

Witness Name:

Statement No.:

Exhibits:

Dated:

UK COVID-19 INQUIRY

WITNESS STATEMENT OF DIANE DODDS MLA

I, Diane Dodds, will say as follows:

1. I am a teacher by profession. In 2003, I was elected as Democratic Unionist MLA for West Belfast, and in 2005 I was elected as Democratic Unionist Councillor in Belfast City Council for Court District Electoral Area. In 2009, I was elected as a Democratic Unionist Member of the European Parliament and I served as a Member of the European Parliament until January 2020. On 9 January 2020, I was co-opted to the Northern Ireland Assembly as a Democratic Unionist MLA and on 11 January 2020, I was appointed by First Minister Arlene Foster as Minister for the Economy. I served from 11 January 2020 to 13 June 2021 as Minister for the Economy in the Northern Ireland Executive ("the Executive").
2. Within the Department for the Economy ("DfE") I had a wide-ranging brief that included the following policy areas: international and economic relations; economic strategy; management and services regulations including EU fund management, finance and insolvency, business and employment regulation; skills and higher and further education; energy; consumer affairs; telecoms; minerals and petroleum; credit unions and societies; statistics and economic research.
3. My ministerial responsibilities in relation to the Covid-19 Pandemic included attendance at and participation in Executive Meetings; working with the statutory committee of the Assembly on the Economy and liaison with national government about Covid Response Schemes in relation to the Economy. DfE also had responsibility for developing bespoke schemes, for the consideration by the Executive,

that would take account of the particular circumstances of the Northern Ireland economy. Early schemes providing grants of £10,000 and £25,000 to small and large businesses respectively are good examples of this activity. Since the Executive operates on the principle of a mandatory coalition of different parties these schemes required the agreement of the finance minister and then the whole Executive. My responsibilities also included overseeing DfE's work with companies to ensure that the supply chain from GB to NI had least disruption possible – ferries, haulage, airports; communications with business groups over the impact of lockdown on the economy in the both short and long term; and working with critical infrastructure to ensure supply of electricity. I was also responsible for Further and Higher Education. This involved work on supporting students, ensuring that online learning could take place and the conduct of examinations.

4. One critical area of work early in the pandemic was managing health and safety concerns, and working with stakeholders in the agri-food sectors including meat plants to ensure that those industries were able to stay open and operate safely. This included work on labour relations and the development of a forum for unions, industry and health and safety professionals to ensure that everything possible was being done to ensure safety for those workers who remained in the industrial workplace.
5. As the situation developed, DfE prepared scenarios for the consideration of the Executive that would lead to the reopening of the workplace when medical advice deemed it responsible to do so. In addition, because DfE had responsibility for universities, considerable work was done with colleges and universities to ensure that students were safe, could continue to learn online, take examinations, and strategies to re-open for in-person teaching and reintegrate students to colleges. This included setting up additional funding for laptops/iPad to ensure that students could access online learning and providing funding to colleges and universities to help with other emerging difficulties such as mental health challenges arising among the student cohort. This also included the strategies to reopen and reintegrate students to colleges.
6. One of the most significant areas of work was around developing strategies for economic recovery so that the NI economy could recover from lockdown and the severe impacts it had had on business and the workforce. This included an Economic Recovery package; the 10X Economy; 10X Skills strategy; the Tourism Recovery Action plan; a review of Careers Service; the launch of Project Stratum; work on City and Growth Deals; and a draft Energy Strategy for NI outlining the path to Net Zero.

7. I was supported by the Permanent Secretary Mike Brennan, Deputy Permanent Secretaries Colin Lewis and David Malcolm, my Principal Private Secretary (“PPS”) Dan Cartland, Heather Cousins within Further and Higher Education; Dermott McLean and Paul Grocott in Economic Strategy.
8. My Special Adviser throughout was Alastair Ross. He was responsible for advice on all aspects of the departmental policies, liaison with officials, Arms-Length Bodies and business and education stakeholders.

Impact of the absence of power sharing

9. As far as I can recall, I was not briefed at the outset of the restoration of power-sharing on preparations for pandemic planning by my departmental officials. This should have been a matter for Civil Service planning which would have been subject to ongoing review both in terms of policy and practical considerations. However, I was concerned about a general lack of preparation for the return of Ministers. On my appointment I only had the support of my PPS. He was on his own in the Private Office for quite some time after the restoration of devolution. He was helped in the early stages by the Private Secretary from the Permanent Secretary Office and later by permanent staff. I don't remember the exact date they started but it certainly was a number of weeks into my term as Minister. My understanding of this situation is that the Civil Service had taken a decision to change the Private Office set-up for Ministers but by the time of the restoration of devolution had not appointed sufficient staff to properly run a Private Office. As devolution was restored after a long period of absence, the demands on Ministers from stakeholder groups was quite substantial. While this situation did not impact my response, it just made everything that bit more difficult and staff had to work hard to integrate and become familiar with the routines of the private office. I want to make it clear that the staff that became available to me were very diligent in their work throughout the pandemic.
10. The Covid 19 pandemic was an enormous event that had far reaching consequences for every part of our national life. In 2016, the Bengoa report had recommended transformational operational changes to the Health Service in Northern Ireland. While these recommended changes may have started by 2020, under a devolved government, given the cumbersome nature of decision making in a mandatory coalition, it is by no means clear that sufficient changes would have been made by 2020 to make a real difference in the way the Health Service responded to an unprecedented pandemic. As far as I am aware at the outset of the pandemic, such were the fears and concerns, that the health service across the four nations of the UK

responded in the same way by moving appointments online etc. As the pandemic progressed, many of us were extremely concerned about the impact on health and the ability to diagnose serious illness of these moves.

11. In any case there is provision of a Civil Contingencies unit within TEO and emergency health pandemic planning within Health which should have been ongoing before the restoration of devolution.
12. There is no doubt that the restoration of devolution after a time of suspension meant that there were significant demands on Ministers immediately they took office both in terms of decision-making and policy direction. I do, however, believe that political parties approached the return of devolution with good will, and the Ministers appointed across political parties were experienced politicians who were well aware of the difficulties of a mandatory coalition comprised of very different parties with different political aspirations and views. I do not believe that there was a particular issue of trust at the outset or time needed to work out how decisions should be made since all of the people within the Executive knew each other very well (the Minister for Justice and I were previously both MEPs) It was very unfortunate that the pandemic happened before the Executive had much time to settle after a prolonged period of absence however, I don't think that this had a huge impact on the actions that were taken. Covid-19 dominated our work and was our priority for as long as I was in post.

The outset of the pandemic

13. I never saw the internal TEO document [INQ000092712] that indicated that Northern Ireland was 18 months behind the rest of the UK, nor was I ever made aware that this was the view within the civil service. It is difficult for me to judge the Civil Service's capacity to respond to both EU Exit and pandemic planning but I have already outlined some of my concerns about preparation for the restoration of devolution. During my time in office, I took part in calls with other Ministers throughout the four nations of the UK and there was a remarkable degree of similarity in the main issues of concern so I was not concerned that Northern Ireland or my Department was behind other parts of the UK.
14. I do not recall briefings about the pandemic in late January 2020. This was dealt with by the Department of Health ("DoH"), the Chief Medical Officer ("CMO") and TEO. The letter of the 6 February 2020 [INQ000218470] indicates that the Director for Population Health was planning on the basis of a flu pandemic and that the work programme was contained within DoH, leading on Health and Social Care, Department of Justice

leading on excess deaths, and TEO on sector resilience. As Economy Minister I was not involved in these work streams as at this stage no decisions had been taken directly affecting DfE's portfolio i.e. as yet no decision had been made to close down workplaces.

15. In short, the thought process at the time was to allow the Health Minister to lead on issues directly relating to the virus. I was not directly involved in these conversations and have not seen papers until circulated by the Covid Inquiry. DfE was monitoring the situation in the rest of the UK and the potential impact on the economy. The NICS generally should have had plans for resilience and, as I have indicated, DfE was talking to our business stakeholders and monitoring developments but I cannot at this remove recall being provided with a Ministerial submission providing me with substantive planning proposals, but there were discussions within my Department with officials about Covid-19 and the possible impacts in February 2020. However, as with the other devolved administrations, a small, regional administration such as Northern Ireland would not have had the fire power to deal with the economic repercussions of Covid-19 in the way that the UK Government later did on a UK-wide basis.
16. I was not briefed on the extract of the WHO report published on 24 February 2020 in which it was recommended that the highest level of national Response Management protocols should be activated, other than general statements on media from the WHO. TEO and DOH were the departments engaged with pandemic planning at this stage. However, we were all cognisant of the situation in other countries and in particular the issue of school children having been on trips to Northern Italy. PHA advice was also clear that hand hygiene was important in preventing the spread of the virus.
17. I did not see the TEO letter (nor would I have expected this come to me in my capacity as Minister for the Economy) to the Departmental Board dated 25 February 2020 [INQ000205712] that indicates that the Executive and wider society may not be prepared for an emergency situation. However, having now reviewed it, it indicates some preparation but I am surprised by the fact, for example, that it states Civil Contingency arrangements had not been reviewed in 20 years! During this period, DoH and TEO were in charge of structure and planning around any emergency response, with reporting to the Executive Committee.
18. Although I was aware and had discussed the potential impact of Covid within my Department the briefing to the Executive on 2 March 2020 [INQ000065694] was the first information from the Health Minister on the potential impact of the virus. If this modelling was realized, the impact on our community in Northern Ireland would have

been devastating. Following the advice of the CMO and Health Minister Ministers advocated a balanced and proportionate response that followed the scientific and medical advice. Ministers also keen to have timely advice in order to make decisions within their areas of responsibility. Everyone regarded the situation as very urgent and DoH and TEO were guiding the whole Executive Committee response and as happened at all stages of the pandemic departments contributed according to their responsibilities.

