

Northern Ireland Affairs Committee

Oral evidence: The effectiveness of the institutions of the Belfast/Good Friday Agreement, HC 781

Wednesday 10 May 2023

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Members present: Simon Hoare (Chair); Sir Robert Buckland; Stephen Farry; Sir Robert Goodwill; Claire Hanna; Carla Lockhart; Jim Shannon; Mr Robin Walker.

Questions 209 - 240

Witnesses

I: Dr Andrew McCormick, Former Permanent Secretary, Northern Ireland Departments of Health, for Enterprise and for the Economy (2005-18); Sir Malcolm McKibbin, Former Head of NI Civil Service (2011-17); Sir David Sterling, Former Interim Head of NI Civil Service (2017-20).

Written evidence from witnesses:

- [[GFA0022](#)] - Written evidence submitted by Sir Malcolm McKibbin, Sir David Sterling, and Andrew McCormick



Examination of witnesses

Witnesses: Dr Andrew McCormick, Sir Malcolm McKibbin and Sir David Sterling.

Q209 **Chair:** Good morning, colleagues, and good morning to our rather distinguished panel this morning for another session on our review of the effectiveness of the institutions of the Belfast/Good Friday agreement. Gentlemen, you are very welcome and we are grateful to you for finding the time to appear before us this morning. I understand a quick opening statement has been requested, which is fine, and then we will turn to questioning.

Sir David Sterling: We thought it would be useful if each of us said who we are and what we did, just to give members an understanding of our background. I will start as contestant number one, if you like.

Q210 **Chair:** Is this the Northern Irish version of "Blind Date"?

Sir David Sterling: It is in a grotesque sort of way. I was Permanent Secretary in the Department of Enterprise, Trade and Investment from 2009 to 2014, where our preoccupation at the time was building economic recovery after the financial crash of 2008. I moved to the Department of Finance and Personnel, which is now the Department of Finance, in 2014, and stayed there until 2017, dealing mainly with a range of public expenditure issues. I was head of the Civil Service from June 2017 until August 2020, when I retired.

Two and a half of those years were a period when we had no Ministers and no Executive. We then had New Decade, New Approach at the beginning of January 2020 and the resumption of the Executive, and were then very quickly having to deal with the first wave of Covid before I retired.

Sir Malcolm McKibbin: I am Malcolm McKibbin. I held two Permanent Secretary posts between 2007 and 2011 in agriculture and infrastructure, before becoming head of the service in 2011. I was based in Stormont Castle with the First Minister, the Deputy First Minister, two junior Ministers and their eight spads, and the proximity in Stormont Castle was extremely important during the course of the mandate.

I worked with the Executive, the First Minister and the Deputy First Minister for over five years. Unlike David, we did have an Executive at that time, and then, for a period of about six months, the institutions were down. It is important to remember that this was indeed quite a unique system of Government. It was unprecedented, untried and untested, and there was no operating rulebook. Effectively, we had to make a lot up as we went along.

As head of service, I was also heavily involved in five different sets of crisis political talks, to either prevent the institutions from collapsing or to try to assist in restoring them. Some talks processes were more successful than others, as, Stephen, you will well remember. I retired in



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the summer of 2017 but came back to help out with some of the NDNA talks.

Dr McCormick: I am Andrew McCormick. I was Permanent Secretary from 2002 until my retirement in 2021. I worked in finance first, then for nine years in the health Department, and then succeeded David in economy. In February of 2018, on a voluntary basis, I moved to the Executive Office to work on international relations, as in Brexit, and so I was the lead official on Brexit from February 2018 until my retirement.

I have two points just to throw into the mix. In 1992, I had a very small part in the Mayhew talks, which were all about designing the institutions. My job in those days was to analyse decision-making with strand 1 and strand 2 institutions. Before I became Permanent Secretary in finance between 1999 and 2002, I was at the centre of things in the first Assembly, working on the establishment of the institutions, and especially working very closely with Dublin on the establishment of the north-south institutions. I then worked through how budget and programme for Government decisions were taken in that UUP-SDLP-led Executive, so working very closely with David Trimble, Seamus Mallon, Mark Durkan and Sean Farren as Ministers at that time.

Chair: To say your corporate memory is deep, wide and long would be an understatement, so double thanks for appearing before us this morning.

Q211 **Sir Robert Buckland:** Already in your opening remarks you have given some reflections about the governance of Northern Ireland since 1998, and you have a lot of experience of the governance of Northern Ireland pre-1998. I wonder, therefore, if each of you could perhaps encapsulate, as succinctly as you can, the effect that you think the institutions set up under the three strands have had upon, frankly, the way Northern Ireland is governed for good or perhaps not so good, or other impacts as well.

Sir David Sterling: The agreement has delivered relative peace in Northern Ireland, and that is something that the people of Northern Ireland are incredibly grateful for. We should not forget, mind you, that there have still been 164 security-related deaths since 1998, so it is not totally peaceful. While it has delivered peace—and the views that I am expressing this morning are my own—I do not think that we could say that it has delivered good Government throughout that period.

The institutions have been down for around 40% of the time since 1998. We face many really difficult challenges in Northern Ireland in our health service and our education service. We have very little productivity. We have a lot of economic inactivity. We have very high levels of inequality across the UK.

When you look at the extent to which the agreement has led to a reconciliation between the communities at a headline level, only around 7% of our children go to an integrated school. More than 90% of social housing is still segregated on grounds of religious background, and that



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risers to maybe as high as 94% in Belfast. There are some structural issues. There are some issues in and around community reconciliation that are very much still to be resolved.

On a positive note, the agreement has allowed for representation by unionists and nationalists, but then there is now an issue about the extent to which the institutions are representing the views of those who define themselves as “other”, which is probably now around 20% of the population.

What we have seen in the last 25 years has been positive in many ways, but, as I say, it has not delivered us the good Government that we really need to tackle the many issues that we face.

Sir Malcolm McKibbin: I am not going to repeat anything that David said, since that is hardly productive. As he did say, though, it delivered peace, but it has been much more problematical perhaps from a political settlement point of view. Although David refers to the fact that the Government were down for quite a period of time, there has been a pendulum swing. Since the Government was formed in 2011, whenever I came in, it has had periods when it performed very well, and periods where it really was very difficult.

Just think for a moment that, in 2013, we had the Haass-O’Sullivan talks. We had another crisis in 2014, when we had the Stormont House agreement, and another crisis in 2015, when we had the Fresh Start talks. We had further talks in 2017, which were aimed at restoring the institutions, further talks in 2018, and then the NDNA in 2020.

