

Message

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**From:** PS Deputy Minister Economy & Transport [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=89AEF586DAE447C1B91C398B0F67910D-PS DEPUTY M]  
**Sent:** 15/12/2020 17:00:59  
**To:** [Name Redacted] (OFM - International Relations) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=af353737a00f4544926fd9fafa1b5507] [Name Redacted]  
**Subject:** RE: MA/FM/3803/20- Review of post-firebreak restrictions

GRET DIOLCH

[Name Redacted]

**Ysgrifenydd Preifat / Private Secretary**

**Lee Waters AS / MS**

Dirprwy Weinidog yr Economi a Thrafnidiaeth  
Deputy Minister for Economy and Transport

CYMRUEDD

Hapus i gyfathrebu'n Saesneg neu yn y Gymraeg/Happy to communicate in English or Welsh

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**From:** [Name Redacted] (OFM - International Relations) [Name Redacted]@gov.wales>  
**Sent:** 15 December 2020 16:57  
**To:** PS Deputy Minister Economy & Transport <PSDMET@gov.wales>  
**Subject:** RE: MA/FM/3803/20- Review of post-firebreak restrictions

[Name Redacted]

Will do

[Name Redacted]

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**From:** PS Deputy Minister Economy & Transport <[PSDMET@gov.wales](mailto:PSDMET@gov.wales)>  
**Sent:** 15 December 2020 16:56  
**To:** [Name Redacted] (OFM - International Relations) [Name Redacted]@gov.wales>  
**Cc:** PS Deputy Minister Economy & Transport <[PSDMET@gov.wales](mailto:PSDMET@gov.wales)>  
**Subject:** RE: MA/FM/3803/20- Review of post-firebreak restrictions

Gret Diolch [Name Redacted]

Can you update me re non-essential items once you have received clarification.

Diolch

[Name Redacted]

Name Redacted

**Ysgrifenydd Preifat / Private Secretary**

**Lee Waters AS / MS**

Dirprwy Weinidog yr Economi a Thrafnidiaeth  
Deputy Minister for Economy and Transport

CYMRU  
WELSH

Hapus i gyfathrebu'n Saesneg neu yn y Gymraeg/Happy to communicate in English or Welsh

**From:** Name Redacted (OFM - International Relations) Name Redacted @gov.wales>

**Sent:** 15 December 2020 16:05

**To:** PS Deputy Minister Economy & Transport <[PSDMET@gov.wales](mailto:PSDMET@gov.wales)> Name Redacted (Project Team - C-19)

Name Redacted @gov.wales>

**Subject:** RE: MA/FM/3803/20- Review of post-firebreak restrictions

Name Redacted

Leisure and fitness facilities (gyms, swimming pools, spas, fitness studios) will be closed in Tier 4. Supermarkets will be open at all levels as considered essential (though they are of course expected to follow the reasonable measures in the guidance to keep people safe). The only restriction on supermarkets in Tier 4 could be the sale of non-essential items and I am waiting for clarification on this point.

Name Redacted

**From:** PS Deputy Minister Economy & Transport <[PSDMET@gov.wales](mailto:PSDMET@gov.wales)>

**Sent:** 15 December 2020 15:56

**To:** Name Redacted (Project Team - C-19) Name Redacted @gov.wales>, Name Redacted (OFM - International Relations) Name Redacted @gov.wales>

**Cc:** PS Deputy Minister Economy & Transport <[PSDMET@gov.wales](mailto:PSDMET@gov.wales)>

**Subject:** FW: MA/FM/3803/20- Review of post-firebreak restrictions

Name Redacted

Can you help with the below.

