

Minister for Culture Europe and International  
Development, and Minister with special responsibility  
for Refugees from Ukraine  
Neil Gray MSP



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

T: 0300 244 4000  
E: scottish.ministers@gov.scot

Councillors [REDACTED]  
COSLA Presidential Team

Sent by email: [REDACTED]  
11 July 2022

11 July 2022

Dear [REDACTED],

As we discussed earlier, I have now announced that Scotland's offer to be a super sponsor for displaced people from Ukraine will be paused from Wednesday 13 July. I should note that Scotland is already providing sanctuary and safety to over 7,000 people displaced by the war in Ukraine. The announcement today that we would be pausing the super sponsor scheme does not change our determination that those who arrived from Ukraine will be treated with dignity and respect, and provided with a home in Scotland for as long as they need it.

The [policy position paper](#) we have published today sets out the remarkable response we have provided collectively through standing up the Warm Scottish Welcome. It also recognises the challenges we have encountered in doing this, and provides the reasoning behind the decision to pause the the super sponsor scheme. I trust that this information will be useful to our local authorities. As I am sure you will understand, this was a difficult decision to make and not one that has been taken lightly.

By pausing the super sponsor scheme temporarily, we will be able to ensure that displaced people who are already here, and those who will arrive in the coming months, will be safe, secure and supported for as long as they need, after the dangers they have faced at home. But we must not allow this temporary pause to cause us to lose momentum, particularly when we know that around 18,000 applications have already been submitted under the super sponsor scheme by people who have yet to travel. Even if only 50% of these ultimately travel to Scotland, we could be seeing a further 9000 arrivals in coming weeks and months.

Our priority remains to provide safe, comfortable accommodation and wraparound support to people fleeing the illegal invasion of Ukraine. Welcome Hubs will continue to support people from the moment they arrive, offering food, temporary accommodation, healthcare and other support. Likewise, the national matching service, which COSLA is delivering, must continue to press forward in matching people with volunteer hosts, as well as social housing stock. When I wrote to council leaders on 1 July, I shared with them the deadline we agreed at our meeting on 30 June to complete disclosure and property checks by the end of July, at the

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latest. This remains imperative for ensuring that the matching service has a comprehensive database of possible volunteer hosts, with completed checks, ready for matching.

Enhancing the national matching service is vital for relieving pressure on temporary accommodation, but it is also crucial for providing displaced people with the stability of their own accommodation, from which to begin rebuilding their lives in Scotland, while it is their home. Today, North Lanarkshire announced their plans to refurbish tower blocks that were scheduled for demolition. We must all encourage local councils to come forward with proposals like this, including for capital investment, to make more homes available for matching.

By working together – in partnership – we will be able to deliver a national response that Scotland can be proud of.

I am copying this letter to Councillor [REDACTED], COSLA Spokesperson for Community Wellbeing.



**NEIL GRAY**

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## **CORRESPONDENCE POST- MEETING**

**From:** [Redacted S.38(1)(b)] **On Behalf Of** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine

**Sent:** 11 July 2022 12:41

**To:** [Redacted S.38(1)(b)] Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>

**Cc:** Tyler-Greig W (Will); [Redacted S.38(1)(b)]; Campbell J (Jeanette) (Special Adviser); Craven M (Miriam); [Redacted S.38(1)(b)]; Ukraine Resettlement <[EIHURUkraineResettlement@gov.scot](mailto:EIHURUkraineResettlement@gov.scot)>

**Subject:** RE: For Clearance and Issue - Letter to COSLA Presidential Team - 11 July 2022

Hi [Redacted S.38(1)(b)],

Just to confirm this has now been issued. Please see attached for your records. It has been slightly updated to reflect that the Minister already spoke with the COSLA Presidential Team.



Ukraine Response -  
Letter Minister 11 Ju

Regards,

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)] **Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine, Neil Gray**

Email: [MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)

[Redacted S.38(1)(b)]

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---

**From:** [Redacted S.38(1)(b)]

**Sent:** 11 July 2022 11:09

**To:** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>

**Cc:** Tyler-Greig W (Will); [Redacted S.38(1)(b)]; Campbell J (Jeanette) (Special Adviser); Craven M (Miriam); [Redacted S.38(1)(b)]; Ukraine Resettlement <[EIHURUkraineResettlement@gov.scot](mailto:EIHURUkraineResettlement@gov.scot)>

**Subject:** For Clearance and Issue - Letter to COSLA Presidential Team - 11 July 2022

Hi [Redacted S.38(1)(b)],

Please find attached letter for issuing to COSLA Presidential team, subject to Minister's clearance. This is to be issued ahead of his meeting with COSLA later this morning.

Best wishes.

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)] | [Ukraine Resettlement](#) | [Scottish Government](#)

[Redacted S.38(1)(b)]

## **EMAIL EXCHANGE 28 – 29 JUNE**

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**From:** Tyler-Greig W (Will)

**Sent:** 28 June 2022 20:42

**To:** Allan M (Matthew); Craven M (Miriam);

**Subject:** RE: COSLA Presidential Meeting

[Redacted - out of scope] to fit around the COSLA meeting.

Will

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**From:** [Redacted S.38(1)(b)] **On Behalf Of** Craven M (Miriam)

**Sent:** 28 June 2022 16:35

**To:** Tyler-Greig W (Will); Allan M (Matthew)

**Subject:** RE: COSLA Presidential Meeting

Hi Will/Matt,

Miriam would like to attend the meeting tomorrow, however the timing clashes with [Redacted - out of scope].

[Redacted – out of scope]

Would be grateful for your thoughts on the best action.

Many Thanks,

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)]

**Ukraine Refugee Response Team**

Email: [Redacted S.38(1)(b)]

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**From:** Johnston P (Paul)

**Sent:** 28 June 2022 16:30

**To:** Tyler-Greig W (Will)

**Cc:** DG Communities

**Subject:** RE: COSLA Presidential Meeting

Thanks Will. I'd like to attend if we can make the diary work.

Paul Johnston

Director General Communities

Scottish Government

[Redacted S.38(1)(b)]

---

**From:** Johnston P (Paul)

**Sent:** 28 June 2022 16:59

**To:** Director for Equality, Inclusion and Human Rights; Tyler-Greig W (Will); Craven M (Miriam); DG Communities; Allan M (Matthew)

**Cc:** [Redacted S.38(1)(b)]; Campbell J (Jeanette) (Special Adviser)

**Subject:** RE: COSLA Presidential Meeting

Agree with Alison's comments.

Overall we need to build on the great work we are seeing in some places, and spread it out everywhere.

So – some places have made great strides with property checks. Can we agree that every area is asked to complete their checks by the end of July, offering help to those who need it. This gives every area around 12 weeks to complete checks from receipt of data I think (please check).

Some places have made a lot of initial accommodation available – we need others to step in and do more. (Name some positives – Aberdeen, Edinburgh) and those we need more from.

Some places are making good progress on intensive local matching (Edinburgh). We need to see it in every place that has a hotel and sustain it where it is working.

Some places are sourcing longer term property (such as N Lanarkshire).

Some places have really built up their local resettlement teams and are using third sector and other partners.

You get the point I'm making! I suggest it is a theme that may be hard for COSLA to resist.

Paul

Paul Johnston  
Director General Communities  
Scottish Government

[Redacted S.38(1)(b)]

---

**From:** Director for Equality, Inclusion and Human Rights

**Sent:** 28 June 2022 16:23

**To:** Tyler-Greig W (Will); Craven M (Miriam); DG Communities; Allan M (Matthew)

**Cc:** [Redacted S.38(1)(b)]; Campbell J (Jeanette) (Special Adviser); Johnston P (Paul)

**Subject:** RE: COSLA Presidential Meeting

Will

I won't be here. [Redacted – out of scope]. I suggest that for each action, we provide briefing detail on work in hand and what more we think needs to be done, as well as what the Minister may ask Cosla to agree to. Putting a time limit on when property checks will be completed is one ask I think. I'd aim for end July / beginning August for that. I think they should commit to writing jointly to LA Leaders and CEs after the meeting, setting out agreed actions. (this last point should be agreed with [Redacted S.38(1)(b)] in advance).

Hope that helps.

A.

**Alison Byrne** (she/her)  
Director for Equality, Inclusion & Human Rights (Interim) |

---

**From:** Tyler-Greig W (Will)

**Sent:** 28 June 2022 16:14

**To:** Director for Equality, Inclusion and Human Rights; Craven M (Miriam); DG Communities; Allan M (Matthew)

**Cc:** [Redacted S.38(1)(b)]; Campbell J (Jeanette) (Special Adviser)

**Subject:** COSLA Presidential Meeting

Colleagues

**COSLA Meeting**

To note that a 45 minute slot is now in the diary between the Minister and [Redacted s.38(1)(b)]. I'm checking whether SOLACE is able to attend.

This is in for Thursday at 15.00, briefing by close tomorrow.

I would be grateful in the first instance whether you wish to/ are able to attend. Any early thoughts or comments on briefing equally welcome.

Best wishes,

Will

**Will Tyler-Greig**

Interim Deputy Director | Ukraine Resettlement | Directorate for Equality, Inclusion & Human Rights |

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Clare Adamson MSP  
Constitution, Europe, External Affairs and Culture  
Committee  
The Scottish Parliament  
Edinburgh  
EH99 1SP  
ceeac.committee@parliament.scot

12 July 2022

Dear Clare,

I am writing to you, and also to the Convener of the Finance and Public Administration Committee, to update your committees regarding a meeting of the Interministerial Group (IMG) on UK-EU Relations that took place on 4 July.

The meeting was chaired by Michael Ellis, the Paymaster General and Minister for the Cabinet Office. I attended alongside Vaughan Gething, Economy Minister in the Welsh Government. The Northern Ireland Executive was represented by an official.

