



Northern Ireland Scrutiny Committee

Corrected oral evidence: Strengthening Northern Ireland's voice in the context of the Windsor Framework

Wednesday 18 June 2025

11.45 am

[Watch the meeting](#)

Members present: Lord Carlile of Berriew (The Chair); Lord Dodds of Duncairn; Lord Empey; Baroness Foster of Aghadrumsee; Baroness Goudie; Lord Hain; Lord McInnes of Kilwinning; Baroness O'Loan; Baroness Ritchie of Downpatrick; Lord Thomas of Gresford; Lord Willis of Knaresborough.

Evidence Session No. 8

Heard in Public

Questions 73 – 80

Witness

I: Mr Matthew O'Toole MLA, Leader of the Opposition, Social Democratic and Labour Party (SDLP).

Examination of witness

Matthew O'Toole.

Q73 The Chair: Good morning, and welcome to this public meeting of the Northern Ireland Scrutiny Committee. We are today holding the eighth evidence session of our new inquiry on strengthening Northern Ireland's voice in the context of the Windsor Framework. We are joined today by the Northern Ireland Assembly Leader of the Social Democratic and Labour Party, Matthew O'Toole MLA. Mr O'Toole, you are very welcome, and we look forward to your evidence. We would be grateful if you would introduce yourself briefly the first time you speak, in answer to the first question.

Today's meeting is being broadcast and a verbatim transcript will be taken for subsequent publication, which will be sent to you to check for accuracy. I refer to the list of Members' interests as published on the committee's website.

I am going to ask Lord Dodds to start the question session, please.

Lord Dodds of Duncairn: Thank you very much, Lord Chair, and welcome, Matthew; it is good to see you and thank you for being able to join us finally. We look forward to your evidence.

I want to kick off by asking you for your assessment of the extent to which the voices of Northern Ireland stakeholders, officials and so on are currently being heard in the context of the Windsor Framework protocol. There is a lot of complexity about all the institutional arrangements and so on, and people have argued for and against that complexity and the opportunities it provides, but what is your assessment of the current position?

Matthew O'Toole: First, thank you Lord Dodds for the question, and thank you and your committee colleagues for your patience and forbearance. I was not able to join you last Friday, ironically due to an issue involving the east-west movement of a politician.

The Chair: We hope you found your driving licence.

Matthew O'Toole: I found my driving licence in very unusual circumstances, which I will not detain the committee with today, but if I see any of you in a coffee shop or other premises, I will explain to you the story of my driving licence and Heathrow Airport.

It is really important that the committee is doing this work. Clearly, the issues that have arisen out of Brexit—the protocol and the Windsor Framework—have all been the subject of real political division and controversy in Northern Ireland. I may have the opportunity to rehearse those at some point during today's proceedings, but for the sake of being constructive, I think there can be a degree of, if not consensus, then at least agreement that we can improve the mechanisms by which stakeholders in Northern Ireland, be they politicians, business groups,

trade unions, or other parts of civic society, can have their voice heard in relation to the provisions of the protocol/Windsor Framework.

To answer Lord Dodds's question, things improved somewhat after the Windsor Framework was agreed in spring 2023, but I still do not think we are there yet. I suppose the contextualising remark I would make—where, believe it or not, I may agree with some unionist members of the committee—is that Northern Ireland is in the position of being subject to a cohort of EU law. Obviously, I strongly support that as a necessity. But I agree that our voice could probably be better heard in terms of making those laws or at least understanding how they are going to apply in Northern Ireland. The Executive office presence in Brussels does a good job at stakeholder engagement and flagging issues where it has the resource and information to do so; it does a decent job at that. However, I am not entirely convinced that the Democratic Scrutiny Committee and the Assembly have yet been the forum—not that it is their job—for deepening understanding by legislators or indeed the broader public debate in Northern Ireland about our obligations, responsibilities and opportunities vis-à-vis our position.

I suppose the summary answer is that it is not quite where it should be, and I say that as someone who strongly supports the provisions of the protocol/Windsor Framework. I am happy to go into more detail during the evidence.

Q74 Lord McInnes of Kilwinning: I wanted to ask you about the physics of the Windsor Framework and the specific processes and structures that exist within it. When speaking to stakeholders in Northern Ireland, how do they find those structures and processes, and how do you think they might be improved?

