

Twitter Thread by Jo Maugham



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The High Court gave us 'permission' to bring some of our judicial review arguments in relation to the Government's odd PPE contracts. We are today asking again for permission to bring the others. You can read our (remarkable) Skeleton and Statement [here](#).

We chose these three contracts (Clandeboyne/Ayanda/Pestfix) in June/July when we had much less understanding than we do now about what was going on. Once you appreciate that fact, what we have already uncovered (before disclosure) about those three is all the more remarkable.

Let me just focus on one aspect of those contracts: the quality of the product supplied by those companies (respectively, a confectionery wholesaler, a 'family office', and a pest control specialist).

And, rather than me editorialising, let me quote the words of those companies themselves, or Government, or Government agencies.

This is what Government says about what we bought from Clandeboyne (we spent a total of £108m on gowns).

But how can they not be cleared for use as gowns? And yet be "authorised for distribution... as part of the PPE ensemble"? It doesn't sound like what we got was gowns.

52. The final consignment was shipped ahead of schedule on 28 July 2020. On arrival in Daventry the usual quality assurance process described in paragraphs 42 to 44 above was undertaken. The items delivered are not yet cleared for use as gowns but have already been passed and are authorised for distribution to the NHS as part of the PPE ensemble as required. Approval for use as gowns is awaited.

This is what the Health and Safety Executive says about the isolation suits supplied by Pestfix (on which we spent £32m).

Morning both,

HSE have come back regarding the Pestfix coveralls. Please see response below, and let me know if you require these testing to BS EN 13795-1:2009.

WfRelyn hooded isolation suit – The gowns have been tested to a medical standard, not a PPE standard. Release would be dependant on the gowns undergoing testing to BS EN 13795-1:2009 and Essential Health and Safety Requirements [Annex II of PPE Regulation \(EU\) 2016/425](#) – Sections 1 and 2)

Based on this neither the gowns nor the coveralls can be released into the supply chain.

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And this is what Pestfix themselves say: "We do not want it to be made public knowledge that PPE from Pestfix has not passed HSE inspection."

Hi [REDACTED]

We have tried reaching out to [REDACTED] PPE Group Certification Manager at BSI by phone a couple of times but have not yet had a response, nor to my email on which you were copied-in.

Calling the BSI main number gets you to an engaged tone.

We are very concerned about whom we speak to with regard to getting these suits tested as we do not want it to be made public-knowledge that PPE from PestFix has not passed HSE inspection.

With the potential Judicial Review looming I would like to get this testing finalised as quickly as possible so that we and the DHSC can confirm that the product at the centre of the review has been certified and accepted.

With that in mind do you have a direct line into BSI? Probably better that NHS / DHSC get the testing underway, we are happy to help bear the costs, once we know what those costs will be.

We are concerned that there is no doubt huge demand on BSI's time and PestFix may just be a voice in the crowd.

Yours Sincerely

[REDACTED]

[REDACTED]



Vitap2 [REDACTED]

Pestfix's very expensive lawyers send me LOTS of emails threatening me with all sorts of stuff but these emails say what they say and there is no dispute at all that Pestfix supplied a lot of duff facemasks to the private sector which it had to recall.

Government also ordered - according to the NAO - £155m worth of facemasks that did not comply with Government's own specifications. I do not believe that what Ayanda delivered complied with the contractual specification either, but leave that aside.

The government contracted with Ayanda to purchase 50 million FFP2 masks for £155 million based on a design which complied with the BS EN149 standard but was not in line with the government's published PPE specifications at the time the contract was signed. The masks ordered and delivered were of the design that government had agreed with the supplier. The masks received will not be used for their original purpose but may be able to be used for other purposes or resold. Ayanda is assisting in these discussions.

These are only three contracts, of over 400 awarded, and they are three that were chosen by us (as I say) before we knew that much about the sector and before we knew anything about the quality of the PPE supplied under them.

So what about the other 397+?

It is inconceivable to me that these problems with PPE supplied are not widely replicated in the other contracts Government entered into at (as the NAO found) five times normal prices for five years worth of PPE whilst bypassing all normal governance around proper procurement.