I made clear my grave concerns - shared by the Scottish Parliament - about the UK Government's Northern Ireland Protocol Bill, and the disruption and difficulty this creates in the implementation of the Trade and Cooperation Agreement. I also raised my concerns about the UK Government's forthcoming proposals on Retained EU Law, and the need to meaningfully engage devolved governments and parliaments before the 'Brexit Freedoms' Bill is introduced to the Commons.

**NEIL GRAY**

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[ceeac.committee@parliament.scot](mailto:ceeac.committee@parliament.scot)

01 July 2022

Dear Clare,

I am writing to you, and also to the Convener of the Finance and Public Administration Committee, to alert your committees to a meeting of the Interministerial Group on UK-EU Relations (IMG) on 4 July. Unfortunately the meeting has been arranged at very short notice, with the UK Government not informing us of the preferred date until 28 June.

The meeting will be chaired by Michael Ellis, the Paymaster General and Minister for the Cabinet Office, and will be attended by representatives from the UK Government and Welsh Government, as well as officials from Northern Ireland. I am unable to provide a detailed agenda for this meeting as it is still under discussion, but I do expect to use this opportunity to discuss recent developments in the UK-EU relationship, including the UK Government's Northern Ireland Protocol Bill.

**NEIL GRAY**

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Kenneth Gibson MSP  
Finance and Public Administration Committee  
The Scottish Parliament  
Edinburgh  
EH99 1SP  
fpa.committee@parliament.scot

12 July 2022

Dear Kenneth,

I am writing to you, and also to the Convener of the Constitution, Europe, External Affairs and Culture Committee, to update your committees regarding a meeting of the Interministerial Group (IMG) on UK-EU Relations that took place on 4 July.

The meeting was chaired by Michael Ellis, the Paymaster General and Minister for the Cabinet Office. I attended alongside Vaughan Gething, Economy Minister in the Welsh Government. The Northern Ireland Executive was represented by an official.

I made clear my grave concerns - shared by the Scottish Parliament - about the UK Government's Northern Ireland Protocol Bill, and the disruption and difficulty this creates in the implementation of the Trade and Cooperation Agreement. I also raised my concerns about the UK Government's forthcoming proposals on Retained EU Law, and the need to meaningfully engage devolved governments and parliaments before the 'Brexit Freedoms' Bill is introduced to the Commons.

**NEIL GRAY**





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Kenneth Gibson MSP  
Finance and Public Administration Committee  
The Scottish Parliament  
Edinburgh  
EH99 1SP  
[fpa.committee@parliament.scot](mailto:fpa.committee@parliament.scot)

01 July 2022

Dear Kenneth,

I am writing to you, and also to the Convener of the Constitution, Europe, External Affairs and Culture Committee, to alert your committees to a meeting of the Interministerial Group on UK-EU Relations (IMG) on 4 July. Unfortunately the meeting has been arranged at very short notice, with the UK Government not informing us of the preferred date until 28 June.

The meeting will be chaired by Michael Ellis, the Paymaster General and Minister for the Cabinet Office, and will be attended by representatives from the UK Government and Welsh Government, as well as officials from Northern Ireland. I am unable to provide a detailed agenda for the meeting as it is still under discussion, but I do expect to use this opportunity to discuss recent developments in the UK-EU relationship, including the UK Government's Northern Ireland Protocol Bill.

**NEIL GRAY**



T: 0300 244 4000  
E: [scottish.ministers@gov.scot](mailto:scottish.ministers@gov.scot)

The Rt Hon Liz Truss  
Secretary of State for Foreign, Commonwealth  
and Development Affairs

By email: [Private.Office@fcdo.gov.uk](mailto:Private.Office@fcdo.gov.uk)

12 May 2022

Dear Liz,

Recent events have increased our concerns about the situation around the Northern Ireland Protocol, and the many risks that flow from this. In our view the UK Government must pull back from any plans to unilaterally scrap parts of the Protocol, and focus instead on working with our EU partners and finding durable, agreed solutions. With households across the country facing the cost of living crisis, we must not find ourselves in a damaging trade war which will pile more costs upon businesses and families, on top of the serious existing damage wrecked by a damaging hard Brexit during a global pandemic.

With no reply to the letter from my colleague Neil Gray on 22 April, which asked for an urgent update on the situation and the opportunity to discuss the UK approach, we find ourselves in the position of hearing – once again - more about the UKG intentions from official sources reported in the media than we do through official channels.

It is our view that invoking Article 16 of the Protocol, or unilaterally introducing legislation to breach international law, would be a deeply irresponsible act, likely to have a severe economic impact on all parts of the UK, including potentially through a damaging trade war.

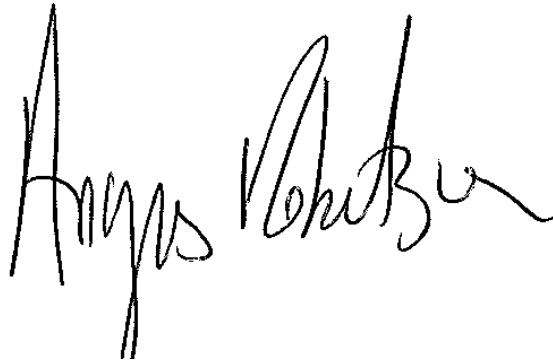
The Devolved Governments have direct interests at stake in the Protocol, particularly in trade and border control, yet despite repeated requests the UK Government has shown no willingness to engage on these issues and we are excluded from discussions.

It is also increasingly clear that full implementation of the Trade and Cooperation Agreement is being held back by the lack of progress on the Protocol talks. This has direct implications for wider Devolved Government interests, such as the participation in the Horizon Europe research programme, and issues relating to SPS border controls.

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It is our view that an urgent meeting of the Inter-Ministerial Group on UK-EU Relations should be convened, where the Devolved Governments are provided with an update on the current position and have the opportunity to set out our interests in the Trade and Cooperation Agreement and the subsequent issues which need addressing. While I regret that ministers from Northern Ireland will be unable to attend, these pressing issues must be addressed, and discussions in Northern Ireland cannot be a reason for intergovernmental relations between the Scottish, Welsh and UK Governments to stall.

Yours sincerely,



**ANGUS ROBERTSON**

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Rt Hon Michael Ellis QC MP  
HM Paymaster General  
Cabinet Office  
70 Whitehall  
London  
SW1A 2AS

By email: [psmichaelellis@cabinetoffice.gov.uk](mailto:psmichaelellis@cabinetoffice.gov.uk)

## UKG ENGAGEMENT WITH THE SCOTTISH GOVERNMENT TO DEVELOP THE NEW TARGET OPERATING MODEL FOR IMPORT CONTROLS

13 July 2022

Dear Michael,

I write following our conversation regarding development of the new Target Operating Model at the Interministerial Group on UK-EU Relations on 4 July. As you will recall, during the meeting [REDACTED] I raised concerns regarding the lack of engagement with devolved government ministers in the co-design of the future import control regime.

The Cabinet Secretary for Rural Affairs and Islands, Ms Gougeon, wrote to the Secretary of State for Environment, Food and Rural Affairs, Mr Eustice, on 4 May regarding the improper manner in which the decision had been taken to postpone import controls pending this review. Mr Eustice responded on 20 May to agree that ministers of the devolved governments “need to be properly involved”.

Since this exchange of letters, however, the involvement of Scottish ministers has not met this level. A critical element of the review, Sanitary and Phytosanitary (SPS) policy, is devolved. Despite this, a GB(O) to discuss acceptable policy outcomes of the review of import controls was scheduled to take place without the attendance of devolved ministers. I understand that this meeting has not taken place due to the current political situation in Westminster, but it is of concern that the UK Government would define acceptable parameters for the review in the absence of devolved ministers who have the responsibility to decide and implement SPS import control policy in their respective nations.

A meeting between the Cabinet Secretary for Rural Affairs and Islands and the Minister for Farming, Fisheries and Food, Ms Prentis, took place on 28 June. However, in that meeting Ms Prentis merely outlined principles of the Target Operating Model that have been established by the UK Government, with no involvement of the devolved governments. No indication was given that Scotland will be able to influence those principles, and is instead only being consulted on their implementation.

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Despite assurances of the proper involvement of the devolved governments, this level of engagement falls short of what had been agreed by Mr Eustice and the approach outlined in the inter-governmental relations review.

All the nations of the UK share the desire to develop and implement a successful and proportionate system of import controls. The UK Government must properly engage devolved ministers in the co-design of the new system of import controls and cannot expect devolved governments to implement an imposed solution.

I reiterate the Scottish Government's insistence on proper, meaningful engagement to ensure that we can agree a system of import controls that works for all of the nations of the UK.

I am copying this letter to the Cabinet Secretary for Rural Affairs and Islands, the Secretary of State for Environment, Food and Rural Affairs, the Minister for Farming, Fisheries and Food, and the Welsh Government Minister for the Economy, Vaughan Gething.

Yours sincerely



**NEIL GRAY**

Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine

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1. Email 13 July

**From:** [Redacted S.38(1)(b)] **On Behalf Of** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine

**Sent:** 13 July 2022 15:35

**To:** [Redacted S.38(1)(b)]

**Cc:** Secretary.State@defra.gov.uk; ps.victoria.prentis@defra.gov.uk; Correspondence.Vaughan.Gething@gov.wales; Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <MinisterCEID@gov.scot>

**Subject:** Correspondence from the Minister for Culture, Europe and International Development and the Minister with special responsibility for Refugees from Ukraine

Good Afternoon,

Please see attached correspondence from the Minister for Culture, Europe and International Development and the Minister with special responsibility for Refugees from Ukraine.

[Redacted S.38(1)(b)]

**Private Secretary to Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine, Neil Gray**

The Scottish Government | St Andrew's House | Regent Road | Edinburgh | EH1 3DG | [Redacted S.38(1)(b)]

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2. Attachment to email of 13 July



2 - attachment  
redacted\_Redacted.

