

Witness Name:

Statement No.:

Exhibits:

Dated:

UK COVID-19 INQUIRY

WITNESS STATEMENT OF KIM ASHTON

1. I was a Special Adviser to then First Minister Baroness Arlene Foster for a short period in 2020. Prior to becoming a Special Adviser, my political experience was as an Elected Member in Local Government for 10 years, and my advisory experience was in budget controls at Local Government level. In terms of qualifications, I have attained Level 5 in my Accounting Technician Examinations.
2. Between January 2020 and 18 April 2022 ("the Specified Period") I was an Elected Member at Local Government from June 2011 to May 2023 and a Special Adviser to the First Minister from 1 March 2020 to 4 May 2020.
3. My responsibilities as an Elected Member was to represent Dungannon District Electoral Area in Local Government.
4. As a Special Adviser, my responsibilities were to advise on finance matters within the Executive Office ("TEO") and some community development. I did not provide any advice or support to the Deputy First Minister – I reported to the First Minister.
5. My party-political role was very limited and I did not serve as a liaison between the DUP and the First Minister. In fact I believe I only attended one DUP MLA group meeting as an introduction.
6. I began employment in March 2020, at which time I was allocated limited areas of responsibility, none of which fell into the Health portfolio. Any of the areas that fell under my remit had to be signed off by a senior Special Adviser before it was permitted to be reviewed by First Minister.

7. As such, I did not have any role or responsibilities in terms of the provision of advice or support to the First Minister as part of the Northern Ireland government response to Covid-19. I therefore did not brief the First Minister regarding scientific advice from any individual or group, or on modelling outcomes nor did I provide any strategic advice. I also had no role in determining the agenda or daily priorities.
8. The only meetings I attended that related to the Covid-19 response were the daily press event, the Executive meetings and ministerial group meetings. The sourcing of PPE, updates from the CMO and discussions on budget allocations of new money assigned by HM Treasury would have been discussed. However, I cannot recall the detail at this remove.
9. I observed that the First Minister's relationship with the Deputy First Minister was professional but sometimes strained.
10. I was not a Special Adviser, nor involved in Assembly politics prior to March 2020 and therefore I cannot provide any detailed insight into the impact of the absence of power-sharing from 2017 to 2020. However, in my opinion the Executive was still trying to get to terms with process and develop a way of working in March 2020, and then they had a pandemic to deal with as well.
11. I became aware of the potential concerns around the pandemic in or around the third week into my appointment. I am not able to assist with the First Minister's initial awareness or that of the First Minister's office nor the briefings or information being provided from January 2020 to the first lockdown. I cannot therefore comment on the strategies considered or adopted or the early understanding of the likely trajectory of Covid-19, or whether there were any concerns about a policy based on suppression. I am also not able to provide any insight into what the First Minister's team understood about Northern Ireland's capability to test and trace between January and March 2020, nor what the principal planning documents being relied upon were.
12. I also was either not in post during, or not involved in, any consideration given to the closure of the border, or alignment with Republic of Ireland or any discussion about aligning policy with UK Government. However, I do recall that at the early stages (and in or around the time of the NSMC meeting of 14 March 2020, the details of which I cannot recall) the Republic of Ireland and the United Kingdom were on different plans and timelines. I was not involved in providing any advice to the First Minister about her approach of following the "scientific advice" in relation

to whether to close schools following the Republic of Ireland's decision to do so. I am aware that the Health Minister had a line of communication with the Irish Health Minister and shared information.

13. When I did become aware of the concerns around the pandemic, I was not involved in any part of the response as this area did not fall within my portfolio. I cannot recall what the understanding was within the FM's office regarding when the peak of the virus was expected to occur but I do recall that the Chief Medical Officer ("CMO") for Northern Ireland was concerned that the population might suffer from 'behaviour fatigue'.
14. In terms of my recollection of a moment when it was understood that in relation to Northern Ireland, Covid-19 was not under control, this would have been at (what I believe) was the first press event at Stormont Castle, where the Health Minister announced the anticipated number of deaths.
15. As time went on, I had a general understanding that Ministers were relying on the information provided by the Civil Service in respect of data and modelling. I do not recall being aware of any particular reliability issues but I do recall that reliance was placed on the figures produced by UK Government to track the trends in Northern Ireland and help predict case numbers.
16. Information about the impact of Covid-19 on the health service (in terms of potentially overwhelming it) was being provided to the First Minister by the CMO and the Health Minister.
17. My overall sense is that decisions were having to be made quickly which didn't allow for adequate planning – it was all very reactive. This perhaps suggests that there were not sufficiently detailed plans in place in advance of the lockdown in March 2020. It appeared to me that the Northern Ireland government were not prepared for a pandemic of the scale of Covid-19.
18. While I was in post, the First and Deputy First Ministers were having joint meetings with the UK Government and were trying to keep alignment on messaging to make the communication clearer for people in Northern Ireland i.e. to ensure that they were not hearing one thing from No 10 briefings and something different from the NI Executive. It was difficult if UK Government made an announcement relating to England on national TV which was broadcast in NI, and then the Executive made a different announcement on the same day.