This pendulum was swinging, so it was always precarious. The resilience and the stability of the institutions were dubious at best. Deloitte has, for about 11 years now, done a survey called State of the State. We interview a number of very senior Ministers, MLAs, MPs, council chief executives and heads of police, et cetera. Without exception—and I mean without exception—they all said that they wanted to see devolution back. Even though they were critical of it, they all believed it was better to see devolution back, with local Ministers making local decisions, and that is an important thing to remember.

Dr McCormick: I would focus on the word “legitimacy”. I think back to my early career, when big decisions were formally taken by direct-rule Ministers, but taking recommendations from mighty figures like George Quigley, who I worked very closely with in the 1980s. That was smooth and easy as a way of doing Government, but it had no legitimacy. It did not have a foundation of engagement from the community in Northern Ireland.

To me, the value and benefit of the strand 1, 2 and 3 institutions is that they have an opportunity for engagement from local people. I remember saying about 10 years ago to my colleagues that I would rather have bad decisions taken by a locally elected Executive on the basis of democratic



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legitimacy than the sterility and ease of direct rule. It was a comfortable life.

Ministers were conscientious—people like Shaun Woodward and Paul Goggins, who I worked closely with in the run-up to restoration in 2007, or Michael Ancram in education in the 1990s—and were applying themselves, but they are there for a short time, so getting the institutions operating is the only legitimate show in town, and that is what the agreement brought about.

On the journey to the agreement, it was very important that the parties played their part in working through the detail as to how it worked. All that David and Malcolm said about the difficulties and the struggles would apply, but part of that is because a lot of those issues are very difficult. Working out welfare reform and an acceptable way to deal with policing and justice were incredibly difficult issues.

I remember saying in the public inquiry that they never had that long. There has never been a long period of enduring time to establish patterns and to get over some of the initial hurdles. There have been so many restarts, which then means that the experience and the patterns of doing Government have not had a chance to get established, and that is still the case. It needs time and it needs patience.

For me, it also needs strong commitment from the two Governments not to say, "Oh, yes, they have come back. We can forget about it and let devolution run". That is nothing like enough. There is such a need to support and nurture the institutions.

Q212 **Chair:** It is interesting, Dr McCormick, that you use those words. There has been a reticence, has there not—it may be an understandable reticence—whereby the stabilisers were taken off the bike. One stabiliser is Dublin and the other Westminster. The bike has wobbled, fallen over and wobbled on a bit more, et cetera.

Let us work on the presumption that the institutions resurrect themselves in short order. How would you like to see, without the mothership beaming in, that more proactive, muscular type of engagement as co-guarantors in trying to facilitate discussion and to help to drive and support change, rather than just letting it be freestanding?

Dr McCormick: The key on that is to reinforce paragraph 1.5 of the agreement, which the Governments and the parties to the talks agreed to. That talks about commitment to making it work and acknowledges that the differences will endure. They have endured, but there is a commitment to work together in practical ways to make all the institutions work. That needs to be sustained by the parties, but also by the two Governments.

You can blame the crash for some of the detachment from both Dublin and London in that period. More recent issues have been more troublesome in driving a wedge between the two Governments, returning to that to say, "This is the way it is". Neither side likes everything in the



agreement. By definition, it was a difficult agreement to reach, so there are lots of things that are not good about power-sharing. There are lots of things that are troublesome from a unionist point of view about strong north-south institutions, but that is the deal. It is the only thing that has popular support, as in the referenda. Therefore, we need continual reminders. It is an engagement that says, "We commit to make these things work, to get over the practical difficulties and to iron out the challenges, and to continued engagement".

Q213 Chair: Sir David, you have always prided yourself as a straight talker who is not afraid to speak truth unto power, as it were. That has always been welcomed as an important part of the process. In your opening remarks and in answer to Sir Robert, you mentioned the backlog of reform and the disparity in health and education. Has it surprised or disappointed you that the immediacy of trying to address those issues has not trumped or played more significantly in the minds of politicians who have defaulted to the collapse card, rather than trying to work through, given the disparities and the pressing need for public service, both delivery and reform?

Sir David Sterling: It is a good question. I have worked for Ministers from virtually every party over the last 20 years, and I do not think that I have ever worked for a Minister who clearly did not want to make Northern Ireland a better place. The challenge is that, in a coalition that at times has had as many as five parties, it has proved difficult to get agreement on the best way forward on some of the difficult issues.

I have heard politicians repeat the statement, "We know what needs to be done, but we do not know how to get elected after we have done it". I am speaking personally here, but the people of Northern Ireland are a little more sophisticated than that. At times, not enough has been done to explain why certain difficult things need to be done and the benefits that would flow and the better outcomes that would arise if that was done.

My experience is that civil society in Northern Ireland is very keen to work with the parties when they return to the Executive and to focus very much on doing the things that will make Northern Ireland a better place. That needs to start. You have referred to what would need to happen the next time. There is going to need to be a very concerted effort to prepare a programme for Government that addresses all the big issues.

One of the suggestions that I would put forward is that we should not necessarily rush back into Government. It would be worthwhile spending a bit of time to get a programme for Government that was clearly going to make a difference and that had the support of the parties, but that also was a product of engagement with civil society—businesses, third-sector charities and all the rest. If that takes a few months rather than six weeks, that would not be time wasted.



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If you are looking for suggestions, it is worth considering that D'Hondt is not run until a programme for Government is agreed, so that all the parties are, in a sense, bought into the programme for Government before the ministerial portfolios are divided up. In support of that, there is going to need to be a multiyear budget that would provide the finance to deliver those issues. There are probably issues there about the extent to which UK Government may need to assist in that, but I will leave that for later questioning.

Q214 Chair: You have referenced the way in which the Executive is formed and, almost of itself, delivers inherent instability. Would an Executive and a formal Opposition be a better way of allowing for more robust debates rather than marriages of convenience that then break up in acrimony?

Sir David Sterling: Malcolm was there at a time when we had an Opposition.

Sir Malcolm McKibbin: People termed the five-party system that we had a mandatory coalition. I do not know where the term "mandatory" came from. It was elective inclusion rather than a mandatory coalition. People choose to go in or not, as the case may be. The more parties that there are, the more difficult it is to reach a conclusion, particularly when you reflect on the fact that the parties have quite different economic, social and constitutional aspirations.

The five-party system, as I say, worked well on occasion, but not so well on others. In 2016, it was the case that we went down to just the two main parties in Government—the DUP and Sinn Féin—along with an independent justice Minister. What I would almost call an informal Opposition was formed, and it changed the dynamic in the Executive quite considerably.