3. Email of 12 May

**From:** [Redacted S.38(1)(b)] **On Behalf Of** Cabinet Secretary for Constitution, External Affairs and Culture

**Sent:** 12 May 2022 17:46

**To:** [Redacted S.38(1)(b)] Cabinet Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>

**Cc:** [Redacted S.38(1)(b)]; Crawford E (Ewan); Johnson M (Martin); Smith J (Joni); Strang F (Frank); [Redacted S.38(1)(b)]; Wightman S (Scott); [Redacted S.38(1)(b)]; Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <MinisterCEID@gov.scot>

**Subject:** RE: Letter to Liz Truss for comment or clearance



Hi [Redacted S.38(1)(b)];

Signed letter attached for your records, this has now been issued to Ms Truss' office.

Thanks

[Redacted S.38(1)(b)];

[Redacted S.38(1)(b)];

[Redacted S.38(1)(b)];

Office of Angus Robertson MSP, Cabinet Secretary for Constitution, External Affairs and Culture

[CabSecCEAC@gov.scot](mailto:CabSecCEAC@gov.scot)

St Andrew's House | Regent Road | Edinburgh | EH1 3DG [Redacted S.38(1)(b)];



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**From:** [Redacted S.38(1)(b)];

**Sent:** 12 May 2022 13:13

**To:** Cabinet Secretary for Constitution, External Affairs and Culture

<[CabSecCEAC@gov.scot](mailto:CabSecCEAC@gov.scot)>

**Cc:** [Redacted S.38(1)(b)]; Crawford E (Ewan); Johnson M (Martin); Smith J (Joni);

Strang F (Frank); Layden C (Christopher); [Redacted S.38(1)(b)]; Wightman S

(Scott); [Redacted S.38(1)(b)]; Minister for Culture, Europe and International

Development and Minister with special responsibility for Refugees from Ukraine

<[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>

**Subject:** Letter to Liz Truss for comment or clearance

**PS/Minister,**

Please find the attached draft letter to the Foreign Secretary

([Private.Office@fcdo.gov.uk](mailto:Private.Office@fcdo.gov.uk)). Given the pace at which things seem to be moving it would be helpful if this could be considered urgently.

Regards,

[Redacted S.38(1)(b)];

[Redacted S.38(1)(b)]; | EU Secretariat |

DEXA, Scottish Government

Mobile: [Redacted S.38(1)(b)];  
 Address: 2H South, Victoria Quay, Edinburgh, EH6 6QQ  
 Please note I am working from home and can be most easily reached by email or Teams.

4. Attachment to email of 12 May



Ministerial  
 Correspondence - Mr.

5. Extract from EU Secretariat "Team brief"

Date	Summary	Attendees	Minute	Communique
[Out of scope]				
4 July 2022	UKG presented their views on the NIP and on progress with the TCA. [Redacted S.28(1)] REUL which was discussed under AOB	UKG: Paymaster General Michael Ellis  SG: Minister for Culture, Europe and International Development, Neil Gray  WG: Minister for the Economy Vaughan Gething  As the NIE was not sitting they were represented by officials	[Redacted S.3(2)(a)(ii)]	

6. Extract of list of IMG

Date	Attendees	Agenda	SG note	Minute	Communique	Location?	Notes
04 July 2022	UKG: Paymaster General Michael Ellis (Chair)	[Redacted]	[Redacted]	[Redacted]		Virtual	

	SG: Minister for Culture, Europe and International Development, Neil Gray  WG: Minister for the Economy Vaughan Gething						
[Out of scope]							

7. Email 30 June

**From:** [Redacted S.38(1)(b)];  
**Sent:** 30 June 2022 13:59  
**To:** [Redacted S.38(1)(b)];  
**Cc:** [Redacted S.38(1)(b)];  
**Subject:** FW: IMG on UK-EU Relations - paper on TCA implementation  
**Importance:** High

Just in. We haven't agreed this agenda, but anyway! [Redacted S.38(1)(b)]; – could you drop it in the briefing pls? Also great if you could reorder the annexes, as I think we have NIP first.

I'll read the paper in the meantime and draft an overview to slot in.

[Redacted S.38(1)(b)]; | Negotiating Strategy, European Relations Division, Scottish Government [Redacted S.38(1)(b)]; | Currently working from home

8. Email 30 June

**From:** [Redacted S.38(1)(b)];  
**Sent:** 30 June 2022 16:55  
**To:** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <MinisterCEID@gov.scot>; Cabinet Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>  
**Cc:** Johnson M (Martin); Wightman S (Scott); Strang F (Frank); Rogers D (David) (Constitution and Cabinet Director); Cameron DA (Donald) (Constitution and UKR); [Redacted S.38(1)(b)]; Crawford E (Ewan); [Redacted S.38(1)(b)];  
**Subject:** RE: OFF SEN: IMG UK EU Relations meeting, 04 July, briefing

Apologies, hit send too quickly

[Redacted S.38(1)(b)];

**From:** [Redacted S.38(1)(b)];

**Sent:** 30 June 2022 16:54

**To:** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>; Cabinet Secretary for Constitution, External Affairs and Culture <[CabSecCEAC@gov.scot](mailto:CabSecCEAC@gov.scot)>

**Cc:** Johnson M (Martin); Wightman S (Scott); Strang F (Frank); Rogers D (David) (Constitution and Cabinet Director); Cameron DA (Donald) (Constitution and UKR); [Redacted S.38(1)(b)]; Crawford E (Ewan); [Redacted S.38(1)(b)];

**Subject:** OFF SEN: IMG UK EU Relations meeting, 04 July, briefing

Hi [Redacted S.38(1)(b)];

Apologies for the slight delay in submitting this briefing pack for Monday's IMG. We have not yet seen confirmed agenda or papers for the meeting, but have briefed on what we understand will be proposed.

We will provide a short overarching / scene setting brief, most likely on Monday once we have seen final papers.

[Redacted S.38(1)(b)];

[Redacted S.38(1)(b)];

[Redacted S.38(1)(b)]; | Directorate of External Affairs | Scottish Government  
Victoria Quay, 2H South, Edinburgh, EH6 6QQ



9. Briefing for IMG attached to email 30 June

<b>What</b>	<b>UK-EU Relations Inter-Ministerial Group (IMG) Meeting</b>
<b>Who</b>	Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine Neil Gray MSP
<b>Where</b>	MS Teams (link in diary invite)
<b>When</b>	Monday 4 July, 13:00 - 14:00

<p><b>Key messages</b></p>	<ul style="list-style-type: none"> <li>• All progress on <b>TCA implementation has stalled</b> as a result of the UK Government's unilateral action to disapply parts of the NI Protocol. It is in <b>UKG's gift to resolve</b> that impasse by withdrawing the NI Protocol Bill.</li> <li>• Scotland is suffering direct harm as a consequence of TCA negotiations stalling. We are <b>particularly concerned about the UK's failure to associate to Horizon</b>, and the loss of market access for key exports (e.g. potatoes).</li> <li>• The <b>Scottish Government and Parliament are appalled</b> by the UK Government's unilateral action to disapply parts of the NI Protocol. We urge UKG to withdraw the NI Protocol Bill and return to the negotiating table.</li> <li>• Most observers consider the UKG proposed legislation will breach international law. Scottish Ministers are <b>extremely unlikely</b> to the Foreign Secretary's request to support a <b>legislative consent</b> motion in the Scottish Parliament.</li> <li>• The <b>Brexit Freedoms Bill will have major implications for SG devolved competence</b>, as well as for the Scottish Parliament's legislative agenda. Yet, despite repeat requests, we have not yet seen any of the Bill's draft clauses, or any analysis of which of the 2,400 instruments in question are devolved or reserved. We <b>cannot properly assess the Bill's implications</b> for Scotland unless this situation improves.</li> <li>• SG welcomes the opportunity to participate in IMG meetings, which are an invaluable mechanism for enabling cooperation between governments. However, <b>this meeting should have been called before the NI Protocol Bill was introduced</b>, not three weeks later, and DGs must be given more notice of future meetings in order for the discussion to be truly inclusive and effective.</li> </ul>
<p><b>Supporting officials &amp; SPADs</b></p>	<p>[Redacted S.38(1)(b)]; Ewan Crawford, [Redacted S.38(1)(b)];</p>
<p><b>Media handling</b></p>	<p>TBC. IGR restrictions to respect confidentiality to be observed.</p>
<p><b>Briefing contents</b></p>	<p><b>Annex A – Agenda</b> <b>Annex B – Overarching brief</b> <b>Annex C – TCA implementation</b> <b>Annex D – NI Protocol</b> <b>Annex E – Retained EU Law (REUL)</b> <b>Annex F – AOB</b> <b>Annex G – Attendees</b></p>

**Agenda**

This following agenda has been proposed by the FCDO. SG officials have pushed back, stating our position that Retained EU Law should also be on the agenda, preferably as a stand alone item; or as a listed item under AOB. We are awaiting a response.

[Redacted S.3(2)(a)(ii)]

**Overarching brief**

To follow.

### TCA implementation

There is a paper to accompany this item, seeking DG reflections on TCA implementation and engagement priorities.

NB – the paper is an updated version of one prepared for the last meeting of the IMG in February, but which was not discussed.

