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Steve Barclay  
Secretary of State for Exiting the European Union

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25 October 2019

Dear Steve

As you will be aware James Duddridge wrote to me regarding the European Union (Withdrawal Agreement) Bill on October 20.

In his letter, James wrote this: "Because parts of the Bill will affect the competence of devolved institutions and will legislate in devolved areas, I am writing today to seek the consent of the Scottish Parliament." He went on to set out the provisions of the Bill the UK Government was seeking consent for.

In my reply of October 22 I made clear the Scottish Government opposes Brexit and would not be recommending that the Scottish Parliament gives the Bill consent. I further set out the clauses of the Bill we consider require consent over and above those identified by the UK Government.

The First Minister has also written to the Prime Minister making clear it is essential for the UK Government to respect devolution and any decision the Scottish Parliament may make.

On Wednesday, however, the Prime Minister, appeared to renege on the UK Government's commitment to seek the consent for the Bill at all.

During Prime Minister's questions, Mr Johnson said, in response to Ian Blackford: "the Scottish Parliament has no role in approving this deal. On the contrary, it is up to the Members of this Parliament to approve the deal."

The UK Government has already conducted a power grab on the Scottish Parliament when it tore up established constitutional rules during the passage of the EU Withdrawal Act. For the first time since devolution was established the UK Government legislated for devolved matters and changed the powers of the Scottish Parliament without the consent of MSPs.

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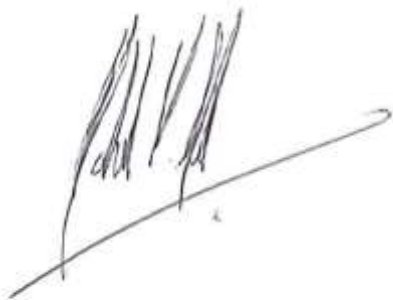
Now the Prime Minister has gone further and, contrary to the letter from James Duddridge, appears to want to shut the Scottish Parliament out entirely from a process that clearly impacts in many ways on devolved policy areas.

The views of people in Scotland, votes in the Scottish Parliament and compromise proposals from the Scottish Government have all been ignored by the UK Government throughout the Brexit process.

Now the Prime Minister seems to be unilaterally re-writing the devolution settlement and downgrading the Scottish Parliament's responsibilities.

I am therefore writing to seek clarification of the UK Government's position and for a reassurance that the UK Government is still seeking the consent of the Scottish Parliament for the Bill and will respect whatever decision the Scottish Parliament takes.

The idea of the United Kingdom as a partnership of equal nations has been a casualty of the Brexit process. The Scottish Parliament that so many people in Scotland voted for must not be cast aside in your government's pursuit of a Brexit that people in Scotland do not want.



**MICHAEL RUSSELL**

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