Diolch

Name Redacted

**Ysgrifenydd Preifat / Private Secretary**

**Lee Waters AS / MS**

Dirprwy Weinidog yr Economi a Thrafnidiaeth  
Deputy Minister for Economy and Transport

CYMRUAD

Hapus i gyfathrebu'n Saesneg neu yn y Gymraeg/Happy to communicate in English or Welsh

**From:** Gerard, James (OFM – Justice Transformation) <[James.Gerard@gov.wales](mailto:James.Gerard@gov.wales)>

**Sent:** 15 December 2020 15:55

**To:** PS Deputy Minister Economy & Transport <[PSDMET@gov.wales](mailto:PSDMET@gov.wales)>

**Cc:** Name Redacted (Project Team - C-19) [REDACTED] Name Redacted @gov.wales>; [REDACTED] Name Redacted OFM - International Relations [REDACTED] Name Redacted @gov.wales>

**Subject:** RE: MA/FM/3803/20- Review of post-firebreak restrictions

Hi – no, not for me sorry. [REDACTED] Name Redacted should be able to help

[REDACTED]  
**Name Redacted**

**Irrelevant & Sensitive**

**From:** PS Deputy Minister Economy & Transport <[PSDMET@gov.wales](mailto:PSDMET@gov.wales)>

**Sent:** 15 December 2020 15:54

**To:** Gerard, James (OFM – Justice Transformation) <[James.Gerard@gov.wales](mailto:James.Gerard@gov.wales)>

**Cc:** PS Deputy Minister Economy & Transport <[PSDMET@gov.wales](mailto:PSDMET@gov.wales)>

**Subject:** RE: MA/FM/3803/20- Review of post-firebreak restrictions

Hi James

The DMfE&T has asked for an update on the below. Would this fall to you if not can you advise who would be best placed.

Diolch

[REDACTED]  
Name Redacted

[REDACTED]  
Name Redacted

**Ysgrifenydd Preifat / Private Secretary**

**Lee Waters AS / MS**

Dirprwy Weinidog yr Economi a Thrafnidiaeth  
Deputy Minister for Economy and Transport

CYMRUAD

Hapus i gyfathrebu'n Saesneg neu yn y Gymraeg/Happy to communicate in English or Welsh

**From:** PS Deputy Minister Economy & Transport <[PSDMET@gov.wales](mailto:PSDMET@gov.wales)>  
**Sent:** 11 December 2020 13:02  
**To:** Gerard, James (OFM – Justice Transformation) <[James.Gerard@gov.wales](mailto:James.Gerard@gov.wales)>; PS FirstMinister <[PS.FirstMinister@gov.wales](mailto:PS.FirstMinister@gov.wales)>  
**Cc:** PS Minister Health & Social Services <[PSMHSS@gov.wales](mailto:PSMHSS@gov.wales)>; PS Minister Economy & Transport <[PSMET@gov.wales](mailto:PSMET@gov.wales)>;  
PS Minister Education <[PSME@gov.wales](mailto:PSME@gov.wales)>; PS Minister Environment Energy and Rural Affairs <[PSMEERA@gov.wales](mailto:PSMEERA@gov.wales)>;  
PS Minister Finance & Trefnydd <[PSMFT@gov.wales](mailto:PSMFT@gov.wales)>; PS Minister Housing & Local Government <[PSMHLG@gov.wales](mailto:PSMHLG@gov.wales)>;  
PS Minister Mental Health, Wellbeing and Welsh Language <[PSMMHWL@gov.wales](mailto:PSMMHWL@gov.wales)>; PS Deputy Minister & Chief  
Whip <[psdmcw@gov.wales](mailto:psdmcw@gov.wales)>; PS Deputy Minister Culture, Sport & Tourism <[PSDMCST@gov.wales](mailto:PSDMCST@gov.wales)>; PS Deputy Minister  
Economy & Transport <[PSDMET@gov.wales](mailto:PSDMET@gov.wales)>; PS Deputy Minister Health & Social Services <[PSDMHSS@gov.wales](mailto:PSDMHSS@gov.wales)>; PS  
Deputy Minister Housing & Local Gov <[PSDMHLG@gov.wales](mailto:PSDMHLG@gov.wales)>; PS Permanent Secretary  
<[PS.PermanentSecretary@gov.wales](mailto:PS.PermanentSecretary@gov.wales)>; Runeckles, Jane (OFM - Special Adviser) <[Jane.Runeckles@gov.wales](mailto:Jane.Runeckles@gov.wales)>; Brindley,  
Madeleine (OFM - Special Adviser) <[Madeleine.Brindley@gov.wales](mailto:Madeleine.Brindley@gov.wales)>; Jenkins, Clare (OFM - Special Adviser)  
<[Clare.Jenkins010@gov.wales](mailto:Clare.Jenkins010@gov.wales)>; PS Counsel General & Minister for European Transition  
<[PS.CounselGeneral@gov.wales](mailto:PS.CounselGeneral@gov.wales)>; Warner, Christopher (OFM - Constitution and Justice)  
<[Christopher.Warner001@gov.wales](mailto:Christopher.Warner001@gov.wales)>; Smithson, Thomas (OFM - Trade Policy) <[Thomas.Smithson@gov.wales](mailto:Thomas.Smithson@gov.wales)>;  
Name Redacted @gov.wales>

