

UK Covid-19 Inquiry public hearings: module 2, week 8 and 9 (6 December – 11 December)

The UK Covid-19 Inquiry (the Inquiry) public hearings for module 2 began on 3 October 2023 and with the final witness giving evidence on 11 December 2023. Additional hearings for module 2 on Scotland, Wales and Northern Ireland will take place in 2024.

Module 2 is focused on core political and administrative governance and decision-making for the UK. It will examine the initial response, central government decision making, political and civil service performance as well as the effectiveness of relationships with governments in the devolved administrations and local and voluntary sectors. It will also assess decision-making about non-pharmaceutical measures and the factors that contributed to their implementation.

Last week the Inquiry heard from former Prime Minister, Rt Hon Boris Johnson, and this week from current Prime Minister, Rt Hon Rishi Sunak MP. Evidence was heard on the 'Eat out to help out' scheme, the timing of lockdowns, the tiering system and what consideration was given to vulnerable and 'at risk' groups.

This briefing summarises the proceedings most relevant to NHS trusts and is the final in the series of weekly briefings on the Inquiry's public hearings on module 2. You can see our earlier briefings on the preliminary hearings and other public hearings on [our website](#), as well as a set of [frequently asked questions on rule 9 requests](#) we prepared with our legal partners.

Wednesday 6 December

Summary of witness evidence

Rt Hon Boris Johnson (*day one of two*)

Rt Hon Boris Johnson served as prime minister from July 2019 to September 2022.

The Chair opened by expressing her concerns about media coverage of Johnson's witness statement before the hearing. She said that until a witness is called, and appears at a hearing, or the Inquiry publishes the witness's statement, the witness statement is confidential between the witness, the Inquiry and the core participants. Failing to respect confidentiality undermines the Inquiry's ability to do its job fairly, effectively and independently.

On the disclosure of WhatsApp messages, the Inquiry has not been able to access Johnson's messages sent between January 2020 and June 2020.

Responding to allegations that his administration had been dysfunctional and incompetent, Johnson said that there were a lot of highly skilled and talented people trying to do their best and this would have been the same in any administration. He disagreed that people did not want to work for him because of the toxic atmosphere and that it had caused problems with recruiting the best people. He acknowledged that the gender balance of his team should have been better.

Johnson did not chair any Cabinet Office briefing room (COBR) meetings in January and February 2020. He said the Secretary of State for Health and Social Care, Rt Hon Matt Hancock MP, was handling the situation and Covid-19 wasn't escalated to him as an issue of national concern. He said people had not experienced anything like this before and previous issues such as severe acute respiratory syndrome (SARS) and Middle East respiratory syndrome (MERS) had been benign in the UK and that was the default mindset.

Johnson didn't know why he wasn't informed that the chief medical officer (CMO) outlined two scenarios at a COBR meeting on the 29 January – firstly that the virus would be contained in China and the second that there would be a pandemic-like scenario, with the UK impacted. He said he wasn't aware of the reasonable worst-case scenario which set out that there could be 800,000 deaths. On asymptomatic transmission, Johnson suggested that he wasn't aware that it was taking place. Hancock was told at the end of January that it could be spread this way.

The scenes from Italy "rattled" Johnson and he said that the government should have collectively "twigged" the severity of the situation earlier. On 2 March he chaired COBR, in which he was told that there was sustained transmission in Germany and France and that contact tracing hadn't been successful for the last two cases in the UK.

On 12 March he was bewildered by graphs shown to him at a COBR meeting which showed that the NHS was going to be massively overwhelmed. On 13 March the [scientific advisory group for emergencies](#) (SAGE), the CMO and government chief scientific adviser (GCSA) conveyed to him that the virus was now spreading much more rapidly and therefore they had to move more quickly. He didn't recall Hancock calling him on 13 March to tell him there that there needed to be an immediate lockdown. He rejected the suggestion that he hesitated about what had to be done, saying it was his job to address all the consequences of what we were doing, and to test the policy, which he was determined to deliver. He said the Cabinet was, on the whole, more reluctant to impose non pharmaceutical interventions (NPIs) than he was.

