

Witness Name:

Statement No.:

Exhibits:

Dated:

UK COVID-19 INQUIRY

WITNESS STATEMENT OF DR PHILIP WEIR

1. I wish at the outset to share my condolences with all who lost loved ones or suffered significant illness as a result of the Covid pandemic. I commiserate with those whose livelihoods were adversely impacted, and also pay tribute to those in health care and so many other walks of life who managed to keep the wheels of Northern Ireland society turning during this period often through considerable uncertainty and personal risk to their own health.
2. I am required to address a range of issues of interest to the Inquiry. My statement would have undoubtedly benefitted from being able to access emails from my account while in the Department and some other Ministerial papers, but I have endeavoured to provide as fulsome an account as possible.

Background, role and qualifications

3. I graduated in Medicine from Queen's University Belfast in 1998 with MB, BCh and BAO degrees. I am currently employed as a psychiatrist within the Southern Health and Social Care Trust. My involvement in political activities commenced through student politics at Queen's University and serving on the Student Representative Council.
4. I have held numerous advisory roles, part-time and full-time, within and outside government since 2001. I was Special Adviser to three Health Ministers between May 2011 and May 2016, namely Edwin Poots, Jim Wells and Simon Hamilton. This included advising on the '*Transforming Your Care*' review, a Pseudomonas outbreak in the Royal Belfast Hospital for Sick Children, Prof Sir Liam Donaldson's '*The Right Time, The Right Place*' report, as well as agreeing the appointment of Professor Rafael Bengoa and helping establish his '*Systems Not Structures*' review.

5. I was briefly a Special Adviser in the First Minister's Office from June 2016 until March 2017, when an election was triggered following the resignation of deputy First Minister Martin McGuinness.
6. On the return of devolved government three years later, I was appointed through the prescribed selection processes to serve as Special Adviser to First Ministers, Arlene Foster and subsequently Paul Givan from 11 January 2020 to 4 February 2022, when First Minister Givan resigned. I maintained a close interest in all elements of responsibility of the Executive Office and wider Executive but was tasked personally with a range of subject areas, a breakdown of which (I believe from late 2020 or early 2021), I have provided to the Inquiry (**PWE/1 [INQ000419167]**). The extent of these responsibilities widened during periods when there were only two advisers on the team, or for a brief period in June 2021, just myself.
7. I was the main point of contact for the Head of the Civil Service and Permanent Secretaries, and my role required regular contact with other Ministers and Special Advisers from all parties, other administrations, Party colleagues of the First Minister, external interest groups and occasionally media figures. My performance was formally reviewed on an annual basis, with line-management through the senior civil service.

Role during the pandemic

8. I sought to provide strategic direction for the First Minister and Executive, and assemble the information necessary to assist efficient and effective decision-making. I prepared speaking notes and lines for press conferences and media appearances. Later in the pandemic First Minister Givan preferred, and felt more natural, speaking without notes, so I tended to prepare for him a shorter series of key points.
9. I would have highlighted new information from the Chief Medical Officer ("CMO"), Chief Scientific Adviser ("CSA"), SAGE and other sources. The majority of the material prepared for the First Minister originated from officials. I may have added to this, highlighted, and drawn attention to specific areas, and occasionally queried some aspects or requested additional information.
10. Prioritisation of papers, meetings, engagements and other activity was important. I oversaw the First Minister's diary which allowed me to try to build in sufficient time for Covid discussions and other priorities.
11. Although a doctor, I was mindful throughout that the responsibility for formal expert medical advice came from others within the Northern Ireland Civil Service ("NICS"). I

was an adviser to the First Minister who happened to be a doctor. The medical advice emanated from the CMO and his team, not from me.

12. My role as Special Adviser required me to work closely with permanent civil servants to seek to progress the Minister's agenda and objectives within the joint office. I conveyed the First Minister's views, priorities, and instructions.
13. There were daily briefing documents from officials such as SitReps and dashboards, but not a set meeting as such at a specific time each day. Arrangements were more fluid to allow for the full range of responsibilities of a First Minister (and Party Leader). While early morning Civil Contingencies Group (CCGNI) teleconferences were taking place First Minister Foster participated in these. Arlene also joined regular morning conference calls with senior DUP colleagues on Party-related matters.
14. I would have endeavoured to accompany the First Minister to all Covid-related meetings, with many held virtually in the early months. There were a range of set meetings over the week: of the Executive, with the Head of the Civil Service, with deputy First Minister, with Minister for Health and his senior team, and for several months with Secretary of State Brandon Lewis. Other one-off or less regular meetings would also have occurred, and some that would have been arranged urgently.
15. In general, the First Minister, deputy First Minister and their teams worked well together. Individuals grasped the severity of the situation unfolding and pulled together most notably in the very early stages. The First Minister and deputy First Minister were clearly from very different political backgrounds, with First Minister Foster's father having been shot by the paramilitary organisation whose activities the deputy First Minister would praise at commemoration events. However, they worked together to serve the community in unprecedented circumstances. The working relationship did suffer some temporary setbacks including following a U-turn on not closing schools in mid-March 2020, an interview criticising the Health Minister on BBC Northern Ireland's 'The View' programme on 2 April 2020 (https://www.youtube.com/watch?v=BP_0CrNFEyk and <https://www.belfasttelegraph.co.uk/news/health/coronavirus/coronavirus-executive-is-not-collapsing-into-disarray-says-foster-as-she-calls-for-unity-after-oneill-criticism-of-health-minister/39099660.html>), and the Storey IRA funeral on 30 June 2020.
16. Paul Givan subsequently also developed positive and effective working relationships with deputy First Minister O'Neill and her colleagues during his period as First Minister.

Initial understanding and response to Covid-19 (January-March 2020)

Impact of absence of power-sharing

17. The Northern Ireland Government was restored on 11 January, Prime Minister Johnson visited two days later and the first meeting of the new Northern Ireland Executive was held on 14 January. A strategic Away Day took place on 22 January 2020 at Greenmount College, Antrim.
18. It would be difficult to calculate the extent that having had Ministers in place for those three years from 2017 might have had on our Covid response. It is hard to imagine though that it wouldn't have had some degree of positive benefit. One would have expected with the manifesto commitments parties had made about Health that three years with Ministers in place, could only have seen the local health service in a more robust baseline position to contend with the deluge of Covid cases it would face. I do think improvement is likely only to have been relatively limited however, and it is probably wrong to imagine that a fundamentally altered landscape could have been achieved by that point.
19. After the absence of Ministers, there were a large number of areas where decisions were required, many urgent. I recall an extensive list which ran to well over one hundred issues had been prepared by officials and shared with the parties during the latter stages of the talks process, with dozens of subjects suggested for proposed legislation. However, all Ministers grasped the fundamental imperative of tackling the pandemic, and consequently issues other than the pandemic would suffer indirectly through de-prioritisation and reduced attention. Progress on a new Programme for Government and multi-year Budget were stalled.
20. It took a little time to arrive at the most effective arrangements for pandemic decision-making. Early meetings could often be protracted, and I remember in the initial weeks seeking to reduce the number of sometimes repetitive meetings the First Minister was being asked to participate in. It was important to free up more time at that stage for further reading, consideration and planning ahead. For a period, Executive Ministers were meeting daily which was not sustainable or appropriate.
21. There had also been high-stakes negotiations on and off between the parties for three years until early January, and in a coalition of five parties with hugely differing philosophies some issues over trust and cohesion would not necessarily have been a

surprise. However in the early days of the fight against COVID, everyone rolled their sleeves up and there was an enhanced unity of approach and collaboration.

22. In January 2020, Ministers were newly into post. They were settling in to their roles, reading up on subject areas and being briefed by officials on priority issues and decisions. There was a focus on the implementation of what was possible within 'the New Decade, New Approach' document within the finances made available, and efforts were also underway to address the serious difficulties created by the Ireland/Northern Ireland Protocol.
23. Gradually relationships and working rhythms were developing. There were a number of new Ministers in post with no previous government experience. The deputy First Minister had not served in that role or worked jointly within the Executive Office before. Moving on from years of negotiating processes, Ministers were now having to demonstrate they could govern together effectively and improve key public services.
24. First Minister and deputy First Minister met together regularly - formally and informally - to discuss and progress issues. While very different characters, they worked collaboratively and were mindful that two females were now heading up an administration which had traditionally been dominated by male leaders.
25. A piece by David Young from Press Association published in the Belfast Telegraph on 10 June 2020 referenced the Ministers' approach (**PWE/2 [INQ000419182]**).
26. I considered myself to have effective and respectful working relationships with the deputy First Minister Special Advisers. As one would expect there were lots of things we didn't agree on, but we worked closely and productively on Covid and other key areas. I had developed a level of understanding with the deputy First Minister's main adviser Stephen McGlade having worked alongside him during the three years of seeking to restore government to Northern Ireland.
27. RTE Northern Editor Tommie Gorman wrote in an online article (**PWE/3 [INQ000419183]**) on 29 March 2020:

"The best thing the Foster/O'Neill partnership have going for them at the moment is the cohesiveness between their special advisors, Stephen McGlade and Philip Weir. They avoid the

limelight and have been around long enough to know the patterns and the consequences of failed political relationships”.