Matthew O'Toole: Part of the answer is that people's ability to engage and get information is probably contingent on their knowledge of and their relationships with individual officials, be they EU officials, UK Government officials or people at the devolved level, politicians or civil servants or diplomats. That probably indicates that things like the Specialised Committee, the routes into the Joint Committee, and the PPA are not perhaps clear and coherent enough for stakeholders in Northern Ireland; there are no clear and coherent routes for them to make their voice heard.

If the committee has not already seen it, I am happy to furnish you with a copy of the paper that our party did on this; it is called *Our European Future* and it includes a lot of longer-term aspirations, which are not necessarily germane to the committee's work in the short term. But we are very strongly pro-European, and one of the things we call for is participation for Northern Ireland representatives in some form in the European Parliament. We would love to have full blown MEPs, or at least MEPs with observer status, not just because of the provisions of the protocol but because of our unique status generally vis-à-vis the European Union. We have significant responsibilities, and we have specific rights that are unique inside the UK and, as a non-EU region,

unique in western Europe. To simplify it, these can be improved via representation in the European Parliament.

I do not think the PPA, the Parliamentary Assembly mechanism, has necessarily been a good mechanism for reflecting the specifics of the Northern Ireland situation. The fact is that there are specific legal and regulatory questions that will arise for businesses in my constituency, and in Lord Dodds', Baroness Ritchie's and Baroness Foster's former constituencies; they are real questions. So that is the specific context.

EU parliamentary representation is one option. I also strongly think, and it is in our paper, that the European Commission office in Brussels would be a very practical, obvious way to improve linkages or at least to improve communication and representation for Northern Ireland. I suppose to answer your question, they could do with being simplified and made more straightforward for stakeholders in Northern Ireland.

Q75 Baroness Goudie: At the recent UK-EU summit, the UK and EU announced that they would work towards an SPS agreement, work towards linking the EU and the UK emissions trade system and explore UK participation in the EU internal electricity market. What is your view of these announcements, and what will the impact be on Northern Ireland?

Matthew O'Toole: They are good. You might not be surprised to hear me say that, in general, I think anything that moves away from a hard Brexit and towards a closer relationship between the UK and the EU is a good thing. I will not rehearse all the old arguments because that is not what this session is for, but anything that creates a closer relationship between the UK and the EU is good for Northern Ireland, and good in regulatory terms.

There were specific issues around the carbon border adjustment mechanism, and some of those we still need to understand; it could have been a real concern, so the direction of travel is helpful in that regard. But I also think—this is a point I am going to come back to—that it is a mistake for us just to think about these questions at either a UK-EU level or an east/west GB/NI level.

Baroness Goudie, you mentioned the emissions trading scheme, which brings me on to the related question of energy. Obviously, Article 9 of the original protocol relates to the single electricity market on the island of Ireland. We have a single electricity market here, and we are trying to enhance that through the provision of a north-south interconnector. But we have a situation now where, because one particular directive was not included in the protocol, it is very difficult for people who generate renewable electricity in Northern Ireland to export it to the south, and then—should interconnections improve—onward to the broader European market. So it is bad in terms of being able to move renewable things like guarantees of origin and being able to operate on an all-Ireland basis. That is one area where we need to remember the very real north-south disruptions that have been created and not forget them.

But in answer to your question, it is a positive thing and in general anything that softens the UK-EU border has to be good for Northern Ireland and its businesses.

- Q76 **Lord Thomas of Gresford:** I want to ask you about the *Safeguarding the Union* paper published in January 2024. That was a result of negotiation between the Government and the DUP, and I appreciate you were not a party to those discussions. But new structures were put in place, in particular the east-west council and, under that, InterTrade UK; there was also the Independent Monitoring Panel. None of these bodies seem to have met very frequently. I wonder what your view is. How would you assess those bodies in improving the general overall supervision of the Windsor Framework and the protocol?

Matthew O'Toole: First, it was never explained to me that their actual function was to supervise the protocol or to supervise the Windsor Framework. The Windsor Framework and the protocol—as it was before—is an international treaty between the UK and the EU. In terms of InterTrade UK and the east-west council, to take it in stages and work back, we were not thrilled by how they emerged, and it would be wrong for me to pretend that I think the way they emerged was satisfactory. One of the criticisms that opponents of the protocol made, particularly unionists, was that it emerged via a UK/EU process and a certain sector of the Irish Government was on the EU side. Their argument—obviously I do not agree with it, but I respect that it is their analysis—was, in effect, that they were excluded; I think the term “not balanced enough” was often used.

