

Witness Name: Paul Wheelhouse

Statement No.: 1

Exhibits: [PW]

Dated: 18/12/2023

UK COVID-19 INQUIRY

WITNESS STATEMENT OF Paul Wheelhouse

In relation to the issues raised by the Rule 9 request dated 16 June 2023 in connection with Module 2A, I, Paul Wheelhouse, will say as follows: -

1. I am Paul Wheelhouse of Ettrick Riverside, Dunsdale Road, Selkirk, Scotland, TD7 5EB, where I am Head of Energy Transition at South of Scotland Enterprise, the recently established economic and community development agency for Dumfries and Galloway and the Scottish Borders.
2. I have worked for South of Scotland Enterprise since 23rd November 2021. My employer is a non-departmental public body established on April 1st 2020 under the South of Scotland Enterprise Act 2019, and is accountable to Scottish Ministers.
3. Of direct relevance to the matters being considered by the UK Covid-19 Inquiry, over the period between January 2020 and May 2021 I served as a Member of the Scottish Parliament and, at the outset of the declared pandemic, held the portfolio of Minister for Energy, Connectivity and the Islands within the Scottish Government. This specific portfolio involved leading on energy policy, energy consents, delivering Scottish Ministers' broadband and mobile infrastructure programmes, implementation of the Islands (Scotland) Act 2018, and delivery of Scotland's supported ferry services.

4. The portfolio holder also served as the Junior Minister within the portfolio of the Cabinet Secretary for Transport, Infrastructure and Connectivity, Mr Michael Matheson MSP, for whom I deputised, when required.
5. As at January 2020, I had held the Energy, Connectivity and the Islands portfolio since June 2018. By that time, I had served continuously as a Scottish Minister, in a total of four portfolios, over the period since September 2012. On 20th May 2021, when a new Scottish Government was formed, I formally left office as a consequence of having lost my proportionally elected seat as a Regional MSP for South Scotland in the Scottish Parliament, following the 2021 Scottish Parliament election.
6. I have prepared this statement myself by reference to records and material provided to me by the Scottish Government. I have also received assistance in terms of a briefing on the proceedings and its objectives, and accessing resources from my time in Government, from the Scottish Government Covid Inquiry Information Governance Division.
7. Unless stated otherwise, the facts stated in this witness statement are within my own knowledge and are true. Where they are not within my own knowledge, they are derived from sources to which I refer and are true to the best of my knowledge and belief.
8. [References to exhibits in this statement are in the form [PW/number - INQ000000].]

Professional Background

9. Prior to my election to represent the South of Scotland in 2011, I had previously worked as a professional economist in consultancy since 1992 and had therefore developed a sound analytical capability in relation to demographic and socio-economic data, albeit not medical, epidemiological or scientific data.

10. In a voluntary capacity, I had from served for several years as a community councillor in Cockburnspath and Ayton Community Councils and, through those voluntary roles, had gained some understanding of community resilience planning within the Scottish Borders Council area. However, I had no prior experience, other than as a patient, husband and parent, of health policy or practice.

11. My modest involvement in subsequent development of Scotland's Covid-19 response was therefore entirely related to my role as a member of the Scottish Government ministerial team and as an MSP for the South Scotland region. In addition, I drew upon policy advice and briefings and wider experience gained in my, by that time, more than 7 years of service as a Minister.

12. In chronological order, my previous roles in Scottish Government had been as:
 - a. Minister for Environment and Climate Change (September 2012 - November 2014);
 - b. Minister for Community Safety and Legal Affairs (November 2014- May 2016);
 - c. Minister for Business, Innovation and Energy (May 2016 – June 2018); and
 - d. Minister for Energy, Connectivity and the Islands (June 2018 – May 2021).

13. In my previous Environment and Community Safety roles, I had had exposure to participation in well-established Scottish Government Resilience Room (SGoRR) meetings and had chaired sessions of SGoRR as Environment Minister in response to flooding and severe storm events.

14. In my role as Business Minister, I had previously co-chaired meetings of Life Sciences Scotland and had launched Scotland's Life Sciences Strategy, so had a degree of familiarity with the sector. However, it is important to stress that, like most of the population we serve, I had had no theoretical or practical experience of preparing for or responding to a pandemic such as that which unfolded for Covid.

