

Jeremy Miles AS/MS

**Cwnsler Cyffredinol a'r Gweinidog Pontio Ewropeaidd
Counsel General and Minister for European Transition**



**Llywodraeth Cymru
Welsh Government**

The Right Honourable Suella Braverman QC MP
Attorney General
Attorney General's Office
5 – 8, The Sanctuary
London, SW1P 3JS

29 June 2020

Dear Suella,

Coronavirus legislation – divergence of the law in England and Wales, clarity for citizens and impact of a 4 nations approach on Welsh speakers

I refer to my letter of 11th May. I am grateful for your response of 5th June and your indication that you have taken steps to ensure that the UK government does all that it can to give clarity to any differences in the law governing the lockdown in England and in Wales.

I have become aware of the recent review by the Crown Prosecution Service of police charges made under the coronavirus legislation in England and Wales. I have read details of the outcome of that review with some dismay. I understand the CPS review looked at all 231 police charges brought where the prosecution had either been stopped or ended in a conviction, following errors highlighted by journalists, lawyers and campaigners. Of the 231 charges, 56 were incorrect, with Welsh regulations used in England or vice versa. Clearly there is further work still to be done because of the impact that a lack of clarity is having not only on the rule of law but on the experience of citizens interfacing with the justice system.

On a different but associated point, in England you have made the Health Protection (Coronavirus, International Travel)(England) Regulations SI 2020 568 and the Health Protection (Coronavirus, Public Health Information for Passengers Travelling to England) Regulations 2020 SI 2020 567 and similar regulations have been made in Scotland. In Wales we have made The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020 SI 2020 No. 574 (W. 132) and will be making regulations equivalent to the Public health Information for Passengers Regulations shortly.

<https://www.legislation.gov.uk/wsi/2020/574/contents/made>

Can you reassure me that passengers arriving in England who are travelling onward to Wales are being informed about the legislation about coronavirus applicable in Wales before and upon their arrival?

You will also be aware that we agreed (along with Scotland and Northern Ireland) to take a 4 nations approach to the International Travel Regulations and to utilise the Home Office developed Passenger Locator Form for those arriving at any entry point in the United Kingdom. Officials have sought assurances that the form is being made available in Welsh in accordance with the Home Office's Welsh Language Scheme. To date no assurances have been forthcoming. Are you able to give me such an assurance please?

Yours sincerely,

Personal Data

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