



Llywodraeth Cymru
Welsh Government

PUBLICATION

Inter-institutional relations agreement between the National Assembly for Wales and the Welsh Government: annual report 2020 to 2021

Annual report on the Inter-institutional relations agreement between the National Assembly for Wales and the Welsh Government.

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Introduction

1. In early 2019 the Senedd and the Welsh Government endorsed an **inter-institutional relations agreement**. The agreement comprises the following main commitments:
 - keeping the Senedd updated about the formal intergovernmental relations including ministerial forums; and (formal, ministerial level inter-governmental meetings, concordats, agreements and memorandums of understanding), and
 - the provision of an annual report summarising intergovernmental relations work undertaken during the year.
2. This annual report covers the period April 2020 to March 2021. The Welsh Government regularly updates the Senedd in plenary and in committee and via statements and correspondence. Our correspondence, which updates Members on inter-governmental meetings and agreements, is **available on the Senedd website**.

Summary

3. European Transition and COVID-19 have highlighted the Welsh

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Government's shared role in UK governance and the need to strengthen devolution and secure the Union's future. We enjoy strong relationships with the other devolved governments and with British-Irish Council member administrations outside the UK, but our intergovernmental relations with the UK government have deteriorated dramatically. Collaboration and joint work is possible, and engagement on the pandemic response and on operational aspects of EU Exit demonstrate this. But this would be better with respectful, regular and reliable engagement through reformed and robust intergovernmental machinery.

4. There are some helpful examples: since the turn of the year, we have had a regular and reliable pattern of meetings between devolved governments and the Chancellor of the Duchy of Lancaster which helpfully covers some other intergovernmental matters that arise in the normal course of business; we are also actively engaged in the work of the Joint Biosecurity Centre (JBC) alongside the other 3 nations, which aims to provide evidence-based, objective analysis, assessment and advice to inform local and national decision-making in response to COVID-19 outbreaks; the vaccination programme is another example of how things can be done well between us, with agreement on central procurement, shared on population basis across UK, and delivery managed by each nation; and joint working on Common Frameworks, with provisional agreement between us, hopefully followed by final agreement later this year.
5. The Welsh Government wants to see a strong Wales in a successful UK. We need to reset intergovernmental relations based on a vision of a reformed and strengthened UK where all the governments work together for mutual benefit.

Inter-governmental relations

Constitution and devolution

6. Both European Transition and COVID-19 have improved knowledge and understanding of the Senedd and Welsh Government's roles and responsibilities within UK governance and highlighted the need for

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strengthening devolution to secure the future of the Union. COVID-19 certainly brought devolution to the fore in Wales and elsewhere. People across the UK now have a wider appreciation of what having 4 governments and legislatures really means, and how the powers of all those institutions interact.

7. During 2020, we in the Welsh Government used our powers with strength and confidence to mitigate the worst effects of the pandemic on our citizens, our public services and our economy. The pandemic highlighted our ability to pursue our own approach, as well as the need to co-operate with others: self-rule and shared rule. Devolution is now well established, endorsed by the people, and its permanence enshrined in law. COVID-19 in turn has intensified the need for reform, to deal with the impacts and implications of both EU exit and our recovery from the pandemic.
8. Our handling of the pandemic has provided further, stronger, evidence to reinforce our propositions set out in Reforming our Union. During the pandemic, whilst there have been some examples of good practice including the vaccination programme and engagement with the JBC, the governance arrangements have been ad-hoc, fractured and fragmented, with fits and starts, and an absence of systematic strategic governance arrangements with a regular, reliable, rhythm. For us the UK leaving the EU, and now COVID-19, will have profound consequences on the UK's internal governance arrangements.

COVID-19

9. 2020-21 has seen Welsh Government respond to the most significant public health emergency of our time. The Welsh Government has led a careful and evidence-based response to the pandemic in Wales, working in partnership with the other UK nations and working closely with our partners, leading on our substantial devolved responsibilities.
10. Engagement with UK government on COVID-19 has been mixed, and while there are positives to draw on, there have also been long periods of only minimal contact with UK ministers and too often developments have emerged through the press and stakeholders before UK government has engaged on an intergovernmental level with Welsh Government.