#### Points to make

- The EU is our largest trading partner. The TCA affects almost every aspect of life in Scotland.
- However, progress on resolving key issues in TCA implementation has stalled as a consequence of UKG's unilateral action to disapply parts of the NI Protocol.
- It is in UKG's gift to unblock progress on the TCA by withdrawing the NI Protocol Bill and returning to the negotiating table.
- Turning to the UK Government's paper today:
  - Firstly, we wish to note that we **take issue with the rosy picture, painted in the opening paragraphs**, of trade with the EU post-Brexit. Our view is reflective of trade statistics and polling. (Office of Budgetary Responsibility expect UK **GDP to be 4% lower** as a consequence of Brexit in the long run / **61% of people think the Government is handling Brexit badly**).
  - From a process perspective, we agree that the TCA is broadly functioning as intended, in the sense that relevant fora are convening. And we wish to note and **welcome the positive and constructive official-level engagement** with the UK Government on TCA issues, including the opportunity to contribute to Specialised Committee meetings.
  - However, as already noted, virtually all **substantive progress within TCA structures is now stalled** due to the ongoing dispute over the NI Protocol.
  - We **broadly agree with the implementation and engagement priorities** set out in the UK Government's paper. In particular, Scottish Government is deeply concerned that UK participation in the €95.5bn Horizon Programme appears set to be sacrificed due to the UK Government's confrontational course on the NI Protocol; a move that could cost Scottish researchers world-leading collaboration opportunities and millions of euros in funding.
  - This is why, once again, **we urge the UK Government to withdraw the NI Protocol Bill**, and return to the negotiating table.

#### Background

Trade. The TCA marks a significant step backwards from our trading position within the EU. Businesses must navigate additional bureaucracy, costs and delays due to extensive new certification requirements, e.g. for agrifood products. In industries such as seafood, where a premium attaches to freshness, even slight delays can significantly impact the value of the product.



Freedom of movement. The loss of freedom of movement has compounded the difficulties with labour shortages associated with the pandemic.

Horizon. We have lost access to a range of EU programmes worth millions of pounds to Scotland, including both Erasmus and European Territorial Cooperation programmes. There is also growing concern that the UK will not proceed with its planned association to the EU's prestigious 95 billion euro Horizon programme, impacting Scotland's universities and research institutes. [Redacted S.28(1)& S.32(1)(a)] The financial guarantee which UKG originally announced in November 2021 to support successful UK participants in Horizon Europe projects, has been extended to cover participants who are expected to sign grant agreements by the end of December 2022.

Specialised Committees. The TCA established 18 Specialised Committees (SCs) – for example on fisheries, energy, and trade in goods – which enable officials from both sides to discuss and manage technical issues relating to TCA implementation. SCs comprise representatives of the UK and EU. SG officials are invited as observers to their meetings by the UK delegation. Communication with UKG officials in this area has been relatively satisfactory.

Scotland has interests at stake, in particular, in the following areas of the TCA:

- Programmes (Horizon Europe association)
- Fisheries (quotas)
- Agrifood exports (chilled meats, seed potatoes, and live bivalve molluscs)
- [Redacted S.28(1)& S.32(1)(a)]
- Services (touring artists)
- Energy (electricity trading)

[Redacted S.28(1)& S.32(1)(a)]

While not strictly part of the TCA, there are other key issues in EU–UK relations that are often explicitly or implicitly linked to progress on the TCA – and which could be at risk in any escalation over the NI Protocol – including data protection and financial services.

On data protection, the EU has recognised the UK's data protection regime as "adequate," for both protecting business and law enforcement data (but not immigration data). This provides much-needed certainty for businesses, and removes the additional cost and administrative burdens that would be required in the absence of adequacy decisions. Loss of adequacy would also risk crucial information not being shared with Police Scotland. The Commission must review the adequacy decisions in 2024, and any significant departure from EU-law based rules by UKG could result in the existing decisions being reviewed before then.

On financial services, the TCA includes very limited commitments which are broadly limited to a reiteration of the parties' existing commitments. Scotland's Financial Services industry, which employs nearly 160,000 people, faces ongoing uncertainty about access to EU markets, risking further costly restructuring and putting Scottish

jobs and investment in doubt. Access to markets is facilitated through equivalence decisions – which are entirely at the discretion of the Commission. There has been limited progress on the decisions regarding many areas of equivalence, inflicting ongoing uncertainty to the sector.

### NI Protocol

There is no paper for this item.

#### Points to make

- The Scottish Government is **deeply concerned about the ongoing dispute over the NI Protocol** and UK Government actions to override it unilaterally, including by introducing the NI Protocol Bill on 13 June.
- Echoing the vote within the Scottish Parliament last Wednesday, I **urge the UK Government to withdraw this Bill**, considered by most observers outside of UKG to breach international law, and return to the negotiating table.
- **[Redacted S.30(c)]**
- The UKG **risking a disastrous trade war** in the middle of a cost of living crisis is unthinkable and indefensible.
- The current impasse has been met with dismay by **Scottish businesses, who face ever more uncertain trading conditions** at a time when they are already coping with virtually unprecedented levels of inflation.
- Scotland has **direct interests at stake in the Protocol**, particularly in trade and border control, yet despite repeated requests over many months, we have had to wait till today for an opportunity to discuss these issues.
- Two hours before the Bill was lodged in Parliament the Foreign Secretary wrote to the Cabinet Secretary CEAC asking the Scottish Government to offer in principle support for a **Legislative Consent** Motion in the Scottish Parliament. It is extremely unlikely that legislation in its current form would be provided consent.

#### Background

##### UKG NI Protocol Bill

UKG officials have acknowledged that negotiations are very unlikely to start again over the summer – they anticipate the EU watching the progression of the Bill before deciding how to respond beyond the steps they have already taken.

UKG published the Northern Ireland Protocol Bill on 13 June. It disapplies, or affords UK Ministers powers to disapply, elements of the Protocol in UK law.

The Bill includes changes to the Protocol in the following areas:

- Customs: green and red lanes;
- VAT and subsidies: UKG able to set UK-wide policies;
- Divergence: a new 'dual regulatory system', permitting businesses to decide whether they follow EU rules, UK rules;
- Governance: severely curtailing the role of the CJEU.

The Bill also contains powers that enable ministers to scrap the effects of most aspects of the Protocol if they are deemed to cause significant economic or political disruption in Northern Ireland.

The Bill passed its Second Reading on 27 June. No Conservative MPs voted against the Bill, but a number of prominent backbenchers, including former PM Theresa May and the Conservative Chair of the NI Affairs Select Committee Simon Hoare, were highly critical of the legislation during the debate and abstained. There is likely to be significant opposition to the Bill at Commons Committee Stage, and in the Lords, and passage through Parliament could take many months – we understand UKG are currently aiming for November / December.

UKG continues to stress that its preference is for a negotiated solution. However, officials have repeatedly indicated that UKG will not return to the negotiating table ‘unless and until’ the Commission receives a new negotiating mandate.

### Impact on Scottish interests

An escalating EU-UK trade dispute could have severe impacts on Scottish trade, and on devolved areas of responsibility such as border control.

The NIP impasse has also stalled all progress towards resolving outstanding issues relating to implementation of the Trade and Cooperation Agreement. That has direct implications for key Scottish priorities, including Horizon Europe association, energy trading, and the re-establishment of market access for key export products (particularly seed potatoes).

### EU response

On 15 June the EU responded to the NIP Bill’s publication by:

- unpausing the infringement procedure launched against UKG in March 2021 for breaches of the Protocol, which had been paused since September 2021;
- launching two new proceedings against UKG for:
  - failing to carry out sanitary and phyto-sanitary (SPS) rules;
  - failing to provide the EU with certain trade statistics data.

The Commission has refused to seek a new negotiating mandate, insisting instead that UKG engages in further discussions on proposed amendments to the Protocol that the EU first tabled in October 2021.

The next steps are far from clear. Unless technical talks resume, or there is a significant political-level intervention from either side, possibilities range from more legal proceedings, to the imposition of tariffs, or even suspension of the TCA.

[Redacted S.28(1)& S.32(1)(a)]

### Other reactions

The DUP has so far indicated it will postpone any steps to unblock processes at Stormont until the NIP Bill reaches the statute book. 52 of the 90 Members of the NI

Assembly (Sinn Fein, Alliance and SDLP) wrote to the PM on 12 June saying the proposals are “reckless”. Irish, German, French and US leaders have voiced strong concerns at the UKG’s action.

#### Legislative consent

The Foreign Secretary wrote to Mr Robertson, just two hours before the Bill’s publication, noting that the UKG intends to seek legislative consent for the Bill.

Mr Robertson issued a press notice in response, in which he stated: “*It is inconceivable to think that the Scottish Government would recommend legislative consent for a bill that would negatively impact Scotland’s economy, that could be deemed to break international law and could risk sparking a trade war with our fellow Europeans, which is in no one’s interests.*”

On the basis of legal advice, we nevertheless consider that the Scottish Government should lodge a Legislative Consent Memorandum (LCM) in respect of the Bill. A letter has been sent notifying the Presiding Officer of this.

### Retained EU Law (REUL)

#### Points to make

- (IF RAISING UNDER AOB): [Redacted S.28(1)] we are told Mr Rees-Mogg plans to bring forward his Brexit Freedoms Bill before summer recess.
- The Brexit Freedoms Bill is said to provide ‘new-found freedoms’, but it seems that its **main purpose is to give the UK Government the freedom to abandon legislation that has protected Scottish interests** for almost 50 years.
- This Bill threatens to **create uncertainty for business**, and fire the starting pistol in a **race to the bottom on standards** – on food, the environment, and workers’ rights. This will only add to the already disastrous impact of Brexit on Scotland.
- The Bill has major implications for Scottish Government **devolved competence** and the Scottish Parliament’s **legislative agenda**. Yet, despite repeated requests, we have not yet seen any of the Bill’s draft clauses, or any analysis of which of the 2,400 instruments in question are devolved or reserved.
- We cannot properly assess the Bill’s implications for Scotland unless this situation improves.
- Given the pace with which the Bill is moving, and lack of effective engagement to date, it is essential that a lead team is now identified that can take responsibility to **centrally coordinate engagement with Devolved Governments**.