19. I was not present at the Executive meeting of the 10 March [INQ000065695]. However, throughout the pandemic the First and deputy First Ministers along with their junior ministers and the Minister for Health were largely responsible for coordination between national and devolved governments on all matters relating to the virus. Ministers with other responsibilities looked after their policy area but contributed at Executive meetings on the general situation as well. I would have thought that this was a fair representation of a whole Executive approach.
20. As above, I was not present at the 10 March 2020 Executive meeting and therefore was not party to the discussion in which the Baroness Foster said that said some were *“trying to use politics”*, however I can say that there were issues in early to mid-March because the deputy First Minister was keen to follow the approach of Republic of Ireland (“RoI”) and I believe this is the context in which the First Minister’s comment is likely to have been made. Indeed, as time went on and we entered lockdown, a particular issue for me was the deputy First Minister making calls in the media for companies to shut down their operations, such as occurred in or around 27 March 2020, see Belfast Telegraph article DD/01 [INQ000426980]. This led to me, as Economy Minister, being tasked with arranging a forum under the auspices of the Labour Relations Agency where workers, unions, business and representative organisations could come together to discuss safe working practices with input from the CMO, DoH and the Health and Safety Executive for Northern Ireland. This was known as the Northern Ireland Engagement Forum and it reported to me as Minister for the Economy and the Executive. I was tasked with this work by the First and Deputy First Minister on 26 March 2022 – See Covid-19 Working through this together document dated 28 May 2020 DD/02 [INQ000086894]. Obviously, essential industry had to be able to continue to work, but it was also viewed as absolutely vital that they work with the maximum number of safeguards to try and prevent the spread of the virus. This ensured that some of our biggest food productions factories could continue to process food for consumption.

21. I was never invited to attend any COBR meetings and I was in Washington on Executive business on 11 March 2020 when COBR decided to move from the Contain to the Delay phase [INQ000083097]. The First and Deputy First Ministers had intended to join me for the Northern Ireland event there on the 12 March. However, given the seriousness of the situation decided to stay in Northern Ireland. I am not aware what steps were taken within the Executive in response to the change in phase.
22. While at the same time RoI announced a package of measures including school closures, and cancellation of mass gatherings [INQ000083097], my understanding of the issue (while I was not directly involved at the time) is that advice from the CMO/ Chief Scientific Adviser (“CSA”) to the Executive was that the situation in Northern Ireland did not warrant these measures at this stage. According to the figures NI was still far behind England in the number of cases. Sinn Fein was keen to copy RoI but was still following the advice from CMO AND Health Minister at this point on or around 11 March 2020.
23. Generally, in and around this time, many things were uncertain. The advice of the CMO and the Health Minister was the only real yardstick for politicians. The note of the meetings of 12 March 2020 [INQ000232525] indicate that they thought that the containment measures were working in NI, numbers of cases of the virus were still low, and therefore there was no reason to follow the approach taken by the RoI.
24. The CMO and CSA's advice was informed by the fact they were part of the United Kingdom network of intelligence on the virus and strategic planning on the pandemic. Indeed, I would have been surprised if they had not been closely embedded within the UK system, and therefore following the UK's lead to a greater or lesser extent. However, CMO reports at Executive meetings also stressed the close working relationship with the Irish government and officials.
25. In terms of the halting of community testing in or around 12 March 2020, I believe that the capacity for testing for the virus was poor at this stage of the pandemic, throughout the UK and that this was an operational decision taken by the Minister for Health. It took some time for companies to build up their testing capacity for Northern Ireland.
26. By 16 March 2020, the strategy being advocated by the Health Minister [INQ000065689] was that, as the number of cases were rising, and there was no clarity on the spread of the virus within the community, resources within the Health Service would have to be redeployed to deal with the emergency. There was also a general agreement that other departments should use their resources to support the wider

community e.g. by looking after the vulnerable. DoH wanted to implement a 7-day isolation policy if anyone had symptoms. There needed to be an upscaling of testing capacity as quickly as possible. Large-scale community testing would have been impossible because of the lack of capacity. There was also the difficult issue of schools closing on an ad hoc basis. Some Ministers were keener on school closures than others. I thought that if schools were to close then we should be honest and tell people that they would be closed for a very long time as this would not be good for children and young people.

27. I did not have any other expert medical advice other than the advice from the CMO/CSA. I think that the impression that *“people [were] following own science”* [INQ000065689, page 33] was stated by the Finance Minister at the meeting on 16 March 2020 because people were advocating different strategies both inside and outside the meeting. Views on school or industry closure were not consistent at this stage among the parties, and some Ministers were also expressing views that were inconsistent with the advice of the CMO and CSA.

28. The issue of health and Executive planning was largely a TEO/Health exercise. The work in DfE on Covid-19 was largely curtailed to intelligence gathering and information in the first 7 weeks and was carried out by civil servants in my department. Officials had also looked at where there might be any funds within the department for potential resources to mitigate against the impact of Covid. At the time I felt that the preparations were adequate, but with the benefit of hindsight, actions, for example in relation to PPE and scaling up testing, could have been planned a lot earlier. However, the vast sums of money needed for meaningful interventions in this type of scenario were simply beyond the reach of regional devolved administrations. When national government announced the additional funding for schemes to help businesses etc the real and painstaking work of grant schemes etc began. Schemes such as Furlough were only announced on 20 March and it was at this point that Ministerial guidance on interventions was directly required. The First Minister is recorded as advocating that the Executive speak with “one voice”. While Ministers such as those in Justice and Infrastructure had views on the preparations, I did not agree with the view that the Executive were reacting or were mismanaging, and that on occasions, the FM felt it important that the Executive presented a collective message.

29. In terms of the timing of standing up the NI CCMA, this was probably an issue for either DoH or TEO who were in charge of emergency planning. It is difficult to say whether this having been stood up prior to 16 March 2020 [INQ000048447] would have

made a difference in the early weeks. I do not consider that the decision to introduce the Hub at that point means that preparations had not been ongoing. The Hub may have brought greater coordination across government but this does not mean that departments were not making plans to deal with a quickly evolving and difficult situation prior to 18 March 2020, or indeed 26 March 2020. In a similar vein, I do not consider that the fact that the first recorded action on an Actions Log [INQ000207931] was on 18 March 2020 meant that nothing had been done prior to this.

30. The Executive was functioning in that departments were working on their responsibility areas. I am not sure whether there were plans in place prior to 19 March 2020 as to how Executive meetings and decision-making would be managed in the event of a pandemic but I consider that the steps suggested by David Sterling to the Executive [see INQ000065737, pages 13 to 14] simply reflected the need for the Executive to gear up at that point. This might have brought more structure and an increased pace of Executive work, but it did not mean that the Executive was not functioning as it needed to prior to these changes being made.
31. Previous to the figures being given on the 19 March 2020 [INQ000065737, page 8], the Health Minister had suggested modelling which presented a stark picture of the potential impact of the virus in terms of the percentage of people affected on 2 March. I'm positive that everyone around the table was absolutely certain by this point that we were facing a dangerous public health emergency and had to take all possible steps within our powers to limit its impact.
32. In terms of whether the Executive was "behind the curve" at this stage [INQ000065737, page 25], I believe there were many competing priorities for the Executive and a changing set of guidelines from national government as well as a rapidly evolving picture in terms of case numbers, and potential impact of the disease. At this stage NI was still behind the rest of the United Kingdom in terms of the spread of the virus. Covid was our overriding concern and took priority over everything but within the response there were many priorities which included the need to ramp up provision within the health service, the provision of PPE, the position of schools, Further Education and Higher Education, and the ability of essential industry to work safely. The Executive had a policy of preserving life and trying to avoid harm to wider society. Health was the obvious priority within that but all of these issues were vital and had to be dealt with.
33. Up until and at that point, policy in relation to public health and interventions, whether directly related to health or wider societal impacts, was largely dictated by the CMO

and CSA and the Health Minister's advice based on their engagement with UK scientific advice. We were also repeatedly assured that there was engagement with RoI public health officials. As such, the Executive's decision making was the best it could be on the information and advice it had at the time.

34. I am clear that herd immunity was never a policy intervention that was ever proposed, considered or adopted by the Executive.

The first lockdown in Northern Ireland

35. I heard that UK Government were intending to announce a lockdown on 23 March 2020.

36. Ministers were following the advice of the CMO and the CSA. Northern Ireland was behind the rest of the United Kingdom in terms of cases, and as such, prior to it being announced and the financial intervention of furlough by UK Government, the possibility of a lockdown was not considered by the Executive. However as soon as lockdown was announced by Boris Johnston it had to happen in NI. As I understand it lockdown measures also followed shortly thereafter in RoI.

37. Given the situation in the rest of the UK, and indeed the global response to the pandemic, I think that we were moving towards the inevitability of some sort of lockdown in or around this period in March, but perhaps the severity of the measures was somewhat difficult to grasp. Although Northern Ireland was some way behind the rest of the UK in the spread of the virus, it was hoped that adopting the same measures would help the situation in Northern Ireland. I don't think that we could have avoided lockdown in Northern Ireland alone given that GB and RoI were using this as a tool to prevent the spread of the virus and I didn't consider an alternative course. If lockdown were to be avoided then we would have needed a much more effective and widespread test, trace and isolate system. In the face of a rapidly spreading virus and no vaccine then I think that there was no alternative.

38. We were all very concerned about the most vulnerable in our society as lockdown commenced and indeed there was a huge community response to try to help those who were elderly or vulnerable. The impact of lockdown on sections of our society cannot be underestimated and in hindsight there was not enough information to help balance the long-term harm with the need to keep people safe from the virus. The decision to stand down the normal functioning of the health service and the impact on access to healthcare for non-covid-related issues has had significant impact. The

closure of schools has resulted in long term issues for children and young people. The impact on families of close relatives dying without comfort or family close by is a matter of huge regret. The loneliness of the elderly in care homes that were not allowed to open for visiting. The length of time that lockdown endured for was also not anticipated at the time. In terms of the economy, the announcement of the Furlough scheme helped significantly, and this was augmented by DfE and the Executive introducing NI tailored schemes to help business. There was also significant onus on keeping essential workers safe so that vital food supplies could continue.

39. The regulations were made by the Minister of Health [INQ000048450], and I do not recall having any significant role or having seen the draft regulations before they were passed. The Executive set the policy intent of the regulations and the Health Department was responsible for drawing up the legal text.

40. However, the regulations were necessary. There had to be a legal basis for the restrictions and due to the rapidly developing situation time was of the essence. In a normal situation I do not think that such far reaching regulations should be made with such a rapid procedure. It is always better to ensure full scrutiny. However in such an extraordinary situation it was deemed necessary to follow this route. The Department responsible for the regulations would have made a Section 75 assessment.