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11. In the early stages of the pandemic, the First Minister and Minister for Health and Social Services attended COBR meetings. COBR brings together senior ministers and officials from UK government departments and the devolved governments to provide high-level co-ordination and decision making in response to the pandemic. COBR met over 20 times since January 2020 with meetings called on an ad hoc basis by UK government.
12. Ministerial Implementation Groups replaced COBR meetings as the main mechanism for engaging on a 4 nations basis from April to June 2020. These covered health, public services, the economy and international engagement. There was a mixed experience in terms of meaningful engagement across these groups; but the frequency and regular scheduling of these meetings supported UK-wide understanding during the height of the first wave.
13. Following a long spell of very limited engagement with Ministers over the summer of 2020, weekly calls were instigated, at which the First Minister, First and Deputy Ministers from the other devolved authorities and the Chancellor of the Duchy of Lancaster discussed progress with managing the response to the pandemic and any emerging issues. These routine meetings have been one of the more positive examples of engagement through the course of the pandemic. Similarly, over the course of the pandemic the Minister for Health and Social Services also met regularly with Health ministers from the other UK nations.
14. Welsh Government officials from across all departments engaged regularly with their counterparts in UK government and the other devolved governments and predominantly these relationships have been constructive. Of particular note is the engagement (across all 4 nations) with the JBC, the body established by UK government to provide scientific evidence to inform the response to the pandemic.

Elections

15. The Senedd election took place on 6 May 2021 and coincided with Police and Crime Commissioner elections in Wales and England, and elections for the Scottish Parliament in Scotland as well as Regional Mayors and Local Government in England.

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16. Welsh Government officials used regular discussions with officials from other governments across the UK, and with Returning Officers throughout Wales, to share experiences and best practice. This exchanging of information proved to be useful in addressing the complexities associated with running multiple elections on the same day and reducing the risks associated with the pandemic.
17. In particular, the Welsh Government and UK government had regular discussions at official and ministerial level to explore how best to achieve coherence between the arrangements for the Senedd election and the Police and Crime Commissioner elections. This resulted in arrangements that allowed voters to participate safely using the voting method of their choice.
18. The First Minister established the Elections Planning Group in June 2020, comprising key stakeholders and Welsh Government officials, to consider the impact of the Coronavirus pandemic on the administration of the 2021 Senedd election. The Group met on five occasions and included representatives from a range of stakeholders, including officials from the UK government.
19. Following the conclusion of the Elections Planning Group, the Welsh Government introduced an emergency Bill, which would later be passed as the Welsh Elections (Coronavirus) Act 2021. The Act made provisions to put into effect the recommendations of the Group, which were published in November 2020, including extending power for the Llywydd to postpone the 2021 Senedd election and introducing greater flexibility in relation to proxy voting.
20. The Welsh Government has maintained these relationships and are continuing to engage productively with the other governments in the UK on matters that relate to elections, including the current UK Elections Bill.

European transition

21. The UK left the European Union on 31 January 2020, and entered a transition period, during which its relationship with the EU remained largely unaltered. The transition period ended on 31 December 2020.
22. With a further addition to our series of policy documents – the Future UK/EU Relationship: negotiating priorities for Wales – we continued to advocate

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Wales' interests. We sought to secure a role in UK-EU negotiations, while engaging on Common Frameworks and the Internal Market, and preparedness (including developing the necessary legislation to ensure a functioning statute book) by the end of the transition period. We have provided funding for advice and information to support EU citizens living in Wales, and encouraged applications to the EU Settled Status scheme.

