy and operational decisions by policing and Fire and Rescue Services.

248. Home Affairs Select Committee:

- Policing: [Home Office preparedness for Covid-19 \(Coronavirus\): Policing - Home Affairs Committee - House of Commons \(parliament.uk\)](#) (17 April 2020) PH/155 - INQ000053128
- Domestic Abuse: [Home Office preparedness for Covid-19 \(Coronavirus\): domestic abuse and risks of harm within the home - Home Affairs Committee - House of Commons \(parliament.uk\)](#) (27 April 2020) PH/156 - INQ000075363
- Home Office Response on Policing - [Home Office preparedness for Covid-19 \(coronavirus\): policing: Government Response to the Committee's First Report - Home Affairs Committee - House of Commons \(parliament.uk\)](#) (27 July 2020) PH/157 - INQ000075359

- Home Office Response on Domestic Abuse - [Home Office preparedness for Covid-19 \(coronavirus\): domestic abuse and risks of harm \(parliament.uk\)](#) (27 July 2020) PH/158 - INQ000215572

249. Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services:

- A joint view of the Criminal Justice Chief Inspectors on the Criminal Justice System's response to COVID-19: [Impact of the pandemic on the Criminal Justice System - HMICFRS \(justiceinspectorates.gov.uk\)](#) (19 January 2021) PH/159 - INQ000215575
- Inspection into the FRS response to the pandemic: [Responding to the pandemic: The fire and rescue service's response to the COVID-19 pandemic in 2020 - HMICFRS \(justiceinspectorates.gov.uk\)](#) (22 January 2021) PH/160 - INQ000215581
- Inspection into policing the pandemic in 2020: [Policing in the pandemic – The police response to the coronavirus pandemic during 2020 - HMICFRS \(justiceinspectorates.gov.uk\)](#) (20 April 2021) PH/161 - INQ000215579
- Custody suites in the pandemic: [Custody services in a COVID-19 environment - HMICFRS \(justiceinspectorates.gov.uk\)](#) (20 April 2021) PH/162 - INQ000215570
- Policing of domestic abuse: [Review of policing domestic abuse during the pandemic – 2021 - HMICFRS \(justiceinspectorates.gov.uk\)](#) (23 June 2021) PH/163 - INQ000215582
- Update on CJS impacts during the pandemic: [The impact of the COVID-19 pandemic on the Criminal Justice System – a progress report - HMICFRS \(justiceinspectorates.gov.uk\)](#) (17 May 2022) PH/164 - INQ000215568

Immigration and Asylum

250. Home Affairs Select Committee:

- Impact of Covid-19 on the immigration & visa systems: [Home Office preparedness for Covid-19 \(coronavirus\): immigration and visas - Home Affairs Committee - House of Commons \(parliament.uk\)](#) 15 June 2020) PH/45 - INQ000052489
- Home Office response: [Home Office preparedness for COVID-19 \(coronavirus\): immigration and visas: Government Response to the Committee's Third Report - Home Affairs Committee - House of Commons \(parliament.uk\)](#) (13 November 2020) PH/165 - INQ000215573

251. Independent Chief Inspector of Borders and Immigration:

- An inspection of contingency asylum accommodation: HMIP report on Penally Camp and Napier Barracks: [www.gov.uk/government/publications/an-inspection-of-contingency-asylum-accommodation-hmip-report-on-penally-camp-and-napier-barracks](#) (22 July 2021) PH/166 - INQ000053828

- Second annual inspection of 'Adults at risk in immigration detention.' July 2020 – March 2021: [Second annual inspection of 'Adults at risk in immigration detention.' July 2020 – March 2021 - GOV.UK \(www.gov.uk\)](#) (21 October 2021) PH/167 - INQ000215585
- An inspection of asylum casework (August 2020 – May 2021): [An inspection of asylum casework \(August 2020 – May 2021\) - GOV.UK \(www.gov.uk\)](#) (18 November 2021) PH/168 - INQ000215562
- An inspection of contingency asylum accommodation: [An inspection of contingency asylum accommodation - GOV.UK \(www.gov.uk\)](#) (12 May 2022) PH/169 - INQ000215564
- A re-inspection of Napier Barracks March 2022: [A re-inspection of Napier Barracks March 2022 - GOV.UK \(www.gov.uk\)](#) (30 June 2022) PH/170 - INQ000215565

Prisons and Other Places of Detention

252. Home Affairs Select Committee

- Immigration Removal Centres and Asylum Accommodation: [Home Office preparedness for COVID-19 \(Coronavirus\): institutional accommodation - Home Affairs Committee - House of Commons \(parliament.uk\)](#) (28 July 2020) PH/171 - INQ000075357
- Government response: [Home Office preparedness for COVID-19 \(coronavirus\): institutional accommodation: Government Response to the Committee's Fourth Report - Home Affairs Committee - House of Commons \(parliament.uk\)](#) (13 November 2020). PH/172 - INQ000075356

