



Cabinet Office

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Mr Antoniwi and Mr Rees
Interparliamentary Forum on Brexit
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

17 January 2019

Dear Mr Antoniwi and Mr Rees,

Thank you for your letter of 29 October 2018, providing an update on the Interparliamentary Forum on Brexit meeting that took place on 25 October 2018, as well as a summary of conclusions and recommendations on intergovernmental and interparliamentary relations made by the committees represented in the Forum.

I am pleased to provide here further detail on the progress of the current review into intergovernmental relations.

Devolution in the UK over the past 20 years is something we should celebrate. Intergovernmental relations are vital to the effective functioning of devolution and, most importantly, to the delivery of services for all citizens across the UK. Since the inception of devolution, intergovernmental relations have continued to evolve to meet the needs of the various administrations across the UK.

As you note in your letter, discussions between the UK Government and devolved administrations are underway in order to determine what changes we might make for the future that can strengthen our relations as part of the review of intergovernmental relations.

One of the first exercises undertaken as part of the review was looking at the evidence developed by Parliamentarians and academics about the current operation of intergovernmental relations

and recommendations for reform, so your perspectives have informed the content and direction of the review.

In 2018, officials jointly developed five key themes and workstreams for the review, including:

- The principles underpinning intergovernmental relations, including Parliamentary scrutiny and dialogue;
- The structures needed to assist domestic UK governance, for example the formal and informal forums and engagement needed to govern common frameworks;
- How we seek to avoid and resolve disagreements in the future;
- The formal Ministerial machinery, including the Joint Ministerial Committee and the secretariat;
- Engagement on international matters, including the UK's future relationships with the EU.

In the coming months, we will continue to work closely with the devolved administrations on these workstreams.

We note that the suggestion for intergovernmental relations to be placed on a statutory footing would require the UK Parliament to agree any changes that the four administrations wish to make to the agreements underpinning our relationship. Placing the MoU in statute may therefore limit the participating administrations' ability to adapt its function in what is a rapidly changing political landscape. This could include for example the creation or removal of additional committee structures. We remain of the view that the intergovernmental structures must remain adaptable enough to address the four governments' interests at any given time, not least at present to manage the UK's exit from the EU.

We also note and welcome your interest in Parliamentary scrutiny and dialogue in the intergovernmental relations. We recognise the importance of consulting with wider stakeholders and we are therefore working closely with academics and commentators to ensure we explore the full range of options. We remain open to new suggestions for the effective conduct of intergovernmental relations and am pleased that the Minister for the Constitution will be able to discuss your recommendations further at the Forum's next meeting later this week.

I am also pleased to provide the Forum with an update on the Ministerial engagement that has taken place with the devolved administrations since my last correspondence in October.

Joint Ministerial Committee (EU Negotiations)

The Joint Ministerial Committee (EU Negotiations) (JMC(EN)) has met three times since our last correspondence, on Thursday 11 October, Tuesday 13 November and Monday 19 November.

On 11 October, the Secretary of State for Exiting the European Union provided an update on the progress of the EU Exit negotiations ahead of European Council on 17/18 October and the Committee discussed recent developments. The Committee also discussed the UK Government's position on migration, with the Minister of State for Immigration and, from the Scottish Government, the Minister for Europe, Migration and International Development, in attendance to speak further to this matter. The Committee also discussed domestic issues. The former Parliamentary Under Secretary of State for Exiting the EU, Suella Braverman MP, gave an update

on the EU (Withdrawal Agreement) Bill. The Committee discussed the ongoing engagement on common frameworks and agreed further work to ensure progress across the priority areas and on cross-cutting issues. The meeting concluded with a discussion on operational readiness and the Committee agreed to discuss this further at the next meeting in November.

On 13 November, I provided the Committee with an update on negotiations with the EU including further developments in relation to the Withdrawal Agreement and the Future Framework. On domestic issues, the former Parliamentary Under Secretary of State for Exiting the EU, Suella Braverman MP, provided an update on the EU (Withdrawal Agreement) Bill. The Committee also noted the ongoing engagement on common frameworks and operational readiness, including the European Union (Withdrawal) Act and Common Frameworks report that had been laid before Parliament earlier that day.

The Committee met again on 19 November following the publication of the draft Withdrawal Agreement and Outline Political Declaration. I provided an overview of these two documents and the Committee discussed these further. The next meeting of JMC(EN) is scheduled to take place later this month.

Joint Ministerial Committee (Plenary)

The Joint Ministerial Committee met in Plenary (JMC(P)) on 19 December at 10 Downing Street. The meeting was chaired by the Prime Minister, and attended by the First Ministers of Scotland and Wales and the Head of the Northern Ireland Civil Service. The Prime Minister provided an update on negotiations with the EU and the Committee discussed next steps on the UK's exit from the EU. The Committee also noted progress on the review of intergovernmental relations that they had discussed and commissioned at the previous meeting in March 2018 and remitted further work to officials.