Johnson said the first lockdown imposed on 23 March was necessary and he doubted that it could have been avoided even if other measures had been implemented earlier. He said it wasn't possible to say that they should have put in place a lockdown any earlier.

When asked about the consideration taken when looking at vulnerable and at-risk groups, he said that work had been done to protect people from domestic violence, those on lower incomes and ethnic minority groups. When asked about his views on long Covid, he apologised for an offensive word he had "scribbled" in the margins of documents. Counsel pointed out that in June 2021 he was still equating it to "Gulf War syndrome".

Johnson did not recall complaints being made about the behaviour of staff in Number 10. He said people could be argumentative but that was not a bad thing. He did not think that differences of opinion made the slightest difference to the management of the Covid-19 pandemic or the decisions taken.

The full transcript of the day's proceedings is available [here](#).

Thursday 7 December

Summary of witness evidence

Rt Hon Boris Johnson (*day two of two*)

In his witness statement Johnson said that the CMO and the GCSA were consulted on plans to introduce the 'Eat out to help out' scheme. He is no longer sure of that and says he assumed they must have been. The Inquiry presented notes from the bilaterals between Number 10 and the then Chancellor, Rt Hon Rishi Sunak MP, where the scheme was planned and no scientists were present. Johnson defended the practice of having private bilaterals with the chancellor where matters of public health were discussed, such as a meeting about the easing of NPIs.

On enforcement of the regulations on self-isolation and distancing, Johnson said it was not easy for the public to understand the complexities of the rules and the many changes. In future he would like to see more reliance on common sense but there would still need to be legislation because people need to see that everyone is obliged to follow the same set of rules.

By the end of July 2020, it was obvious the country was going to be hit by a second wave. On the decision not to apply a time limited lockdown, known as a circuit breaker, as recommended by SAGE in September 2020, Johnson said he had to respect the disparities in the prevalence of the pandemic across the country. He thought it was worth trying a regional approach which became known as the

tiering system. At the time the epidemiological advice was to make more rapid interventions, go fast, go early and do more.

By September/October 2020 it made little sense to have a national lockdown because the prevalence of the pandemic was not evenly distributed across the country. Johnson did not accept that the second lockdown was imposed too late. He said the measures they introduced were having an impact but they hadn't anticipated the Alpha variant which was much more transmissible than the original coronavirus. He denied holding the view that they should 'let the virus rip', as documented many times in Sir Patrick Vallance's diaries. He rejected the idea that he resisted the advice of his scientific advisors on the need for a national lockdown because he held this view.

What the government wanted out of the tiering system was to crush the virus where it was most prevalent, although they didn't achieve that, and to get local leaders to put in measures fast enough. He thinks it might have worked if it had been done more quickly. He made the decision to adopt the tiered approach on 11 October 2020. He did not recall Rt Hon Matt Hancock MP telling him on that date that the tiered system would not work but it was clear by the end of the month that it wasn't working.

From the 25 October 2020, Johnson was presented with a number of papers and strategy documents from the Covid Taskforce and the Covid-operations (Covid-O) Cabinet committee, all broadly recommending a lockdown. A note of a meeting Johnson attended on 25 October 2020 indicated that he was deeply sceptical about the need for a national lockdown. Three days later, the taskforce told Johnson the situation was continuing to deteriorate, that the tiers weren't working and that they had to move to a lockdown. A second national lockdown began on 5 November 2020.

Some restrictions were eased in the run up to Christmas 2020 but by the beginning of January 2021 they knew that they had to revert to the toughest measures once again, including the closure of schools, which Johnson said were a big vector of transmission for elderly people.

Following the controversial visit to Barnard Castle by Dominic Cummings, key advisor to the prime minister, confidence in the government fell and so did adherence to the rules. Johnson argued that adherence was always going to decline over time. He apologised for the 'party gate' scandal but argued that the depiction of what happened was a travesty of the truth and it was logistically impossible to follow the rules inside Number 10.