APPENDIX G

GLOSSARY

Acronym / Term	Description
#YANI	You Are Not Alone campaign relating to domestic abuse
2MS	2 Marsham Street
2PUS	2 nd Permanent Secretary
ACMD	Advisory Council on the Misuse of Drugs
ALB	Arms' Length Body
ATS	Asymptomatic Test Sites
B.1.1.529	Coronavirus variant of concern referred to as Omicron
B.1.1.7	Coronavirus variant initially referred to as the 'Kent' variant and then the 'Alpha' variant
BAME	Black, Asian and Minority Ethnic
BEIS	Department for Business, Energy and Industrial Strategy
Beta	Variant of concern – emerged in South Africa
BF	Border Force
BFNCC	Border Force National Command Centre
BICS	Borders, Immigration and Citizenship system
BTP	British Transport Police
C19 TF	Covid-19 Taskforce (Cabinet Office)
CAA	Civil Aviation Authority
CCC	Command, Control and Coordination
CCS	Civil Contingencies Secretariat
CE	HO Corporate Enablers
CITES	Convention on International Trade in Endangered Species
CJS	Criminal Justice System
CMO	Chief Medical Officer
CO	Cabinet Office
COBR/COBRA	Civil Contingencies Committee
ConOps	Concept of Operations
COO	Chief Operating Officer
COP	College of Policing
CO Taskforce	Cabinet Office's COVID-19 Taskforce
Covid-O	Covid-Operations Committee (O) – Officials (M) - Ministerial
CPFG	Crime, Police, and Fire Group (now PSG)
CRIP	Civil Contingencies Secretariat's - Commonly Recognised Information Picture
CSA	Chief Scientific Advisor
CSO	Chief Scientific Officer
CTA	Common Travel Area
CTP	Counter Terrorism Policing

Acronym / Term	Description
D20	Government planning for winter 20/21 covering: EU transition, Covid-19, winter influenza and flooding risks
D&I	Data and Identity
DAs	Devolved Administrations
DBS	Disclosure and Barring Service
DCC	Detective Chief Constable
DCSA	Deputy Chief Scientific Adviser
DCMS	Department for Digital, Culture, Media and Sport
DCT	Daily Contact Testing
DD	Deputy Director (also referred to as PB1 and SCS)
DDaT	HO Digital, Data, and Technology
Defra	Department for Environment, Food and Rural Affairs
Deputy CMO	Deputy Chief Medical Office
DfE	Department of Education
DfT	Department for Transport
DG	Director General
DHSC	Department of Health and Social Care
DIT	Department for International Trade
DLUHC	Department of Levelling Up, Housing and Communities
DOC	Home Office Departmental Operations Centre
DWP	Department of Work and Pensions
DVPOs	Domestic Violence Protection Orders
EEA	European Economic Area
EMA	European Medicines Agency
ETAs	Electronic Travel Authorisations for Non-Visa Nationals
EU	European Union
EUDCC	European Union Digital COVID certificate
ExCo	Home Office Executive Committee
FBIS	Future Borders and Immigration Services
FCDO	Foreign, Commonwealth and Development Office
FCO	Foreign and Commonwealth Office
FDA	Food and Drug Administration - USA
FDA	First Division Association (union)
FGM	Female Genital Mutilation
FM	Facilities Management
FNO	Foreign National Offender
FOI	Freedom of Information (usually refers to an FOI request)
FPN	Fixed Penalty Notice
FRONTEX	The European Border and Coast Guard, an agency of the European Union
FRS	Fire and Rescue Services
FSA	Foods Standards Agency
GLD	Government Legal Department
GRO	General Register Office

Acronym / Term	Description
GTT	Global Travel Taskforce
H1N1	Swine Flu
HAL	Heathrow Airport Limited
HASC	Home Affairs Select Committee
Hidden Harms	Refers to crimes such as child abuse, child sexual exploitation, domestic abuse (including “honour”- based abuse), sexual violence and modern slavery, typically take place behind closed doors, hidden away from view.
HM@B	Health Measures at the Border
HMICFRS	Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services
HMPO	Her Majesty’s Passport Office
HMRC	Her Majesty’s Revenue and Customs
HMT	Her Majesty’s Treasury
HO	Home Office
HOAI	Home Office Analytics and Insight
HOLA	Home Office Legal Advisors
Horizon	HO Intranet
HOS	Home Office Science and Technology Delivery and Strategy
HR	Human Resources
HS	Home Secretary (see also SSHD)
HSE	Health and Safety Executive
HSG	Homeland Security Group
HSPO	Home Secretary Private Office
IAS	Public Health England’s Isolation Assurance Service
ICIBI	Independent Chief Inspector of Borders and Immigration
ICJU	International Comparators Joint Unit
IE	Immigration Enforcement
IHS	Immigration Health Surcharge
IPO	Intellectual Property Office
IRC	Immigration Removal Centre
ISED	International Strategy, Engagement and Devolution
ITN	Information to Note (briefing to Ministers / Permanent Secretaries which does not require a decision)
JBC	Joint Biosecurity Centre
JCs	Judicial Commissioner
JCHR	Joint Committee on Human Rights
JR	Judicial Review
JTAC	Joint Terrorist Analysis Centre
LFD	Lateral Flow Device
LFT	Lateral Flow Test
LRF	Local Resilience Forum
MCA	Maritime Coastguard Agency
MCCD	Medical Certificate of Cause of Death
MERS	Middle East Respiratory Syndrome

