Twitter Thread by Philip Sim



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Figure a lot of people have a lot of questions right now so thought a quick thread signposting to where what info we have is might be helpful...

This is the current law on travel restrictions, in force now. It includes a legal ban on travel between Scotland and the rest of the UK, and in and out of council areas in levels three and four, without a “reasonable excuse” https://t.co/w9AaqiTOKS

Again the cross-border travel laws are in force *now* - the plan was they would be relaxed for Christmas, the change is that they now will not. Travel *within* Scotland permitted on Christmas Day - but next day whole mainland goes into L4, which means no movement between councils

There are a LOT of potential exemptions included in the travel-ban regulations and the list is non-exhaustive. *As it stands* I haven’t heard any talk of removing specific exemptions, just of potentially toughening enforcement.

Examples of reasonable excuse

3.—(1) For the purposes of this schedule, examples of what constitutes a reasonable excuse (see regulation 5(4)) include leaving Scotland or (as the case may be) entering or remaining in Scotland, for the purposes set out in sub-paragraph (2).

(2) The purposes are to—

(a) obtain or provide—

(i) food and medical supplies for those in the same household (including animals in the household) or for vulnerable persons,

(ii) supplies for the essential upkeep, maintenance and functioning of the household, or the household of a vulnerable person,

(b) work or provide voluntary or charitable services, where it is not possible for the person to do so from home,

(c) access, provide or receive childcare, education or training, including a support service for parents or expectant parents,

(d) access or undertake driving tuition or take a driving test,

(e) lead an act of worship or attend the person's usual place of worship,

(f) provide care or assistance to a vulnerable person,

(g) visit a person detained in a prison, young offenders institution, remand centre, secure accommodation or other place of detention,

(h) provide or receive emergency assistance,

(i) provide or obtain medical assistance, including accessing any of the following—

(i) audiology services,

(ii) chiropody services,

(iii) chiropractic services,

(iv) dental services,

(v) ophthalmic services,

(vi) osteopathic services,

(vii) services relating to mental health,

(j) accompany a person obtaining medical assistance, or visit a person receiving treatment in a hospital or who is residing in a hospice or care home,

(k) avoid injury, illness or other risk of harm, or support someone who is doing so,

(l) move home or undertake activities in connection with the maintenance, purchase, sale, letting, or rental of residential property that the person owns or is otherwise responsible for,

(m) participate in or facilitate shared parenting arrangements,

(n) fulfil a legal obligation or participate in legal proceedings,

(o) vote, or register to vote, in an election (including to vote as proxy),

(p) donate blood,

(q) access public services, including any of the following—

(i) social services,

“Toughening enforcement” might just mean “starting some enforcement” because police insist their approach didn’t change when the law came in. They are not setting up roadblocks or spot checks, they mainly just occasionally fine people they stumble across who are clearly in breach

“Our officers will continue to engage with the public, explain the legislation and guidance, and encourage compliance. We will use enforcement as a last resort where there is a clear breach of the legislation.

“The Chief Constable has called on people to take personal responsibility to do the right thing and remember the purpose of these measures is to aid the collective effort to save lives by preventing the virus from spreading.”

"We have been very clear that we will not be routinely stopping vehicles or setting up road blocks. However, officers may in the course of their duties come across people who are travelling from one local authority area to another.

“Where travel restrictions apply, officers will continue to use the common sense, discretion and excellent judgement that they have applied since the crisis began.

The Scottish government guidance page on travel is here, incidentally, although at time of writing hasn't been updated since 14 December. Hopefully any changes will be reflected there in short order. https://t.co/SIk09rkKND

The guidance page for Christmas generally is here, but again is in the process of being updated in light of the latest changes: https://t.co/B3BsToHRWz

Not to give away any trade secrets but anything particularly significant in terms of *new* or changed guidance is likely to pop up on the Publications page of the ScotGov website. Journalists spend roughly 30% of their average day refreshing it. https://t.co/SiFuH8Ujgs

There IS going to have to be a change in the regs to strip the festive easing period back from 5 days to 1 - yes there's literally Christmas law - those amendments should (hopefully) show up shortly, and we'll know for definite at that point whether any exemptions etc changing.

There isn't going to be specific guidance for every person's exact circumstances but hopefully between whats specified in the law and updates to govt guidance, folk can find or work out some answers - obvs also keep an eye on the usual folk in govt for clarifications etc https://t.co/7q5PzHsKr5

> An important point of clarity in a tough day for people to take in the new advice. Extended households in Scotland still exist. They are for support and continue.
>
> — Jason Leitch (@jasonleitch) December 19, 2020