



Lesley Griffiths AM
Cabinet Secretary for Energy, Planning & Rural Affairs
National Assembly for Wales
Cardiff Bay
CF99 1NA

9 February 2018

Dear Cabinet Secretary,

RE: Joint Ministerial Committee

Wales Environment Link and Greener UK would like to draw your attention to the subject of intra-UK environmental governance post-Brexit.

We believe the environment will be best served if the UK and devolved governments work collaboratively together to address the UK-wide governance gap that could emerge post-Brexit and to embed the EU environmental principles in domestic law. We are therefore grateful for your undertaking at the recent roundtable meeting to raise this issue at the next environment Joint Ministerial Committee.

Greener UK has written to the UK Government's Environment Secretary, Michael Gove, MP, the Scottish Government's Cabinet Secretary for Environment, Climate Change & Land Reform, Roseanna Cunningham, MSP, and the Permanent Secretary for Northern Ireland's Department of Agriculture, Environment and Rural Affairs, highlighting the view that the best way of addressing these issues would be via a joint consultation developed in partnership with the devolved governments, rather than via an England-only approach.

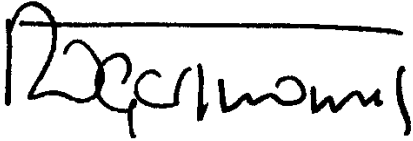
Our view is that a new joint body, set up by all four governments, could help replicate some of the unique functions of the European Commission and European Court of Justice (ECJ) that have supported the robust implementation and enforcement of EU law across the UK's four countries. Given the devolved nature of environmental policy, combined with the transboundary aspects of most environmental issues, we need effective governance mechanisms to scrutinise and enforce the implementation of environmental laws and policies of all four governments post-Brexit, including initiating investigations into possible breaches and responding to complaints from citizens and civil society organisations.

Respecting the devolution settlements and the legal frameworks already in place in the four countries, such as Wales' own sustainable development and environment legislation, such a body would need to be co-created and co-owned by the four UK governments. This would ensure that all UK citizens had equal opportunity to hold their governments to account on environmental matters.

During Day 2 of the Committee Stage of the Withdrawal Bill, Michael Gove indicated he was considering bringing forward a bill to establish both a new environmental watchdog and a new policy statement on environmental principles. As stated above, we urge you to work with your counterparts to address these issues jointly.

We are keen for you and your counterparts on the environment JMC to prioritise the matters discussed above, so that a joint consultation can be published soon and new arrangements put in place before exit day.

Yours sincerely,



Roger Thomas
Chair, Wales Environment Link



Shaun Spiers
Chair, Greener UK Board