

Witness Name: Rt Hon Penny Mordaunt MP

Statement No.: 1

Exhibits: 179

Dated: 07 September 2023

## UK COVID-19 INQUIRY

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**WITNESS STATEMENT OF PENNY MORDAUNT  
MEMBER OF PARLIAMENT FOR PORTSMOUTH NORTH  
LEADER OF THE HOUSE OF COMMONS  
& LORD PRESIDENT OF THE COUNCIL**

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I, Penny Mordaunt, will say as follows: -

1. I make this statement to assist the Inquiry to address matters of relevance to the Government's core political and administrative decision-making on Covid-19 from 1 January 2020 to 24 February 2022.
2. During that period, I held the position of Paymaster General ("**PMG**") from 13 February 2020 to 16 September 2021 and it is that position which I focus upon in this statement. (On 16 September 2021, I became Secretary of State for International Trade, and on 6 September 2022, I was appointed Leader of the House of Commons and Lord President of the Council).
3. I have been assisted in making this statement by the Government Legal Department and Pinsent Masons LLP.

### **Background**

4. I was elected as the Member of Parliament for Portsmouth North on 6 May 2010. My first ministerial role came in July 2014 when I was appointed Parliamentary Under-Secretary of State for the Department for Communities and Local Government, in which position I was responsible for coastal communities, local growth, high streets, town centres and markets, enterprise zones, planning casework and fire, resilience, and emergencies. During this time, I became familiar with Local Resilience Forums ("LRF"s), local contingency and response plans, training, and operational structures.
5. In May 2015, I was appointed Minister of State for the Armed Forces. In this role I was responsible for armed forces activity including operations, operational legal matters, force generation and international defence engagement. This was a very busy period for Defence. We conducted several substantial exercises, particularly on the threat of terrorism. We dealt with considerable flooding issues, the aftermath of the Tunis attack, including medical evacuation and care of the bereaved through COBR, as well as the tail end of the Government's efforts on Ebola (Operation Gritrock). I also chaired the EU Battle group and its exercises and chaired COBR exercising where the MOD were the Lead Government Department. Tackling increased migration and overseeing Operation Shader (Iraq and Syria) were major parts of my role.
6. In July 2016 I was appointed as Minister of State for Disabled People, Health and Work. As Minister, I aimed to improve support for people with disabilities and health conditions and help more people into work and ensure that they were given every opportunity to succeed. During my tenure I took part in Exercise Cygnus. My role in that was largely to ensure the DWP's administrative systems could deal with the changes they needed to make and some aspects of the death management process. After Exercise Cygnus had been conducted, I asked Whitehall departments to do a 'deep dive' on their policies in relation to this type of scenario and disabled people. I felt that part of any Minister's preparation for attending COBR meetings should cover key ethical issues which were likely to arise in a pandemic, including the need to avoid interfering in clinical decision making. It was and still is recognised that preparation for taking part in COBR could be improved. Ethics needed to be part of that preparation.

7. I was first appointed to the Cabinet in November 2017 as Secretary of State for International Development. In that role I led the Department's Ministerial team and set the overall strategy and direction for the Department. My responsibilities included emergency and disaster relief. Situations I dealt with included hurricane and tsunami recovery, Ebola outbreaks, famine, the Rohingya fleeing Myanmar and the establishment of the Cox's bazar camp, Yemen and Syria. I liaised with key international organisations including the WHO (World Health Organisation), as well as organisations concerned with vaccination and building global health systems such as the GAVI (the Global Alliance for Vaccines & Immunisation).
8. In April 2018 I was appointed Minister for Women and Equalities alongside the International Development role. This role was initially in the department for Education but I moved it into the Cabinet Office ("CO").
9. On 1 May 2019 I was appointed Secretary of State for Defence. Following the appointment of Boris Johnson as Prime Minister, I left this position on 24 July 2019 and returned to the back benches. I re-entered the Government on 13 February 2020 when I was appointed PMG.
10. I had previously worked with the CO in my Ministerial capacity through COBR meetings, both real and simulated, and Exercise Cygnus, and as Minister for Women and Equalities. I brought the Government's Equalities Office from the Ministry of Education into the CO.
11. More generally of relevance to the Covid-19 response, my previous roles in Government gave me a reasonable understanding of defence, requests for Military Aid to the Civil Authorities (MACA Requests), national security and resilience, cybersecurity, and the emergency medical teams via the Department for International Development. Annual disaster simulation exercises (SimEx) took place in my constituency of Portsmouth North. Additionally, and before entering Parliament, I had joined the Royal Navy Reserves in 2009 and my officer training had involved practical leadership tasks and crisis management.

## Documents

12. In order to produce this statement, I have reviewed documents from my time as PMG, including my mailboxes and Box Notes. I am asked to produce any WhatsApp messages relevant to the Government's core decision-making on Covid-19. I used WhatsApp from time to time to correspond with other Ministers and those in my private office. A WhatsApp group entitled "*Team Penny*" was set up on 13 February 2020 ("**Team Penny**") [PM/1 - INQ00000000]. The members of this group all worked within my Private Office. I have provided these and refer to them below where relevant, together with relevant messages from WhatsApp conversations I had with the Prime Minister (PM), Chancellor of the Duchy of Lancaster, the Rt Hon Michael Gove MP (CDL), Foreign Secretary (the Rt Hon Dominic Raab MP), Health Secretary (the Rt Hon Matt Hancock MP), Minister for Social Care (Hon Helen Whately MP), the Rt Hon Jeremy Hunt MP and present Chancellor of the Exchequer, Minister for Vaccines and Public Health (Hon Jo Churchill MP) and Minister for Regional Growth and Local Government within MHCLG (Simon Clarke MP); my junior officials and **NR** **NR** from my Private Office, and Joshua Grimstone (Special Advisor to the CDL).

13. Those groups/threads are attached to the statement as follows:

- a. PM [PM/2 - INQ00000000]
- b. CDL [PM/3 - INQ00000000]
- c. The Rt Hon Dominic Raab MP [PM/4 - INQ00000000]
- d. The Rt Hon Matt Hancock MP [PM/5 - INQ00000000]
- e. The Rt Hon Helen Whately MP [PM/6 - INQ00000000]
- f. The Rt Hon Jeremy Hunt MP [PM/7 - INQ00000000]
- g. The Rt Hon Jo Churchill MP [PM/8 - INQ00000000]
- h. Simon Clarke MP [PM/9 - INQ00000000]
- i. **NR** [PM/10 - INQ00000000]
- j. **NR** [PM/11 - INQ00000000]
- k. **NR** [PM/12 - INQ00000000, PM/13 - INQ00000000, PM/14 - INQ00000000]

14. I believe that several WhatsApp messages I sent/received to the former PM and the CDL are no longer available. In respect of the PM, in early May 2021, I

became aware that key WhatsApp messages sent to and from him were missing from my phone. At the time, the media were examining the government's handling of care homes during the pandemic, and so I looked back for messages I knew I had sent to him prior to an early COBR meeting (I think the first COBR meeting the PM attended was on 2 March 2020). On 29 February 2020, I sent the PM a WhatsApp message to raise the issue of shielding in care homes. The PM responded to say that he agreed that it was a very important point and he would raise it at the meeting. I had specifically asked my junior official, who was due to listen in to the meeting, to report back on whether the PM asked about care homes and vulnerable people. My junior official said that the PM had done so and I understood that he wrote this down in his notebook that the PM had.

15. On 14 May 2020, I sent a message in Team Penny stating, "*On 29<sup>th</sup> Feb I raised with the PM the issue of shielding in care homes. Shortly after that [a junior member of my Private Office] said the PM had raised it at the morning meeting/COBR. can we see if any of that was minuted. Thanks*". I could see that my WhatsApp message to the PM on 29 February 2020 was missing. Indeed, I could find no WhatsApp messages between me and the PM between 20 March 2018 and 22 March 2020. There would only have been a few messages during that time, including the ones I outline above.
16. I asked my Private Secretary ("PS"), NR to raise this with the No. 10 security team on 21 May 2021. On 31 May, 1 June and 9 June 2021, I sent WhatsApp messages to Team Penny chasing the 'security issue' I had raised **[PM/1 - INQ00000000 exhibited above]** and further WhatsApp messages to Geraint on this issue on 26 May and 10 June 2021 **[PM/10 - INQ00000000 exhibited above]**. There is nothing on my phone to suggest that the messages have been deleted. Other messages are still on my device.
17. Around that time, the PM changed his phone number as his original number had been released into the public domain. I was not sure at the time if the disappearance of the above messages relates to that. My then-Private Secretary NR kept pressing the No. 10 security team for an answer. After some time, it was suggested to us that because of a security

breach the PM may have deleted all his messages and switched off his phone. However, this was portrayed to me as speculation on the part of the No. 10 security team and would not explain why I had some messages and not others. I asked whether there might be any other explanation for the missing messages. I was told it was not possible for a third party to delete my messages. I sought to arrange a meeting with Dan Rosenfield, the PM's Chief of Staff. From memory, we asked fourteen times for a meeting with him, but had no response from his team, despite my office chasing him. I pursued the matter with the CO. I offered to have my phone forensically examined if that would help. I was told, after some chasing, that they would be happy to do this but as my phone was my own personal device the CO would have to charge me for this. The estimated bill was approximately £1,000 per day for 6 weeks' work. I did some research with Government-approved cyber security contractors as to their rates and an initial interrogation of my phone would have costed approximately £1,000. I raised the matter with Alex Chisholm (CO Permanent Secretary) (at my exit interview from my position as PMG, around September/October 2021). I also mentioned to Beth Sizeland (CO Deputy National Security Adviser) the problems which could arise from the policy on private devices, although I did not go into detail with her about the PM's messages. In both cases I wanted them to recognise that the policy on this needed to change: if the CO would not provide these services to Ministers in relation to their personal phones, Ministers needed to be issued with CO phones and IT.

18. After leaving the CO from mid-September 2021 onwards, I made some additional enquiries regarding getting my phone examined. I was told that the contractor needed a solicitor's letter before they could conduct such investigations. I was reluctant to pursue this as I did not know how the messages had come to be deleted. In my new role as Minister for Trade Policy, I raised the issue with the new Cabinet Secretary. I had a further meeting with the CO cyber security team, but they had not been properly briefed and had no suggested course of action to try and retrieve messages or to help me understand what had happened.
19. Further to my attempts to clarify this issue, I liaised with Cabinet Office and received advice from the NCSC dated 27 January 2023 and enclosed with a

letter dated 31 January 2023 [PM/15 - INQ000205636 and PM/16 - INQ000205620]. This was highly significant as this was the first time I had received any confirmation that no official advice had been given to the Prime Minister to delete his messages. My focus had been on the Prime Ministers messages as I had a clearer recollection about the nature and timeframe they were sent in.