Name Redacted @gov.wales> Name Redacted (EPS - CSD)

Name Redacted @gov.wales>

**Subject:** RE: MA/FM/3803/20- Review of post-firebreak restrictions

Thank you for your e mail.

The DM has noted and has asked if an update can be provided on what decision was made on gyms  
in Tier 4 and what gradations of restrictions will apply to supermarkets in different levels please?

Diolch

Name Redacted

Name Redacted

### **Ysgrifenydd Preifat / Private Secretary**

#### **Lee Waters AS / MS**

Dirprwy Weinidog yr Economi a Thrafnidiaeth  
Deputy Minister for Economy and Transport

CYMRU

Hapus i gyfathrebu'n Saesneg neu yn y Gymraeg/Happy to communicate in English or Welsh

**From:** Gerard, James (OFM – Justice Transformation) <[James.Gerard@gov.wales](mailto:James.Gerard@gov.wales)>  
**Sent:** 10 December 2020 17:38  
**To:** PS FirstMinister <[PS.FirstMinister@gov.wales](mailto:PS.FirstMinister@gov.wales)>  
**Cc:** PS Minister Health & Social Services <[PSMHSS@gov.wales](mailto:PSMHSS@gov.wales)>; PS Minister Economy & Transport <[PSMET@gov.wales](mailto:PSMET@gov.wales)>;  
PS Minister Education <[PSME@gov.wales](mailto:PSME@gov.wales)>; PS Minister Environment Energy and Rural Affairs <[PSMEERA@gov.wales](mailto:PSMEERA@gov.wales)>;  
PS Minister Finance & Trefnydd <[PSMFT@gov.wales](mailto:PSMFT@gov.wales)>; PS Minister Housing & Local Government <[PSMHLG@gov.wales](mailto:PSMHLG@gov.wales)>;  
PS Minister Mental Health, Wellbeing and Welsh Language <[PSMMHWL@gov.wales](mailto:PSMMHWL@gov.wales)>; PS Deputy Minister & Chief

Whip <[psdmcw@gov.wales](mailto:psdmcw@gov.wales)>; PS Deputy Minister Culture, Sport & Tourism <[PSDMCST@gov.wales](mailto:PSDMCST@gov.wales)>; PS Deputy Minister Economy & Transport <[PSDMET@gov.wales](mailto:PSDMET@gov.wales)>; PS Deputy Minister Health & Social Services <[PSDMHSS@gov.wales](mailto:PSDMHSS@gov.wales)>; PS Deputy Minister Housing & Local Gov <[PSDMHLG@gov.wales](mailto:PSDMHLG@gov.wales)>; PS Permanent Secretary <[PS.PermanentSecretary@gov.wales](mailto:PS.PermanentSecretary@gov.wales)>; Runekles, Jane (OFM - Special Adviser) <[Jane.Runekles@gov.wales](mailto:Jane.Runekles@gov.wales)>; Brindley, Madeleine (OFM - Special Adviser) <[Madeleine.Brindley@gov.wales](mailto:Madeleine.Brindley@gov.wales)>; Jenkins, Clare (OFM - Special Adviser) <[Clare.Jenkins010@gov.wales](mailto:Clare.Jenkins010@gov.wales)>; PS Counsel General & Minister for European Transition <[PS.CounselGeneral@gov.wales](mailto:PS.CounselGeneral@gov.wales)>; Warner, Christopher (OFM - Constitution and Justice) <[Christopher.Warner001@gov.wales](mailto:Christopher.Warner001@gov.wales)>; Smithson, Thomas (OFM - Trade Policy) <[Thomas.Smithson@gov.wales](mailto:Thomas.Smithson@gov.wales)>;

