

# Committee of Privileges

## Oral evidence: [Matter referred on 21 April 2022: Conduct of Rt Hon Boris Johnson MP, HC 564](#)

Wednesday 22 March 2023

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Members present: Ms Harriet Harman (Chair); Andy Carter; Alberto Costa; Allan Dorans; Yvonne Fovargue; Sir Bernard Jenkin; Sir Charles Walker.

Questions 1-154

### Witness

[I]: Rt Hon Boris Johnson MP

Written evidence:

- [Submissions of Rt Hon Boris Johnson MP](#)
- [Material to be relied upon by the Committee of Privileges and Rt Hon Boris Johnson MP in the oral evidence session of the Committee on 22 March 2023](#)
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## Examination of witness

Witness: Boris Johnson

**Chair:** This is a public evidence session of the House of Commons Committee of Privileges. The Privileges Committee's purpose in this inquiry is to decide whether or not Mr Johnson misled the House of Commons, whether or not he committed a contempt of the House and whether or not this was in any way intentional or reckless. This is what the House of Commons has required us to do, by referring this matter to us in the motion which was carried, without a vote against, in April last year.

Misleading the House might sound like a technical issue, but it is a matter of great importance. Our democracy is based on Parliament scrutinising legislation and holding the Government to account for its actions. We proceed on the basis that what we are told by Ministers is accurate. Parliament expects proactive candour and transparency. If what Ministers tell us is not the truth, we can't do our job. Our democracy depends upon trust that what Ministers tell MPs in the House of Commons is the truth, and without that trust, our entire parliamentary democracy is undermined.

Everyone makes mistakes, and when Ministers do, they are expected to correct it at the earliest opportunity, and that is what happens routinely. Inadvertent misleading which is promptly corrected is not an issue. The House understands if Ministers decline to answer, for example, on matters which relate to national security or market sensitivity, but misleading intentionally or recklessly or refusing to answer or failing to correct impedes or frustrates the functioning of the House and is contempt.

During the covid pandemic, the Government and Parliament imposed extensive restrictions on our freedom in the interests of protecting public health. In this inquiry, we are not looking at the rights or wrongs of those covid rules or guidance, or repeating the partygate inquiry into the conduct of individual Ministers and officials in No. 10. What the House has mandated us to look at is whether Mr Johnson told the truth to Parliament, to the best of his knowledge, about No. 10's compliance with those covid rules and guidance. It is about the truth, and that is why this inquiry goes to the heart of the trust on which our system of accountability depends.

This Committee is comprised of Members of Parliament who have been appointed to this role by the House of Commons. The political balance on this Committee reflects the political balance in the House, which is why the Committee comprises four Conservatives and three Opposition MPs, including two from Labour and one from the SNP. Having said that, we leave our party interests at the door of the Committee Room and conduct our work in the interests of the House. That is what we are doing in this inquiry and what we will continue to do.

We are examining what Mr Johnson said to the House about gatherings in No. 10, whether what he said to the House was correct or not, and how quickly and comprehensively any misleading statement was corrected. If a statement was misleading, we will then consider whether it was a genuine



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error or was reckless or intentional, and whether the record was corrected in good time. We have already considered evidence supplied by the Government, including emails, WhatsApp messages, photos taken at the time, and written statements taken under oath from witnesses present at the relevant times, to inform us of what Mr Johnson would have known at the time of his statements to the House.

There has been much comment about whether the Committee is relying on the Sue Gray report material. We are not relying on any such material, and nor will we. Last November, we decided to collect direct, first-hand evidence from all the witnesses under oath, and this has all been disclosed to Mr Johnson. Sue Gray is not a witness. We have followed the Standing Orders of the House and the precedents, as advised by our Clerks, by Speaker's Counsel and by Sir Ernest Ryder, a former Lord Justice of Appeal. We have not changed the rules or the procedure; that is not within our remit. They are laid down by the House, we are bound to follow them, and that is what we have done.

In our report of 3 March, we set out the main issues that we will be asking Mr Johnson about today. We will be talking about rules and guidance, since Mr Johnson told the House that No. 10 complied with both. When we refer to rules, we mean regulations laid down by the House that have the force of law, and under which fixed-penalty notices were issued. Guidance is guidance issued by the Government. For example, when Mr Johnson was talking about "Hands, face, space", he was referring to the guidance on social distancing when he said "space". On the basis of information that is in the public domain and evidence that the Committee has received, and in the context of what Mr Johnson said to the House of Commons, we will be establishing what rules and guidance relating to covid were in force at the relevant time, Mr Johnson's knowledge of those rules and guidance, and Mr Johnson's attendance at, or knowledge of, gatherings that were not socially distanced and those for which fixed-penalty notices were issued.

Mr Johnson spoke about the question of covid compliance in No. 10 in the House of Commons more than 30 times, most particularly on 1 December 2021, 8 December 2021 and 25 May 2022. I would like us all to have a reminder now of some of what Mr Johnson said in Parliament in answer to questions, starting with a question from the Leader of the Opposition on 1 December.

*[The Committee was shown footage from the House of Commons on 1 and 8 December 2021 and 25 May 2022]*

Q1 **Chair:** We need to understand why Mr Johnson said to Parliament that no rules or guidance were broken in No. 10 when we have evidence that he knew what the rules and guidance were; and that he was present at gatherings where those rules and guidance were breached.

We have yet to reach our conclusions in this inquiry, and we will not do so until we have heard and considered Mr Johnson's evidence today. The evidence that we have already raises clear questions to which we need



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answers. This is Mr Johnson's opportunity to give us his answers.

Will the Clerk to the Committee please administer the oath?

**Boris Johnson:** I swear by almighty God that the evidence I shall give before this Committee shall be the truth, the whole truth and nothing but the truth, so help me God.

Q2 **Chair:** Mr Johnson, you have provided the Committee with a written submission, which the Committee has published. Do you confirm that the contents of that statement are true?

**Boris Johnson:** I do.

Q3 **Chair:** Thank you. Mr Johnson, please make your opening statement.

**Boris Johnson:** Thank you. Chair, before I begin, I am conscious that we are all expected to vote in a few minutes—I think at 2.21. I hope you don't mind if I resume—it will break up what I am about to say.

**Chair:** We are a parliamentary Committee, and Parliament is continuing. If a vote is called, which we do expect, I will suspend the sitting to enable Members to vote. We can pick up where we left off—but thank you for reminding everybody.

**Boris Johnson:** Thank you, Chair. As you have just said, there were a number of days over a period of 20 months when gatherings took place in Downing Street that went past the point where they could be said to be necessary for work purposes. That was wrong. I bitterly regret it. I understand public anger, and I continue to apologise for what happened on my watch. I take full responsibility.

As you have just said, Chair, the purpose of this inquiry is not to reopen so-called partygate. It is to discover whether or not I lied to Parliament, and wittingly misled colleagues and the country about what I knew and believed about those gatherings when I said that the rules and the guidance had been followed at No. 10.

I am here to say to you, hand on heart, that I did not lie to the House. When those statements were made, they were made in good faith, and on the basis of what I honestly knew and believed at the time. When this inquiry was set up, I was completely confident that you would find nothing to show I knew or believed anything else, as indeed you have not. I was confident not because there has been some kind of cover-up; I was confident because I knew that is what I believed, and that is why I said it. To understand why I believed it, you have to go back to a time before the Sue Gray report, before the police investigation—back to a time where, as the evidence before the Committee shows, there was a near-universal belief at No. 10 that the rules and guidance were being complied with.

That is the general belief that has been uncovered by your evidence, and it was that belief that governed what I said in the House. As soon as it was clear that I was wrong, and as soon as the Sue Gray investigation and the Metropolitan police investigation had concluded, I came to the House of



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Commons and I corrected the record, as I promised I would. I clearly could not have anticipated the outcome by coming earlier, because I genuinely did not know what the outcome would be. I was deeply shocked when fines were issued, not least since I had been told on a couple of occasions at least by Sue Gray that she did not think the threshold of criminality had been reached.

I believe that the Committee's work helps to explain why I was so shocked. You have been investigating this for more than 10 months, and I thank you for what you have done. You have had access to a vast body of evidence. You have collected and reviewed hundreds of pages of transcripts of Sue Gray's interviews, and you have analysed many thousands of contemporary emails, WhatsApp messages and other material. You have found nothing to show that I was warned in advance that events at No. 10 were illegal, and in fact nothing to show that anyone raised anxieties with me about any event, whether before or after it had taken place. If there had been such anxiety about a rule-breaking event at No. 10, it would unquestionably have been escalated to me.

We all knew how vital it was to maintain public confidence in the fight against covid that we should do what we were asking the public to do. There is only one exception, of course, and that is the testimony of Dominic Cummings, which is unsupported by any documentary evidence and which plainly cannot be relied upon. He has every motive to lie. Not only has the Committee found nothing incriminating, but it has gathered a huge amount of evidence that demonstrates very clearly that those working in No. 10 shared my belief that the rules and the guidance were being followed, and that I received assurances that there was no rule breaking at No. 10.

The best and fairest course now would be for the Committee to publish all the evidence it has assembled, so that Parliament and public can judge for themselves. Despite my repeated requests, the Committee has refused to do this. As investigator, prosecutor, judge and jury, it has elected only to publish the evidence that it considers incriminating, and not the evidence that I rely on, which answers the charges. Despite assurances that we would be permitted to add material that we rely on into the core bundle published today, late last night we were told that the Committee was not willing to publish a large number of extracts which I rely upon in my defence. That is manifestly unfair. Instead, and in the absence of any evidence that I deliberately misled Parliament, the Committee is trying to mount an argument that I "must have known" that the guidance was not being followed, and that buried in my head as we were fighting covid was an unarticulated belief that even if we were following the rules, we were somehow failing to follow the guidance.

You have in your fourth report suggested that it must have been obvious to me because you have the photographs. Let me deal with this point head on, because it is nonsense. These photos have now been churned through the media for more than a year, and it seems to be the view of the Committee and, sadly, many members of the public that they show me



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attending rule-breaking parties where no one was social distancing. They show nothing of the kind. They show me giving a few words of thanks at a work event for a departing colleague. They show me with my red box, passing on the way to another meeting or heading back into my flat to carry on working, often late into the night. They show a few people standing together, as permitted by the guidance where full social distancing is not possible, and where mitigating measures are taken. They show events that I was never fined for attending.

I know the public will have had the impression that these were covert photos, with their sinister pixelations, which have been obtained by the media. The vast majority were, in fact, taken by the official No. 10 photographer. To say that we would have held illicit events in No. 10 while allowing these events to be immortalised by an official photographer is staggeringly implausible. There are a couple of photos where the event is captured on Zoom as well as by the official photographer, which only reinforces the point: if we had an event that we believed was illicit or unauthorised, why would we have it on Zoom, when you never quite know who is on the other side?

Most important of all, if it was obvious to me that these events were contrary to the guidance and the rules, it must have been equally obvious to dozens of others, including the most senior officials in the country, all of them, like me, responsible for drawing up the rules. It must have been obvious to others in the building, including the current Prime Minister—  
*[Interruption.]*

**Chair:** Order. We will now suspend the sitting while the House of Commons votes, and we will reconvene in 15 minutes.

*Sitting suspended.*

*On resuming—*

Q4 **Chair:** We will now resume this evidence session. Mr Johnson, would you like to resume your opening statement?

**Boris Johnson:** Yes; thank you very much, Chair. The Committee will remember that I had just made the point about the photographs, and I had asked why on earth we would have held illicit or unauthorised gatherings in the presence of an official photographer. I went on to say that, most important of all, if it was obvious to me that these events were contrary to the guidance and the rules, then it must have been equally obvious to dozens of others, including the most senior officials in the country—all of them, or most of them, like me, responsible for drawing up the rules—and it must have been obvious to others in the building, including the current Prime Minister.

On the contrary, the overwhelming evidence which you have assembled is that these individuals believed that the rules and the guidance were being complied with, and what is so telling is the number of officials who say the same thing and the total silence of the written or electronic record about concerns that anyone wanted to raise with me. It would be one thing if the



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Committee had come here today and said, “Look, here are the emails,” or “Here are the WhatsApps that show that you were warned about rule breaking before you made your statements to the House.” You have not got any such evidence because that never happened.

But if you now say instead that it must have been obvious that we were going against the rules and the guidance, then let us be clear about what you are saying. You are not only accusing me of lying; you are accusing all those civil servants, advisers and MPs of lying about what they believed at the time to be going on and, as far as I know, you are not giving any of them the chance to explain themselves with their own oral evidence. I do not think you seriously mean to accuse those individuals of lying, and I do not think you can seriously mean to accuse me of lying.

Now, everyone knows that there are some features of this proceeding that are extremely peculiar. I have the utmost respect for you, the Chair, but you have said some things about this matter before reading the evidence which are plainly and wrongly prejudicial, or prejudge, the very issue on which you are adjudicating. I am going to put your earlier remarks down to the general cut and thrust of politics, and trust in what you have stressed at the outset: the impartiality that the Committee insists upon in your report. The Committee is, in fact, supposed to be inquiring strictly into what I said about rule breaking, rather than non-statutory guidance, so much of this interrogation is theoretically irrelevant, but I am going to take that in my stride because I agree with what you said at the outset: it is your job, in which I want to help you, to understand why I said what I said to Parliament and whether I deliberately set out to deceive—and I emphatically did not.

Your first concern is that I may have knowingly or recklessly deceived Parliament on 1 and 8 December when I said that the rules had not been broken and that the guidance had been “followed completely in No. 10.” When I said those words, I was not trying to cover up or conceal anything. I said what I said in good faith, based on what I honestly knew and reasonably believed at the time. That belief—what was in my head—was based on my understanding of the rules and the guidance. That did not mean that I believed that social distancing was complied with perfectly. That is because I and others in the building did not believe it was necessary or possible to have a 2 metre, or 1 metre after 24 June 2020, electrified forcefield around every human being.

Indeed, that is emphatically not what the guidance prescribes. It specifically says that social distancing should be maintained where possible, having regard to the work environment, and it is clear that, in No. 10, we had real difficulties in both working efficiently and at speed and in maintaining perfect social distancing. It is a cramped, narrow, 18th-century townhouse. We had no choice but to meet, day in, day out, seven days a week, in an unrelenting battle against covid. I had to call many meetings on the spot and to make a great many high-speed decisions. Yes, we certainly did have social distancing: we avoided physical contact; we gave way to each other in the corridors and on the stairs; we gave



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each other as wide a berth as we could. But it would have been impossible to have a drill sergeant measuring the distance between us all hours of the day and night, so, as the guidance prescribes, we had mitigations.