20. Since starting work on my witness statement, I have also discovered that two further sets of messages may have gone missing, in this case to and from the then-CDL, Michael Gove. The first messages related to ensuring the then-Minister of State for Social Care had adequate resources in her role and the second related to the absence of press coverage following publication of the resilience document I had prepared.
21. I would be content for my phone to be examined by the Inquiry if it is thought this would assist.

#### **Roles and responsibilities as Paymaster General**

22. As PMG during the relevant period, I had the following roles and responsibilities:
  - a. I was the national resilience lead for all aspects of civil contingencies except Covid-19.
  - b. I oversaw the general work of the Civil Contingencies Secretariat ("CCS") in the CO. However, I did not oversee the Covid Task Force or other structures related to Covid.
  - c. I was the Minister with responsibility for death management.
  - d. I was asked to assist the then-Minister for Small Business on the issue of guidance around weddings.
  - e. I was the Government's defensive cybersecurity lead.
  - f. I attended COBR meetings at the outset of the pandemic until the CDL and PM started to attend.
  - g. I reported to the CDL and deputised for him when he could not attend meetings or Select Committee hearings.
  - h. I stood up a communication process to keep parliamentarians informed of the Government's response to Covid-19 so that they could answer questions from their constituents.

- i. From time to time, I was used as someone who could be deployed on special projects (for example, taking the Covid-19 Bill through Parliament).
- j. I occasionally raised concerns about specific policies with the PM, No. 10, the Health Secretary, and CDL. This was largely done via my PO and occasionally on WhatsApp.
- k. I also had a range of non-Covid-19 issues to oversee including being on the Withdrawal Agreement Joint Committee to exit the EU; chairing occasional Brexit operations meetings; liaising with the Devolved Administrations ("DAs") and Crown Dependencies; and The Infected Blood Inquiry, in relation to which I set up the Compensation Framework Review.

## **Death Management**

### *Introduction*

- 23. As PMG, I was the Minister responsible for death management. I had oversight of the Death Management Programme ("**DMP**") and chaired its steering group. The purpose of the DMP was to ensure that the death management process was able to operate under the pressure of excess deaths whilst maintaining the welfare of staff, ensuring that the bereaved were treated with care and compassion, and that the deceased were handled with dignity and respect. Our goal was to achieve this in a way which would cause the least distress to the families involved and to keep the experience as close to what they would normally go through outside of a pandemic.
- 24. The DMP brought together those government departments involved in the death management system:
  - a. The Ministry of Justice ("**MoJ**") responsible for coronial matters and disposal of the deceased;
  - b. Department for Health and Social Care ("**DHSC**") responsible for PPE supply to the public and private funeral sector, vaccination and issues around testing;



- c. Department for Work and Pensions (“DWP”) responsible for financial support for the vulnerable; and
  - d. Ministry of Housing, Communities & Local Government (“MHCLG”) responsible for local resilience across England.
25. Other departments, such as the Home Office (“HO”) and CCS also provided support and assistance as necessary. The DMP also benefitted from the support of colleagues in the DAs, to ensure that there was a joined-up response across the four nations.

March-May 2020

26. During March 2020, I was responsible for overseeing the Government's death management strategy, which included approving relevant provisions in the Bill which was to become the Coronavirus Act 2020.
27. Typically, around 600,000 people die in the UK every year at an average of c.12,000 per week. This varies considerably across the year, with up to c.15,000 a week in the Winter dropping to c.8,500 in the Summer. During these times, the system sometimes struggles to cope at peak weeks. At the time just before the First Wave, it was understood that (subject to variance), many mortuaries were operating at around 80% capacity. [*Strategy for Managing the Deceased* [PM/17 - INQ000205520] and *Excess Deaths - Temporary Body Storage - Business Case* [PM/18 - INQ000205519].
28. Whilst our knowledge of Covid-19 was very much still evolving during March 2020, based on SAGE advice, it was expected that with no interventions, 80% of the population would get infected and 530,000 people would die from Covid-19 and the RWCS death toll figures were calculated at 1%. It was thought that it was possible that this could have happened over 24 weeks, with 95% of the deaths taking place over a 9-week period and 50% over a three-week peak. SAGE modelling suggested that case isolation, household quarantining and social distancing of 70+ would reduce the death rate to 55% of the RWCS (up to 290,000 deaths) and would spread the impact over a longer period. However, even with these planned mitigations local capacity for body storage would still be overwhelmed at considerably lower numbers than the 290,000 excess

deaths, as little body storage was available at that time. [PM/17 - INQ000205520 exhibited above and PM/18 - INQ000205519 exhibited above].

29. It was expected that the figures mentioned in paragraph 27 above would be revised down as we learnt more about Covid-19, but that was what some of our very early planning was based on. To address these issues, the following strategy was formed:

- a. **Increasing processing capacity at Local Level** – Action at a local level was necessary to streamline processes and maximise processing capacity supported by central guidance;
- b. **Augmenting local mortuary capacity** – Procuring temporary, refrigerated storage units to provide an additional 27,000 body storage capacity to even out flow through the system, which were to be installed within 4-8 weeks;
- c. **Increasing capacity through non-statutory means** – Operating hours were to be extended and scope reduced for individual memorial services at crematoria and places of worship to potentially enable the cremation of up to 45,000 bodies per week. Measures short of power of direction were to be introduced into the then Covid-19 bill to streamline death registration and certification;
- d. **Take powers of direction under Covid-19 Bill** – Local Authorities (“LAs”) would be unable to direct the operation of the death management system in their area to increase capacity and to bring in extra support with body transport and storage under the Covid-19 Bill once it had received Royal Assent. [PM/17 - INQ000205520 exhibited above and PM/18 - INQ000205519 exhibited above].

30. Our overall mission was to ensure we had enough provision to manage the whole process of death management based on the RWCS at the time. In mid-March 2020, I was provided with an excess deaths timeline [PM/19 – INQ000236021] that assumed the NHS would be able to provide care for all those who needed it and would not encounter any capacity issues. In my view, this is not what we needed to do in order to best prepare, and I asked to see the RWCS modelling of current social isolation rules. We also wanted the experience

of grieving families to be as close to normal as possible and ensure that the deceased were treated with the respect and dignity. In consideration of this, we took the decision not to purchase less expensive large storage units which could be assembled at a regional location to augment local authority and NHS capacity, rather, we chose to purchase smaller units which could supplement what was already in communities and be added on to local mortuaries (see paragraph 28(b) above) [PM/17 - INQ000205520 exhibited above and PM/18 - INQ000205519 exhibited above].

31. There were very few negative comments made about the type of storage we decided to use. Very occasional issues were raised about the capacity and appropriateness of the larger storage units in the media [PM/20 - INQ000205626 and PM/21 - INQ000205625] and in another instance, concerns were raised about the appropriateness of a location of one of these sites in Basingstoke, by a local MP (which were addressed by MHCLG directly to Hampshire County Council) [PM/22 - INQ000205550 and PM/23 - INQ000205551].
32. To assist me in rewriting the UK's national resilience strategy, I requested all the National Security Council Ministerial Subcommittee on Threats, Hazards, Resilience and Contingencies ("NSC (THRC)") minutes between 2016 and 2019. I noted that at the NSC THRC Meeting on 21 February 2017 [PM/24 - INQ000006357], an influenza pandemic was rated as the greatest risk facing the government, and Exercise Cygnus had shown up shortcomings in the planned response. Challenges identified included (amongst other things): workforce absence and deaths; impact of closed schools; health and social care being overwhelmed by week 5 of the pandemic; death management capacity; immunity and vaccination; and deaths occurring in home or care settings. It was noted during the meeting that Exercise Cygnus had been particularly valuable in exposing the vulnerabilities of the then current capabilities to manage the volume of deaths anticipated in a reasonable worst-case scenario ("RWCS"). The involvement of the DAs in Exercise Cygnus had also demonstrated the importance of coordinating planning across the UK.
33. Regarding the circulation of the Exercise Cygnus report and its findings, as Secretary of State at DFID I was not shown a copy of the Cygnus report and so

I am not sure whether it was ever shared with ministers, including those who participated in the exercise at the time. In a COBR meeting in or around February 2020, I requested that the Cygnus report and its findings be circulated to all Ministers [PM/25 - INQ000205546]. This request was repeatedly chased by me. For example, My TeamPenny WhatsApp messages show that on 28 April 2020 I chased up whether my request from this early COBR meeting to circulate the learning from Cygnus had been actioned. I stated within this message that given the *'shoeing ministers are now getting presumably this wasn't done'* and if this were the case then why. The response from a member of my private office was that he would talk to CCS. I recall it was several months before we were eventually provided with the report at some point in May 2020. I cannot recall or locate the precise date for this. I was told that the report had been circulated to others but I cannot say to what extent effort was taken to draw Minister's attention to this. I have further checked my WhatsApp and other messages for any correspondence on Exercise Cygnus. On 10 June 2020 I messaged Jeremy Hunt MP asking for his take on Cygnus and whether he had been provided with a copy of the report. His response was that he had only seen what had been leaked to the Guardian newspaper and noted that there had been no recommendations on PPE or testing but there were warnings that the social care sector might not cope with a pandemic. He stated that all recommendations had been implemented, but raised a question in his response to me, as to why exercises for a non-flu pandemic had not been carried out. I understood his response *at that time* to mean that he may not have been provided with a copy of the full report by this time or when he was Health Secretary. However, I cannot verify precisely when or if he did see the report.

34. In respect of the Covid-19 Bill, provisions were proposed relating to directions and other measures to address lack of capacity. The broad purpose of the directions powers was to enable the Secretary of State to give LAs powers to direct actors (private, public and faith based) in the death management chain (e.g., funeral directors, mortuaries, crematoriums, and burial grounds) to improve throughput through the system at every stage in the body disposal process. It was only LAs that were to be given this power, and it was only to be used if necessary and if other means, such as normal commercial arrangements, had, or were about to fail. We were very much aware that the powers should not be drafted so wide that they were disproportionate and open

to misuse, but not so narrow that the process could not operate as efficiently as needed, should death rates reach very high levels [PM/26 - INQ000205516 and [PM/27 - INQ000205517] was sent to me on 15 March 2020 by a member of my private office.