Relationships with Local Authorities and Local Elected Members

15. In respect of relationships and communications, including joint decision making, between Scottish Government and local authorities within Scotland during the course of the pandemic, I chaired a number of Microsoft Teams meetings with the Islands Authorities (these being defined under the Islands (Scotland) Act 2018) to convey Scottish Government policy, as it developed, and to hear feedback from those local authority leaders and senior officials on Covid-19 measures. We also used the existing structures such as the Islands Strategic Group and Islands Transport Forum meetings, which I chaired, to keep in contact on Covid-19 matters, but these meetings also had to cover other important items of value to the Islands Authorities.
16. Typically, a senior health policy colleague would attend meetings where it was necessary to explain any underlying assumptions or science associated with any changes in decisions on movement restrictions, physical distancing measures on public transport, regulatory changes for business operations or wider restrictions. On a number of occasions, the national Clinical Director, Professor Jason Leitch, attended those Covid-19 focused meetings to provide expert input to any question and answer element to the meetings.
17. I recall there was considerable pressure from Islands Councils, and Orkney Islands Council in particular, to relax restrictions for Islands communities and within Islands areas, while infection rates and case numbers were very low or negligible. I believe this direct interaction with senior clinical and scientific expertise was helpful for the local authorities themselves, but the feedback from Islands stakeholders was also of value to me and my colleagues in the Scottish Government and, especially, Scottish Government Islands Policy and Transport Scotland officials.
18. We applied a similar approach to briefing meetings with Members of the Scottish and UK Parliaments representing the Islands areas, in recognition of their key leadership and communication roles at a local level. Again, the senior health officers' presence was of great value.

19. As regards when I first heard of Covid-19 in an official capacity, I cannot recall exactly when this was. However, I believe it was first discussed in a portfolio context at or round the end of January 2020 or the beginning of February 2020.
20. It was evident almost immediately, however, in my recollection, that whatever impact we would ultimately see, that we were likely to see significant redeployment of staff from our own and other portfolios to address the public health emergency that it constituted.
21. It was not immediately clear to me, as an individual, what would be the appropriate response, and I entrusted health decisions to senior colleagues, but within my portfolio we started to think through the impacts for the sectors we were responsible for, and to identify stakeholders we would need to engage with. We also to consider those other policy development initiatives that would need to be proactively paused entirely, or at least slowed down, to release staff members to assist health colleagues with casework. Naturally, my own thoughts, and I am sure those of others, were also turning to how vulnerable members of my own family, community, friends and colleagues might be impacted.
22. While I was neither a member of Cabinet, nor was I regularly attending Cabinet in this period, but I did participate in our portfolio pre-cabinet briefings for Mr Matheson and, in that, and otherwise, I have a strong recollection from conversations with senior ministerial colleagues and others, of an immediate change in the atmosphere at Parliament and within Government.
23. I recall that, in general, there was initially some uncertainty, because details on the impact of the virus and its symptoms were limited; of course that continued to change throughout the pandemic, but in my recollection there was very soon a sense of foreboding that descended as to the seriousness of the virus.
24. There was a sense that Covid-19 was already proving to be spread rapidly in Wuhan and wider China and was having a reportedly high mortality rate in communities where infection rates were really taking off. Therefore, I believe while specific issues and measures that would be required were not necessarily fully understood in those early days, I am absolutely certain that the Scottish

Government recognised that there were potentially very grave implications for Scotland and the World and, indeed, that also seemed to be recognised in early UK Government briefings.

25. I would describe the mood within the Government as being that one that was sombre, but that colleagues were determined that the Scottish Government and our Parliament would respond well. It was, I am sure, recognised that there would be profound implications for Scotland and the UK and the sense of responsibility sat heavily on our shoulders.
26. In my view, it felt obvious that as Covid-19 was presenting as a novel, highly infectious virus which made people very seriously ill and for which there was no vaccine, this meant that there was a high risk that those who became infected may face a severe risk of mortality. Preventing it reaching our shores was likely to prove very difficult without quite profound changes to travel and normal day-to-day activities and it was apparent that no such changes to travel arrangements were made and the UK remained open to international movement of travellers.
27. I was not, to the best of my recollection, involved in any discussions within Scottish Government or our agencies, or with UK Government, transport providers or stakeholders regarding either the NIKE conference or the Scotland vs France Six Nations rugby international.
28. Regarding my understanding of the Scottish Government's initial strategy in relation to COVID-19, during January to March 2020, and whether the concept of 'herd immunity' was considered as a strategy for responding to COVID-19 during this time, I can only speak from my own direct experience. I am not aware of it having ever been within the SG strategy, which was initially seeking to contain the virus and then to delay its spread, to buy time for the development and distribution of vaccines. I heard a number of times of the concept of herd immunity being discussed, as it related to Covid-19, in the broadcast media by interviewees and journalists.

