

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



Llywodraeth Cymru  
Welsh Government

David Rees AM  
Chair of the External Affairs and Additional Legislation Committee  
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Eich cyf/Your ref  
Ein cyf/Our ref

Dear David,

4 December 2017

Thank you for your letter of 21 November about the UK policy frameworks deep dives exercise.

I hope you will agree that space has to be allowed for inter-governmental discussion at this very early stage of the development of frameworks policy, so my account of the deep dives exercise is of necessity high level. While I am very willing to commit to full scrutiny of the outcomes of these discussions, none of the participants will provide blow-by-blow commentary on the process. Any common framework (either legislative or non-legislative) would be subject to scrutiny by the subject committee in the usual way and any primary legislation will of course either need to be passed by the Assembly or (in the case of legislation at Westminster) be subject to legislative consent.

Deep dives to give proof of concept for voluntarily agreed frameworks involving officials from the UK Government and the Devolved Administrations took place during November: Agriculture (14-15 November); Justice (21 November) - Welsh Government officials took part in this deep dive from a frameworks policy perspective as the matters under consideration are not within Welsh Ministers' or the National Assembly's competence - and Health (22 November).

Taking first the Agriculture discussion, like all of the deep dives, this was explicitly carried out without prejudice to the Welsh Government's and Scottish Government's ongoing objections to the EU (Withdrawal) Bill as currently drafted.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The event was positive and there was consensus that the potential for joint development of frameworks has been demonstrated. Substantial progress was made, including agreeing the aspects of agriculture policy that would benefit some level of coordination between England, Scotland, Northern Ireland and Wales.

The Justice deep dive on 21 November mainly comprised an overview of existing areas and modes of cooperation in the civil justice space and how current measures are operationalised.

The aim of the Public Health Deep Dive sessions on 22 November was to agree the scope of the devolved policy area of organ donation that intersects with EU law and consider cross-border health threats. These two sessions were constructive with strong consensus that existing systems work well across the UK.

In all cases, as a proof of concept these events were successful.

We have been consistent with the UK Government in making clear that any engagement on Frameworks does not in any way mean that we accept the UK Government's position on its European Union (Withdrawal) Bill. While we are happy to continue to work on frameworks prior to any agreement on the way forward on the Bill, we will only sign off policy frameworks if the UK Government substantially amends the Withdrawal Bill.

The results of the deep dives and next steps will form part of discussions for the JMC (EN) in mid December. I would be glad to report back verbally to the Committee on that meeting.

Best wishes,

Mark

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