When I spoke about the guidance being followed, I was thinking of all the things we did to stop the spread of covid, given where we were working. We had large numbers of people working from home; we had many meetings at least partly on Zoom; we had limits on the numbers per room; we had sanitiser dispensers everywhere; we had signs on the walls telling you which way to walk; we kept windows open, and we worked outside as much as possible. Because of the particular difficulties caused by the working environment, we had regular testing, and a whole testing system was set up—I believe on the third floor—that went way beyond what was required in the guidance.

So if you say, how could I stand up in Parliament and be so categorical about following the guidance—what was I thinking of?—that is what I was thinking of. I know you will, as you have just done, point to the photos, and then to the guidance and what I said, and you will say it must have been obvious that the guidance was being breached, but that is simply not true. My beliefs and my remarks to Parliament were indeed based on my knowledge of those events, but you have to understand how I saw them and what I saw during the period I was there.

The vast majority of the events relied upon by the Committee are events I attended for 10 or 15 minutes, perhaps a maximum of 25, in one case, to say farewell to a departing colleague. I know that people around the country will look at those events and think they look like the very kind of events that we, or I, were forbidding to everyone else. But I will believe till the day I die that it was my job to thank staff for what they had done, especially during a crisis like covid, which kept coming back, which seemed to have no end, and when people's morale did, I am afraid, begin to sink. But never mind what I think—the more important point is that the police agreed. They did not find that my attendance at any of these farewell gatherings was against the rules. I obviously did not know at the time that any of these events later escalated beyond what was lawful after I left.

There is, of course, one event for which I and the current Prime Minister received fixed-penalty notices, but it never occurred to me—or, I think, the current Prime Minister—at the time that the event was not in compliance with the rules and the guidance. At about 2.22 pm on 19 June 2020, I went into the Cabinet room, where I worked, after getting back from a long external visit. I stood at my desk briefly before another covid meeting began and had a kind of salad. A number of officials came in to wish me a happy birthday. No one sang. The famous Union Jack cake remained in its Tupperware box, unnoticed by me, and was later discovered and eaten by my private secretaries. We talked, as you would expect, about covid and what we were doing to beat the pandemic. It is a measure of how innocent we thought this meeting was that an exaggerated—or slightly exaggerated—version was briefed to *The Times*,





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with singing and cake eating, and yet nothing untoward was apparently detected either by the reporter or by millions of eagle-eyed readers.

So when I spoke to the Commons on 1 or 8 December, or at any time, it did not for one second occur to me that this event—the one event for which I was fined—would later be found to be somehow against the rules, and the same goes for all the events I attended.

My belief was that we were following the rules and the guidance to the best of our ability, given the circumstances, and that was what the guidance required. You may now say that I was being obtuse or oblivious and that we should have enforced social distancing more ruthlessly, and we can argue that back and forth—hindsight is a wonderful thing. We are talking about what I believed at the time.

As for the events of 18 December 2020 in the press room, I was not there, but my honest belief that it was within the rules was based on what I was told by senior advisers. The fact that this was my honest belief is supported by the fact that so many other people honestly believed that we were doing nothing wrong. It is abundantly clear from the evidence produced by the Committee that everyone was operating with the same understanding of the rules and the guidance.

If you want further evidence of what was going on in my head, look at the WhatsApp to Jack Doyle where I positively urge him to “get the truth...out” to the public about that 18 December event. It seemed so unfair to me, based on what I had been told, that the event was being presented as a purely social gathering on what I knew to be a monumentally busy day for the media department, when they were coping both with the emergence that day of the Kent variant of covid and what some saw as the risk of a no-deal Brexit. That was why I was inclined to believe that this event must be in line with the rules and the guidance, and that is why I said what I said on 1 December.

As for my statements on 8 December, the Committee is concerned that I may have misled the House when I said that I was “repeatedly assured” that the event was in accordance with the rules. I do not understand this point. You can see from the evidence that I received these assurances more than once and from more than one person. My statement was entirely accurate. The Committee criticises the fact that I had not received assurances in relation to the guidance, but I never said that I had. I said what I said about the guidance based on my own experience and belief. The Committee is critical of the fact that I did not receive assurances in respect of any event other than the 18 December event, but I never said that I had.

The Committee seems at times to be saying in your fourth report that I should not be relying on the advice of political advisers or even officials. This is ridiculous. I was the Prime Minister of the UK. I was trying to run the country during a pandemic. On the evening in question—30 November 2021—I was dealing with the emergence of the omicron variant and the growing clamour for restrictions on another Christmas. I could not drop



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what I was doing, get up and go and institute a personal investigation into what sounded like a *Daily Mirror* try-on about an event that was now almost a year old. I had to rely on, and was fully entitled to rely on, what I was told by my senior trusted advisers. Government would be paralysed if Ministers were not able to do so.

Finally, the Committee criticises the manner in which I corrected the record. I corrected the record on the day of Sue Gray's final report and six days after the completion of the police investigation. If the Committee's view is that I should have come to the House and provided an inevitably incomplete account while a Government or a police investigation was going on, including into events I hadn't even attended, I fundamentally disagree. At all times, I was entirely transparent with the House. I made it clear that I did not intend to comment on any of the factual matters until the investigation had been concluded. I kept the House regularly updated and as soon as the investigations were complete, I provided a full correction of my honest but inadvertently misleading statements. I apologise. I apologise for inadvertently misleading this House, but to say that I did it recklessly or deliberately is completely untrue, as the evidence shows.

Whatever we got wrong, I believe that officials in No. 10, the Cabinet Office and, indeed, all Whitehall Departments should be immensely proud of their efforts to protect this country from a loathsome disease. When I point out to this Committee that this disease almost killed me, it is only to stress how seriously I took the measures we needed to stop it spreading, as I believe everyone did in No. 10, in Downing Street. It was those officials who organised and took the country through the lockdowns, which, whatever people may say about them now, were essential for public health. It was those officials who procured the vaccines that made sure this was the first country in the world to put an approved and effective vaccine in the arm of a patient. And it was those officials who helped mastermind the fastest vaccine roll-out in Europe. It was thanks to those officials that we were able to come out of lockdown faster than any other European country, with all the social and economic benefits that entailed, and still to have lower excess mortality, or a lower excess mortality rate, than many other comparable countries.

I am proud to have known and worked with those officials during one of the most difficult times we can remember. I am proud to have given them leadership, and that is what I believe I was doing at every one of the events in question. And I trust that the Committee will be fair to them, fair to me, fair to the evidence about what we and I knew and believed, and conclude that I did not wittingly mislead the House of Commons, or recklessly mislead the House of Commons, and that no contempt has been committed.

Q5 **Chair:** Thank you, Mr Johnson. Before I turn to our questions, there is one issue that you raised, which your lawyers wrote to me about on Monday, and about which I replied to you this morning. You raised the issue of the importance of the Committee being fair to officials, and we



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would very much agree with you about that. That is why we are not content with putting into evidence interview notes that officials gave to Sue Gray until such time as those officials have had a chance to check those interview notes and to agree whether they are accurate. And then they can be supported by a statement of truth, which is like an oath, and then put into evidence to us. If you would like to identify some officials, and some aspects of the Sue Gray interview notes that you would like to then get under statements of truth and submit to this inquiry, the inquiry does not finish with this oral evidence session, you are perfectly at liberty to do that, and I would invite you to do that, and we can consider it.

**Boris Johnson:** Thank you. I will do that. There are about 16 points that we wish to elucidate and it would be helpful to do that.

**Chair:** Okay, thank you. We are putting now in the public domain your lawyers' letter to me, and also my reply to you this morning, so that people can be clear about that.

We will now begin our questions, starting with those that cover the six gatherings that the Committee thinks are the most relevant to our inquiry. When asked in the House of Commons about gatherings in No. 10 from December 2021 onwards, you told the House that covid rules and guidance were followed completely and at all times. Following the publication in May 2022 of the report that you had commissioned into gatherings on Government premises, you continued to maintain that it was "certainly the case" that the rules and guidance were followed at gatherings you had attended to wish farewell to staff who were leaving No. 10. We will put to you what the covid rules and guidance were on those six dates, what you knew about the gatherings that took place on each of those dates and their compliance with the rules and guidance then in force.

We will start by looking at two leaving gatherings that you attended in November 2020. We will primarily be focusing on these gatherings' compliance with the covid workplace guidance in place at the time. These gatherings took place during a national lockdown in England and the legal rules in force to prevent the spread of covid included restrictions on indoor gatherings of two or more people. The workplace guidance in force at that time stated that there should be social distancing of 2 metres in the workplace wherever possible and that only absolutely necessary participants should physically attend meetings. I now invite Sir Bernard Jenkin to ask the first question.

Q6 **Sir Bernard Jenkin:** Thank you, Chair. As the Chair described, we will first consider what knowledge you had of the rules and the guidance in place at the time of each of the events you attended or of which you had knowledge by reminding ourselves of what you were telling the country about the rules and guidance, and then we will ask about those gatherings.

You were aware of the importance of following the guidance the Government had issued to keep workplaces safe. Indeed, you previously



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told the House of Commons on 2 September 2020, “it is...very important that we get people back into the workplace in a covid-secure way”. And on 9 November 2020, less than a week before the first of the gatherings that I will ask you about, you said at a covid press conference, “neither mass testing nor progress on vaccines...are at the present time a substitute for the national restrictions, for social distancing... and all the rest. So it is all the more important to follow the rules.” At the press conferences over this period, you regularly repeated the phrase “Hands, face, space” while standing at podiums bearing this phrase. So there can be no doubt that you understood what the guidance and rules meant and were intended to achieve—yes or no?

**Boris Johnson:** Yes.

Q7 **Sir Bernard Jenkin:** Thank you. On 13 November 2020, which we saw Catherine West asking about on the film earlier, there was an impromptu leaving gathering for your then Director of Communications, Lee Cain. This was held in the vestibule outside the press office in No. 10. Between 15 and 20 people were present, and you gave a speech. The evidence for this is at page 9 of the evidence bundle. Do you accept that these facts are correct?

**Boris Johnson:** Yes.

Q8 **Sir Bernard Jenkin:** We will now show the pictures<sup>1</sup>, which you have made your comments about, but nevertheless we will ask you about them. The unpixellated photos are on pages 540 and 580 in the bundle of the total evidence pack. The pictures show you with at least six to eight other people standing in close proximity. I want to ask first about this gathering’s compliance with the guidance. You told the House of Commons, as recently as 25 May 2022, which was the day of the publication of the Sue Gray report, that it was “certainly the case”—strong words—that “guidance had been followed” at gatherings you attended “to wish staff farewell”, at least while you were there.

**Boris Johnson:** Yes.

Q9 **Sir Bernard Jenkin:** But the photographs show a lack of social distancing of 2 metres, which was required by the workplace guidance at the time. Do you accept that you were present at this gathering and that people were not socially distanced while you were there?

**Boris Johnson:** Thank you very much, Sir Bernard. I don’t accept that people were not making an effort to distance themselves socially from each other, and that happened the whole time in No. 10. Actually, I think that the guidance by November 2020 stipulated that you should maintain 1-metre social distancing where possible, with mitigation, where 2 metres is not viable. At all stages, the guidance was intended to be implemented where possible, and that is absolutely clear from the guidance. As I said in my introduction, it was always the case that we understood that the

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<sup>1</sup> [Presentation slides to be relied upon by the Committee of Privileges in the oral evidence session of the Committee on 22 March 2023](#)

confines of No. 10 were going to make it impossible the whole time to enforce total social distancing, as it were with an electric forcefield around every individual.

This meeting happened on an impromptu basis. It had to happen. It happened because, on 13 November, two senior members—people will ask, “Why was this happening? Why was it necessary?” It was necessary because two senior members of staff—the effective Chief of Staff and the Director of Communications—had both left the building, or were about to leave the building, in pretty acrimonious circumstances, or what were potentially acrimonious circumstances. It was important for me to be there and to give reassurance. The salient point I would venture to make is that, following that gathering, no fine was issued to me. My presence there was felt, by the Met, not to be unlawful. They agreed that it was a work-related event, and I believe it was absolutely essential for work purposes.

Q10 **Sir Bernard Jenkin:** I am asking about the guidance at the moment.

**Boris Johnson:** Yes, and I am telling you that I believe the guidance was—so, what you have got to understand is that, when I looked at that group, it did not for one second occur to me that we were in breach of the guidance, given the logistical difficulties we faced in No. 10 and the need to have urgent meetings such as this.

Q11 **Sir Bernard Jenkin:** You didn’t quite answer my question to begin with, because you suggested that the picture doesn’t show that people weren’t “making an effort” to comply with the guidance. I am just asking whether the evidence is that the guidance was being complied with, and I think, by suggesting that—

**Boris Johnson:** I believe that the guidance is being complied with.

Q12 **Sir Bernard Jenkin:** Okay. I will come to that. It must have occurred to you that, given that they weren’t social distancing at 2 metres, they might have been in breach of the social distancing guidance. Either while you were at the gathering, or indeed as you reflected on this afterwards, as the storm broke around your head, you must have been thinking, “Well, I wonder whether that was really complying with the guidance.” That must have occurred to you.

**Boris Johnson:** Sir Bernard, forgive me, but I have to correct you on a technical point. After 24 June 2020, the guidance was changed so that the objective was to maintain social distancing at 1 metre with mitigations where 2 metres was not viable.

Q13 **Sir Bernard Jenkin:** I will come to that, but the first point is that it is fair to say that you didn’t say, “We made every effort to comply with the guidance,” to the House of Commons, and you didn’t say that social distancing—

**Boris Johnson:** No, I’m saying that we followed the guidance completely, because you can’t—

**Sir Bernard Jenkin:** Okay, right.



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**Boris Johnson:** We will come to this in a minute, but you can't expect human beings in an environment like No. 10 to have, as it were, an invisible electrified fence around them. They will occasionally drift into each other's orbit. When I saw that, it did not mean to me that we had breached the guidance. It meant that we were following the guidance to the best of our ability, which was what the guidance provided for.

The guidance provides for freedoms within the practical framework of the operation or the business to decide how you're going to implement the guidance. The measures that you referred to at the outset are things that need usually to be complied with. Businesses are entitled, and asked, to decide what practical considerations they wish to give to implementing the guidance.

**Sir Bernard Jenkin:** I think that—

**Boris Johnson:** That is what we did. Can I just say—

**Sir Bernard Jenkin:** You're saying a lot, yes, but you are entitled to.

**Boris Johnson:** Why I believed, because this is the crucial thing, if I may say so—why I believed when I stood up on 1 December that the guidance was followed completely at all times in No. 10, what picture I had in my head, and why that doesn't conflict with that picture. The answer is that I knew from my direct personal experience that we were doing a huge amount to stop the spread of covid within the building. We had sanitisers, windows were kept open, we had people working outdoors wherever they could, we had Zoom meetings, we had restrictions on the number of people in rooms, we had perspex screens between desks and, above all, as I said, we had testing—regular testing—which went way beyond what the guidance prescribed and which in my view helped mitigate the difficulties we had in maintaining perfect social distancing.