#### Background

At the end of the EU exit transition period (31 December 2020), the body of EU law which applied in the UK immediately before that day became REUL, a new category of domestic law. Broadly, the principle of the supremacy of EU law was retained for pre-31 December 2020 enactments, but not for enactments thereafter.

UKG intends to end the supremacy of EU law by means of a ‘Brexit Freedoms Bill’, announced in the Queen’s Speech. The proposals include a controversial ‘sun-setting’ clause, which would normalise EU law within the UK statute book – or else remove it entirely – at an arbitrary future date (possibly 2026 or 2030).

We understand there is significant opposition to the proposed ‘sun-setting’ clause from some key Whitehall Departments. However, we understand that Brexit Opportunities Minister Jacob Rees-Mogg plans to press ahead with tabling the draft Bill before the UK Parliament rises for summer recess on 21 July. It is unclear at present whether the ‘sun-setting’ clause will be retained.

On 23 June, UKG published an ‘interactive dashboard’ of REUL on 23 June. The dashboard contains over 2,400 pieces of REUL, drawing together individual assessments of relevant REUL undertaken by each Whitehall department, with the

largest number of pieces of REUL falling under DEFRA. It does not include an assessment of reserved or devolved competence.

SG officials have been in regular contact with UKG colleagues since the Bill was first mooted. However, frustratingly little information has been shared until very recently regarding the content of the Bill, and we have yet to receive Bill instructions or any assessment of its interaction with the devolution settlement. Despite repeated requests, we have not been provided with UKG's assessment of which pieces of REUL fall within devolved competence.

### **Implications for Scotland**

The UK Government's plans to change the status of retained EU law carry enormous implications for Scotland. This is a body of legislation that has protected Scottish interests for more than 50 years.

#### Legislative timetable

Compensating for the eradication or 'normalisation' of all REUL in advance of 2026 – if the sun-setting clause is retained, and that is the date chosen by UKG – could be an enormous challenge. By way of comparison, a programme of 88 Scottish SIs and 218 agreed UK-wide SIs was required in the run-up to Brexit simply to adjust retained EU law to keep it workable once the UK had left the EU.

A legislative consent motion will also be required for any UK Bill that makes provision applying to Scotland for any purpose within the legislative competence of the Parliament, or which alters the competence of Scottish Ministers. Mr Rees-Mogg asserted on a 5 May call with Mr Robertson that consent would be sought, and the Sewel convention respected. However, recent experience does not give confidence that, should the Scottish Parliament not give legislative consent, the UK Government would not proceed anyway.

#### Devolved competence

REUL covers many areas of devolved competence, and the interaction between devolved and reserved law is complex, covering areas that include food standards and labelling, environmental standards, and animal and plant health. The particular status REUL currently has within domestic law also adds to the complexity.

Changing the status of REUL may result in laws within areas of devolved competence that are retained – and incorporated within the domestic statute book – falling within the scope of the Internal Market Act, to which the Scottish Government is fundamentally opposed. One of the UK Government's primary aims in introducing the Brexit Freedoms Bill is to reduce the 'regulatory burden'. Removal of the supremacy of EU law combined with the IMA could lead to the undermining of standards, with implications for Scotland, for example in the production of goods.

#### EU alignment policy


SG is committed to remaining aligned with EU laws and regulations, where it is practicable and appropriate to do so, in order to maintain high standards and ease the accession process for a future independent Scotland. A further departure from EU standards, as UKG appear to be proposing, will make that task more difficult.



**AOB**

**Annex F**

**Attendees (full list tbc)**

	<p>The Right Honourable Michael Ellis QC is the Paymaster General and Minister for the Cabinet Office. He is the MP for Northampton North, first elected in 2010.</p> <p>He has previously served as Solicitor General, Attorney General, Minister of State in Transport, Under Secretary of State for DCMS, assistant whip, and Deputy Leader of the House.</p> <p>He has also been a member of the Home Affairs and Statutory Instruments committees.</p>
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10. Email 1<sup>st</sup> July

**From:** [Redacted S.38(1)(b)]; **On Behalf Of** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine

**Sent:** 01 July 2022 09:49

**To:** [Redacted S.38(1)(b)]; Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <MinisterCEID@gov.scot>

**Cc:** Cabinet Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>; [Redacted S.38(1)(b)]; Wightman S (Scott); Johnson M (Martin); Strang F (Frank); [Redacted S.38(1)(b)]; Crawford E (Ewan);

**Subject:** RE: Pre IMG letters - to issue today

Good Morning [Redacted S.38(1)(b)];

Thanks so much for the quick turnaround.

I've now sent the letters and attached for reference.

[Redacted S.38(1)(b)];

**Private Secretary to Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine, Neil Gray**

The Scottish Government | St Andrew's House | Regent Road | Edinburgh | [Redacted S.38(1)(b)];

All emails and attachments sent by a Ministerial Private Office to any other official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial

meeting, must be filed appropriately by the recipient. Private Office do not keep official records of such emails or attachments.

**From:** [Redacted S.38(1)(b)];  
**Sent:** 01 July 2022 08:59  
**To:** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>  
**Cc:** Cabinet Secretary for Constitution, External Affairs and Culture <[CabSecCEAC@gov.scot](mailto:CabSecCEAC@gov.scot)>; [Redacted S.38(1)(b)]; Wightman S (Scott); Johnson M (Martin); Strang F (Frank); [Redacted S.38(1)(b)] Crawford E (Ewan)  
**Subject:** RE: Pre IMG letters - to issue today

Updated versions attached,

Regards,  
[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)] EU Secretariat |  
DEXA, Scottish Government  
Mobile: [Redacted S.38(1)(b)]  
Address: 2H South, Victoria Quay, Edinburgh, EH6 6QQ  
Please note I am working from home and can be most easily reached by email or Teams.

**From:** [Redacted S.38(1)(b)] **On Behalf Of** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine  
**Sent:** 30 June 2022 21:46  
**To:** [Redacted S.38(1)(b)]; Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>  
**Cc:** Cabinet Secretary for Constitution, External Affairs and Culture <[CabSecCEAC@gov.scot](mailto:CabSecCEAC@gov.scot)>; [Redacted S.38(1)(b)]; Wightman S (Scott); Johnson M (Martin); Strang F (Frank); [Redacted S.38(1)(b)]; Crawford E (Ewan)  
**Subject:** RE: Pre IMG letters - to issue today

Good Evening [Redacted S.38(1)(b)]

Thanks for this.

Mr Gray is content with the letters. Once you update them with the email addresses I'll get them issued right away.

[Redacted S.38(1)(b)]

**Private Secretary to Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine, Neil Gray**  
The Scottish Government | St Andrew's House | Regent Road | Edinburgh | [Redacted S.38(1)(b)]  
| [Redacted S.38(1)(b)]

All emails and attachments sent by a Ministerial Private Office to any other official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the recipient. Private Office do not keep official records of such emails or attachments.

**From:** [Redacted S.38(1)(b)]

**Sent:** 30 June 2022 12:24

**To:** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>

**Cc:** Cabinet Secretary for Constitution, External Affairs and Culture

<[CabSecCEAC@gov.scot](mailto:CabSecCEAC@gov.scot)>; [Redacted S.38(1)(b)]; Wightman S (Scott); Johnson M (Martin); Strang F (Frank); [Redacted S.38(1)(b)]; Crawford E (Ewan)

**Subject:** Pre IMG letters - to issue today

Good afternoon,

In accordance with a memorandum of understanding with the Scottish Parliament SG writes to committee conveners ahead of formal intergovernmental meetings such as the IMG to notify them that this event is going ahead.

Please find attached letters to convenors. I would be grateful if you could issue these today or tomorrow.

Regards,

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)] EU Secretariat |

DEXA, Scottish Government

Mobile: [Redacted S.38(1)(b)]

Address: 2H South, Victoria Quay, Edinburgh, EH6 6QQ

Please note I am working from home and can be most easily reached by email or Teams.

11. Email to Kenneth Gibson attached to email of 1<sup>st</sup> July

**From:** [Redacted S.38(1)(b)] **On Behalf Of** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine

**Sent:** 01 July 2022 09:48

**To:** fpa.committee@parliament.scot

**Cc:** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>

**Subject:** Correspondence from the Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine

Good Morning,

Please see attached correspondence from the Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine.

[Redacted S.38(1)(b)]

**Private Secretary to Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine, Neil Gray**

The Scottish Government | St Andrew's House | Regent Road | Edinburgh | EH1 3DG | [Redacted S.38(1)(b)]

All emails and attachments sent by a Ministerial Private Office to any other official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the recipient. Private Office do not keep official records of such emails or attachments.

12. Attachment to email to Kenneth Gibson



IMG - UK EU

Relations - 2022 July

13. Email to Clare Adamson attached to Email 1<sup>st</sup> July

**From:** [Redacted S.38(1)(b)] **On Behalf Of** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine

**Sent:** 01 July 2022 09:48

**To:** ceeac.committee@parliament.scot

**Cc:** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <MinisterCEID@gov.scot>

**Subject:** Correspondence from the Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine

Good Morning,

Please see attached correspondence from the Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine.

[Redacted S.38(1)(b)]

**Private Secretary to Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine, Neil Gray**

The Scottish Government | St Andrew's House | Regent Road | Edinburgh | EH1 3DG | [Redacted S.38(1)(b)]

All emails and attachments sent by a Ministerial Private Office to any other official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the recipient. Private Office do not keep official records of such emails or attachments.

14. Attachment to email to Clare Adamson



IMG - UK EU  
Relations - 2022 July

15. Email of 4 July

**From:** [Redacted S.38(1)(b)]

**Sent:** 04 July 2022 10:11

**To:** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <MinisterCEID@gov.scot>; Cabinet Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>

**Cc:** Johnson M (Martin); Wightman S (Scott); Strang F (Frank); Rogers D (David) (Constitution and Cabinet Director); Cameron DA (Donald) (Constitution and UKR); [Redacted S.38(1)(b)]

**Subject:** RE: OFF SEN: IMG UK EU Relations meeting, 04 July, briefing

Morning [Redacted S.38(1)(b)]

Overarching brief (Annex B to the brief) attached here as discussed last week.