23. Throughout the period covered by this report, the Welsh Government sought to engage constructively with the UK government in respect of its preparations for the end of transition, given the complex overlap of devolved and reserved responsibilities. At first, the UK government largely refused to engage with the Welsh Government in any meaningful way, but from the end of the summer, engagement improved. Officials were invited to attend the UK government's Transition Portfolio Board (which managed the portfolio of end of transition projects), and from October Welsh Ministers were invited to those meetings of XO (the UK Cabinet Committee which oversaw the preparations for the end of the transition period) where matters of direct relevance to the devolved governments were discussed. In the early months following the end of transition, Welsh Ministers were invited to participate in daily meetings of XO, which focused on the operational impact of the end of transition.
24. Following the UK's exit from the EU and the end of the transition period, the Welsh Government is working jointly with the Scottish Government, the Northern Ireland Executive and the UK government on policy areas where powers have returned from the EU and intersect with devolved competence, by developing UK Common Frameworks. This is a significant development in the way the governments of the UK work together in the long term. Provisional Frameworks were agreed at the end of the transition period, in December 2020. Since then they have been functioning as agreements at official level pending scrutiny by legislatures, which is expected to begin when approaches are agreed to key cross-cutting issues that affect the Common Frameworks.
25. Frameworks are being developed in line with the principles agreed at the Joint Ministerial Committee (EU Negotiations) meeting in October 2017 between the UK government and Scottish and Welsh Governments. The Northern Ireland Executive, endorsed the JMC(EN) Common Frameworks principles on 15 June 2020.

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26. A statement to the Senedd from the Counsel General is planned to be made providing an overview of the programme to date a year on from most common frameworks becoming active as provisional agreements at the end of last year.
27. We welcomed the strong defence of the devolution settlements from across the House of Lords during the passage of the UK Internal Market Bill. Although the content was amended (with clear reference to the Welsh government's published model amendments), the Act received Royal Assent without the consent of the Senedd or Scottish Parliament. We are left with an Act which is problematic for devolution and which has the potential to undermine the progress made through the Common Frameworks programme. The Welsh Government has since initiated legal action challenging parts of the Act which is ongoing.
28. From early 2019 the UK government co-ordinated weekly meetings with devolved governments to discuss EU transition related communications. From late summer 2020 the UK government began to integrate discussions with regards to their plans and proposals for communications related to the EU Settlement Scheme (EUSS) and used this avenue to share resources and related assets. The engagement with the Welsh Government with regards to the EUSS communications has been both forthcoming and of a collaborative nature with a collective objective to deliver the best outcomes for EU citizens. In addition to this, the UK government has also provided both an EUSS policy and a communications representative to attend the Welsh Government's EUSS Co-ordination Group meetings. This attendance has been conducive to sharing information with external partners and responding to queries around the scheme and its implications.
29. The UK government, however, has still made a number of decisions that have had a major impact on EU citizens in Wales with no prior consultation. Examples of this include the decision to provide digital only proof of status and the decision not to extend the EUSS application deadline despite many calls from devolved governments.
30. A number of changes have been made to the UK's Immigration Visa System over the year about which no consultation has been undertaken with devolved governments prior to these changes being implemented. On 1 January this year the UK government introduced a points-based system to replace the cessation of free movement for EU nationals.

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31. In December 2020 Ben Macpherson MSP, Minister for Public Finance and Migration in the Scottish Government and the Counsel General and Minister for European Transition wrote jointly to Kevin Foster MP to reiterate an urgent request for a meeting between all 4 nations of the UK, to discuss migration policy and the changes to the immigration system that came into effect on 1 January 2021. Over the period related to this report no formal quadrilateral meetings on migration were undertaken or initiated by the UK government.
32. Migration may not be a devolved matter, but the Welsh Government continued to urge the UK government to engage on all migration issues – many of which have had cross-cutting implications for many aspects of the public policies and services that the Welsh Government is responsible for delivering.
33. In March 2020, the UK government commissioned the Migration Advisory Committee (MAC) to compile a UK shortage occupation list (SOL) and the Welsh Government provided a detailed response to the MAC's call for evidence, along with an analysis report, on 24 March 2020. Despite the Migration Advisory Committee (MAC) adopting some of the Welsh Government's recommendations within their report that was published on 29 September 2020, the UK government continued to make the decision not to implement any of the MAC's recommendations.
34. The EU Exit Statutory Instruments (SIs) deemed to be required by the end of transition, to make further corrections to retained EU law to ensure an operable statute book and to implement the Withdrawal Agreement and related agreements, were delivered on schedule. The Welsh Ministers consented to over 50 UK SIs and made 20 Welsh SIs during the transition period.
35. We ended the year almost as we began the year. Presented with the UK-EU Trade and Co-operation Agreement (TCA), and the Future Relationship Bill to give effect to the TCA, and with the clock ticking and a binary choice between a poor deal and no deal, the Senedd deliberated on the TCA and Bill on 30 December. The Welsh Government did not put forward a legislative consent motion because it felt it was impossible to understand the implications of the Bill and the 1245 page TCA on the basis of a handful of working days. Again, the UK government showed blatant disregard for devolution and for the Sewel Convention, which was confirmed as not fit for