Obviously, structures that emerge literally from a bilateral process between the UK Government and one party, excluding not just the EU and the Irish Government but all the other parties in Northern Ireland, are necessarily unbalanced, and that was the key issue.

I do not yet know very much about the east-west council or InterTrade UK. I have been concerned to see that in the programme for government at a Northern Ireland level they are being portrayed as if they are equal and equivalent to the North South Ministerial Council and the British-Irish Council, which they are not, in the sense that those are institutions created by the Good Friday agreement, signed by all parties and underpinned by international treaty. I have to be very clear that the east-west council and InterTrade UK cannot be deemed to be equivalent either legally or politically to those bodies.

Having said that, they exist now, and the UK Government have given—including in meetings we have had recently—a commitment that they will continue to exist. So I want to understand what they are doing. Obviously, part of my job in opposition is to ask the Executive Office and the economy department here how they are interacting with those agencies and what power they have over issues that affect the economy and business. If there is something constructive to be got out of it, we will always engage; I am not going to be in the ideological trenches refusing to engage.

The chair of InterTrade UK is over there, so I would not want to prejudice any—

The Chair: Forgive me for interrupting you, but I just want to understand what you are saying. As I understand it, you have a concern about the history of the formation of these institutions, arising as they did from a document negotiated between the then Government and the Democratic Unionist Party; but you are prepared, using your opposition rights and process, to co-operate with the work of those committees if you see them to be doing a worthwhile job.

Matthew O'Toole: That is broadly correct, except that we do not know very much about them yet; I have never had a meeting with either InterTrade UK or indeed the east-west council. Obviously, the east-west council involves the Executive not the opposition, so we would not be participating in that because it is not for us. I know the Executive are participating in the east-west council.

I suppose my position is that we will work constructively but with a caveat; we do reserve a very strong position, which is that they cannot be deemed to be equal and equivalent to those bodies set up by the Good Friday agreement.

Lord Thomas of Gresford: Do you have representation as a political party on these various bodies?

Matthew O'Toole: No, first, because the east-west council is a structure which as I understand it is set up with the UK Government and the Executive. Unlike with the British-Irish Council or the North/South Ministerial Council, as I understand it there is no obligation in law. In fact, there is frankly, from my perspective, too much bureaucracy around it, which was something that in part emerged from the St Andrews Agreement. Ironically—it was probably canny enough about this—the DUP asked for a lot more structure and accountability over north-south bodies, which means that in a slightly tortuous way, we have very limited statements about what happens at North/South Ministerial Council meetings. There has to be a second Minister to act as a chaperone, and you get an account of the minutes and what was discussed.

With the east-west council, we do not get any of that. Ironically, that emerged as a process between the UK and the DUP, so perhaps we do need a bit more accountability; on InterTrade UK we have not had a meeting yet, but that is—

Lord Thomas of Gresford: I am sorry to interrupt, but do you regard it as complicating or useful to have these bodies sitting alongside the other bodies which exist under international agreement?

Matthew O'Toole: I would not go so far as to say it is useful because I do not know what they are doing yet and I have not seen any particular output. I do not want to be destructive of the principle of engagement. If engagement helps to smooth issues, let us hear it, and that goes for any

organisation. But I think it is unhelpful that that these organisations or structures have been injected into the body politic in Northern Ireland in a way which appears, certainly in terms of the programme for government, to give them a spurious equivalence to bodies that were agreed in the Good Friday agreement; that is the North/South Ministerial Council and the British-Irish Council.

There is one thing that is really important: if you look at the programme for government, and I am sure the text was very carefully worked out between the parties and the Executive, I assume particularly between the First and Deputy First Minister's offices, but—

The Chair: Can you pause for a question from Lord Dodds, because we need to move on?

Lord Dodds of Duncairn: Do you take the same view of the Democratic Scrutiny Committee, since it emerged in a similar way, as an addition?

Matthew O'Toole: One thing about the Democratic Scrutiny Committee, Lord Dodds, is that it is provided for in primary legislation. I do not know if either the east-west council or InterTrade UK are in primary legislation; if they are not, that would be one difference.¹

Lord Dodds of Duncairn: They are, Matthew; I think they are.

Matthew O'Toole: Are they? Okay, then I stand corrected on that. On the Democratic Scrutiny Committee, I suppose my point would be that it is a structure to better understand and to provide some degree of scrutiny as to new and existing EU law in Northern Ireland. It is inherently accountable because it is in open session in the Assembly. Neither the east-west council nor InterTrade UK are in open session in the Assembly, so they are less accountable from that perspective.

