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COVID-19 - UK Preparedness COBR (M)(20)(09)

Cabinet Office Briefing Rooms

COVID-19 (M)

To be held in Conference Room Irrelevant & 70 Whitehall

On Wednesday 11th March 2020 at 1500

CHAIR'S BRIEF

- You are chairing a COBR at 15:00 on domestic preparedness for Covid-19.
The key objectives for the meeting are to:
 - Achieve a collective agreement on the Covid-19 Bill
- The meeting will be held at OFFICIAL-SENSITIVE
- The following individuals will be on VTC:
 - **Robin SWANN MLA - Northern Ireland Executive**
 - **Dr Michael MCBRIDE - Northern Ireland Executive**
 - **Frank ATHERTON - Welsh Government**
 - **Chrisan KAMALAN - Welsh Government**
 - **John SWINNEY MSP - Scottish Government**

AGENDA

- 1) Current situation update
- 2) Collective agreement on the Bill
- 3) Communications, media and parliamentary handling
- 4) Next steps

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ITEM 1 - CURRENT SITUATION UPDATE

Aim: To ensure there is a common understanding of the outbreak, the information known about the virus, and the domestic and international response so far.

Lines to take:

Note that this meeting will not discuss the move from contain to delay, this will be discussed by COBR tomorrow.

- Ask **CHRIS WHITTY (CHIEF MEDICAL OFFICER)** to provide an update on the Covid-19 outbreak and risk assessment to the UK.
- Ask **SIR PATRICK VALLANCE (GOVERNMENT CHIEF SCIENTIFIC ADVISER)** to update on the latest scientific understanding of the Reasonable Worst Case Scenario.
- Ask **LORD AHMAD (FOREIGN AND COMMONWEALTH OFFICE)** to provide an update on UK Nationals aboard the Grand Princess and repatriation.
- Ask **NICK GIBB (DEPARTMENT FOR EDUCATION)** for an update on school closures and school trips.

ITEM 2 – Collective Agreement on the Covid-19 Bill

Aim: To reach collective agreement on the Covid-19 Bill content and agree engagement on the content with operational organisations (e.g. relevant charities) now, in confidence and on a need-to-know basis.

Background: On 2 March, COBR agreed that work should continue on an emergency Bill to support the COVID-19 response. This is led by DHSC, with input from other departments. This is a four nations Bill, seeking consistency across the nations. The current intention is to reach Royal Assent by 31 March, to allow provisions to be in place prior to the peak of the outbreak. We are clear that the purpose of the Bill is to provide powers for use only if needed, judged on the basis of the clinical and scientific advice. You met with the Business Managers on Monday 09 March, where it was agreed that this Bill should be taken forward, and aim for a Royal Assent Deadline by 31 March.

The Home Office have (in the last few days) requested the following two provisions are also included in the Bill:

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- Extending the length of time an emergency warrant issued under the Investigatory Powers Act can exist without the 'double-lock' (approval by a Judicial Commissioner). The length of extension is not yet agreed but would be between 5 & 30 days.
- Flexibility in the appointment of Judicial Commissioners – given the age profile of current JCs, the Home Office are keen to ensure they can flex the appointments process to get new people in more quickly if needed.

You are minded to include these, however Cabinet Office and No.10 have raised concerns about whether these meet the test of; 'there being no alternative mechanisms available other than primary legislation', or if that test has been rigorously applied.