purpose. The Senedd (and the UK Parliament for that matter) deserved greater respect than this and must be able to consider properly any legislation for which consent is required, especially one of the most important pieces of legislation in recent history for the UK.

International relations

36. From March to June 2020, regular (weekly) quadrilateral Ministerial meetings were held between the devolved governments and the Foreign, Commonwealth & Development Office (FCDO) to discuss our collective response to the pandemic and the work being undertaken to deliver the global repatriation effort. Many parts of the Welsh Government's overseas office network worked with FCDO consular services network bolstering the FCDO's ability to respond to the repatriation effort and bring British nationals, stranded overseas by the shutdown of commercial flights, back to the UK. These meetings were supported by daily reports based on data and analytical information gathered by the FCDO's research team in relation to the global response to COVID-19. The FCDO stopped these weekly meetings in June as the repatriation effort was nearing its conclusion. However, the sharing of intelligence gathered by its research team in relation to international comparators has continued on a weekly basis.
37. Since the cessation of these meetings, Welsh Government ministers have pressed for regular quadrilateral meetings at a ministerial level on a range of issues; however, the FCDO has not agreed to these requests. We have had regular bilateral meetings at official level with the FCDO on international relations.
38. The Welsh Government's International Relations team has received regular briefings from the UK government departments, including the Cabinet Office, FCDO and Home Office, on the UK Presidency of the G7 and from the Cabinet Office on the Integrated Review of Security, Defence, Development and Foreign Policy.
39. Ministerial engagement with the UK government on International Relations has, apart from the sustained weekly engagement in Q1 2020-21 on our joint response to COVID-19, been predominantly undertaken on ad-hoc basis and we have been pressing for more structured engagement on international

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issues as part of the Intergovernmental Relations Review.

Free trade agreements

40. The Welsh Government has been liaising with lead policy departments in the UK government on the establishment of the UK-EU Trade & Cooperation Agreement (TCA) Specialised Committees. Each committee has been established along slightly different lines depending on the lead UK government policy department with Welsh Government involvement ranging from an initial discussion of agendas, through attending the committees as observers, to attending the committees with a full participatory role. Generally the engagement with the lead policy departments of UK government has been positive.
41. The relationship with the Department for International Trade (DIT) on Rest of the World negotiations has remained constructive this year although there are still some ongoing discussions on the extent of information sharing, particularly around areas considered reserved by UK government. There have been 2 meetings (in March and July) of the Ministerial Forum for Trade during 2021 and regular ministerial bilateral meetings. We have had the opportunity to comment on matters relating to the mandates for Australia and New Zealand in areas of devolved competence and are sighted on some of the legal text being tabled in the negotiations. The new Approval in Principle (AIP) process used for the UK Australia free trade agreement, and likely to be used for New Zealand, had elements that were unsatisfactory; particularly around Australia publishing details of the tariff-rate quotas (TRQs) in advance of the UK. Given that this is a new process the handling may well evolve for future trade deals and we expect improvements to this process over time.
42. The accession to the Comprehensive and Progression Agreement for Trans-Pacific Partnership (CPTPP) is likely to follow a slightly different route given that we are acceding to an existing agreement. Early indications are that engagement on this will be positive although levels of influence for WG are likely to be lower than in the bilateral FTA negotiations.