41. The Executive followed the advice that was presented by the CMO, CSA and Health Minister who were all embedded in the national advice on the pandemic. As the virus took hold, lockdown was not just a UK or NI response, but was a measure used in many countries. There was little advice on the harms of lockdown compared with the fear of the virus and its rapid spread. This is one of the huge lessons from the pandemic and one which should be considered in pandemic planning for the future.

Amendment of regulations

42. In the first few weeks of lockdown, there was a fairly ad hoc approach to amendment of regulations. There was provision for periodic review of the regulations but issues such as attendance at church, concerns around funerals and access to grave yards were very emotive issues raised by constituents, and it was right that, where regulations could be amended to deal with some of the negative consequences of lockdown without increasing risk to health, that this was done on an incremental basis as issues came to light i.e. there was a need for flexibility.

43. The approach in the paper E(20) 90(c) Planning for Recovery: Second Review of Health Protection (Coronavirus, Restrictions) (Northern Ireland) Regulations 2020 [Exhibit DD/3: INQ000065566] was to provide a structure to allow conversations on the easing of restrictions with reliance on the advice of health CMO/CSA. The paper indicates at Paragraph 72 that *“the restrictions imposed by the Regulations themselves cause harm to health, society and economy. This is why it is vital that we adopt a dynamic review process that is able to respond to the developing evidence.”* The process of easing restrictions was slow and cautious. I don't believe that anyone wanted to undo the work of the previous very difficult months. However, there was also a growing unease with the severity of restrictions and the length of time that they had been imposed from many sections of society. This made the approach difficult to follow but it was largely carried through.
44. In June 2020, the 'Point in Time' Review of the Executive's Covid 19 strategy [INQ000065637] allowed the Executive to take stock of the work that had been done and show the areas where significant work still had to be done. This was particularly true of economic factors where significant mitigations had been put in place, but where there was a need to be honest about the requirement to reopen business and the chances for economic recovery. The review did not encompass every aspect of the situation but it did bring focus on the main issues.

Civil contingency arrangements in the first part of the pandemic

45. I was not directly involved in the Hub meetings. While I am not able to comment on the inner workings of the Hub it did process a huge amount of information for the Executive in order to aid decision making.
46. I had no direct involvement with the NI Hub or CCG, but DfE fed information into the Hub and completed tasks required to facilitate the collective decision making of the Executive.
47. I was not involved in CCG or the NI Hub. I assume that the CCG was stood down and the NI Hub scaled down because the Executive had agreed a process of relaxation of Covid rules following a period where case numbers had been significantly reduced. The Executive document *“Coronavirus: Executive approach to decision making”* [Exhibit DD/4 - INQ000212993] envisaged that there would be relaxation of rules, followed by a period to evaluate the impact on virus spread, followed by further relaxation if this was an appropriate response. This was deemed by the Executive collectively to be a precautionary approach to relaxation of rules. I believe the work of

the Hub was replaced by work within each department as required i.e. work on the health emergency within DoH, work on public health; work on economy, and the individual departments fed into the work of the Executive.

48. I was not involved in any of the TEO/Health led groups. In my department I had full access to officials who were working on schemes, strategy to rebuild the economy etc., and therefore I was not concerned that Ministerial involvement potentially hampered the work of officials, and in the same vein, I did not feel that officials were not speaking freely to me, or being forthright.

Overarching view

49. The Executive did formulate its own response but this was a fast-moving situation of a type that had never been experienced before and therefore to some extent Ministers had to react to the situation before them in a very short period of time. The Executive strategy and decision making was impacted by various issues - the funding and schemes available from national government (i.e. Furlough Scheme was not available until late March 2020) therefore imposing regulations on business which required their closure would not have been possible without an enormous loss of jobs and a devastating impact on the economy. I cannot say that this was a strategy for dealing with a particular situation in the normal way that a government would draw up, consult and implement a particular measure.

50. However, overall, we were guided by a clear set of principles and that was to prevent the spread of the virus and thus save life and prevent harm to society and the economy. Having said that, there was a lack of information at this early stage on the impact of the very far-reaching measures that we imposed through regulations. For example, we now know that closing schools had such an impact on children and young people that it will be felt for a long period. This is one of the learning points from the pandemic and should influence future planning.

51. I am not aware of a formal analysis of the response by the Executive Office or Committee but DfE did complete an analysis of the impact of Non-Pharmaceutical Interventions ("NPIs") and presented it in a paper to the Executive.

52. My department did conduct an analysis of the impact of NPIs [Exhibit DD/5 - INQ00101010]. This included work on the impact of job losses which would have included Section 75 groups. Each department worked on their own area of

responsibility in this respect and more formal analysis on the impact on vulnerable groups would primarily have been the work of the Department for Communities.

Decision-making after March 2020

53. Planning for a health pandemic was the responsibility of the Department for Health. In April 2020, all departments were very concerned with the current situation that they faced - transmission of the virus and measures to mitigate the impact of the lockdown, and key officials were working incredibly hard on managing the response. There was therefore an issue of officials having the band width to conduct future planning. Within DfE we were working on an assessment of the lockdown with the intention that it would inform future actions.⁵

54. As time went on, I believe that the caution of the Executive around giving indicative dates for easing was the fact that the virus spread and thus peak was later in Northern Ireland than in other parts of the UK at the time and therefore we had a more cautious approach to lifting restrictions. Ministers were also keen not to promise a date for the lifting of restrictions and then for it to become clear that the conditions for doing so could not be met. The document published by the Executive on the approach to relaxing restrictions outlined a cautious approach [INQ000207257, INQ000207260]. Businesses later pushed for dates to be published, and the Executive introduced indicative dates to provide a level of certainty. However, when they were provided, they were always provisional and dependent on the virus transmission.

55. The Executive did consider reducing the social distancing guidelines to less than 2 metres [INQ000065730]. The advice around this issue was "broad brush". There were no studies to reference and the situation had never been experienced before. I therefore understand that this made it difficult for advisers to give an absolutely certain answer but it was nevertheless frustrating that the advice was not more definitive. The CMO gave his view from the perspective of the potential for virus transmission but did add that the economic viability of keeping tables 2m apart had to be considered.

56. It is my personal view that the single biggest issue and topic of conversation in relation to compliance and the spread of the virus during the Summer of 2020 was the burial of Bobby Storey. On 30 June 2020 Sinn Fein brought huge crowds onto the streets, held a large gathering at Milltown Cemetery, breached the rules in relation to funerals and thereby reduced public confidence and adherence to the lockdown rules. Attendance at funerals was limited to members of the household or close family of the deceased. This was clearly breached. The matter was referred to the PPS, and to the

Northern Ireland Commissioner for Standards. The event was particularly galling for families who had lost loved ones during the period and abided by stringent restrictions around funerals and wakes. The deputy First Minister had urged people in daily press conferences to comply with restrictions but took part in the funeral along with other Executive colleagues and senior Sinn Fein representatives. It is hard to underestimate the level of anger within the community in general, and from families, especially those who had been bereaved. The egregious rule breaches and subsequent refusal to apologise also significantly heightened tensions within the Executive as it undermined any sense that, in relation to the Covid-19 response at that time, the First Minister and deputy First Minister were pulling together. There is no doubt that the general perception of one rule for SF and other rules for everybody else was extremely difficult and had an impact on adherence to the regulations.

57. Another, though less significant factor in my view is that the 'The Eat Out to Help Out' Scheme was also introduced in Summer 2020. As far as I recall the Executive nor myself as Economy Minister was consulted before it was set up by national government. While there are differing views on the impact of this strategy, the DfE alongside the hospitality industry, worked on providing guidance for the restaurants and the general public to minimise the risks
58. More generally, by this stage restrictions had been in place for a very long time. Outdoor visiting and bubbling are not normal but overall people were compliant and did not resist the measures introduced. In terms of protective measures within the sectors for which DfE had responsibility, DfE issued guidance, for example, Working Safely During Covid to help hospitality and the tourism industry to comply and the industry itself had issued their own guidance. Therefore, my overall sense is that while I note that there was an increase in transmission rates there was still a remarkable degree of compliance.
59. The recommendation at the end of August and beginning of September from the Health Minister was for more localised lockdowns, particularly in areas where there was significant cross border contacts for family or trade reasons. This was deemed an adequate and proportionate approach at this stage, balancing the need to reduce case numbers in certain areas to avoid the need for a more widespread lockdown. Therefore, the need for more formal structures was not considered. In general, however, I do not believe the fact that case numbers had increased by August 2020 demonstrated that restrictions were eased too quickly. The Executive had a very cautious approach to the easing of restrictions and indeed this led to a lot of criticism

that the pace of relaxation leading up to July 2020 was too slow. In the event, when we did lift restrictions the case numbers were very low. However, the events over July and August 2020, and in particular the fallout from the Bobby Storey funeral, meant the public were less cautious and were more resistant to the reintroduction of restrictions.

60. I am not aware of a substantial difference in the working of the NI Hub after October 2020 in response to the second wave of Covid-19 as I was not closely involved in its operation. Departments fed information to the hub where it was then collated in a coherent manner for the Executive.
61. By the beginning of October 2020, NI was experiencing a continued rise in transmission rates. Executive members felt that there was a need to refocus the public on compliance with the guidelines. I do not consider that this meant any radical policy change on the part of the Executive but rather a need, following the advice of the CMO, for clearer messaging and a wider range of considerations within the decision-making process. There was a renewed emphasis on the guidelines and the need for cooperation from the public.
62. The modelling provided to the Executive always indicated a potential increase in cases. The suggestion from the Health Committee meeting of 15 October 2020 that modelling had underestimated the course of the pandemic may have occurred because of additional factors such as the lack of compliance not having been taken fully into account. Ministers were aware of the complex situation and the restrictions in place at this point were those requested by the Health Minister and deemed appropriate by him and CMO to deal with the scenarios suggested by the modelling. These included the localised restrictions imposed in September, and the mid-October circuit breaker lockdown.
63. At 8 October 2020, I considered the situation to be very grave in relation to both health and the economy. We had been given a paper from Health outlining the difficulties and DfE had also produced a paper on the impact of Covid-19 on the economy. There were various factors impacting on the transmission rates including outbreaks at essential workplaces.
64. The comment on 8 October 2020 by the DAERA Minister to people being “*afraid to say where [the] problem is*” [INQ000065756] was, I presume, a reference to the fact that off-licences had not been closed, and therefore there was concern that this had the potential for non-compliance through house gatherings. This was a matter that the

DAERA Minister was particularly vocal about. However, the DAERA Minister will have a view on this.