28. It was drawn to my attention also that reference had been made to our roles in a Belfast Telegraph article (**PWE/4 [INQ000419184]**) by Suzanne Breen on 10 June 2020:

“The importance of DUP adviser Dr Philip Weir and his Sinn Fein counterpart in the Executive Office Stephen McGlade can’t be over-estimated. “They’re linchpins” said an insider. “They’re always with Arlene and Michelle. They’ve a good relationship with each other and with those around them. They’re calm and measured”.

Initial understanding and readiness

29. By early 2020, I was conscious of media reports on a virus in China and fears around the risk that it posed. I imagine my first discussions with the First Minister would have been informal in nature in response to these news reports. It quickly became clear that this was likely to be enormously significant for Northern Ireland, and throughout the world. We obtained information on the virus through media, social media and online resources. The World Health Organization declared a Public Health Emergency of International Concern on 30 January.
30. We became aware of transmission occurring in other countries, and then eventually within the UK. We learned of the cruise ship Diamond Princess stranded in Yokohama. Media had reported healthcare staff in China and elsewhere becoming infected and dying. We saw footage of chaotic scenes in hospitals in Italy where hospitals simply couldn’t keep up with the number of patients arriving and offer them appropriate care. We later would see images of an isolated Spanish care home where residents had been abandoned.
31. I remember being a little surprised that Coronavirus did not feature at a strategic Away Day for Executive Ministers and Permanent Secretaries at the Belfast Harbour Commissioners’ Office on 12 February 2020 which was dominated by discussions on finances. I note that a Department of Health press release the previous day marking their Minister’s first month in office describes his future priorities but again does not mention the virus. The focus of most people was still on other issues at this point.
32. I understand the Civil Contingencies Group (“CCG”) met for the first time on 20 February 2020. Arlene had a Democratic Unionist Party Executive meeting on 26

February 2020, and I prepared a few brief speaking notes for her to use, or to have available to respond to any queries raised (PWE/5 [INQ000419185]).

33. The first death in Northern Ireland from Covid was confirmed on 27 February 2020.
34. Along with Stephen McGlade for the deputy First Minister team, I met with Chris Stewart, the Executive Office Director responsible for Civil Contingencies on 28 February regarding the operations room being stood up (PWE/6 [INQ000419186]).
35. At midday on 28 February 2020, the First and deputy First Minister participated in a call with the Health Minister and Chief Medical Officer for an update on the situation, when we were advised that the mortality rate could be 1.25% (PWE/7 [INQ000419187]).
36. On 29 February 2020, a conference call took place between First Minister and deputy First Minister and Taoiseach Leo Varadkar with Health Ministers and CMOs also attending. My note of the meeting (PWE/8 [INQ000419188]) includes Irish Health Minister Simon Harris stating:

“Public health advice slightly different in 2 jurisdictions- shouldn't be a surprise. Level of co-operation excellent between the two health services”.
37. After a request from First Minister/deputy First Minister, the Health Minister provided a brief oral update on the Covid situation to the Executive meeting on 3 March 2020 as an 'Any Other Business' item on the meeting agenda. Such updates became a regular occurrence for a short period, before Covid quickly became the principal business of Executive meetings.
38. Reference to the progression of Covid in other parts of the world would have been a feature of the weekly meetings with the Head of the Civil Service. Papers on Covid were being prepared by officials for Ministers in early March.
39. The First Minister and deputy First Minister attended the first PM-led COBR on 2 March 2020 when the Coronavirus Action Plan was agreed, ahead of its publication the next day.
40. On 9 March 2020, the First Minister attended COBR in person in London. Daily conference calls were taking place between the four Health Departments by this point.

41. Officials were continuing to finalise and send through details of meetings and events for First Minister and deputy First Minister to attend in Washington and New York the following week, until Ministers decided on 10 March that it was not appropriate for them to travel.

42. On 11 March the World Health Organisation declared Covid-19 to be a pandemic. An Executive paper from First Minister and deputy First Minister was circulated to Ministerial colleagues seeking approval to initiate Northern Ireland Central Crisis Management Arrangements.

43. My note from the COBR meeting on 12 March (**PWE/9 [INQ000419189]**) includes:

“10-14 wks from peak. Aim is not to suppress (pops up later in the year 2nd peak) but to change shape and broaden- when NHS better copes and temp increased. Also to protect most vulnerable and prevent deaths. Want to try to get herd immunity to protect for future”.

Isolating elderly most impact on death- earlier you start, longer have to continue it.

Self-isolation could start now.

Household isolation better to wait maybe 3 wks

Translate herd immunity into language people understand

Downsides to starting interventions early. People become fatigued

PM: “want peak to be point when elderly isolated”

44. The Executive meeting on 12 March 2020 agreed, I believe unanimously, not to close schools on advice, and a large press conference featuring multiple Ministers was held immediately afterwards in the Department of Health Conference Room to demonstrate a united approach, for the evening news bulletins.

45. A meeting was arranged on 14 March 2020 in Armagh involving representatives of the Northern Ireland Executive and the Republic of Ireland Government. Unknown to us at the time, there appear to have been significant discussions underway at UK

Government level by this point over whether current measures were sufficient. My note of the discussions in Armagh (**PWE/10 [INQ000419168]**) includes:

"Taoiseach recognised two jurisdictions and not all going to be the same

CMO- largely around timing- at different places in terms of seeking to delay the virus- will consider the same measures

Within next 1-3 wks, steps to protect most vulnerable

Robin to announce surge plans next week

4 wks behind Italy trajectory. 10-14 wks to peak.

Exposure herd immunity protective

Reduce peak too much no herd immunity remove stringent measures 2nd peak potentially in winter alongside seasonal flu

In contact with CMO 3-4x/day

Simon Coveney- Concern over European flights could all be grounded. People could be stranded"

46. After COBR on 16 March 2020, the Prime Minister announced 14 day self-isolation for symptomatic households, to avoiding social contact and work from home, and for no unnecessary travel. Shielding of those with the most serious health conditions for 12 weeks would commence from the weekend.
47. The Executive also met on 16 March 2020 and a statement was released afterwards confirming Ministers had agreed to provide support for business rates relief, free school meals and to help the homeless and elderly.
48. First Minister and deputy First Minister chaired a full in-person meeting of the Civil Contingencies Group at Castle Buildings, Stormont on 18 March 2020 including local government and blue light responder services. Also that day the Executive agreed that schools would close from the following Monday, 23 March 2020.
49. On 19 March 2020, the First Minister and deputy First Minister conducted a press conference in Stormont Castle with the Ministers of Health and Education. The first person had died in Northern Ireland from Covid. A plan was agreed for daily Executive

meetings and press conferences, which would involve Ministers from the different Departments.

50. The Coronavirus Bill was introduced to Parliament and received Royal Assent on 23 March.
51. Ministers considered a paper on 23 March 2020 entitled '*Economic Response: Strategic Priorities and Actions*', and the next day discussed and decided which premises should be permitted to remain open. A paper from First Minister and deputy First Minister proposed the same approach as the UK Government, but also included credit unions which would be more common in Northern Ireland.
52. Proposals for support for vulnerable people and communities were brought forward by the Minister for Communities.
53. On 25 March dignity for the deceased and bereaved was discussed by the Justice Minister including identifying a Northern Ireland Temporary Resting Place to serve as a mortuary in the event that the rate of burials could not keep up with the numbers dying.
54. An education update was provided on 26 March, with Agriculture, Environment and Rural Affairs issues discussed the following day.
55. First Minister and deputy First Minister met with the Royal College of Nursing on 1 April 2020 (**PWE/11 [INQ000419170]**).
56. On 4 April 2020, the First Ministers of the devolved administrations wrote jointly to the Prime Minister seeking greater co-ordination and the scheduling of a Heads of Governments meeting (**PWE/12 [INQ000419171]**).
57. My hand-written note from the Executive meeting on 6 April 2020 (**PWE/13 [INQ000419173]**) includes the CMO stating, "*peak next week I expect*". (18)
58. Estimates had quickly altered from, on 14 March, the peak being 10-14 weeks away, to it instead now occurring within a month from then.
59. Junior Ministers met with a delegation co-ordinated by the Royal College of Psychiatrists in Northern Ireland termed the Mental Health Policy Group on 2 April 2020 and discussed amongst other issues, the impact of Covid on staff, including the

suicide of nurses in Italy. First Minister and deputy First Minister met with Women's Aid on 8 April 2020 to discuss domestic violence issues.