The DUP and Sinn Féin in particular tended to meet prior to Executive meetings during the weeks, and a lot of issues were resolved coming into an Executive meeting. You also had the situation where the fact that the Opposition was gunning for both the parties tended to bind them closer together in terms of protecting their interests and their reputation.

It did make a difference, but I remember, in and around November 2016, that it had been working for about six months, and working quite well, I have to say. For the first time in 10 years, the First Minister and Deputy First Minister did a platform piece in the *Belfast Telegraph* in November 2016. Just a few quotes from that include, "Politics here is changing for the better. We are now an Executive facing in the same direction. Rest assured this Executive is not going to abandon you. We are in this for the long haul". Seven weeks later, the Executive was down. That again just reflects how quickly things can change.

To go back to the point that was being made by Andrew, there is a need for the British Government—and, indeed, the Irish Government—to help identify when small fires are starting to burn before they become big fires; I almost said bonfires there. The loss of institutional knowledge



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from 1998, when there were so many people involved, has had some bearing on people's willingness and ability to come in and help at an early stage, and to be proactive, not reactive.

Q215 Carla Lockhart: Thank you for coming before us today. You talked about Stormont, the restoration and the desire for devolution. We all are very clear on that. Can you give an assessment of the need for a financial package to allow Stormont to get up and running and to do the things that it needs to do in terms of transformation of our healthcare, our education, our skills and our roads, et cetera?

In your long history of experience in the Executive, if we do not get a financial package and if we are not able to reconfigure the Barnett consequential, which is putting Northern Ireland at a disadvantage in comparison to our counterparts, are we able to do the things that we need to be able to do in Northern Ireland?

Sir David Sterling: That is, again, a good and very topical question. What Northern Ireland needs is a sustainable programme for Government underpinned by a budget. The Fiscal Council has done superb work. Its analysis and explanation of the public expenditure regime in Northern Ireland is very good. What it has said is that Northern Ireland is currently getting around £1.23 for every pound spent in England, and it probably needs around £1.24. I think you are pointing to the Barnett squeeze, which, in the future, is going to see that share for Northern Ireland reduce, and it will reduce more quickly as public expenditure rises.

There is an issue there, but the immediate issue is that there have been a number of financial pressures building for a number of years. There will need to be some financial help if public services are to be delivered on a sustainable basis. There will also need to be investment in transformation. Over the years, there have been many occasions where the Treasury has put more money into Northern Ireland to, in a sense, sweeten a political deal. I am not sure that we have always used that money as well as we should have done.

From my experience of dealing with the Treasury, I know that there is considerable resentment that Northern Ireland is always looking for more, even if, in our terms, it is justified. There are inevitably going to be discussions about additional money for Northern Ireland. Those of us in Northern Ireland need to be realistic and to recognise that the next time additional money goes in, it will probably need to be conditional.

In Northern Ireland, the Fiscal Council has identified that, if we paid the same level of taxes and charges as people in England, Scotland and Wales, the Executive would have in access of £600 million a year to spend on public services. I do not think that we can realistically expect people in England, Scotland and Wales to continue to put more money into Northern Ireland without people in Northern Ireland paying similar amounts to what people in England, Scotland and Wales are paying for their public services.



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We will need additional money, but hard choices are going to need to be made by those of us in Northern Ireland who are in receipt of public services. To be blunt, we cannot expect our public services to be of the same quality that they are in England, Scotland and Wales if we are not paying the same amount into them as people there are.

Q216 Carla Lockhart: Would you say it would be foolhardy to go back into an Executive without having secured a financial package and some wiggle room or some concessions around that Barnett consequential and how that will be structured in the future?

Sir David Sterling: I would not want to be drawn into the political choices that individual parties have made, but, at the risk of being controversial, the challenges that are being faced by public services in Northern Ireland would be better addressed with an Executive in place than with Ministers not operational at the moment.

Dr McCormick: Restoring the institutions cannot be subject to any real conditions, because it is the only legitimate form of Government endorsed by the people in 1998. There is no legitimate alternative, and what is in place at the moment has zero democratic legitimacy.

I was involved very closely in a financial package that was specifically conditional. In 2002, David Trimble, Mark Durkan and Sean Farren negotiated a package where additional money would become available, conditional on action on rates and water charges. Through the whole period between 2002 and 2007, it was an open secret that those measures would be taken by direct-rule Ministers, so that, when the Executive was restored, they would not have to worry about the water charges issue.

David was in the front line of leading the work and establishing the processes. It was ready to go. At the very last minute, Peter Hain took a different approach. In a way, the cliché that we need a financial package has become a dependency, and part of the way forward is to say that running this place is a responsibility anyway. No one has spent more time than I did in arguing against the injustices of Barnett back in the day when I had that responsibility.

There is an issue, but taking responsibility for operating the institutions as mandated in 1998 is the first thing. In terms of getting there and all that David says about taking responsibility and recognising those choices, if the choice is to keep water rates low, that is also a choice to have public services with less expenditure. Those are choices to be made by Ministers.

Q217 Chair: The easiest thing to do, to use a phrase of yesteryear, is to stuff the mouths of Northern Irish politicians with gold and to use that as an inflater to get things back up and running. Is there more merit in taking a matched funding approach, where Treasury says, "You may get an extra whatever, but you have to find either savings or new streams of revenue



in order to unlock this”?

Sir David Sterling: That is well worth considering. Going back to 2007, a mistake that was made at the time was that Peter Hain, as Secretary of State, gave the new Executive £100 million in lieu of the water charges that were not going to be collected. I argued at the time that £100 million should be given as a reward for introducing the water charges.

Going back to the point I made earlier, if the disparity between what is collected in Northern Ireland and GB is around £600 million a year, it would be interesting to see what would happen if the parties said, “We will close that gap if, UK Government, you match us pound for pound”. Over a period of five years, we could end up with £1.2 billion or £1.3 billion extra for public services. That would be something well worth considering.

Sir Malcolm McKibbin: Going back to Carla’s point about whether you need a transformation fund or something akin to that, what worries me slightly is the fact that I do not believe that Permanent Secretaries have the vires on moral authority to effect the cuts or introduce new revenue-raising mechanisms that will allow them all to live within their control totals. Hence, we are likely to head for an overspend this year if there is not political intervention.

There can be a political intervention by the Executive, if it returns. If it does not return, I believe that it is incumbent upon the British Government to intervene, as no decision will result in an overspend and, effectively, is an overspend decision. That would mean we were going in in a very difficult financial situation and there would not be the money to effect proper transformation.

To go back to the Chair’s comment, if we get money for transformation, the purpose of the transformation is to make us more efficient. That should produce savings. There is this chicken-or-egg issue.