65. The decision to implement a so-called 'circuit breaker' lockdown was taken on the advice of the Health Minister and CMO and was viewed as the only viable way forward at the time. I was concerned about the difficult conditions in the economy and, in particular, that many hospitality and retail businesses depend on the Christmas period to see them through a tough January. I sent a memo to the Executive on 30 September 2020 outlining my concerns DD/06 [INQ000101010]. Around this time, the scientific advice and modelling was subject to a great scrutiny by the Executive. The Executive Paper of 24 September 2020 DD/7 [INQ000065631], for example, provided a significant amount of detail about the likely impact of certain restrictions on the rate of transmission. While this was useful to an extent, there was concern about the evidence base for some of the fine detail, and it was necessary to bear in mind the cumulative effect of restrictions. As we were taking this decision, I felt that we were facing a 'creeping lockdown' and wanted to be assured that any step taken was justified and that imposing restrictions which would be difficult and damaging would have the necessary impact on the spread of the virus. The DAERA Minister will be able to answer for his own statements but with the rising transmission rates and advice from the CMO it was advisable that further measures were taken.

Executive meeting of 9 November 2020

66. As far as I recall the request at the Executive meeting of 9 November 2020 for a further 2-week extension [INQ000116294] was controversial because DUP Ministers were afraid that we were simply in a "creeping lockdown" scenario and that this was difficult for the public to accept.

67. There was a lot of anxiety around the quality and surety of the scientific advice during this period. In order to plan, Ministers also wanted detail and greater granularity of evidence on the impact of Non-Pharmaceutical Interventions on R. There was, for example, discussion around whether close contact services such as hairdressers and barbers should be able to operate. This was of particular concern as many of the people providing these services tended to be low-paid and therefore closure would have a disproportionate impact on their livelihoods. It seemed unfair to continuously target them. Annex 1 contained in the Executive Paper of 24 September 2020 [INQ000353620] details the DoH advice on the impact of Non-Pharmaceutical Options. This was the first time that we had received such advice in this particular form.

However, decisions needed to be taken within a short time frame and we had to rely on the advice that was available from the Health Minister.

68. Tensions were generally running high at the meeting on 9 November 2020. This Executive meeting had been convened and then adjourned twice. There was a lot of concern about the impact of lockdown on our health service, our economy and education. Every decision had a massive impact on people's lives. There was also disclosure to the press of the tone and nature of the meeting. This "leaking" of information made for a very difficult atmosphere in which to take decisions. It is for these reasons that the meeting was distressing and difficult. Indeed, I am also recorded as having said that there was 'Not honest discussion' at the meeting. By this I meant that Ministers knew that if we closed businesses, the effect on people's lives would be devastating, but that was not being properly acknowledged and expressed. In addition, I felt that it was difficult to justify telling certain sectors that they would remain closed when the evidence was limited as to the effect on the R rate – the closure of close contact services is a good example of this. The impact of closure of that sector was considered to be 0.05.
69. Enabling people to spend Christmas together was one factor [INQ000065956] but it was not the only issue driving the response during this period. Members of the public were also exhausted with Covid, restrictions and lockdown. In addition, the CMO had indicated, the virus and the normal winter colds and flu were factors that would have an impact on the ability of the health service to cope, and therefore needed to be weighed in the balance.
70. Executive papers should have a recommendation so that a formal vote can be taken. A specific recommendation would have brought greater clarity from a health perspective. I do not know the reason the Health Minister did not provide a specific recommendation [INQ000048498, INQ000137370] and he would be best placed to give a view on that. However, this was a time when there were huge concerns about lockdown, closing schools and a lack of clarity on whether there would be financial aid for business. It was therefore likely that DoH and the Health Minister felt that the Executive should weigh up the competing issues and come to a collective decision.
71. All of the decisions were very difficult and involved a delicate balance of competing harms. In October the Executive took a decision around the lockdown measures to protect children's education with the hope that transmission rates would reduce as noted by the CSA. I believe that this was appropriate. The management of the pandemic was difficult. However, the Executive committee had to make decisions with

the information that we had available with the overall objective of saving life, protecting the economy and wider society. I do think that a more structured approach, having information in a more timely manner before Executive meetings and having time to weigh up all of the data would have been more helpful. However, I also recognise that we were still managing a pandemic which had better treatments than at the start of the outbreak in March, but no vaccine. This was an enormously difficult situation for everyone in Northern Ireland.

72. The Executive's rationale for the decisions taken during December 2020 [INQ000048501, INQ000048504] was to try and keep case numbers under control whilst balancing the economy and family life. There was a fear that adherence to the restrictions would diminish further if families were denied some semblance of normality around Christmas and therefore initially very limited bubbling arrangements were decided upon, which were then reduced to one day only. As a backdrop to December 2020 the community in Northern Ireland had been dealing with province-wide restrictions since the end of October. There was real concern over public adherence. The decisions taken, including the bubbling arrangements, were part of the UK wide strategy which the CMO and CSA had signed up to. The situation in January 2021 was driven by the new variant which was spreading very rapidly. It is difficult to assess definitively whether the approach of November/December 2020 was or was not successful in this context.
73. My understanding is that Northern Ireland published its own statement on Christmas restrictions because the deputy FM would not sign up to the national one [INQ000091442]. I have a vague recollection of having been aware of this at the time. I don't think that the lack of a joint statement caused a huge level of concern given the severity of the restrictions that were being announced i.e. the issuing of a joint statement was a secondary issue compared to the impact that the restrictions would have.
74. I was unaware of the text from Robin Swann [INQ000095177] at the time regarding the deputy First Minister having refused to sign off on the joint 4 Nations statement, however, it does not surprise me as politically Sinn Fein always pushed for a more all-Ireland approach and resisted, when it suited them, UK-wide approaches being taken. A good example of this type of approach was at the start of the pandemic where SF wanted to close schools in line with Rol but not in line with the advice of the Health Minister.

75. In terms of travel restrictions in or around December 2020 [INQ00006574 and INQ000065742], I consider that the restrictions were proportionate. There was already advice in place that people in England could not travel if they were within tier 4 and advised to only travel if it was essential if within tiers 1-3. Given that the Executive's decision-making for Christmas in the event only permitted social mixing for one day, I believed this would deter travel to Northern Ireland. Cross-border travel was perhaps more of an issue as the R number was higher in RoI and there were higher case numbers of the new variant. However, in the end this was resolved because RoI introduced very tight travel restrictions. In any event, the CSA advised that the risk from travel was small, as, of the 6000 cases in Northern Ireland, only 23 related to travel.

76. I cannot recall the precise reasons why the Executive Covid Taskforce ("ECT") was established in 2020 but I assume it was to try to ensure a more strategic cross-departmental approach, that could respond to emerging issues and get financial assistance to where it was needed more quickly, and ensure coherent messaging to the public. I was not involved in any UK level meetings on this issue.

77. I recall there was an initial apprehension about the establishment of the ECT. There were no ministers on the group. It was Civil Service led. I recall concerns expressed by the Health Minister about its role and purpose. In December 2020 the role of this group was still emerging as was the strategy behind it.

78. It is hard gauge the effectiveness of the ECT. There was still a significant amount of work done by individual departments, so for example, assessing the impact of the easing of restrictions, the gathering of information about the economy and then making plans for economic recovery, were still carried out by DfE. While some viewed the ECT as a means of bringing greater coherence across departments, it was also an obstacle to direct decision making by the Executive in that it acted as a filter for requests from departments. I found it frustrating in that it was very process driven. This led to criticism of the Executive's pace at easing restrictions in the late Spring of 2021.

2021 and beyond

79. The work on assessing the impact on vulnerable groups was primarily the responsibility of individual departments and my understanding is that the Department for Communities carried out much of the work in this area.

80. Overall, I consider that the approach in *“Moving forward: The Executive’s pathway out of restrictions”* [INQ000104467] was generally appropriate. The paper set out some background on the huge impact that Covid had had by March 2021 and the position that we were then in, including the strategies then in place such as the vaccination programme, an expansion of testing and contact tracing, as well as commitments about support and what was expected from citizens, as well as a phased plan for the easing of restrictions. The paper helped to improve the coherence of messaging but the practical working of the proposals did lead to some difficulties. For example, the approach led to a layer of administration between Ministers and the Executive with a requirement to gather information or data and then seek health advice and wait for recommendations. This was time consuming. All aspects of the pandemic were challenging and many sections of the community felt that they had been disproportionately impacted but there is no doubt that vulnerable children, adults with learning disabilities and their carers were dreadfully impacted. The strategy did not sufficiently address their needs and some of these vital services are still not back at pre-Covid levels. This is a matter that should be taken into account in any future planning. I do think that the strategy was broadly adhered to.
81. I am unaware of the Justice Minister’s specific concern around the pathway having been undermined within hours of being launched [INQ000065711]. However, the document gave rise to concern that it did not have dates for reopening and that it lacked clarity. It appears that there was a lack of agreed messaging between Ministers and conflicting messaging within the media about the Executive’s approach to the speed of getting pupils back to school. Ministers within the DUP were keen at this stage to reopen schools for face to face teaching and not have a repeat of the on/off scenario seen previously.
82. By 25 March 2021, I was very concerned about the length of time restrictions had been in place [INQ000048522]. The vaccine roll out had been proceeding and was almost at levels where the CMO had indicated that it should have a positive impact on health and the pressures on hospitals. DUP Ministers were keen to get a settled pathway for on this issue and certainly the Justice Minister was among those asking the same questions. I and other Ministers believed in that context that the Executive needed to forge ahead with the easing of restrictions given the depth of issues around business. This was driven by the very process orientated "pathway" document and tensions with Health which wanted a much more gradual process. The article in the Belfast Newsletter of 13 March 2021 where it was reported that it was a choice for the Executive - Health or the Economy - is an example of how this played out in the press.

Overarching and thematic issues

Retirement of Sir David Sterling.