60. The Executive was told on 8 April 2020 of an anticipated 1,500 deaths in Northern Ireland within 20 weeks.
61. On 10 April 2020, Stephen McGlade and I met with the Head of the Civil Service and key Departmental Permanent Secretaries, including Peter May and Mike Brennan, to discuss a long term strategy for recovery. Further meetings with HoCS on recovery took place on 21 April 2020.
62. Over this spring period we increasingly learned through local media of previously fit and healthy people becoming unwell, requiring ventilation and some dying. It was announced on 25 March 2020 that King Charles, then Prince of Wales, had tested positive for Covid. The illness and hospitalisation of Prime Minister Johnson on 5 April 2020 came as a significant shock to the public, and I sensed at this point the reality of the virus was hitting home to more people.
63. The deaths of entertainers Eddie Large and Tim Brooke-Taylor among others were attributed to Covid during April 2020, and we would hear regularly on news reports of well-known figures throughout the world dying from Covid.
64. I don't recall SAGE being highlighted as an explicit source of information in the very early stages, but information from it may well have been included indirectly in briefings or papers we received from the Northern Ireland CMO or other officials. I only became aware that I was able to access SAGE minutes online at a later date. We became more familiar with advice from SAGE as the pandemic progressed with copies of, and links to, SAGE minutes occasionally included in Executive papers. Our main sources of advice were the CMO and CSA, who operated from the Health Minister's Department.

Initial strategy and decision making

65. The early response in Northern Ireland was very much guided by the thinking in London, as transmitted through our CMO and officials. We had agreed the UK-wide Coronavirus Action Plan at the start of March, and were conscious that in Northern Ireland we did not have the same breadth and calibre of knowledge and advice that was available at a UK level. Plans and early responses were very much based on material emanating from the GB mainland. There were no policy plans developed in the First Minister's Office, separate from the deputy First Minister or the wider Executive Office.

66. I recall references at meetings that the deployment of non-pharmaceutical interventions needed to be timed to have the maximum effect in providing cover to elderly people who were considered to be most at risk.
67. There was a clear concern that we could implement lockdown too early and that there would be risks with a rebound effect when restrictions were subsequently lifted. There was also a concern over perennial winter illnesses including Influenza, and a Covid peak coinciding with the busiest period of the year generally for respiratory illness.
68. The climate was also considered to be important, and it was felt that we ought to avoid having a peak of the virus coinciding with cold winter temperatures. There was a desire to seek to shape the curve to ensure that the peak was at the most advantageous point. We were aware that peaks could return, and unsure how many waves there were likely to be.

Concerns with suppression of Covid-19

69. A suppression approach was integral to the Coronavirus Action Plan and its phases. We had no real understanding of what the level of public adherence would be to restrictions. There was also a concern over people becoming tired of restrictions and failing to abide by them after an extended period of time.
70. I am not aware of specifically being briefed on the detail of the 10 March SAGE meeting, and am unsure exactly when it was confirmed to me that transmission had first occurred within the UK.
71. A major sea-change in approach emerged in the third week of March in the period up to the Prime Minister's announcement on 23 March 2020, with concern that the NHS might not be able to cope. It was one thing for people sadly to die despite the best possible care being provided, but we had to avoid the situation we saw in some other countries where there weren't enough staff and resources to be able to cope with the numbers arriving, resulting in people, who could and should have survived, dying unnecessarily.

Early understanding of data, testing and tracing capabilities in Northern Ireland

72. I am not sure exactly when the approach changed from maximising test and trace to it no longer being pursued, and considered unrealistic. It may have related to the moving to a new phase of the Coronavirus Plan. The Department of Health did produce a paper entitled *Covid-19 Testing Strategy Update* which was refreshed from time to

time. My hand-written note of a call with the Taoiseach on 29 February 2020 (PWE/14 [INQ000419175]) references Leo Varadkar saying: *'If cases become so large, can't do contact tracing then'*

73. The Strategic Intelligence Group (SIG) was established by the CSA to consider SAGE recommendations through a Northern Ireland lens and whether they were applicable for our situation at that time.
74. It took a little while to put modelling in place from a standing start, and I understand the Public Health Agency would be better placed now, were it to be required again. It also took some time before detailed data and modelling was able to be put before Ministers. There was a significant reliance placed on figures coming from GB as they were considered to be the largest-scale information we had available.
75. At no point was the reliability of data or modelling questioned. We placed our trust in the expertise of senior advisers. There were occasionally some quirks which raised Ministers' eyebrows when the impact of Executive actions had perhaps the opposite impact to what was expected on the R number in the short term. Later in 2020, there was some puzzlement over how the advice could alter so quickly to a high degree of concern after appearing to be relatively relaxed about further opening up only a short time previously.
76. I learned subsequently, after the collapse of devolution, that another group was providing alternative modelling and I understand sharing it with the Department of Health. I have no recollection of being aware of this while we were making decisions, otherwise we would have been extremely interested in comparing it. Arlene was contacted in 2023 by respiratory consultant Dr Wendy Anderson to ask if politicians had been aware of a second set of modelling, and Arlene subsequently contacted me for my recollection. I don't recall ever being advised of, or hearing that there was a second set of modelling, and responded to Arlene as below on 15 June 2023:

"I have no recollection of ministers being presented or discussing anything other than a single data model. Occasionally graphs would have contained perhaps three curves with reference to optimistic or pessimistic scenario projections but in my view this was more related to uncertainty around public adherence to restrictions and subsequent virus spread, rather than ever that there was a credible alternative predictive model available".

77. Material on the impact on the health service was provided at meetings, and in papers in advance of meetings, by the Health Minister and his officials. A dashboard tracked details such as available beds, ICU beds, ventilators, daily cases and admission numbers. Broad extrapolations were made for these totals several weeks into the future.
78. The advice from London was that shutting borders could only have a limited delaying effect, partly on account of the unusually long incubation period. It would not be possible to discern the many apparently healthy people arriving at entry points who would become symptomatic only a few days later. The closure of borders was not really considered as a serious practical possibility at the outset.
79. The issue of the Irish border was discussed briefly in the autumn when the rates of the infection were much higher in border counties of the Irish Republic and cross-border transmission was suspected. It was clear there would have been no appetite for this among nationalist politicians. Border issues became more of a consideration at later stages in the response when considering air travel recommencing, and different parts of the world having markedly different levels of particular variants of the virus.

Alignment with UK Government (January to lockdown)

80. There wasn't any formal or specific policy position to align with HM Government, or advice to that effect, but it was simply a natural consequence that we would pursue much of the approach that we did, given where we were receiving information and guidance from, and the existing structures, networks and realities of being part of the United Kingdom.
81. We considered HM Government to have greater access to the necessary expertise and experience than our small region of 1.9 million people. The spread of the virus being further advanced on the GB mainland also provided an indication of what we could expect in Northern Ireland and the ability to learn from experience there.
82. Over time it became apparent that finances of the extent required to support businesses forced to close would have been far beyond the scope of a small devolved region. It made obvious sense for Northern Ireland to be part of the support packages provided through HM Treasury. The Northern Ireland Executive clearly doesn't have the financial firepower to do everything it might wish and couldn't have replicated furlough for example or other support schemes had lockdowns continued for longer periods. (36)

83. At times it was deemed to be in Northern Ireland's interests to vary slightly from the UK Government position, often when the level of the virus in the community was at a slightly different stage to other regions.
84. The options for dealing with any pandemic remain quite limited: antiviral medication; vaccine; isolation of confirmed or suspected cases; and some form of shutting off social interactions.
85. Given how quickly the virus was spreading and the devastation it was causing, little consideration was given to anything other than the most blunt of lockdowns. There was little public discussion about this in the early part of the year, although media speculation did commence in advance of the 23 March announcement.
86. Decisions at COBR had quickly moved to unprecedented infringements on citizens' lives, only a matter of days after settling for measures as modest as age restrictions on cruises, and prohibition of school trips.

The decision to lock down in Northern Ireland

87. At previous COBR and other meetings, there had been discussion over a number of potential interventions on a sliding scale, so we were aware of more radical measures that might be employed to seek to limit the virus. The idea of a general lockdown had been discussed at earlier points and it was no surprise that it was an option under consideration. When that decision was taken on 23 March 2020 we were also mindful that the statistics were spiralling further out of hand and the actions which had been taken were not proving sufficiently effective in controlling the spread. There had been some increasing media speculation about lockdown occurring.
88. We were aware over the course of that day (23 March 2020) that the Prime Minister would make a televised statement to the nation. I believe a COBR meeting was scheduled for 5pm. We were given the headline information including that people would be told to stay at home, although as tended to be the case with these meetings, I think there were some minor details that we didn't have at that stage, which I recall learning when watching the broadcast myself that evening.
89. There was no or negligible dissent from any quarter I was aware of against Northern Ireland pursuing the same approach. First Minister and deputy First Minister had been involved in regular Covid meetings, on a weekly basis up to this point. There would also have been a level of informal contact with the PM and senior HMG ministers. Contacts were in the main between Ministers rather than Special Advisers, and I don't

recall having any personal contact with counterparts in the UK government at this point prior to the lockdown. There would also have been more regular calls and contact between officials.