Q218 **Carla Lockhart:** It is not about stuffing the mouths of politicians with gold at all. This is about transforming our services for the future for the people of Northern Ireland. It is ensuring that we are able to implement Bengoa. It is to ensure that we are able to build the new schools that are much needed within our estate.

Ultimately, Northern Ireland is being disadvantaged by the Barnett consequential. Also, we are coming from a very different place, where we have suffered at the hands of terrorists, who bombed and blew up our towns and destroyed our province for many years. We are on the back foot because of that.

Sir Malcolm McKibbin: There is no doubt that there is an issue of cost of division that still exists within Northern Ireland. There are additional costs associated with that. I would go back to what David was saying. If there is some sort of transformation fund established, and we do not know whether there is going to be, it would definitely need to be



overseen so that it was spent on what it was intended to be spent on. Perhaps the Fiscal Council would have some role to play in that.

Q219 **Jim Shannon:** Gentlemen, it is a pleasure to see you all again. You have probably always been in place. I cannot remember a time that you were not in place, which probably tells you that your vintage is the same as mine. We will leave it at that.

I have two questions, very quickly. First, the institutions were created under the agreement. You would look now and say that there are some things you would do differently. Quickly, what would you do differently that would make it better?

The second question is to do with local government. I have always felt that local government in Northern Ireland could do more if it was given the opportunity. For instance, local government over here does much more than what we do back home. Do you feel that there is a bigger role for local government? If so, there is a funding issue as well. If it takes extra responsibilities, it has to have that in place.

Dr McCormick: We would want to look at the design of the institutions to respect fully what was agreed. This takes us right into the issues around how they function. I saw this beginning in 1992 in the Mayhew talks. You had layer upon layer of checks and balances. That was necessary to secure confidence and hence legitimacy, going back to what I was saying about why the agreement came about as it did.

The intention never was for the cross-community voting or petition of concern to be widespread and used routinely, as happened. It is not so much about change of design. It is change of operation and respecting the spirit as well as the letter of what was agreed in 1998.

For example, for an Executive meeting to divide on cross-community basis on the issue of code regulations, what does that have to do with identity, consequences of the conflict or any of the actual reasons for the cross-community checks and balances? Even the way the legislation came through in 1998 was not respecting the letter of what had been agreed in the talks.

Furthermore, there is the way in which First Minister and Deputy First Minister are appointed. These are some of the changes made, expediently and perhaps necessarily, at St Andrews that have gone against making the institutions work with the intended spirit, as in commitment to work out the practicalities, to respect difference and to do whatever else to make them work, including strand 2.

One thing that stands is the absence of any oversight mechanism. Maybe this is democratically impossible. The fact is that people—this is applied to a range of different parties at different times—can refuse to respect the spirit of the institutions and sometimes the letter of their obligations, but there is no sanction. There is nothing. The courts will say, “That is a political matter”. Yes, what has happened is contrary to the law, but they



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are not going to impose a solution to that. This is difficult territory. To me, it comes back to the fundamental need for commitment to make the institutions work.

Sir David Sterling: Yes, absolutely. On the local government point, there is an argument for looking at whether more could be devolved to the local councils. The reality is, as I said earlier, that the institutions, the Assembly and the Executive were down for 40% of the time in the last 25-odd years. The councils have continued to function throughout. Some are predominantly from one community background and some from the other, but some are mixed. Irrespective of that, they have tended to work well. It has not always been easy, but they have worked well. There is an argument for looking to see whether we could devolve more to local councils.

Q220 **Jim Shannon:** The councils have been an example. With all the political differences that there are, by and large, councils try to work together to deliver to the ratepayer. Their responsibility is different. It is not a political responsibility. It is a ratepayer responsibility, so it is different. I always felt, like you have said as well, David, that local government could do more. There is a role for it. What they do here in councils perhaps could be replicated in Northern Ireland.

Sir Malcolm McKibbin: You will remember that, whenever the council numbers were being reduced, there were conversations around what should and could be transferred to the local councils. Planning went across. Local roads were due to go across. It is odd that central Government are filling potholes outside your house, for instance. It was decided by the Assembly that those powers were not going to be transferred to the local authorities.

There were also difficulties because, very often, you were passing across a liability. In other words, there is insufficient funding, for instance, to maintain the highway network. Therefore, you are going to be passing across a financial problem to the councils. They were concerned that, unless they got proper funding, they did not want to receive the services.

Like you and David, I believe that there is scope for passing more across. We just have to be careful how we do it, so that we are not just moving one problem from one area to another. Local decisions are for local people.

Jim Shannon: I agree.

Q221 **Claire Hanna:** It has been very interesting so far. I want to talk about some of the changes to the strand 1 institutions since 1998. There have been a number of them, both on the Floor of the Assembly and behind closed doors, and I suppose for better or worse effect, depending on your view. What is your assessment of those changes on the governance?

Dr McCormick: I am going to pick up where I left off a moment ago. In a way, the biggest substantive changes were at St Andrews. Then, of



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course, there was a lot of unfinished business in 1998 because, while an immense amount was covered, policing and justice was not. That itself was a long journey and Malcolm is better qualified to give detail on that than I am.

Part of the point for me is that the processes were not quite the same. It is not so much about the detail, the technicalities and the language as about the attitude and approach. It is amazing and very positive that devolution happened in 2007 and that that came together. That is to be acknowledged and celebrated, but the process that that involved did not actually lead to a fresh requirement to commit to making things work. Yes, in practice, for a large period from 2007 onwards, they did, but there were always then these risks of break points.

In a way, the unfinished business is how to deal with unresolved issues and how to deal with times when, from one point of view or another, the claim is that promises have not been fulfilled. You can quibble; in fact, you can argue strongly against what Sinn Féin said in 2017 and what is being said now by the DUP as to whether unfulfilled promises are a reason not to be in Government. That is secondary to the fact that they believe it and that their constituencies believe it. That shows the need for leadership to actually get to the root cause of those issues, and that can only be done by process.

I am giving you an answer that says that process and the way things are done, the way people are brought together, matters as much, if not more, than the actual words on the page that emerge. It is how they get put together. I am risking getting awfully near Brexit here, because part of what never happened at any stage was the working out of an agreement that was based on what people in Northern Ireland wanted, thought, considered, could accept, could live with and could tolerate. The process absolutely matters.

Q222 Claire Hanna: It is a bit like that line about culture eating strategy for breakfast. The rules and regulations will not affect the mindset.