Finance

43. The COVID-19 pandemic intensified inter-governmental engagement on finance matters. Meetings of the Finance Ministers' Quadrilateral were held more frequently, with six meetings held during the first part of the year. Meetings focused on a range of issues, ranging from certainty on the funding and flexibilities available to the devolved governments to respond to, and mitigate the impact of, the crisis, to specific UK-wide interventions such as the Coronavirus Job Retention Scheme. In the later part of the year one Quadrilateral meeting was held in October with a focus on the UK Spending Review and in-year COVID-19 costs. There are areas where we would have welcomed increased engagement, for example a request for a Quadrilateral to discuss the financial implications of EU exit was declined by the UK government.
44. Throughout the period we have continued to press the UK government for clarity on its funding announcements, plans for the Budget and the Spending Review. This clarity is essential to enable us to plan effectively for the future based on the needs of the people of Wales. A Barnett Guarantee was successfully secured in 2020-21 which was a useful tool to assist with budgetary management. The Barnett Guarantee provided clarity on the minimum additional amount of funding Welsh Government can expect to receive in year.
45. Post EU Exit, we have continued to press UK government to fulfil its commitment to replace EU funding in full and to ensure the UK government meets the additional operational costs of new functions directly resulting from EU Exit such as the operations needed at the Welsh border.
46. It is wholly unacceptable that the UK government is using the financial assistance powers in the Internal Market Act to create new UK-wide programmes in devolved areas of responsibility, bypassing the Barnett formula, and reducing the money available to the devolved governments and their respective Parliaments. Far from strengthening the Union this approach only serves to increase divisions and inequalities. It risks duplicating efforts, impeding value for money and blurring accountability resulting in an incoherent delivery landscape for programmes and services. The UK government should only use these powers with the explicit consent of the

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devolved governments.

47. We continue to press the UK government to fulfil its obligations to provide the necessary funding to address the historic under investment in rail and research and development as well as tackle industrial legacy issues which predate devolution.
48. While we welcomed the initial recognition of the impacts of the February 2020 flooding and associated initial work on coal tip reclamation, the UK government continually reiterate that the costs for coal tip reclamation are provided in our devolution settlement. Coal tips pre-date devolution, and Wales is disproportionately affected with nearly 40% of all disused coal tips in Wales. The reclamation costs are on a scale far in excess of anything anticipated when devolution began in 1999 and are not reflected in our current funding arrangements.
49. We have consistently called for the UK government to provide Wales with the fairness, flexibility and clarity needed to support and protect its communities and businesses, and reiterated that current funding does not reflect the scale of the issues Wales faces.
50. Discussions continued with the UK government on a long term funding package and joint programme of work for industrial legacy issues such as coal tips and mine safety.
51. Considerable effort has been focused on strengthening and formalising intergovernmental relations by developing a terms of reference for the Finance Interministerial Standing Committee as part of the wider Intergovernmental Relations Review.
52. As part of the Spending Review 2020, some improvements were made to the Statement of Funding Policy 2020, to remove ambiguity, and improve transparency around funding decisions. There are still a number of areas that need further improvement and we will be proposing further amendments for the next version at the Spending Review in October 2021.

Economy, energy and climate change

53. Significant effort has been focused on improving our intergovernmental relations and joint working with BEIS and these relationships have been strengthened although some challenges remain. A shared priority of

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responding to the economic impacts of Covid necessitated an acceleration in the efforts which were already underway and provided a clarity of purpose to our engagement. In response the Inter-Ministerial Group for Business and Industry moved to weekly meetings and established a new Director's forum with the devolved governments, BEIS and HMT. The establishment of a joint secretariat marked a shift in the approach and the meetings were conducted in the spirit of mutual respect. These fora, coupled with regular bilateral meetings with the UK government, ensured that Wales had a direct voice during the development of some important UK-wide policy approaches. However, whilst engagement was significantly increased we continue to face challenges around working collaboratively, often being treated as a stakeholder to update us about decisions already taken with minimal opportunity to inform the development to ensure that Wales' needs are properly reflected.