35. I recall that in advance of the Covid-19 Bill receiving Royal Assent, some faith groups had concerns that the legislation would make provision for enforced cremation. However, in reality, enforced cremation was not going to happen even in the RWCS (as it was then understood) and I wanted to provide greater reassurance and clarity to these faith groups at the time [PM/17 - INQ000205520 exhibited above and PM/28 - INQ000205521]. This was because there was no capacity issue with burials – there was with cremation. My commitment in this regard is also illustrated in my WhatsApp messages with the Health Secretary. It can also be seen in the Team Penny group on 21 March 2020 that I sent a line out to community and faith groups and drafted a letter to go to MPs and councillors on the issue of excess deaths, in order to keep them fully informed of the situation [PM/1 - INQ00000000 exhibited above].
36. Ultimately, the Coronavirus Act 2020 received Royal Assent on 25 March 2020 with the death management provisions being contained within Section 58, Schedule 28, and split into two parts in respect of capacity, Part 1 providing for provisions relating to information sharing about capacity and Part 2 providing for directions and other measures to address lack of capacity.
37. On 27 March 2020, the CCS asked me to approve spending on small storage capacity and I approved it [PM/1 - INQ00000000 exhibited above].
38. On 1 April 2020, guidance for the care of the deceased was published [PM/29 - INQ000205523]. My Private Secretary, Alwyn Spencer highlighted that the guidance did not appear to set out what funeral directors (or others) should wear by way of PPE when entering the home of a deceased person, but that it did link to Health and Safety Executive guidance in respect of collection and transport. He sought confirmation from me on whether the guidance should be updated. I responded to advise that we ought to ensure that the gaps were filled in, and further highlighted that there was nothing in the PPE guidance for burials within the Muslim community, which I considered was poor. I requested that my Private Secretary ask for the guidance to be revised, or guidance on these areas

to be issued alongside; I also highlighted that we needed to ensure that those in the sector had access to PPE [PM/30 - INQ000205522].

39. As no one department had sole responsibility for DMP, it was important that in the early stages we established who was responsible, and what for, in DMP. On 9 April 2020, I received an update on Government Department responsibilities relating to bereavement support [PM/31 - INQ000205533, PM/32 - INQ000205534 and PM/33 - INQ000205535]. In my view, this update did not properly meet what was needed; whilst it set out who was responsible, it did not deal with 'the what'. I requested that more detail was provided, for example, in respect of DWP's remit, I thought it was imperative that we understood and that it was documented what they were responsible for, i.e., what funeral grants they were providing how much the funeral grants were; what criteria would need to be met to be eligible to receive a grant; and what happens if families have multiple members die at the same time. Whilst the note had been commissioned to provide MOJ with the confidence to lead on bereavement support, I considered it was also necessary that it detailed what bereavement support would be offered so that each department knew its areas of responsibility and to ensure that families were offered the necessary pastoral support where multiple departments were involved [PM/34 - INQ000205537]. (See further examples of my raising the issue of bereavement support at [PM/35 - INQ000205525 and PM/36 - INQ000205531].

40. On 6 April 2020 I was provided with a draft plan for communicating deaths during Covid-19 [PM/37 - INQ000205527 and PM/38 - INQ000205528] by Cabinet Office Communications ("CO Comms"). I requested that there should be more content and emphasis on the support and pastoral care that was available. During this time, Public Health England ("PHE") were also commissioning funeral guidance on this. I requested that it contain specific guidance for the funeral sector in respect of entering the homes of the deceased and also gave guidance on how the advice that funerals should not be postponed should be communicated to the public [PM/39 - INQ000205530, PM/40 - INQ000205529 and PM/41 - INQ000205532].

41. On 7 April 2020, at a Covid-19 Strategy Meeting I provided an overall status update and plan for the DMP [PM/42 - INQ000088358 and PM/43 -

**INQ000088359**. I was particularly concerned about Local Resilience Forums ("LRFs") being overwhelmed. LRFs were coordinating bodies, that did not have their own legal entity, and often had little or no dedicated support. There were also variations between LRFs based on the strength of partnerships locally and the character of the chair. I considered that this risk was exacerbated by a lack of clear guidance on the proportionate level of planning needed. I also raised my concerns that funeral directors would, in my view, understandably want PPE **[PM/44 - INQ000205526]**. This is also illustrated in my WhatsApp message to the Health Secretary on 22 March 2020 when I asked about burials and PPE for the Muslim community which he agreed to take forward **[PM/5 - INQ00000000 exhibited above]**. However, PHE advice was that funeral directors would not need PPE. This issue continues at paragraph 57. It was agreed that DHSC would complete work to provide clarity on the public health guidance for attendance at funerals, and that MHCLG were to update the LRF dashboard with KPIs to show timeliness and effectiveness of interventions being delivered on PPE, shielding and other measures. DHSC and MHCLG, working with HMIG, were to ensure information on the capacity and timelines of supply chains for PPE were in place to mitigate the planning pressures then being experienced by the LRFs **[PM/45 INQ000088356]**.

42. During the C-19 Strategy Meeting on 7 April 2020, it was noted that whilst national modelling suggested that the UK's death management system should be able to cope with the additional excess deaths, even on the RWCS figures, it was concluded during the C-19 Strategy Meeting that the risk of local death management arrangements being overwhelmed was too high, and that some sort of national reserve capability should be pursued. This reserve capability was to be called upon as necessary to support local responders in trouble or to augment their efforts at a national or regional level **[PM/46 - INQ000205536]**.
43. By mid-April 2020, there had been requests from stakeholders in the sector (faith, burial ground and crematorium managers and the funeral sector) for clarity on the social distancing/closure measures as they related to crematoria, burial grounds, and funeral attendance. Wording of the regulations at the time, was considered unclear by those stakeholders. MHCLG commissioned advice in this area; however, neither me nor my private office were sighted on this advice until the day on which it was to be cleared by CO and MHCLG (17 April

2020) and so had no input into this. [PM/47 - INQ000205540, PM/48 - INQ000205541, PM/49 - INQ000205538 and PM/50 - INQ000205539].

44. On 30 April 2020, I raised with my private secretary that I thought it was important that we monitor the occupations of those dying from Covid. Death registration processes were capturing the occupations of those dying from Covid at the time, but this was not being monitored/considered. I thought that this was important to ensure that we were able to identify and address any patterns [PM/51 - INQ000205543].
45. On 7 May 2020, I received an update from CCS, advising that since the GPSMIG had agreed to appoint a Senior Responsible Owner ("SRO") to oversee reducing the lag in death data, PHE had made significant improvements to the accuracy and timeliness of the daily reported death data. Recommendations to speed up the death registration process were also made following this review [PM/52 - INQ000205544].
46. On 14 May 2020, I received an updated version to the note on Government Department responsibilities relating to bereavement support [PM/53 - INQ000205545] that I mention above at paragraph 38, which contained the additional information I had requested be included in respect of what each department was responsible for and progress in respect of the same.
47. Overall, during the First Wave, in contrast to the scenes we saw in New York City, I think that the funeral sector did a very good job in strained circumstances at the time and the various stakeholders involved should be commended for this. Notwithstanding that the DMP required significant cooperation across departments in such unprecedented times, the strategy we formed and the measures we had in place through the DMP during this pivotal timeframe worked well to support the sector and further our overall aims.

June-August 2020

48. During this period, I oversaw work carried out by the DMP in anticipation of a second wave. I think the CCS team did very well and exercised good judgment.



49. The DMP prepared a plan to focus on the next stages in communicating and planning for excess deaths from June 2020 onwards, taking into account the likelihood of a second spike in infections and localised hotspots [PM/54 - INQ000205548]. It highlighted potential challenges we would face and what action we would need to take. For example, it was imperative that we communicated with funeral workers, faith leaders and the public, to ensure they were prepared in the event of a second spike. To do this, we needed to ensure that communications and engagement mechanisms were in place to provide the assurance and community support required. Moreover, it recognised that the DMP strategy would need to be implemented through a cross Whitehall approach and by aligning itself with other strategies (for example, a second wave of infections led by DHSC, or safer travel led by Department for Transport ("DFT")). It was noted that this was especially important given the cross-cutting nature of the DMP; no one department was responsible for the policy and communications in a distinct area of death management, meaning that collaboration and effective communication was imperative to success. We concluded that the main way in which we would enable this collaboration was via a weekly working group made up of all key actors in the departments. This is what ultimately led to the formation of the Death Management Ministerial Small-Group Meetings ("**Death Management MSGMs**") in October 2020, which I discuss further below in paragraphs 55 onwards.
50. On 12 July 2020, during a C-19 Strategy Committee Meeting, I raised that death management was a critical issue [PM/55 - INQ000088609]. Specifically, I noted that since March 2020, work had been carried out to understand existing capacity, including testing this against changing parameters such as the average length of time for body storage, and what additional capacity requirements this would create. I highlighted that the recommended policies in this respect had been consulted with key stakeholders, the funeral sector and faith groups. The work done in this respect indicated the need for national capability to supplement local capacity. I stressed that the overarching approach was to maintain continuity of standard death management practices as far as possible, even where national capabilities were required (such as smaller body storage facilities being co-located with existing mortuaries). Finally on this point, I advised the committee that work was being done to ensure that any contract to procure such a national capability would represent value for money and would

be flexible enough to meet needs outside of the death management space. Separately, I also noted that whilst Liaison officers had been placed into several LAs to assist those facing high pressures on response, those with low capacity, and/or those dealing with concurrent challenges (e.g., recovering from flooding) which was a positive, I advised the committee that LA's were under strain from a shortage in PPE, and that further action was needed in this respect (which was within the remit of DHSC).

51. In or around August 2020, MHCLG prepared guidance for LAs on public health funerals "Public Health Funerals – Good practice guidance (England and Wales)" [PM/56 - INQ000205549] on behalf of the DMP. I requested that this contain more flexibility on the nature of funeral services permitted, for example, I requested that if the deceased had been a veteran, that there could be a salute. This is illustrated in my WhatsApp message in the Team Penny group of 18 August 2020 [PM/1 - INQ00000000 exhibited above].
52. The CCS did well during this time and each department acted and delivered in their respective areas.