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)]

**From:** [Redacted S.38(1)(b)]

**Sent:** 30 June 2022 16:54

**To:** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>; Cabinet Secretary for Constitution, External Affairs and Culture <[CabSecCEAC@gov.scot](mailto:CabSecCEAC@gov.scot)>

**Cc:** Johnson M (Martin); Wightman S (Scott); Strang F (Frank); Rogers D (David) (Constitution and Cabinet Director); Cameron DA (Donald) (Constitution and UKR); [Redacted S.38(1)(b)] Crawford E (Ewan); [Redacted S.38(1)(b)]

**Subject:** OFF SEN: IMG UK EU Relations meeting, 04 July, briefing

Hi [Redacted S.38(1)(b)]

Apologies for the slight delay in submitting this briefing pack for Monday's IMG. We have not yet seen confirmed agenda or papers for the meeting, but have briefed on what we understand will be proposed.

We will provide a short overarching / scene setting brief, most likely on Monday once we have seen final papers.

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)]

Head of EU Secretariat | Directorate of External Affairs | Scottish Government



16. Attachment to email of 4 July

**ANNEX B**

### **Overarching brief**

This is the second meeting of the Inter-ministerial Group on UK EU Relations. The first was hastily arranged before the Withdrawal Agreement Joint Committee meeting on 21 February 2022, and attended by Mr Gray.

The meeting will be chaired by Mr Ellis, Paymaster General in the Cabinet Office. The focus of the meeting is on Trade and Cooperation Agreement (TCA) issues and the Northern Ireland Protocol Bill, the latter to be taken through Committee stage in the Commons before UK recess by Mr Ellis.

The TCA item on the agenda is supported by a paper that was prepared for - but not discussed at - the February meeting. You may wish to remark that although the paper has not been materially altered, the economic situation post-Brexit has continued to deteriorate. The Office of Budgetary Responsibility has since published its view that UK GDP is expected to be 4% lower as a consequence of Brexit in the long run, and polling last week showed that 61% of people think the UK Government is handling Brexit badly (see Annex C).

The meeting will also be a key moment to re-raise the concerns of the Scottish Government in regard to the Northern Ireland Protocol (see Annex D). It will be an opportunity to remind the UK Government that the Scottish Parliament agreed last week, without division, that the UK Government should withdraw its Northern Ireland Protocol Bill and concentrate its efforts instead on immediately re-starting negotiations with the European Union.

The UK Government wants to advance implementation of the TCA and negotiate a solution on the NI Protocol while simultaneously advancing its unilateral domestic legislation to disapply parts of the Protocol. The reality of course is that taking forward the NI Protocol Bill makes positive progress in *discussions* with the EU ever more difficult. We are currently at an impasse with NIP talks stopped since February, and TCA specialised committee discussions making little headway.

**You may wish to ask Mr Ellis to set out the UKG strategy.** With the UK negotiating asks clearly crossing EU redlines (for example, the role for the ECJ in protecting the EU Single Market and no new mandate), a course is being set for seemingly inevitable trade disputes and the breaching of international law. This is deeply concerning. **If this is actually *not* the ultimate intention – then what is, and how do we get there?**

The view of the EU has been hardened by the UK's tactics. Over the weekend a joint statement by Foreign Ministers Annalena Baerbock of Germany and Simon Coveney of Ireland said that the UK approach had "no legal or political justification" and that it threatens to undermine the "rules-based international order".

SG Officials requested that retained EU law (REUL) should be discussed at the meeting. Although towards the periphery of the intended scope for these meetings, this is probably the last opportunity for a joint ministerial meeting should UKG introduce the legislation before recess on 21 July. [Redacted S.28(1)] **We recommend that you raise our concerns on the issue under AOB** (see Annex E).

[Redacted S.28(1)]

17. Email 5 July

**From:** [Redacted S.38(1)(b)]  
**Sent:** 05 July 2022 13:26  
**To:** [Redacted S.38(1)(b)]  
**Subject:** RE: ToRs

Thanks – pls keep this to hand; we'll need to come back to it when NI ministers are in place.

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)]

**From:** [Redacted S.38(1)(b)]  
**Sent:** 29 June 2022 10:34  
**To:** [Redacted S.38(1)(b)]  
**Subject:** ToRs

Dear [Redacted S.38(1)(b)]

Comparing the ToRs from the email; and the draft we sent back IMG - Draft Terms of Reference - SG comments (A38215991) there are a few differences.

Firstly: UKG accepted our proposed addition of "respect areas of devolved competence," to the list of topics for discussion.

Secondly: [Redacted S.28(1)]

Finally: there are minor amends to the order of the paragraphs.

[Redacted S.28(1)]

Regards,  
[Redacted S.38(1)(b)]  
[Redacted S.38(1)(b)] EU Secretariat |  
DEXA, Scottish Government  
Mobile: [Redacted S.38(1)(b)]



Address: 2H South, Victoria Quay, Edinburgh, EH6 6QQ  
Please note I am working from home and can be most easily reached by email or Teams.

18. Email 12 July

**From:** [Redacted S.38(1)(b)] **On Behalf Of** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine

**Sent:** 12 July 2022 16:32

**To:** [Redacted S.38(1)(b)]; Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <MinisterCEID@gov.scot>

**Cc:** [Redacted S.38(1)(b)]; Wightman S (Scott); Johnson M (Martin); Strang F (Frank); [Redacted S.38(1)(b)]; Crawford E (Ewan)

**Subject:** RE: Post IMG letters to issue

Hi [Redacted S.38(1)(b)]

Mr Gray has cleared, please see copies attached for your records.

Regards,

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)]

**Assistant Private Secretary to Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine, Neil Gray**

Email: [MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)

[Redacted S.38(1)(b)]

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**From:** [Redacted S.38(1)(b)]

**Sent:** 06 July 2022 11:12

**To:** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>

**Cc:** [Redacted S.38(1)(b)]; Wightman S (Scott); Johnson M (Martin); Strang F (Frank); [Redacted S.38(1)(b)]; Crawford E (Ewan)

**Subject:** Post IMG letters to issue

Good afternoon,

In accordance with a memorandum of understanding with the Scottish Parliament SG writes to committee conveners with an update after formal intergovernmental meetings such as the IMG. By convention we only report the positions we took in this meeting.

Please find attached letters to convenors for issue.

Regards,  
[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)] EU Secretariat |  
DEXA, Scottish Government  
Mobile: [Redacted S.38(1)(b)]  
Address: 2H South, Victoria Quay, Edinburgh, EH6 6QQ  
Please note I am working from home and can be most easily reached by email or Teams.

19. Email to Kenneth Gibson attached to email of 12 July  
**From:** [Redacted S.38(1)(b)] **On Behalf Of** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine  
**Sent:** 12 July 2022 16:30  
**To:** fpa.committee@parliament.scot  
**Cc:** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <MinisterCEID@gov.scot>  
**Subject:** Correspondence from Neil Gray, Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine

Dear Mr Gibson,

Please find attached correspondence from Neil Gray, Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine.

Regards,

[Redacted S.38(1)(b)]  
[Redacted S.38(1)(b)]

**Assistant Private Secretary to Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine, Neil Gray**  
Email: [MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)

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Minister, or a note of a Ministerial meeting, must be filed appropriately by the recipient. Private Offices do not keep official records of such e-mails or attachments.

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20. Attachment to email to Kenneth Gibson



IMG - UK EU

Relations - 2022 July

21. Email to Clare Adamson attached to email of 12 July

**From:** [Redacted S.38(1)(b)] **On Behalf Of** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine

**Sent:** 12 July 2022 16:30

**To:** [ceeac.committee@parliament.scot](mailto:ceeac.committee@parliament.scot)

**Cc:** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>

**Subject:** Correspondence from Neil Gray, Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine

Dear Ms Adamson,

Please find attached correspondence from Neil Gray, Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine.

Regards,

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)]

**Assistant Private Secretary to Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine, Neil Gray**

Email: [MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)

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22. Attachment to email to Clare Adamson



23. Email 3<sup>rd</sup> August

**From:** [Redacted S.38(1)(b)] **On Behalf Of** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine

**Sent:** 03 August 2022 10:44

**To:** [Redacted S.38(1)(b)] Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <MinisterCEID@gov.scot>

**Cc:** Cabinet Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>; Wightman S (Scott); Johnson M (Martin); [Redacted S.38(1)(b)]; Strang F (Frank); Barnes D (David); Crawford E (Ewan); [Redacted S.38(1)(b)]; Cameron DA (Donald) (Constitution and UKR); Fisher G (Graham); [Redacted S.38(1)(b)]; Rogers D (David) (Constitution and Cabinet Director); [Redacted S.38(1)(b)]

**Subject:** RE: OFF SEN: UK EU Relations: UK Government IMG meeting note

Good Morning [Redacted S.38(1)(b)]

Thanks for this.

Mr Gray is content with the note.

[Redacted S.38(1)(b)]

**Private Secretary to Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine, Neil Gray**

The Scottish Government | St Andrew's House | Regent Road | Edinburgh | EH1 3DG | [Redacted S.38(1)(b)]

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**From:** [Redacted S.38(1)(b)]

**Sent:** 27 July 2022 13:10

**To:** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>

**Cc:** Cabinet Secretary for Constitution, External Affairs and Culture <[CabSecCEAC@gov.scot](mailto:CabSecCEAC@gov.scot)>; Wightman S (Scott); Johnson M (Martin); [Redacted S.38(1)(b)]; Strang F (Frank); Barnes D (David); Crawford E (Ewan); [Redacted S.38(1)(b)]; Cameron DA (Donald) (Constitution and UKR); [Redacted S.38(1)(b)]; Rogers D (David) (Constitution and Cabinet Director); [Redacted S.38(1)(b)]

**Subject:** OFF SEN: UK EU Relations: UK Government IMG meeting note

PO, Minister

**Priority:** Routine. For decision. Appreciating that Mr Gray is currently on leave, a response by **Friday 5 August** would be welcome if possible.