83. I was not involved in the day-to-day work of TEO, nor did I work directly with Sir David Sterling as Head of the Civil Service, it is therefore hard for me to evaluate what impact his departure had on the Executive's response. I would comment that losing experience, institutional memory and contacts likely did have some impact, however, we were supported by a very experienced senior and hard-working civil servant team who I am sure did their best to fill any void created in the period before an interim replacement was appointed. I was not involved in the replacement process and have no insights into its working but would say that Ms Pyper was also a very experienced civil servant and I am not aware of any material impact caused by the delay in her taking up her role.

Scientific and medical advice to Ministers

84. In March 2020, I believe the only approach available to decision-makers was to 'follow the science' by which I mean taking decisions based on the recommendations being provided by DoH, the CMO and CSA, which was in turn based on the best-available data and modelling then being produced. We were in an unknown situation and there was no over-arching strategy as to how the Executive would handle the response as the situation was developing daily. As such, the response at that early stage probably was reactive in the sense that we acted on recommendations being made to us and largely this meant following the 4-nation approach of the UK. This had an indirect benefit because, as Northern Ireland was behind in terms of case numbers, following the UK-wide approach gave some breathing room to Northern Ireland to make plans and kept numbers at a comparatively low level in this very early period. Having reviewed the announcements in relation to the pandemic in other nations of the UK I do not think that NI was in a substantially different place.

85. In terms of issues regarding the production of reliable data, I consider these are matters for the Public Health Agency ("the PHA") and the DoH. I was not aware of tensions in the PHA but then they were working under considerable pressure so some tension is perhaps understandable but I do not know what impact any tension had on the modelling of data. I also cannot comment on any specific issues as to the ability of the Public Health Agency to play a significant role in the response. I consider that it is reasonable to assume that the need for reliable data and effective modelling would and should have been covered by planning for a health pandemic within the

department. It did take some time to get the daily figures established and these were important for the Executive in giving reliable figures to the public and to form the basis for decisions. The PHA and its inner working is a matter for the Health Minister.

86. Scientific and expert advice was provided to me through the Health Minister, CMO and CSA. This tended to be orally at Executive and at times backed up by specific papers. Later in the pandemic, issues arose around the interpretation of advice and data with the wearing of face masks being a very good example. The CMO indicated at the start of the pandemic that wearing facemasks would make little to no difference, but then changed his mind and started talking about confidence. Eventually they became a symbol of the pandemic and an outward sign that the person wearing one was taking the pandemic seriously but I am still not clear that the advice change to advocate the wearing of facemasks was based on adequate scientific evidence, rather a change that accorded with the public mood that was increasingly calling for them to form part of the response.
87. I was never involved with SAGE. Scientific advice was relayed through the CMO and CSA. This was usually interpreted through a Northern Ireland lens. It was effective in that it helped to form the basis for decisions.
88. In terms of whether SAGE was too 'England-centric', I think the Executive assumed that the CMO, CSA or others within DoH were ensuring that the modelling relied upon was appropriate for NI, or tweaked to make it appropriate for NI, and that where NPIs broadly followed England, elements of it were adapted to suit the Northern Ireland context.
89. The R number was important as a tool to assist the Executive in decision-making. There were issues with its reliability when there were too few cases and this made it difficult to model the impact of restrictions in respect of different occupations. This in turn made it difficult to make evidence-based decisions. When two R numbers were being published the CMO was careful to highlight what each meant and therefore I do not feel this caused any significant issues.
90. In general, Ministers understood how the R number was calculated but the various data fields were not always recorded or available when the R number was being discussed.
91. In terms of the suspension of the use of the R number [INQ000065764], as I recall this, I believe the Executive was told that the incidence of Covid was low and therefore it

was difficult to use the same data fields with accuracy, for example, hospital bed occupation, and therefore the R number could not be calculated to a sufficient degree of confidence.

92. The work of SIG was fed through to Ministers by the briefings of CMO/CSA. I have no recollection of their advice being formally presented for Executive meetings. SIG was a group within DoH and hence the lack of direct interaction between it and Executive Ministers. I don't think that its role was widely understood outside the Executive apart from the assumption that scientific advice from a range of sources was the basis for advice and Executive actions. SIG minutes are available online but I do not recall having been provided with the minutes during my time on the Executive.
93. Modelling was certainly a key part of the response particularly in the early stages, as it was the foundation for many of the recommendations made to the Executive. However, clearly the modelling at the start of the pandemic was worst case scenario and we acted accordingly.
94. It would have been helpful to have the data that underpinned the modelling within the decision-making process. To this end having minutes from SIG would have been helpful and given assurance as to reliability for the decision-making process. Reliability of data fluctuated at certain points, for example, when case numbers were low there was less accuracy in calculating R. I cannot recall asking for the data. We relied on the interpretation of data presented to us and the expertise of the CMO and CSA. However, I do think that the modelling was generally reliable but not the only factor to base decisions upon. The data on what was happening in 'live time' was also very important for understanding the spread of the virus.
95. I cannot recall any meetings whether at the Executive or otherwise with a behavioural scientist although behavioural science and management was frequently cited as a rationale for the introduction of restrictions or reason not to ease restrictions. I am presuming that this would have been a matter considered by DoH.
96. The late arrival of briefing papers or proposals to the Executive was an issue [INQ000065718]. There were many delayed Executive meetings as we waited on up to-date advice to be provided and sometimes Ministers thought that they had incomplete advice or recommendations. This probably made Executive meetings more tense and fraught than they needed to be.

97. The scientific advice was often in oral form and given in briefings by the CMO/CSA to the Executive. Where it was also contained within Executive papers there was often insufficient time to fully consider it or take advice from my department on the recommendations flowing from the advice. Where the advice was oral, it was difficult to compare the advice with that provided in previous briefings. The Executive pondered the impact of restrictions on many occasions and Annex 1 of the September 24 meeting is a good example of this type of information.

98. I had no interaction with health advice at UK Government level and therefore it is difficult to gauge whether there was medical or scientific advice or expertise that I did not have, but which might have been useful.

99. In terms of my involvement in the response to the pandemic, I believe my job was to make decisions on the advice given, to question the advice and ask for a more complete analysis if required. However, while "pushing back" on civil servants is not universally loved by the institutions of state, I think that the Executive collectively did this - at times exhaustively. I am not a scientist but I have been in politics for a very long time and am accustomed to asking questions and scrutinising information and officials about policy. I am happy with asking for information to have a full understanding. I am content that I had a good grasp of the detail.

Relationship with the United Kingdom

100. In or around April 2020, the perceived wisdom was that the time lag allowed Northern Ireland a window to see how the pandemic developed and to try and act accordingly.

101. I cannot comment on how COBR worked as I was not part of those meetings. The Ministerial Implementation Groups, followed by the 4 nations calls, under the relevant Secretary of State were an opportunity to share information with specific issues followed through with officials. I have no recollections of how many of these meetings I attended but given the wide policy remit of my Department, I attended meetings on a range of areas including Further and Higher Education, exams, and supply chains. While I attended many meetings, they would not have formed the bulk of my meeting commitments. The Department may be able to provide a list of meetings attended. Whilst I believe that there was probably much greater communication and meetings with central government during Covid than a minister in the devolved institutions would normally expect, it is difficult to assess their cohesion or whether they were an adequate means of ensuring that the devolved

administrations were involved in the decision-making process. A lot of time was often spent trying to explain the specific difference across the regions. A good example of this was the fact that Northern Ireland had to secure its supply chains since its economy is deeply integrated with the rest of the UK. Haulage companies were central to ensuring that food supply chains were kept intact - many will recall the "run" on certain items at the start of the pandemic which created a lot of additional pressure on supply chains. Unlike the position in GB, Northern Ireland's supply chain relied on boat journeys and therefore was disproportionately impacted when the ferry system was curtailed. It was hard to engage central government on the need to support ferry and haulage companies and their employees to keep supply routes open and functioning smoothly. Minister Mallon, the Department for Infrastructure Minister, and I had many long meetings on this. This was fairly consistent throughout my period in office and was spread over a range of issues. Further and Higher Education provide examples of the difficulties between national and devolved administrations. Many of the courses in Further Education were certified through exam bodies in England, and Northern Ireland was therefore required to follow what they were advising colleges in England or there was a danger that the ultimate exam result and certificate would not be portable and of use if the young person eventually wanted to study further in other parts of the UK. The devolved administrations had to follow the English model of coursework etc. It is hard to escape the conclusion that central government came to the meetings with a prepared course of action however this might have been expediency rather than due to the make-up of the devolved administration, or any attendant political concerns.

102. Quad meetings were a good mechanism for facilitating communication and lobbying but were not good for facilitating decision making. They were an extension of the MIG concept. As they progressed Ministers from the devolved administrations took turns at chairing the meetings and developing the agenda. It was useful to share information about reopening and differing support schemes, for example.

103. I do think that there was a lot of consultation with devolved ministers but the big decisions on national schemes like furlough were taken by HM Treasury. The meetings were useful. Some had specific outcomes i.e. where UK Government policy was discussed, others were useful for policy development as we had the opportunity to explain the position in Northern Ireland, and hear the position of the other devolved administrations, and steps being taken or considered by others in a similar position. There were times when Northern Ireland policy was ahead, for

example, we introduced grants for the self-employed which was over and above the UK-wide funding measures.

104. I do not agree with the deputy First Minister's statement to Module 1 of the Inquiry where she states that "*actions by the British government, at times, hindered our ability to reach consensus*" [INQ000183409, paragraph 27]. Rather, I think that there is some revisionism on this issue. For the most part, the Finance Minister, and others, were engaged with their counterparts in national government in London since the UK Government were funding the furlough scheme and many other strategies to deal with the pandemic health response in Northern Ireland. No devolved government in the UK would have been able to respond to the pandemic without the interventions that UK Government implemented, especially as these were sustained over such a long period of time. The devolved administrations needed the firepower of the whole UK economy. It was therefore necessary and appropriate that some of the really big decisions like furlough rested with Treasury. In terms of agreement around travel restrictions to which Michelle O'Neill referred, again it is not my view that any action by the UK Government made reaching consensus more difficult. During much of the pandemic, travel was highly restricted in England with only necessary travel permitted in Tiers 1 to 3 only necessary travel, and no travel permitted in Tier 4. There was no big rush to travel. This discussion is also strange from Michelle O'Neill since she and her party brazenly breached restrictions in relation to funerals and travel and after the event indicated that she would do it again to attend the funeral of a friend. On that same day other families who equally had very dear family members buried were unable to have the same opportunity. This led to more tension and difficulty within the Executive in terms of reaching consensus than anything done by the UK Government.

