

COVID-19 (M)(20)(16)

CABINET OFFICE BRIEFING ROOMS

COVID-19 (M)(16)

held on Thursday 16 April 2020 at 1530

via Video Teleconference, and

chaired from the Cabinet Room, 10 Downing Street

PRESENT

The Rt Hon Dominic Raab
First Secretary of State
In the CHAIR

Sir Mark Sedwill, Cabinet Secretary

Alastair Whitehead, Cabinet Office

DIALLED IN

The Rt Hon Anne Marie-Trevelyan
Secretary of State for International Development

The Rt Hon Robert Buckland
Secretary of State for Justice

The Rt Hon Simon Hart
Secretary of State for Wales

The Rt Hon Grant Shapps
Secretary of State for Department for
Transport

The Rt Hon Priti Patel
Secretary of State, Home Office

The Rt Hon Robert Jenrick
Secretary of State for Housing, Communities
and Local Government

The Rt Hon Alister Jack
Minister of State for Scotland Office

The Rt Hon Gavin Williamson
Secretary of State for the Department for
Education

The Rt Hon Jo Churchill
The Parliamentary Under Secretary of State for the
Department of Health and Social Care

The Rt Hon Robin Walker
Parliamentary Under Secretary of State for
Northern Ireland Office

The Rt Hon Nadhim Zahawi,
Parliamentary Undersecretary of State for
Department of Business, Energy and Industrial
Strategy

The Rt Hon Therese Coffey
Secretary of State for the Department of
Work and Pensions

The Rt Hon Oliver Dowden
Secretary of State for Culture Media and Sports

The Rt Hon Matt Hancock
Secretary of State for the Department of
Health and Social Care

The Rt Hon Penny Mordaunt
The Paymaster General, Cabinet Office

The Rt Hon George Eustice
Secretary of State for the Department for
Food, Rural and Agriculture