September 2020 – April 2021

53. During this period, I oversaw the work carried out by the DMP and implementation of the aforementioned plans and strategies, which in my view went well.
54. Following my raising of the fact that further action was needed in respect of PPE on 12 July 2020 [PM/55 - INQ000088609 exhibited above] and paragraph 50 above], by October 2020 DHSC had procured a large stockpile of PPE in case there were supply problems over the winter. At this time, guidance was also intended to be distributed to local planners to assist with how the additional PPE should and could be distributed to the funeral sector when demand was high (for example, what structures LRFs should have in place, and the obligations of LAs and what they could and should do to support distributions) [PM/57 - INQ000205552].
55. In October 2020, we began holding Death Management MSGMs with Ministers and representatives from DHSC, MHCLG, MOJ, DAs, HO, CCS and DWP. As

I highlight in paragraph 48 above, this was necessary as not one department had responsibility for death management, and collaboration and effective communication between the numerous departments involved was imperative to success.

56. During the first Death Management MSGM meeting on 13 October 2020, I asked DHSC to investigate the provision for PPE supply to the funeral sector in extremis i.e., where existing supply lines fail – for whatever reason. In particular, I wanted DHSC to investigate whether it was feasible for the funeral sector to be able to access PPE directly through the portal, rather than through LRFs to ensure that we were assisting the funeral sector, as best we could [PM/58 - INQ000205564] (Chair's brief), [PM/59 - INQ000205553] (Agenda), [PM/60 - INQ000007814] (Actions)]. As mentioned, we were dealing with a different situation to that which existed earlier in the year.
57. On 3 November 2020, DHSC responded, effectively turning down this request. In respect of the public sector, DHSC advised arrangements for the provision of PPE was via LAs directly or through LRFs where those in the sector did not have their own commercial arrangements in place. In respect of the private sector, DHSC advised that if private service providers found themselves unable to obtain the PPE required to continue operating through these channels, there was provision for those in the private sector to approach their LRF to discuss access to emergency supply, in extremis. In explaining the reasoning for turning down my request, DHSC stated that the portal was only one of the mechanisms that DHSC used to provide PPE, but was not the route used for the funeral sector (public or private) and that it had a limited capacity which needed to be prioritised for use by the health and social care sector [PM/61 - INQ000205554]. I was concerned that this really needed to be better thought through.
58. On 12 November 2020, I chaired another Death Management MSGM, in which I asked the CCS to undertake a review of data-sharing across the DMP to ensure Ministers and officials received timely updates on significant developments. No change was recommended, but we agreed to keep the situation under review [PM/62 - INQ000007820] (actions), [PM/63 - INQ000205555] (agenda), [PM/64 - INQ000007893] (Chair's brief).

59. On 9 December 2020, I chaired another Death Management MSGM, in which I raised with DHSC the fact that whilst it had confirmed in the letter dated 3 November 2020 (paragraph 57) that the funeral sector was to be supplied with PPE via LRFs in the extremis, this had still not been communicated to the funeral sector [PM/65 - INQ000205560] (agenda), [PM/66 - INQ000205556] (Chair's brief).
60. The next Death Management MSGM scheduled just before Christmas was cancelled, and I instead wrote to departments asking them to provide an update on the actions from the previous meeting.
61. On 21 December 2020, DHSC responded, reassuring me that in the extreme case that PPE could not be acquired through normal routes, the private funeral sector would be able to access PPE through their local LRF's PPE stockpile, and that the process for this had been agreed between DHSC, CCS, MoJ and MHCLG. DHSC reassured me that the DHSC PPE team had continuously consulted with select LRFs and LAs to ensure the plan's feasibility, and that communications had been sent to the funeral sector clearly outlining the process and DHSC's willingness to support the sector in this regard [PM/67 - INQ000205557].
62. On 5 January 2021, MHCLG provided me with an update on winter preparedness within the death management systems [PM/68 - INQ000205559 and PM/69 - INQ000205558 – sent to me on 8 January 2021]. It noted that the death management system was coming under increasing pressure during the winter period. To monitor and help manage these pressures over the winter months, MHCLG advised they would continue to liaise with the local areas and escalate any issues as they occurred, including through routes such as the weekly Death Management MSGM indicator review board which gathered real-time information about death management capacity around the country. It advised that LRFs at the time were reporting on a range of indicators, including storage occupancy and crematoria capacity weekly through return. Processes were in place to quickly respond and check-in with areas where there were any early indications of concern, so that support could be offered to address those concerns if required. It further noted that with the support of the CCS and MOJ, in mid-December 2020 MHCLG had held regional LRF workshops to discuss

the latest data and implications for capacity, and to share learning and experiences. Positively, it noted that at that point no issues or concerns regarding LRF's death management systems were raised, though it was recognised that the situation was evolving and follow up workshops were to be held at the end of January/early February 2021. MHCLG alongside the CCS had also developed a newsletter which was sent out to all death management single points of contact and the relevant government liaison officers, to enable a direct line of communication to keep them updated with the latest developments from central government and providing another route for local issues to be raised and shared. MHCLG advised they were intending to send a reminder on the processes and escalation routes, and the importance of providing up to date data, particularly through the critical winter period.

63. On 14 January 2021, CCS provided me with an update on its remit within the DMP covering resilience of the funeral sector and attendance of symptomatic mourners at funerals [PM/70 - INQ000205561] (and related Box Note [PM/71 - INQ000205562]). It stated that they considered there was sufficient body storage at both a national and regional level to cope with the demand at the time, and even on a more pessimistic outlook. It noted that current areas of immediate concern included Essex and Bedfordshire, where local disagreements was delaying the stand up of additional local storage capacity. The CCS advised communications were being sent to death management points of contact at all LRFs to encourage the proactive use of temporary storage facilities, and that they were continuing to emphasise this point. The CCS noted that MHCLG were working closely with Bedfordshire and Essex LRFs to address local challenges, and mutual aid with neighbours was being pursued. The CCS also provided a set of slides produced by Defence Scientist & Technology Laboratory analysts, considering the latest SPI-M projections, and looking at the implications for storage and cremation capacity, which showed overall, a reassuring picture on this issue, which was reflective of the messages the DMP was receiving from the funeral sector.
64. Whilst the death management system was coming under increasing pressure (as expected in the winter period) by January 2021 only Part 1 of Section 58, Schedule 28 *Powers in relation to transportation, storage, and disposal of dead bodies etc.* of the Coronavirus Act 2020 had been used and Part 2, had not.

Part 1 (information-requiring powers) provisions had been used by LAs to assist in data collection. Its purpose was to enable LAs and the government to develop a fuller understanding of where pressures were occurring in the system and allowed for targeted intervention to support existing processes. Part 2 provided for local and national authorities to be given additional powers to augment death management processes through direction of the death management system; however, they were only available if a strict criterion was met. Amongst other requirements, they could only be utilised if a national authority was of the view that the number of deaths was likely to exceed local capacity because of Covid-19. I consider that the fact these had not been used at this time as evidence that there was sufficient local capacity, which is what I had sought to address and achieve in my role overseeing the DMP.

65. On 18 January 2021, I sent a letter to CDL to provide an update on the work being carried out by the DMP and to assure him that the country's death management system was operating effectively and prepared to respond to the challenges ahead [PM/72 - INQ000205563] I highlighted:
- a. That the DMP had taken crucial steps to provide additional refrigerated storage capacity to help responders manage local, regional and even national demands in the form of some 200 refrigerated temporary mortuary units contracted through Portakabin and Elliott and deployed at 106 sites across the UK, providing capacity to hold 22,350 bodies, along with strategic reserve providing a further 1,370 spaces. Taken together, this offered more than double the 'normal' body storage available through the NHS and public mortuaries around the country.
  - b. The specially built units had been situated primarily on NHS Trust sites across the country to ensure they could be easily integrated into existing working arrangements. The reserve was to be deployed as necessary to respond to emerging pressures if it was judged at any time that existing capacity may be insufficient.
  - c. The funeral sector remained under pressure, particularly from staff absences, but continued to report no major issues at a national or regional level. On staff absences, self-isolation was particularly impacting workforces. The DMP were continuing to engage proactively with the

sector, emphasising the importance of resilient workforce plans and active recruitment, which were being implemented.

- d. Whilst case numbers had fallen back slightly, hospital admissions and deaths across the country would likely continue to rise throughout January into February 2021. Based on the latest modelling and understanding at that time, it was anticipated that there would be sufficient body storage capacity at both a national and regional level to meet demand taking into account the NHS and the locally sourced storage that was provided. This was important, as it provided a buffer to help manage short term pressures in local areas.
  - e. Whilst there was no immediate nationwide threat to the death management system, there were significant regional and local variations. Accordingly, MHCLG were in close contact with local death management points of contact, to ensure problems were identified well in advance, whenever possible. The DMP also had close links with the funeral sector, which meant we were often warned of emerging issues, which could be triangulated with what was being heard from LRFs and other sources. It was important we gathered information from a variety of sources to help our situational awareness.
66. The second wave of Covid-19 ultimately peaked on 19 January 2021. Whilst the funeral sector was under significant pressure during this time, the DMP processes that I highlight above ensured that this was well managed and that there was minimal detrimental impact on the funeral sector and public in the circumstances.
67. My WhatsApp messages in Team Penny illustrate that I wanted to provide a clear update to Ministers on the position with death management **[PM/1 - INQ00000000 exhibited above]**.
68. By February 2021, Covid-19 cases and associated deaths were steadily decreasing. During this time, the Covid-19 Taskforce had commissioned lessons learnt and considerations for the easing of restrictions on funerals and commemorative events **[PM/73 - INQ000205565]**. They wanted to ensure that in coming out of the lockdown they were as informed as possible from the

previous times; the DMP in general was very keen to continually learn and improve the policy and practice.

