Thank you for your letter of 3 July. May I apologise for the delay in responding.

I was pleased to appear before the Culture, Tourism, Europe and External Affairs committee, and to address the questions of your colleagues. Whilst UK Government Ministers are accountable to the UK Parliament, the UK Government values maintaining open channels of communication with the devolved legislatures.

I note your view on intergovernmental relations and respectfully disagree. Whilst international relations remain a reserved matter, the UK Government believes that the devolved administrations play a crucial role in helping shape our future relationship with the EU and provide expertise in devolved areas. UK Government departments have engaged their counterparts in the devolved administrations at both official and ministerial level throughout the development of the UK’s negotiating approach. A draft copy of ‘The Future Relationship with the EU: The UK’s Approach to Negotiations’ document was shared with the devolved administrations in advance of its publication, providing time for substantive discussion and comment, both through correspondence and in a call. The UK Government continues to welcome engagement during the negotiations and has endeavoured to show flexibility following feedback from the devolved administrations. The Paymaster General has continued to offer engagement with her counterparts in the devolved administrations, including the Cabinet Secretary for the Constitution, Europe and External Affairs and the Minister for Europe and International Development, around negotiating rounds, as have officials.

Regarding the Joint Ministerial Committee (European Negotiations), I do not agree that the UK Government is failing to meet the jointly agreed remit of this forum. The JMC(EN) met most recently last week to discuss future relationship negotiations.
As you note, the Review of inter-governmental relations is ongoing and the UK Government is keen to make progress. Progress has been made in exploring options for reform and the structures for engagement on the Covid-19 response were guided by the draft principles for relations endorsed by the UK Government and all devolved administrations at JMC(EN) in June 2019. I note that during the most acute phase of the pandemic we were able to establish very effective structures for joint working. As an example, during the two months from mid March, I chaired 40 meetings of the General Public Services Ministerial Implementation Group with colleagues in the devolved administrations. Other colleagues in the UK Government had further meetings and our officials were in constant touch. Our priority remains to conclude the review at the earliest opportunity, to ensure strengthened structures can be established in the long-term. After jointly agreeing to pause the review at the start of the pandemic, all four administrations decided at the JMC(EN) meeting in May to resume work. My officials have therefore already progressed several discussions with their counterparts in the devolved administrations. At the last JMC(EN) meeting in July, we noted the progress made since May, particularly on dispute avoidance and resolution, and instructed officials to conclude the review as soon as possible.

The UK Government remains committed to updating the UK Parliament on the progress of negotiations. We published a Command Paper setting out our approach to the negotiations, accompanied by a Commons oral statement. We have issued a Written Ministerial Statement in both Houses after each round of negotiations and will continue to do so, and have published our draft legal texts. The UK Government has also issued a WMS or updated the relevant Westminster Select Committees before and after meetings of the Withdrawal Agreement Joint Committee. I have appeared in front of the Commons Committee on the Future Relationship with the European Union three times. I have also appeared before the Public Administration and Constitutional Affairs Committee on 29 April, as well before the House of Lords EU Committee twice. Last week I gave a further oral statement on preparations for the end of the UK transition period. The devolved administrations are free to engage with their respective devolved legislatures as a part of the process of engagement around the negotiations.

There should be no doubt that we value our conversations with the devolved administrations and we will continue to maintain an open dialogue as we have done thus far.

With every good wish,

Rt Hon Michael Gove MP
Chancellor of the Duchy of Lancaster
and Minister for the Cabinet Office