The Rt Hon Rishi Sunak
The Chancellor of the Exchequer, Her Majesty's
Treasury

The Rt Hon James Heappey
Parliamentary Under Secretary, Ministry of
Defence

DIALLED IN

Jeane Freeman MSP
Scottish Government

Robin Swann MLA
Northern Ireland Executive

Vaughan Gething AM
Welsh Government

Michelle O'Neil MLA
Northern Ireland Executive

Mark Drakeford AM
Welsh Government

Nicola Sturgeon MSP
Scottish Government

OFFICIALS DIALLED IN

Chris Wormold
Permanent Secretary, DHSC

Mark Sedwill
The Cabinet Secretary

Katharine Hammond
Civil Contingencies Secretariat

NR

Civil Contingencies Secretariat

Beth Sizeland
Deputy National Security Advisor

Alex Aiken
CO Comms

Chris Whitty
Chief Medical Officer

NR

No 10

Anthony Mcgee
MOD

Lee Cain
No 10

Imran Shafi
No 10

Yvonne Doyle
PHE

Sir Patrick Vallance
GO Science

Simon Stevens
NHS England

Emma Moore
Border Force

Mark Sweeney
EDS

Beverley Warmington

Laurie Bristow

OFFICIAL-SENSITIVE
THIS DOCUMENT IS THE PROPERTY OF HER BRITANNIC MAJESTY'S GOVERNMENT

DFID

Jonathan Black
NSS

Reginald Fitzpatrick
Welsh Government

Catherine Calderwood
Scottish Government

FCO

Dr Frank Atherton
Welsh Government

Name Redacted
Scottish Government

Dr Michael McBride
Northern Ireland

SECRETARIAT

Name Redacted

- lockdown being lifted. The construction sector, amongst others, would need a lead in time so they can get supply chains ready.
- Germany and New York were using non-medical face coverings in situations where social distancing was difficult to be avoided, such as public transport the UK needed to aim to have national guidance on this.
10. The CHAIR said there was balance that needed to be struck, showing the public that there was light at the end of the tunnel, but at the same time maintaining a disciplined message. Good progress getting through the peak of the crisis had been made but that it was currently at a delicate and dangerous position. Although the R was believed to be below 1, how far below was not known and it may be easy to nudge back over, which could translate into a second spike of infections and necessitate a second lockdown. SAGE needed detail on what evidence was needed by ministers before relaxation measures could be contemplated.
11. The CHAIR invited the GCSA and Government Chief Medical Officer (CMO) to comment on face coverings. The GCSA said that face coverings were being considered, especially at the time of releasing the measures. The CMO said that there was a finely balanced argument on face coverings. There were situations where they are clearly useful, such as care settings, but also situations in which they are clearly not. It was important to avoid any actual or perceived competition between the needs of the health care sector and needs elsewhere. Clear advice on this issue would be shared soon.
12. The CHAIR thanked the Home Office and said thanks should be extended to the police who were doing a difficult job whilst receiving some negative media attention. The police were doing a good job in trying circumstances. That the point needed to be made to the public that the gains made thus far in terms of saving lives could not be sacrificed. The measures must be kept in place, working with police and others, to raise the overall levels of compliance and continue to reiterate the measures already put in place.
13. The CHAIR said that there were lessons to learn from the appearance that a tolerable level of community infection was something the German government had been prepared to accept. That whilst nobody really knew whether Germany's was the right judgment or not, some of these benchmarks should be things to discuss over the next few weeks to get some sense of the direction of travel. The public would need basic signposting towards what we can expect at the end of the month, without cornering ourselves on the issues.
14. The CHAIR said that one of the reasons for ramping up testing and tracing was that it would open up options for a phased approach for easing restrictions.
15. The CHAIR turned to the Attorney General for an update. The ATTORNEY GENERAL said that a legal point had come to light in view of the advice of Counsel. Whilst the policy intent of the restrictions was supported, there were discrepancies between the guidance issued by Government and the black-letter law in the Regulations [*the Health Protection (Coronavirus) Regulations 2020*]. On the face of it, the guidance appeared to be stating the legal position and the consequences for those who fail to adhere to that position, but in reality it does not. The guidance was more restrictive than the actual legal position and the actual legal framework. This risked a lack of clarity, a lack of transparency, and of misleading the public. This could be remedied very easily with modest changes to the guidance. There was an understandable reluctance to do this, but this was a recommendation from Counsel to make tweaks to the guidance, to emphasise that the guidance did not represent the law, and clarify difference between 'must' and 'may', and some provide some additional guidance on what acceptable exceptions to the rules consist of.
16. In discussion the following points were made:

- Difference in articulation between Westminster and the Devolved Administrations should not be readable by the public as a difference in substance.
 - Any difference of positions here was one of appearance and not of substance.
 - Public messaging should clearly emphasise that these restrictions would be in place for a further three weeks.
 - There was a risk in setting out a decision point in the absence of evidence of giving the false impression of a deadline, which there was not.
 - It was vital to maintain unity of message across the United Kingdom in light of the success achieved.
 - The NHS across the United Kingdom had spare capacity, thanks to work undertaken by the Department of Health and Social Care and NHS England. Steps were taken to protect the NHS and save lives and this has worked so far. It would be wrong after these sacrifices to risk it unnecessarily.
 - People should be working if they can, ideally from home but if not then safely in their place of work. Further communications to businesses were being explored.
 - Whilst guidance on working safely should be explored, it is important that it is clear that guidance on social distancing had not changed but the situation would be closely monitored.
17. In summing up the CHAIR said that the actions on social distancing had been agreed, and that there would continue to be a Four Nations approach to the social distancing measures which should last at least until the SAGE review was completed toward the end of that month. A shared position needed to be reached on the use of face coverings outside of care settings.

ANNEX 1 - ACTIONS

COVID-19 (M)(20)(16)

CABINET OFFICE BRIEFING ROOMS

COVID-19

1530, Thursday 16th April 2020
The Cabinet Room, 10 Downing Street

ACTIONS

1. SCIENTIFIC ADVISORY GROUP FOR EMERGENCIES (SAGE) to share advice on the use of face coverings.

DECISIONS

1. The Committee agreed on a Four Nations basis, to maintain the social distancing measures that are in place and to review these measures at the end of April 2020 on the basis of SAGE advice.

Cabinet Office
16 April 2020