90. It is questionable whether sufficient planning for lockdown is something that could ever have been fully achievable. Ministers and officials in all our Departments were making preparations for their specific areas of responsibility. There would have been an expectation that lockdown was coming, and as much work as possible was being done across Government seeking to prepare for and manage that, in the short time available. It was an extremely rapidly moving situation. I don't think it would have been possible, even if we had a substantially longer period, to prepare fully for what was such a significant alteration to daily life for the community.
91. At our daily meetings of Ministers from mid-March, different Ministers had been asked to provide presentations at each meeting outlining the actions being taken in their Department. This included the Communities Minister for example on measures to assist the elderly and vulnerable, and the Justice Minister on plans for a Northern Ireland Temporary Resting Place.
92. Consideration was given to those who would be most negatively impacted by lockdown. First Minister and deputy First Minister met with representatives of Women's Aid on 8 April 2020 to discuss issues relating to domestic violence. Junior Ministers had discussed the impact of Covid amongst other issues with the Mental Health Policy Group on 2 April 2020. However, anticipating the difficulties was often very different to actually being able to do much that was effective in the timeframe available to counteract the problems people experienced. There was some level of expectation of the likely consequences for children, and for the vulnerable and isolated. At this stage, however, no one knew how long the measures would be in place.
93. The spread of the virus was accelerating to such an extent that lockdown did become unavoidable. Had things been done very differently in the earlier stages it is theoretically possible that a lockdown may not have been required, but only with glacially slow progression of the virus could it have been conceivable that lockdown would not have been required, in the absence of a vaccine. Countries which did take more action at their borders for instance, and restrained the virus for longer, did eventually require lockdown too.
94. We weren't aware that there had been debates and differences of views at SAGE. We hadn't had any formal propositions for locking down any earlier. We had nothing to

indicate that the approach that had been taken up until mid-March was anything other than appropriate. Indeed, when Taoiseach Leo Varadkar announced from Washington a lockdown in Ireland the immediate response was that it was an over-reaction at this point, and risked greater subsequent problems as a consequence. The data that we were receiving at that stage had not indicated such a course of action was required. However, within a matter of days, the approach quickly changed.

95. There was a general unity of purpose over the early months of the pandemic response in Northern Ireland. The early press conferences and sharing of information worked well I believe and there seemed to be a broad societal coming together around supporting Ministers in tackling the virus and the threat that it posed. In broad terms, First Minister and deputy First Minister and their teams worked well together, and I considered the relationship with key figures in Health and other Departments to be generally very good.

96. I will seek now to address some more specific areas that the Inquiry has requested information on.

Civil contingency arrangements in the first part of the pandemic

97. The focus of civil contingency planning and exercises in previous years had been on the risk from Influenza. The Civil Contingencies Framework was the principal Executive Office planning document, and a UK-wide Coronavirus Action Plan was published on 3 March 2020 [INQ00023223]. The Northern Ireland Hub played a role in assisting the Executive with its decision-making [INQ000145786]. I felt sometimes there was a degree of repetition in the material we received in the SitReps and some of the detail could seem a little parochial, but it contributed to providing a broad picture.

98. Baroness Foster has already made reference in her initial witness statement [INQ000205274] to valuing attendance at CCG meetings for acquiring information which allowed her to be well-informed early in the day for decisions she may be required to take. I had heard the point made that some officials would have felt more comfortable if Ministers hadn't been present on these calls as this might have permitted more frank and critical conversations with each other.

99. CCG was of value in information sharing and highlighting key and emerging issues. It is probably of more value from a decision-making perspective for overtly operational situations where Ministers would not be engaged. In a situation such as the pandemic, Ministers were always ultimately going to need to be in control of significant decisions.

100. Given the number and range of participants, CCG is potentially unwieldy and finding a consensus position quickly could perhaps be challenging. It requires to be effectively chaired.
101. CCG would be relatively resource-intensive and I presume when the initial wave of the virus subsided and the focus had moved to recovery and normalisation, it would have been felt that daily calls were no longer necessary and the time of officials and Ministers was better applied getting on with managing their responsibilities, with ongoing co-ordination and communication achieved in alternative ways.
102. From my limited experience, CCG appeared to be broadly effective, though I wonder for significant decision-making whether there could be means by which a tighter, more focused sub-group could prove more effective. Every member may not always be required at all meetings, but I am mindful that First Minister Foster's view, on the value of hearing the information, may well be shared equally by officials participating on the calls too. There will be others with more direct experience of CCG over a range of different crises who may be better placed to comment on this. (50)

The response to COVID-19 after summer 2020

103. An intense further wave of transmission of the virus occurred later in the year. However, there would only have been the tiniest minority, if any, opposed to the relaxation of restrictions in Summer 2020, which had the imprimatur of the Department of Health team. I recall then-Head of the Civil Service David Sterling (PW15) stating at a meeting with Stephen McGlade and myself on recovery back on 21 April: *"Relaxation, will be judgements rather than specific science"*
104. On reflection, there could have been a more aggressive initial response from the Executive in Autumn 2020. More might have been done in advance to prepare the community for a possible return to restrictions on daily life, for example by setting markers (such as case numbers or R value) with thresholds beyond which graduated measures would be reintroduced.
105. Given that the virus spread through human contact, only really limiting interactions between individuals in indoor settings and people's homes would have made a significant difference. Social interaction is fundamental to so much of our daily life, and it is difficult to identify effective measures that don't have a marked impact on many people's livelihoods.

106. There appeared over the summer to be a sense of liberation across the community, revelling in a return to normality. People quickly fell back on old habits, including ignoring social distancing. The likelihood of adherence to reinstated restrictions was a concern, and particularly in the aftermath of such a protracted initial lockdown.
107. I know that at Westminster in August, Government activity traditionally quiets down, but while there were slightly less frequent meetings of the Northern Ireland Executive to accommodate some leave for Ministers and senior officials, they did continue to meet, receive papers, and take decisions during August 2020. Ministers did take some short periods of leave, as did officials, but there was no sense that Covid was being ignored. I continued to attend Executive meetings while on leave and remember joining one August meeting by phone while driving back up home through Galway. The level of focus that Ministers applied to the Covid situation was maintained throughout the summer.
108. At the height of the pandemic response, First Minister and deputy First Minister often met with the Health Minister and his senior team 24-48 hours before Executive meetings. This allowed for an update on progress and to have some advance notice of the likely nature of the discussion at the upcoming weekly Executive meeting.
109. The meeting with the Department of Health hadn't been a regular scheduled meeting in the diary prior to managing the acute stages of the pandemic, but developed into a regular weekly event for that period. After the majority of restrictions had been lifted, those preparatory meetings had gradually discontinued, not as the result of any deliberate decision as far as I am aware, but merely that the requirement was not there to the same extent, and those regularly involved would have been busy starting to catch up with other issues.
110. There is a record [INQ000304276] that I suggested in September 2020 the meetings with the Department of Health should be reinstated. The spread of the virus had increased, and it was important to be as informed and connected as possible, particularly if we were going to be entering a phase where major decisions would be required again.
111. Detailed engagement for TEO Ministers with Health was crucial throughout the Covid battle. I was conscious everyone was extremely busy, and dealing with their own individual role in their Department consumed their time, before even starting to think about interaction with other Departments too. However, there was a clear need for the

two principals in the Executive to be in firm control and have the maximum amount of information at all times.

112. All governments can encounter challenges with 'siloing' of departments, but the design of the Northern Ireland Government laid down in the 1998 Belfast Agreement unfortunately exacerbates this. It does not promote collegiality but instead encourages fiefdoms, and raises the relevance of individual Ministers in other Departments. Ministers from parties other than those of First Minister and deputy First Minister may not necessarily have the same desire politically for the Executive Office and Executive as a whole to be seen to succeed.

113. I understand the Health Committee on 15 October 2020 heard there was a suggestion that modelling work had significantly underestimated the development of the pandemic. I have no recollection of being aware of this at the time, or there being any discussion around it at the Executive or other meetings. It may however fit with a change in the tone of advice Ministers were receiving.

114. We were clearly struck by the CMO comment on 8 October 2020 [INQ000065756] that he had never been more concerned. Like many others he would have hoped we would not be back in such a situation, and probably had concerns over the ability of the NHS to cope or what adherence might be like a second time round.