54. These groups continue to develop and are significantly improving information sharing between the governments. This has, for the most part, helped the Welsh Government in the development of our economic response and business resilience as well as ensuring that Welsh businesses continue to benefit from UK-wide support. There have been some notable policy areas where there has been a significant lack of engagement prior to key UK government announcements. We continue to argue the case for better and more effective intergovernmental relations.
55. Additionally there has been continued engagement on EU Transition issues, with regular cross-Whitehall and other devolved governments sharing intelligence in relation to issues businesses are facing as a result of the post EU transition period.
56. On balance, intergovernmental relations have strengthened in this area, despite significant ongoing challenges. We will continue to build on the formal structures now in place pursuing a positive approach to intergovernmental relations across the four nations in relation to economic development.
57. The overall sentiment is much the same with regard to Ministerial engagement with BEIS on energy. We require a more regular and reliable rhythm of meetings on areas of joint interest. At official level good work does continue in parts of BEIS. The ETS work continues, is difficult at times due to policy differences but engagement is happening. Other areas we can point to

in terms of positive official engagement include post EU exit work (specialise committees) and also on energy resilience.

Skills and employability

58. The Welsh Government works closely with the Department for Work and Pensions (DWP) on skills and employability policy as well as at an operational level, with Job Centre Plus to align delivery activity with Welsh Government policies and priorities. Collaborative working is in place between Job Centre Plus and Working Wales, with the aim of building a customer focussed service which are able to signpost and refer citizens to the most appropriate employability support for their needs. The Community Employability Programmes are also delivered jointly by DWP and Welsh Government.
59. The Welsh Government currently funds the education and learning provision and prison libraries in Welsh prisons through a joint Memorandum of Understanding with Her Majesty's Prison and Probation Service (HMPPS). These arrangements enable a close and productive working relationship with HMPPS and allows Welsh Government to align the provision of education with several Welsh Government policies.

Education

60. Several ministerial meetings were held to discuss issues affecting the Minister for Education's portfolio. The main focus of discussions during this period was the impact of the COVID-19 pandemic including operational arrangements in schools and colleges and education recovery. Linked to the impact of COVID-19, there were also discussions about qualifications.

Environment, agriculture, food

61. Relations with Defra continued to be positive during this period, particularly where they were the lead department on a particular matter. Where there

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was involvement from other UK government departments, relations were sometimes more difficult, especially in relation to information sharing or timescales for providing feedback.

62. The Inter-Ministerial Group EFRA continued to meet regularly during this period, with the focus slowly moving away from EU transition issues except in relation to borders and the Northern Ireland Protocol. Going forward the focus will be on policy areas where the administrations feel collaboration will be beneficial or necessary.

Health

63. Discussions during 2020-21 at Ministerial level focused largely on COVID-19 related matters; there was also engagement on other issues including those relating to EU exit, and towards the end of the period the Health and Social Care Bill.
64. Discussions on EU Exit took place in the context of uncertainty around the eventual outcome of negotiations between the UK government and the EU until a very late stage, and in view of the end of the transition period coinciding with continued COVID-19 and other winter pressures. EU exit discussions touched on a range of issues including medicines readiness arrangements, medical devices and clinical consumables, settled status and workforce impacts, UK Common Frameworks, legislative readiness and reciprocal healthcare.
65. Behind this, the intergovernmental work for EU exit was mostly operational, with generally constructive engagement at official level through mechanisms such as a 4-nation end of transition co-ordination group, and a specific supply co-ordination forum. Such fora continued beyond the transition period and by March 2021 had begun to consider how they could be built upon over the coming year to embed engagement across a range of longer term challenges and opportunities. Intergovernmental work on EU exit was also supported by the detailed work undertaken through NHS relations, particularly between Public Health Wales and Public Health England on public health protection, and between NHS Wales Shared Services Partnership and NHS Supply Chain on buffer stocks and supplier readiness.

