# WRITTEN STATEMENT

# BY

# THE WELSH GOVERNMENT

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| **TITLE** | **Meeting of JMC(Plenary), 14 March 2018** |
| **DATE** | **19 March 2018** |
| **BY** | **Carwyn Jones, First Minister** |

A meeting of the Joint Ministerial Committee in Plenary format (JMC(P)) was held in 10 Downing Street on Wednesday 14 March. I represented the Welsh Government. I attach the communique that was issued following the meeting here: <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/690527/Joint_Ministerial_Committee_communique%CC%81-_14_March_2018.pdf>

The first agenda item was an update from the Prime Minister (who was joined for this item by the National Security Adviser, Sir Mark Sedwill) on the circumstances of the recent Salisbury poisoning incident and the UK Government’s response, which she had just given in the House of Commons. On behalf of the Welsh Government I expressed strong support for the Government’s robust and proportionate response, and expressed my enormous concern at the reckless and wholly unacceptable action that Russia appeared to have taken; quite apart from anything else, many innocent people had been placed seriously at risk by this action. Nicola Sturgeon spoke to the same effect, and both she and I will continue to be briefed as necessary on Privy Council terms on future developments.

We then turned to a discussion on Brexit, looking both at the latest position on negotiations with the European Union and on the domestic implications as expressed in the EU (Withdrawal) Bill. On the first, the Prime Minister drew attention both to her recent Mansion House speech and to the forthcoming European Council; so far as the latter is concerned, the UK Government hopes to secure agreement to transition (or ‘implementation’) arrangements for the period immediately following exit day, and to make progress on the legal text giving effect to last December’s agreement on withdrawal arrangements. The Prime Minister also noted that the Council was likely to agree guidelines for its negotiators for the next phase of negotiations on future trade and security relationships.

Responding on these points, I reiterated the need for the UK’s fullest possible access to the single market, and referred to the relationship Norway has with the single market. I also restated the Welsh Government’s support for the UK remaining within a Customs Union with the EU, not least because it would go a considerable way to resolving the difficulty of future Irish border arrangements (and in that context I noted the particular difficulties that might be experienced in Holyhead and other Welsh ports handling Irish trade if a satisfactory arrangement could not be reached). I also stressed the need for early agreement on transitional arrangements. Finally, looking further forward, I emphasised the importance the Welsh Government attaches to the engagement of the devolved administrations with the UK Government on the negotiations on the future trade relationship with the EU and with future trade policy and negotiations more generally. There will be a paper on this at the next meeting of JMC(EN), and we will be looking for concrete proposals from the UK Government in this regard.

The meeting then turned to a discussion of the domestic consequences of Brexit. Introducing the item, the Chancellor of the Duchy of Lancaster, David Lidington, noted that, to meet a commitment previously given, the UK Government had tabled an amendment to clause 11 of the Withdrawal Bill ahead of Lords Committee consideration which will take place in coming days. Mr Lidington was however keen to stress that this was not necessarily the UK Government’s last word on the issues, and that the UK Government continued to seek agreement with the devolved administrations; serious consideration was being given to ideas brought forward by the devolved administrations at the recent JMC(EN).

In reply I reaffirmed our wish to secure agreement, but said that the amendment tabled was insufficient to enable me to recommend that the Assembly give its legislative consent to the Withdrawal Bill. We needed to see provision for consent to the matters which were proposed to be put temporarily beyond the Assembly’s legislative competence, rather than a consultation and Parliamentary reporting requirement as the amendment provides for. We also needed greater clarity on the ‘temporary’ character of the clause 11 arrangements (probably with a ‘sun-setting’ provision); reassurance that the Sewel Convention would apply to any Parliamentary legislation making new provision for matters temporarily placed in the legislative ‘freezer’ by regulations; and an understanding that Parliament would not legislate on these matters for England, so long as the devolved legislatures were precluded from doing so for their nations. It was agreed that discussions on these various matters would continue.

Finally the Committee agreed to publish a Report on the work undertaken under the JMC umbrella for the period 2015-2018 (<https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/690528/Report_of_the_Joint_Ministerial_Committee-_2015___2018.pdf>)**,** and remitted officials to review and report back to Ministers on existing inter-governmental structures and working arrangements, including the Memorandum of Understanding, to enable the governments more effectively to meet new governance challenges following the UK’s withdrawal from the EU.

Attention now turns to the important European Council meeting on 22-23 March, and to the further consideration at Lords Committee stage of the Withdrawal Bill, in particular clause 11. The Scottish First Minister and I have jointly written to the Lord Speaker, setting out our concerns with the UK Government’s amendment; a copy of that letter is attached.We now await the outcome of that debate, but Welsh Government officials will in the meantime continue to work intensively with their counterparts to see what progress can be made on the matters remaining in dispute.