19. I did not provide any advice to the First Minister with regard to the adoption of an approach of alignment with the UK Government. I am also unaware of whether the CMO and CSA provided any advice independent of their UK counterparts as I do not recall being at any meetings at which these matters were discussed. I am aware that in the early part of the pandemic, the Executive was relying heavily on the CMO's advice as regards the best way for Northern Ireland to respond to the pandemic. There was not enough time for informed debate about the available options for responding to the pandemic. The situation required decisions to be taken too quickly for that.
20. The decisions leading up to the decision to lock down did not fall within my portfolio and I am therefore not able to provide any insight into the issues and factors involved, nor am I aware when specifically it was understood that the UK Government was going to announce a lockdown or whether there was any communication between UK Government and the First and Deputy First Ministers in advance.
21. As indicated above, I believe Northern Ireland's government was not prepared for the pandemic and therefore there was limited consideration given to the needs of those who stood to suffer disproportionate disadvantage by a lockdown. Decisions were having to be made under a lot of pressure and at speed.
22. In my opinion, if the Executive had have been sitting prior to 2020 there likely would have been better preparations within Departments which would have put them in a better position to deal with an emergency situation. Having said that, the Executive did pull together to support the Health Minister which assisted the response.
23. I also considered the work of the Northern Ireland Hub was useful to signpost different departments and queries to. I had limited dealings with the Civil Contingencies Group ("CCG") and had left post before the NI Hub was scaled down, and the CCG was stood down. I also am not aware of the outcome of any review of the operation of these structures.
24. In terms of public health communications, while I was in post there were joint press statements made by the First and Deputy First Ministers and each had sight of press comments in advance.
25. I left post in May 2020 and therefore am unable to assist the Inquiry in relation to the Covid-19 response after this point.

26. However, the public were extremely angry about the alleged breaches by the Deputy First Minister and other senior Sinn Fein figures at the Bobby Storey funeral. This created an attitude of 'one rule for us, and one rule for them' among the public.

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

27. As a Special Adviser, my view was that all official documents and discussions were highly confidential and should not be discussed outside of those that were in attendance. I did not leak any documents or brief journalists. I was not aware of any leaking of documents during my short time in post.

28. I was provided with a NICS laptop and mobile phone. I did not use any private devices to conduct government business. I do not recall whether I used Slack or Signal but would be confident that WhatsApp, SMS and emails were used for communications.

29. I cannot recall precisely with whom I communicated but I would assume I would have messaged Special Adviser colleagues and Ministers in order to seek some advice from their areas of expertise in finance within their budget areas. As such, I consider it likely I have messaged the following:

Arlene Foster – First Minister
Philip Weir – SpAd
Emma Little-Pengelly – SpAd
Edwin Poots – Minister
Diane Dodds – Minister
Peter Weir – Minister
Gordon Lyons – Junior Minister

30. I did not keep records of minutes of meetings that I attended as a Civil Service representative was always present to take minutes.

31. I did not make back-ups of my NICS-issued device, but I returned the devices to TEO on my last day of employment. I do not recall having deleted any messages before doing so. I believe my mobile phone was reallocated to another member of

staff in the Civil Service. I do not still hold the personal device I used during the period.

32. I do not know whether messaging platforms on Ministers' NICS -supplied devices were used as an alternative to formal or minuted meetings.

33. I did not keep any personal diary or notes during my employment as Special Adviser.

Lessons Learned

34. In terms of my experience of working with the First Minister, Baroness Foster was a confident leader able to keep calm when trying to reassure the public. While I did not work directly with the Deputy First Minister, my impression is that she was resilient. The key challenges were the acute pressure on the Health Service. These pressures need to be resolved to enable the country to be able to deal with any future pandemics.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

Personal Data

Signed: _____

Dated: 05/03/2024