I wanted to look at a couple of specific changes. One is how First Ministers are elected. Do you think that that changed the dynamic? There was, rightly, a lot of focus and discussion about the need to reform the petition of concern. Of course, there were some changes in New Decade to restore that to its original intention. There seems to be a lot more use of what you might call the St Andrews veto within the Executive, where Ministers are pre-emptively knocking back so-called controversial issues, so they do not even get on to the Floor of the Assembly. Would anybody have any observations on those two specific changes and their impact on outcomes for Northern Ireland?

Sir David Sterling: I will make a couple of quick general points. I would go back to what I said earlier about the need to get an agreed programme for Government. Before an Executive is reformed, if you can take enough time to get a programme for Government that addresses the



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big issues and gets buy-in from all the parties that are in the Executive, and indeed wider society, that might reduce the scope for difficulty going forward.

Going back to a point that we all made earlier, there are no procedures, processes or changes to the arrangements that will be proof against somebody saying, "I do not want to play in this game any longer". There is no substitute for committed, courageous, bold political leadership.

I think that the three of us would all be quite clear that one thing that is needed is for the parties to recommit to the declaration in the agreement at 1.5. It bears repetition many times. That would be a great starting point for any resumption.

Q223 Claire Hanna: That would be ideal, but the Committee is looking at plan Bs just in case purity of leadership does not become a currency. We believe that there are some.

Sir David Sterling: You need to get the Executive back up, and then you can look at these things within the Executive. I am not sure that imposing from outside would work.

Dr McCormick: To be specific on your two points about appointment of FM and DFM and petition of concern, the change at St Andrews has had a very negative impact. Every election, which will be the largest party becomes an issue, which it was not in the original design in 1998.

I can understand why the change was made. I actually looked back at the Hansard of the nomination process when David Trimble and Seamus Mallon were appointed, when someone from the other side was nominating. I remember that so well. It was such a positive mood, but much harder to imagine happening thinking of the cast of characters in 2007. I can understand why that was not going to happen.

Making clear that the two are equal—even the titles matter—takes some of the poison out of it. It could be changed away from being an electoral contest, so therefore reverting to something closer to the original plan, even not going the whole way. The effect was negative and there is room to change that in a positive way.

As I said already, the petition of concern should be focused to where it is actually needed, looking at paragraphs 11, 12 and 13 of strand 1 in the agreement. Those were not put into the legislation, are not being applied and have not been applied. I can understand the need, as at St Andrews, for there to be a check on Executive decision-making. That probably was not foreseen totally in 1998, the need for some facility in relation to cross-community voting in the Executive. It absolutely has been overdone, and even the possibility that that might happen inhibits things from happening. The power over the agenda is a problem.

This goes back to the need, for instance, for everybody to be working the institutions in the way they were intended and in that spirit. I find it hard



to imagine any external check, any supervisory role that would say, "That invocation of cross-community is valid and this one is not". Who is to say that? Can criteria be clear enough and can they be subject to test in some way? Is there an extra committee in the Assembly or something that arbitrates and says, "Yes, that is valid and that is not", in terms of invoking these things?

Q224 Claire Hanna: I think that there were some mechanisms envisaged in the original agreement for that.

Dr McCormick: Yes, that was the special procedure.

Claire Hanna: There are a number of things that were ultimately vetoed in PoC that I do not think anybody could argue with a straight face were community-designated. This is fascinating.

Sir Malcolm McKibbin: Just to say about the reform, the agreement allows for a reform of the institutions. In terms of David's point of getting the institutions back and then looking at how you might reform them, I would caveat by saying that, if it is clear that they are not coming back, you have to have the talks anyway. They have to go ahead.

You said, "Has there been reform?" There has been quite a lot of reform, but incrementally. Nobody has tried to completely unravel the agreement, but there have been changes to governance, accountability, transparency, the number of Departments, the number of MLAs, the code of conduct for Ministers and spads, party leaders forums and civic forums. These things have slowly come in with the aim of trying to incrementally, as I say, improve the resilience and stability of the institutions. Some of them have worked better than others.

Q225 Claire Hanna: Yes, absolutely. That is a point I made. There already have been evolutions, some of them probably more productive than others.

You have briefly addressed the issue of opposition. That is a work in progress at the moment and something that is being discussed. As it stands now, are there adequate provisions for opposition? Is that something that can be a useful tool on our way to "normalisation"? Are the current structures taking the role of an Opposition seriously enough?

Sir Malcolm McKibbin: Your own party is going into Opposition once the Executive and the Assembly return. There was supposedly going to be a review that would look at the amount of support that the parties would get. Any party going into Opposition in the two years to make that call, according to NDNA, needs to be adequately provided for so it can exert a proper, coherent opposition for the incumbent Government

Q226 Claire Hanna: As you referenced, there is no doubt that there were achievements from that Opposition. Most Oppositions are trying to bring down a Government. The Opposition is currently trying to get one formed. In general, it was a useful scrutiny tool and that short-lived 2016



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Executive was one of the most functional times.

In general, I wanted to ask whether you have any reflections on why 2007 to 2017 worked particularly well. I suspect that some of it might come down to culture. I suppose that the more problematic elements were inside the room and we had not had Brexit bite, in a way. Are there other things that you think made that period more stable than others that came before or since?

Sir David Sterling: I have been on record as saying that my personal view is that the high water mark for devolution was around 2012 and 2013. You had a common purpose because we were coming out of the period of the financial crash in 2008 and 2009. You saw unemployment rising steadily. It peaked at the end of 2012.

Around that 2011-12 period, there was a clear sense across the Executive that we needed to get people back into work and rebuild the economy. In 2012, we had a programme for Government agreed and, at the same time, we had an economic strategy and an investment strategy agreed. In the previous year, slightly cart before the horse, we had a multiyear budget agreed.

At that stage, you saw people working together probably as well as I have seen in the last 10 or 15 years. Things started to go wrong after that, but those ingredients are really important: strong, courageous, bold political leadership, getting a common purpose, that very clear focus on what the big issues are that we need to work on together are and building on that.

Sir Malcolm McKibbin: 2011-12 probably was a bit of a high mark. It was Our Time, Our Place, you remember, at that time as well. A lot of very positive events were carried out that gave people a glimpse of what normal society might well look like. 2013 then saw the death of the prison officer and the flag protest. That then led you into a poor period that the Haass-O'Sullivan talks took place in.

In 2014, you had Tory austerity kicking in and welfare reform, which, again, upset the applecart. 2015 saw, again, a huge raft of positive events that were held. That lifted the Executive coming into the 2016 elections.

It goes up and down in terms of the overall performance. It was only when I was getting ready for this and looking back that I realised just how much that pendulum swung during that period of time. Therefore, it is not just a question of when the Executive is down. It is how you are going to make it work more effectively when it returns. If behaviours remain the same, it is hard to believe that you will not get the same result.