Q14 **Sir Bernard Jenkin:** I am bound to say that if you had said all that at the time to the House of Commons, we probably wouldn't be sitting here, but you didn't. The question is about what the guidance actually says, and I noticed you taking a little advice at that point on the question of the guidance.

Can I just read to you—it is on page 6 of the bundle—what the guidance actually says? It says, "You must maintain social distancing in the workplace wherever possible. Where the social distancing guidelines cannot be followed in full in relation to a particular activity, businesses should consider whether that activity can be redesigned to maintain a 2m distance or 1m with risk mitigations where 2m is not viable. Mitigating actions include...using screens or barriers to separate people from each other". So where in the picture are there screens or barriers?

**Boris Johnson:** There were screens or barriers, I believe, in the adjacent press room, from memory.

Q15 **Sir Bernard Jenkin:** But they are not here.



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**Boris Johnson:** This is an impromptu gathering at which I am thanking staff—at least one member of staff for his contribution during covid. I believe it was an important part of my job to do that. That was the best place to do it. I accept that perfect social distancing, Sir Bernard, is not being observed, but that does not mean that what we were doing, in my view, is incompatible with the guidance. The guidance specifically allows for workplace freedoms to decide how to implement it, and the operative conditional is “where possible”.

Now, do not for one moment believe that people in No. 10 did not operate social distancing, because they did. They made great efforts, in my view and to my memory, to stay apart from each other, but that didn't mean that they were able to stay apart from each other the whole time. That's what I am saying. That did not conflict with the guidance.

Q16 **Sir Bernard Jenkin:** Nobody is devaluing the efforts of anybody in No. 10 during covid—including you, by the way—or the public service you gave during your period as Prime Minister during the pandemic. All we are asking, and I'm afraid it's our obligation—

**Boris Johnson:** I am trying to explain to you—

Q17 **Sir Bernard Jenkin:** No, no. You did. I am halfway through a question. All I am saying is that we have got to establish in our minds whether what you told the House of Commons was strictly accurate. The guidance goes on to say: “Where the social distancing guidelines cannot be followed in full, even through redesigning a particular activity, businesses should consider whether that activity needs to continue for the business to operate, and if so, take all the mitigating actions possible to reduce the risk of transmission between their staff.”

Nobody is disputing that it is the right thing for you to thank your staff. The question is whether what you said about this particular way of thanking your staff in the House of Commons was strictly accurate, or indeed may have been misleading. That is what we are asking.

**Boris Johnson:** I don't believe for a second that it was.

Q18 **Sir Bernard Jenkin:** The guidance does not say you can have a thank you party with as many people in the room as you like, if you think it is very important to thank people. The guidance does not say that.

**Boris Johnson:** Let's just go back over that. I believed that this event was not only reasonably necessary, but it was essential for work purposes, for the reasons I have given. I have described the constraints in which we were operating in No. 10. If you wanted to have a rapid gathering to thank people, this was the place to do it. There are not, in fact, that many people there. I accept that the pixelation makes it difficult to work out exactly who is where. I accept that perfect social distancing—

Q19 **Sir Bernard Jenkin:** We've got the unpixelated photographs. You've got the unpixelated photographs.



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**Boris Johnson:** Sure, but the public can't see that. I accept that not everybody is perfectly socially distanced in that picture, but that did not mean to me—when I stood up in the House of Commons and said that the guidance was followed completely, I was not thinking of that event, and thinking that somehow that contravened the guidance. Absolutely not. We were making a huge effort to follow the guidance. That was my memory, and that is why I said what I said.

Q20 **Sir Bernard Jenkin:** This is exactly the purpose of this session; that you can make the case that you are making. Can we move on to examine the compliance with the covid rules of this gathering? As we heard in the clips earlier, you told the House that the rules were followed at all times. So, you must have thought that the gathering was reasonably necessary for work purposes, as was then required by the regulations.

We know that the gathering attracted fixed-penalty notices. So, in fact, the police have judged that it broke the rules. Why did you think that it was within the rules?

**Boris Johnson:** I thought it was essential for work purposes, or at least reasonably necessary for work purposes, for the reason I have given, Sir Bernard. November 13th was a day on which two senior officials—senior advisers—in Government had left their jobs in difficult and challenging circumstances, and it was necessary to steady the ship. It was necessary to show that there was no rancour, and that the business of the Government was being carried on. That is what we had to do. That is what I had to do.

Q21 **Sir Bernard Jenkin:** I know that, but what you said about it to the House of Commons is what matters. We know it was a leaving event for a member of staff. The photographs we have just seen do not seem to show any actual work being done. Why did it not occur to you that it at least might have been in breach of the regulations, not least because it was not reasonably necessary for work purposes?

**Boris Johnson:** Did you say: did it occur to me that it might not be reasonably necessary for work purposes?

**Sir Bernard Jenkin:** Yes.

**Boris Johnson:** No. It didn't occur to me for one second that it was not reasonably necessary for work purposes.

Q22 **Sir Bernard Jenkin:** To do it in that particular way, and say that particular thing about the way that event was carried on?

**Boris Johnson:** To this day, as I said earlier on, I struggle to see how I could have run No. 10, run hundreds of officials who needed to be thanked and appreciated for their work, in very trying circumstances, without having brief farewell events of a kind that, at least as far as my participation was concerned, did not fall foul of the rules. I must remind you of that key point about that event. I was there for a maximum of 20 or 25 minutes, I think. I gave a short speech. What I did was not found to be in breach of the rules.





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Q23 **Chair:** Mr Johnson, could I cut in at this point? How long you were at the gathering is not the question that Sir Bernard is asking you. While I am interjecting, you raised the question of imperfect social distancing. Social distancing—which is the space part of “Hands, face, space”—is either two metres at this time, or it is one metre with mitigations.

**Boris Johnson:** Two metres where possible.

**Chair:** Two metres, or one metre with mitigations, which is screens.

**Sir Bernard Jenkin:** It does not say one metre where possible. It does not say that.

**Boris Johnson:** The objective of social distancing is to maintain social distancing wherever possible. That is what it says.

Q24 **Chair:** So what is the notion of a less than perfect, an imperfect social distancing? Because you were telling the country to do social distancing—

**Boris Johnson:** Yes. But so did we in No. 10. By the way, up and down the country, in spite of people’s observance of social distancing, I am sure there were times when people drifted within one or two metres of each other. That is, I’m afraid, just inevitable. And we had a particular problem in No. 10 because, as I said earlier on, we had to call meetings at great speed, we had large numbers of staff that had to come into the building because we needed to get a variety of opinions, even though we had loads and loads of people also on Zoom. As you know, because you have been to look at it, we had lots of higgledy-piggledy corridors and spaces where it was not always easy to maintain perfect social distancing.

**Chair:** I think we can go back to Sir Bernard—

**Boris Johnson:** Like that space there. That did not mean—

**Chair:** We are not talking about higgledy-piggledy corridors. If you could just refer yourself to Sir Bernard’s next question, which is about an event.

Q25 **Sir Bernard Jenkin:** There were lots of people leading critical organisations around the country, and a leaving do for everyone else around the country was not acceptable under the guidelines or the rules. So why was it acceptable and necessary for work purposes in No. 10?

**Boris Johnson:** Thank you, Sir Bernard. Look, I want to repeat what I said at the beginning. I understand that people looking at that photograph will think that it looks like a social event. It was not a social event. If anybody thinks that I was partying during lockdown, they are completely wrong. That was not a party. I was there to—

Q26 **Sir Bernard Jenkin:** I have not said it was a party, Mr Johnson.

**Boris Johnson:** Well, you did actually, earlier on. What I was doing was thanking staff—or thanking one individual in particular—for their contribution, and I believed that was my job.

Q27 **Sir Bernard Jenkin:** So if you had been asked at a press conference,



with your podium saying “Hands, face, space”, whether it was okay for organisations to hold unsocially distanced farewell gatherings in the workplace, what would you have said?

**Boris Johnson:** I would have said that it is up to organisations, as the guidance says, to decide how they are going to implement the guidance, among which is of course social distancing. Where they cannot do social distancing perfectly and they cannot maintain two metres or one metre, they are entitled to have mitigations. That is what the guidance says, and we did indeed have plenty of mitigations, including—and, as I have said to you before, this was exceptional in No. 10—a great deal of testing.

Q28 **Sir Bernard Jenkin:** So the answer is that you would have said it was okay?

**Boris Johnson:** No, I would have said that the answer is that you should do what the guidance says, and the guidance says that where you put in mitigations, where you do what is possible, where you follow social distancing in a way that reflects the realities of your work space, that will be in compliance with the guidance. That was my view, and I think that is what everyone else understood.

Can I repeat this point? This is what everybody understood, I believe, in No. 10. For a long period, of 20 months of the struggle against covid, during which we were having—as the Prime Minister himself has said, describing the experience of walking into loads of rooms and finding lots of people there. It was simply part of working in No. 10 that we were going to come into contact with a great number of people, but people did follow social distancing and they were acutely conscious of it.

Q29 **Sir Bernard Jenkin:** I now turn to 27 November 2020. This was another unplanned leaving gathering for a different special adviser that again took place in the vestibule outside the press office in No. 10. We have three witness statements attesting to a lack of social distancing at this event. This is on page 17 of your witness bundle. We have got Jack Doyle, who was your press secretary at the time and subsequently your director of communications, saying that there were “Certainly more than 20” people in attendance<sup>2</sup>. Do you accept that?

**Boris Johnson:** I don’t know. I wasn’t at that event, and it wasn’t an event that was found to have been in breach of the rules.

Q30 **Sir Bernard Jenkin:** So there is no reason to dispute it.

**Boris Johnson:** Well, I happen to know, because we have all seen the same evidence bundle—actually, I think that this is one of the things that we haven’t been allowed to point to. I think there is evidence from at least one of the participants that there weren’t that many people and it lasted a very short time.

Q31 **Sir Bernard Jenkin:** By all means, make sure that is drawn to our

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<sup>2</sup> [Presentation slides to be relied upon by the Committee of Privileges in the oral evidence session of the Committee on 22 March 2023](#)



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attention.

**Boris Johnson:** Sorry, this is the Cleo event—

Q32 **Sir Bernard Jenkin:** Sorry, we mustn't mention any names.

**Boris Johnson:** I think that name we can mention. My memory of that event—forgive me, I was at that event, but I was there very briefly.

Q33 **Sir Bernard Jenkin:** I was going to correct you.

**Boris Johnson:** Thank you. So I was at that event, but I was there very briefly. No fines were issued for that event. [*Interruption.*]

**Chair:** Order. I am afraid we have to suspend the Committee again for a Division in the Commons. We will return in 15 minutes.

*Sitting suspended.*

*On resuming—*

**Chair:** Order. We will now resume this evidence session. Sir Bernard?

Q34 **Sir Bernard Jenkin:** Just on one point—you were quibbling about the meaning of the guidance, which does say, "wherever possible", but not in respect of less than 1 metre, where mitigations are obligatory. That is not "wherever possible". It doesn't say, "mitigations wherever possible". They are essential if you cannot do 2 metres, and we couldn't see any mitigations in the photographs. Also—

**Boris Johnson:** Sorry, Sir Bernard, if I may, what the guidance says, as far as I can see, is: "Ensuring workers maintain social distancing guidelines (2m, or 1m with risk mitigation where 2m is not viable...), wherever possible". So that condition of "wherever possible" governs both 2 metres and 1 metre.

**Sir Bernard Jenkin:** Okay. We will address that point in our report. We will take consideration of what you are being advised about that, but I do not think we agree with your interpretation of the guidance—

**Boris Johnson:** This is a very important point. Whatever your interpretation of the guidance may be, what matters, if I may respectfully say, is what I believed to have been our efforts to follow the guidance; why I thought that they were credible and wholehearted; and what I was thinking of at the time I spoke.

**Chair:** Mr Johnson, can I cut in there and ask you to allow Sir Bernard to ask his next question?

**Boris Johnson:** Of course.

Q35 **Sir Bernard Jenkin:** Thank you very much. We were talking about the three witness statements about the 27 November 2020 event, which was a leaving event for another special adviser in the vestibule at No. 10, where there were certainly more than 20 people. I think you accepted that.



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**Boris Johnson:** Can I come back on that?

**Sir Bernard Jenkin:** Certainly.

**Boris Johnson:** I think there is conflicting evidence on that point. If you look at what Sue Gray has to say, she says 15 to 20.

Q36 **Sir Bernard Jenkin:** But we are not relying on Sue Gray's evidence. Isn't that ironic?

**Boris Johnson:** Are you saying that that evidence is invalid?

Q37 **Sir Bernard Jenkin:** No, I think that any evidence collected by Sue Gray has to be independently verified with a statement of truth, which is why we cannot publish the material that you have given us, which has not been accepted—

**Boris Johnson:** Perhaps it would be helpful if I gave my evidence about that.

Q38 **Sir Bernard Jenkin:** I think it would be very helpful if anything in Sue Gray's witness statements that were collected in the interview notes would be dealt with separately, as the Chair described earlier.

**Chair:** I think it would be helpful if Sir Bernard was enabled to ask his question and you would give a succinct answer.

Q39 **Sir Bernard Jenkin:** Right. You will see also on page 17 of your bundle that another witness stated that they couldn't get through the room to leave because people were standing four to five people deep. Is there any reason why we should disbelieve that?

**Boris Johnson:** I have seen all the testimony about this event. There is the Sue Gray evidence that I have mentioned, and it seems quite incredible to me that we now can't adduce what she had to say after extensively interviewing people. She said there were 15 to 20 people, she thought, at that event. It is also the case that the person who was leaving on that occasion, Cleo Watson—I think we can name her, according to my understanding—said that it was a clutch of officials and that it lasted a very short time indeed. She said, I think, that there was a speech by me that lasted 45 seconds and a speech by her that lasted 15 seconds, from memory. I was certainly there very briefly indeed. To get to your point, Sir Bernard, the quotation that you have about that event does not actually accord with my own memory.

Q40 **Sir Bernard Jenkin:** Which quotation is this?

**Boris Johnson:** The four to five people deep, and more than 20 people in attendance. My memory of the event is much more in line with what Cleo Watson has to say and what Sue Gray had to say about the event.

Q41 **Sir Bernard Jenkin:** Finally, you will see on page 17 of your bundle that another witness said that you joked during the gathering that it was, and I quote, "probably the most unsocially distanced gathering in the UK right now". At paragraph 63 of your evidence—your written submission—you



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do say that you don't remember saying those particular words, but are you therefore denying that you said this?