69. In February 2021, guidance in relation to testing and self-isolation was to be changed. Before the then recent national roll-out of asymptomatic testing, Government guidance was to arrange for a PCR test, following a positive LFD test. If the PCR test was negative, you could stop isolating. This change was to be an exception rather than the rule, with the exception only applying to those who worked in care homes, the NHS or schools. When I was informed of this, I pushed for the funeral sector to be included in testing and vaccination priority lists as well [PM/74 - INQ000205566, PM/75 - INQ000205567 and PM/76 - INQ000205568]. This push for the inclusion of funeral and death management professionals in vaccination priority lists was ultimately successful and progressed by DHSC, MHCLG and CO Comms [PM/77 - INQ000205573].
70. On 15 February 2021, I had been alerted to a Twitter post raising concerns that Leicester City Council were not able to bury people in a timely way, which was causing concern to the Muslim community; however, I was told by the CCS that the Muslim community representative in Leicester had been consistent in praising the efforts of death registration staff for keeping the system working in a timely way to meet the needs of the Muslim community, and that the CCS therefore suspected this was a local issue rather than anything more widespread [PM/78 - INQ000205571]. I followed this up with people on the ground and the Local Authority and was reassured in this regard.
71. In mid-February 2021, there was due to be a debate in Parliament and a vote to decide on whether the measures in the Coronavirus Act 2020 would be retained in March / early April 2021. In respect of the death management powers, generally, I made the case for the provisions not to be retained. By that point, the DMP and sector had coped well, and coupled with the vaccination programme it was unlikely the powers would be needed moving forward. I was also willing to review the individual provisions to consider them on a case-by-case basis as to whether they should be retained; but overall, I did not consider it desirable or necessary to retain provisions that were unlikely to be used. The CCS appreciated that the provisions may not be needed, but made the point that there was a high level of uncertainty about how the pandemic would evolve,



even with the vaccination programme. I was also concerned that we may not have certainty regarding future expenditure from Treasury regarding provision of body storage etc by the time we needed to make a decision on this (see paragraph 73.) Accordingly, I agreed that unless we were able to easily revive the provisions in September 2021 (if necessary) I was content for them to be retained in March / early April 2021 and onwards [PM/79 - INQ000205572].

April-September 2021

72. By April 2021, the number of Covid-19 deaths had significantly reduced as compared to earlier in the pandemic. During this period, I was responsible for overseeing the DMP as we continued a phased exit from lockdown and prepared plans for future death management.
73. On 19 April 2021, I wrote to the Treasury providing a business case and a request for financial provision to continue to be provided to the DMP so that we would be able to provide for up to a further twelve months of the centrally procured and locally managed refrigerated body storage capacity. I highlighted that the DMP had been successful throughout the pandemic ensuring that, despite the tragic death toll from the pandemic, the system had been able to cope, and those who had died during the pandemic were able to be treated with the dignity and respect they deserved. This was in no small part down to the centrally provided refrigerated temporary mortuary units, which provided a crucial buffer in many areas in England. Without this, bodies would have been stored in makeshift, often unrefrigerated places, moved to other parts of the country where pressure was less or, ultimately, we would have had to direct the disposal of bodies to protect public health. Despite the excellent progress with the vaccination programme, in April 2021, I recognised that there was significant uncertainty over the future evolution of the pandemic over the summer and even greater uncertainty over the severity of the challenges the country could face in Winter 2021. Accordingly, the retention of some centrally procured provision was a critical insurance policy at the time, which would provide a valuable and cost-effective buffer enabling the DMP to handle a surge in demand and other pressures on the system, and overall ensure that we could manage any challenges ahead. The centrally procured temporary body storage facilities

contracts in place at the time were due to expire in May 2021, and we proposed to retain around 40% of the then existing provision [PM/80 - INQ000205578].

74. In June 2021, the Treasury rejected the business case for procured temporary body storage facilities on the basis that there wasn't a demand for additional body storage capacity (in June 2021, there was 425 deaths caused by Covid-19). The Treasury was content, however, to revisit the need later in the summer or at a time or if an increase of infection leading to hospitalisations or if there was a clear trajectory of excess deaths that warranted additional storage capability [PM/81 - INQ000205606].
75. On 17 June 2021, a constituent of mine pointed out to me that there was conflicting guidance on attendance on wakes available on the government website. I requested that this was investigated and clarified [PM/82 - INQ000205610].
76. At the end of June 2021, I was briefed on DHSC's intention to suspend the Part 1 and Part 4 powers within Section 58 / Schedule 28 of the Coronavirus Act 2020 (Part 2 and 3 had already been suspended) with a view to all powers fully expiring at the conclusion of the Coronavirus Act 2020 debate in September 2021. My view was that we should suspend or revoke Parts as soon as we were able to do so [PM/83 - INQ000205612]. I was critical of the Treasury's processes which did not align with decisions required on the Coronavirus Act i.e., If we were going to roll on a contract it would be easier to expire Coronavirus Act provisions, but we would not know the outcome of that until after the decision needed on the Act.
77. In August 2021 towards the end of the transition period, there was some tension between the central government death management provisions and LA provisions relating to the central storage capacity contracts. I pushed for greater cooperation between LRFs and LAs to ensure there was as smooth a transition as possible in this regard [PM/84 - INQ000205616] and [PM/85 - INQ000205617].
78. Following the debate in September 2021, the powers in Section 58 / Schedule 28 of the Coronavirus Act 2020 were suspended.

## Weddings

79. In early 2021, I became temporarily responsible for assisting on weddings policy, to give as much certainty to the sector as possible, to develop future policies and enable couples to plan their day with confidence. Prior to this date, my involvement with issues around weddings had been limited to communicating advice to MPs via the Daily Calls or via formal Parliamentary Questions. In some cases, I had been reluctant to do so because it involved signing off answers on policy areas which I had not been involved in [PM/86 - INQ000205547 and PM/87 - INQ000205570] which says: "*PMG confirmed her main concern with the previous wedding letters was that the responses did not provide adequate detail or relevance to the issues raised*".
80. On or around 9 February 2021, CO and MHCLG correspondence teams emailed me to suggest that I take on "*anything related to Covid-guidance that doesn't already have a home. Current Qs on weddings go to the below depts, so it would just be outstanding issues: - MHCLG own faith-related Qs, MOJ own wedding law, BEIS own business Qs, DCMS own operational/wedding venue Qs*" [PM/88 - INQ000205569]. On 26 March 2021 I agreed to do the role related to helping on weddings. I pushed back on doing everything else that did not have a home in relation to answering Parliamentary Questions. It was not appropriate I answer Parliamentary Questions if I had no knowledge of whether the draft answer I had been given was correct or not.
81. On 16 April 2021, I was asked to assist the then-Minister for Small Business (Hon Paul Scully MP) on the wedding sector. "*PMG is going to be taking up a co-ordinating role on Covid/weddings policy. This is going to include some stakeholder/parliamentary engagement, and she's keen to kick off with engaging with weddings stakeholders, particularly Weddings Taskforce*" [PM/89 - INQ000205575].
82. I established a Weddings Task Force bringing all parts of the wedding sector together with Government. A large part of the role I played was in meeting with MPs who were particularly concerned about the plight of both couples and the wedding sector (see, for example, [PM/90 - INQ000205579]). I arranged a roundtable meeting on 21 April 2021 to meet with MPs and members of the Weddings Taskforce, to discuss their concerns [PM/91 - INQ000205577].

[PM/92 - INQ000205624] (Box Note), [PM/93 - INQ000205582] (note of meeting – circulated on 23 April 2021), and [PM/94 - INQ000205595] (MP roundtable Q&A follow-up 12 May 2021). The occurrence of the round table was also discussed in my Team Penny WhatsApps [PM/1 - INQ00000000 exhibited above]

83. My main concerns related to (1) the lack of join-up between the scientific advice and the policy, (2) the breakdown of decision-making structures towards the latter stages of the pandemic and (3) the lack of focus on real world events and decisions affecting the public when commissioning advice from PHE.
84. The document at [PM/95 - INQ000205576] dated 19 April 2021 outlines my initial concerns: that the policy on weddings should be based on what was necessary to stop the spread of the virus and should be sophisticated enough that people could understand the risks they were taking in each decision they made about their event. I was also concerned that there was huge focus on particular issues from PHE, which were totally irrelevant to couples or the wedding sector (e.g., can you safely throw your bouquet?) and there was an absence of advice on highly relevant issues, such as things you needed to consider if you were going to use the existing rules on socialising to throw a hen or stag event, for example how long before the wedding day would it be prudent to hold such an event.
85. One of the other ways we were trying to help businesses in the wedding sector was to ensure that they could access funding. We asked LAs to raise awareness of the availability of this funding (see, for example, [PM/96 - INQ000205603] MHCLG Bulletin\_ Wedding sector funding.docx dated 3 June 2021 – sent to me on this date), an MHCLG bulletin which went to all LAs. We also asked whether a wedding event could be included within one of the event pilot schemes, [PM/97 - INQ000205581]. It was later decided by others that this was not appropriate given the low number of permissible attendees. However, I asked that PHE be more proactive in gathering information of good practices and whether wedding events had exacerbated transmission. In my view, the summer months presented a good opportunity to do this.
86. I was concerned that I had been asked to address the issue of wedding guidance but had not been given any of the means to improve the situation.

Critical decisions were not taken in Covid-O meetings - but rather at No. 10 - and there was no forum with other Ministers to raise any concerns, unless you were part of the Number 10 operation. Accordingly, I sought a meeting at No. 10 to make a case for better guidance for the sector. Communication to the public was in my view poor in this area because those responsible did not appreciate the reality of the decisions which couples would be having to make. This was particularly concerning regarding the lack advice for hen and stag events, evidence for this includes [PM/98 - INQ000205605] on 8 June 2021.

87. Key documents to focus on are:

- a. [PM/99 - INQ000205580] (21 April 2021) is my initial note on a workplan for the wedding sector, sent to my Private Office.
- b. [PM/100 - INQ000205583] (26 April 2021) shows my pushing for a meeting with PHE and the Covid-19 Task Force and the lack of thought going into what advice the public needed. It notes that, "*Advice on step 3 and 4 doesn't grip the challenges we posed last week*".
- c. [PM/101 - INQ000205585] (28 April 2021) notes a meeting I had with the Covid-19 taskforce and PHE regarding weddings. I had asked to 'eye-ball' the person in PHE who was responsible for producing advice of safe practices. I grilled the PHE lead on the clinical need behind certain guidance. It became apparent that there was no need for some of it. I wanted to emphasise that they were working on utterly irrelevant issues and missing the topics that really mattered to people, where people really needed additional advice. The instance on restrictions which PHE had admitted there was no clinical need to retain were also frustrating compliance with rules that really did matter. This was the view of the Weddings taskforce. And example of this was the requirement of the father of the bride to wear a facemask while walking his daughter down the aisle. I asked for more information on the specific LAs that had problems with the registrar option, especially within Essex. I also asked for a letter to be sent to LAs on discretionary funding and an accompanying publicity campaign to ensure wedding businesses were getting access to business support funding we had made available. . It

was important to develop a good-practice guide between C-19/PHE and the Weddings Taskforce and using data cumulatively gathered.