29. I had heard of the concept previously, in relation to the rationale for vaccinations for other significant viral illnesses like Polio, TB, Measles, Mumps and Rubella, and that vaccination of a high percentage of the population could, in effect, lead to a collapse in cases. I knew that annual flu vaccinations were aimed at a similar effect, to protect the vulnerable.
30. However, I had not heard 'herd immunity' being used in the context of Scottish Government briefings or internal meetings on Covid-19 itself. In my recollection, the assumed mortality rates from the first wave of infections in China and, later, in countries like Italy, and at that time the fundamental issue of there being an absence of any vaccine for Covid-19, meant that that approach was not a viable one. However, I was not at the heart of decision making so do not know if that was considered by UK or Scottish or other devolved government ministers or officials. While the UK Government Covid-19 tracker briefings contained data on potential spread of the virus, and the potential for large scale fatalities in the absence of policy interventions, I do not remember if the material citing the term 'herd immunity', either. If it was mentioned, it did not register with me.
31. As regards whether the Scottish Government should have made more or fewer decisions independently of the UK government during this stage of the pandemic and whether the Scottish Government was curtailed in any way by the decisions of the UK government during this stage of the pandemic, I can only relate what I recall believing at that time, to the best of my recollection.
32. I recall believing there was a distinct desire for an earlier intervention in Scotland. While I was not privy to the Cabinet discussions themselves and had not been privy to details of SCANCE papers on a routine basis, there was certainly discussion that lockdown measures to prevent the spread of the virus might be required, but that without the required legislative powers to deliver a full lockdown in a way that would be in line with businesses' insurance policies, meant that this was something the UK Government would be required to trigger and then the Scottish Parliament would require to pass regulation to implement this in an expedited timescale to implement complementary regulatory changes in Scotland.

33. Similarly, the Scottish Government, due to the fiscal framework in which Scotland's parliament and Government sits, did not have sufficient financial borrowing powers or reserves to instigate a furlough scheme, unilaterally, to protect businesses from the economic shock. I was aware from briefings with the Office of the Chief Economic Adviser and Cabinet Secretary Hyslop, and from discussions with Energy businesses active in Germany, that the German Government had implemented its Kurzarbeit furlough scheme and this, to me, seemed like a very positive step and sensible route to allowing a lockdown while preventing mass unemployment and financial hardship.
34. My recollection, as someone who was not close the Cabinet and COBRA discussions, but who did observe SGORR discussions, was that Scotland could not act unilaterally.
35. On immigration powers, again, it was my understanding that while Scotland did not have the authority or control over UK border controls to control international movements by Scottish residents and others. This would have had value in reducing or eliminating the risk of inbound cases arriving on international flights, for example, or for passengers taking connecting flights from hub airports such as Heathrow or Gatwick arriving in Scotland. It looked to me that, as our powers were limited in some key respects, this would require a UK wide response and could only go as far and as fast as UK Ministers were prepared to go on that issue. I believe the First Minister also seemed keen to pursue a 'Four Nations' approach and to be seen to be collaborative at a time of a worldwide emergency.
36. As regards my inputs to decisions taken by the Scottish Government, in the key period between January and 20th March 2020, my own role was initially quite limited, and I only had internal discussions with the Cabinet Secretary and participated in meetings with other Ministers to be briefed on the Scottish Government's approach. I cannot remember the details of points raised in free flowing discussions, but I had, at that point, to my recollection, not provided any specific briefings up to the First Minister or Cabinet. I later made inputs through chairing engagement with multiple stakeholders in critical infrastructure sectors and feeding resulting information back to health colleagues via my portfolio policy officials.

