

David Hall
UK Covid-19 Inquiry

By email only

Advisory Division 1
2nd Floor Lanyon Plaza
7 Lanyon Place
Belfast
BT1 3LP

Our reference: 21857255
2 May 2024

Dear David,

I write in reply to your email of 1 May 2024 in relation to the handwritten notes of the Executive Committee meeting of 2 July 2020.

It is correct that those notes were submitted to the Inquiry following Counsel to the Inquiry's comment in her opening submission on the inability of TEO to find them. That comment had come as a surprise to members of the TEO Covid Inquiry Team, including Jane Holmes and Maria Hannon, as they believed that the notes had been provided to the Inquiry. Steps were taken to search for the notes and the email dated 3 August 2023 that had the scanned handwritten notes attached. This was located within Content Manager by Maria Hannon who carried out the search.

This consequently prompted a further search of records within TEO to ascertain when or if the document had in fact been provided to the Inquiry. This revealed that there is no record of the handwritten notes of the 2 July 2020 Executive meeting being uploaded onto Egress or provided to the Inquiry by any other means before 1 May 2024.

The TEO Covid Inquiry team had provided all typescript formal minutes of the Executive meetings to the UK Module 2C Inquiry legal team (ILT). This task commenced on 15 October 2022 and was completed by 18 November 2022. The ILT had expressed their surprise at the brevity of the formal Executive minutes and asked if any handwritten notes from the Executive meetings could be provided.

On further discussion with NR Head of Branch, Executive Secretariat, handwritten notes of Executive meetings were identified. NR asked two junior members of staff to promptly conduct the task of scanning the handwritten notes onto Content Manager. Scanned versions of these handwritten notes were emailed to Maria Hannon and the TEO Covid Inquiry Team in November 2022. Those scanned notes were indexed and uploaded by the TEO Covid Inquiry Team to Egress on 25 and 29 November 2022. At that time, however, the 2 July 2020 handwritten notes were inexplicably not included in the bundle of scanned handwritten notes that were forwarded to the TEO Covid Inquiry Team. This was in the context of the scanning of 100s of pages of handwritten notes for the purposes of the exercise.

Correspondence from the ILT dated 31 July 2023 sought detail on informal communications and on the missing handwritten notes of Executive minutes. On 1 August 2023, Maria Hannon contacted [NR] by email for assistance with a response to that letter. As a result, a further search was conducted, cross referencing the scanned notes with original papers. A junior member of staff examined the same set of handwritten notes again and came across the 2 July 2020 notes at that stage.

[NR] emailed Maria Hannon, Jane Holmes and others on 3 August to confirm that he and his Executive Secretariat team had carried out a further search and located one set of missing handwritten notes (those dated 2 July 2020) and a scanned copy of these was attached to his email. The scanned copy had been saved to Content Manager on 2 August 2023 by a junior member of staff in Executive Secretariat team. In his email, [NR] also confirmed that following the search, handwritten notes for the meetings of 3 February 2020, 6 August 2020 and 13 August 2020 could not be located.

A paragraph was, therefore, added to the draft Module 2C TEO Corporate statement after receiving the 3 August 2023 email to set out that three sets of handwritten notes (listed above) could not be located. There was no reference to the handwritten notes of 2 July 2020 because they had been located. The purpose of this paragraph was to explain to the reader that three sets of handwritten notes could not be located.

David Sterling recalls seeing the handwritten minute of the Executive meeting of 2 July 2020 at the time he was drafting his statement. We also understand that there may be a further handwritten note of that meeting taken by Sir David Sterling and we will provide that as soon as we can.

Please accept TEO's apologies for the oversight in ensuring that the document had been shared with you by Egress in August 2023. It was only after Counsel to the Inquiry's opening statement, and having then checked the Egress data and Content Manager on 1 May 2024, that TEO became aware that the TEO Covid Inquiry team had failed to upload this document. This was as a result of human error and there was no intention to withhold that document from the Inquiry.

A diligent search of the filepads has been conducted and no further handwritten notes can be found.

On a separate matter, on 21 December 2023, TEO Junior Counsel, on instructions from Maria Hannon and in response to a request from the ILT, provided the ILT with an Excel spreadsheet titled 'WhatsApp Messages October 2023'. The sole intention of sharing that spreadsheet with the ILT was to provide an update on the use of informal communications by TEO Senior Civil Servants. The Excel spreadsheet also contained worksheets that were obsolete and had not been updated for some time. These obsolete worksheets should have been removed before the worksheet 'WhatsApp Messages October 2023' was provided to Counsel to send to the ILT. Sheet 1, which details documents located and uploaded to the Inquiry, had last been updated on 19 June 2023 and was therefore out of date when it was sent on 21 December 2023.

Regards,

Personal Data

Eugene O'Loan | Director | Departmental Solicitor's Office | Advisory Division 1

Tel: Irrelevant & Sensitive

Mobile: Irrelevant & Sensitive

E-mail: Eugene.O'Loan@finance-ni.gov.uk