

Obviously, this and the preceding factor were often linked – when the number of Covid cases or the R number or the numbers being admitted to hospital were higher in Scotland than in England, we were likely to favour a more cautious easing of restrictions than the UK might have been favouring at that time.

- a difference of opinion over what level of virus it was acceptable or sensible to 'live with' before vaccines/treatments were widely available. The Scottish Government's position – in light of the serious health harm that the virus was capable of causing, including long Covid – was that we should seek to suppress it to the lowest possible level. The UK Government did not always seem to agree with this.

8. I am asked if I agree with Boris Johnson's suggestion that the Scottish Government was said to have taken an approach that was "perhaps different for the sake of being different"? The answer is that no, I disagree strongly. Moreover, I do not believe there is any evidence to support such a statement. It is for the Inquiry to scrutinise and assess the quality of the Scottish Government's decisions and decision-making processes, but I know that we took decisions at all times based on our best assessment, combining evidence and judgment, of what were the most appropriate actions to minimise the harms of Covid amongst the Scottish population. There was no ulterior motive whatsoever, including that suggested by the former Prime Minister.
9. It may also be worth pointing out the Scottish Government's decisions did not just result at times in divergence with other UK nations (although it tended to be in close alignment with the other Devolved Administrations). When necessary, we also took different approaches in different parts of Scotland, reflecting varying levels of infection – as indeed the UK government did within England.
10. On Boris Johnson's retrospective view that the Civil Contingencies Act 2004 should have been used to ensure consistency between the nations, no, I do not agree. In my view, it would have been wrong to have either consistency (or divergence) as the objective. Our objective was to minimise the overall harm done by an infectious virus, the spread of which was not uniform in all parts of the UK at all times. This required flexibility and judgment, which devolution