**Boris Johnson:** I don't remember saying those words, and I think it unlikely that I would have said those words, given what I have had to say to the Committee just now about my memory of the event. My visual memory of the event is that it was much more as Cleo Watson describes. It was a clutch of people around that table, the same table that you have just been looking at. I don't remember people being four or five deep. I don't remember saying that, but what I will say—

Q42 **Sir Bernard Jenkin:** I am sorry, you are giving very long answers and it is taking longer than we need, and you are repeating yourself quite a lot. Can we just get on with the questions? Thank you very much. So, you're actually not denying you said this, but you can't recall saying it.

**Boris Johnson:** I think it unlikely that I said that, but that doesn't mean I didn't say things about social distancing.

Q43 **Sir Bernard Jenkin:** Okay. Thank you; you have answered the question. You also state in your written submission at paragraph 63, and I quote, that you "might well have made observations in speeches about social distancing". What sort of observations?

**Boris Johnson:** I might well have made observations about the importance of social distancing, since it was very much on our minds.

Q44 **Sir Bernard Jenkin:** Okay, but how right would it be to conclude that you can't be sure that you did not comment on the lack of social distancing at this or any of the other gatherings you attended, because otherwise why would you have raised it?

**Boris Johnson:** I am sorry; I don't understand the question.

Q45 **Sir Bernard Jenkin:** You are not denying you might have said that— what I read out. You are not denying you said something like that.

**Boris Johnson:** I think it unlikely, given the number of people I remember seeing.

Q46 **Sir Bernard Jenkin:** But you are not denying it.

**Boris Johnson:** I think it unlikely, given the number of people I saw.

Q47 **Sir Bernard Jenkin:** So it would be quite fair to conclude that you did comment on the lack of social distancing at events. It is quite fair—

**Boris Johnson:** It is certainly likely that I would have drawn attention to the importance of social distancing, since that was very high in people's minds.

Q48 **Sir Bernard Jenkin:** But why would you have drawn attention to the importance of social distancing if everyone was obeying social distancing? Obviously, it seems likely—

**Boris Johnson:** Because as we have just extensively discussed, though, there might be occasions when people gathered together at high speed



and where social distancing was imperfectly observed. That did not mean that I thought the guidance was not being followed, given all that I have said earlier about observing social distancing where possible.

Q49 **Sir Bernard Jenkin:** Well, you do accept that the evidence we have, under statement of truth, that indicate—that those who were at this gathering very clearly indicate—that there was insufficient social distancing at this gathering. You do accept that.

**Boris Johnson:** I say that some of them do, some of them don't.

Q50 **Sir Bernard Jenkin:** We have established that you were familiar with the social distancing guidance; you were at the gatherings; there was a lack of social distancing; so it must have been, yes, obvious to you at the time, and even more obvious on reflection afterwards, as this whole thing broke around you, that it was in breach of workplace guidance relating to social distancing.

**Boris Johnson:** No. That is not correct. What I thought was that we had done our best to implement the guidance and, in fact, had thoroughly and completely implemented the guidance, but clearly when it came to things like social distancing, as the guidance explicitly provides for, it was not possible at all times to have perfect social distancing, and that you could have mitigations.

Q51 **Sir Bernard Jenkin:** But as recently as 25 May, you said, "It was certainly the case"—25 May 2022, last year—"It was certainly the case" that social distancing guidance was being respected at all times, but I think you are now saying it was imperfect.

**Boris Johnson:** Sorry, there is a confusion between social distancing and the guidance. The guidance comprises social distancing among other things, and what we were trying to do was follow the guidance to the best of our ability. That meant that, sometimes, social distancing could not be perfectly observed. There were other mitigations we put in place.

Q52 **Sir Bernard Jenkin:** And the guidance also said that, "Only...necessary participants should physically attend" the workplace meetings—"absolutely necessary participants".

**Boris Johnson:** It said "usually".

Q53 **Sir Bernard Jenkin:** When you attended these events, when you did not even know who was attending, how are you so certain that everyone there was absolutely necessary to attend these events?

**Boris Johnson:** Bernard, these events were, of course, not organised by me personally. I relied upon my excellent officials to make sure that we had the right people in the room.

**Sir Bernard Jenkin:** Thank you, Mr Johnson.

Q54 **Chair:** We will now move on to examine two gatherings that took place earlier in 2020, both of which you attended, Mr Johnson. We will look at the gathering which took place on 19 June 2020. This was a gathering in



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the Cabinet Room to mark your birthday. We will also look at the gathering that took place on 20 May 2020, which was a gathering for staff in the No. 10 garden.

The legal rules in force to prevent the spread of covid varied between May and June 2020, but at both times the relevant rules included restrictions on gatherings of two or more people. The workplace guidance in force at that time stated that there should be social distancing of 2 metres in the workplace “wherever possible”, and that “only absolutely necessary participants should physically attend meetings”.

I will now invite Yvonne Fovargue to ask our questions about these gatherings. I would ask, because we have already covered quite a lot of ground, if you could answer as succinctly as possible.

**Boris Johnson:** Of course, because I may be repeating what I need to say.

Q55 **Yvonne Fovargue:** Mr Johnson, before I ask our questions, can we again confirm your knowledge of the rules and guidance in place at the time by reminding ourselves of what you were telling the country? You told the House of Commons on 11 May that “if you must go to work and cannot work from home, you should do so, provided... that your workplace is covid secure, and that you observe the rules on social distancing. We are publishing further guidance on that.”

You also told the House on 11 May that people should be “limiting contact with others, by keeping your distance to 2 metres apart where possible”. That was just a week before the gathering on 20 May.

On 10 June, just over a week before the gathering on 19 June, you said at a covid press conference: “I urge everyone to continue to show restraint and respect the rules which are designed to keep us all safe... So please, to repeat what you’ve heard so many times before, stay alert, maintain social distancing and keep washing your hands.” Do you agree that those were the rules in force at the time?

**Boris Johnson:** Yes, thank you.

Q56 **Yvonne Fovargue:** Let’s turn first to the gathering of 19 June 2020, when breaches of both the covid rules and the guidance are an issue. We will show pictures<sup>3</sup> of this gathering on the screen, and the unpixellated photos are on pages 359 and 414 in bundle 1 of the total evidence.

The pictures show that you attended a gathering in the Cabinet Room on this date to mark your birthday, with at least 17 other people in attendance. The attendees included your wife and your interior designer, didn’t they?

**Boris Johnson:** They certainly included my wife and son, and yes, there was a contractor who was working in the building, who popped her head round the door very briefly.

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<sup>3</sup> [Presentation slides to be relied upon by the Committee of Privileges in the oral evidence session of the Committee on 22 March 2023](#)



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Q57 **Yvonne Fovargue:** So your wife and your interior designer were present. You were issued with a fixed-penalty notice for this event and you have just confirmed that at least two people attended who were not work colleagues. Why did you think that this was “reasonably necessary” for work purposes, as required by the rules at the time?

**Boris Johnson:** This was an event that took place, as you say, on my birthday. I had come back from a long external visit. I thought it was reasonably necessary for work purposes because I was standing at my desk, surrounded by officials who had been asked to come and wish me a happy birthday. I had only recently recovered from an illness—covid—and it seemed to me to be a perfectly proper thing to do. We were about to have another meeting, and they were largely the same officials.

Q58 **Yvonne Fovargue:** Presumably your wife and the contractor were not attending that meeting.

**Boris Johnson:** It is one of the peculiarities of No. 10 that the Prime Minister and his family live in the same building. My understanding of the rules is that the Prime Minister’s family is entitled to use every part of that building.

Q59 **Yvonne Fovargue:** Turning to the guidance in respect of that event, the covid workplace guidance then in place said that workplace meetings “should be socially distanced” and only attended by those whose participation was “absolutely necessary”. The two pictures we see on the screen show that the gathering was not socially distanced and was attended by those whose presence was not absolutely necessary. Would it not have been obvious to you that the event was in breach of the guidance?

**Boris Johnson:** No. It is a measure of how un-obvious it was to me that this was any kind of breach that the press office publicised this meeting in *The Times*. It briefed it out, as I said earlier, with a slightly embellished account. I had absolutely no sense while this event was taking place and, indeed, at any time later, that it was in contravention of either the rules or the guidance. No one, before I spoke in the House of Commons, suggested to me that it was. I think that the then Chancellor, who also received an FPN, would have been just as surprised as I was.

Q60 **Yvonne Fovargue:** You did not reflect on the event afterwards as to whether it was according to the rules and guidance before you spoke in the House of Commons?

**Boris Johnson:** No, I didn’t, and that is because it was a long time ago, I am afraid it had entirely slipped my mind, and I thought it was a completely innocent event. It was a very brief event. I am standing at the place I would have normally sat. It did not strike me as being anything other than an ordinary, common or garden workplace event.

Q61 **Yvonne Fovargue:** Can we now turn to 20 May 2020? That was a gathering in the No. 10 garden for staff. We have evidence that you were present at this gathering. While you were there, there were up to 40 people also there. At this time, a gathering had to be “essential for work





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purposes" to be within the regulations. We have evidence that the email invitation for this gathering, which was sent by your principal private secretary, Martin Reynolds, was sent to 200-odd people and that it encouraged staff who attended to bring their own alcohol—that is on page 35 of your bundle. Did you see the invitation email at any time before it was made public?

**Boris Johnson:** No.

Q62 **Yvonne Fovargue:** You did not see the email itself, but were you aware that the email was sent to 200-odd people and invited staff to bring their own alcohol?

**Boris Johnson:** No.

Q63 **Yvonne Fovargue:** So what was your understanding of the purpose of the gathering?

**Boris Johnson:** To thank staff, who had been working very hard on covid, and it seemed to me—I think I was told about it only shortly before I was ushered out into it—that the purpose of it was to thank them in an, obviously, ventilated area, the garden.

Q64 **Yvonne Fovargue:** Did you discuss the purpose of the gathering with any officials before it took place?

**Boris Johnson:** Yes, I think I would have been told—I don't remember it, but I think I would have been told, "The covid team is gathering outside. It's has been a very tough time." This was a day when the Cabinet Secretary had just stepped down. I think the civil servants needed to feel that, as I said in respect of another event, the business of government was being carried on, and they needed to feel thanked and motivated for their work, and that is what I did.

Q65 **Yvonne Fovargue:** So you were aware of the gathering before it took place.

**Boris Johnson:** Briefly, yes, but it was one of those things where, as I think Sue Gray may point out in her report—I do not know what value we now attach to it—when you are Prime Minister, you move around, quite rightly your officials give you the next thing to do, and you go and do it, and this was the next thing to do. I then went and had a telephone audience with Her Majesty.

Q66 **Yvonne Fovargue:** We have evidence that some officials and advisers felt the event should not go ahead. On page 34 of your bundle, your then director of communications, Lee Cain, describes the tone of the email invitation as "clearly social and in breach of covid guidance" and says he raised concern about it with Martin Reynolds. Another official gave us evidence saying, "I heard that there were so many people who were unhappy about the party that they were not going to go", and they themselves said to another official that they thought it was "madness". That evidence is on page 38 of your bundle. Were any concerns about the gathering's compliance with covid rules or guidance raised directly with



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you at the time?

**Boris Johnson:** No, and the individual you mentioned who raised concerns, Lee, if you read what he says, was concerned about the optics, not about the rules, and he himself attended the event. Certainly, no concerns were raised with me.

Q67 **Yvonne Fovargue:** If the event had been within the rules, why was he concerned about the optics?

**Boris Johnson:** I can't say. I think he was concerned about the impression that people might gain if they looked over the garden wall, if they were coming from the media room, and thought that we were doing something that other people were not allowed to do. In my opening remarks, I made clear that I can see why people might have felt that way, but as I told the House when I came to report on that event, I still believe it was within the guidance and within the rules.

Q68 **Yvonne Fovargue:** So did Lee Cain discuss or raise concerns about the gathering with you at the time?

**Boris Johnson:** No.

Q69 **Yvonne Fovargue:** His evidence suggests he might have done. He said: "I do not recall if I personally had a conversation with the PM about the garden party but it would have been highly unusual for me not to have raised a potentially serious communications risk with the PM directly".

**Boris Johnson:** No, and if he had thought, and if Dominic Cummings had thought, that this thing really was against the rules and should not go ahead, they would have told Martin Reynolds, and it is inconceivable that it would have gone ahead.

Q70 **Yvonne Fovargue:** Did Martin Reynolds discuss or raise any concerns about the gathering with you at the time?

**Boris Johnson:** No.

Q71 **Yvonne Fovargue:** Again, his evidence suggests to us he may well have done. He said it is "possible" he raised concerns with you.

**Boris Johnson:** No—not that I can remember, no.

Q72 **Yvonne Fovargue:** Were you otherwise aware of any concerns, from what you have heard or read either before or after the gathering took place?

**Boris Johnson:** No. As I told the House of Commons—and I gave quite a long series of remarks about this event—when I walked out into the garden, it was implicit in what we were doing that this was a work event.

Q73 **Yvonne Fovargue:** As you will see from pages 34, 40 and 41 of your bundle, we have evidence that trestle tables were set up on which alcohol was laid out, and that the attendees included your wife, as well as advisers who were not from No. 10 but from other Government Departments. Did you see that when you were at the gathering?



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**Boris Johnson:** I had no hand in organising this, when you talk about trestle tables and so on. There was no prohibition—

Q74 **Chair:** Forgive me, Mr Johnson. Permit me, if you would—she was not asking whether you organised the trestle tables with the alcohol on them; she was asking whether you saw the trestle tables with the alcohol on them.

**Boris Johnson:** I did see—I don't remember what exactly was on the trestle tables. I remember going around and thanking staff for what they were doing during covid. Now, it is perfectly possible that my wife was in the garden as well, but she was entitled to be there. She certainly didn't receive a fixed-penalty notice for that event, and nor did I.

Q75 **Yvonne Fovargue:** You will also see from page 34 of your bundle that Lee Cain said he briefly attended the gathering, and that in his view it is clear from observing it that it was "purely a social function." Did you share that view?

**Boris Johnson:** No, and that is certainly not what he said at the time. If he had thought that it was purely social, and therefore against the rules, it is inconceivable that it would have gone ahead.

Q76 **Yvonne Fovargue:** The Metropolitan police have confirmed that fixed-penalty notices were issued in relation to that gathering, so we know it breached the covid regulations. We know that you knew what the regulations were, and we know you were in attendance. So it would have been obvious to you, when you were there, that the gathering was not essential for work purposes and was partially a social event, wouldn't it?

**Boris Johnson:** No. Actually, if I may, with great respect, Ms Fovargue, I want to dispute the idea that it was not an essential gathering or not gathering that was reasonably necessary for work purposes. I don't know why the FPNs were issued, but it may be that they were issued to people who had not a good enough reason to come in from home to that gathering, or people who had come from elsewhere to that gathering. But my firm impression is—and I think it is certainly still the case that Martin Reynolds believes—that that gathering was within the rules and, indeed, within the guidance.

