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Dear Michael,

Thank you for your letter of 27 October. I am afraid it rather perfectly illustrates our concerns about the nature of engagement from the UK Government throughout the EU-UK negotiations on the future relationship.

Your response at no point addresses the purpose of my letter to you on 21 October. It says nothing concerning the issues I raised about the negotiations themselves, and instead references the number of meetings held with Devolved Governments over the course of this year. There is no dispute about the quantity of meetings held between us.

But throughout this process we have been concerned about the quality and timing of engagement, and by extension, the extent to which these facilitate the UK Government taking into account of the views of the Devolved Governments. There has been very little evidence of this.

As you know, I have attended every meeting of the Joint Ministerial Committee on EU Negotiations since its inception. The committee was set up to seek an agreed UK approach to, and objectives for, the negotiations; and to provide oversight of the negotiations to ensure, as far, as possible, that outcomes agreed by all four of the UK's governments were secured.

Your letter does not cite a single example of when the committee has carried out its agreed role because not once has the UK Government allowed it to do so.

The UK Government has simply ignored the terms of reference and side-lined the Scottish, and other devolved governments, throughout the whole Brexit process.

There are, countless examples of the lack of meaningful engagement about which we are so concerned. To mention just a few:

- There was no engagement with us ahead of the publication of the UK Government negotiating principles, which have proved decisive in excluding the scope for anything but a 'low' deal.

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- We have never been shown the UK negotiators' detailed negotiating mandate, nor any of the principal documents since February, including the legal texts which we understand are the current basis of negotiations.
- In July this year you expressly refused to tell Devolved Governments the extent to which the UK negotiating positions have or have not accommodated our concerns.
- The need for a joint Northern Ireland Protocol working group was agreed between us in January. the UK government failed to establish the group until July, it has only met three times, and all the Devolved Governments report that it is falling far short of giving us the information we need to prepare appropriately.

In June the Scottish Government published a detailed paper setting out why it was essential to extend the Brexit transition period given the COVID pandemic and economic crisis.

The UK Government ignored that evidence and instead has recklessly decided to end the transition period at great cost to Scotland and indeed the UK as a whole.

This action I am afraid typifies the UK Government's whole approach to Brexit: total disregard for the wishes and interests of the people of Scotland, contempt for devolution and a drive towards an ever more extreme and damaging Brexit which is going to end with either the worst possible outcome – no trade deal – or at best a “low deal” which will cost jobs and hit the economy hard at the worst possible time.

Despite the substantial economic damage your favoured deal will cause, the prospect of a No Deal should be completely unthinkable at this, of all times, and I urge you today to rule out such a devastating outcome.

I fully understand why you would wish to assert that you have been working collaboratively with the Devolved Governments, but the facts show that the decisions on Brexit have been taken by the UK government alone. This is a crisis entirely of the UK Government's making and people in Scotland are well aware of where the responsibility for the consequences lie.

**MICHAEL RUSSELL**

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