

Rt Hon Mark Drakeford MS

First Minister

22 March 2022

Dear Mark,

First meeting of the Inter-Ministerial Standing Committee, 23 March 2022

Thank you for your letter of 18 March in which you notified us that the first meeting of the Inter-Ministerial Standing Committee will take place tomorrow, on 23 March, and that you and the Counsel General and Minister for the Constitution will represent the Welsh Government.

In your letter you said that the agenda includes items on the crisis in Ukraine, UK legislation, and the Levelling Up White Paper, and that the Committee would also undertake a stocktake of the implementation of the Intergovernmental Relations (IGR) Review.

We discussed your letter in our committee meeting yesterday and, given the recent correspondence we have considered regarding various legislative consent memoranda for UK Bills and intergovernmental meetings, we wanted to share with you some observations which we would invite you to reflect on as you prepare to participate in this inaugural meeting. We believe these are important matters that are relevant to agenda items covering UK legislation and the implementation of the IGR review.

1. The recent development regarding the Professional Qualifications Bill and the UK Government progressing with the Bill through its final stages in the House of Commons while in breach of the legislative consent convention is both unfortunate and disconcerting. We acknowledge that such instances are rare. However, given these developments have occurred in parallel with the governments of the UK securing a new working relationship, we are concerned that the agreed new intergovernmental processes have not delivered a positive result and have not led to a resolution of the areas of concern between the governments.



2. The recent statement made by the Minister for Economy **on 10 March** that the first meeting of the UK-EU Relations Inter-Ministerial Group (IMG) was called with only two hours' notice is also worrying. The Counsel General told us on 14 March that he hoped these were "early teething troubles". We hope sincerely that the UK Government, and all other governments in the UK when appropriate, will seek to ensure that future meetings of IMGs are called with reasonable notice and operate as per the aims of the outcome of the IGR Review.
3. We are also concerned about the apparent breakdown of intergovernmental working in relation to the passage of the Cultural Objects (Protection from Seizure) Bill, as outlined in the Deputy Minister for Arts and Sport, and Chief Whip's **letter of 16 March**. The UK Government's refusal to include a carve out from the application of paragraph 11(1)(a) of Schedule 7B to the *Government of Wales Act 2006* at the request of the Welsh Government, and its subsequent decision to amend the Bill to remove the Bill's application to Wales completely, appears to represent a breakdown in communication between governments and a failure to resolve a problem that should in our view be relatively straightforward to overcome.

We are therefore concerned that the new intergovernmental processes are not having an immediate impact and that, should the underlying causes of these problems not be addressed as a matter of urgency, the initial progress made on IGR could stall unnecessarily, reducing the benefits that the new arrangements were intended to bring.

We look forward to receiving an update on the outcome of the meeting.

I am copying this letter to Mick Antoniw MS, the Counsel General and Minister for the Constitution, the Rt Hon Elin Jones MS, the Llywydd; the Rt Hon Michael Gove MP, the Secretary of State for Levelling Up, Housing and Communities and Minister for Intergovernmental Relations; the Northern Ireland Assembly's Committee for the Executive Office, the Scottish Parliament's Constitution, Europe, External Affairs and Culture Committee, the House of Lords' Constitution Committee, and the House of Commons' Public Administration and Constitutional Affairs Select Committee.

Yours sincerely,



Huw Irranca-Davies

Chair