Q77 **Yvonne Fovargue:** Would you have advised anyone else in the country, if they had asked you at one of the press conferences at that time, to have a large social gathering in their garden?

**Boris Johnson:** It was not a large social gathering; it was a gathering intended—and I really must insist on this point. People who say that we were partying in lockdown simply do not know what they are talking about. People who say that that event was a purely social gathering are quite wrong. My purpose there was to thank staff—to motivate them in what had been a very difficult time and what was also a very difficult day, on which the Cabinet Secretary had just resigned.

Q78 **Yvonne Fovargue:** Did you think, Mr Johnson, that exceptions applied in No. 10, to workplace rules and social distancing guidelines, that did not



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apply to the hospitals and the care homes—workplaces that were also operating under incredibly difficult and challenging circumstances?

**Boris Johnson:** Of course not. That's why we had all the stipulations that I have discussed at great length with Sir Bernard, about following the guidance.

**Yvonne Fovargue:** Thank you, Mr Johnson. I will now hand back to the Chair.

**Chair:** Thank you. To complete this section of our questions, we will look at two gatherings that took place at the end of 2020 and the start of 2021. The first we will look at took place on 14 January 2021. That was a leaving gathering for two officials, held in the pillared room of No. 10. The next one we will look at was a Christmas gathering in the vestibule on 18 December 2020.

At the time of both gatherings, the legal rules in force to prevent the spread of covid included restrictions on gatherings of two or more people, and workplace guidance stated that there should be social distancing of 2 metres in the workplace wherever possible and that only absolutely necessary participants should physically attend meetings. I invite Allan Dorans to ask you about these gatherings.

Q79 **Allan Dorans:** Good afternoon, Mr Johnson. Before I ask my questions, can we again confirm your knowledge of the rules and guidance in place at that time by reminding ourselves of what you were telling the country? You told the House of Commons on 2 September that it was "very important that we get people back into the workplace in a covid-secure way." This shows that you were aware of the workplace guidance and its contents. Then, on 9 November, you said at a covid press conference, "Neither mass testing nor progress on vaccines...are at the present time a substitute for the national restrictions, for social distancing...and all the rest. So it is all the more important to follow the rules." In addition, at a press conference on 30 December, you outlined a tier 4 restriction, which was in force in London. A fortnight later, when the 14 January gathering took place, you said the restriction meant "not meeting up with friends or family indoors, unless they are in the same household or support bubble, and avoiding large gatherings of any kind." My first question to you is, is that your understanding of the rules at the time?

**Boris Johnson:** Yes, thank you.

Q80 **Allan Dorans:** Thank you. My next question will concentrate on the gathering on 14 January 2021. This was a leaving event for two officials held in the pillared room at No. 10. We have evidence that approximately 15 people attended. We will now show you a picture of this gathering on the screen<sup>4</sup>. The unpixelated photo is on page 757 of bundle 2 of the total evidence. Here we see the picture on the screen, Mr Johnson. The photograph shows yourself and at least 11 other people in attendance.

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<sup>4</sup> [Presentation slides to be relied upon by the Committee of Privileges in the oral evidence session of the Committee on 22 March 2023](#)



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The Metropolitan police have confirmed fixed-penalty notices were issued to some individuals who attended this gathering, as it breached the covid regulations in place at the time and was not reasonably necessary for work. This breach of the covid rules would have been obvious to you when you were there, wouldn't it?

**Boris Johnson:** No. I must respectfully disagree with you very strongly, Mr Dorans. On the contrary, what I see there is—I know that there are some bottles on the table, but that is a screenshot taken from Zoom, I would guess, because a large number of the people at this event were actually on Zoom. You have got people who work with each other every day, who use that room for meetings, and who are meeting briefly to say thank you and farewell to, I think, two talented young officials. Those two officials were leaving, and it was my job to thank them and to show that their work was appreciated. I was there very briefly; I did not receive an FPN. There is nothing I can see—I have got to tell you this—in that photograph that strikes me as being either against the rules or the guidance. What I actually see—and depending on your perspective—is people trying to stay reasonably far apart from each other. That's what I see. I don't know what happened later on, but I can tell you that, for the period I was there, it seemed to me to be wholly in accordance with the rules and the guidance, and a proper use of my time, even if it was only brief.

Q81 **Allan Dorans:** Thank you. Would you agree with the description of the gathering we received in evidence from an official who attended, who described the gathering as "not strictly" an event "about work"? This statement is on page 47 of your evidence bundle.

**Boris Johnson:** I don't agree with that, because I think that it was essential to thank staff throughout the pandemic. There weren't very many of these occasions. When they occurred, I thought it was right and proper for me to motivate staff by saying how we were doing and to thank them for what they had done. It wasn't just the staff who were leaving who needed to be appreciated; it was the staff who were there, who needed to be motivated.

Q82 **Allan Dorans:** The picture of this gathering appears to show multiple bottles of alcohol in the bottom right-hand corner. Would you say that that is strictly necessary for a work event?

**Boris Johnson:** It is customary to say farewell to people in this country with a toast. I did not see any sign of drunkenness or excess and had no knowledge of—I don't know why anybody would have been fined for that event. I don't know what happened later on.

Q83 **Allan Dorans:** The next gathering we want to ask you about is the gathering on 18 December 2020, which we know was not compliant with covid regulations as some attendees received fixed-penalty notices. This gathering was a pre-planned press office drinks event with cheese and wine, and was widely reported in the press. We have evidence that it was attended by between 25 and 40 people. You will find the relevant statements on page 54 of your evidence bundle. Your official diary



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confirms that you were in 10 Downing Street that evening. Did you at any time join this gathering?

**Boris Johnson:** No—18 December 2020?

**Allan Dorans:** Yes.

**Boris Johnson:** No, absolutely not.

Q84 **Allan Dorans:** Okay. Your official diary on page 56 of the evidence bundle shows a gap between the hours of 19:17 and 20:24. I appreciate that this is difficult, but can you confirm where you were at that time?

**Boris Johnson:** I imagine I was working. I think, from memory, this was an evening when we were dealing not just with the emergence of the Kent variant—delta, I think it was—but also with a great deal of anxiety about whether we were going to have a no-deal Brexit. I thought that anxiety was unfounded, of course, and we didn't. But it was a very long and very difficult evening. I think we had an extended Covid-0 session, but I certainly did not attend that event and had no direct knowledge of it.

Q85 **Allan Dorans:** Okay, thank you. The Privileges Committee conducted a visit to 10 Downing Street, as you know. We established you can clearly see the press vestibule, where this gathering was taking place, from the bottom of the stairs leading up to what was then your flat in 10 Downing Street. Your diary says you went to your flat at 21:58. Apparently the gathering went on until after midnight. Is your evidence that you did not see or hear the noise from a gathering of about 25 to 40 people taking place in the vestibule when you were going to your flat? If I might just perhaps explain, there is a narrow corridor leading to the vestibule. Before you get to it, the staircase on the left is to your flat. Your direct line of sight would be into the vestibule, not more than a few metres away. There was a gathering taking place with between 25 and 40 people. You had clear, direct line of sight of that room. Are you telling me that your evidence is that you were not aware of the noise or the event taking place?

**Boris Johnson:** Absolutely. If I had looked, what I would have seen, I am sure, was people doing a huge amount of work on a very, very busy evening. Now, I didn't look. I certainly have no memory of seeing any kind of party or illicit gathering going on in the press room on that evening. The first I heard about this—the first I knew about it—was when it was brought to my attention by Jack Doyle almost a year later.

Q86 **Allan Dorans:** If you turn to pages 54 to 56 of your evidence bundle, you will see that this gathering was described in evidence we received as "beyond desk drinks" and "far more relaxed than it should have been", and people were "shoulder-to-shoulder with each other." One No. 10 staff member who did not attend said they later heard that the gathering had "turned into a party". Did anyone tell you about that?

**Boris Johnson:** No, they didn't. This is the crucial point. Nobody raised any anxieties about that event with me before I stood up in the House of Commons. Nobody said to me, "We've done something that—." In almost



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a year that followed, between 18 December 2020 and 30 November 2021, when Jack Doyle came to see me, the thing was a complete blank to me. Right?

**Q87 Allan Dorans:** The Metropolitan police have confirmed fixed-penalty notices were issued to some attendees at that gathering. Clearly, therefore, it breached the rules. There are no witnesses to say that you were at the gathering, but did anyone make you aware, at the time or after it happened, that it had not been compliant with covid rules?

**Boris Johnson:** No.

**Q88 Allan Dorans:** Thank you. Mr Johnson, before we move on to discuss what you said in the House about gatherings in No. 10, you will know that fixed-penalty tickets were issued in relation to gatherings in No. 10 on two dates other than those we have asked you about. These gatherings took place on 17 December 2020 and 16 April 2021. This is confirmed by the Metropolitan police statement at the end of Operation Hillman, which you will find a copy of on pages 89 and 91 of your evidence bundle. Did you ever have any reason to think that covid rules may have been broken at the gatherings on either of these dates prior to December 2021?

**Boris Johnson:** Which dates? Forgive me, Allan.

**Allan Dorans:** 17 December and 16 April.

**Boris Johnson:** I don't remember hearing— What I can tell the Committee is that I was conscious of none of these events being in any way rule breaking or against the guidance until stories started to emerge about them, and that was after I had spoken in the Commons about them. So they weren't at all on my radar as things that I should be concerned about.

**Allan Dorans:** Thank you, Mr Johnson. I will hand you back to the Chair.

**Chair:** Mr Johnson, we have now considered the rules and guidance relating to covid that were in force at the time of the gatherings we have discussed with you. We have considered your knowledge of the rules and guidance then in force, and we have considered your attendance at and knowledge of gatherings that were not socially distanced and for which fixed-penalty notices were issued. We will now compare that with what you said to the House of Commons after media reports of these gatherings began emerging. We will concentrate particularly on what you said to the House on 1 December and 8 December. We will first examine your assertions that covid rules and guidance were followed in No. 10. I would like to invite Andy Carter to ask our questions about this.

**Q89 Andy Carter:** Thank you, Chair. Mr Johnson, on the afternoon of 30 November, I understand that the *Daily Mirror* contacted the press office at Downing Street saying they were planning to publish an article alleging that events had taken place in Downing Street in November and December 2020 where covid rules had been broken. The article appeared



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online later that day, and it was the paper's front-page splash on 1 December. You can see a copy of that on page 58 in your evidence bundle. I am guessing that you must have known that you would be asked about this at Prime Minister's questions in the House of Commons the following day—1 December—and sure enough, you were. You were asked whether a Christmas party was held in No. 10 on 18 December, and you told the House: "all guidance was followed completely in No. 10."

Picking up on the things you said in your opening statement and the evidence you have given, you knew what the guidance was—i.e. maintaining social distancing wherever possible and ensuring mitigation was in place if that wasn't possible. You knew that there had been gatherings where social distancing hadn't necessarily been maintained—where masks, for example, weren't being worn and screens weren't in place—because we have seen some of the photographs. Why did you tell the House that all guidance was followed completely in No. 10?

**Boris Johnson:** Thank you. Just quickly, I'm not certain that there was any requirement for masks indoors.

**Andy Carter:** As part of mitigation.

**Boris Johnson:** Ah, I see. I'm with you. Okay. The reason I said that all guidance was followed completely in No. 10—to come back to Mr Dorans and a lot of the questions that have been raised—is that between the event that took place and when I stood up to speak, in all the cases that you mention nobody came to me and said, "We've got a problem with this one. You need to worry about this." There is no trace of that in the written evidence or in the electronic record, and that is a very extraordinary thing, given how serious that was. The reason I said what I said was because I believed then that the whole of the No. 10 team were doing a huge amount to follow the guidance.

I talked to Jack Doyle about what had happened at that event. This is the evening of 30 November 2021; my diary says it was about 6 o'clock. He comes in and says, as you say, that the *Daily Mirror* is going to run this story. He mentions a few other events, two of which I knew directly about and, as I believed at the time, knew that there was no issue with those. The other was something to do with an event at CCH—Conservative central office—that I knew absolutely nothing about. I asked him about this 18 December event and I asked him to describe it. Bear in mind everything I said about that evening, which was a horrendously busy and difficult evening; we had had a long Covid-O meeting to discuss what to do with the Kent variant. He told me that it was within the rules. He said that people were sitting at their desks, drinking admittedly, but that was not banned; under any of either the rules or the guidance, it was not prohibited. It was regular, I am afraid, for people to drink on Fridays. I concluded that it sounded to me as though that event was within both the rules and the guidance. That fortified me in what I stood up to say the following day.





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As it happens, when I said the “guidance has been followed completely during No. 10”, which is what I actually said, I was misremembering the line that had already been put out to the media about this event, which was that covid rules were followed at all times. But you have to understand that I did not think there was any real distinction from the public’s point of view between the rules and the guidance, in the sense that—or our observance. Let me put it this way: I thought the public would expect us to follow the guidance as much as the rules, so even though I had said something slightly different, I still believed it was true.

**Q90** **Andy Carter:** If you said something slightly different, why did you not correct the record then? That would have been an obvious thing to do. I understand the point you make—there is confusion between guidance and rules—but you could have corrected the record at that point.

**Boris Johnson:** I didn’t think there was any appreciable difference because it was our job to follow the guidance as much as to follow the rules. My view, as I have said repeatedly to the Committee this afternoon, is that I believe we were following the guidance. In spite of the pictures that we have all looked at, which seem to show a lack of perfect social distancing, I believe that what we were doing was in conformity with the rules—it certainly was for the period I was there—and that the behaviour was reasonable given the constraints of the building and therefore in accordance with the guidance. That is why I said what I said.

**Q91** **Andy Carter:** I know you did not attend the gathering on 18 December—you have just been very clear about that—but you had attended some of the other gatherings that we have talked about. You just said that you asked Lee Cain—Mr Cain—about the gathering on the 18th. Why did you not tell the House at that point when you were asked that there were some other gatherings in No. 10?

**Boris Johnson:** I said it was Jack Doyle.

**Andy Carter:** Jack Doyle, sorry.

**Boris Johnson:** Because—this goes to the heart of what we are trying to establish—I did not think those events were an issue. Nobody had previously raised them with me as being things that I ought to be concerned about. As I said repeatedly to you at the time, call me obtuse or oblivious, but they did not seem to me to be in conflict with the rules or the guidance as we were trying to implement in No. 10.

**Q92** **Andy Carter:** The next Prime Minister’s questions was on 8 December, a week later. I think it is probably fair to say that you would have guessed that the topic would be brought up again by the Leader of the Opposition, because the previous evening ITV had published a video of a mock press conference where No. 10 staff were seemingly joking about the gatherings on 18 December. At PMQs on 8 December, you were asked if there was a party in No. 10 on 13 November, and you told the House, “the guidance was followed and the rules were followed” in Downing Street “at all times.” By 8 December, it had been a full week since you were first asked in the House about gatherings in No. 10. The issue would



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continue to feature on the front page of many newspapers and, as we later saw, on the television. What did you do in that week to prepare for any further questions about gatherings to decide whether you needed to correct your previous statement that the guidance had been followed and whether you should reaffirm it?