115. The extent of the rise in the virus in the autumn meant the brakes needed to be applied. We had been advised domestic settings including house parties were a major source of the spread. More compliant behaviours were practiced out in public areas but this appeared to diminish when people reached their own homes.

116. There were sensitivities around particular geographical areas. The DAERA Minister was pilloried for comments he made in October about higher rates of the virus in nationalist areas [INQ000065756]. The remarks were undoubtedly a little clumsy, but we were provided weekly breakdowns of the Covid rates in each Parliamentary constituency and for some time those in border constituencies were significantly higher. Some specific breaches and 'super-spreader' events were reported in the local media, but Minister Poots' comments were heavily criticised by political opponents from those constituencies. Over time rates in the east of the province rose too, and at one point the rate in Ballymena in the Health Minister's own constituency was the most concerning.

117. The decision on 16 October to introduce a circuit breaker could have been taken a little earlier, but I am mindful Ministers were also endeavouring to balance all the many considerations including economic and learning for young people too.
118. As well as it helping with decision-making, Ministers would have liked to have had more sophisticated information to share with members of the public increasingly questioning Executive decisions. Ministers asked about breaking down the contribution of different elements of hospitality [INQ000065753] for example, or being able to quantify the impact of particular approaches. Later papers would include estimates of the anticipated impact of the opening of a number of sectors on the Reproduction Number R.
119. There was a degree of frustration over how rapidly the scale of proposed restrictions intensified. At the 9 November Executive meeting some considered the proposal from the Department of Health to represent a U-turn on the Executive position. Pubs and restaurants for example had been closed from Friday 16 October, and these restrictions were scheduled to be lifted on 13 November. There had already been significant opposition to the introduction of the 4 week restriction with the hospitality sector arguing they were being punished more than others. Businesses had proceeded to make plans for re-opening and now Health were proposing not to re-open on 13 November as businesses had been expecting but to extend for another two weeks, eating into some of the generally busy pre-Christmas period.
120. In general fluctuating and inconsistent positions, particularly when from Ministers, contributed to difficulties in some of the more protracted Executive meetings. Increasingly Ministers were hearing of constituents suffering with other serious health conditions and unable to access wider services, and considered Executive colleagues not to be providing the same level of attention to those matters. To some it appeared that others considered it the easier option to focus solely on Covid.
121. Other points questioning the extension of restrictions that are recorded in the official's note of the Executive on 9 November 2020 [INQ000116294] include that the Reproduction number R was still less than 1, differences with approaches in other jurisdictions where hospitality had opened or was opening, the impact on low-paid workers, a reference to the four weeks of restrictions having already cost the economy an anticipated £400 million, losing trust with the public and a danger people might take things into their own hands. The official's note records the Justice Minister stating " *People have given up- making own decisions* "

122. At one stage during this Executive meeting a compromise appeared to have been reached, but after an adjournment there was a retreat to a more absolutist position. There was criticism for forcing issues to divisive recorded votes, despite Ministers having made clear their positions. It was felt under the Ministerial Code that those chairing the Executive meeting should be endeavouring to find consensus rather than further emphasise differing views.
123. Ahead of the Executive meeting on 19 November 2020, the Finance Minister wrote complaining that he wasn't receiving sufficient direction from the Health Minister on deciding what to do. **[INQ000130122]**. This is an example of the approach other Ministers found frustrating, that there appeared to be a desire from some of the Executive to almost cede their decision-making to the Health Minister. This was viewed as an avoidance of genuinely weighing up and taking decisions on the basis of the overall picture.
124. By the autumn Ministers and officials were in a rebuild and recovery mindset. They undoubtedly weren't expecting the virus to rise as quickly as it did, and with the benefit of hindsight some decisions could have been considered and taken earlier. I recognise too however it is not possible to quantify how many people otherwise wouldn't be in jobs, businesses wouldn't still be operating or individuals wouldn't have received crucial medical procedures over this period.
125. Regarding **INQ000065739** I'm not sure there would necessarily have been a common view that the wrong decision had been taken back in October. The official's note of the 9 November 2020 Executive meeting records the First Minister stating: *'We had hoped R would fall, stay down during restrictions'* which was followed by the CSA saying: *'thought R would reduce further, stay down longer'*.
126. The Christmas period was considered at four-nation level at an early stage. It would certainly be over-stating it to say Christmas was entirely driving the response later in the year but there was a view that it was important to get the Christmas arrangements right. Many felt that ensuring community buy-in would require us to be relatively generous around what might be permissible at Christmas, particularly given the extremely difficult year that people had endured.
127. The Minister of Justice is quoted in the official's note **[INQ000065753]** of the 13 October Executive meeting: *'If is no prospect of relief over Xmas won't bring people with us. If lockdown at Christmas- people won't comply'*.

128. The official's note [INQ000116294] of the Executive meeting on 9 November recorded the Infrastructure Minister stating: *'impact on families etc- Xmas. Protect Xmas- hugely important'*
129. The CSA is recorded in an official's Executive meeting note stating: *'Allow people to interact- societal advantages, but R will rise. Don't want to ban Santa!'*
130. A public expectation had been allowed to develop that things would be loosened up a little over Christmas. Ministers wanted to permit some freedom for families to meet up after a difficult year, but it did increasingly appear towards late December that the numbers would rise significantly causing problems for the health service in January. The virus unfortunately had multiplied more quickly than anticipated. Plans were therefore gradually reduced in scope, and we made decisions to go faster and harder with restrictions.
131. Reflecting back, knowing the extent of the viral spread that had occurred by January, earlier action could have limited this to a degree and made the New Year period a little easier. However, I am mindful that Ministers were trying to find an appropriate balance to accommodate all aspects and sectors of society.
132. I cannot recall with certainty without access to papers from that time, exactly why the four-nation joint statement on Christmas on 16 December was not signed. There were a number of occasions when the deputy First Minister appeared not to wish to be seen to endorse a UK-wide approach.
133. I considered consistency of messaging to be extremely important, particularly around an issue such as travel over the Christmas period when people would have been more likely to be actively seeking out advice before making plans to meet up with family or friends. I believe there were proposed statements from the four administrations, four Health Ministers and four CMOs which were refused at various points. It appeared there was a desire to frustrate common four-nation approaches, which was not as evident in the very early days of the pandemic response.

Executive Covid-19 Taskforce

134. The establishment of the Covid Taskforce was an effort to enhance the co-ordination of the Executive Covid response. My recollection is that the Taskforce emerged from discussions between Stephen McGlade and myself in the later part of 2020. It was not related to any developments within the Westminster Government. The First Minister and colleagues had held a view for some time that Executive discussions

on Covid were not sufficiently holistic, and focused too heavily on the wishes of the Department of Health.

135. The First Minister and deputy First Minister needed to be sure they were optimally placed to manage the crisis. We felt there were particular elements of the Northern Ireland Government's response that required greater focus. We established four pillars, namely protection, recovery, adherence and communications, and proposed that key individuals were tasked with leading on these areas.

136. There did appear to be a degree of dissatisfaction about the formation of the ECT from a few comments made by the Health Minister and colleagues at Executive meetings, who perhaps viewed it as some kind of criticism or a sense that they weren't doing well enough. That was not the case. What we wanted to ensure was that all areas were receiving the consideration they merited, and all Departments, agencies and arms of Government were joined up and pointed in the same direction.

137. It was not unreasonable for the leaders of the Northern Ireland Government to want to be as engaged as they could and ensure that the overall response to the pandemic was as successful as possible. I consider the Taskforce to have worked relatively effectively. It seemed to pull strands together a little better and provide a more integrated approach. Other officials now learned of Health proposals at an earlier stage, and this permitted more timely consideration of potentially knotty implementation issues.

138. The enforced coalition model which Ministers operate under is not ideal as Departmental Ministers from other parties don't necessarily always consider it in their political interests for First Minister and deputy First Minister to be particularly effective. The ECT served to help address some of the additional challenges caused by our somewhat exceptional system of Government, and provides a model which could potentially prove of benefit again for other issues

Coordination with the Republic of Ireland

139. I considered that the Memorandum of Understanding between the two Departments of Health assisted with communication and information sharing between officials. I know that in terms of engagement the CMOs did meet on a weekly basis, generally virtually I believe. I was aware from conversations with the Chief Medical Officer and comments at the Executive by the Health Minister that there was a high degree of contact with counterparts in the Irish Republic. There was no pressure I was

aware of from officials to go further than the MoU, and if actions on this front had been considered insufficient, we would certainly have expected to hear about it.

140. I also knew from previous experience as an adviser in the Department of Health that even prior to the pandemic there was regular contact between officials including the respective CMOs. The Chief Nursing Officers had established an annual joint conference for the nursing profession.