Lord Dodds of Duncairn: Good effort.

Matthew O'Toole: I do not want to be destructive, and I do not want to gainsay those organisations in a nitpicking, nasty way, but it is really important to make one key point. Northern Ireland is still in the UK; obviously I have a different aspiration for the long term, but the idea that they are creating some counterbalance to north/southerly is wrong because the counterbalance to the north-south structures was strand three of the agreement; that is, the east-west structures. Northern Ireland is still in the UK, so creating a thing called the east-west council and InterTrade UK has to be understood in the context of Northern Ireland still being inside the UK. The north-south structures were in part created because there are two different sovereign Governments on the

¹ Chapter 6 of the House of Commons Library Research Briefing, Safeguarding the Union: Progress in implementing the Windsor Framework, provides further detail on the establishment of new bodies under Safeguarding the Union: <https://researchbriefings.files.parliament.uk/documents/CBP-10156/CBP-10156.pdf>, p. 27-29.

island of Ireland and we needed new structures underpinned by treaty to better enable political and economic co-operation. It is really important to make that point. Having said all that, we are more than happy to engage and understand what these organisations do.

The Chair: Thank you. This is an opportune moment to move on to a related question from Lord Hain.

Lord Hain: Thank you, Chair; it is good to see you, Matthew. Can I just briefly ask for clarification on your intriguing answer on the single electricity market? You cannot export renewable energy, but you could, presumably, and do, export fossil fuel-generated energy. Perhaps you could just deal with that before I ask my substantive question.

Matthew O'Toole: I am not a complete subject matter expert on the operation of the single electricity market, but my understanding—the committee might want to seek out academic or other policy stakeholders or industry stakeholders who have more insight—is that a particular directive was meant to be included in the whole list of EU laws that applied in Northern Ireland in the original protocol, and it was left off. That creates a legal lacuna, which creates a problem for the generators of renewable electricity having the right certificates and guarantees of origin to move energy that is renewably generated in Northern Ireland into the EU market.

The Chair: We have already heard evidence about this, yes.

Matthew O'Toole: You have? Okay.

Q77 **Lord Hain:** My major question is, what do you expect from my colleague Lord Murphy's review that the Government have asked him to undertake?

Matthew O'Toole: First, it is good that he is undertaking it. Lord Murphy, your predecessor as Secretary of State, is an individual who has a lot of experience in Northern Ireland; he is trusted, and he is seen as a serious operator. Obviously, we reiterated some points that we made in our policy paper, *Our European Future*. Anything that broadens and simplifies the engagement between Northern Ireland and the EU directly, or the EU via the UK Government, is helpful.

At the minute, some structures are a little opaque and convoluted when it comes to things like the Joint Committee, the Specialised Committees and the consultative working group. It would be helpful, for example, to make it easier for a trade union or a business group to have a straightforward way of understanding how they can engage directly with a piece of EU law that might affect them; the obvious way from our perspective of doing that is to have some voice for Northern Ireland in the EU Parliament. I accept that will be a challenge, certainly for EU institutions and probably certain politicians here as well, but some form of representation would be helpful, and if not that or in addition to that, a more formalised role for Northern Ireland devolved politicians in the PPA or some adjunct PPA that engages Northern Ireland. It is not sufficient to have MLAs occasionally able to participate in the PPA as observers when

they are not in the same position as MSPs or Members of the Senedd in Wales, because they have the Democratic Scrutiny Committee and their constituents are directly affected by EU law. Now, I support that, but there is a clear rationale for improving it.

I also think agreeing to an European Commission office in Belfast is a very quick, simple win. The reason it did not get agreed in the first place was perhaps that it was a very sensitive time, there were lots of sensitivities around unionism, and I get that. Without making political points, I understand there were particular sensitivities, but now, to make the thing work practically, it would just make complete sense for there to be an European Commission office in Belfast, not necessarily for politicians to go to—although I am sure we would sometimes—but for trade bodies, trade unions, environmental groups and all those who wanted to get factual briefing on a particular bit of EU law. Frankly, that would cut out some of the political sturm und drang and make things a bit more straightforward. So, I hope Lord Murphy is looking at that.

The Chair: Forgive me for stopping you, but we need to move on to another question, which is on structures and from Baroness O’Loan.

Q78 **Baroness O’Loan:** Can I ask you, Matthew, how you would assess the effectiveness of the Stormont brake and the applicability motion procedures?