**Boris Johnson:** As the Committee knows, I did the most obvious thing, which was when the Allegra video emerged on the evening of 7 December, I decided that I was getting conflicting information about what had happened at this gathering on 18 December. I was troubled by that. I had not been at the thing; I was relying on what I thought were honest and well-intentioned descriptions of this from my trusted advisers, but clearly there was a difference of opinion, so I commissioned the Cabinet Secretary to conduct an inquiry. That is the most important thing that I did.

Q93 **Andy Carter:** By the end of that Prime Minister's questions on 8 December, you had been asked, I think, multiple times about the issue of gatherings in Downing Street, but at no point did you tell the House that you knew that there had been gatherings that you had attended—in particular, five that we have raised with you. Why did you fail to tell the House on 8 December that there were gatherings that you had attended?

**Boris Johnson:** But Mr Carter, you have to understand that, in my mind at the time, these did not seem to me to be improper or offensive events. They were not in my consciousness, because I thought—

Q94 **Andy Carter:** You thought they were work events.

**Boris Johnson:** I thought they were work events, as I said to the House when we came to discuss the 20 May event. I came to the House to explain—I made it very clear—that I thought that that was a work event. Indeed, I still do.

Q95 **Andy Carter:** Having told the House on 8 December that the guidance was followed and the rules were followed at all times in Downing Street, you reiterated this the following month. You told the House at Prime Minister's questions on 12 January. "I believe that the events in question were within the guidance and were within the rules". You knew what the rules and guidance were, and you personally attended at least four gatherings—those of 20 May, 19 June, 13 November and 14 January 2021 for which fixed-penalty notices were issued to attendees—which had not been compliant with the rules and at which breaches of the rules and guidance must have been obvious to you, because you were there—

**Boris Johnson:** No. The only FPN that I received was for the event that we have been over in some detail, which was the event in the Cabinet Room. Even this Committee, I venture to suggest, might concede that, had they been in my shoes at that event, it might not have occurred even to them that this was an event that was against either the rules or the guidance. It certainly did not occur to me. It did not occur to the then Chancellor of the Exchequer. It did not occur to the media department. We agreed to that. That was the only event for which I received an FPN. All



the other events, for the period I was there, I can only conclude were deemed by the Met to be not rule-breaking events, because I was not issued with an FPN. Therefore, you have two sets of events: the one for which I received an FPN, which boggled my mind because I could not understand why I had got it; and the others where I was not aware of rule-breaking at the time and I believed that we were following the guidance. There was nothing I could say to the House on that score.

**Q96** **Andy Carter:** If you turn to page 61 of the evidence, you can see a statement there from the then Principal Private Secretary, Martin Reynolds, in which he says that he directly questioned with you whether it was realistic to argue that “guidance had been followed at all times...in No. 10.” Do you accept that you were advised not to say that guidance was followed at all times in No. 10, and yet you told the House that it was, on 8 December and 12 January?

**Boris Johnson:** No. There is a couple of important points. It is absolutely true that Martin Reynolds was cautious about what I should say in the House on 8 December, because we had already begun the process of the inquiry—we were looking at the 18 December event. I had received assurances about the rules on 18 December, but I had not received assurances about the guidance. What Martin was trying to get at, if you look at what he says, is clear. He is talking about social distancing and whether we had maintained perfect social distancing within No. 10. Martin makes it clear that he thinks that the nature of the working environment in No. 10 might make it difficult to claim that full social distancing was observed. *[Interruption.]*

**Chair:** Just pause while the bell is ringing. We do not need to vote. Continue.

**Boris Johnson:** Okay. This is a very, very important point because this goes to the heart of the confusion, I think. In his comments to me, Martin is talking about whether or not we observed perfect social distancing. He is not saying that we did not observe the guidance, and I can prove that. If you just reflect for a second on what it would mean if he had said that, throughout the pandemic, we were not observing the guidance. He didn't mean that. He and I were responsible for making sure that we were observing the guidance to the best of our ability. If you had asked Simon Case or any of the senior officials—to put it the other way around—if we were flouting the guidance in No. 10, they would have said no; we were following the guidance, but with mitigations and with social distancing where possible, as specified in the guidance.

**Q97** **Andy Carter:** On reflection, and given that Mr Reynolds says that you agreed to delete the reference to guidance, do you wish you'd corrected the record at that point?

**Boris Johnson:** No, because, first of all, we had already begun the inquiry and I did not know in what sense the guidance had been broken. I had no evidence that anyone had broken the guidance. It was not clear to me



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what I would say to the House of Commons. Secondly, no one was advising me to correct the record.

Martin and I, as I have tried to explain, were talking about two different things. I was talking about the totality of following the guidance; he was talking about maintaining perfect social distancing. The advice that he was giving me was in relation to a statement that I was making about the 18 December event and about the reassurances that I had received. It was true to say that I had received reassurances about that event as far as the rules went, but it was also true to say that no one had explicitly reassured me about the guidance. He thought it prudent to take out the reference to the guidance.

It is true, as you just said, Mr Carter, that I then went on later in PMQs to talk to Catherine West—I do not know whether anyone was going to come to this point. She asked a question about whether there had been a party on 13 November. I said no, but whatever happened I was sure that the rules and guidance had been observed at all times. I said that with confidence because I knew about the events she was talking about on 13 November and had my own personal reasons to believe that that was true.

**Q98** **Andy Carter:** In paragraph 81(2) of your written statement to us, you say that you don't believe that perfect compliance with social distancing was required by the guidance. If you believe this, why did you not make it clear when you told the House that the guidance was followed at all times?

**Boris Johnson:** Well, that is a very good question, Mr Carter. As I think Sir Bernard said earlier on, perhaps if I had elucidated more clearly what I meant and what I felt and believed about following the guidance, that would have helped.

**Q99** **Andy Carter:** This is probably my final question. In paragraph 28 of your submission, you quote an excerpt from the workplace guidance that says, "Where the social distancing guidelines cannot be followed in full, in relation to a particular activity, businesses should consider whether that activity needs to continue for the business to operate, and if so, take all the mitigating actions possible to reduce the risk of transmission". Are you saying that you thought these gatherings were so critical to the functioning of Government that it was permissible to hold them even if they could not be socially distanced?

**Boris Johnson:** The short answer is yes. I thought that it was essential to thank staff for their work. Even though the pictures seem to show festive events, I think that efforts, even in those pictures, are being made to do social distancing. What I saw, and what I had in my head when I was talking to the House of Commons, was a memory—a strong memory—of people over a long period doing everything they could to stop the spread of disease within the building.

**Q100** **Andy Carter:** Just so we are clear, at those events in the vestibule—the first pictures we saw—what mitigations were put in place that were required by the guidance?



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**Boris Johnson:** I've listed some of them, but we avoided physical contact. For instance, as the guidance says, we didn't touch each other's pens; we didn't pass stuff to each other if we could possibly avoid it; we kept—although, you know, not—I would not wish to say that that was perfectly implemented.

Q101 **Chair:** Presumably people were passing drinks to each other, because we've seen the picture—

**Boris Johnson:** Of course. This is guidance, and I'm not going to pretend that it was enforced rigidly, but that is explicitly what the guidance provides for. We had Zoom meetings; we had a great reduction in the numbers of people in the building, overall; we had signs telling you which way to walk; we had perspex screens. I've mentioned all this before, but it really is worth going over again, because—

**Chair:** Mr Carter is asking you about that specific event, if I'm not wrong, and it would be helpful—

**Andy Carter:** When you see the photographs—

**Boris Johnson:** The 18 December event?

Q102 **Andy Carter:** When you see the photographs in the vestibule, none of those mitigations seem to be evident.

**Boris Johnson:** Yes, because—which event are you talking about, Mr Carter?

**Andy Carter:** The first photographs that we saw—

**Boris Johnson:** Yes, okay, 13 November—the Lee Cain event. Yes, and that is because that was the space where people congregated fast. If I wanted to get a message out, it was the natural place to do it. Yes, you don't see perspex screens there, but that doesn't mean that there wasn't sanitiser and efforts to restrict the spread of covid.

**Andy Carter:** The final question from me—

**Boris Johnson:** And in all of this, bear in mind that we believed, Martin Reynolds believed, everybody responsible for the health of the building and the health of employees in the building believed that the guidance was being very considerably augmented, in a way that went beyond the guidance, by the testing regime that I've described.

Q103 **Andy Carter:** I don't think that any members of this Committee don't recognise the challenges that you were facing and the team were facing in Downing Street, and the steps that were being put in place to try and keep people safe. I do, though, want to finish with the comment that you made to the House on 12 January, that you "believed implicitly" that the gatherings of 20 May, which you attended, had been a work event.

**Boris Johnson:** Yes.

**Andy Carter:** That was the event in the garden—



**Boris Johnson:** Yes.

Q104 **Andy Carter:** It was termed in the press the “bring your own booze” event. It was a garden party. Many are suggesting that was clearly not essential for work purposes, and was therefore in breach of the covid rules at the time. Why did you say that to the House?

**Boris Johnson:** Because I implicitly believe that it was a work event. As I said to the Committee just now, I was ushered out into the garden, having been briefed shortly beforehand about what the event entailed. I met and thanked various groups of people who had been working on covid. You see the numbers are calculated at between 10 and 30 or 40; I couldn’t say exactly how many were there, but it was, I thought, an appropriate use of the garden, and I felt it was an obvious work event. But, what I said to Sue Gray afterwards—if we can mention Sue Gray; can we, Chair?

**Chair** *indicated assent.*

**Boris Johnson:** What I said to Sue Gray was that, when I looked back at that event—this is why I said what I said to the House—I tried to put myself in the place of somebody, a member of the public, looking over the garden wall and seeing that. And I had to accept that, even though it was, I believe, within the guidance and within the rules, members of the public looking at it will have thought, “That looks to me like something that he’s not allowing us to do.” I felt that very keenly—in retrospect. I didn’t feel it at the time. Do you see what I’m trying to say?

Q105 **Andy Carter:** I understand that. Can I ask you one further question? I think probably all MPs have had days where we have been very busy, going from meeting to meeting, and we rely on our advisers to guide us through where we are going. I understand what you said about that, as the Prime Minister working on a busy schedule. Did you at any point question any of the events that you were going to, when the advisers were taking you to them?

**Boris Johnson:** Look, hindsight is a wonderful thing. In retrospect, I might have thought about some things, you know, post Sue Gray—post the beginning of the coming to light of everything that did come to light. I have thought about it, but no; at the time, I thought we were working. I thought we were working, and I promise you that is what officials in No. 10 thought they were doing, as well.

**Andy Carter:** Thank you, Mr Johnson.

**Chair:** Can we now turn to the issue of the assurances that you mentioned to the House on numerous occasions? I would like to ask Alberto Costa to ask you the Committee’s questions on the issue of the assurances.

Q106 **Alberto Costa:** Thank you, Chair. Good afternoon, Mr Johnson. Thank you very much for coming before this important inquiry. I am very grateful. Could I invite the team to place up slide 8, please<sup>5</sup>? Mr Johnson,

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<sup>5</sup> [Presentation slides to be relied upon by the Committee of Privileges in the oral](#)



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as we have just seen on the screen, on 8 December 2021, in your opening remarks at Prime Minister's questions you told the House: "I have been repeatedly assured since these allegations emerged that there was no party and that no covid rules were broken." In response to subsequent questions, you said: "I have been repeatedly assured that the rules were not broken". Again, in another quote, you said: "I have been repeatedly assured that no rules were broken." Those quotes, which are on screen, are also at pages 64 to 65 of your evidence bundle.

Mr Johnson, may I ask, did any Government Law Officer or any member of the Government's legal department, such as the Attorney General, Solicitor General or any one of the hundreds of solicitors and barristers who work for the Government, give you the assurance?

**Boris Johnson:** Thank you very much, Mr Costa. The short answer is no, they didn't, but nor did I seek assurances from them—nor did I claim that I had. I don't think I claimed at any stage that I had received assurances from Law Officers or legal representatives. Of the people who I said had given me the assurances, there were more than one, and it was indeed on more than one occasion. Would it be helpful if I told you why I said I was repeatedly assured?

**Chair:** Let Mr Costa ask his questions and follow the course of his questioning, if you would.

Q107 **Alberto Costa:** I am, of course, very interested to hear your full responses. Did the head of the civil service, Simon Case, or any other career senior permanent civil servant give you these assurances?

**Boris Johnson:** Well, it follows, I think, from Martin Reynolds's evidence that he thought that the rules had not been broken, if you look at what he has to say. I don't remember being specifically assured by any senior civil servant about the rules or the guidance within No. 10. But the interesting thing is that, to the contrary, nobody gave me any contrary advice.

Q108 **Alberto Costa:** We will come to that in a moment, if we may. In paragraph 90 of your very helpful written submission, you say that the assurances were given to you by Jack Doyle and James Slack.

**Boris Johnson:** That's right.

Q109 **Alberto Costa:** Their statements confirming this are on pages 70, 72 and 75 of your evidence bundle. They are both individuals you had personally appointed to the position of Director of Communications at No. 10. They were political advisers who dealt with the media. Why did you rely on an assurance from political advisers, rather than, as I have mentioned, a permanent civil servant or, more importantly, a Government lawyer?

**Boris Johnson:** The simple answer is that, when I needed to discover what had happened, and whether the rules were broken, I went first of course to—or I asked first—the senior adviser who was there, and that was Jack Doyle. The following week, you can see that Jack Doyle says in a



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WhatsApp to me: “you can say ‘I’ve been assured there was no party and no rules were broken’”. So he says that again to me. I also then rang James Slack. Both Jack, and James Slack, are people who I have the utmost regard for, and I believed they would be completely straight with me about what had happened, and they both said that the rules had not been broken.

The reason I didn’t ask a lawyer or another senior civil servant was because they were the people who had been there, and they were the direct—they could give a view about the legality of that event that I didn’t think a non-eyewitness would be able to do.

Q110 **Alberto Costa:** Okay. When you decided to rely on the assurances that you have referred to in the House, why did you not then discuss the assurance with the Cabinet Secretary, Simon Case, or your Principal Private Secretary, Martin Reynolds, or a Government lawyer? At the point at which you had been given the assurance by the individuals that you had questioned, why didn’t you double check it with a Government lawyer?

