

## Official Sensitive

### Call between the Chancellor of the Duchy of Lancaster and the First Ministers of Scotland and Wales, and the First Minister and deputy First Minister of Northern Ireland

16 December 2020 10am

#### Ministerial Attendance

The Rt. Hon Michael Gove MP, Chancellor of the Duchy of Lancaster  
The Rt. Hon Nicola Sturgeon MSP, First Minister, Scotland  
The Rt. Hon Prof Mark Drakeford MS, First Minister, Wales  
The Rt. Hon Arlene Foster MLA, First Minister, Northern Ireland  
Michelle O'Neill MLA, Deputy First Minister, Northern Ireland  
The Rt. Hon Simon Hart MP, Secretary of State for Wales  
The Rt. Hon Alister Jack MP, Secretary of State for Scotland  
The Rt. Hon Brandon Lewis MP, Secretary of State for Northern Ireland

#### Actions

Action - the UK Government and devolved administrations to explore the options for communicating guidance from the Chief Medical Officers to the vulnerable and elderly.

Action: The devolved administrations to provide feedback on the joint statement, with a view to securing agreement for publication later today [16 December].

#### Minutes

**The Chancellor of the Duchy of Lancaster** welcomed everyone to the call. He noted his thanks to officials across all administrations for their ongoing efforts on the Christmas period work. He noted that a draft statement had been shared with all administrations which contained guidance and advice which he hoped could be agreed on a cross-UK basis, subject to the group feeling it reflected their own assessment of how to best help people plan. He further noted that while there was a cross-UK position on communications, he also recognised that First Ministers may want to take decisions in their own jurisdictions which depart from the previously secured position. He set out his preference to maintain clarity over communications and the importance of respecting differences if any part of the UK wanted to take a slightly different regulatory approach to another. He noted that the group shouldn't strive for perfect symmetry at the risk of losing alignment on communications and other areas of work.

**The First Minister of Scotland** noted that she had not yet had a chance to properly consider the joint statement but suggested there would need to be a few changes to the language used, but the substance was broadly acceptable. Her proposed changes to the language would be about trying to be as clear as possible about the recommendations to the general public. She set out her view that while the group shouldn't take away what has been given to people, it also shouldn't place too much responsibility on the shoulders of individuals. She asserted the group needed to be clear about what the recommendations were, for example, if forming a bubble you should only see that bubble on one of the five days of easement if possible. She noted her view that there needed to be a more substantive change surrounding travel, and that it would be important to be clear about guidance for those in high and low prevalence areas. She set out where might fall into the definition of 'high prevalence' and noted that it was

not reasonable to expect people to work that out for themselves. She recognised that the PM would likely be questioned on this work at PMQs, and that others would have briefings throughout the day and that she was not yet in a position to sign off the statement, but would commit to working through it over the morning.

**The First Minister of Northern Ireland** noted that she too had only just seen the statement. She noted that the greater the four nations diverged on approach, the more difficult shared communications would be. On FM Scotland's point on definitions of prevalence, she suggested that this be included as part of an explanatory note in guidance. On the statement more generally she noted that she did not have any difficulty with its content, except that some terms throughout may need defining within the explanatory notes.

**The deputy First Minister of Northern Ireland** apologised for not being available to join the call the previous evening. She noted that each nation was in a different position in respect of covid, and highlighted some of the challenges Northern Ireland faced in particular. She noted that while she had sympathy with the argument that the group may wish to tighten the arrangements, she was also seeking to be realistic given that many people will have already made plans. She noted that the Northern Ireland Executive would likely need to discuss the approach tomorrow, and that while there remained a desire to be aligned it may not be possible on everything.

**The First Minister of Wales** noted that his ideal position would be to agree, on a four-nations basis, to reduce the number of households to meet over christmas from 3 to 2, and highlighted the serious position faced in Wales. He further noted that this approach had the support of the Welsh Cabinet. He asserted that, if the group would be unable to secure this as part of changes to regulations, that he remained committed to a four nation approach to the rules as much as possible. On this basis, the Welsh Government would seek to go further through messaging in relation to these issues. He would seek to explicitly communicate that the public would be safest to spend Christmas within their own household, with the next level of risk being an extended household, and that people should only use the freedom to bring together three households where every other reasonable precaution has been taken. He suggested that it would be helpful to set out this 'hierarchy of risk' to the public, with three households being at the highest level of risk. On the points previously made on the clinically vulnerable and elderly, he suggested it would be logical, if possible, to each arrange for respective CMOs to send letters to these groups. He noted that the CMO in Wales has written periodically throughout the crises and that this could be a good vehicle for communication of the advice, further augmenting it with specific guidance. He concluded by suggesting that a letter such as this may send a strong signal to people as to the precautions they needed to take.

**The Chancellor of the Duchy of Lancaster** responded to each point in turn. On the suggestion of explanatory notes he agreed that clarifying certain terms such as 'high prevalence' would be helpful. On the suggestion of communicating a hierarchy of safety, he agreed that it would be helpful to provide information where we thought there was increased risk. On the point about CMO letters he noted that it was a good idea but that it would be difficult to guarantee that letters would reach everyone in time, but what we could do was point those groups to particular advice. On the Northern Ireland Executive needing to agree to a specific arrangement, he noted that, while there may be some distinctions in each individual part of the day, the fewer, the better. He noted that it would be helpful to publish a clear agreed

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set of advice which the group could recognise, subject to any differences present in the different jurisdictions.

**The First Minister of Scotland** asserted that the group should secure what it can on a four nations basis and promote that collectively as strongly as possible, so the need for any particular part of the UK to depart from that would be limited. She reaffirmed her commitment to doing everyone in so far as is possible on a four nations basis, while recognising the duty she had to provide clarity to the people of Scotland. She concluded by noting it was important the group avoided appearing to be passing responsibility for decisions entirely onto the public.

**The Chancellor of the Duchy of Lancaster** agreed that the more the group could maintain four nations messaging, the better, and that any communications should respect any necessary divergence on position across the UK. He noted it would be helpful to agree this before 3pm given the pressure from the media and regular ministerial commitments. He suggested that the group should work to agree a joint position by noon.

**The First Minister of Northern Ireland** agreed that that sounded possible. She suggested that she would share any additional language immediately, and any further implications would be discussed by the NIE at its meeting the following day [17 December].

**The deputy First Minister of Northern Ireland** confirmed that she would review the statement and seek the views of her CMO and health minister, with a view to working towards that timeframe.

**The First Minister of Wales** noted his responsibility of providing an update to the public at 12:15, and so noon would be welcomed as a deadline. He cautioned that it would be better to get the right statement, than to deliver a rushed statement. He also signalled he would be setting out the approach to the post-Christmas period in Wales as part of his public statement.

**The First Minister of Scotland** confirmed that she would be happy to attempt to try and resolve the statement by noon, but agreed it was more important to get it right.

**The Chancellor of the Duchy of Lancaster** noted that, from a UK Government perspective, it is important to facilitate the maximum level of consensus and clarity.

**The Secretary of State for Wales** noted that, given that social media in Wales was already speculating wildly, it would be important to secure this outcome as soon as possible.

**The Chancellor of the Duchy of Lancaster** reiterated his thanks to officials across the UK, and noted that everyone on the call recognised the difficult decisions at hand. He agreed that FM Scotland's point on the importance of consistent leadership in reinforcing the right sort of behaviour. He confirmed he stood ready to reconvene to discuss as needed.

**Action: The devolved administrations to provide feedback on the joint statement, with a view to securing agreement for publication later today [16 December]**