Matthew O’Toole: The Stormont brake was created as a political device to enable the DUP to re-enter the institutions at that moment; as with several other parts of these arrangements, the bits that have been added on to it are a Heath Robinson or Rube Goldberg device to manage a particular political situation at a particular time. Obviously, the Stormont brake has been pulled, which then led to the UK Government deciding that it did not meet their threshold. There have been applicability motions, one of which involved a very small-scale GI thing to do with craft producers; I do not think you would say that it either satisfied a sense—particularly among unionists—that they are being disenfranchised, nor did it particularly improve the quality of scrutiny or understanding for Northern Ireland.

I would have to say, in all honesty, I do not think they have been particularly useful devices. I am not saying they should be got rid of now. That is probably more hassle than it is worth, but the EU in general, as the UK found when it was a member state and all member states find, has a different type of legislative process to Westminster or even the Oireachtas, where a Bill comes in and people thrash out their understanding of a piece of law by tabling amendments and having debates. The more useful thing is to understand far back in the process what the purpose of the law is, try to engage with it, and try to shape it; if Northern Ireland could get into that space, that would be more helpful for everyone.

The Chair: Do you see the Stormont brake as having at least political importance, or do you really see it as having no value for the future?

Matthew O'Toole: I am sure it has some political importance. I do not think it would be wise to simply junk it; that would damage confidence. As I say, we were not supportive of it; we thought it was convoluted and that it would undermine our offer in terms of dual market access, because you are effectively saying to potential investors, "We have this unique proposition in terms of our position relative to these two markets". By the way, I still think that is a huge potential for us, but we are also subjecting it to all these complicated political machinations. While we were not supportive of its introduction, I am not sure, judging where the politics is now, that it is in anyone's interest to start getting rid of it. But that does not mean that we were supportive of it.

Q79 **Lord Empey:** You have already referred to this in an earlier response, but I wanted to ask you a question about the role and function of the Northern Ireland Assembly's Windsor Framework Democratic Scrutiny Committee. I think it is fair to say, Chair, that we have been receiving mixed messages about that committee. Is the committee receiving the necessary support and information from the UK Government, and do you think it is adequately resourced, et cetera? I acknowledge that currently your party is not represented on it.

Matthew O'Toole: Obviously, we take a broad watching brief on what is happening in the committee so we understand broadly what is being discussed, but someone who is on the committee would be better placed to tell you their experience of the papers they get and whether those are prompt enough and comprehensible enough. I will let them speak for themselves on that.

To give an answer to the second question, I am not totally sure it is well enough resourced at an Assembly level. There are, I have to say, brilliant officials—in my experience—who have worked very hard through the complexities of the new arrangements for Northern Ireland and what those mean for the Assembly. Obviously, they have had to do it as a moving feast; first, from the 2020 to 2022 period, there was a degree of uncertainty in terms of the processes and then, when we got restarted last year, they had to create this committee and staff it, but I am not sure it is as well resourced as it should be.

Lord Empey: Do you think it is the status of the committee that is an issue, in that it is not a statutory committee but a standing committee? Secondly, you are not represented on it. Was that a result of d'Hondt or was it your decision to choose to be a member of another committee?

Matthew O'Toole: It was a bit of both, to be honest. We did not get an automatic say. As the opposition, we get a space on every statutory committee—finance, health, et cetera—but we do not get an automatic space on standing committees. We were not automatically in the committee initially, and we chose not to fight a massive battle over it. That may have been a mistake, it may have been the right thing to do, but it would be helpful if the opposition party was automatically on it. Having said that, you could make the argument that it is not a committee in which the Executive are doing business per se; you are not scrutinising

the Executive, you are scrutinising European law, so the role of the opposition is less prominent.

But overall, in terms of the prominence of the Democratic Scrutiny Committee, my general sense is that lots of people, like political journalists and commentators, thought that this would be the main news in Northern Ireland, that a big focus of political attention for reporters would be the work of the Democratic Scrutiny Committee, and it has not been. That is not necessarily a bad thing, but what it certainly has not done is to create a forum in which EU law—

The Chair: Could you deal with a particular part of Lord Empey's question? It is not about a departmental committee, but it is dealing with something very important to Northern Ireland: the economy and the relationship with Europe. Do you think that the committee would operate more effectively if it was made a statutory committee? That is quite an important question for some of us.

