

1) Official submission to Cabinet Secretary for Justice – 25 July 2020

From: [redacted]
Covid Public Health Directorate
25 July 2020

Cabinet Secretary for Justice

INTERNATIONAL TRAVEL REGULATIONS - AMENDMENTS

Purpose

1. To seek your agreement to making amendment regulations to the border health provisions to allow for the remove Spain from the list of exempt countries and territories in schedule A1 of the International Travel Regulations.

Priority

2. **Immediate.** The regulations require to be signed today (25 July) in order to be made today and to come into force tomorrow (26 July).

Background

3. The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020 (SSI 2020/169) (“the principal Regulations”) were: made on 7 June; came into force on 8 June 2020; and were laid in the Scottish Parliament on 8 June 2020.

4. Minor amendments were made to the original Regulations by: the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment Regulations 2020 (SSI 2020/171); by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 2) Regulations 2020 (SSI 2020/184); by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 3) Regulations 2020 (SSI 2020/209) and by the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 4) Regulations 2020 (SSI 2020/221)

5. This instrument makes certain further amendments to the Primary Regulations following the analysis of the most recent available data for coronavirus infection levels in Spain. The Joint Biosecurity Centre (JBC) has prepared further information showing a sharp rise in cases in Spain, with a particular focus on the north of Spain, over the last few days. This data suggests that there is a clear issue in Spain and therefore that immediate action is required immediately.

6. [redacted]. This concluded that a four nation approach would be taken to remove Spain from the exempt countries and territories list in the principal Regulations.

Draft Regulations

7. The accompanying draft regulations amend the principal Regulations to remove Spain from the list of exempt countries and territories. These may be subject to minor

drafting changes. The accompanying draft policy note sets out the purpose of the regulations.

8. If you are content with the draft regulations, it is recommended that these are signed today. They will come into effect at [00:01 226] July and be laid in Parliament on 27 July. I will liaise with your office about arrangement for signing the regulations.

9. Please note that impact assessments have not been prepared for this set of regulations.

10. I have also attached letters to the conveners of the Health and Sport and Devolved Powers and Law Reform Committees informing them of these regulations.

Recommendations

11. You are invited to:

a) note the background to, and content of, the proposed amending border health regulations;

b) agree to the making of the provisions.

[redacted]

Covid Public Health Directorate

[redacted]

25 July 2020

2) Official email chain regarding removal of Spain from exemptions list – 25 July 2020

From: <[redacted]@gov.scot>

Sent: 25 July 2020 18:06

To: Communications Covid-19 <CommunicationsCovid-19@gov.scot>; Smith G (Gregor) <Gregor.Smith@gov.scot>; First Minister <firstminister@gov.scot>; Wightman S (Scott) <Scott.Wightman@gov.scot>; Cabinet Secretary for Justice <CabSecJustice@gov.scot>; Cabinet Secretary for Health and Sport <CabSecHS@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; Cabinet Secretary for Communities and Local Government <CabSecCLG@gov.scot>; Cabinet Secretary for Economy, Fair Work and Culture <CabSecEFWC@gov.scot>; [redacted]@gov.scot;; Cabinet Secretary for the Environment, Climate Change and Land Reform <CabSecECCLR@gov.scot>; Cabinet Secretary for Finance <CabSecFinance@gov.scot>; Cabinet Secretary for Rural Economy and Tourism <CabSecRET@gov.scot>; Cabinet Secretary for Social Security and Older People <CabSecSSOP@gov.scot>; Cabinet Secretary for Transport, Infrastructure and Connectivity <CabSecTIC@gov.scot>; Lord Advocate <LordAdvocate@gov.scot>; Minister for Parliamentary Business and Veterans <MinisterPBV@gov.scot>; Minister for Public Finance and Migration <MinisterPFM@gov.scot>; DG Constitution and External Affairs <dgcea@gov.scot>; DG Organisational Development & Operations <DGODO@gov.scot>; DG Health & Social Care <DGHSC@gov.scot>; DG Economy <DGEconomy@gov.scot>; Minister for Europe and International Development <MinisterEID@gov.scot>; Legal Secretariat to the Lord Advocate <DLPCEALSLA@gov.scot>; Solicitor to the Scottish Government <solicitor@gov.scot>; Hynd JS (James) <James.Hynd@gov.scot>; Crawford E (Ewan) <Ewan.Crawford@gov.scot>; Bowman K (Katy) <Katy.Bowman@gov.scot>; Higgins K (Kate) <Kate.Higgins@gov.scot>; Communications First Minister <CommunicationsFirstMinister@gov.scot>; Tynte-Irvine C (Claire) <Claire.Tynte-irvine@gov.scot>; PSLordAdvocate@copfs.gov.uk; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@transport.gov.scot;; [redacted]@transport.gov.scot;; Chief Medical Officer <CMO@gov.scot>; DCMO Health COVID19 <DCMOHealth.COVID19@gov.scot>; Covid-19 Director <covid-19.director@gov.scot>; Mitchell E (Elinor) <Elinor.Mitchell@gov.scot>; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; Hynd JS (James) <James.Hynd@gov.scot>; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; DEA : Population and Migration <DLCEAVDEAPAM@gov.scot>; [redacted]@gov.scot;; [redacted]@gov.scot;; Bain R (Russell) <Russell.Bain@gov.scot>; Pryce JM (Jonathan) <Jonathan.Pryce@gov.scot>; Chief Medical Officer <CMO@gov.scot>; McQueen F (Fiona) <Fiona.McQueen@gov.scot>; Halliday R (Roger) <Roger.Halliday@gov.scot>; Head of HSCA <HeadofHSCA@gov.scot>; [redacted]@gov.scot;; DCMO Health COVID19 <DCMOHealth.COVID19@gov.scot>; Leitch J (Jason) <Jason.Leitch@gov.scot>; [redacted]@gov.scot;; [redacted]@gov.scot;; Covid-19 Director <covid-19.director@gov.scot>; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; Rogers D (David) (Constitution and