Claire Hanna: Yes, absolutely. They seem to be external events, essentially. How do we make it more resilient?



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Chair: The problem with having such a distinguished and experienced panel is that the three of you have something important and meaningful to say to each question. Brevity and rationing would be useful.

Q227 Sir Robert Goodwill: Sir David, how would you define effective Government? Is it the amount of legislation that is passed? I know that, when Stormont is sitting, it is actually very productive in terms of numbers of laws. Is it delivery of services? Is it absence of violence? Would a definition of effective Government from a senior civil servant be different to somebody casting their vote at an election?

Sir David Sterling: That is an interesting question. It is quite a subjective thing. I will answer that by going back to 2016. One good thing that was done then was that there was a lot of work done with the parties and wider society to develop a draft programme for Government. This was to be outcomes based. That flowed from advice we got from the OECD in 2015. We also engaged the Carnegie institute to work with the parties. A draft programme for Government was produced then, which was supported. I think that 12 outcomes were identified and there were 40 or 50 indicators that were going to tell us how well we were doing against those.

Had that been followed through, tracking those 40 or 50 indicators of the extent to which Government was working in Northern Ireland would have been a good measure of how well Government was operating. That is as close as I could come to identifying a measure that would tell you how well Government were operating. The strength of it at the time was that people were bound in, not just the political parties but the wider society as well. Indeed, some of our local councils are still operating with that outcomes-based approach and doing so quite effectively.

Q228 Sir Robert Goodwill: Did you have an annual report against those? I think that Tony Blair did that for a while, did he not?

Sir David Sterling: I think that he did. During the period of time between 2017 and 2020, we put out two reports, one in 2018 and one in 2019, which set out how Departments were performing against those indicators. We were very careful. We did not want to publish what might look like the Civil Service's programme for Government, because that would clearly have been overstepping our responsibilities at the time.

Q229 Sir Robert Goodwill: Would you say, in hindsight, that the institutions have delivered effective Government, at least for the 60% of the time they were sitting, or is it a bit like Belgium, where, when they did not have a coalition, many people said that it worked better?

Sir David Sterling: There were some very good things done. There was some very good performance over the last 23 years when the institutions were sitting. As always, a lot of things could have been done better. We would all look forward to the next Executive identifying some of the things that could be done better and focusing on delivering them.



Sir Malcolm McKibbin: There is an interesting stat that the 2007 to 2011 programme for Government had 400 commitments, of which they achieved about 65%. In 2011 to 2016, there were 82 commitments, more focused obviously, but still quite a lot, and they achieved between 85% and 90%. The Government were learning to better implement what they said they were going to implement.

Q230 **Stephen Farry:** Good morning, gentlemen. I should declare that I was a member of the said 2011 to 2016 Executive. I wanted to pick up on the issue of effective Government, asking particularly Malcolm, who was head of the Civil Service at that time, for reflections as to how things did or did not work in that respect.

My own sense was that the Executive at times was what I have termed a transactional clearing house. There was a lack of a common shared vision. The programme for Government was a lot of disconnected commitments, but there was no coherent plan or sense of direction.

Going back to your point, Malcolm, in relation to the comparison with local government, is there a significant difference in the fact that, in local government, there is agreement on the nature of what those councils are, whereas Northern Ireland is still, to an extent, a contested state? To what extent does that clash of identity politics hinder the pulling together of a coherent sense of direction?

Andrew, as a corollary to that, given in particular your recent writings on Brexit, now that you are free from the Executive, building on the question I have asked Malcolm, has Brexit been a significant gear shift? Has it made that much more difficult in terms of a coherent sense of direction?

Sir Malcolm McKibbin: The point that was made earlier on around a programme for Government being agreed prior to D'Hondt running is quite an important piece. Then people are going to decide whether they believe that they can subscribe and sign up to it.

Does it need to be more focused? I remember that, between 2011 and 2016, we looked at the fact that we had achieved between 85% and 90%. By "we", I mean the Executive and the Civil Service working together. We achieved between 85% and 90%. I remember that we patted ourselves on the back and said, "That is very good". Then we looked at society and said, "Have we improved the outcomes in society?" The answer was that we probably had not made a great deal of difference.

I agree that there is a need to have a more strategic, coherent vision of exactly what we are trying to achieve and then ensure that the allocation of budgets, hopefully a multiyear budget, is aligned with achieving those desired outcomes. I agree that there is a piece that, rather than, with five parties, have everybody's favourite policy fired in, we actually have a vision for Northern Ireland. There is that strategy piece, as opposed to operating at the tactical level. I agree with you that we could do better.



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Dr McCormick: May I add a footnote on what has been said earlier? Part of the key in the design of the institutions was that paragraph 20 talks about a programme including an agreed budget. One mistake made as early as 1999 was to separate the programme for Government and the budget. David said a short time ago that in one cycle they were out of sync.

Facing up to the financial consequences of what you want to do to be an effective Government is absolutely critical and takes you to the need to be respecting the contributions of all Departments to what the people want and the people's interests, rather than saying, "That is something to do with the party represented by the Minister". There were discussions in 2000 where someone said, "Why do we give money to these DUP Ministers who do not attend?" Sorry, we are not giving money to the Ministers. We are giving money to the services. That is a point of passionate belief, so forgive me for spilling it out.

On the issue around Brexit, it was totally unforeseen; therefore, there was very inadequate preparation and thought, by contrast with Dublin, which had thought through what it wanted and needed. That showed in how the negotiation process unfolded in terms of functionality.

The decision in NDNA was to have a sub-committee of the Executive dealing with Brexit matters. I was the secretary to that group from January 2020 until my retirement. In the early meetings, there were some lively and substantive discussions, but I would put it this way: it was just too difficult an issue for the Northern Ireland institutions to deal with. First, it was taking us into very sharp, binary choices, on which it is very hard to get resolution. The last few Executive committee meetings on Brexit that I was supporting lasted five minutes, because everyone had agreed that there was no point having a discussion. It was just utterly dysfunctional and hopeless.

As I have written—I am not saying anything that I have not written several times now—fundamental responsibility for that lies with the misrepresentation of the nature of what was being agreed, especially from October 2019 onwards, when totally contradictory things were said by the Government in Parliament and in documentation that was published. There were directly contradictory statements made. No wonder there was confusion and dysfunctionality. No wonder nobody in business could prepare properly because this was absolutely ludicrous.

This is all demonstrably clear if you analyse the facts and go through the documentation. The contradictions are there. That is why we are where we are. That is the biggest reason that we do not have a Government in place at the present time. It is because we had a distortion of what the settlement meant and what was within the bounds of possibility.