105. I only had intermittent high-level exchanges with Secretary of State for Northern Ireland, the Northern Ireland Office and other Ministers of State including the Minister for Intergovernmental Relationships. I understand that communication between these persons/entities and TEO and DoH would have been much more frequent. My communication with these people would only have related to the economy or other areas within my brief.

106. I don't know the details of the allegation that representatives of the Devolved Administrations were not truthful or did not provide accurate information to UK Government. My dealings with the UK government were limited and are as outlined above. I provided information as required in both an

accurate and timely manner. From my perspective, I had no sense of people being untruthful with me or that there was any lack of trust.

107. The North South Ministerial Council is not a forum for free discussion. Instead, it is generally a highly scripted event with the agenda and outcomes largely agreed in advance and in that sense, it would not have been workable as a forum to facilitate the pandemic response.

108. In my experience, Ministers were acutely aware that the spread of the virus would not recognise a border and that cooperation and understanding of the position in RoI was essential. This was particularly true of the circumstances in Summer of 2020 when there was a sharp rise in cases in Donegal and therefore a need to work together to combat transmission. I think that cooperation and information sharing was the only way forward. The government in RoI had the responsibility to ensure the wellbeing of its own citizens and did so independent of, and without reference to, the Northern Ireland Executive at times. A good example of this is the very strict travel restrictions imposed by RoI in the early part of the 2021. Even with the Memorandum of Understanding between the two jurisdictions the Health Minister in Northern Ireland was very critical of the lack of information sharing with the Northern Ireland authorities from passenger locator forms submitted as passengers travelled through Dublin en route to NI. In terms of whether alignment with RoI was considered by the Executive, Northern Ireland could not entirely on its own decide to simply follow RoI even if that were considered desirable or appropriate. I have alluded to the firepower of the British economy in providing resources to its citizens in NI to fight the pandemic, keep supply chains open furlough etc. This was essential. Our CMO was highly involved in the national discussions on the pandemic as I would expect but he was also in touch with his counterpart in RoI – again something I would expect. I absolutely believe that cooperation and information sharing to be essential in relation to fighting the pandemic but this is a complex issue.

109. I do not believe that the single epidemiological unit for animal health and welfare that operates across Northern Ireland and RoI is a sound comparator. A single epidemiological unit between NI and RoI is about animal disease status surveillance and taking practical measures to control disease through transport restrictions. Animal health cooperation is based on the fact that some rules in relation to animal health are the same north and south of the border by virtue of the fact that both follow EU law. However, it is up to each jurisdiction to design their own legal basis to comply with those EU frameworks. There are no common policies on Animal TB or

Avian Influenza North/ South. No such provision exists in relation to a health pandemic where the responsibility for law and public health rests with national or devolved governments - as is the case across the EU. There is, however, plenty of scope for cooperation between Northern Ireland and RoI and this should be encouraged.

110. Indeed, cooperation in the face of a severe pandemic is essential and the All-Ireland MOU was an attempt to crystalise this. I'm unaware of any formal evaluation: this was a DoH memorandum and therefore DoH would be best placed to comment more fully on whether the MoU met its aims.

111. There are formal mechanisms for co-operation and coordination between Northern Ireland and RoI and the example of cooperation over heart surgery for children is one. However this was a health emergency and given the demands of the pandemic and the need to get ahead with the pressing issues faced by departments every day, it is likely unrealistic for these to have been further developed during the response. However, there were good informal mechanisms such as the relationships between the respective CMOs and the MOU. These likely could be further strengthened and it is one of the planning lessons from the response to the pandemic.

112. I am unaware of whether a review of the MoU took place. As outlined above, the MoU was a Health document and therefore any review would likely have been carried out by DoH.

113. I am also unaware of any formal research into the impact of Covid-19 along the Irish border being commissioned by the Executive during my period as Minister.

114. Ministers were aware and at times briefed on measures taken by RoI government. We were guided on NI interventions by the Health Minister. In terms of public policy alignment, this was a Public Health issue and therefore the DoH would have been responsible and would be best placed to comment on examples of alignment.

115. I have not read the document entitled "Obstacles to Public Health that even pandemics cannot overcome: The Politics of Covid-19 on the island of Ireland" [INQ000137387] and have no comment on this isolated reference to Professor Heenan's analysis. In any event, I consider this is a matter for DoH to

comment upon but I am not aware of 'active discouragement' of comparative analysis between Northern Ireland and RoI.

116. In terms of the timing of announcements by the RoI government, RoI is a sovereign government and I presume it took the view that it had to convey announcements to its own elected parliament before discussing its decisions with another jurisdiction. I do not think that this is unreasonable. The announcements did surprise on some occasions, for example, closing of schools and the timing of this in the early part of the pandemic, and the very tight localised restrictions on travel. The schools issue of March 2020 prompted some requests for the same action from Northern Ireland ministers but the view of CMO and Health Minister prevailed. I think that some of the Ministers in the Executive felt that they had a right to be informed and this caused some issues for them.

117. I am not aware of a broader reluctance on the part of RoI to share information on general pandemic planning. However, the information sharing issue that I believe was essential was the detail on passenger locator forms and this protracted issue was a matter of concern. It was handled as an operational health matter rather than a political one. Having said that, the CMO advised the Executive during my period as Minister that there was a good level of interaction and sharing of information between his and his counterpart in RoI. I am unaware of whether any formal work was undertaken to examine harmonisation and cooperation and if this would have changed outcomes for them.

118. I do not have a view nor am I aware of whether RoI had better outcomes than NI. I imagine this is likely to be difficult to fully assess given the large array of measurable outcomes and variations in data recording.

119. I do believe, however that Northern Ireland benefitted significantly from alignment with the UK, particularly in light of the significant financial interventions that we were able to put in place.

Legislation and regulations: their proportionality and enforcement

120. Criminal sanctions were considered necessary to help compliance. The Executive did consider whether other means of enforcement would be effective. As such, in relation to the wearing of facemasks, retailers raised the issue of who was responsible for enforcing the wearing of facemasks where customers refused. Retailers argued, not without foundation, that if they raised the issue it would

lead to them being open to abuse, or losing custom. However, the police argued that they did not have the resources to enforce the wearing of masks. There was also the use of Covid Wardens in some instances.

121. There are some defining moments in the pandemic and in Northern Ireland, one of these was the decision by Sinn Fein to bring thousands onto the street at the funeral of Bobby Storey. While I have mentioned it previously, the fact that the police did not take action against anyone who breached the regulations that day was a huge issue of concern. The actions of Sinn Fein, and the deputy First Minister in particular, caused huge levels of anger and pain to many who had obeyed the rules and felt that their loved ones had not been treated in the same way. It was inconceivable to many that the people who were making laws requiring citizens to act in a certain way, who talked about those laws daily on TV, and complained that citizens weren't following the rules, were able to breach those rules so publicly without any criminal sanction. The situation was made worse by the response of the deputy First Minister who, by refusing to apologise, added to the hurt. Indeed, the whole issue might have had greater political ramifications but for the fact that we were in the grip of a pandemic and government had to continue for the greater good of all of our citizens. Undoubtedly that this had a hugely detrimental impact on public confidence in the rules and their enforcement. Many also thought that there was a different treatment for those who took part in the Black Lives Matter protest compared with those who took part in events around the Bobby Storey funeral. PSNI were worried about the resources to police the regulations. It was of huge concern and significance to the Executive and therefore the group on compliance was established. Without a vaccine, controlling the transmission was dependent on the cooperation of our community and adherence to the regulations. I was also concerned about enforcement of other NPIs such as the wearing of facemasks, particularly in terms of the impact on small businesses if responsibility for enforcement was, either expressly or impliedly, to be placed on business owners, or workers.

122. The PSNI were concerned throughout the period about the ability to enforce sanctions. Sanctions did have a deterrent effect but that was not the only impact. Enforcement was also carried through. Statistics show that between 27 March 2020 and 31 December 2020 3,743 Fixed Penalty Notices were issued under the Coronavirus Regulations. Having said that, enforcement was always going to be difficult. In the Autumn of 2020, the fines were increased as a greater deterrent and greater clarity of messaging was sought by Ministers to try and combat the rise in cases and increase compliance. It is important to remember that there were harsh

restrictions on business and family life and normal freedoms in a democratic society had been taken away by government. Legal enforcement was therefore only part of the solution - it was important to drive compliance through the public having confidence in the Executive - and, notwithstanding the difficulties, overall, the degree of cooperation for the greater good from the community in NI was remarkable.

Scrutiny by the Assembly

123. Covid regulations were generally introduced by the Minister for Health or the Junior Ministers in TEO. The regime of interaction between the Executive and the Assembly was agreed with the Speaker of the Assembly. As far as I am aware, all Assembly Questions for Written Answer (AQWs) were answered within DfE and I continuously interacted with my Assembly Scrutiny committee throughout the pandemic. I also attended All Party Group meetings on small business as well as organising direct meetings with MLAs and their constituents from all parties. The Ad Hoc Committee on the Covid -19 Response was also a mechanism for the Assembly to debate issues and for relevant Ministers to provide answers on their departmental responsibilities.

Funding the response to the pandemic

124. Our national government provided an enormous amount of funding to fight the health pandemic and deal with the economic and societal costs of the crisis. The Northern Ireland Audit Office report records this at 6.2 billion at the end of 31 March 2021. Some of this was centrally funded i.e. monies for the furlough scheme; the self-employed income support scheme etc., but there was considerable scope for NI departments to spend money received on foot of the Barnett consequential on priorities for the region. The audit office reports outline the spending very clearly.

125. In March 2020, in DfE we were aware of the terrible decisions facing business. There was some discussion with the Finance Minister about the need to look at where budgets could be trimmed to get some funding. In reality a small regional devolved Assembly was never going to be able to provide the enormous amounts of funding needed to sustain the health service, the economy and the community through a sustained lockdown. Furlough was only announced on 20 March 2020 albeit it was backdated to 1 March 2020 - perhaps signalling the Chancellor's knowledge that some businesses had already experienced significant difficulties.

