

Cabinet Secretary for Finance and Scottish Brexit Minister raise concerns with UK government over their Brexit White Paper

In the letter, the 2 Cabinet Secretaries point out that the full draft White Paper on EU Negotiations has still not been shared with the Scottish and Welsh Governments ahead of today's Joint Ministerial Committee (EU Negotiations) – despite previous assurances from the UK government that the devolved administrations would have a meaningful opportunity in shaping negotiating positions as they are developed.

Mark Drakeford said:

“We have not had the opportunity to read the UK government's White Paper on its negotiating position with the EU ahead of today's Joint Ministerial Committee (EU Negotiations), so it will be impossible for us to make the sort of considered contribution, based on evidence, which we think is essential. This is a clear breach of the JMC (EN)'s terms of reference, which require the Committee to try to seek agreement on the negotiation position of the UK government. It means that the UK government's position will not be as informed about devolved responsibilities as it needs to be, as negotiations move into their vital next phase.”

The full text of the letter is below:

Dear David

JMC (EN) and the White Paper

We are writing further to the unsatisfactory discussion of certain sections of the White Paper on the EU Negotiations at the Ministerial Forum on Wednesday.

This was clearly not the fault of your Ministerial colleagues who attended the meeting but of decisions taken elsewhere in Government about what can and cannot be shared with us.

We were not permitted to see a single word of the draft White Paper in advance of the meeting and could only make our contributions on the basis of a brief, oral summary of the relevant chapters. It is particularly bizarre that at least one chapter was sent to our Permanent Secretaries – who are not members of the Forum – while the meeting was underway.

This in no sense lives up to the assurance that we would have a meaningful

opportunity to shape negotiating positions as they are developed.

Moreover, the discussion of specific elements was further undermined by a lack of insight into the broader narrative: discussing cross-border transport is difficult without the context of proposals on customs arrangements, and the proposed mobility framework covering migration is clearly crucial for the science and research chapter, civil judicial cooperation and many other aspects of the White Paper.

We therefore wish to make it absolutely clear that we will not regard any discussion of the White Paper at next Thursday's JMC (EN) as meaningful, unless we have been given prior access to the text of the draft White Paper as it currently stands.

If we do not have this opportunity, we will have to make it very clear that we have been given no real possibility to consider, let alone influence the content of a document which will purport to speak on behalf of the whole of the United Kingdom, about matters, many of which are devolved, and on a subject which is of the greatest possible importance to the people of Scotland and Wales.

We are copying this letter to the Prime Minister, the Secretary of State for Exiting the EU, the First Minister of Scotland, the First Minister of Wales, and to David Sterling as Head of the Northern Ireland Civil Service.

Yours sincerely

Mark Drakeford AM/AC
Ysgrifennydd y Cabinet dros Gyllid
Government
Cabinet Secretary for Finance
Constitutional Relations

Michael Russell MSP
Cabinet Secretary for
Business and