

Mark Drakeford MS  
First Minister of Wales

21 December 2020

Dear Mark

**The Health Protection (Coronavirus Restrictions) (School Premises and Further Education Institution Premises) (Wales) Regulations 2020**

At our [meeting on 14 December](#), we considered [The Health Protection \(Coronavirus Restrictions\) \(School Premises and Further Education Institution Premises\) \(Wales\) Regulations 2020](#) (the Regulations), which you laid before the Senedd on 11 December.

Our [report](#) on the Regulations was also laid before Senedd on 14 December, in order to inform the [debate](#) on the Regulations which took place in Plenary on 15 December.

In our report, we acknowledged that these Regulations have been made in response to a public health emergency. We accept that full, comprehensive consultation will not always be possible in these emergency circumstances, and we do not doubt that the Welsh Government is liaising with some stakeholders before making such significant law in Wales, as section 5 of the [Explanatory Memorandum](#) accompanying the Regulations suggests.

However, we believe that the explanatory memoranda accompanying such urgent regulations must provide the detail of who the Welsh Government consulted (and when) prior to the making of such regulations.

In our final merits point, we have also drawn attention to the fact that there is no children's impact assessment for the Regulations and we asked the Welsh Government to explain what steps it took to assess the particular impact of these Regulations on children.

We were grateful to receive the [Welsh Government's response](#) to our report ahead of the Plenary debate on the Regulations. We were also grateful that the Minister for Education, Kirsty Williams MS, addressed these points during the Plenary debate.



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Given that such Regulations are placing considerable restrictions on Welsh citizens, it is vital that there is appropriate transparency surrounding the Welsh Ministers' decision-making processes ahead of the exercise of these significant powers.

We would welcome it if future explanatory memoranda accompanying regulations contained - at the outset - the same level of information that has been provided to us by the Government in response to our report on the Regulations.

I am copying this letter to the Minister for Education.

Yours sincerely,

A handwritten signature in black ink, reading "Mick Antoniw". The signature is written in a cursive style with a horizontal line underneath the name.

**Mick Antoniw MS**

Chair of the Legislation, Justice and Constitution Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.  
We welcome correspondence in Welsh or English.

