

Message

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**From:** TEO HOCS (DS) [/O=NIGOV/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=286B5F4D742442098CBED44F7B75FAAC-TEO HOCS (DS) TEO-]  
**Sent:** 25/03/2020 17:28:58  
**To:** Stewart, Chris (TEO) [chris.stewart@executiveoffice-ni.gov.uk]; Sterling, David [david.sterling@executiveoffice-ni.gov.uk]; [NR]@executiveoffice-ni.gov.uk  
**CC:** [NR]@executiveoffice-ni.gsi.gov.uk; [NR] [NR]@executiveoffice-ni.gov.uk  
**Subject:** RE: DAVID TO SEE AND RESPOND: RE: timings and latest draft regulations

Chris

Yes sensitivity likely, but the right thing to do. Can we offer any resource or other assistance to soften the blow?

David

Sent with BlackBerry Work  
(www.blackberry.com)

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**From:** Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>  
**Date:** Wednesday, 25 Mar 2020, 17:04  
**To:** Sterling, David <David.Sterling@executiveoffice-ni.gov.uk>; [NR]@executiveoffice-ni.gov.uk  
**Cc:** [NR]@executiveoffice-ni.gsi.gov.uk; [NR] [NR]@executiveoffice-ni.gov.uk  
**Subject:** DAVID TO SEE AND RESPOND: RE: timings and latest draft regulations

David

To see.

Grateful for a steer before approaching Richard – likely to be some sensitivity here.

C

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**From:** Harbinson, Anthony [mailto:Anthony.Harbinson@justice-ni.x.gsi.gov.uk]  
**Sent:** 25 March 2020 17:01  
**To:** Widdis, Hugh <Hugh.Widdis@finance-ni.gsi.gov.uk>; Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gsi.gov.uk>; Sterling, David <David.Sterling@executiveoffice-ni.gsi.gov.uk>; [NR] [NR]@executiveoffice-ni.gsi.gov.uk; Pearson, Karen <Karen.Pearson@executiveoffice-ni.gsi.gov.uk>; Jackson, Neill (TEO) <Neill.Jackson@executiveoffice-ni.gsi.gov.uk>; [NR]@finance-ni.gsi.gov.uk  
**Cc:** [NR]@executiveoffice-ni.gsi.gov.uk  
**Subject:** RE: timings and latest draft regulations

Chris

I agree with you and Hugh it would be much better to have a single point of responsibility and run the regs through DoH.

Thanks

Anthony

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([www.blackberry.com](http://www.blackberry.com))

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**From:** Widdis, Hugh <[Hugh.Widdis@finance-ni.gov.uk](mailto:Hugh.Widdis@finance-ni.gov.uk)>  
**Date:** Wednesday, 25 Mar 2020, 4:53 pm  
**To:** Stewart, Chris (TEO) <[chris.stewart@executiveoffice-ni.gsi.gov.uk](mailto:chris.stewart@executiveoffice-ni.gsi.gov.uk)>, Sterling, David <[David.Sterling@executiveoffice-ni.gsi.gov.uk](mailto:David.Sterling@executiveoffice-ni.gsi.gov.uk)>, Harbinson, Anthony <[Anthony.Harbinson@justice-ni.x.gsi.gov.uk](mailto:Anthony.Harbinson@justice-ni.x.gsi.gov.uk)>, Pearson, Karen <[Karen.Pearson@executiveoffice-ni.gsi.gov.uk](mailto:Karen.Pearson@executiveoffice-ni.gsi.gov.uk)>, Jackson, Neill (TEO) <[Neill.Jackson@executiveoffice-ni.gsi.gov.uk](mailto:Neill.Jackson@executiveoffice-ni.gsi.gov.uk)>  
**Cc:** **NR** <[NR@executiveoffice-ni.gsi.gov.uk](mailto:NR@executiveoffice-ni.gsi.gov.uk)>  
**Subject:** RE: timings and latest draft regulations

Chris

I've not yet had a look at the content. But if it is the case that it can all be done under DoH's powers then, since they cannot all be done under TEO's it would in legal and practical terms be simpler for DoH to make them all.

H

## HUGH WIDDIS

Departmental Solicitor and Head of Government Legal Service NI  
Departmental Solicitor's Office

Victoria Hall, 12 May Street, Belfast, BT1 4NL

Tel: **I&S**

Email: [hugh.widdis@finance-ni.gov.uk](mailto:hugh.widdis@finance-ni.gov.uk)

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**From:** Stewart, Chris (TEO)  
**Sent:** 25 March 2020 16:32  
**To:** Widdis, Hugh <[Hugh.Widdis@finance-ni.gov.uk](mailto:Hugh.Widdis@finance-ni.gov.uk)>; Sterling, David <[David.Sterling@executiveoffice-ni.gov.uk](mailto:David.Sterling@executiveoffice-ni.gov.uk)>; **NR** <[NR@executiveoffice-ni.gov.uk](mailto:NR@executiveoffice-ni.gov.uk)>; Harbinson, Anthony <[Anthony.Harbinson@justice-ni.x.gsi.gov.uk](mailto:Anthony.Harbinson@justice-ni.x.gsi.gov.uk)>; Pearson, Karen <[Karen.Pearson@executiveoffice-ni.gov.uk](mailto:Karen.Pearson@executiveoffice-ni.gov.uk)>; Jackson, Neill (TEO) <[Neill.Jackson@executiveoffice-ni.gov.uk](mailto:Neill.Jackson@executiveoffice-ni.gov.uk)>  
**Cc:** **NR** <[NR@executiveoffice-ni.gov.uk](mailto:NR@executiveoffice-ni.gov.uk)>  
**Subject:** FW: timings and latest draft regulations  
**Importance:** High

Hugh and colleagues

Life is never straightforward.