NR

(Project Team - C-19)

NR

@gov.wales

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(EPS - CSD)

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**Subject:** RE: MA/FM/3803/20- Review of post-firebreak restrictions

## Private offices

[Name Redacted] n CG's office has made me realise that the FM's decisions on this were not fed back to other ministers. Apologies for the oversight.

1. **Unlicenced music events** – the FM agreed to maintain the option of a £10,000 fixed penalty which meets the deterrent the police would prefer, after being satisfied that our legitimate concerns for access to justice are met through it being made very clear to recipients of an FPN that they have the ability to reject the FPN and argue their case in court, albeit at risk of an unlimited fine.
2. **Penalties for businesses** – it was agreed to create a new offence of failure to comply with the terms of a Premises Improvement Notice, with an FPN available to LA enforcement officers starting at £1000 and rising on subsequent occasions. This was actioned in the Regs that came into force last Friday.
3. **Failure to self-isolate following international travel**, the FM agreed to reduce the FPN value from a fixed £1000 to an initial £500 (rising on subsequent occasions). This would apply to the main offence and also to linked offences such as obstructing an enforcement officer in pursuit of this offence. This is being actioned in this week's international travel regulations which come into force on Saturday morning.
4. **Organising an event of over 15 people indoors or over 30 people outdoors** (ie the house parties offence) - the FM agreed to increase the FPN value from an initial £200 to an initial £500 (rising on subsequent occasions). This will be included in next week's Regs introducing the "traffic lights" system. Comms are working on materials to announce the increase and emphasise the importance of not holding parties.
5. **Penalty for international travel operators failing to give information to travellers** – it was agreed to reduce this from a fixed £4000 to an initial £1000, rising on subsequent occasions. This is being actioned in this week's international travel regulations which come into force on Saturday morning.
6. The FM was not convinced by the argument at para 30, against creating a further offence for "**reckless" breaches of the general self-isolation requirements**", with a higher value FPN that equates more closely with the penalty for failure to self-isolate following international travel. He noted that this model seemed to work in England and suggested that police officers must be experienced in handling cases involving the concept of 'recklessness'. We are testing this with stakeholders and will come back with further advice.

7. Ministers agreed the recommendation of having a systematic review to ensure there is clarity about the respective roles and responsibilities of different enforcing authorities for each offence (for example ensuring there are no settings where certain regulations are unintentionally not being enforced). We are considering how to take this forward.

8. Ministers also agreed that discussion should take place with all enforcing authorities to ensure there is a shared understanding of what offences are most serious in the Covid context, and that the law enforcement response is appropriate to the level of seriousness. Again, we are considering how to take this forward.

Thanks very much  
James

**James Gerard**

Dirprwy Gyfarwyddwr – Trawsnewid a Datganoli Cyflawnder / Deputy Director – Justice Transformation and Devolution  
Swyddfa'r Prif Weinidog / Office of the First Minister  
Llywodraeth Cymru / Welsh Government

**Irrelevant & Sensitive**

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James  
Ffôn / Tel: **I&S**

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**From:** Gerard, James (OFM – Justice Transformation)

**Sent:** 27 November 2020 19:14

**To:** PS FirstMinister <[PS.FirstMinister@gov.wales](mailto:PS.FirstMinister@gov.wales)>; **Name Redacted** (Project Team - C-19)