The question boring civil servants like us always ask is, "What is the practical implication? What works?" In relation to the options that especially the Johnson Administration faced in 2019, what is better? What



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better alternative is actually available? For me, there was irresponsibility in relation to the way things worked.

The perspective of the Irish Government from before the referendum was quite anxious. That is part of what contributed to the separation between the two Governments, which is, again, a root-cause problem. When the two Governments are not working together and are not encouraging the parties to make the institutions work, that is deeply dysfunctional. I place a lot of heavy responsibility there. Yes, things could have been done differently by Northern Ireland politicians, but the context was created by this issue.

Q231 Stephen Farry: David, this is a three-part question on reform. Given where we are today, what would you prioritise in terms of reforms? If you had a blank sheet of paper, what would you do? If we do not get an Executive restored, where does that leave the reform process? Do we still do a reform to get an Executive?

Sir David Sterling: At the risk of repeating myself, I do not think that there is a silver bullet that is suddenly going to make things better. What we learnt from 25 years ago was that progress was made when people sat down, made an effort to understand the other parties' points of view and recognised that a consensus needed to be reached, where everybody had to concede something and everybody could not win everything. We need to get back to that.

We are probably at a stage where it might do no harm for the two Governments to start this by coming together and coming up with a form of words that would reiterate a lot of the commitments made in the past. I looked at the Downing Street declaration from 1993; maybe we need a revision of that 30 years on.

As I have said before, the parties need to reaffirm their commitment, as set out in paragraph 1.5. There needs to be this focus on developing a programme for Government. When you get the Executive up and running, there needs to be nurture by the two Governments. It is a bit of a cliché here, but there needs to be a little bit of tough love as well. That is what would need to be attached to the financial package that would probably go along with this.

As I say, I do not have a silver-bullet reform that will magically transform things. What we learned from 25 years ago is that you only make progress when you do the hard work of finding consensus, even if it is at risk to your own personal political development.

Q232 Chair: You have suggested that a Government without the participation of either nationalists or unionists would have "limited legitimacy". Two questions flow from that. Is there a concern that that perpetual referencing back hard-bakes the mindset of division rather than, "What is party A going to do about health, education, et cetera?" and letting people take decisions on that? How do you envisage dealing with this



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growing group called “other”? Surely a better description than “other” might be appropriate.

Sir David Sterling: This is going to be one of the fascinating things to watch over the next number of years. We essentially have a 40/20/40 split now. It is what the 20% in the middle decide, in terms of how they see their future, that is going to be interesting.

Q233 **Chair:** Pausing there, I think that you are probably right with 40/40/20.

Sir David Sterling: You can argue about the numbers, but it is roughly that.

Q234 **Chair:** Yes, in broad terms. The wind seems to be in the sail of the 20% as a growing force. What do you see the split as being in five years’ time?

Sir David Sterling: A lot will depend on what happens at a political level. If you look at the voting intentions of younger people, a lot of them are turned off politics. Some of the parties more than others tend to focus very much on the people who they know will vote, which tends to be older people, like me. There is an opportunity here for parties to focus more on those issues that are of concern to younger people. There is no doubt that there is plenty of evidence to suggest that younger people are not preoccupied with issues of identity in the way that their parents were. Young people are much more concerned about issues around the environment, climate change, equality and a whole range of things.

If the traditional parties do not adjust, as demographic change occurs, you will see change over the next five years. I would not want to be the one that predicts exactly how that will go, but it will be influenced by the behaviour of the parties.

Q235 **Mr Walker:** It is a pleasure to see you all again. You have already mentioned some of the things that you think Westminster or Dublin could be doing to support the institutions and to be stepping up more. I think the idea was for a Downing Street declaration 30 years on, that consistent engagement and perhaps also the tough love.

Given the risks of identity politics playing in on either side when those things happen, given the clear message that we are not going to look at any kind of joint authority, what do you think the key focus for Westminster and Dublin needs to be? At what level do you think it needs to take place?

One thing that struck me, having attended a number of British-Irish Councils over the years, is that the current Prime Minister attending and making an effort to be engaged was an extremely welcome departure from some of his predecessors. That senior level buy-in and engagement is sometimes crucial to get things moving. Is there enough of that at the moment? How could that be taken forward from what has been quite a positive impact from the Prime Minister deciding to attend British-Irish Council again? How can we make sure we build some momentum from that?



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Sir David Sterling: That was a positive development. There is no doubt that relations between the UK and Irish Government at the moment are better than they have been in recent times. That is a good thing. It probably needs to be built upon. I do not think that we could ever realistically expect what we saw back in 1997 and 1998, where a Prime Minister and a Taoiseach were devoting vast amounts of their time. It is unrealistic, given the challenges facing Governments now.

Nonetheless, there needs to be more attention, and it needs to be sustained attention. As several of us have said, you get the institutions up and running. That is not the time to relax and say, "We have done our job". The Governments need to be constantly looking out for, as I think Malcolm said, the small spark that could turn into a larger fire. As I say, they should continue to show interest and support.

That is a question that we maybe did not get before. I do not think that any of us see that there is a plan B. If devolution collapsed, you would inevitably end up with another talks process. You could take as long as you like, but you will end up, at some point, with a recognition that there are three strands to this, as was identified in 1998 and, arguably, in 1974. You are not going to come up with any better solution than we came up with in 1998, albeit with some tweaks to address the issues we have discussed this morning.

Sir Malcolm McKibbin: My sense around 2014 and 2015 was that the Stormont House agreement, the Fresh Start talks, when the British and Irish Governments were heavily involved, created a better dynamic between the various parties. I remember that, following the Stormont House agreement, there was a plan listing all the commitments that had been made in it. It was reviewed by the British and Irish Governments and our Northern Ireland Executive on a quarterly basis, for instance.

That was helpful. First, it meant that people had to be making progress against the various commitments. It also provided an element of support from the British and Irish Governments to help ensure that all the aspects of the agreements were being promoted. That involvement at that sort of level, which is a more proactive involvement than just getting involved whenever we are already in crisis, is the difference. It is a subtle but important difference.

Dr McCormick: I have three very quick points. The progress should be from a divided society, with identity politics dominating, to normality. I think that we will probably recognise that better than being able to define it. So much should have been settled in the agreement, but behaviour has been exacerbated instead.

Therefore, one key thing is going back to only using the cross-community checks in the system when they are absolutely necessary and legitimate. Secondly, everybody should avoid doing anything that exacerbates. The FM and DFM designation process exacerbated rather than ameliorated the sense of identity politics. Brexit opened it up again. It was not only the



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fundamental issue but the way that Brexit was used. If you are in a hole, stop digging. Stop digging into that and making things worse.