37. My involvement became more frequent and substantive as we sought to engage with employers in sectors like energy, transport and telecommunications, relevant trades unions, and key industry stakeholders, like Scottish Renewables and Oil and Gas UK, on the consequences of lockdown and in helping shape the regulations. I was aware of the initial focus being as best as possible to stop the virus entering Scotland, but once the virus hit Scotland and caused the first tragic loss of lives, the Scottish Government's position then shifted to delaying its spread of Covid-19 and protecting/shielding those most vulnerable until such time as a vaccine or vaccines could be utilised.
38. I had no direct involvement in the initial strategies regarding community testing and surveillance of COVID-19, or on the key decision to move from containment to delay, nor regarding the discharge of patients into care homes and guidance and advice to health and social care providers. One area I did participate in discussions on, with transport officials and Mr Matheson, was regarding arrangements for school transport, given the impact on capacity of social distancing on school buses.
39. I cannot recall sufficiently what assessments were made on these matters, other than all regulations introduced to the Scottish Parliament are required to be considered in light of an Equalities Impact Assessment and, since the Islands (Scotland) Act of 2018 was passed, to take into account any differential impacts on Islands communities. As part of the former, the Equality Impact Assessment would seek to identify the needs of more vulnerable individuals with disabilities and impacts on these or other protected characteristics under The Equality Act 2010.

Flows of Information and Engagement between Scottish and UK Governments

40. I believe the flows of information between Governments were helpful, and that all parties wanted to work together in common cause. There were regular meetings between myself and Scottish Government officials with our Devolved Administration and UK Government Counterparts in Energy.

41. I also stood in for Cabinet Secretary, Mr Matheson, in a number of four nations meetings with Department of Transport, Welsh Government and Northern Ireland Executive ministers and officials – see document PW/INQ000249319 re *‘Ministerial Public Engagements - January 2020 to April 2022’* for references to four nations transport discussions on 15th, 24th and 30 April, as well as 8th and 21st May and 4th June and bilateral meetings with Kwasi Kwarteng MP, Minister of State for Business, Energy and Clean Growth on 9 April, 5th May and 1st June.
42. There was a break in these meetings, before resuming in September through to December 2020. While these meetings were welcome, there was only limited time with the Minister due to his wider portfolio pressures and we were typically unable to get through all matters we wished to discuss in as much detail as we would have wished. Nevertheless, it set a positive atmosphere for inter-Government working and I believe there was a genuine attempt to work collegiately on all sides and officials maintained close contact with counterparts.
43. In order to support a collaborative response to the particular harms caused to the oil and gas sector and its supply chain, including precipitate slowdowns in subsea and decommissioning work, BEIS observers were invited to attend meetings of the Scottish Government Oil and Gas and Energy Transition Strategic Leadership Group, which we increased the cadence of from a quarterly to a monthly frequency in ‘taskforce mode’ to reflect the urgency of the sector challenges. Meetings were held with the SLG on 10th March, 2nd April, 7th May, 4th June, 2nd July, 6th August, 3rd September, 8th October, before moving to meeting every two months, i.e. 10th December and 11th February.
44. I believe these SLG meetings, which were well attended and had senior industry, Oil and Gas Authority and Oil and Gas UK were greatly appreciated by industry and we were able to ensure we kept in communication with industry stakeholders on matters of relevance to quarantine, testing arrangements, and self-isolation prior to going offshore and on return from offshore. These complemented meetings with the OGUK’s Offshore Contractors Council, OGUK Operator Advisory Council and North Sea Transition Forum chaired by the Oil and Gas Authority, e.g. the latter met on 7th December 2020.

45. In parallel, I co-chaired a number of meetings of the Renewable Energy SLG, Energy Networks SLG, Scottish Offshore Wind Energy Council, and Marine Energy Working Group, that provided a forum to engage with industry stakeholders on Covid-19 matters as well as planned business to support the sector.
46. As regards other areas that worked well, I think our briefings to islands MSPs, MPs and Local Authority partners worked well, due to the ability of attendees to interact directly with Ministers, officials, Health officials and the National Clinical Director.
47. The work of the Scottish Government's Islands Policy officials (almost all of whom were islanders themselves) was exemplary in helping exchange information and addressing specific issues that arose in islands contexts, due to disruption to supply chains for food and other essential goods, medicines, medical appointments, etc. Ensuring islanders could continue to make it to emergency medical services on the mainland, or to keep vital appointments for urgent medical treatment such as chemotherapy or radiotherapy services, was of the utmost importance. I am proud of the dedicated work my officials did on our behalf, daily, in working long and often anti-social hours with colleagues in Transport Scotland, CalMac, Logan Air, NHS colleagues and other transport operators to ensure to the best of their ability the continuity of services and, ultimately, that patient safety and outcomes were not compromised.