**Name Redacted** <[@gov.wales](mailto:@gov.wales)>

**Cc:** PS Minister Health & Social Services <[PSMHSS@gov.wales](mailto:PSMHSS@gov.wales)>; PS Minister Economy & Transport <[PSMET@gov.wales](mailto:PSMET@gov.wales)>;  
PS Minister Education <[PSME@gov.wales](mailto:PSME@gov.wales)>; PS Minister Environment Energy and Rural Affairs <[PSMEERA@gov.wales](mailto:PSMEERA@gov.wales)>;  
PS Minister Finance & Trefnydd <[PSMFT@gov.wales](mailto:PSMFT@gov.wales)>; PS Minister Housing & Local Government <[PSMHLG@gov.wales](mailto:PSMHLG@gov.wales)>;  
PS Minister Mental Health, Wellbeing and Welsh Language <[PSMMHWL@gov.wales](mailto:PSMMHWL@gov.wales)>; PS Deputy Minister & Chief  
Whip <[PSDMCW@gov.wales](mailto:PSDMCW@gov.wales)>; PS Deputy Minister Culture, Sport & Tourism <[PSDMCST@gov.wales](mailto:PSDMCST@gov.wales)>; PS Deputy  
Minister Economy & Transport <[PSDMET@gov.wales](mailto:PSDMET@gov.wales)>; PS Deputy Minister Health & Social Services  
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Griffiths, Paul (OFM - Special Adviser) <[Paul.Griffiths003@gov.wales](mailto:Paul.Griffiths003@gov.wales)> **NR** OFM - Special Adviser  
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Gareth (OFM - Special Adviser) <[Gareth.Williams32@gov.wales](mailto:Gareth.Williams32@gov.wales)>; Goodall, Andrew (HSS - DG - NHS Wales Chief  
Executive) <[Andrew.Goodall@Gov.Wales](mailto:Andrew.Goodall@Gov.Wales)>; Burke, Tracey (EPS - Director General) <[Tracey.Burke@gov.wales](mailto:Tracey.Burke@gov.wales)>; Slade,  
Andrew (ESNR - Director General) <[Andrew.Slade@gov.wales](mailto:Andrew.Slade@gov.wales)>; Clifford, Desmond (OFM - Director General)  
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(OFM - Communications) <[Toby.Mason@gov.wales](mailto:Toby.Mason@gov.wales)>; Orford, Rob (TAC – Technical Advisory Cell)  
<[Rob.Orford@gov.wales](mailto:Rob.Orford@gov.wales)>; Bennee, Fliss (TAC – Technical Advisory Cell) <[Fliss.Bennee@gov.wales](mailto:Fliss.Bennee@gov.wales)>; **Name Redacted** (HSS -  
DPH - Public Health) <[@gov.wales](mailto:@gov.wales)>; Lintel, Helen (OFM - Legal Services Department)  
<[Helen.Lintel@gov.wales](mailto:Helen.Lintel@gov.wales)>; Hughes, Dylan (OFM - Office of the Legislative Counsel) <[Dylan.Hughes@gov.wales](mailto:Dylan.Hughes@gov.wales)>; Kowal,  
Terry (OFM - Office of the Legislative Counsel) <[Terry.Kowal@gov.wales](mailto:Terry.Kowal@gov.wales)>; Buffin, Neil (OFM - Legal Services Department)  
<[Neil.Buffin@gov.wales](mailto:Neil.Buffin@gov.wales)>; **Name Redacted** <[@gov.wales](mailto:@gov.wales)>; Atherton, Frank