141. The First Minister and deputy First Minister met with the Head of the Civil Service on 12 March 2020. From a TEO official's note of the meeting [INQ000232525]:

“David Sterling: ‘no medical/ scientific evidence to support measures announced by Taoiseach earlier today

deputy First Minister: public is ahead of the Executive. Must have an all-island approach.

David Sterling: Ministers could decide to follow the science or make a political judgement

First Minister stressed her intended approach- to follow the scientific advice’.

142. Robin Swann and the CMO joined the meeting subsequently, and the following was recorded from the Health Minister:

‘Robin Swann- containment measures are working in NI

Rol position would crash the NHS and create unnecessary panic and fear

Reiterated need to follow the science. Closing schools will not stop the spread of Covid’

143. The scientific evidence referenced was the advice from the CMO of Northern Ireland and also at COBR meetings. I consider flexibility as used by the First Minister on this occasion to represent willingness to adapt quickly as new evidence emerges.

144. There was no defined approach the First Minister or I were taking in relation to scientific advice, other than seeking to acquire as much as possible and responding to it. Much of what we were hearing was from London, and we were mindful of a level of regard that UK scientists and institutions were held in internationally. Any

developments from Dublin would of course have been of some level of interest to us, but it would not have been somewhere we looked to first. I did participate in a call from Dublin, however, with Professor Sam McConkey from the Royal College of Surgeons in Ireland who had reached out. He had made a number of media appearances during that period.

145. We were working on the basis that in broad terms the approach internationally would be relatively similar, with perhaps a degree of difference particularly over timing, but ultimately it was the same choices that each set of Ministers would have to take.
146. Our advice in early to mid-March was that closing schools was a tool in our armoury, but that it was not the appropriate time to employ it. Our sense was still very much that we were on a measured course, based on the phases of the Action Plan. It was only the following week that we saw greater urgency emerge.
147. Hence when we met with Republic of Ireland colleagues in Armagh on 14 March referenced previously above, the First Minister and Health Minister's team were comfortable with the Northern Ireland position. There was a sense that others were panicking in wishing to invoke every precaution immediately, but that there were risks attached with that. If you deployed all your weapons too early, then what other options did that leave for later in the course of the virus?
148. The Irish Government made some significant announcements without reference to Ministers or officials in Northern Ireland. This was criticised by nationalist politicians and afterwards efforts were made to notify us at key points. I recall the Taoiseach Leo Varadkar contacting First Minister and deputy First Minister on one occasion to advise on an announcement, and at another juncture, a senior official from their Department for Foreign Affairs contacted me by telephone.
149. One area where there proved to be some difficulties with the Irish Republic was in terms of obtaining passenger locator information for individuals who arrived into Dublin and then travelled up into Northern Ireland. Minister Swann and the Department of Health sought access to this information over several months, and it was subsequently elevated to the First Minister and deputy First Minister pressing for progress with more senior Irish Ministers.

Advice in relation to public health communication

150. It was essential from the outset of the pandemic that we would have coordinated communications emanating from the Northern Ireland Government. The public would be hungry for information, and it needed to be accurate and effective.
151. Daily Ministerial Covid press conferences were commenced to update the public which over time moved to twice-weekly, then weekly each Thursday afternoon after the Executive meeting. A press conference facility with backdrop was developed in the Long Gallery at Parliament Buildings. In the very early stages, press conferences had taken place in the Executive Room at Stormont Castle, however, it was quickly recognised that this room would not allow appropriate social distancing if a large number of journalists were to attend. Later in the course of the pandemic, when working from home was still being encouraged, the weekly press conferences were moved from Belfast to a semi-outdoor venue in Dungannon, closer to the constituency bases of the two Ministers.
152. The backdrop for the press conferences was refreshed on multiple occasions, reflecting the current stage of the Executive response. We were mindful that people would eventually tire of the same public health message time and again. Some suggested it was difficult for the public to keep up with frequent changes in restrictions. There was also probably an element of some of the public simply not wanting to hear the advice any more, and choosing to ignore it.
153. The different positions in other jurisdictions may also have been problematic. If someone could see that it was fine to travel to a holiday home for example in Scotland or Wales, they would be harder to convince that they shouldn't be doing so in Northern Ireland. Increasingly over time there were alternative voices appearing, and more commentators and members of the public willing to contradict the Government advice and give their own view. This was only magnified then across social media.
154. The nature of the Executive Office is such that public statements from the First Minister and/or deputy First Minister have to be jointly cleared. I signed off any comments, queries from journalists, and cleared Covid content including public advertising and information on restrictions for the nidirect website. I wrote speeches, speaking notes and Q and A responses.
155. Revelations that those in Government roles had breached Covid restrictions damaged credibility and I have no doubt contributed to difficulties achieving adherence from members of the public. Parties at Downing St, senior officials inappropriately

travelling to second homes and prominent scientists visiting their girlfriend would all have an impact.

156. In Northern Ireland, we heard regularly at first hand from people who said if the deputy First Minister and other senior political figures could join thousands on the streets at the Bobby Storey funeral in late June 2020, why should they have to abide by restrictions. The criticism was exacerbated because the deputy First Minister had been telling everyone else, through the daily press conferences, how they should behave. Michelle O'Neill faced widespread calls to resign, including from generally supportive quarters. She later publicly apologised, admitting her attendance had undermined public messaging on Covid.

157. Different messaging on restrictions to those in place for England, for example, was far from ideal. Many homes watch the national news followed by the local Northern Ireland news and could receive two different sets of instructions. This could be particularly unhelpful when there were those keen to find an excuse not to abide by the rules. That it was legitimate for others in another part of the UK to be behaving differently could only embolden a lack of co-operation.

158. I considered public messaging to be of such significance during a pandemic situation that serious consideration should be given in the future to a more unified decision-making process and consequently unified communications response, to allow messaging to be as clear and simple as possible.

159. The leaking of information was consistently an issue during and long before the Covid pandemic. It was striking how quickly information appeared on the social media sites of some Assembly Members, with more than once the information proving to be inaccurate. Some around the Executive table were obviously more than content for information to spill out in dribs and drabs before it could be presented by the First Minister and deputy First Minister at the post-Executive press conference.

160. Leaks have for many years been a problem which has limited open and frank discussion around the Executive table. I'm not sure the leaking altered actual decisions to any extent, but Ministers who serve on the Executive, and indeed officials, are always mindful that information is likely to be carried.

161. The leaking of information damages credibility and public confidence in the institutions, appearing amateurish and undermining the level of respect people have for their Government. It can only contribute to greater public disregard for, and apathy

about, Government. There were also suspicions that leaks to journalists were not always from political sources.

162. I always took the view that my role was sufficiently busy without the distraction of endless calls from journalists. I allowed the Executive Press Team or Party Press Office who were employed specifically for that purpose to do the majority of the engagement with media, apart from occasionally on the fringes of press conferences, or providing basic practical details. I did not leak information and I do not have proof of others who might have.

163. The only information I would have shared would have been verbally with colleagues in terms of internal Party discussions around advice or suggestions on ways forward. Also, I would have had some occasional communication with members of the DUP press team shortly before the Ministerial press conference to give them advance warning on what would be likely to feature.

Communications and documents

164. I did not keep a notebook as such during my time in the Special Adviser role, but I have some material including hand-written notes of meetings on file sheets which I have submitted to the Inquiry. These were really just to keep a record of actions required and for reference back at any point. I retained these and have not deliberately destroyed any.

165. I was issued with an iPhone and iPad via the Northern Ireland Civil Service. I was also provided with a laptop computer which attached to docking stations at Stormont Castle and in Parliament Buildings. I believe officials in the Private Office team in the Executive Office might have had details of the specifics of each device.

166. The vast majority of information relevant to the Inquiry would have been on my Departmental e-mail account. I would also have conducted videoconferences through Zoom, Microsoft Teams and very occasionally Webex from the iPad that I was provided by the Department.

167. I purchased a MacBook computer and printer when it became clear early in 2020 that some daytime working from home was going to become inevitable. This allowed me to print some larger documents as obtaining a printer in my office in Stormont Castle proved elusive. I regularly had to ask Private Office staff to print off hard copies of large documents for me.