Acronym / Term	Description
MET	Metropolitan Police Service
MHCLG	Ministry of Housing, Communities and Local Government
MHRA	Medicines and Healthcare Products Regulatory Agency
MIG	Ministerial Implementation Group
MIGs	Ministerial Implementation Groups
MISC 32	Ministerial Committee on Influenza Pandemic Planning
Mitie	Providers of Managed Quarantine Service – contracted private operator
MOD	Ministry of Defence
MOJ	Ministry of Justice
MPS	Metropolitan Police Service ('The Met')
MQS	Managed Quarantine Service
NABIS	National Ballistics Intelligence Service
NAO	National Audit Office
NBTC	Border Force National Border Targeting Centre
NCA	National Crime Agency
NCC	Border Force National Command Centre
NCRC	National Covid-19 Response Centre delivered by UKHSA.
NERVTAG	New and Emerging Respiratory Virus Threats Advisory Group
NFCC	National Fire Chiefs Council
NHS	National Health Service
NPCC	National Police Chiefs Council
NPI	Non-Pharmaceutical Intervention (i.e., face coverings, social distancing etc)
NPoCC	National Police Coordination Centre
NSC	National Security Council
NSPCC	National Society for the Prevention of Cruelty to Children
NVNs	Non-Visa Nationals
OGD	Other Government Departments
OPI	Operational Policy Instruction
OSCT	Office of Security and Counter Terrorism (now HSG)
PAC	Public Affairs Committee
PCC	Police and Crime Commissioners
PCR	Polymerase Chain Reaction Test
PCS	Public and Commercial Services union
PDHC	Pre-departure Health Check Capability
PDT	Pre-Departure Testing
PHAs	Port Health Authorities
PHE	Public Health England (later UKHSA)
PHW	Public Health Wales
PLF	Passenger Locator Form
PMOs	Port Medical Inspectors or Officers
PNC	Police National Computer
PO	Private Office

Acronym / Term	Description
POISE	Home Office IT network
PPE	Personal Protection Equipment
PQ	Parliamentary Question
PRSA	Police Reform and Social Responsibility Act 2011
PSED	Public Sector Equality Duty
PSG	Public Safety Group
PUS	Permanent Secretary
RASI	Resettlement Asylum Support and Integration
ROI	Republic of Ireland
RTW	Return to the Workplace
RWCS	Reasonable Worst Case Scenario
SAGE	Scientific Advisory Group for Emergencies
SCG	Strategic Coordination Group
SCS	Senior Civil Servant
SIA	Security and Intelligence Agencies
SitRep	Situational Report
SMG	Small Ministerial Group
SOCG	Serious Organised Crime Group (now PSG)
SOG	Strategic Oversight Group
SOL	Shortage Occupation List
SpAds	Special Advisors
SPI-B	Independent Scientific Pandemic Insights Group on Behaviours
SPI-M	Scientific Pandemic Influenza Group on Modelling
SRO	Senior Responsible Officer
SSHD	Secretary of State for the Home Department (Home Secretary)
STAR	Home Office Science, Technology, Analysis and Research
SCG	Strategic Coordination Group
Sub	Submission (formal advice / information to Ministers)
THRC	Threats, Hazards, Resilience and Contingencies Committee
UAE	United Arab Emirates
UK	United Kingdom
UKHSA	UK Health Security Agency
UKVI	UK Visas and Immigration
UPQ	Urgent Parliamentary Question
UPT	Universal Permission to Travel
VAC	Visa Application Centre
VAWG	Violence Against Women and Girls
VOC	Variant of Concern
VoCs	Variants of Concern
WFH	Work from home
WHO	World Health Organisation
WHO EUL	World Health Organisation's Emergency Use Listing

Acronym / Term	Description
WMS	Written Ministerial Statement
WR	Write Round (mechanism for x-government ministerial agreement on decisions)
X-govt	Cross-government (i.e., government wide)
x-HMG	Cross Her Majesty's Government (i.e., government wide)
XWH	Cross-Whitehall (i.e., government wide)