Role in Covid-19 Public Health Communications

48. My role in terms of public health information was to feed into Transport, Infrastructure and Connectivity portfolio discussions on communications on press releases, use of mobile, roadside advisory signage by Transport Scotland and information on social distancing, ticketing, booking arrangements and mask wearing on public transport in all modes. Further, I was involved in a small number of discussions with Caledonian MacBrayne and Northlink Ferries management, Transport Scotland Comms officials and Special Advisers on how to communicate changes in social distancing and other matters on our ferry operations across Scotland. Similar discussions were had between officials and counterparts running Council managed ferry services in Orkney, Shetland, Argyll and Bute and the Highland Council areas, to request consistency of messaging.

49. Where possible, aside from briefings, I also watched, live or on catch-up in the evening, the daily briefings by the First Minister and other senior figures and the responses to press questions; this was to try to ensure I was up to speed with nuances within the evolving narrative on measures and Covid-19 impacts on the NHS, the need for restrictions and next steps on interventions, and to ensure as best I could be consistent in my support for that narrative in my capacity as both regional MSP and as a Minister.

50. I know those daily briefings by the First Minister, particularly during the period until early 2021, were well regarded by my constituents, regardless of their political affiliation, as well as friends and family members, who found them highly informative. I believe it helped viewers understand the science of how the virus was transmitted, its effects and symptoms to look out for and to inform them as to the restrictions and how they impacted upon their lives and how social distancing and mask wearing helped slow down infections. It was not unusual to overhear members of my own community exchanging views on the latest statistics and news while taking walks past my own garden. Many seemed very well informed.

51. The contributions of the Chief Medical Officer, Chief Nursing Officer and NHS Clinical Director in the daily briefings were highly valuable, in my opinion, as were periodic appearances by the Deputy First Minister, Health Secretary and other Senior Ministers. While the UK Government also held similar briefings, these became increasingly unhelpful as there was policy divergence as they would then be discussing measures that did not apply in Scotland, or at least were different to those applied here. I formed a view early on that I would get everything I needed from the Scottish briefings. However, I would presume the UK Government briefings were helpful for viewers in England.

Proportionality of Measures, Public Adherence and Enforcement

52. As regards the proportionality of legislation and regulations, I will leave that judgement to others. As a legislator, I worked hard with my stakeholders to ensure the regulations were as well informed as possible on practicalities as they affected key services and economic sectors. When voting to support their passage into law in Parliament, I judged them to be as well drafted as they could be in the expedited

timescales that we were working to and trusted the work of cross-party colleagues on committees in shaping them. However, throughout, I took great comfort from assurances that the regulations would only be in place for the minimum time they were deemed necessary to protect public health. I have not kept informed of the impacts in terms of resulting convictions and, given my current role which is apolitical, I should not comment on the behaviours of MPs subject to the recent inquiry of the Privileges Committee of the House of Commons.

53. However, what I will say is that I personally saw my son, Mother and myself all pass significant milestone birthdays during 2020 that would normally have merited a hearty celebration - and, on all occasions, we instead adhered to the law and did not celebrate them. That was particularly hard on my son and his friends at school, most of whom missed the chance to celebrate their 16th Birthdays with their friends and families. That sort of outcome will have been repeated across potentially millions of households and was particularly tough on older people who will have particularly missed contact with their families, especially on birthdays. However, the majority stuck to the rules, knowing it was necessary for their safety and the safety of their loved ones.

54. I and others were unable to attend funerals of friends and party colleagues that passed away, and that is a matter of deep regret. Others could not visit their loved ones as they were in their final hours. Many sacrifices were made, but not by all.

55. It is, therefore, really appalling to know that, without reference to any specific person in saying this, that others may have ignored the rules, and the safety of others, in such a selfish or reckless manner. It angers me that some openly made light of their transgressions, which serves to add insult to injury.

56. Clearly it is important that we learn from this period and ensure that any future response is optimal, and that measures last as long as they are needed, but no longer. It is crucial to ensure they are designed, and framed, in such a way as to ensure that compliance is as close to absolute as we can manage.