**Boris Johnson:** First of all, Martin Reynolds, in addition to being my Principal Private Secretary, is a lawyer, and his view of all the events, as you will see from his evidence, is that he believes that we followed the rules at all times. That was certainly what he said to me. You will see evidence, Mr Costa, from my submission that at least a couple of MP colleagues remember from the morning meeting that I asked generally, “Did we follow the rules? Were there parties?” and the view of the assembled civil servants and advisers was that no, we hadn’t broken the rules, and that is what they said.

Q111 **Alberto Costa:** The MPs you are referring to are the ones at paragraph 90 of your written submission, where you state that the evidence given to us by Sarah Dines MP and Andrew Griffith MP saying officials gave you assurances at your daily office meetings—those are the additional assurances that you are referring to.

**Boris Johnson:** Yes, and it is not clear what date that Sarah and Andrew remember, but they certainly remember me receiving those assurances. Don’t forget—if I could just make an important point—from 7 December onwards the inquiry is under way. You ask why I didn’t ask Simon Case. I did ask Simon Case. I asked Simon Case to conduct an inquiry.

Q112 **Alberto Costa:** I am very grateful that you recall Sarah Dines MP and Andrew Griffith MP giving you the assurances, but you were present at those meetings where those two MPs said that assurances had been given. *[Interruption.]* If I just may ask the question, and you can correct me if I have misunderstood the point. Who were the officials who gave these assurances in the meetings that you refer to at paragraph 90 in your written submissions?

**Boris Johnson:** I cannot name these officials—

Q113 **Alberto Costa:** Name me one.





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**Boris Johnson:** I don't know if I can. I think that—

Q114 **Alberto Costa:** Why not?

**Boris Johnson:** I think that most of them have indicated they don't want to be named, and—

Q115 **Chair:** Are you not naming them because you can't remember their names or because you don't want to breach their anonymity? Mr Johnson, could you just pause and answer my question? Are you not naming these officials who you say were giving you these assurances because you can't remember who they were or you can't remember their names, or because you don't want to name them because of confidentiality?

**Boris Johnson:** There is at least one adviser that I can think of who has asked not to be named. She would have been in the morning meeting, and I don't want to—

Q116 **Alberto Costa:** Could you follow that up in writing through your lawyers to the inquiry, confirming the name of the individual that you recall gave you the assurance at the meetings referred to by these two MPs?

**Boris Johnson:** Yes, but if I may say so, Mr Costa, I don't quite follow the direction of your questions. It is clear from what I have said that I was assured repeatedly by different people and on different occasions that the rules had been followed.

Q117 **Alberto Costa:** And we are trying to ascertain who these individuals were, so it would be very helpful if you could follow up with the individual that you have just referred to.

**Boris Johnson:** Okay.

Q118 **Alberto Costa:** Could I ask the team to place slide 9 on the screens, please<sup>6</sup>? Slide 9 refers to a comment made by Mr Doyle, and that will also be found at page 74 of the bundle. Mr Doyle is asked a question: was there a discussion in this meeting—the meeting of 8 December 2021—“Whether Covid Guidance was adhered to at all times”? Mr Doyle states: “I did not advise the PM to say this, no”. So Mr Doyle says he did not discuss with you whether any gatherings had complied with covid guidance. Is it correct that you received no assurances that the gathering of 18 December 2020, or any other gatherings, were compliant with covid guidance, as opposed to the rules?

**Boris Johnson:** Yes, it is correct to say that I did not—as far as I can remember, I didn't receive direct assurances about the 18 December event about the guidance. But until Martin Reynolds made his point to me on the morning of the 8th, nobody had said to me anything adverse about our following of the guidance, and it was my impression, from what we were doing, from my lived experience in No. 10, that we were.

**Alberto Costa:** I am trying to ascertain about assurances that you have

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<sup>6</sup> [Presentation slides to be relied upon by the Committee of Privileges in the oral evidence session of the Committee on 22 March 2023](#)



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been given.

**Boris Johnson:** I understand. I am giving you the answer.

Q119 **Alberto Costa:** Let me carry on, if I may, Mr Johnson. Can I ask you to turn to pages 70 and 73 of your evidence bundle? You will see excerpts from Mr Doyle's signed witness submission. Mr Doyle says: "the lines that were drafted for the Mirror"—that's the Daily Mirror—"became the basis of Mr Johnson's lines to take in PMQs on 1st December 2021." He also says, in relation to a conversation he had with you on 30 November: "I said that we have had an enquiry from the mirror...He said what is our line?" Page 76 of your evidence bundle shows the line sent to the Mirror was: "Covid rules have been followed at all times." So that line, Mr Johnson—the assurance that you relied on in the House of Commons on 8 December—was initially developed as no more than a media line to hold at bay press inquiries, wasn't it?

**Boris Johnson:** Yes, but I do not see any great vice in that. I think we have to be absolutely realistic about how government is carried on. If a Minister cannot rely on the advice of senior and trusted officials, when you have to get a huge amount of business done, it would be impossible for government to carry on.

**Chair:** Mr Johnson, you have acknowledged that it was developed as a media line to hold at bay the press inquiries, so I think we need to hear, from Mr Costa, his next question.

Q120 **Alberto Costa:** It is the case, isn't it, that Jack Doyle, the person whose purported assurance you sought to rely on, was himself doubtful about the compliance of some of these gatherings with the rules and guidance? Now, Mr Johnson—

**Boris Johnson:** Sorry, whence do you derive that?

**Chair:** Please do not interrupt the question. Let Mr Costa ask the question.

Q121 **Alberto Costa:** I am going to help you. If you turn to page 79 of your evidence bundle—

**Boris Johnson:** Are you saying he said this at the time?

**Alberto Costa:** If you turn to page 79 of your evidence bundle, you will see a selection of WhatsApp messages sent by Mr Doyle. These messages are discussing the gathering of 19 June 2020, which marked your birthday. Mr Doyle says that he was "struggling to come up with a way" that the gathering was in the rules, and that he was "not sure" it would "work" to suggest it was "reasonably necessary for work purposes". Were you aware, Mr Johnson, that your trusted senior adviser, as you have put it—Mr Doyle—doubted whether this gathering was within the rules?

**Boris Johnson:** No is the answer to that question; I wasn't aware that he had sent that WhatsApp. He didn't send it to me. This was, I think, on 25 January, which is long after we started the process that was to become



the Sue Gray inquiry. I think the Sue Gray inquiry was already well under way.

A couple of other quick points, if I may, on that WhatsApp. Jack was not at that event on 19 June 2020. He knew nothing about what had actually taken place. He was then relying on media descriptions of that event, which had subsequently emerged. Yes, he sent a message to someone else, saying he needed to work out what the justification was, but just to go back to the 19 June 2020 event, which we have been over several times, at the time I thought it was so innocent that it was actually briefed out to *The Times*.

Q122 **Alberto Costa:** I appreciate that, but I want to know and I am talking about assurances you were given, so let me focus again. How can it be that Mr Doyle—and this is the point that I think is important for the inquiry to understand—one of your principal advisers, your trusted adviser, the person whose assurance you relied on in the House of Commons, was himself clearly doubtful about the compliance of this gathering with the rules, but you continue to say that you were not? How can that be?

**Boris Johnson:** He wasn't at that event. He was struggling to contend with media accounts of it long after that event, and after the Sue Gray inquiry had already begun. Above all, he did not—even at that time, let alone before I stood up in the House of Commons—raise with me any concerns that he might have had about that event, even if he knew about it.

Q123 **Alberto Costa:** Thank you. I am almost finished, Mr Johnson. Why did you tell the House of Commons that you had received repeated assurances that no rules had been broken when you knew that that was not the case, because you knew what the rules were. You were at gatherings that breached the rules, and the breaches of the rules would have been obvious to you at the time.

**Boris Johnson:** No, sorry, that is—

**Chair:** Let him complete the question, if he may.

**Boris Johnson:** That's just nonsense.

Q124 **Alberto Costa:** Some might see your reliance on the purported assurances you received as—forgive me—a deflection mechanism to avoid having to answer questions about your knowledge of these gatherings. Would that not be a fair assessment?

**Boris Johnson:** No, it would be a completely ridiculous assessment. I said in the Commons on 8 December that I had been repeatedly assured that there was no party and that no rules were broken.

I was referring to the 18 December event of the previous year—of 2020. The assurances that I had received about that event were from people whom I had the utmost respect for, and who were directly relevant to my understanding of what that event consisted of. It was entirely sensible to



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talk both to Jack—Jack Doyle—and then to James Slack to find out and get their honest take about what had happened.

My impression on 30 November 2020, from what Jack was telling me, was that it sounded like it was in accordance with the rules. It sounded like it was necessary for work purposes, but also it sounded, from what he was saying, that it was in accordance with the guidance. When that turned out, following the Allegra video, to be in question, I commissioned Simon Case, the Cabinet Secretary, to conduct an inquiry.

If you look at that statement, I say I have been repeatedly assured that there was no party and that the rules were followed, but I have asked Simon Case to investigate. So for the purposes of the House, my statement should be seen, for the purposes of the business of the House, in the context of the investigation—the inquiry—that I had just launched, and in the same PMQs I say I'm going to make sure that the findings are placed in the Library of the House of Commons.

**Alberto Costa:** Thank you very much indeed for answering my questions this afternoon. Thank you, Mr Johnson.

Q125 **Chair:** Could I just put a point to you? I, along with my colleagues, was in the House at the time when these assurances were given, and we took them to be serious assurances. You told the House you had received assurances. Would you not expect us to be a bit dismayed to hear that it was not from the senior civil servants, but from political appointees; that they themselves had doubts about it; that it only covered one gathering, not the other three; and that it only covered the rules, not the guidance. I think if you had said that to us in the House, and also you were there at the time, so it is a bit hard to understand—

**Boris Johnson:** I was—

**Chair:** Could you let me finish my point? You were there at the time, so it is a bit hard to understand what the nature of assurances were when you have been there and seen it with your own eyes. If I was going at 100 miles an hour, and I saw the speedometer saying "100 miles an hour", it would be a bit odd, wouldn't it, if I said, "Somebody assured me that I wasn't". It is what you see with your own eyes.

**Boris Johnson:** Chair, with the greatest respect—

**Chair:** Do you think that we would be entitled to be a bit dismayed about the flimsy nature of this assurance, when we took it at face value that these assurances amounted to something? It looks from what you've told us in answer to Mr Costa's questions that they did not amount to much at all.

**Boris Johnson:** First of all, with great respect, Chair, if you are talking about the 18 December 2020 event, there is some confusion. I was not there.

**Chair:** That is one of the three.



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**Boris Johnson:** I was not there.

**Chair:** There were three others where you were there.

**Boris Johnson:** And if you look at the statement that I made in the House of Commons—this was the relevant issue because the Allegra video related to the 18 December event. The Leader of the Opposition's questions the previous week related to the 18 December event. I was answering about the 18 December event. That was the matter in question. I had received, as I said, repeated assurances by different people, on more than one occasion and from more than one person, that the event was in accordance with the rules. I had that both from, as I said, Jack Doyle and James Slack. The question that I think the Committee is trying to unpick is: is that a good enough assurance? Is it good enough to rely on the Director of Communications and the former Director of Communications about one event, no matter how eminent they may be? I think the answer is yes.

Q126 **Chair:** Who himself had doubts.

**Boris Johnson:** No, sorry. Forgive me. That is not correct, Chair. The Director of Communications, Jack Doyle, did not say at the time he briefed me about the 18 December event that he had doubts about whether the guidance was followed.

**Chair:** But he did have doubts. Can I just ask—

**Boris Johnson:** No, sorry—where is your evidence for that?

**Chair:** It's in the WhatsApp. Sir Bernard is going to continue this questioning.

**Boris Johnson:** Sorry, can I just say that he did not express those doubts to me.

Q127 **Chair:** No, I am saying he had doubts. The person whose assurances you were relying on, only gave assurances in relation to one gathering not the others, and only gave assurances of the rules and not about covid. It was a line to give to the media.

**Boris Johnson:** Chair, I was being asked about the one gathering. The Leader of the Opposition—you played his clip just now; everybody saw it. He was asking about—he said, "Was there a party to which loads of people came, a Christmas party in Downing Street last year?" That was the question. When I said that the guidance was followed completely at all times that was then called into question by what Allegra Stratton had to say. So we immediately instituted the inquiry by Simon Case. But that remained the point at issue. The point at issue was what had happened on 18 December. If the Committee is going to say that I cannot rely on the advice of senior people like Jack Doyle and James Slack, who had the advantage of actually being there, it is going to make it very difficult for the Government to be carried on.

Q128 **Sir Bernard Jenkin:** Mr Johnson, just two points arising from the recent



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questions and answers. The first is the question of Sarah Dines's statement of evidence. She mentions that either on 1 December or 8 December, she recalls you asking, "We did follow the rules at all times, didn't we?" This is in paragraph 90 of your submission. She said, "I recall more than one person in the room said 'Yes, of course.' I am not certain who the people were but...I am about 90% sure one of them was Simon Case, the Cabinet Secretary." The difficulty we have with that evidence is that in the sworn statement from Simon Case, which I'm afraid is not in the core bundle, but is point 791 and 792 of the general bundle—don't waste time fumbling for it because I will explain. He is asked about both these meetings and he makes it clear. When asked, "Was there discussion in the meeting of the following points and, if so, what were the details of that discussion?", he says, "I do not believe any of these topics were discussed at the meeting." On 793, he is asked a general question, "Are you aware of any other meeting where Mr Johnson was present where the points listed in parts e and f were discussed?"—that is, whether there was any discussion about compliance with the guidance and the rules—and he says no. We have difficulty giving any credibility to the evidence we have received from Sarah Dines, albeit I am sure she gave that evidence in good faith.

Have you got anything to say about that? I should give you the opportunity.

**Boris Johnson:** If you are going to question her evidence, I think you need to hear it from her. I can't comment—

**Sir Bernard Jenkin:** Well, to be fair—

**Boris Johnson:** I cannot comment on her evidence. I cannot comment on what Simon Case has said. What I do remember are general affirmations from colleagues that the line I was about to use in PMQs about the rules being followed was supported.

Q129 **Sir Bernard Jenkin:** But do you remember Simon Case saying, "Yes, of course"—

**Boris Johnson:** Frankly, I don't. But you should ask him.

**Chair:** No, we are asking you, because you were there.

**Sir Bernard Jenkin:** I'm not questioning the veracity of her statement as she believes it, because she is quite open: she says she is only 90% sure. She is not sure.

**Boris Johnson:** I'm sorry, but I wasn't relying for what I said on the Cabinet Secretary.

Q130 **Sir Bernard Jenkin:** Okay. If you think it is terribly important that we interrogate Sarah Dines, we will consider that point.

**Boris Johnson:** No, I don't. I think it is probably totally irrelevant. I think the key point is that when I said that I had had repeated assurances, I



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never claimed that one of those people I had giving me those assurances was Simon Case.