Cabinet Director) <David.Rogers@gov.scot>; [redacted]@gov.scot>;
[redacted]@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>;
[redacted]@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>;
[redacted]@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>; Social Media
<socialmedia@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>;
[redacted]@gov.scot>; [redacted]@gov.scot>; Nicolson S (Stuart) Special Adviser
<Stuart.Nicolson@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>;
[redacted]@gov.scot>; Neilson M (Mike) <Mike.Neilson@gov.scot>;
[redacted]@gov.scot>; [redacted]@gov.scot>; Solicitor General
<SolicitorGeneral@gov.scot>; [redacted]@gov.scot>; First Minister Covid Briefing Unit
<FMcovidbriefingunit@gov.scot>; Government Business and International - COVID 19
HUB <GovernmentBusinessandInternational-COVID19HUB@gov.scot>; Lloyd E
(Elizabeth) <Elizabeth.Lloyd@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>
Subject: RE: IMMEDIATE: ACTION REQUIRED - Quarantine - Spain
Importance: High

PS/First Minister
PS/Cabinet Secretary for Justice
Ps/Cabinet Secretary for Health and Social Care

[redacted]

The discussion focused on the three issues identified below and agreement was reached on a four nations basis to:

- Remove all of Spain, including the islands, from the exemptions list;
- Issue press releases to publicise the decision as quickly as possible this evening, with the aim of co-ordinating the announcement across the four nations; and
- Implement the change at midnight this evening.

[redacted]

[redacted]

Communications colleagues have drafted a press release and SGLD have drafted regulations which will be signed this evening.

[redacted]

[redacted]

Population and Migration Division | Directorate for External Affairs | 2H South | Victoria Quay | EH66QQ

[redacted]@gov.scot | 0131 244[redacted] | [redacted]

 save paper - do you need to print this e-mail?