57. There is no doubt that broadcast, social media and newspaper coverage of alleged breaches of Covid-19 regulations by Dominic Cummings, in particular, as well as

Dr Calderwood, to a lesser degree, and others, worked to undermine public confidence in the response of both governments at a key time. In the case of Dr Calderwood, while her reported breach of the regulations on travel and social distancing was damaging to public confidence and it cost the people of Scotland a highly effective public servant, I want to record that Dr Calderwood made an otherwise exemplary contribution to public health, and I believe her remorse was heartfelt and genuine.

58. However, more positively, it was, in my opinion and observation, the case that adherence was high among politicians across all parties in the Scottish Parliament and that, I believe, helped maintain a sense that we were all acting together in the crisis that Covid-19 presented. However, those who resented the imposition of the lockdown on their social lives were always likely to grasp any breach of the rules by rulemakers as a signal that they, too, could ignore them and it was disappointing that those who should have known better opened the door to others' behaviours.

Policy Divergence

59. I think I first became aware that policy divergence was emerging in relation to social distancing on transport in early May 2020, when it was clear from four nations transport meetings that UK Government were less convinced about social distancing and mask wearing on public transport than was the view of the Scottish Government. Later, divergence also emerged on travel restrictions and use of quarantine arrangements for international passengers arriving at Scotland's airports, where Scottish Government policy better reflected a precautionary approach and ensuring public confidence and UK Government seemed more preoccupied with positioning for a speedy economic recovery and lifting restrictions on individuals' behaviours.

60. I believe that policy divergence on the part of Scotland in maintaining lockdown for longer was justified, because I was firmly of the belief that the UK Government was pushing too early for reopening of the economy and reduction in social distancing and we needed to suppress the virus until such time as a high proportion of people had been vaccinated at least once.

Lessons on Key Challenges

61. I am not as well qualified to comment on the key challenges in management of the pandemic as those colleagues who were in Cabinet, but in my opinion, as seen from outside Cabinet, the key issue that constrained the Scottish Government in the early stages was that the centralised and inflexible fiscal framework in which the Scottish Government and other devolved administrations sit.
62. It was my recollection that key powers over border controls and civil contingencies being retained by UK Ministers meant it was difficult, or perhaps impossible, for different areas of the UK to adopt the appropriate response in a timely manner to suit that nation or region's needs.
63. It was my understanding that it was not possible for a Scotland-only 'furlough' scheme to be adopted earlier than the UK's, nor could furlough be retained longer than the UK Government would allow, because the Scottish Government had no scope to borrow for that purpose. Similarly, in responding to requests for financial support from transport service providers, and in the absence of fiscal latitude, we had to wait to hear what intervention was being made at UK level for England, in order to inform our understanding of 'Barnett consequentials' and our ability to support retention of a core service despite a collapse in passenger revenues.
64. While, ultimately, funding did come through, the lack of ability to commit inevitably delayed support for vital social infrastructure, including public transport, being agreed and we need to learn from that.
65. In other spheres of emergency response, such as storm damage and flooding, the Bellwin Scheme can be triggered which gives the all clear for Local Authorities to incur costs in the safe knowledge that those exceptional, legitimate costs can be recovered from Scottish Ministers. The rules regarding such funding are already in place, so once triggered by Scottish Ministers, local responders have clarity on what they can recover.

66. Also, to my mind, there were times when I believed that it would have been in my constituents' best interests for there to have been movement restrictions between other administrative regions and nations within the rest of the UK and Scotland. In nations like Australia, movement restrictions between different states within their federal system did not seem to cause such overreactions or sensitivities, as such constraints on non-essential traffic as were implemented were seen as essential for controlling the spread of the virus. Back home in Scotland, we saw unhelpful grandstanding by the commentariat over any suggestion of the closure of the national border between Scotland and England. Public health should take precedence in any such scenario.
67. I don't know what was said at Cabinet on the issue, but my perception was that what was a potentially sensible measure ended up being seen only as very much a last resort. However, there were times when infections were low in the Borders and Dumfries and Galloway, but rampant in Northumberland or Cumbria and it should not have been controversial to suggest we prevent movement from high infection to low infection areas.
68. I believe the Welsh Government and the Heddlu/Police in Wales were able to act more freely and decisively to eliminate non-essential cross-border traffic than was possible in Scotland. It is conjecture on my part, but perhaps this is because there was more cross-party maturity over the issue and a greater appetite for police and Government intervention to prevent infection risks from spreading.
69. It was hugely frustrating on a personal level to see and hear of poor adherence to mask wearing on cross-Border rail routes (these should have been in full compliance with Scotland's tougher stance from embarkation in London to end destinations in Scotland, out of respect for our needs) and to see what was clearly tourist traffic filling local trunk roads into Scotland at a time when infection rates were still higher South of the Border. While tourism is a key industry in Scotland, large numbers of tourists crossing into Scotland in Summer 2020, and later in Christmas 2020, were a real concern.
70. Hopefully the Covid-19 pandemic will lead to a more sophisticated understanding of the role of movement restrictions should any similar situation ever require this