(HSS - Chief Medical Officer) <[Frank.Atherton@gov.wales](mailto:Frank.Atherton@gov.wales)>; Jones, Chris (HSS-DPH-Population Healthcare) <[Chris.Jones@gov.wales](mailto:Chris.Jones@gov.wales)>; Kamalan, Chrishan (HSS - DHP Public Health) <[Chrishan.Kamalan@gov.wales](mailto:Chrishan.Kamalan@gov.wales)>; Holt, Rob (ESNR-Tourism, Heritage & Sport, Tourism & Marketing) <[Rob.Holt@gov.wales](mailto:Rob.Holt@gov.wales)>; Daniels, Jo-anne (EPS - Communities & Tackling Poverty) <[Jo-Anne.Daniels@gov.wales](mailto:Jo-Anne.Daniels@gov.wales)>; Thomas, Jason (ESNR-Economy Skills and Natural Resources) <[Jason.Thomas@gov.wales](mailto:Jason.Thomas@gov.wales)>; Surman, Neil (HSS - DHP Public Health) <[Neil.Surman@gov.wales](mailto:Neil.Surman@gov.wales)>; Salway, Jo (OFM - Social Partnership and Fair Work) <[Jo.Salway@gov.wales](mailto:Jo.Salway@gov.wales)>; [Name Redacted] (OFM - Cabinet Division) [Name Redacted] @gov.wales; Government Plenary Business <[Government.Plenary.Business@gov.wales](mailto:Government.Plenary.Business@gov.wales)>; Smithson, Thomas (OFM - Trade Policy) <[Thomas.Smithson@gov.wales](mailto:Thomas.Smithson@gov.wales)>; Taylor, Tom (ESNR - Rural Economy & Legislation) <[Tom.Taylor@gov.wales](mailto:Tom.Taylor@gov.wales)>; [Name Redacted] OFM - International Relations [Name Redacted] @gov.wales; Holt, Rob (ESNR-Tourism, Heritage & Sport, Tourism & Marketing) <[Rob.Holt@gov.wales](mailto:Rob.Holt@gov.wales)>; [Name Redacted] (PSG - Welsh Treasury) [Name Redacted] @gov.wales; [Name Redacted] (OFM = Communications) [Name Redacted] @gov.wales; [Name Redacted] (OFM - Communications) [Name Redacted] @Gov.Wales; PS Chief Medical Officer <[PSChiefMedicalOfficer@gov.wales](mailto:PSChiefMedicalOfficer@gov.wales)>; Brindley, Madeleine (OFM - Special Adviser) <[Madeleine.Brindley@gov.wales](mailto:Madeleine.Brindley@gov.wales)>; Smithson, Thomas (OFM - Trade Policy) <[Thomas.Smithson@gov.wales](mailto:Thomas.Smithson@gov.wales)>; Mason, Toby (OFM - Communications) <[Toby.Mason@gov.wales](mailto:Toby.Mason@gov.wales)>; [Name Redacted] (OFM - European Transition) [Name Redacted] @Gov.Wales; [Name Redacted] (PSG – Business Services) [Name Redacted] @gov.wales; Name Redacted (ESNR - Business & Regions - Economic Policy) [Name Redacted] @gov.wales; Lalley, Liz (PSG - Recovery and Restart) <[Liz.Lalley@gov.wales](mailto:Liz.Lalley@gov.wales)>; [Name Redacted] (OFM - Constitution and Justice) [Name Redacted] @gov.wales; Warner, Christopher (OFM - Constitution and Justice) <[Christopher.Warner001@gov.wales](mailto:Christopher.Warner001@gov.wales)>; Bennett, Claire (EPS - Curriculum) <[Claire.Bennett@gov.wales](mailto:Claire.Bennett@gov.wales)>; [Name Redacted] (EPS - CSD) <[NameRedactedS@gov.wales](mailto:NameRedactedS@gov.wales)>; [Name Redacted] (EPS - CSD) [Name Redacted] @gov.wales; Watkins, Emma (ESNR-Business & Regions - Economic Policy) <[Emma.Watkins@gov.wales](mailto:Emma.Watkins@gov.wales)>; Kilpatrick, Reg (EPS - LG Director) <[Reg.Kilpatrick@gov.wales](mailto:Reg.Kilpatrick@gov.wales)>; Salway, Jo (OFM - Social Partnership and Fair Work) <[Jo.Salway@gov.wales](mailto:Jo.Salway@gov.wales)>; Haggaty, Gary (EPS - CSD) <[Gary.Haggaty@gov.wales](mailto:Gary.Haggaty@gov.wales)>; Smithson, Thomas (OFM - Trade Policy) <[Thomas.Smithson@gov.wales](mailto:Thomas.Smithson@gov.wales)>

**Subject:** RE: MA/FM/3803/20- Review of post-firebreak restrictions

[Name Redacted]

Apologies for the time it has taken to get you the CG's final views on this – officials have been discussing with him through the week.