From: [redacted]@gov.scot

Sent: 25 July 2020 14:48

To: Communications Covid-19 <CommunicationsCovid-19@gov.scot>; Smith G (Gregor) <Gregor.Smith@gov.scot>; First Minister <firstminister@gov.scot>; Wightman S (Scott) <Scott.Wightman@gov.scot>; Cabinet Secretary for Justice <CabSecJustice@gov.scot>; Cabinet Secretary for Health and Sport <CabSecHS@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; Cabinet Secretary for Communities and Local Government <CabSecCLG@gov.scot>; Cabinet Secretary for Economy, Fair Work and Culture <CabSecEFWC@gov.scot>; [redacted]@gov.scot;; Cabinet Secretary for the Environment, Climate Change and Land Reform <CabSecECCLR@gov.scot>; Cabinet Secretary for Finance <CabSecFinance@gov.scot>; Cabinet Secretary for Rural Economy and Tourism <CabSecRET@gov.scot>; Cabinet Secretary for Social Security and Older People <CabSecSSOP@gov.scot>; Cabinet Secretary for Transport, Infrastructure and Connectivity <CabSecTIC@gov.scot>; Lord Advocate <LordAdvocate@gov.scot>; Minister for Parliamentary Business and Veterans <MinisterPBV@gov.scot>; Minister for Public Finance and Migration <MinisterPFM@gov.scot>; DG Constitution and External Affairs <dgcea@gov.scot>; DG Organisational Development & Operations <DGODO@gov.scot>; DG Health & Social Care <DGHSC@gov.scot>; DG Economy <DGEconomy@gov.scot>; Minister for Europe and International Development <MinisterEID@gov.scot>; Legal Secretariat to the Lord Advocate <DLPCEALSLA@gov.scot>; Solicitor to the Scottish Government <solicitor@gov.scot>; Hynd JS (James) <James.Hynd@gov.scot>; Crawford E (Ewan) <Ewan.Crawford@gov.scot>; Bowman K (Katy) <Katy.Bowman@gov.scot>; Higgins K (Kate) <Kate.Higgins@gov.scot>; Communications First Minister <CommunicationsFirstMinister@gov.scot>; Tynte-Irvine C (Claire) <Claire.Tynte-irvine@gov.scot>; PSLordAdvocate@copfs.gov.uk; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@transport.gov.scot;; [redacted]@transport.gov.scot;; Chief Medical Officer <CMO@gov.scot>; DCMO Health COVID19 <DCMOHealth.COVID19@gov.scot>; Covid-19 Director <covid-19.director@gov.scot>; Mitchell E (Elinor) <Elinor.Mitchell@gov.scot>; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; Hynd JS (James) <James.Hynd@gov.scot>; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; DEA : Population and Migration <DLCEAVDEAPAM@gov.scot>; [redacted]@gov.scot;; [redacted]@gov.scot;; Bain R (Russell) <Russell.Bain@gov.scot>; Pryce JM (Jonathan) <Jonathan.Pryce@gov.scot>; Chief Medical Officer <CMO@gov.scot>; McQueen F (Fiona) <Fiona.McQueen@gov.scot>; Halliday R (Roger) <Roger.Halliday@gov.scot>; Head of HSCA <HeadofHSCA@gov.scot>; [redacted]@gov.scot;; DCMO Health COVID19 <DCMOHealth.COVID19@gov.scot>; Leitch J (Jason) <Jason.Leitch@gov.scot>; [redacted]@gov.scot;; [redacted]@gov.scot;; Covid-19 Director <covid-19.director@gov.scot>; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; [redacted]@gov.scot;; Rogers D (David) (Constitution and Cabinet Director) <David.Rogers@gov.scot>; [redacted]@gov.scot;;

[redacted]@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>;
[redacted]@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>;
[redacted]@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>; Social Media
<socialmedia@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>;
[redacted]@gov.scot>; [redacted]@gov.scot>; Nicolson S (Stuart) Special Adviser
<Stuart.Nicolson@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>;
[redacted]@gov.scot>; Neilson M (Mike) <Mike.Neilson@gov.scot>;
[redacted]@gov.scot>; [redacted]@gov.scot>; Solicitor General
<SolicitorGeneral@gov.scot>; [redacted]@gov.scot>; First Minister Covid Briefing Unit
<FMcovidbriefingunit@gov.scot>; Government Business and International - COVID 19
HUB <GovernmentBusinessandInternational-COVID19HUB@gov.scot>; Lloyd E
(Elizabeth) <Elizabeth.Lloyd@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>
Subject: RE: IMMEDIATE: ACTION REQUIRED - Quarantine - Spain
Importance: High

PS/First Minister
Ps/Cabinet Secretary for Justice
PS/Cabinet Secretary for Health and Social Care

Purpose

1. To alert you to concerns about the health situation in Spain and a proposal to remove Spain from the countries exemption list.

Priority

2. **Immediate** – [redacted]

Background

3. The Joint Biosecurity Centre (JBC) has prepared further information showing a sharp rise in cases in Spain, with a particular focus on the north of Spain, over the last few days (attached). This information is an update on the assessment provided by Public Health England, which was shared with us on Tuesday, and the JBC data shared with us on Wednesday. This data suggests that there is a clear issue in Spain and therefore that immediate action is required immediately. [redacted]
4. [redacted]
5. CMO has noted that the CMO's have also met to discuss the JBC data and are supportive of further action being taken to reduce risk of introduction from those travelling from Spain. There was support to apply this at a national rather than a regional level though acknowledgement that further data for the Canary Islands would also be helpful in determining whether there was a case for exclusion there.

6. [redacted]

7. [redacted]

Next Steps

8. [redacted]

9. [redacted]

10. We can anticipate a strong reaction from the Spanish Government, the airlines and the tourism industry but clearly if all four nations take joint action there is a clear public health narrative underpinning the decision.

I will provide further information as soon as it is available and am willing to discuss.

[redacted]

[redacted]

Population and Migration Division | Directorate for External Affairs | 2H South | Victoria Quay |
EH66QQ

[redacted]@gov.scot | 0131 244[redacted] | [redacted]

 save paper - do you need to print this e-mail?