

104. The 4 nations forum was the primary means of regular engagement between UK Government and each of the devolved administrations. The meetings were commonly described as '4 nations calls'. The forum was not a formally constituted body set up under legislation, or by way of agreement, unlike, for example, the JMC. In terms of the ownership of this body, UK Government instigated the meetings and chaired them. However, the calls were a means for UK Government to communicate decisions and the devolved administrations to provide input and exchange views.

105. The calls were usually chaired by CDL. I believe that Michael Gove as CDL was effective in chairing these meetings, communicating information as required to the devolved administrations and taking on board, with a view to communicating back, any input or concerns we had in relation to the matters discussed. It was useful and important to have one main point of contact for continuity of communication between the leaders of the devolved administrations and UK Government.

106. The 4 nations calls would generally be scheduled to take place every week on a Thursday, but the timing was altered as needed and often the meetings were arranged at fairly short notice, and often just prior to UK Government making an announcement. I consider that, generally, the purpose of these meetings was to communicate what was going on at Westminster, and the decisions that had been reached by UK Government, rather than seeking the opinion or input of the devolved administrations into those decisions before they were made.

107. Notwithstanding this, there was, however, a general recognition that to ease understanding of all citizens there should be a 4 nations approach to the response even if that meant, particularly when it came to considering the lifting of restrictions in or around May 2020, that the administrations would lift restrictions at different speeds according to each region's needs. See, for example, my notebook entry of 5 May 2020 (AF2/44 [INQ000232555]).

The role of the Prime Minister in 4 nations calls

108. On occasion, the Prime Minister Boris Johnson chaired these calls rather than Michael Gove. It is likely that the Prime Minister considered, or was advised, that it was important for him to engage directly with the leaders of the devolved administrations from time to time from a political perspective. However, while the Prime Minister's presence tended to signify that the matter to be discussed was

devolved administrations 'emergency powers' to enable public bodies to respond to the pandemic. The powers were designed to be switched on or off as necessary.

178. In Northern Ireland, the Health Protection (Coronavirus, Restrictions) Regulations (NI) 2020 came into effect on 28 March 2020 using emergency powers conferred by the Coronavirus Act 2020. These regulations were revoked by the Health Protection (Coronavirus, Restrictions) (No.2) Regulations (NI) 2020 which came into effect on 23 July 2020 and became the principal regulations. These were subsequently revoked by the Health Protection (Coronavirus, Restrictions) Regulations (NI) 2021 came into effect on 9 April 2021. At each stage the regulations were amended as necessary.

The Sewel Convention

179. The UK Government measures announced applied to, and could only be implemented in, England as many relevant matters were devolved, most notably health. For UK Government to have imposed a 'one-size fits all' approach across the four nations would have been very difficult politically and practically. As the Inquiry is of course aware, there are different systems for health and social care, and education, as well as differing local government structures and often differing legislation regulating many aspects of daily life across the four nations. To take education as an example, Northern Ireland has a different schooling system with differing exam and holiday periods. To impose school closures without regard for those differences would have led to chaos and confusion. Therefore, while it would have been possible for UK Government to impose emergency legislation operative across the four nations, I believe this would have very quickly become unsustainable and unworkable, and would not have respected the principle of devolution. After the initial emergency had been dealt with, it would have become necessary for each devolved administration to take back control and legislate separately to account of regional differences. As such, it was wholly appropriate for UK Government to seek legislative consent from the Executive before incorporating Northern Ireland clauses into the Coronavirus Act 2020, in line with the Sewel Convention.

The Civil Contingencies Act 2004

180. So far as I am aware neither the Executive or the deputy First Minister or myself, were consulted on the use of public health legislation as the legal framework governing the response to Covid-19 rather than the Civil Contingencies Act 2004. I