



Rt Hon Lord Frost CMG  
Minister of State  
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The Earl of Kinnoull  
Chair, Lords EU Committee  
House of Lords  
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13 April 2021

Dear Lord Kinnoull,

Thank you for your letter of 2 March regarding the Joint Consultative Working Group (JCWG). I have set out responses below to each of the questions raised in your letter.

**1. When do you expect the co-chairs of the JCWG to be appointed, and are you yet able to confirm the UK and EU nominees?**

The JCWG is an official-level group. The co-chairs have been appointed from the Cabinet Office Northern Ireland/ Ireland Unit and the Commission's UK Service.

**2. When will the JCWG next meet, and how often do you expect it to meet in the future?**

As set out in Article 15 of the Protocol, it will meet at least once a month, unless otherwise decided by the co-chairs. It did not meet in February or March but we expect it to meet in April.

**3. Will you agree to the recommendation of our June report that the Government should establish formal mechanisms for prompt communication to Parliament of information received from the EU in the JCWG on planned or adopted EU legislation falling within the scope of the Protocol?**

The public communication of information is still under consideration as we continue to formalise the arrangements for the JCWG with the EU.

**4. How does the Government intend to seek through the JCWG to influence Commission views on which of the legislative proposals foreshadowed in the Commission Work Programme would under the Protocol apply to Northern Ireland?**

The main function of the JCWG is as a forum for information sharing and consultation on the application and implementation of the Protocol. The UK will form its own assessment in all cases on proposals for new EU legislation to determine which process under Article 13 would apply.

**5. How will stakeholders in Northern Ireland (and beyond), including businesses, communities and civil society, be able to participate in and contribute to the deliberations of the JCWG? What discussions are taking place with the EU to ensure that they are able to do so?**

We regularly consult stakeholders on the practical implications of the Protocol and this feeds into the work of the Joint Committee structures. For example, the Withdrawal Agreement Joint Committee co-chairs met business and civil society stakeholders on 18 February where they heard a variety of voices from across communities in Northern Ireland and committed to continuing that engagement. This was reaffirmed at the Joint Committee meeting on 24 February, where the Committee recognised the vital importance of a regular dialogue to inform the discussions as the work of the Joint Committee moves forward.

**6. How does the Government propose that parliamentarians in Westminster and the Northern Ireland Assembly should engage with the deliberations of the JCWG? Will they have an opportunity to participate directly in its work?**

Scrutiny of the JCWG's work will take place as part of the general scrutiny arrangements for the work of the Joint Committee structures, of which JCWG is part. The JCWG is a more technical official level working group between the UK Government and Commission, so is not a forum in which parliamentarians will directly participate.

**7. What steps does the Government support to ensure transparency and visibility of the Working Group, and to allow parliamentary committees in Westminster and the Northern Ireland Assembly to scrutinise its work effectively?**

This needs to be determined in discussions in the wider context of parliamentary scrutiny of EU matters.

**8. Will you share with parliamentary committees regularly updated schedules of JCWG meetings, together with the agenda and summary minutes of each meeting?**

I am happy to keep Parliament updated through the scrutiny process on the work of the JCWG and its agendas. Minutes of working groups such as these are not normally published.

**9. Can you confirm that the JCWG's annual report will be published?**

As set out in Rule 13 of the Rules of Procedure, the JCWG co-chairs are required to send the annual report to the Ireland/Northern Ireland Specialised Committee. We will consider the question of its publication or provision to Parliamentary Committees at that point.

**10. When do you expect the JCWG to hold a dedicated meeting, involving external stakeholders, on implementation of Article 2 of the Protocol, on the rights of individuals, as proposed in the Government White Paper on The UK's approach to the Northern Ireland Protocol?**

No date has been fixed but we are in touch with the Commission on this subject.

With best wishes,

A handwritten signature in black ink, appearing to read 'Frost', written in a cursive style.

**Rt Hon Lord Frost CMG**