[Redacted S.38(1)(b)]

Further to our earlier exchange below, we have now received from the UK Government a draft formal minute of the UK-EU Relations IMG meeting held on 4 July. The minute will not be published but officials have considered and have proposed a number of amendments, which are shown in track changes. Grateful if Mr Gray could review and confirm whether he is content for us to share with UKG colleagues.

Kind regards,

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)] | Head of Negotiating Strategy, European Relations Division, Scottish Government | [Redacted S.38(1)(b)] | Currently working from home

**From:** [Redacted S.38(1)(b)] **On Behalf Of** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine

**Sent:** 13 July 2022 13:09

**To:** [Redacted S.38(1)(b)]; Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>

**Cc:** Cabinet Secretary for Constitution, External Affairs and Culture <[CabSecCEAC@gov.scot](mailto:CabSecCEAC@gov.scot)>; Wightman S (Scott); Johnson M (Martin); [Redacted S.38(1)(b)]; Strang F (Frank); Barnes D (David); Crawford E (Ewan); [Redacted S.38(1)(b)]; Cameron DA (Donald) (Constitution and UKR); [Redacted S.38(1)(b)]; Rogers D (David) (Constitution and Cabinet Director); [Redacted S.38(1)(b)]

**Subject:** RE: OFF SEN: UK EU Relations: IMG meeting note

Good Afternoon [Redacted S.38(1)(b)]

Thanks for this.

Mr Gray is content with the note.

[Redacted S.38(1)(b)]

**Private Secretary to Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine, Neil Gray**

The Scottish Government | St Andrew's House | Regent Road | Edinburgh | EH1 3DG | [Redacted S.38(1)(b)]

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**From:** [Redacted S.38(1)(b)]

**Sent:** 07 July 2022 09:56

**To:** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>

**Cc:** Cabinet Secretary for Constitution, External Affairs and Culture <[CabSecCEAC@gov.scot](mailto:CabSecCEAC@gov.scot)>; Wightman S (Scott); Johnson M (Martin); [Redacted S.38(1)(b)]; Strang F (Frank); Barnes D (David); Crawford E (Ewan); [Redacted S.38(1)(b)];

Cameron DA (Donald) (Constitution and UKR); [Redacted S.38(1)(b)]; Rogers D (David) (Constitution and Cabinet Director); [Redacted S.38(1)(b)]

**Subject:** OFF SEN: UK EU Relations: IMG meeting note

### **Official Sensitive**

PO / Minister

Priority: Routine

[Redacted S.38(1)(b)]

Please find attached a note of the UK EU Relations Inter-Ministerial Group meeting, which Mr Gray attended on Monday. The official minute will follow from UKG in due course.

We are following up the action to write to Mr Ellis regarding the Border Operating Model, and will revert under separate cover.

KR,

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)] | Negotiating Strategy, European Relations Division, Scottish Government | [Redacted S.38(1)(b)] | Currently working from home

24. Note of meeting

## **UK EU RELATIONS INTER MINISTERIAL GROUP (IMG) MEETING**

**MONDAY 4 JULY 2022**

**13:00 – 14:00 [held on MS Teams]**

### **MEETING NOTE**

#### **ATTENDEES**

- Michael Ellis MP, Paymaster General and Minister for the Cabinet Office
- Neil Gray MSP, Minister for Culture, Europe, and International Development, and Minister with special responsibility for Refugees from Ukraine, Scottish Government
- Vaughan Gething MS, Minister for Economy, Welsh Government
- Tom Reid, Deputy Secretary, EU Future Relations, Northern Ireland Executive Office
- Supporting SG on the call also Ewan Crawford (Special Adviser), Martin Johnson, and [Redacted S.38(1)(b)]

## **1. TCA IMPLEMENTATION – PROGRESS AND PRIORITIES**

[Redacted S.28(1)]

### **SG points**

- 1.1. Mr Gray acknowledged official-level engagement was good, but noted that UKG's actions on the Northern Ireland Protocol were inextricably linked to the lack of progress on key TCA issues. He indicated that UKG's failure to associate to the EU's Horizon programme was a particularly significant issue for Scotland.
- 1.2. Mr Gray also referenced the Scottish Parliament's unanimous decision on 29 June to pass a motion condemning the NIP Bill, noting that it was extremely unlikely UKG's request for a Legislative Consent Motion would be granted. The Scottish Government, for its part, was appalled by UKG's action.
- 1.3. Mr Gray [Redacted S.28(1)] , noting research that suggested Brexit had cost the UK £31 billion.
- 1.4. [Redacted S.28(1)], Mr Gray further noted that SG was concerned about future implementation of the Border Operating Model and the lack of engagement on it [by UKG] with the Scottish Government. He offered to write to Mr Ellis to set out SG's views more fully.

### **WG points**

[Redacted S.28(1)]

### **NIE points**

[Redacted S.28(1)]

### **UKG response**

[Redacted S.28(1)]

## **2. NORTHERN IRELAND PROTOCOL BILL**

[Redacted S.28(1)]

### **SG points**

- 2.1. Mr Gray expressed frustration that today's meeting was taking place only after the NIP Bill had been laid before Parliament, which had denied DGs the opportunity to communicate their concerns in advance.
- 2.2. Mr Gray acknowledged an earlier meeting with Mr Cleverley, but noted this did not include any detail on the Bill's content. He noted that the NI Protocol text had been agreed in good faith by UKG - in full knowledge of the implications. The problems with the Protocol were inherent in the type of hard Brexit chosen, and the Bill had not resolved the impasse over forming the NIE. He further stressed that amendments to the NIP should be sought via Article 16, and not unilateral action.
- 2.3. Mr Gray reiterated the desire of the Scottish Government for the NI Protocol Bill to be withdrawn, and negotiations restarted, and indicated that it would be unthinkable that an LCM request would be agreed by Scottish Parliament. He also questioned what the UKG strategy is here – is the Bill a bluff, and an attempt to get further concessions from the EU?
- 2.4. Mr Gray also asked how UKG would support key Scottish industries such as whisky – or indeed Welsh sheep farmers - if the NIP Bill ultimately led to a trade war with the EU.

### **WG points**

[Redacted S.28(1)]

### **NIE points**

[Redacted S.28(1)]

### **UKG response**

[Redacted S.28(1)]

### **3. AOB**

[Redacted S.28(1)] Mr Gray raised UKG's plans for Retained EU Law, highlighting their implications for UK/EU relations (e.g. via level playing field issues) and for devolved competence. He noted that if UKG insisted on progressing the Brexit Freedoms Bill - which SG believed should be withdrawn - then DGs needed more detail on how it would operate, particularly the proposed sun setting clause.

[Redacted S.28(1)]

[Redacted S.28(1)]

### **EUS / EUD**



6 July 2022

25. Email 13 July

**From:** [Redacted S.38(1)(b)] **On Behalf Of** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine

**Sent:** 13 July 2022 15:46

**To:** [Redacted S.38(1)(b)] Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>

**Cc:** Cabinet Secretary for Rural Affairs and Islands <[CabSecRAI@gov.scot](mailto:CabSecRAI@gov.scot)>; Crawford E (Ewan); Higgins K (Kate); [Redacted S.38(1)(b)]

**Subject:** RE: Draft Letter for clearance - Mr Ellis, Paymaster General, following IMG on UK-EU Relations

Good Afternoon [Redacted S.38(1)(b)]

Thanks for this.

I have now sent the letter and attached for reference.

[Redacted S.38(1)(b)]

**Private Secretary to Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine, Neil Gray**

The Scottish Government | St Andrew's House | Regent Road | Edinburgh | EH1 3DG | [Redacted S.38(1)(b)]

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**From:** [Redacted S.38(1)(b)]

**Sent:** 13 July 2022 07:41

**To:** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>

**Cc:** Cabinet Secretary for Rural Affairs and Islands <[CabSecRAI@gov.scot](mailto:CabSecRAI@gov.scot)>; Crawford E (Ewan); Higgins K (Kate); [Redacted S.38(1)(b)]

**Subject:** RE: Draft Letter for clearance - Mr Ellis, Paymaster General, following IMG on UK-EU Relations

Hi [Redacted S.38(1)(b)]

Revised version attached.

[Redacted S.38(1)(b)]

**From:** [Redacted S.38(1)(b)] **On Behalf Of** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from

Ukraine

**Sent:** 12 July 2022 17:35

**To:** [Redacted S.38(1)(b)] Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>

**Cc:** Cabinet Secretary for Rural Affairs and Islands <[CabSecRAI@gov.scot](mailto:CabSecRAI@gov.scot)>; Crawford E (Ewan); Higgins K (Kate); [Redacted S.38(1)(b)]

**Subject:** RE: Draft Letter for clearance - Mr Ellis, Paymaster General, following IMG on UK-EU Relations

Hi [Redacted S.38(1)(b)]

Mr Gray is content to clear. Grateful if this is put onto an updated template please with the Ministers correct title on it and PO can then look to issue.

Regards,

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)]

**Assistant Private Secretary to Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine, Neil Gray**

Email: [MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)

[Redacted S.38(1)(b)]

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**From:** [Redacted S.38(1)(b)]

**Sent:** 12 July 2022 08:32

**To:** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>

**Cc:** Cabinet Secretary for Rural Affairs and Islands <[CabSecRAI@gov.scot](mailto:CabSecRAI@gov.scot)>; Crawford E (Ewan); Higgins K (Kate); [Redacted S.38(1)(b)]

**Subject:** Draft Letter for clearance - Mr Ellis, Paymaster General, following IMG on UK-EU Relations

Dear PO / Minister for Culture, Europe and International Development,

Following the Interministerial Group on UK-EU Relations on 4 July, Mr Gray requested a draft for a letter to Mr Ellis regarding UKG Engagement with the Scottish

Government in the development of the new Target Operating Model for import controls. Please find attached a draft letter for the Minister's consideration.