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Priorities and prospects

66. During my appearance at the Welsh Affairs Committee 4 March I spoke of my hope for an improved UK architecture to underpin our constitution, devolution, and intergovernmental relations:

“What I am referring to is an entrenched form of devolution, a devolution that cannot be unilaterally rolled back by any one party, a devolution settlement—and I think there is still scope for development in devolution—where the responsibilities that currently exist at the Welsh level are set down in a way that guarantees they can continue.

“I set that alongside the need for the sort of UK architecture—and we set it out in a series of documents right up to the point of the pandemic hitting us—in which Welsh participation in those matters that affect Wales but are not devolved to Wales would be properly organised. There would be guarantees about it. There would be a reliability around that architecture.

“So, home rule in the sense that the powers that we have and the devolution settlement that we will develop would be guaranteed and could not be interfered with in the way that we have seen so vividly in recent months. Then, a set of institutional arrangements between the 4 nations that allow each party to contribute, and to contribute positively, to the success of the United Kingdom.

...

In Wales, certainly, we would positively and constructively want to pool some of that sovereignty back for shared purposes; a structure for the United Kingdom that allows us to operate in a way that, where there is the maximum capacity for decisions that in our case affect only people in Wales, those decisions should be made only by people in Wales. But when we have purposes that go beyond Wales, that are shared with other parts of the United Kingdom, we are able to co-operate and pool our risks and share the rewards. That is the sort of entrenched home-rule arrangements that I have in mind and that we have set out regularly as a Welsh Government...

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...

I think the continued existence of the United Kingdom is more at risk today than at any point in my political lifetime, and simply defending the status quo hastens the day when the United Kingdom will no longer be able to stay together. Those of us who are serious about making the case for the United Kingdom have to be prepared to lead change because, if we don't lead change, others will grasp the banner of change and will lead part of the United Kingdom away from the arrangements we have today.

...

...What devolution could be, and should be, is a way of governing the United Kingdom that allows people to take charge of their own affairs in the different parts of the United Kingdom, but which is predicated on a set of intergovernmental arrangements that allow the component parts of the United Kingdom to come together voluntarily for common purposes.” ”

Welsh Affairs Committee, Oral evidence: One-off session with the First Minister of Wales, HC 1255

67. It is disappointing that the IGR Review commissioned in 2018 has taken so long. However, significant progress was made, despite the challenges to all governments of the pandemic, this year. On 24 March, the then Counsel General and Minister for European Transition drew attention in a Written Statement to the draft package of reforms published that day by the UK government. We observed at that time that in the 3 years since the Review was commissioned, intergovernmental relations have worsened, owing largely to a series of aggressive intrusions by the UK government into areas of devolved competence (**Written Statement: Review of Intergovernmental Relations**).
68. Since the election we have been establishing and re-establishing ministerial relationships in the context of our Programme for Government and recalibrating relations in light of political developments across the UK. It is unfortunate that the new session of the UK Parliament coincided with the election, as this has led to a large number of UK Bills with consequences for

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Wales and devolution being introduced without proper engagement and respect for the Sewel Convention.

69. We have started our constitutional programme for this 6th Senedd with pace and purpose. We have already published a 2nd edition of 'Reforming our Union: Shared Governance in the UK' and are well advanced with plans to establish a commission to consider the constitutional future of Wales.
70. We expect to enter into discussions with the Ministry of Justice and potentially other parts of the UK government on taking forward the recommendations of the Commission on Justice in Wales (the Thomas Commission), in line with the Programme for Government commitment to pursue the case for the devolution of justice and policing.
71. We very much look forward to hosting the 36th meeting of the British-Irish Council (BIC) in autumn 2021 and we hope that intergovernmental relations within the UK can draw on the BIC as a model for well-organised and equal participation by all jurisdictions.

Mark Drakeford MS
First Minister of Wales
28 September 2021

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