Please see the attached English regs, which replace those of last Saturday.

In broad terms they cover

- Catering premises that must become 'takeaway only'
- Premises that must close
- Premises that may remain open, but which must configure for social distancing; and
- Severe restrictions on the movement of citizens.

The profound nature of these provisions (which are subject to the confirmatory control procedure) reinforce Tanya's concerns about taking similar action by the route of direction, with no Assembly scrutiny or control.

The more practical consideration is that the regs are complex, and only some parts would appear to fall within the direction making power that TEO will have – the last part could only be replicated in DoH regs.

I wonder whether, even at this late stage, the better route to follow would be to make a single set of NI regs, similar to the attached, rather than to engage in the complex task of unpicking the English regs and splitting them in two.

We could, I am sure, join our forces with DoH and get that done quickly, which strikes me as the best route to giving Ministers assurance that we have covered the bases.

Grateful for your views before I approach Richard P.

C

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**From:** McMahon, Nigel  
**Sent:** 25 March 2020 16:03  
**To:** Stewart, Chris (TEO) <[chris.stewart@executiveoffice-ni.gov.uk](mailto:chris.stewart@executiveoffice-ni.gov.uk)>  
**Cc:** [REDACTED] NR <[\[REDACTED\]@executiveoffice-ni.gov.uk](mailto:[REDACTED]@executiveoffice-ni.gov.uk)>  
**Subject:** FW: timings and latest draft regulations  
**Importance:** High

Chris

Draft received from DoJ this afternoon but haven't had a chance to consider yet.

Nigel

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**From:** [REDACTED] NR (DOJ) [[mailto:\[REDACTED\]@justice-ni.x.gsi.gov.uk](mailto:[REDACTED]@justice-ni.x.gsi.gov.uk)]  
**Sent:** 25 March 2020 13:38  
**To:** [REDACTED] NR <[\[REDACTED\]@health-ni.gsi.gov.uk](mailto:[REDACTED]@health-ni.gsi.gov.uk)>; 'McMahon, Nigel' <[Nigel.McMahon@health-ni.gsi.gov.uk](mailto:Nigel.McMahon@health-ni.gsi.gov.uk)>  
**Cc:** [REDACTED] NR <[\[REDACTED\]@justice-ni.x.gsi.gov.uk](mailto:[REDACTED]@justice-ni.x.gsi.gov.uk)>  
**Subject:** FW: timings and latest draft regulations  
**Importance:** High

[REDACTED] NR / Nigel –

Sending for information just in case, although I expect you have also received via your own Whitehall contacts?

[REDACTED] NR

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**From:** [REDACTED] NR <[\[REDACTED\]@finance-ni.gsi.gov.uk](mailto:[REDACTED]@finance-ni.gsi.gov.uk)>  
**Sent:** 25 March 2020 13:31  
**To:** [REDACTED] NR <[\[REDACTED\]@justice-ni.x.gsi.gov.uk](mailto:[REDACTED]@justice-ni.x.gsi.gov.uk)>; [REDACTED] NR <[\[REDACTED\]@justice-ni.x.gsi.gov.uk](mailto:[REDACTED]@justice-ni.x.gsi.gov.uk)>  
**Subject:** FW: timings and latest draft regulations  
**Importance:** High

Can you share with the appropriate DOH colleagues please. **NR**

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**From:** **Name Redacted** <[Name Redacted@communities.gov.uk](mailto:Name Redacted@communities.gov.uk)>  
**Sent:** 25 March 2020 13:25  
**To:** **NR** <[NR@gov.scot](mailto:NR@gov.scot)>; **NR** <[NR@finance-ni.gov.uk](mailto:NR@finance-ni.gov.uk)>  
**Subject:** timings and latest draft regulations

**NR**

Things continue to move very quickly today but I just wanted to give you the heads up that we are planning to make our regulations later today (maybe 4ish).

Here is the latest draft of the regulations, please don't share too widely but obviously ok within your team.

Best wishes

**NR**

**Name Redacted**

Legal Director  
MHCLG Legal Advisers, Government Legal Department.

Tel: **Irrelevant & Sensitive**

2 Marsham Street, London SW1P 4DF **Name** <[Name@communities.gov.uk](mailto:Name@communities.gov.uk)>

<https://gld.digital> (BETA) helping you navigate law in government – our new legal website.

PA **Name** **Name** <[Name@communities.gov.uk](mailto:Name@communities.gov.uk)> ext: **I&S**

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