- d. **[PM/102 - INQ000205584]** (29 April 2021) is a note to three officials in No. 10 on further support for the wedding sector, guidance and new suggestions to allow events to take place and to reduce risks.
- e. **[PM/101 - INQ000205585 exhibited above]** and **[PM/102 - INQ000205584 exhibited above]** "20210429 (OS) Further support for the Wedding Sector".docx dated 29 April 2021 proposed two options for the wedding sector ahead of step 4 – and three actions for the wedding sector including testing increasing pipeline of registrars and campaign for vaccinations.
- f. **[PM/103 - INQ000205587]** (30 April 2021) is more evidence of my lobbying and frustration at No.10.
- g. **[PM/103 - INQ000205587 exhibited above]** (30 April 2021) is the feedback I gave to my Private Office relating to a draft sub entitled "Weddings note to No 10" after my meeting at No. 10, PHE appeared to me to be very separate from the Covid-19 Task Force, and I wanted to get them in the same room. PHE was not working on the issues we needed it to, in relation to weddings, and the Covid-19 Task Force was not able to engage with Ministers, such as myself who had serious concerns about the current policy. I also wanted to raise the issue of information gathering about the risk to BAME communities, i.e., the data-gathering opportunities I thought were going to be missed over the summer of 2021 by not having a research programme in place for weddings as restrictions were lifted.
- h. **[PM/104 - INQ000205588]** (4 May 2021) is the cover email regarding the final note on wedding/reception guidance. **[PM/105 - INQ000205589]** discusses changes at step 3 of the roadmap.
- i. **[PM/106 - INQ000205590]** (5 May 2021) is a letter from Paul Scully to No. 10 endorsing our suggestions for improvements, as he was still the lead

Minister for the wedding sector **[PM/102 - INQ000205584 exhibited above]**.

- j. **[PM/107 - INQ000205591]** (7 May 2021) is a feedback note from No. 10 declining to have a meeting despite two Ministers asking for one on weddings. I was clear that we should not deviate from the roadmap and wedding suggestions would potentially be a significant divergence.
- k. **[PM/108 - NQ000205593 and PM/109 - INQ000205594]** show me continuing to push for meetings with No 10. The key No. 10 meeting(s) took place on 12 or 13 May 2021 **[PM/110 - INQ000205597]** – wedding meeting readout 13 May 2021, **[PM/111 - INQ000205598]** – weddings requests/progress tracker 13 May 2021, **[PM/112 - INQ000205599]** – PMG weddings call with No 10 12 May 2021, **[PM/113 - INQ000205602]** and **[PM/114 - INQ000205601]** and **[PM/115 - INQ000205600]** (13 May 2021) show feedback from the meeting).
- l. **[PM/112 - INQ000205599 exhibited above]** (13 May 2021) is an outline of my call with No. 10 where I raised the issue of poor communication. PHE had not responded to our requests to use the summer period to research into good practice around weddings. Faith communities needed additional advice as did BAME groups who were likely to be under-vaccinated. Minister Scully and I asked to be sighted on the evolving guidance for Step 4. I pointed to a disconnect between our requests and what was happening in practice.
- m. **[PM/113 - INQ000205602 exhibited above]** (13 May 2021) shows that I was continuing to raise my concerns about the guidance and the timings for the sector in relation to Step 4 guidance.
- n. **[PM/116 - INQ000205596]** is the brief for the Wedding Taskforce roundtable meeting on 19 May 2021.
- o. **[PM/117 - INQ000205607]** (10 June 2021) shows me trying to get a meeting with special advisors. I wanted a 'Dear Colleagues' letter issued as soon as possible and risk mitigation guidance to be published before the weekend but No. 10 didn't want a letter issued before the Step 4

announcement. I was not in agreement with this approach and continued to have concerns the 'FAQs' which was light on practical guidance and advice in certain areas.

- p. **[PM/118 - INQ000205608]** (12 June 2021) is a note called 'Weddings in Step 4 pause: Policy proposal and engagement' - outlining a capacity risk-based approach versus imposing a cap of 100 people for private gardens. I was concerned about this.
- q. **[PM/119 - INQ000205609]** (13 June 2021) - shows two important concerns I had. Firstly, about the practical problems of requiring table service in order for people to drink alcohol at weddings, and secondly that what we should be seen to be doing in Government differed from our expectations of the public at these special events. Specifically, I wrote: *"The huge problem with this is table service. The PM was pictured walking around drink in hand at his own wedding. Business events such as the G7 permit people to do this too. Crazy that we are requiring people to sit all day to be able to have an alcoholic drink. Public health have nothing to base this on and have not taken up any offers of help for info from the [weddings task force]. We must not go ahead with this."* In the note I also repeatedly asked what the Minister had done around hen and stag events, venues that had remained closed unnecessarily, the burdens on businesses and the guidance on testing and vaccinations, all matters which needed acting upon.
- r. **[PM/120 - INQ000091960]** (14 June 2021) show the actions of a Covid-19 Taskforce on Step 4 guidance and that the Covid-19 Taskforce were to undertake most of the relevant actions.
- s. **[PM/121 - INQ000205613]** and **[PM/122 - INQ000205611]** (29 June 2021) show me pushing for father-of-the-bride face-covering exemptions to walk their daughter down the aisle. **[PM/121 - INQ000205613 exhibited above]** shows No 10's refusal at this request.
- t. **[PM/123 - INQ000205614]** (30 June 2021) shows me pushing for better advice and risk mitigation for the sector.



- u. **[PM/124 - INQ000205615]** (8 July 2021) shows the Step 4 guidance.
  - v. On 20 July 2021, my Team Penny WhatsApp group shows that I was sent the brief for the Weddings Task Force meeting and I raised a number of questions regarding Step 4 guidance, insurance and grants **[PM/1 – INQ00000000 exhibited above]**.
  - w. A Box Note dated 22 July 2021 **[PM/125 - INQ000205514]** concerns Step 4 mitigation advice for weddings. My notes show me again raising the fact that there was still no guidance for hen and stag events. I was also concerned again about the Muslim community and the need for people to have PPE.
88. My role on weddings came to an end shortly after the rules around weddings were relaxed on 19 July 2021. Overall, I felt that the decision-making structures on weddings especially towards the end of the pandemic did not serve us well. I spoke to the Covid-19 Task Force about this. I also mentioned this at my exit interview with the CO.

### **Cyber Resilience**

89. In my role as PMG, I was lead Minister on defensive cyber security. At the start of the pandemic, I did some initial work to ensure that LAs and healthcare providers could withstand and reduce the risk of damage from cyber-attacks. I was concerned at the time that opportunistic actors who may wish to harm us may seek to increase the number of attacks and target organisations whose data we would rely on during the pandemic, given it was such a critical time for the country.
90. In March 2020, I asked that officials consider what steps they would want to take to prepare for a cyber attack on the public sector if it was to take place during a peak of Covid-19 and I queried whether refresher notices on cyber security were being provided to NHS teams given my concerns outlined above (paragraph 89) **[PM/126 - INQ000205518]**.
91. On 1 April 2021, I received a note from Government Cyber Defence providing me with the requested information on the wider public sector's ability to manage

a cyber attack during the peak of Covid-19. It outlined the preparedness of LAs and DHSC, Department for Education, and the National Security Secretariat [PM/127 - INQ000205524].

92. Following receipt of the note by Government Cyber Defence, I was confident that the NHS could continue in its existing programme on cyber resilience, but that there was room to make it more robust in time. I considered that LAs were not in a good place. A third of LAs were not doing even the basics required to sustain an attack. Accordingly, I commissioned GCHQ to make necessary changes to remedy this. I also sent in a 'hit squad' to each LA to check what changes had been made. I also recommended that a cross check of these LAs would be worthwhile to see if there was any cross-over, and lessons to be learnt. I raised these issues with the HO and advised that the CO would be willing to provide support in any way it could to better cyber resilience of LAs and the public sector [PM/128 - INQ000205542].

93. In fact, throughout the pandemic, we had no major issues with cyber resilience.

#### **Attendance at COBR and Covid-O meetings**

94. I attended some COBR meetings at the start of the pandemic before the CDL and PM started attending. As the situation with the pandemic was escalating globally, I had expected a ministerial COBR meeting would be called sooner than it was. When I did attend meetings, I was also very concerned at the volume of new and inexperienced Ministers around the table. As I have explained above, at the first COBR meeting I attended in respect of Covid-19 on 18 February 2020, I asked for the conclusions of Exercise Cygnus to be circulated amongst all new Ministers. This was not recorded in the minutes [PM/129 - INQ000056227]. I chased this up several times including in the TeamPenny WhatsApp group on 28 April 2020 [PM/1 - INQ000000000 exhibited above] but the full report was not provided until May 2020.

95. In the initial COBR meetings including one on 26 February 2020, it was raised that there was a huge variation in local plans to manage excess deaths and significant work was needed to be done to properly audit local plans [PM/130 - INQ000056216]. I asked that Liaison Officers be appointed for Local Authorities. They had a remit wider than death management but in relation to this particular

issue I asked that they provide a picture of how they and LRFs might cope with what was about to happen. An action was noted that the CO, working with the MHCLG would work to assess preparedness of local plans to manage excess deaths [PM/131 - INQ000056201]. On 4 March 2020, my Private Secretary updated me on the lack of progress against this task [PM/132 - INQ000205515]. During the COBR meeting on 4 March 2020, the MHCLG gave an update on readiness amongst LRFs and LAs in England. During this meeting, concerns were raised that sufficient resources were not in place to support LRFs and that they were not receiving sufficiently detailed information from central government. There was a call for extra resources from the centre to liaise with LRFs, Civil Servants, and military planners, to ensure granularity of information for readiness plans. I wanted LRF's and LA's preparations to be audited, so that any gaps or additional help we needed to stand up. Sir Simon Stevens supported this suggestion [PM/133 - INQ000056218]. An action was noted that the CO would work with MHCLG and the MoD to plan what resources and capabilities were required to support LRFs [PM/134 - INQ000056157].