Lockdown was announced on 23 March. In order for the Executive to take actions it needed the levers to do so.

126. On 17 December 2020, the First Minister voiced concern over whether we would have the funding to continue to support business if we imposed further lockdown. I don't think that this represented a lack of planning but rather the way in which NI became eligible for additional treasury funding through Barnett as a consequence of a funding announcement for England or funding announcements nationally meant that we did not always know what funds would be made available. At the beginning of the pandemic the Executive was curtailed in the NPIs that it could take but on the whole the United Kingdom Government expended huge amounts of money in trying to combat Covid 19. As the pandemic progressed, we were not curtailed by funding issues but as I have explained in this answer forward planning would have been helped if we had knowledge of funding allocations.

Controlling Northern Ireland's borders

127. Northern Ireland could impose restrictions in relation to entry into Northern Ireland and did so with testing; tracing and isolation requirements; and the amount of time that could be spent with family etc. Restrictions on cross border travel were considered difficult to enforce but in the end was managed by the government in RoI when it imposed very strict county to county travel rules in the early part of 2021. The difficulty in obtaining information from passenger locator forms completed by those passengers who came into Dublin but then travelled to Northern Ireland was problematic. This in turn meant that NI authorities could not track and check that those passengers were fulfilling their quarantine requirements.
128. I was not directly involved in conversations with UK government on travel restrictions and therefore cannot comment on the extent to which UK Government consulted or considered NI in their decision-making on travel restrictions and border control. Similarly, I was not involved in any significant discussions with or about UK and RoI cooperation in relation to border control. I consider there is always room for cooperation but the difficulty with obtaining information from passenger locator forms from Dublin was long-running and exposes the fact that while cooperation is a noble aim, it needs to be followed through on a practical level by each side to be effective.
129. I do not believe that the methodology adopted by the UK Government in the identification of countries as red/amber/green was particularly clear

at all. This issue was reported to the Executive and the main conversations on this with UK Government would have been through DoH or TEO. This matter caused concern for our airports, travel agents and the tourism industry as well as the general public.

130. In terms of whether more could or should have been done to control movement into Northern Ireland, this is very difficult to gauge. Inward travel into Northern Ireland was hugely reduced throughout the period. It was even difficult to get travel arrangements made for those who were trying to invest in Northern Ireland because of quarantine rules and for a long period I therefore consider this is an area where a balance required to be struck, and the restrictions needed to be sufficiently flexible to allow travel when it was relatively safe to do so, with sufficient safeguards in place around testing and quarantine available to be implemented when necessary to mitigate the risks of increasing spread.

Care homes

131. Care homes were mentioned frequently during briefings to the Executive in the first wave of the pandemic but these briefings were mostly oral and a paper was requested on how they were to be dealt with. It took some time to get the paper to the Executive. The monitoring of the spread of disease in care homes and the operational response including decisions around testing was a matter for DoH. As the virus spread the Executive did discuss the matter of care homes but this was on foot of reports from DoH regarding the measures they had taken.

132. There were concerns during the first wave of the pandemic around the availability of PPE generally. Northern Ireland was linked into the UK stock of PPE. The Finance Minister tried to purchase PPE separately for Northern Ireland but this was difficult in a challenging market. However, whether generally or in terms of how PPE was provided to care homes, the procurement, distribution and stock of PPE was not an issue that I was involved in, nor do I consider I should have been. Procurement is a matter that lies squarely within the remit of Department of Finance. As Economy Minister I did work with local firms who were willing to repurpose their production lines to help with the effort to supply PPE and facemasks. These included companies such as O'Neill's in Strabane, Denman in Bangor and Bloc Blinds in Magherafelt. Manufacturing NI has a long list of companies that repurposed to produce other products such as hand sanitisers. Our Further Education college in Lurgan made face shields for local care homes and community care workers. These are merely examples of how manufacturing in NI stepped up to the challenge of Covid-19.

Inequalities

133. At the beginning of the pandemic, the main focus was on providing measures to combat the spread of the virus, and, while I was aware in a general way that there would be negative impacts of NPIs, the need to quickly close down to mitigate against the possibility of the worst-case scenario of 10s of 1000s of deaths coming to fruition outweighed concern over non-health consequences in the very early stages. Indeed, there was limited advice about the myriad ways that society and the economy would be affected, or recommendations at the initial stages about how to mitigate the worst consequences, and little understanding of how long it might be necessary to continue with NPIs. However, it soon became apparent that the extreme measures of closing the economy, closing schools and Further Education and Higher Education would have hugely negative impacts. In my area of responsibility, the Department of Economy conducted a huge amount of work on the impact of Covid 19 and provided advice to the Executive (The Economic Impact of New Covid-19 Restrictions) as well as introducing schemes to help mitigate the impact. This involved working closely with the business community in order to gather intelligence on the impact. We established the Economic Advisory Group to bring together key stakeholders. A further dimension was making sure that supply chains were kept intact. The Department also worked closely with the Department of Finance and the Rates Collection Agency which worked to make payments to business. As Minister, I also introduced the Economic Recovery Package, strategies for the future of the economy – the 10x Economy – skills, energy and a recovery pathway for tourism and hospitality.

134. I cannot recall a formal collective policy of the Executive on the approach to our section 75 duties during the period. Each Department would have had its own decisions to make in relation to screening. Within DfE we were dealing with a business community which had its means of making a livelihood closed or severely restricted. We did not do specific equality screening of schemes immediately because of the emergency and the universal need for intervention however it was expected that the schemes would be screened at a later date for Section 75 purposes.

135. The Executive was aware and discussed the issue of vulnerable groups. The issue of women who might be trapped in a violent relationship was a matter of particular concern. The Department for Communities was allocated significant funding to try and alleviate this hardship. There was good work between

local government and community groups to try and get help to those who needed it most. As Economy Minister, I was greatly concerned about the impact of restrictions particularly on those with low incomes. DfE produced papers for the Executive on the economic impact of restrictions. Poverty also has a health impact and I discussed this within the Executive.

136. Northern Ireland is still a society of relatively close-knit communities. Families are still relatively nearby compared to other parts of UK. However, there are still very many who are vulnerable and lonely. The Voluntary and Community sector did some outstanding work. Local sports clubs also took on a responsibility for the community they are embedded within. For example, Crusaders Football Club worked to provide over 400 meals per day to those within Lower North Belfast who otherwise might not have had a hot meal. The J29 project worked hard to provide food and essential supplies to those most in need. These are but two examples of this kind of response from the community. These schemes were possible through the allocation of funding from the Executive and the coordination of work with local government and community groups.

Public health communications, behavioural management and maintaining public confidence

137. The Executive Information Service was primarily responsible for the messaging during the pandemic including the organisation of the press conferences and the social media platforms used. The Executive had some oversight with it being discussed at some Executive meetings. Press conferences were instigated and held regularly to try to ensure good communication with the public and allow the Executive to disseminate information and encourage compliance. Each Executive Minister took part in the press conference as it related to their department.
138. Disinformation was an issue in Northern Ireland but I am not sure that it was any more or less of a problem here than anywhere else. Whenever compliance decreased it was due to a number of factors and it is very hard to quantify how much disinformation played a role in this. The messaging at both local and national level had an impact on behaviour.
139. Spikes in the virus in certain areas in or around the Summer of 2020 were attributed to some young people breaching the rules by gathering together. This was against a backdrop of schools having been closed for months and young people being particularly affected by the lack of social interaction

with their peers. It is difficult to accurately give reasons for this situation. Young people were impacted massively over this period. They were isolated from their friends and the normal school and college social interaction taken away from them. However, it is clear to me that the issue of the deputy First Minister asking for obedience to the rules but at the very least breaching the spirit of those rules and regulations at the funeral of Bobby Storey had a significant impact on compliance throughout society as a whole, and cannot be ignored as a factor contributing to complacency in young people.

140. I was not aware of the requests from the Commissioner for Children and Young People, in relation to press conferences specific to this cohort [INQ000221928, paragraphs 51-55]. As the Minister responsible for Further and Higher education I did speak to student representatives and take on board their need for additional measures to support students, particularly with the mental health issues that were being experienced by young people. This funding support was given to Universities and Colleges to distribute through their hardship funds.

141. I'm not aware if any formal work has been carried out to determine whether a lack of consistency in public health messaging with other parts of the UK was a problem within Northern Ireland and I was not part of the Executive in July 2021 so I do not know the specifics that this relates to. However, I think that it is inconceivable that the Executive would not have considered its own public messaging campaign when the other nations of the UK held press conferences to explain the regulations that addressed their specific situation. This was useful to avoid confusion and to explain the NI regulations and the local health situation etc. The Dublin government was not speaking for NI and had no legal basis to do so but, as already discussed, I do believe that cooperation and information sharing was very important to the pandemic response both in NI and RoI and was helpful to public messaging.

142. I did not receive any more threats or abuse arising from the response of the Northern Ireland government to the pandemic than what I have come to expect as a public representative. It is shocking that the Health Minister received threats.

143. I believe that the straightforward messaging such as "Stay at Home" was effective, and that in the first wave of the pandemic the daily press conferences were important for connecting to the public to provide information and encourage compliance. The vaccine messaging was effective as well and there were high levels of vaccine take up. However, any trust that had been developed with the

public in terms of messaging was completely undermined by the Bobby Storey funeral at the end of June 2020.

Executive Committee decision-making

144. Mandatory coalition is a difficult system of government in any circumstances but it is particularly difficult in a crisis situation such as Covid-19. The system had some advantages in that decisions were taken at Executive level. Within DfE, decisions in relation to Covid schemes were put through the Executive detailing the difficulties or potential pitfalls with each and the fact that Ministerial Directions had to be made in order to make the scheme operational. There was at times deep frustration and lots of process in order to arrive at decisions but very many of the decisions during the period were taken by consensus. While there was a will to make the Executive work there were times of great stress and the Bobby Storey funeral was an example of this. I take the view that this might have been a breaking point for the Executive but for the pressing needs of a very dangerous health pandemic.

