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Subject: Official sensitive: note of Ministerial call 16 December

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The First Minister updated on the four nations discussion that had taken place this morning. It was agreed to issue a joint statement strongly advising people to limit their mixing over the Christmas period, but no agreement on regulatory change. The First Minister had called for a move to a two household limit (reflecting the view of Cabinet the previous day), but this was not agreed across the nations. The First Minister conveyed this message about two-households at the press conference earlier, and it would be reflected in Welsh Government guidance. There is a decision to be made about whether the Regulations in Wales should be amended to reflect this, and the First Minister sought the views of Cabinet.

Ministers considered the rationale for doing so, in terms of is the need to respond to the rate of growth of transmission in Wales, which was currently estimated to be over 500 per 100,000 cases, and the current and predicted future level of pressure on the NHS. It was noted that a change to the regulations would also provide a stronger message to the public on the seriousness of the situation.

However, Cabinet was mindful of the risk of seeming to break the four nations agreement. Were such changes to be made to the regulations, we should ensure that the government's messaging underlined the Wales specific case for our actions and did not emphasise divergence.

Areas of discussion included:

- Possibility of displacement activity if we change the regulations and people choose to mix in England where there is more flexibility
- Possibility of confusion if regulations and guidance allow for different scenarios
- Importance of clear messaging around why it is important to reduce contacts
- The current covid situation in Wales, including pressure on the NHS.

The First Minister noted that the balance of views were in favour of making changes to the regulations to align with guidance, and would take this into account before taking a final decision.

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