96. Before the first COBR meeting the PM attended, I contacted him directly to raise the issue of protecting the most vulnerable, especially the elderly and those in care homes. I asked him to ensure that he grilled the teams at the meeting about the need to shield the most vulnerable and I was concerned we were not doing enough to protect them. He agreed via WhatsApp to raise this (although I do not have a record of this for the reasons highlighted in the 'Documents' section above). I was not allowed to attend the meeting myself as CDL had taken the lead for the CO. However, my junior official in my PO team was able to listen in via the 'backrooms' and I asked him to let me know if the PM raised this at the meeting. In due course, my junior official confirmed that the PM had indeed raised the issue and I understood that he recorded this in his notebook.
97. I also attended three GPSMIG in my role as PMG, on 14 April 2020, 1 March 2020 and 26 March 2020. Following the establishment of the Covid-19 Task Force on or around 5 June 2020, I attended Covid-O meetings. These were between December 2020 and September 2021. I chaired a total of twenty-two Covid-O meetings in CDL's absence. The dates of the Covid-O meetings that I chaired (and the corresponding Minutes/Secretariat Notes) are set out in the table below:

Date	Minutes/Secretariat Note
02/12/2020	[PM/135 - INQ000091108]
11/12/2020	[PM/136 - INQ000091126]
15/12/2020	[PM/137 - INQ000091138]
14/01/2021	[PM/138 - INQ000091827]
21/01/2021	[PM/139 - INQ000091818]
28/01/2021	[PM/140 - INQ000092313]
08/02/2021	[PM/141 - INQ000092088]
15/02/2021	[PM/142 - INQ000092359]
17/02/2021	[PM/143 - INQ000091859]
18/02/2021	[PM/144 - INQ000091748]
04/03/2021	[PM/145 - INQ000092377]
11/03/2021	[PM/146 - INQ000091808]
18/03/2021	[PM/147 - INQ000091992]
22/03/2021	[PM/148 - INQ000091847]
19/04/2021	[PM/149 - INQ000092098]
28/04/2021	[PM/150 - INQ000091924]
11/05/2021	[PM/151 - INQ000091930]
18/06/2021	[PM/152 - INQ000092085]
22/07/2021	[PM/153 - INQ000092096]
06/09/2021	[PM/154 - INQ000092115]
09/09/2021	[PM/155 - INQ000092171]
04/11/2021	[PM/156 - INQ000092233]
09/11/2021	[PM/157 - INQ000092229]
10/12/2021	[PM/158 - INQ000092231]
14/12/2021	[PM/159 - INQ000092234]

22/12/2021	[PM/160 - INQ000104607]
05/01/2022	[PM/161 - INQ000091579]
13/01/2022	[PM/162 - INQ000104605]
20/01/2022	[PM/163 - INQ000104606]
24/01/2022	[PM/164 - INQ000091582]
26/01/2022	[PM/165 - INQ000091575]
27/01/2022	[PM/166 - INQ000104602]
27/01/2022	[PM/167 - INQ000091561]
31/01/2022	[PM/168 - INQ000091577]
08/02/2022	[PM/169 - INQ000091581]

98. Covid-O was in effect an expedited write-round process for Whitehall. It occasionally provided a forum for some discussion or took a direction different to the one which the attendees had been expecting, but usually it was just a signing-off meeting. The agenda of the meetings was shaped by the Covid-19 Task Force Secretariat. It was often announced only hours in advance and papers were circulated very late due to the speed at which decisions were being taken during that time. I was not a decision-taker in the Covid-O meetings, but I did present the occasional paper to this forum, if it was within my remit, for example, relating to the DMP.
99. Key decisions were taken in small groups by Cabinet Ministers in consultation with scientific advisors, and Covid-O meetings were for the formal sign-off of such decisions. Occasionally, I pushed departments to publish clearer information on key issues as shown at various points in this statement.
100. In my view, although the Covid-19 Task Force did a good job of keeping on track decisions that needed to be made, but the Covid-O process did not allow people to raise serious strategic concerns. Even those making operational decisions needed a mechanism of being able to feed into policy where strategically the Government was going awry. Key decisions were taken by a small group of

people in No. 10. This became more pronounced as the pandemic moved on. I consider a small example of this to be the Government's approach to weddings where the views of those in No. 10 were somewhat disconnected to reality, as set out above. Governance structures evolved over the course of the pandemic and I became increasingly frustrated at the Covid Taskforce. As someone who chaired Covid-Os on a regular basis and had a good overview of several aspects of the pandemic response, I could only raise concerns in 1-1 messages to Ministers, not collectively with my colleagues. I could not have input on to the agenda. This was a huge disadvantage to Government decision making and situational awareness. I did raise my concerns with the Covid task force secretariat.

### **Daily Communication Meetings**

101. On 20 March 2020, I raised the need to have a communication channel so that MPs could raise any concerns. I set up a communication process to keep Parliamentarians informed about news and issues to help their constituents. I also used this system to raise their concerns with the CO, for example where there were shortages of PPE and other issues in practice, or gaps in policy. This consisted of a daily call, seven days a week, for many months, to which all MPs were invited. After these calls, all information in response to inquiries raised was placed on the parliamentary intranet.
102. I think the 'Daily Call' with MPs we provided was very helpful. It was a lifeline for MPs, many of whom were new from the 2019 intake. It was also very helpful in getting real-time information about what was happening across the country, and where there were gaps in information. My PO drafted minutes of these calls each day so that there was a record of what these issues were and there would also have been information on the Parliamentary intranet
103. The WhatsApp messages contained in the Team Penny group illustrate the many issues that I dealt with through the Daily Call.

### **Special Projects**

104. In my role as PMG, I was someone who could be deployed to oversee and assist in special projects. During the relevant period, I worked on the following special projects:

- a. Taking the Coronavirus Bill through Parliament between 19 March and 25 March 2020 and briefing MPs on the same beforehand. I gave evidence about this to the Public Administration and Constitutional Affairs Committee ("PACAC") on 14 July 2020;
- b. Listening in on the care working group to sense-check if things were going in the right direction and to support the social care minister, the Hon Helen Whately MP. However, I had no responsibility or authority over these policy areas, nor speaking rights at the meeting;
- c. Assisting with coordinating work across government to stand up a mental health strategy, together with the Health Minister, Rt Hon Nadine Dorries MP;
- d. Deputising for the CDL on several parliamentary engagements, including the PACAC hearing on 14 July 2020, as well as a further session before the PACAC on 4 February 2021 in respect of the use of data during Covid-19, specifically the fusing of information from different scientific disciplines.
- e. I oversaw CCS's engagement with Lord Harris as part of the National Preparedness Commission, overseeing engagement with the Joint Committee of National Security Strategy on biosecurity and national security; and
- f. I attended debates on behalf of the Government including the Covid-19 Inquiry debate and the Westminster Hall debate on vaccine passports on 10 April 2021.

### **Precautionary Measures**

105. Different parts of government appeared to introduce precautionary measures at different times. In the early days of the pandemic, my Private Office team advised me not to attend meetings at No. 10 in person. I decided to work

remotely from my House of Commons office rather than come into the CO. I told my PO that I wanted to protect myself in case the CDL became ill and I needed to step in. Occasionally I would need to work in more secure rooms so I would come into the CO for that.

106. In my view, the CO had not thought through the implications for its employees including contracted staff, for example, those who needed to shield or had loved ones who needed care. I pushed for the CO to quickly form a policy on this and raised this with CDL at Cabinet Office prayers (meeting).

### **General Resilience and Forward Looks**

107. As set out above, to assist with rewriting the UK's national resilience strategy, I requested all the National Security Council Ministerial Subcommittee on Threats, Hazards, Resilience and Contingencies ("**NSC (THRC)**") minutes between 2016 and 2019. In light of my review, I rewrote our strategy and changed our methodology to include much more external input and oversight. I established the UK Resilience Forum which met for the first time on 14 July 2021. The new approach took a whole-of-society view on resilience.
108. Towards the end of 2020, the CCS were developing a Resilience Dashboard, with the purpose of this project being to provide Ministers and senior officials with key data, drawn from HMG and open and commercial sources, on D20 and winter impacts. On 23 November 2020, I was asked to provide a steer on whether and how to share data with the DAs as part of the Resilience Dashboard. Of the options presented to me for data sharing, I selected Option 1; "*to share the dashboard in full – including data on reserved matters*". I felt it imperative to engage openly and collaboratively with the DAs, on all aspects of readiness preparations. Indeed, whilst chairing Quad meetings up until 23 November 2020, DA Ministers and I had agreed to facilitate data sharing arrangements to support cross-UK civil contingencies preparations. It was my view that, by employing this approach, the DAs could best consider UKG-held metrics and/or data during their preparation and response efforts [**PM/170 - INQ000205621**].
109. The National Security Risk Assessment of 17 January 2021 included the crisis capability review, risk assessment and risk planning, national security risk



assessment, national resilience and civil contingencies act review. I include a box note from that date and a letter from the NSA to CDL **[PM/171 - INQ000205513]**.

110. On 30 April 2021, the CCS were commissioned jointly with the Covid-19 Task Force and Department for Digital, Culture, Media, and Sport to produce a paper on Cell Broadcasting for the Covid-O Committee meeting on 11 May 2021 **[PM/172 - INQ000205586]**. The paper was circulated ahead of and discussed at the Covid-O meeting on 11 May 2021 that I chaired **[PM/173 - INQ000091912]**. The Committee agreed to all the proposals within the paper and subsequently, in line with the proposed timeline of operationalisation, the first live trial of the Emergency Alert System took place successfully on 25 May 2021, in Suffolk **[PM/174 - INQ000205604]**.
111. On 13 July 2021, I attended The Royal Over-Seas League (in collaboration with the Royal United Services Institute) to deliver a speech announcing the launch of a call for evidence for the National Resilience Strategy. My speech emphasised our vision for a whole-of-society approach to resilience, whereby, through the call for evidence - and other initiatives - we planned to create a future of resilience which leveraged partnerships between Government, businesses, communities, and individuals, along with international partners. Other initiatives, as part of this approach, include establishing the UK Resilience Forum ("UKRF"), which we positioned to become a visible symbol of the importance of partnership; and a means to engage on risk and whole-society preparedness. Fundamentally, the call for evidence was the first step in enacting this vision by providing the opportunity for all to share their opinions on ways to enhance our national resilience, and crucially, to root out and tackle any obstacles that hinder our progress **[PM/175 - INQ000205627]**.
112. Following the launch of the call for evidence, on 14 July 2021, I chaired the inaugural meeting of the UKRF **[PM/176 - INQ000205628]**. The meeting was well attended, including representation from each of the DAs, National Fire Chiefs Council, NHS England, Voluntary and Community Sector Emergencies Partnership, National Emergencies Trust, Citizens Advice Bureau and Equality and Human Rights Commission, amongst several other Government Departments, Executive Agencies and NGOs. The meeting was an insightful

one, beginning with the CCS presenting a Risk Horizon Scan and the plans for the National Resilience Strategy and call for evidence. After this, attendees were asked for their views on the call for evidence. Amongst the various important matters raised, the one I recall most vividly is the consensus of support amongst the forum for our Four Nations approach to resilience, something which I strove personally to advance (see paragraph 96 above). Since I have left my role as PMG the UKRF's work has continued, with meetings held on 3 May 2022 and 2 February 2023.