168. I know other people choose to delete material on a regular basis. That was never my preference, as I always thought there was benefit in being able to retrieve details that might prove useful at a later stage for other subsequent work. From time to time my Departmental email mailbox would become full on account of too many large attachments, sometimes multiple versions of an illustrated document that was being developed for publication. I found rapidly having to delete emails in order to create space to access new messages very frustrating, both the time it absorbed when invariably you were busy, but also the potential loss of information that you might subsequently want to refer back to.
169. I have maintained the same personal mobile telephone number since I first purchased one while at university. This is the main number the vast majority of people would have used to contact me on. It was more practical to have one main contact number, although very occasionally I would have received a call on the Departmental phone which was used almost exclusively for emails. Given the temporary and sometimes short-lived nature of the tenure of special adviser posts, it was not realistic to advise everyone who would have contacted me to start using a new number, the retention of which I would have no control over.
170. I would have received telephone calls on my regular phone, and also sent some messages to individuals who would have been involved in the Covid response. I had been due an upgrade and changed my phone in July 2021, which unfortunately has resulted in no longer being able to access some messages which might have helped me complete this statement somewhat more quickly and easily. I have not sought to delete any messages and always considered they were a valuable resource to have available for me to potentially consult later. I always assumed all messages would ultimately be discoverable anyway. I have all WhatsApp messages since July 2021 when I purchased my current phone, but unfortunately am unable to access those prior to this.
171. I would have texted and messaged Arlene Foster and also then Paul Givan by text or WhatsApp for instance on my personal phone, for what I would have considered practicalities or logistics. I understand there has been a concern that social media platforms were used by Government Ministers at Westminster as a form of alternative or hidden decision-making forum. This was not the case in our situation. My personal phone was used for quick messages or updates, but decision-making took place through the Government email system, Ministerial papers and formal meetings. Anything else of substance would have been sent by email directly or copied to private

office staff. I consider this approach to be practical and reasonable, and not to conflict with the purposes of the Special Adviser Code of Conduct.

172. Arlene created a WhatsApp group called TEO DUP involving Junior Minister Gordon Lyons and special advisers. A broader one involving Ministers and special advisers from other Departments was I believe titled 'Executive'.

173. When Paul assumed office we had a small WhatsApp group called 'First Minister and Spad Team' involving Paul, myself, and Richard Bullick who returned as another Special Adviser for the second half of 2021. Party Leader Jeffrey Donaldson was also included in a similar group titled 'JPRP'. I used a WhatsApp group entitled 'Exec' including Ministers and special advisers for issues such as co-ordinating Party meetings or notifying of emerging news stories.

174. I understand some groups or conversations I featured in, established by others may have been deleted or disappeared due to a 'disappearing messages' setting.

175. A list of those in receipt of potentially relevant Covid-related WhatsApp or text messages is contained in **PWE/16 [INQ000419179]**. My Government-supplied devices were returned to Executive Office Private Office staff within 24 hours of the First Minister resigning in February 2022. I did not endeavour to delete any messages or material. I now understand from media reports on the Inquiry that such devices appear to have been cleansed after they were returned. I was aware while in post that deleted items disappeared from my account after approximately three months. I had initially assumed these would always be salvageable or restorable if that was ever deemed necessary.

Particular messages

176. Without reference to Departmental emails, I can't recall the details of the Executive papers referenced in the email exchange on 1 July 2020 in which a decision by the First Minister not to put Sinn Fein papers on the Executive agenda was discussed **[INQ000308441]**. I note that was the day after the IRA funeral at which the attendance of the deputy First Minister and other Ministers had caused widespread outrage and was dominating the news agenda. That may be relevant, and the First Minister may have felt the Executive needed to focus on addressing how it would respond. I don't recall the subject matter of the particular papers, nor providing any specific advice. Similarly I don't know whether these were new papers or others which

had been in the system for some time. Many papers never reach the Executive agenda, on account of failing to command sufficiently broad support.

177. Regarding the text exchange of 28 April 2020 between David Sterling and Peter May referencing a suggestion by the First Minister to establish “*a small reference group that you can call on, with separate groups provide to dh, dfe and whichever most appropriate department*” [INQ000308439], there had been concern over the extent of the role of those external from government in recovery planning. After an initial paper, there was felt to be a risk of an effectively finished product being presented to Ministers to simply give the nod of approval. Our view was this was work for Ministers and their Departments to drive, not delegate elsewhere.

178. I have always been extremely supportive of expert input from outside the Government structures, however mindful that it is important for it to be grounded in reality, and deliverable. We had received proposals previously which fell at the first hurdle as they couldn't for example be progressed for legislative reasons, or simply couldn't be afforded. We had experience of difficulties previously when a well-intentioned package might be presented almost as a *fait accompli*, with even minor alterations to it proving painstaking to achieve.

179. We wanted to be clear our expectation was that involvement would be advisory only, and that recommendations would be to the Head of the Civil Service which would permit a level of discernment around the realism of any proposed actions. We also felt that this might help serve to lessen the prospect of any document or proposals being trailed on the media in advance.

180. Regarding the text exchange of 7 May 2020 between Peter May and David Sterling about a health paper having been agreed at the Executive despite the Economy Permanent Secretary wanting more economy material in it, the document in question was the ‘*Coronavirus Executive Approach to Decision-Making*’ published on 12 May 2020. I don't have a strong recollection of particularly serious concern being raised by David Sterling and, had he done so, we would have considered that to be quite significant. This paper had been in development for several weeks. We could have kept holding on for more material but the First Minister took the view that it was becoming unsustainable to delay publication any further. We were already well behind the other administrations in publishing such a plan.

181. We did find it difficult sometimes to obtain information from the Economy Department in a timely manner, something the Minister Diane Dodds MLA had been

critical of. Given that we held the economy portfolio, and the First Minister had a keen interest in this area and had been Northern Ireland's longest-serving Economy Minister, we would have been very open to maximising the economic material included, but it was simply a practical matter. There had already been murmurings within the media that the Executive hadn't yet produced a document of this nature, unlike the other administrations. I may well also have had concerns that we might not be able to persuade other parties to re-open the document to insert additional economic content. Detailed economic material was published shortly afterwards as a stand-alone document, which proved a more effective way of progressing.

182. From mid to late summer 2020, I was keen to see joint Ministerial press conferences recommence as I recognised they sent a signal to the community [INQ000308438] of the dangers of the virus. It was also important to point out that the situation was deteriorating, and so for a week or two I had been speaking to the First Minister about their reinstatement. I was mindful she appreciated the public discomfort after the Storey funeral, over Michelle O'Neill being a questionable figurehead for fronting advice to people on how they should act. The point about further Executive meetings doesn't relate to the content of upcoming meetings, but merely the practicalities of holding a press conference. The next Executive would be taking place virtually, and I believe the deputy First Minister was not going to be in Northern Ireland.

Leadership, Key Challenges and Lessons Learned

183. Arlene Foster and Michelle O'Neill were both female leaders, very closely in touch with the community, and therefore regularly hearing plenty of views of members of the public. They were certainly not politicians who were distant from the people. They both had concerns over the welfare of their mothers and relatives in older generations, and also had children in their teens or twenties including students.

184. They were both strong and determined individuals. An emotional perhaps tearful moment from deputy First Minister at the despatch box in the Assembly chamber on the afternoon of 23 March 2020 prior to lockdown provided a glimpse of the human side of the Government response, and the weight of the decisions facing Ministers and their teams. Arlene's legal background was an advantage, and she had served at a senior level in frontline politics since 2007. The deputy First Minister was newly into her role after serving as Minister for Agriculture and briefly Health. Both had been through tough situations in office before and had demonstrated resilience.

185. Arlene had a firm view that things being done properly, rules being followed and Ministers acting appropriately. She operated high standards and expected the same from others. She was collegiate and always open to hearing advice.
186. Paul Givan served as First Minister in the later stages when key decisions tended to relate more to the timing of lifting of regulations. Though less-experienced, I believe Paul surprised some who knew him less well with how he managed Executive meetings, worked with Sinn Fein to get things done, and handled the media aspect of the role. (97)
187. I have been asked to consider key challenges, lessons learned in the Covid response and recommendations for improvement for the future.
188. Our complex system of government in Northern Ireland is cumbersome and slows decision-making. In time, ultimately a more normalised system with a cohesive government pursuing a shared platform scrutinised by a meaningful opposition ought to provide better and certainly timelier outcomes.
189. In what has been such a divided society, it is essential we retain in the short to medium term protections over decision-making, such as weighted majority voting, in both the Assembly and Executive Committee, to provide confidence a majority won't trample over the views of everyone else. The only current protection within the Executive to ensure sufficient consensus is the so-called 'cross-community vote' which has become derided as a blunt instrument, and sometimes is therefore not actually employed or supported, given it so-readily attracts superficial criticism. A move to weighted majority voting in the Executive would be a step forward. Handled carefully, it could potentially also serve as an alternative in the longer-term to the Petition of Concern mechanism for Assembly business.
190. The powers vested in Departments means the First Minister and deputy First Minister had to improvise in order to feel content they were really in the driving seat with all the information at hand that they required. It was only after pressing for it, that we were able to gain sight of daily Department of Health dashboard statistics prior to them going into the public domain, and even then it was only one to two hours before publication. Solutions need to be found to increase collaboration between Executive Departments. The Executive Covid Taskforce which was established undoubtedly helped to a degree on this front.