145. I don't think that Ministers came to the Executive with a particular agenda. We agreed that our purpose in this situation was to protect life and the economy and society from harm. There is no doubt that at times there was a different emphasis and some parties wanted a four nations UK approach while others were more wedded to an all island one.

146. All political parties talk about issues and how they would resolve them before important meetings. I think that this is common sense, particularly in a mandatory coalition where it is necessary to achieve consensus across a range of parties. I had no predetermined lines. We often had pre-Executive meetings with a broad discussion and a general consensus approach was discussed, but Ministers each also had flexibility and autonomy to deal with issues as they arose at meetings, and speak our minds.

147. The cross-community vote is a mechanism which is part of the fabric of the devolution rules in Northern Ireland and part of the architecture of the Belfast Agreement. In my view it is a legitimate means of arriving at solutions as defined in the agreement. In the circumstances that we found ourselves in, it was deemed necessary to use it. However, it should be noted that of the hundreds of decisions taken by the Executive over the course of the pandemic it was only used on 5 occasions. On three of these occasions, it was used to uphold a deeply held commitment on abortion. On the other two it was used to try and ensure further

discussion on the proposed restrictions. In the broad sense within the pandemic scenario, it could be viewed that use of the cross-community vote was a signal to the public that Ministers could not agree on the second time it was called but, in my view, this would be an over simplification of the situation.

148. Ministers have to work within the legal framework and the cross-community vote mechanism is part of this. Devolution in NI and its legal framework is part of a set of delicate balances and I don't think that these could be set aside. The cross-community vote was only used twice in relation to pandemic issues which is a very tiny percentage of the overall decisions that were taken by the Executive.

149. All decisions were taken at Executive level so in this sense there was collective responsibility however this may not have manifested itself clearly in public after the decisions were taken. Certainly, decisions taken by Ministers did not translate into agreement within political parties generally as seen by Assembly debates. There is no sanction for breaching collective responsibility in Northern Ireland unlike the way in which collective responsibility operates in Westminster whereby a Minister is expected to stand down or face sacking if he or she does not agree with the decision taken.

150. My recollection of this exchange [INQ000065748] was that there were attempts by Michelle O'Neill to be seen to be ahead of the health advice, or to be taking public decisions that aligned with RoI at this time. This led to tension between DoH and the deputy First Minister. I don't think this applied to the whole Executive in this instance. In general, Ministers were led by the health advice but there were discussions around the balance of health/reopening of economy/opening of schools. This kind of discussion and testing of papers is normal in any decision-making process. It did not mean that there were wholesale tensions between the Health Minister and other Ministers but it was appropriate that positions were tested.

151. I think the Health Minister was adequately supported by the Executive during the specified period. The vast majority of health recommendations were accepted by the Executive and, despite some tension arising at certain points, generally Executive Ministers were very positive about the work of DoH and the Health Minister in tackling the health emergency. I think that there was a reasonable relationship between Ministers.

152. The CMO and CSA had a very powerful voice in decision making and in the messaging in respect of public health. Their expertise was essential to the decisions that were taken. However, there were tensions in the process. There was pressure from the media on the CMO/CSA to provide clarification on the spread of the virus and their thoughts on restrictions, but this led at times to it being more difficult for Ministers to balance the health advice with their duty to reflect the impact of health regulations on society, education and the economy i.e. there was no impartial counterbalance and this tended to lead to an expectation from the public that the recommendations of the CMO and CSA would necessarily be enacted, without sight of the wider picture.

153. In terms of tension within the Executive, I would say that there were many of the healthy tensions that should be present in such a forum. Ministers were generally supportive of the health advice but it was not accepted without being tested and debated. I still believe that devolution was started with the best of intentions and there was a lot of goodwill to see it succeed. The Storey funeral posed a huge difficulty and if something similar had happened outside of this very grave health emergency then it would have been difficult for the DUP to have confidence in the Executive. However, we recognised the extent of the health emergency and the need for the Ministers to work together to deliver for Northern Ireland. As a Minister in the Executive, it was important to get the priorities of your own department through what could be a protracted process but this was no more tension that would have been expected in a one-party majority government as in Westminster in a cabinet of competing priorities.

154. There is no doubt that the leaking of information made decision making more difficult and created tensions with Executive Ministers [e.g. INQ000065724, INQ000065764 and INQ000065757]. At times this leaking presented an incoherent message to the public but I think it was also a clear signal that we were dealing with difficult decisions in extraordinary circumstances.

155. I think that there was healthy debate between DoH and my department DfE. Imposing restrictions and limiting the ability of business to operate was always going to create tension but there were also some very good areas of cooperation and this is well demonstrated by the DoH and CMO input into the group run by the Labour Relations Chief Executive into "working safely during the pandemic"

156. I do not believe there was a policy of leaking to test policy and public opinion. Certainly, DfE had a very wide stakeholder group where there were discussions with relevant sectors. We also had an Economic Advisory Group to aid policy formation. The 10x Economy document was produced in conjunction with experts and the stakeholder group.
157. I believe the Executive was the most effective and appropriate structure to deal with the pandemic in Northern Ireland. The Executive was also the only structure with the legal basis to take the decisions necessary to respond to the pandemic. The Executive also broadly reflected the democratic representation of parties within the Assembly and therefore the democratic will of people in NI. The Executive worked closely with local government to support the response at local level.
158. The initial difference between the First and deputy First Minister regarding the closure of schools [see for example INQ000083098] led to confusion rather than a loss of confidence. On the one hand we had advice from the CMO which indicated that we were on the right path but, on the other, we had political figures like the dFM putting out their own message on both education and the economy. Moreover, particularly in the early stages of the pandemic, criticism of other Ministers and political grandstanding was unhelpful as it undermined the collective messaging. The comments between myself and the Health Minister referenced in September 2020 wherein I stated that Northern Ireland could not afford another lockdown but Robin Swann said one could not be ruled out, reflected a scenario where the health minister wanted restrictions but we were unsure about the continuation of funding to support business and workers. Furlough scheme was due to end on 31 October 2020. At that stage no announcement had been made by national government. I don't think that the point referenced section (e) was particularly well articulated and I was not aware of any evidence to support this. Transmission rates varied in different parts of NI throughout the period.
159. Public confidence was severely damaged by the Storey funeral. Even now this causes pain and grief to families. The Storey family were allowed into Roselawn cemetery. Eight other families who buried loved ones that day had to leave their loved ones at the gate. This led to calls for Michelle O'Neill to stand down pending police and standards investigations. It is difficult to demand adherence to Covid rules when this happens and is defended by the deputy First Minister. I think that people in NI reacted to the allegations of rule breaking in Westminster in much the same way as other parts of the UK - sadness, grief and anger.

Communications with ministers, advisers political party officials and civil servants via electronic device(s)

160. As Minister, I was issued with a NICS mobile phone, laptop and iPad. I only used the iPad and mobile phone. These were returned to the Department in June 2021.

161. I used WhatsApp and text message/iMessage but did not use Slack or Signal.

162.

Name of individual	Role	Purpose of communication
Mike Brennan	Permanent Secretary	Operational arrangements
Dan Cartland	Principal Private Secretary	Operational arrangements
Noel Maxwell	Ministerial driver	Operational arrangements
Alastair Ross	Special Adviser	Operational arrangement
Arlene Foster	First Minister	Operational arrangements
Brandon Lewis	Secretary of State for NI	Operational arrangements
John Robinson	Press Officer	Operational arrangements
Peter Martin	SPAD DE	Operational arrangements
Timothy Johnston	Chief Executive – DUP	Operational arrangements
Emma Little-Pengelly	SPAD First Minister	Operational arrangements
Mark Beattie	SPAD	Operational arrangements
Philip Weir	SPAD First Minister	Operational arrangements

Lee Reynolds	SPAD FM Office	Operational arrangements
DUP Ministers	DUP Ministers Group	Operational arrangements
Neil Gibson	Economic Advisory Group Member	Operational arrangements
Executive	DUP Ministers	Operational arrangements
Jeffrey Donaldson	MP	Operational arrangements
Gary Middleton	MLA	Operational arrangements
Gordon Lyons	Junior Minister	Operational arrangements
Colin Neil	Chief Ex Hospitality Ulster	Operational arrangements
Simon Hamilton	Chief Ex Belfast Chamber	Operational arrangements
Robert Kidd	Chief Ex NIH + Safety Ex	Operational arrangements
Ronan Henry	Press Officer DFE	Operational arrangements
Spam Min	DFE Minister SPAD	Operational arrangements
Robin Walker	Minister at the NIO	Operational arrangements

163. Ministerial decision-making was recorded via the NICS formal processes. Decisions around the Covid response were taken at the Executive and were formally recorded.

164. I had messages on both my personal and NICS device. No one suggested that I should not send messages on my personal device and the Private Office often sent messages to both so that I would be aware of them.

165. There were broad discussions on WhatsApp or in meetings between ministerial colleagues and advisers at times around the agenda for Executive meetings or about items that needed to be on the Executive agenda. There were no decisions within these. Rather, decisions on schemes or other aspects of the response to the pandemic had to be taken within the Executive itself.
166. I returned my NICS phone when I ceased to be a Minister. I did not delete anything from the NICS devices before I returned them and, to the best of my knowledge, I still retain the messages from my personal device.
167. Informal messaging platforms were not used as an alternative to formal or minuted meetings.
168. I did not delete any messages or emails from any device that I used as Minister and which belonged to NICS. I returned devices to PPS.
169. When I ceased to be Minister, I returned my NICS devices to PPS Dan Cartland.
170. I did not delete any messages or emails beforehand.
171. I have since learned that these devices were wiped according to DfE policy. I was not aware that this was the policy at the time and only learned this when the Inquiry started to ask for them.
172. I still have my own personal phone from the period in question.
173. I'm presuming that this (for example, [INQ000065769, page 20]) refers to the 'chat' function that was used during online meetings. Chat was used to clarify a point with further information. I don't recall this as being a function that was used to any great extent.
174. I did keep notebooks during my period as Minister and these have been provided to the Inquiry.

Lessons Learned

175. I am conscious when answering this question that it is perhaps easy with the benefit of hindsight to identify some of these issues. We were faced with a fast-moving situation of a dangerous global pandemic. The Executive tried to keep the focus on the goal of saving life and preventing harm to the economy and