Q131 **Sir Bernard Jenkin:** Okay. There is another more general point. You say, "I see no great vice in that"—that is, relying on the assurance of Mr Doyle, who was an appointed political adviser, not a professional civil servant—not an impartial civil servant—

**Boris Johnson:** Like Sue Gray.

**Sir Bernard Jenkin:** Well, we are not relying on Sue Gray's evidence in this inquiry.

The obligation not to mislead Parliament is a very serious obligation on any Member of Parliament, let alone a Minister. It requires the MP, or the Minister, to take due care, doesn't it?

**Boris Johnson:** Yes.

Q132 **Sir Bernard Jenkin:** Yes. I have to say, if I was accused of law breaking and I had to give undertakings to the House of Commons, of all places, that I had not broken the law, I would want the advice of a lawyer. I would want the advice of somebody really independent and capable, and you didn't ask the Cabinet Secretary—

**Boris Johnson:** Can I just interrupt you for 10 seconds? I wasn't accused of law breaking. I was asked to say what had gone on at a party or an event in the media room on 18 December 2020.

Q133 **Sir Bernard Jenkin:** Okay, but the same point applies. If I was asked to give undertakings that rules and guidance had been followed and there was any doubt about it—if there was the thinnest scintilla of doubt about it—well, you would want to copper plate your assurances by showing that you had taken proper advice. I put to you, Mr Johnson, that you did not take proper advice.

**Boris Johnson:** Can I respond first by saying that if you look at what I said on 1 December, it is true, as Mr Carter said, that I had expected something like that question to come up, but I actually thought that the Leader of the Opposition would not bother with that story for his main line of questions—

**Sir Bernard Jenkin:** That is irrelevant.

**Boris Johnson:** No, it is relevant, because—

Q134 **Sir Bernard Jenkin:** The question is: why did you not take proper advice?

**Boris Johnson:** Sorry, the answer is, quite simply, that over the—I have tried to describe what I felt about these events as they were happening. Nobody raised with me or had any concern, before I stood up on 1 December, about those events—

Q135 **Sir Bernard Jenkin:** You didn't ask. You did not ask.



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**Boris Johnson:** I asked—I did. This is complete nonsense. I mean, complete nonsense. I asked the relevant people. They were senior people. They had been working very hard. Jack Doyle gave me a clear account of what had happened—

**Sir Bernard Jenkin:** You didn't ask the Cabinet Secretary.

**Boris Johnson:** The Cabinet Secretary wasn't there!

**Sir Bernard Jenkin:** I think we can move on.

**Boris Johnson:** Sorry, but you are wrong, because I did ask the Cabinet Secretary. I did ask the Cabinet Secretary to conduct an inquiry on 7 December.

**Sir Bernard Jenkin:** Not about whether your undertakings to the House of Commons were correct.

**Boris Johnson:** But of course that was what he was—

**Sir Bernard Jenkin:** I think we can move on.

**Chair:** Can we turn to Charles Walker for our next questions?

Q136 **Sir Charles Walker:** Sorry, there are some noises coming from the back of the room. That has stopped. Okay.

Mr Johnson, housekeeping matters. You are a parliamentarian, I am a parliamentarian, so we do have a duty to Parliament. There have been a lot of noises off, hue and cry, about the legitimacy of this inquiry, which I think we need to address. You sort of alluded to it in your opening statement. I will just give you an example of an organisation that claims to have your interests at heart. It is called Conservative Post. In a recent article published on its website on 12 March, this was the headline: "REVEALED: The Privileges Committee's Great British stitch-up of Boris". The sentence is, "when Labour proposed referring Boris Johnson to the Privileges Committee for misleading parliament, many conservative MPs didn't oppose it."

I just want to park that for a second and take you back about 11 months before that. On 21 April, when your case was referred to the Privileges Committee, the Minister, the right hon. Michael Ellis QC, the then Minister for the Cabinet Office and Paymaster General, said the following in winding up: "The Government recognise the seriousness of the issues under consideration. Let me say at the outset that the Prime Minister has always been clear that he is happy to face whatever inquiries Parliament sees fit to hold. He is happy for the House to decide how it wishes to proceed today".

This is important because at the end of that, the motion was put and there was no vote. That is a matter of fact. Indeed, there was not even a cry of "Object" from anyone. Can you accept that was the case?

**Boris Johnson:** Yes. I encouraged people to support it.





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Q137 **Sir Charles Walker:** So it is actually misleading of Conservative Post to say, “many conservative MPs didn’t oppose it.” The truth is that not a single—not a single—Conservative MP opposed it?

**Boris Johnson:** Yes, that is completely correct, Sir Charles.

Q138 **Sir Charles Walker:** That’s great. This is really good. This is good. We are making progress.

In your opening statement, you referred to the appointment of the Chair. You suggest to some extent that you had concerns, but you were willing to set those concerns aside. On 14 June 2022, there was a motion to add the right hon. Lady for Camberwell and Peckham to the Committee. It went through at the end of a debate on the privatisation of Channel 4. There were colleagues of ours in the Chamber. When the motion was put and the right hon. Lady’s name was mentioned, there was not a single cry of “Object”. Not one. Not even from a little mouse scuttling across the floor. Not a single cry of “Object” on 14 June. Can you accept that as well?

**Boris Johnson:** Of course.

Q139 **Sir Charles Walker:** So if these concerns were live about the Committee and our legitimacy or the legitimacy of the Chair, somebody might have shouted “Object”?

**Boris Johnson:** Sir Charles, can I just come back quickly on this point? My anxieties about fairness are contained in my submission. I have said what I have had to say about the previous remarks of the Chair and I have said what I had to say about my belief in the ability of this Committee, which is a very important and distinguished Committee, to be impartial.

**Sir Charles Walker:** Which were made before her appointment on 14 April.

**Boris Johnson:** And I have come before you this afternoon in full confidence that you will be impartial and that you will look at the evidence and that you will conclude that I did not wittingly or recklessly mislead Parliament. There is not a shred of evidence to suggest that I did. And I hope that you will exonerate me, and I think that you should exonerate me, of any contempt whatever.

Q140 **Sir Charles Walker:** We received your evidence bundle, which was really well put together. It has been a long afternoon. We have shared the talking; you have had to do it on your own, so thank you for answering our questions. It is a well put together bundle. I just feel that the way things have been conducted is that your supporters—I am not saying you, I am saying your supporters—seem to want it both ways. They are hoping that the evidence you have given in 52 pages will exonerate you and give you a clean bill of health, which is your desired outcome, but just in case that does not happen, there has been a concerted effort to delegitimise the Committee and to call us a kangaroo court. Have you characterised us as a kangaroo court?



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**Boris Johnson:** You can tell by my presence this afternoon, by the seriousness with which I have taken your questions, by my attempts to answer in detail the points you have put to me, how seriously I take you and your Committee and the respect I have for this institution of Parliament. For better or worse, whatever the issues of fairness I may have raised in my submission, this is the body that decides on standards and privileges. This is the Committee that does it. There is no other way of doing it. That is why I have come here: out of respect for the Committee and out of respect for Parliament, and because I do not believe that you can conceivably find me guilty of wittingly misleading Parliament on the basis of the evidence that you have assembled.

Q141 **Sir Charles Walker:** So as a parliamentarian, do you regret that colleagues of ours, who are also parliamentarians, have called the Privileges Committee a kangaroo court?

**Boris Johnson:** I don't want anybody to cause any colleague—there should be no intimidation or attempt to bully any colleague in any matter whatever.

Q142 **Sir Bernard Jenkin:** Is that a yes or a no?

**Boris Johnson:** Yes.

**Sir Charles Walker:** You regret that they—

**Boris Johnson:** Sorry, I'm not—

Q143 **Sir Charles Walker:** Because I regret it. As a parliamentarian, do you regret it?

**Boris Johnson:** My questions of fairness are well documented in my submission. I deprecate the term that you have just used—I do not want to repeat it—but I think the people will judge for themselves, on the basis of the evidence that you have produced, on the fairness of this Committee. I have every confidence that you will show that you can be fair.

**Sir Charles Walker:** Okay. I am nearly done—

Q144 **Alberto Costa:** May I just interject? Will you accept that this Committee can be fair and wrong, rather than unfair and a witch hunt?

**Boris Johnson:** Let me put it this way, Mr Costa: I think that if this Committee were to find me in contempt of Parliament, having come and done something so utterly insane and contrary to my beliefs and my principles as to come to Parliament and wittingly lie, that would not only be unfair, but it would be wrong.

Q145 **Alberto Costa:** Indeed, but you would not characterise it as a witch hunt or a kangaroo court? That is the point I am asking about.

**Boris Johnson:** I will wait to see how you proceed with the evidence that you have. I will study your conclusions from the evidence. I deprecate the terms you have used; I don't want to see good colleagues feeling that



they are under pressure either way. I believe that, if you study this evidence impartially, you will come to the conclusion that I have given.

**Q146 Sir Charles Walker:** I am nearly done. On 25 May you described No. 10 as “a building that is 5,300 metres square across five floors, excluding the flats... Hundreds of staff are entitled to work there”. I am really sorry, and I think this is probably the last time you will be taken back to these dates, but on 1 December, you will be well aware that you said to the Leader of the Opposition, “all guidance was followed completely in No. 10.” On 8 December, again to the Leader of the Opposition, you said, “I have been repeatedly assured that the rules were not broken”. I will rattle through this quickly. On 8 December, to Catherine West, regarding the 13 November alleged party, you said, “I am sure that whatever happened, the guidance was followed and the rules were followed at all times.” You received assurances from a number of people. I suppose my question is: how on earth would they have known that the rules were being followed all the time? It is impossible, because you did not have cameras in every room.

**Boris Johnson:** No, but I had their pairs of eyes. You’re right, I didn’t have omniscience about what was going on in the building, and I had to rely on what people told me. You’re completely right, Sir Charles. But what they had to say was extremely valuable, and they were—and are—extremely reputable people. They gave a description of that event. To get back to the Chair’s point, initially it was one event that was under consideration and discussion. I took my cue from them.

**Q147 Sir Charles Walker:** I want to say this: I accept that you worked incredibly hard and your officials worked incredibly hard. I accept that you were hospitalised. We got the vaccines out. You worked incredibly hard. I am not sure whether this helps or hinders your case, but I suppose what I am left with is that when you look at 126 fixed-penalty notices handed out to No. 10, it is clear that Simon Case, Martin Reynolds, Jack Doyle, Lee Cain and James Slack—all of them—really had no idea what was going on. If they had, it is highly unlikely that 126 fixed-penalty notices would have been handed out.

**Boris Johnson:** Can I say, Sir Charles, that you have put your finger on the crucial point? To get back to the conversation that we have had on the doctrine of obviousness, if the Committee thinks that I must have known and it was obvious to me, it would have been obvious to those other senior and distinguished people. It really was not. I was very shocked to get my own FPN and amazed, frankly, by the number of other FPNs. We do not want to go over and re-investigate it, but I think that, basically, on a few evenings, events simply went on far too long. I cannot apologise for that enough, but we are where we are.

**Q148 Sir Charles Walker:** I do not want to try your patience, because you have been here a long time. If not deliberate, is it possible that it was slightly reckless not to have caveated your statements to the House with, “To the best of my knowledge” or “I really do hope”? It was the certainty of the statements. Is it possible to accept that, actually, there was a



degree of recklessness?

**Boris Johnson:** No. Nobody wants to be in a position where they are misleading the House. Nobody wants to say something to the House of Commons that turns out not to be true, especially something as readily falsifiable as the “guidance was followed completely”. It was my belief that that was the case. I have apologised and I continue to apologise for inadvertently misleading the House. I hope that the Committee understands that. It was not deliberate; it was based on my genuine understanding and belief about what we were doing and what we had been doing for a long time. Your point just now was one of the most important ones in this whole business. It was not obvious to me that there were problems with some events, and it was not obvious to the other senior people who you have described.

Q149 **Chair:** Finally, I want to explore the question of correcting the record. There has been a lot of discussion about your having corrected the record; I want to explore one aspect of that. You said on 25 May 2022: “I am happy to set on the record now that when I came to this House and said in all sincerity that the rules and guidance had been followed at all times, it was what I believed to be true.” You have said that to us this afternoon. You then went on to say: “It was certainly the case when I was present at gatherings to wish staff farewell”. You said to the House by way of a purported correction that it was “certainly the case” when you were present at gatherings to wish staff farewell that the guidance had been followed at all times. Do you want to reassert that? Or do you want to correct the record and acknowledge here that, actually, the guidance was not followed at all times, just so that we are clear? You can correct the record to this Committee.

**Boris Johnson:** What I want to say is first of all that the rules were followed for the period of those events, and that is clear from the FPNs.

Q150 **Chair:** I am asking about the guidance.

**Boris Johnson:** And it was my belief at the time that I made those statements that the guidance was followed—and actually, Chair, it remains my belief. For the time I was there, when I was looking at these events, I thought they were within the guidance, given what I knew about what we were trying to do, given what I knew about the limitations we faced on maintaining perfect social distancing.

Q151 **Chair:** What we are asking now is what your belief is now.

**Boris Johnson:** I do not wish to dissent from what I said on 25 May.

Q152 **Chair:** Well, 25 May was five months after this had first been raised. You had had time to consider all the issues that were being raised, and even more time has elapsed until we are here now. A lot of evidence has been produced and you have had the opportunity to consider it. Do you still want to assert that it was certainly the case, when you were present at gatherings to wish staff farewell, that the guidance had been followed at all times? Do you want to assert that to this Committee and thereby assert it to the House?



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**Boris Johnson:** Yes, I do, because I see no reason to withdraw what I said on 25 May, because at that stage, on 25 May, I was in possession of—and I think the Committee and possibly the world were in possession of—all the material that we have looked at today. My view remains that the guidance allowed for social distancing not to be carried out with rigid, drill sergeant precision, particularly in difficult circumstances such as the ones in which we were operating, provided that you had mitigations. That was my belief and it remains.

Q153 **Chair:** Okay, thank you. I think you have just clarified that you are sticking with that point and you do not wish to make a correction of the record.

**Boris Johnson:** I don't, thank you.

Q154 **Chair:** That concludes our questions. Are there any final points that you have not already mentioned—not ones that you have mentioned but ones that you would like to mention that have not come up in our questions? We would like to give you the opportunity to make those points.

**Boris Johnson:** Thank you very much. I have much enjoyed our discussion—well, I genuinely think it's been a useful discussion. I hope it is clear to the Committee what was in my heart and my mind on 1 December and 8 December 2021.

**Chair:** And on 25 May and numerous other occasions.

Thank you, Mr Johnson. The Committee will consider the evidence you have given us, alongside the other evidence we have reviewed in the course of our inquiries. We may take further written and/or oral evidence before the end of our inquiry and before we reach our final conclusions, if we deem that necessary—we have already discussed the possibility of that—but for now, that concludes our session today.