191. Following the Report of the Independent Public Inquiry into the Non-Domestic Renewable Heat Incentive (RHI) Scheme published in March 2020, the Civil Service Code was updated to include a reference to civil servants having a duty to the wider Northern Ireland Executive, not simply their employing Department. This requires further emphasis.
192. I consider there to be a potential issue around senior advisers in a pandemic situation working for an individual department and not directly for the joint leaders of the Government. I recognise that the same issue has been raised in relation to the UK Government and the CMO being located in the Department of Health rather than in the Prime Minister's Office. In Westminster, the Health Minister will generally though be expected to come from the same political party as the Prime Minister. I had a sense from meetings during the early stages, that Nicola Sturgeon or Make Drakeford, for example, were slightly more integrated into the thinking and operating of their medical and scientific teams. It may be that, perhaps for emergency situations, a slightly different or hybrid approach could be contemplated. I note that a new CSA post is being created in the Executive Office which may deal with that aspect to some degree. Equally, it may well be appropriate for the CMO to remain within the Department of Health, but for it to be more explicit that he or she is the chief medical adviser for the Northern Ireland Government generally.
193. Many of the key advisory bodies in an emergency response are established to serve England only or its NHS, but they ought to have a UK-wide remit with places of right for Northern Ireland representatives.
194. While a committed proponent of devolution in Northern Ireland, I am not sure that the current balance in the approach to the devolved regions is exactly right. I see a need in many areas for enhanced collaboration and a common approach at a four-nations level. As I touched upon earlier under the topic of public health communication, in a situation of the import of a pandemic, public messaging is crucial and a common response and consequently common messaging, I would contend, is more likely to result in better outcomes than more disparate narratives. I recognise this view is unlikely to be warmly embraced at first blush by separatist parties, but it is important to pursue what would be most effective. The finances for furlough were a fine example of the benefits of a UK common approach.
195. I haven't had the opportunity to see yet at first hand whether the new inter-governmental structures replacing the Joint Ministerial Council are likely to prove any more effective. The new East-West Council announced earlier this year if given

sufficient scope and commitment could play a role too. I recall at points during the response devolved Ministers pressed Westminster for a British-Irish Council meeting, including in relation to travel arrangements.

196. I noted the remarks of deputy First Minister Michelle O'Neill in her Module 1 Public Hearing (<https://covid19.public-inquiry.uk/wp-content/uploads/2023/07/12180602/C-19-Inquiry-12-July-23-Module-1-Day-19.pdf>) on 12 July 2023:

"I think that both the British and Irish Government should collaborate in terms of a two-island approach. And if I may offer an example of where I thought that we could have been really joined up, and that's in the issue of travel".

197. If there was a means of realistically achieving some substantive collaboration of this nature, it would certainly help quell some of the concerns raised over differing approaches in the two separate jurisdictions.

198. We were relatively fortunate a vaccine was discovered at an early stage that would prove so effective, otherwise the need to limit inter-personal contact and lock society down could have lasted significantly longer, with all the related negative economic and societal repercussions. We were also fortunate that in the main, the public behaved sensibly and generally tended to follow restrictions. At the outset there was no guarantee how the community might respond.

199. We benefitted from an integrated health and care system in Northern Ireland with provider trusts being responsible for both, and not relying on local government for social care as was the case across the water.

200. The 1967 Public Health Act still in force in Northern Ireland requires to be updated.

201. There is a need for an additional resource for legislative drafting expertise at Stormont. When decisions were being taken at Cabinet in London, Ministers had the actual proposed legislation in front of them to consider, which would help minimise confusion over implementation. In Northern Ireland, it sometimes took a number of days to put what the Executive had decided into law. By way of example, following the Prime Minister's announcement on Monday 23 March 2020, our lockdown regulations in Northern Ireland only became law at 11pm on the Saturday night, 28 March 2020.

202. Modelling in future needs to incorporate economic data and impacts. Using data and digitisation more effectively could assist with monitoring virus spread. The importance of the public having widespread access to data such as daily dashboards was reinforced through the pandemic period.
203. There needs in general to be closer collaboration with, and embracing of, expertise from outside the statutory sector, for example with large diagnostics companies to help provide sufficient testing capability at pace.
204. Thought needs to be given to how robust contracts can be awarded in emergency situations which maintain confidence in the judicious use of public money.
205. Access to Extra Corporeal Membrane Oxygenation for acutely unwell cases in Northern Ireland was an issue which needs to be considered in future planning. Also Northern Ireland receives oxygen supplies by ferry and at one point there was a concern over whether we could run out of oxygen if ferry arrivals into Dublin were prohibited.
206. A willingness has developed within politics and broader society, related perhaps to the backdrop of U.S. political discourse over the last decade, to not merely question but deride the work of officials and pay little heed to any policy-making process. People are more open to choosing their own perspective, often with no evidence base, when it chimes with what they would prefer the case to be. The rise of social media probably contributes to this as well, with increased audiences for those with the loudest voices, and views on all sorts of issues quickly becoming quite tribal. This makes communicating information during a crisis more difficult than in previous generations. Political leaders and government institutions have, over time, to cultivate enhanced trust in information they disseminate, and indeed greater public confidence in the broader practice of government.
207. Ministers and the public did experience that decisions could be actioned more quickly when they had to be. Nightingale facilities were established in a matter of days. I recorded in my note of a meeting on 21 April 2020 (**PWE/18 [INQ000419175]**), the Head of the Civil Service stating the recovery phase offered new circumstances,
- 'opportunity to be radical- where there is an evidence base for action.*
- Community primed for leadership + a public service keen to respond.*

Decisions in hrs + days, not months/ yrs'

208. The public demonstrated that they were willing to travel a little further to different sites for vaccination or treatments, and staff could be deployed temporarily to different roles permitting flexibility in the services offered. The vaccination programme headed up by Patricia Donnelly worked particularly smoothly.
209. The Civil Service was forced into alternative ways of working many of which can become part of normal practice, including more agile working, some virtual meetings and better use of the Government estate. We heard regularly how Departments were under pressure and struggling with workloads, and there were sometimes delays acquiring information Ministers had requested. I could see at first hand that the most senior officials were extremely busy but there seemed a reluctance or inability to delegate tasks beyond a small cadre of officials, despite there being thousands employed across the NICS.
210. The RHI Inquiry had made recommendations about increasing the skills available within the local civil service. The pandemic further highlighted the importance of expertise in Government. In a Parliamentary democracy it is not as easy as some other systems for heads of governments to appoint someone with key expertise. There have been examples recently of individuals being appointed to the House of Lords, and simultaneously taking up Ministerial roles.
211. Aside from Special Adviser posts, it is difficult for Ministers to introduce someone with specialist knowledge into the Government system. Recruitment processes make it difficult for senior civil servants to do so either. While recognising the good reasons why such procedures exist, in certain circumstances there may be value in having fewer obstacles to negotiate if better outcomes for the public can be achieved, particularly in emergency situations. There was an outcry at the time, which briefly led the news in Northern Ireland, when in 2016 the First Minister and deputy First Minister sought to head-hunt a new Director of Communications for the Executive.
212. One area which was particularly painful for all involved was people being denied the chance to spend some final moments with loved ones dying in hospital or care homes. Many relatives did not have the opportunity to grieve properly, with a consequential impact on their own mental wellbeing. I think it would be appropriate in such circumstances again to consider whether one (or more) family members should be permitted to make their own decision about a visit after weighing up the risk to their

own health. Relatives in these circumstances could have to isolate, be tested and followed up to minimise further spread.

213. Technology and greater ability to travel mean parts of our world no longer have the sense of distance they used to. In a future pandemic, and indeed in ongoing day to day public policy formation, we ought to consider more closely than we perhaps have up to this point, approaches we can adopt from much further afield including where English is maybe not the first language. The greatest differences in approach, with how we sought to manage Covid, were probably in parts of South-East Asia, and we must be open to acquiring knowledge from all origins.

214. The pandemic reminded people how much we cherish the NHS. I hope our experience over those couple of years sees people place more value in science, research and evidence-based best practice. Knowledge is a global commodity. I trust governments will see the merits in investing in pandemic planning and in broader health prevention measures.

215. The work in the early days of the response was intense and unrelenting. At one point I recall seeing included in a PowerPoint presentation from senior officials that we had cleared over 2,000 Ministerial submissions and responded to 2500 correspondence cases during 2020, alongside speeches, speaking notes, and oral and written Assembly questions. I was fortunate to have capable and experienced special adviser colleagues working alongside me in our team. As well as reinforcing the phenomenal efforts of frontline health and care staff referenced at the beginning of my statement, I would like to pay tribute to the dedication of those civil servants who assisted us over that period.

216. I also express gratitude to the many across our society who contributed in large and small ways to the Covid effort, including those who repurposed businesses to provide PPE and facemasks for example.

217. The contents of this statement are true and accurate to the best of my knowledge and belief.

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

Dated: 7 March 2024