in the future. They are especially valuable measures in slowing the spread of a virus in advance of a vaccine being available. Taking more decisive action over movement of people between regions and nations (for a short a time as is necessary) would allow each Government the freedom to do what is right for its citizens and economy without posing a risk to other nations or regions of the UK, or be faced with risk of infections from other parts of the UK that lift restrictions earlier than we would wish.

71. It is to be hoped that, in learning from the pandemic, the social distancing measures, shielding, mask wearing, Covid-19 regulations and measures implemented on public transport, public spaces and in wider areas of the economy, and their impacts, are better understood by all and will be implemented more quickly and effectively in any future emergency.

72. If such a scenario were ever, heaven forbid, to be repeated, then I feel that governments, local authorities, emergency services, businesses and communities are all better placed to respond. The development of multiple vaccines and the mass vaccination programmes were, I believe, well ordered and effectively managed and we owe our NHS staff and community and vaccination volunteers a huge debt for all they did in allowing us to resume some normality to our lives again.

73. Again, not from an expert perspective, but we need to learn lessons in terms of impacts on the NHS and social care in terms of ensuring we invest in their capabilities to be able to respond and in maintaining a core capability to manufacture PPE, vaccines and other supplies. We can never repay those who sacrificed their own lives or health to work on the frontline, but we can honour their memory by ensuring we learn lessons and that is why this inquiry is so critical and I commend the work of those supporting it.

Informal Communications

74. While WhatsApp was occasionally used as a means of communication between SNP Group Whips and members of the Parliamentary Group to coordinate attendance at Parliament and business in the Scottish Parliament Debating Chamber and for virtual sittings, to communicate voting instructions on motions and amendments, I did not personally use it myself to conduct Covid-19 related conversations or to exchange information. To the best of my knowledge, with the exception of limited exchanges with Ms Freeman, as the then Health Secretary [PW/002- INQ000383483], I did not receive messages of that nature, either, via WhatsApp and business was conducted through written and email correspondence with elected members via my Ministerial email account and through feedback to colleagues via my ministerial papers. We had TIC portfolio and relevant team meetings with officials in individual policy teams, and these were enormously helpful in coordinating my actions with Mr Matheson and key officials.
75. Occasionally, I exchanged text messages with the Cabinet Secretary when I was watching Parliamentary business remotely and Mr Matheson was in the Chamber [PW/003- INQ000383484], i.e. if I needed to share a message with him if a point that had been made by a member in relation to my responsibilities and I could pass on a message to help with ensuring an up to date and accurate response. This was primarily on mainstream policy issues rather than Covid-19 matters. Prior to Covid restrictions on Parliamentary attendance, we would normally have been sitting in close proximity for debates and parliamentary questions so that we could communicate verbally as a team, so text messaging was helpful to overcome that temporary barrier to exercising normal, verbal communication.
76. Online weekly SNP Parliamentary Group meetings were helpful in hearing intelligence from MSPs as to the impact of Covid-19 on local areas and economies and measures being taken by local authorities and health boards at a local level. This offered an opportunity for MSPs to suggest areas where they felt better public information or briefing materials may be needed to help with constituent enquiries and this would be representative of issues being faced by MSPs of all parties.

77. I was aware that backbench MSPs also used the SNP Group WhatsApp channel to discuss Covid-19 issues and to share how they were answering constituent enquiries, but I did not have bandwidth in terms of time to engage on Ministerial issues in that way as meetings were back-to-back. Having left Parliament, I no longer have access to this WhatsApp Group.

78. I do not know what other individuals /bodies did during the pandemic in terms of informal messaging, so cannot comment on whether WhatsApp or text messages were used more extensively by others.

Statement of Truth

I believe that the facts stated in this witness 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.

Personal Data

Signed: _____

Dated: _____ 18th December 2023 _____