On excess mortality, Johnson disputed evidence showing that the UK had a higher mortality rate than other comparable countries. He also rejected claims that the government had not acted fast enough to procure oxygen, ventilators, personal protective equipment (PPE) and protective clothing, or that

they only started to get organised in mid-March 2020. The BBC was still reporting in April 2020 that NHS staff were wearing bin bags as protection.

On the disproportionate number of deaths of ethnic minority NHS staff and in the wider public, Johnson said he had not seen any evidence to support the claim that part of the explanation was institutional racism within the NHS, including the report published by Public Health England (PHE) which Hancock referred to in his evidence. Asked how the findings of that report influenced subsequent actions and policies aimed at mitigating disparities, Johnson said they wanted to make sure that the incredible frontline staff of the NHS had greater protection, above all by being less overworked. This was being addressed by recruiting 50,000 more nurses. He said that clearly one of the best ways to mitigate the risk that you face as an ethnic minority frontline care worker, is having an extra pair of hands to help you. He also cited the programme of hospital building they embarked upon.

In his witness statement, Johnson said he was “not provided with and did not consider any equality impact assessments when making decisions about imposing, easing or making exceptions to NPIs”. He said he received and considered many documents containing details of the effects of lockdowns across society but could not confirm their provenance to the Inquiry.

Concluding his evidence, Johnson spoke of his efforts to bring issues of health and social care together, that the delayed discharge of patients was very, very difficult in the NHS and that he hoped that the Inquiry will prompt the powers that be to address that.

The full transcript of the day's proceedings is available [here](#).

Monday 11 December

Summary of witness evidence

Rt Hon Rishi Sunak MP

Prime Minister, Rt Hon Rishi Sunak MP, was chancellor of the exchequer between February 2022 and July 2022.

When asked about the interaction between HM Treasury (HMT) and Number 10 at the start of the pandemic, Sunak said the prime minister was the ultimate decisions maker. He was able to input advice and did not feel shut out or unable to participate in decision making.

It was his responsibility to ensure that the prime minister had the economic analysis and advice on the possible consequences of the first lockdown. Sunak said that it was normal for a chancellor to meet

bilaterally with a prime minister and did not agree that his voice carried particular strength in such discussions.

On the robustness of the data underpinning the proposition that the NHS would collapse, he said that he wouldn't have been in a position to challenge that. He was not surprised by the absence of debate in decision making about what would happen to the NHS if it were decided not to impose a mandatory stay-at-home order, and that it should be remembered that people were seeing the scenes in Italy and wanted to avoid that in the UK.

Asked why SAGE, the CMO and the health secretary weren't consulted about the "Eat out to help out" scheme, which encouraged the mixing of households, he said it had been designed in the context of the lifting of NPIs which had already been approved and that indoor hospitality had already reopened. He said that his primary concern had been protecting millions of jobs of the particularly vulnerable people who worked in this sector. When pushed on how this would have had an impact on transmission, Sunak said that a lot of work had gone into the safe re-opening of hospitality. Asked if, had the CMO, deputy chief medical officer (DCMO) and GCSA had been consulted, they would have agreed that it was likely to increase transmission, Sunak said that they had ample opportunity to raise concerns between the announcement and implementation of the scheme.

He said that he had been against imposing a circuit breaker in autumn 2020 and suggested others had thought similarly. On the tiering system, he said the general consensus had been that a local approach was the right approach. He said the CMO said that the UK's national outbreak in the first wave had been an exception to the pattern and that it was possible a second wave would be localised. He did not oppose the second lockdown in November 2020 but said it was reasonable to believe at the end of October that the regional approach might still work.

When asked if he was aware that some in Number 10 had referred to HMT as the "pro death squad", he said that he was not aware of the description and that he did not think it was fair to all the hard-working people in the department.

The full transcript of the day's proceedings is available [here](#).