Joint Ministerial Committee (Europe)

The Joint Ministerial Committee (Europe) (JMC(E)) has continued to meet quarterly since the referendum, ahead of European Council meetings. The meetings are chaired by the Minister of State, Lord Callanan, and provide an opportunity for ministers from the devolved administrations to provide input on UK positions on ongoing EU business. The most recent meeting took place on 11 October. As well as the standing agenda item of UK priorities for the European Council, the forum also discussed the Multiannual Financial Framework for 2021-27, and the Commission Work Programme 2019 Letter of Intent. The Committee also commissioned a paper to consider the future role of JMC(E) during the implementation period. This paper is currently being developed by UK Government officials, with input from officials from each of the devolved administrations. The next JMC(E) is due to take place in late January, where this paper will be considered. The agenda will also include a discussion on Blue Growth, and consideration of a paper on the priorities for the upcoming Romanian Presidency.

Ministerial Forum (EU Negotiations)

The Ministerial Forum (EU Negotiations) (MF(EN)), co-chaired by the Parliamentary Under Secretary of State for Exiting the European Union, Robin Walker MP, and the Minister for the Constitution, Chloe Smith MP, has now met six times since it was established in May 2018. MF(EN) provides the devolved administrations with increased opportunity to contribute to the

development of UK negotiating lines in greater breadth and depth. Since our last correspondence, there have been two further meetings of MF(EN), on 22 October and 3 December.

On 22 October 2018, MF(EN) met in London to discuss the UK Government's proposal for dialogue and exchanges between the UK and the EU in areas of shared interest, with a view to identifying opportunities to cooperate, share best practice and expertise. Topics of discussion included science and innovation, culture and education and UK participation in EU programmes. This followed Robin Walker's regular update on negotiations in Brussels.

MF(EN) last met on 3 December 2018, to discuss the following topics in the context of our future relationship with the EU: transport, led by Jesse Norman MP, from the Department for Transport; financial services, led by John Glen MP, the Economic Secretary to the Treasury; services; and energy, both led by Claire Perry MP, from the the Department for Business, Energy and Industrial Strategy. In addition to the regular ministerial attendees from the devolved administrations, Graeme Dey MSP, Minister for Parliamentary Business and Veterans for the Scottish Government and Rebecca Evans AM, in her previous role as Minister for Housing and Regeneration for the Welsh Government, and senior officials from Northern Ireland, the Scottish Government's Minister for Energy, Connectivity and the Islands, Paul Wheelhouse MSP was also in attendance. From the Welsh Government, the Cabinet Secretary for Economy and Transport, Ken Skates AM and the Cabinet Secretary for Energy, Planning and Rural Affairs, Lesley Griffiths AM were also present. Ministers noted a good degree of alignment with regards to the items under discussion, while recognising the importance of further joint working to ensure that devolved interests are accounted for in the development of UK Government policy. The next meeting of MF(EN) is being planned for this month, where we look forward to a substantive policy discussion on internal security and civil judicial cooperation in the context of the UK's future relationship with the EU.

Underpinning this ministerial engagement, there is ongoing official-level engagement to discuss the policy detail behind topics relating to the future relationship with the EU; there have been over 20 such meetings to date. These discussions continue to highlight policy areas and issues for discussion at future meetings of MF(EN).

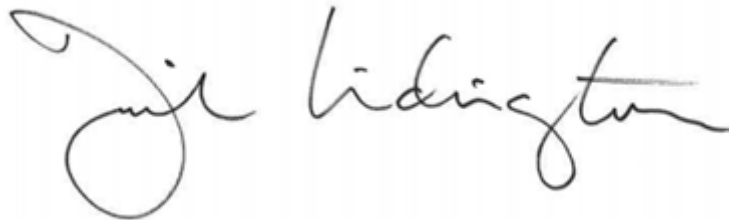
British-Irish Council

The 31st Summit of the British-Irish Council took place on 8/9 November 2018, hosted by the Government of the Isle of Man. I was pleased to lead the UK delegation, which included the Secretary of State for Northern Ireland, the Parliamentary Under Secretary of State for Exiting the EU, Robin Walker MP, and the Minister of State for Digital and the Creative Industries, Margot James MP.

The main discussion items at the Summit meeting focused on digital inclusion and latest political developments, including EU Exit and the political situation in Northern Ireland. Ministers from each member administration provided an overview of their latest activity in preparation for the UK's exit from the EU. Preparations are underway for the 32nd Summit of the British-Irish Council which is due to be hosted by the UK Government later this year.

I hope that this provides a useful summary of recent engagement with the devolved administrations and look forward to continuing these regular updates.

Yours,

A handwritten signature in black ink, reading "David Lidington". The signature is written in a cursive style with a large, looping initial "D".

Rt Hon David Lidington CBE MP