The critical devolved element of the Target Operating Model is Sanitary and Phytosanitary (SPS) controls, for which Ms Gougeon is the lead minister. This draft letter references correspondence on the same subject sent by Ms Gougeon to the Secretary of State for Environment, Food and Rural Affairs, Mr Eustice, on 4 May. This draft has been produced with SPS officials and is consistent with that letter. However, your office may wish to check with Ms Gougeon's office that she is content before the letter is dispatched.

The draft letter proposes copying in the Secretary of State for Environment, Food and Rural Affairs, the Minister for Farming, Fisheries and Food, and the Welsh Government Minister for the Economy, Vaughan Gething. I include their email addresses below for convenience if the Minister agrees with this.

Email addresses:

Michael Ellis, Paymaster General: [psmichaelellis@cabinetoffice.gov.uk](mailto:psmichaelellis@cabinetoffice.gov.uk)

George Eustice, Secretary of State for Environment, Food and Rural Affairs: [Secretary.State@defra.gov.uk](mailto:Secretary.State@defra.gov.uk)

Victoria Prentis, Minister for Farming, Fisheries and Food: [ps.victoria.prentis@defra.gov.uk](mailto:ps.victoria.prentis@defra.gov.uk)

Vaughan Gething, Welsh Government Minister for the Economy: [Correspondence.Vaughan.Gething@gov.wales](mailto:Correspondence.Vaughan.Gething@gov.wales)

Kind regards,

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)] **Trade Policy** | Scottish Government | [Redacted S.38(1)(b)]

26. Email 15 July

**From:** [Redacted S.38(1)(b)]

**Sent:** 15 July 2022 15:50

**To:** [Redacted S.38(1)(b)]; Strang F (Frank)

**Subject:** FW: Correspondence from the Minister for Culture, Europe and International Development and the Minister with special responsibility for Refugees from Ukraine

Dear all,

For awareness the post IMG letter re poor engagement has now issued.

[Redacted S.38(1)(b)] EU Secretariat |

DEXA, Scottish Government

Mobile: [Redacted S.38(1)(b)]

Address: 2H South, Victoria Quay, Edinburgh, EH6 6QQ

Please note I am working from home and can be most easily reached by email or Teams.

**From:** [Redacted S.38(1)(b)]**On Behalf Of** Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine

**Sent:** 13 July 2022 15:35

**To:** [psmichaelellis@cabinetoffice.gov.uk](mailto:psmichaelellis@cabinetoffice.gov.uk)

**Cc:** [Secretary.State@defra.gov.uk](mailto:Secretary.State@defra.gov.uk); [ps.victoria.prentis@defra.gov.uk](mailto:ps.victoria.prentis@defra.gov.uk);

[Correspondence.Vaughan.Gething@gov.wales](mailto:Correspondence.Vaughan.Gething@gov.wales); Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>

**Subject:** Correspondence from the Minister for Culture, Europe and International Development and the Minister with special responsibility for Refugees from Ukraine

Good Afternoon,

Please see attached correspondence from the Minister for Culture, Europe and International Development and the Minister with special responsibility for Refugees from Ukraine.

[Redacted S.38(1)(b)]

**Private Secretary to Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine, Neil Gray**

The Scottish Government | St Andrew's House | Regent Road | Edinburgh | EH1 3DG | [Redacted S.38(1)(b)]

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27. Email 29 June

**From:** [Redacted S.38(1)(b)]

**Sent:** 29 June 2022 15:40

**To:** [Redacted S.38(1)(b)]; Strang F (Frank); [Redacted S.38(1)(b)]

**Cc:** [Redacted S.38(1)(b)]

**Subject:** RE: DA EU Group agenda - 28 June - and IMG update

[Redacted S.38(1)(b)], All

Thanks for following up on this. We have also taken this away and spoken with ministerial Private Offices and the REUL team in Cabinet Office.

There is consensus between them that IMG is an FCDO structure, which Minister Ellis is kindly stepping in to chair, given his role taking the NIP Bill through its Committee stages and given Minister Cleverly is on personal leave.

[Redacted S.28(1)] suggest that you advise your ministers to write to Minister Rees-Mogg directly on this.

In terms of discussing the detail of individual pieces of REUL beyond the Bill itself, we would suggest taking these to the departmental IMGs, as we suggested in the meetings, so you could have a more constructive and detailed policy discussion.

As discussed this morning, please find attached the version of the TCA implementation from February this year. We are working at pace to comprehensively update this, and the minister is due to clear tomorrow morning, after which we will share with you. When we have clarity on exact timing, we will let you know – thank you for your continued patience.

[Redacted S.38(1)(b)] – following your steer, I can confirm that Minister Ellis’s office has spoken with Minister Gething’s office and confirmed his attendance. Thanks for flagging this.

Minutes from today’s session will follow.

Best wishes

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)]

Team Leader - Devolved Governments & Crown Dependencies Engagement  
Strategic Communications & Engagement | EU Directorate | Europe Group | Foreign,  
Commonwealth and Development Office

King Charles Street, London, SW1A 2AH | [Redacted S.38(1)(b)]

**From:** [Redacted S.38(1)(b)]

**Sent:** 29 June 2022 13:26

**To:** [Redacted S.38(1)(b)]; [Redacted S.38(1)(b)] ; [Redacted S.38(1)(b)]

**Subject:** RE: DA EU Group agenda - 28 June - and IMG update

Hi all,

Thanks for your time this morning. We have since been able to grab a quick word with Mr Gray, who has confirmed it is his expectation that REUL will feature on the IMG agenda. As discussed, due to briefing deadlines, if we can bottom out as quickly as possible that would be much appreciated.

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)] | Negotiating Strategy, European Relations Division, Scottish  
Government | [Redacted S.38(1)(b)] | Currently working from home

**From:** [Redacted S.38(1)(b)]

**Sent:** 28 June 2022 17:22

**To:** [Redacted S.38(1)(b)] Strang F (Frank); [Redacted S.38(1)(b)] **Subject:** DA EU  
Group agenda - 28 June - and IMG update

All

Following on from our recent discussions and subsequent ministerial advice regarding the next meeting of the IMG on UK-EU Relations, Minister Ellis' Private Office has this afternoon written out to DG ministerial (and Head of NIE Civil Service) offices, inviting them to meet virtually on **Monday 4 July at 13:00**, ahead of the Committee stages of the Bill.

With this in mind, we propose an agenda for tomorrow's meeting as follows:

1. Overview from UKG, SG, WG and NIE (to include update on NIP Bill)
2. IMG planning - agenda and papers
3. AOB

Many thanks

[Redacted S.38(1)(b)]

[Redacted S.38(1)(b)]

Team Leader - Devolved Governments & Crown Dependencies Engagement  
Strategic Communications & Engagement | EU Directorate | Europe Group | Foreign,  
Commonwealth and Development Office

King Charles Street, London, SW1A 2AH | [Redacted S.38(1)(b)]

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28. Email 29 June

**From:** [Redacted S.38(1)(b)] **On Behalf Of** Cabinet Secretary for Constitution, External Affairs and Culture

**Sent:** 29 June 2022 08:40

**To:** Diary Michael Ellis Mailbox <[diarymichaelellis@cabinetoffice.gov.uk](mailto:diarymichaelellis@cabinetoffice.gov.uk)>; Cabinet Secretary for Constitution, External Affairs and Culture <[CabSecCEAC@gov.scot](mailto:CabSecCEAC@gov.scot)>

**Cc:** Claudia Ranford <[claudia.ranford@cabinetoffice.gov.uk](mailto:claudia.ranford@cabinetoffice.gov.uk)>; Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine <[MinisterCEID@gov.scot](mailto:MinisterCEID@gov.scot)>; [Redacted S.38(1)(b)]

**Subject:** RE: Interministerial Group on UK-EU issues

Dear [Redacted S.38(1)(b)]

Thank you for the invite, unfortunately Mr Robertson will be on leave next week so Neil Gray, Minister for Culture, Europe and International Development will join the meeting in his place.

I have copied in the Minister's mailbox to allow necessary arrangements to be made.

Many thanks

[Redacted S.38(1)(b)]

Private Secretary

Office of Angus Robertson MSP, Cabinet Secretary for Constitution, External Affairs and Culture

[CabSecCEAC@gov.scot](mailto:CabSecCEAC@gov.scot)

St Andrew's House | Regent Road | Edinburgh | EH1 3DG | [Redacted S.38(1)(b)]



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**From:** [Redacted S.38(1)(b)] **On Behalf Of** Diary Michael Ellis Mailbox

**Sent:** 28 June 2022 15:40

**To:** Cabinet Secretary for Constitution, External Affairs and Culture <[CabSecCEAC@gov.scot](mailto:CabSecCEAC@gov.scot)>

**Cc:** [Redacted S.38(1)(b)]

**Subject:** Interministerial Group on UK-EU issues

Good afternoon,

The Minister for the Cabinet Office is chairing an Interministerial Group on UK-EU Relations on Monday 4 July, 13:00 - 14:00. This meeting will take place virtually via MS Teams.

I would be very grateful if you could confirm Angus Robertson's attendance by 12 PM tomorrow.

Many thanks,

[Redacted S.38(1)(b)]



[Redacted S.38(1)(b)]  
Diary Manager to The Rt Hon Michael Ellis QC MP,  
Minister for the Cabinet Office & HM Paymaster General  
[Redacted S.38(1)(b)]