On the **unlicenced music events**, following further information provided to him in light of initial questions, the CG's conclusion was that in light of the fact that these generally end up in court, it seems to him that we have the option of retaining the £10k fine which meets the deterrent the police would prefer, whilst being satisfied that our legitimate concerns for access to justice are met. He is therefore content for it to be retained (contrary to the advice in the MA).

He was content with all the proposals in the review relating to **penalties for businesses**.

On penalties relating to **failure to self-isolate following international travel**, the CG suggested that a £200 FPN as proposed felt out of kilter with the levels elsewhere in the UK in a policy area where there has been a reasonable amount of consistency, so suggested we reflect the Scottish levels – on which basis we would recommend the FPN value is set at £500 (rising on subsequent occasions).

Finally, as a knock on consequence of the above, we suggested to the CG and he agreed that it might be sensible to also increase the penalty for **organising an event of over 15 people indoors or over 30 people outdoors** (ie the house parties offence), so that this too was set at £500.

The first benefit of making this change is that other than for offences committed by businesses and the music events offence, we would have limited ourselves to two scales of penalty: one starting at £60 for most offences, and one starting at £500 for the more serious offences. This brings more coherence than having one offence only where the scale starts at £200, and a limited number where the scale then starts at £500.

More important, though, is that we know house parties are continuing to be organised. Last week alone Gwent Police report attending 24 (other forces have not given precise numbers). Given the high risk of spread at these and current high incidence rates among under 25s, attempting a more powerful deterrent appears reasonable, especially to coincide with pubs being closed in evenings, which will increase the incentive to organise parties. Comms advise that this would fit well with our planned messages for next week and should receive significant coverage, which could be beneficial in conveying the dangerousness of holding these events. Legal services agree that this would be rational.

For completeness, the other comments we received on the FPNs review were from the Minister for Housing and Local Government who had said “I’m actually happy with all the recommendations set out here, they seem to me to be proportionate and they answer some of the concerns I had previously expressed about the FPN regime. I particularly welcome the suggested review across all enforcement agencies”; and from the Deputy Minister and Chief Whip, who had flagged that Alun Michael did not support the case for removing the £10,000 FPN for unlicenced music events.

When we have the FM’s views on these issues, we can include in the regulations to come into force next Friday and in the covering MA as necessary.

Thanks,

James

Irrelevant & Sensitive

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**From:** PS FirstMinister <[PS.FirstMinister@gov.wales](mailto:PS.FirstMinister@gov.wales)>

**Sent:** 19 November 2020 18:34

**To:** [Name Redacted](#) <[@gov.wales](mailto:@gov.wales)>; PS FirstMinister

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**Subject:** RE: MA/FM/3803/20- Review of post-firebreak restrictions

**NR**

The First Minister has considered this MA. He has agreed to retain the current restrictions, and approved the draft Written Statement at doc 2.

We will respond on the CMO Statement in the morning as that followed later.

In relation to the review of FPNs at Doc 5, the First Minister does not feel able to agree in principle to the amendments proposed, without some further discussion. He has asked for:

1. The view of the CG.
2. Further information on the first proposal on unlicensed music events. Was there something earlier in the week about a decision not to invoke any further penalties of this sort in England until the issue of court level penalties being awarded is addressed? If that is the case, would it make any different to the views of our own police?
3. The remaining proposals seems less contentious, but he would still rather not proceed without Ministerial colleagues having an opportunity to comment.

Private offices – grateful if you could confirm that Ministers have considered the review of FPN's at doc 5 please and send any comments as soon as possible. The First Minister would like to make a final decision on Monday.

Many Thanks.

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**Subject:** MA/FM/3803/20- Review of post-firebreak restrictions  
**Importance:** High

Please find attached advice for the First Minister in relation to the first review of the post-firebreak restrictions.

Doc 1- the Statement from the Chief Medical Officer, will follow shortly.

A Welsh translation of the draft Written Statement will be provided tomorrow.

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