Lines to take:

- Update the Committee on the latest position of the Covid-19 Bill, since they last met on 2 March:
 - Drafting of the Bill has continued to progress, and announcements on the broad content of the Bill were made last weekend.
 - The Prime Minister has agreed to the content of the Bill. Measures that have been added since our last meeting include the Defra measure on supermarket data.
 - Officials are continuing work on handling, ensuring that there is clarity around the more controversial measures in the Bill.
- Note that this is a four nations bill. Officials will continue to work through the policies outlined in Annex A to ensure that necessary measures are taken to 'level up' provisions to ensure consistency across all nations.
- Invite ALL DEVOLVED ADMINISTRATIONS to speak to their legislative requirements and provisions, and their timings for Legislative Consent Motions.
 - **JOHN SWINNEY (SCOTISH GOVERNMENT)**
 - **CHRISTIAN KAMALAN (WELSH GOVERNMENT)**
 - **ROBIN SWANN (NORTHERN IRELAND EXECUTIVE)**
- Invite **NICK GIBB (DEPARTMENT FOR EDUCATION)** to comment on their legislative provisions, including how the scope has been narrowed from the original measures.
- Invite **KEVIN FOSTER (HOME OFFICE)** to outline their request for additional provisions. You may wish to ask:

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- What scrutiny has been given to alternative, practical solutions to the risk?
 - Would the one provision, flexing the appointments process, be sufficient to mitigate the risk?
- Invite the Business Managers to comment, in particular on timing of passage, and engagement with Usual Channels:
 - **JACOB REES-MOGG (LEADER OF THE HOUSE OF COMMONS)**
 - **BARONESS EVANS (LEADER OF THE HOUSE OF LORDS)**
 - **MARK SPENCER (CHIEF WHIP)**
- Note that this is a cross-Whitehall Bill. **I cannot over emphasise the pace at which we need to get this Bill ready.** It is dependent upon full support from each Department to ensure that clauses are drafted quickly, and the Bill team is given support from each relevant Department to ensure the relevant products and handling is responded to quickly.

Recommended decisions:

- That the committee agrees the policy content of the Covid-19 Bill.
- That the committee agrees to the progression of the Covid-19 Bill to PBL and Parliament through the usual channels.
- The committee agrees that Officials should engage on details of the Bill with operational organisations (e.g. relevant charities) now, in confidence and on a need-to-know basis.

ITEM 3 – Communications, media and parliamentary handling

Aim: To update on the cross-government communications strategy and daily operational communication. To check that all departments are ready to manage communications around the bill.

Background: The coronavirus action plan was published on GOV.uk on 3 March covering what the UK has already done to tackle the outbreak and what it plans to do next.

Lines to take:

- Ask **ALEX AIKEN (CO Comms)** to provide an update on the communications strategy, including the announcement of the Bill.
- Ask **ALL DEPARTMENTS** with clauses in the Bill to confirm that they are prepared for the announcement of the Bill.

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ITEM 4 – Next steps

a) Preparations for the Mitigate Phase

Aim: To think ahead to the mitigate phase, which will occur if there is widespread outbreak of Covid-19 in the UK.

Background: In the event the COVID-19 outbreak worsens further, or there is a severe prolonged pandemic, the focus will move from 'DELAYING' to 'MITIGATING' (supporting the provision of essential services in the UK). During the MITIGATE phase the pressures on services and wider society may begin to become significant and clearly noticeable. The decision to move to the MITIGATE phase must be based on scientific advice. It is essential that this move is communicated clearly to the public and those involved in the response.

Lines to take:

- Under the reasonable worst case scenario we will need to move from the "delay" phase to the "mitigate" phase, which will occur when there is widespread outbreak in the UK or if there is a prolonged pandemic.
- The decision to move to the mitigate phase will be guided by scientific advice.
- In the mitigate phase there will be pressures on services on wider society and we will need to support the provision of essential services in the UK.
- Ask **SIMON STEVENS (NHS ENGLAND)** for an update on NHS reasonable worst case scenario planning
- Ask **STEPHEN BARCLAY (HER MAJESTY'S TREASURY)** and the **Nadhim ZAHAWI (DEPARTMENT FOR BUSINESS ENERGY AND INDUSTRIAL STRATEGY)** for an update on economic interventions in the mitigate phase.

b) Future meetings

Lines to take:

- The next COBR(M) will be chaired by the PM on Thursday 12 March at 11:45 to agree on interventions to delay the peak.

CABINET OFFICE
11 March 2020