#### **What went well**

113. Throughout the pandemic the NHS, frontline care workers and LRFs did an incredible job, as did many businesses who rallied to help. Communities stepped up to help especially with the vaccination programme, and there was incredible community spirit shown, especially in the creation of the various community support groups. For the UK to be more resilient as a nation I think we need to ensure we build on these successes.
114. The DMP was handled particularly well. The team were pragmatic, sensitive, highly flexible, and delivered. The DMP team gave me good advice and I always had confidence we were going to be able to cope and that the experience of the bereaved would be dignified.

#### **What could have been done better**

115. In my opinion, Whitehall appeared more driven by the prospect of achieving immediate results, rather than determining what really needed to be done. Some issues we threw everything at, for example, the early ventilator challenge. Other issues it seemed to me were placed in the "too tough in-tray". There was insufficient focus on these issues. The challenge of shielding vulnerable people in care homes was one of these.
116. We relied on advice from organisations which were not fit for the purpose we tasked them with. For example, I felt that the Care Quality Commission, as an organisation, acted too retrospectively to be of use in a pandemic, and as you will see from some of my correspondence, I was very concerned about the infection control practices in a particular care home in my constituency and

asked for this to be investigated by a Director in PHE. It was investigated; however, the advice I had back was vague. It was clearly not an ideal situation, but it was deemed acceptable. Part of the rationale was that there was no way to proactively compel the LA to change its infection control practices. This example is illustrated in my WhatsApp messages to the Health Secretary and elsewhere. It will also be evidenced in my MP emails as it was a constituency matter. I can provide this with the consent of my constituents.

117. In respect of lessons to be learnt, in my view there was a need for better situational awareness and preparedness. More attention was necessary to consider and prepare for highly damaging or catastrophic events which were less likely to occur. This is now reflected in the methodology in our new resilience strategy. I also considered that Ministers should be better prepared and trained. Finally, decision making and information flow structures in Whitehall should be evaluated to improve performance, and external oversight and input should be utilised more.

#### **Concerns I raised**

118. I did all that I could to raise concerns and fight against decisions that I thought were a mistake, including those that fell outside the remit of my role. Some key examples of this included:
- a. My WhatsApp messages with Matt Hancock [**PM/5 - INQ00000000 exhibited above**] show that on 22 March 2020 I was asking about burials and PPE for the Muslim community, which he agreed to action.
  - b. On 2 April 2020 in a WhatsApp message to the PM [**PM/2 - INQ00000000 exhibited above**] I raised concerns about lines on PPE and ventilators being adrift from reality. I suggested that someone be tasked to monitor this.
  - c. On 22 April 2020 in a WhatsApp message to the PM [**PM/2 - INQ00000000 exhibited above**] I raised a number of points to be taken to Lord Deighton (who led the Government's efforts to secure PPE) and in particular raised my concerns about PPE and that advice from PHE was confusing. I also raised concerns about resourcing.

- d. As I have set out in this statement (above paragraphs 13 and 96), I raised concerns in respect of vulnerable people and the effort being taken to protect them. On 6 May 2020 in a WhatsApp message to the PM I raised concerns about other care settings beyond care homes and the need to look at safeguarding them.
- e. The inconsistency in vaccine and visiting rights policy between the general population and disabled people. I suggested that there be a policy sense check to look at the various groups in society, for example, people with learning disabilities in institutions, disabled people living at home, in sheltered living, or care homes and the relevant public body involvement (mental health trusts, LAs etc.)
- f. Another example of issues I raised relating to social care can be seen on 18 March 2020. The CDL was due to chair the Covid-19 GPSPMIG, and I raised that social care was a critical issue, that it needed focus and was a top priority. I suggested that we should give LAs a checklist of what was required/what should be being done, as I considered that the provisions in respect of the homeless should have been in place by then **[PM/177 - INQ000205623]**.
- g. Concerns about the guidance and rules around whether care home residents who wanted to go to a funeral were required to isolate afterwards and whether there were mandatory rules in this regard, or whether it was at each care home's discretion. I requested that if there were no mandatory rules, that we seek PHE's advice **[PM/1 - INQ00000000 exhibited above]**.
- h. On 9 May 2020, my WhatsApp messages with Simon Clarke **[PM/9 - INQ00000000 exhibited above]** show that concerns arose about possible plans to re-open places of worship and the potential increase of risk that could follow. I flagged this issue with CDL and Robert Jenrick.
- i. Concerns relating to monitoring the occupations of those dying from Covid-19 (see paragraph 44).

- j. On 15 September 2020 in a WhatsApp Message to Josh Grimstone (SpAd to CDL) [PM/178 - INQ00000000] I raised several concerns including that in Portsmouth and Hampshire life-saving treatment could only be accessed if you paid for a test, that healthcare and care homes were not being serviced and there were difficulties with QR codes not working on testing kits, preventing care homes from registering them. I was concerned at this time about a disconnect between the situation being presented by the DHSC and the reality of the situation. Josh Grimstone said that he would raise my concern with the Health Secretary's Special Advisers. I also raised concerns about 'Project Fairlight', the Government's table-top exercise in preparation for winter.
- k. Pushing for Exercise Cygnus to be shared, as set out above in paragraph 96. On a related note, a Box Note dated 10 September 2021 outlines my concerns in relation to the lack of Government exercises "*to simulate large scale emergencies in response to a notification of an upcoming meeting with MinAF on the National Exercising Programme.*" [PM/179 - INQ000205622].
- l. The wellbeing of key Ministers and officials. I was particularly concerned about the strain the Health Secretary was under, and also concerned the CO was not doing enough to protect Professor Chris Whitty from public harassment and requested that it was looked into, and if required, support was offered to him [PM/1 - INQ00000000 exhibited above].
- m. The lack of PPE provision to certain sectors and access as a priority for vaccination (see paragraphs 38, 50, 54, 56, 57, 59 and 61).
- n. Lack of cooperation at times between central government and LRFs (see paragraph 77).
- o. Rules surrounding weddings and the gap between reality and what PHE were focussed on; and
- p. The provision of PPE made for CO contracted staff.
- q. On 7 September 2021 I was given a box note ahead of a Covid-O on Thursday 9 September. The meeting, and box note, covered plans to

- improve ventilation for Autumn 2021. In response to this box note, I raised my concern that we were missing a trick with regards to leveraging private sector funding, [PM/179 - INQ000205622 exhibited above].
- r. My Team Penny WhatsApp messages [PM/1 - INQ00000000 exhibited above] overall illustrate the many issues that I raised and passed on to the appropriate department for action or provided a steer on. I do not intend to raise all of those matters within this statement as they are well set out in the Team Penny WhatsApps, but they included; ventilators and offers of support in this regard, support for the care sector, support to faith leaders in respect of the issue of excess deaths and burials, PPE delivery issues, re-opening of schools, face masks for those with physical or learning difficulties, access to Covid-19 testing centres, delivery of vaccines for those with needle phobia. I believe that these messages show that I raised concerns when needed and in particular had the needs of the vulnerable front and centre in my mind.
- s. In March 2020, I was asked to provide support to the Care Minister, the Hon Helen Whateley MP, at the time, she was a new Minister and had been provided with little support to stand things up for social care. From March 2020 onwards, I provided her with general support, answering queries and providing information requested or anything I thought would be helpful to her and the sector. On or around 7 May 2020, I spoke with the Health Secretary and CDL by WhatsApp to request that extra support be provided to social care and that she be provided with help from more senior officials, although my messages to the CDL are missing (see paragraph 18 above) [PM/3 - INQ00000000 exhibited above]. My WhatsApp messages with the Care Minister [PM/6 - INQ00000000 exhibited above] show the support I was seeking to provide to her both as a Minister but also in respect of concerns around the support being provided to the social care sector including; the pace that support was being provided, frontline social care issues and the need for sufficient alternative accommodation to quarantine and isolate residents returning to their care home from hospital. In my view and experience The care Minister was not given the resources she needed- in particular high calibre civil service support - to do the job required of her.

- t. I had concerns about vulnerable people in social care, care homes and in other institutional settings; I raised these concerns repeatedly, as seen in my WhatsApp messages and as explained above. I was also concerned about the suspension of care packages. There was a danger that the facility would be gone for some time, and that LAs might be slow to reinstate it. This would have had a highly negative effect on those individuals.
- u. At certain times, I was concerned about the timings of some announcements and inconsistencies in policy. For example, I understood the desire to give people some hope about the first Christmas and not lockdown, but people needed to make plans and so early notice would have been the best policy. Similarly with the lifting of restrictions, early notice would have helped businesses.

**How do you believe Ministerial breaches of rules affect public confidence?**

- 119. I do not think the breaches affected people's compliance with the rules - the public understood the connection between their actions and keeping themselves and others safe. I would say it may have had a negative effect on public morale though, and certainly ran the risk of encouraging non-compliance.
- 120. I was also concerned about how guidance that was being given out and new rules would be seen in contrast to our own actions, even if they were not breaches of rules (but where guidance was not being followed). I had also been critical of Dominic Cummings in May 2020. I was sympathetic to the situation he found himself in - he was not someone who could necessarily rely on his neighbours for help; however, I think the way it was handled was more damaging to public confidence than any breach of the rules, *per se*. I publicly went on record on this in a letter to my constituents. This was not appreciated by No. 10, but I felt it necessary to address the concerns of my constituents and do what I could to try and keep compliance with the rules. Evidenced in a WhatsApp conversation 27 May 2020.

**Statement of Truth**

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

Signed:

Personal Data

Dated:

7/9/2023