Just stopping doing things that exacerbate division is a behavioural thing. What the Governments do is more important than the level that they are done at, if those are consistent behaviours that are clear, straightforward and honest, among other things.

Q236 Mr Walker: Finally, Andrew, I particularly remember a lot of meetings in which you were able to attend but not necessarily speak out, as a result of the constitutional challenge there. Do you feel that there is enough bandwidth and buy-in from the top of both the UK and the Irish Governments to resolve these issues and make sure that sufficient weight is put behind them? We talked about money, but it is not just about money. It is about the time and the bandwidth. What could be done about that, if there is a need for more?

Dr McCormick: It is better now than it was in that period. There was a period when the seriousness of the implications of what was being done were not recognised. To me, that is part of the reason we are where we are today. Attention was not given. Things were treated as unimportant.

The example I would use would be the negotiations during the autumn of 2020, when there were parallel negotiations leading to the trade and co-operation agreement on the one hand and a resolution of the application of the protocol on the other. We were given decent access and we said, "To what extent are you looking between these two processes?" The answer was, "Somebody else is dealing with that one. Somebody else is dealing with this one".

It was not taken seriously, in terms of the bandwidth to say, "The Northern Ireland protocol issues matter and will have long-term consequences". That is part of the journey we were on and why it is better today. Maintaining that and seeing that through to resolution is now critically important.

Q237 Chair: I want to go back to one thing that we have touched upon, which is the role of the guarantors and the agenda of reform. I have an anxiety, I must confess, that, given the fragility of everything, there will be an understandable reaction, as and when Stormont gets back up and running to go, "It is back up. Now do not touch it. Do not prod it. It is up. We do not know how it is working, but it is working, so we will not do anything".

There is a vested interest to be protected in how things operate currently from the largest nationalist party and the largest unionist party. There is no incentive to change something that effectively hard-bakes First Minister and Deputy First Minister, the largest share of this and so on and so forth. We know that and that is an understandable thing.

How do we deliver? What role is there for the co-guarantors of this whole process to lead and facilitate, with Belfast, the analysis of what is working



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well, what needs to be changed, what things need to be changed to and the process by which those changes are delivered, without being a very bossy nanny, coming in and saying, "You have to eat your cabbage, you have to tidy your bedroom and you have not washed behind your ears for a week"? I am not suggesting that any MLA does not wash behind their ears, by the way, in case anybody gets the wrong end of the stick.

Sir David Sterling: This is just a quick one from me. It goes back to, again, public expenditure. There seems to be a common currency now that any restoration of the Executive is going to be accompanied by some sort of financial package. The oversight of how that is spent will be one way in which the Government can continue to be involved in a positive way, not in a nannying type of way, but in a constructive way, working together to make things better. That would be my thought on it.

Sir Malcolm McKibbin: If you think about the British and Irish Governments' involvement in recent years, it is primarily in those crisis political talks. A lot of agreement has been achieved between the British Government, the Irish Government and the Northern Ireland Executive parties on some of the most contentious and complex issues facing Northern Ireland. It is likely that any problems that will arise will come out of one of those particular aspects of the talks.

If there was a body comprised of the various parties involved in the talks, with the appropriate strand being applied, there is a case for them overseeing the implementation and seeing where there are problems growing that something is not being implemented that is annoying one party and not another, et cetera. It would allow them to keep their finger on the pulse. That is the key: keep the finger on the pulse.

Q238 **Chair:** That is reform of service, as it were. In terms of operational reform, this Committee has often noted in different inquiries the absence of—we have never been able to quite put our finger on the pulse of whether it is active reticence to—secondment from successful deliverers of change management from the mainland into the NI Civil Service, NI local government, et cetera. That would allow their brains to be picked as to how you can deliver this in a better way in terms of what it costs to produce and the outcome to the end user, irrespective of whether that is another part of officialdom or a member of the public. Would a greater deployment of secondment help drive the engine of change?

Sir David Sterling: Two-way secondment between the Northern Ireland Civil Service and what you might still call the Home Civil Service would be a good thing. There is a lot of work being done now to see whether that could be done on a more expansive scale. It would need to be done on a two-way basis.

On a more general point, we need help. We are a small region of 1.9 million people. Developing and delivering policy for 1.9 million people sometimes takes as much effort as it does for 50 million people. As I say, we need that extra capability and capacity.



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This is a sort of psychological point. When you look at the outside help that has been welcomed, you think of the Bengoa health reforms. That was a recognition from within the health service that it needed outside support. The fact that the parties have all universally endorsed that is an example of good practice there. The way we used the Carnegie institute for the development of the programme for Government in 2016 was positive as well. Pulling in the OECD in 2015 to do a review of the reform programme again was an example of good practice.

We need to find ways of helping the parties themselves to recognise where help is needed, and again for the NICS as well. In fairness to the current head of the Civil Service, a lot of work is being done in that area.

Q239 **Chair:** It should be seen as a sign of strength, rather than a sign of weakness.

Sir David Sterling: Absolutely, yes.

Q240 **Chair:** Too many people see “I need some help in this” as a sign of weakness.

Sir David Sterling: To draw a sporting analogy, elite sportspeople will have coaches for all sorts of things and will not be successful if they do not. We are in the same position.

Sir Malcolm McKibbin: If you think about something such as welfare reform, which almost collapsed the institutions, people sought third-party independent expertise from Eileen Evason. She came back with a report. It was accepted and the problem was over.

NDNA has talked about using civic society and a compact civic forum as a way of getting some independent advice on how they should move forward. There are mechanisms out there, plus Pivotal, which is a think tank. There are mechanisms out there that can be used to help.

Dr McCormick: One of the two examples I was thinking of was in 2002, when there was a lot of constructive engagement with Treasury and Number 10 to work out the design of reforms. The thing emerged as a reinvestment and reform initiative, almost a Blairite phrase.

The second one goes back to what David said about Bengoa. The reason we met Rafael Bengoa was because we were pushing the boundaries of health innovation. I was working for Edwin Poots as the Health Minister. They met in Brussels because we were reaching out to look for shared experience on reform. What you say is absolutely constructive.

Chair: “Absolutely constructive” is a very good way to end any session of any Select Committee, but particularly NIAC. Gentlemen, again, our thanks goes to you for the service that you have given to the people of Northern Ireland and the support you provided to the politicians of Northern Ireland. We are grateful to you for that. We are more than grateful to you for your time this morning and for sharing your insights



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with us. It has been fascinating. Thank you.