Matthew O'Toole: Yes, I do not think that is a bad idea. I have not given it vast amounts of thought to be perfectly honest; it would possibly be a sensible change. I also think that better resourcing is important. My general sense is that the volume and intricacy of what the committee gets means that it is sometimes hard for it to take a helicopter or eagle view—as all committees have to do, including your own—and give the public and people watching a sense of the overarching purpose of the committee. It has not really been able to do that, so it has not cut through, to use the jargon.

So, yes, there might be some merit in that, but I confess I have not given it all that much thought.

Baroness Ritchie of Downpatrick: Matthew, you are very welcome, from one fellow Downpatrick person to another.

Matthew O'Toole: I do not have it in a title, though, Margaret.

Q80 **Baroness Ritchie of Downpatrick:** No, but we come from the same area. You have already referred to more direct Northern Ireland engagement with the EU structures à la the SDLP's submission on this particular issue—the party document that was published some months ago. In your view, and in the view of the party, is there a role for more direct Northern Ireland engagement with EU structures; for example, between the Northern Ireland Executive and the European Commission or the Northern Ireland Assembly and the European Parliament? As a member of the UK-EU Parliamentary Partnership Assembly, I am well aware that Assembly Members simply have observer status and cannot participate in plenaries but can participate in the breakout sessions.

Secondly, how do you think the Northern Ireland Executive Office in Brussels could be enhanced to deal with that democratic deficit? We have already received evidence that Norway has an office in the European Parliament where it is physically present with a representative; that evidence came from Professor John Erik Fossum. Do you think that would

be beneficial to Northern Ireland?

Matthew O'Toole: In answer to the last point, the Executive office is very ably staffed by Aodhán Connolly and his team. He is a really able guy, and he was a trade representative through the Brexit negotiations. He is across his brief, and he is very good at networking in the best sense to build a presence, but there are clearly two limitations. One is resourcing, I would imagine; number two is the fact that there is no political consensus in the Executive around these issues. So, by definition, the Executive office cannot take firm positions on very much when there is a fundamental disagreement about the protocol/Windsor Framework. That is obviously a structural difficulty which is going to be quite difficult to overcome.

But the third challenge comes back to this point, Baroness Ritchie, about the Norway precedent, the Norway model, and having an office in the European Parliament. If the Executive office is only ever a devolved adjunct to what I think is now called UKDEL, the UK delegation, then there is a limitation to its ability to make discrete specific representations reflecting Northern Ireland issues and working with its UK delegation colleagues and sometimes, bluntly, with its Irish perm rep colleagues, because that will be sometimes useful in terms of rep and other member states. Having it in the Parliament, through a properly resourced office, would be a sensible way; they could be there simply to engage in detail on new draft legislation that is going to impact Northern Ireland, rather than at the very last minute someone on the Commission saying, "Oh, yes, this will apply, or part of it will apply, to Northern Ireland". So yes to that.

Just on Northern Ireland representation generally, I have not mentioned this yet, but it is really important. Article 14 of the original protocol provides that—and this is in the UK's agreement to withdraw from the EU, first signed in 2019—the NSMC, the North/South Ministerial Council, may make representations. It is specifically mentioned as a body that can make representations. We were talking earlier about the east-west council; well, the NSMC is literally in the withdrawal treaty but, as far as I am aware, that provision has never been activated. That NSMC provision is a very clear way for one aspect of Northern Ireland's relationship with the EU to be activated.

That also brings me back to the broader point: the areas not covered by the protocol where the north-south economy has been disrupted. I get hoarse sometimes talking about it, but I want this committee to reflect on it and it was something that I raised with Lord Murphy; it cannot be mentioned often enough. A lot of the current talk about Northern Ireland trade being unbalanced and Northern Ireland being oriented towards what is sometimes, I have to say, histrionically termed an economic united Ireland is wide of the mark when you think that 80% of most modern economies are service based and the protocol/Windsor Framework does not cover services. So in all those areas that are not

about either moving goods or electricity, there is a disruption to the north-south economy.

It affects financial services and data; for example, all-Ireland banks that used to be able to do client work, the Bank of Ireland—Ulster Bank is now divested from the south—and AIB basically cannot give any significant provision of services from Belfast to clients in the rest of the island, which was something they were able to do until five years ago. That is a whole range of legal services. Of course, there is migration also. We know about the disruption to the ETA. All those are areas where the protocol/Windsor Framework needs to hear the voices of Northern Ireland businesses and politicians too, in relation to the ease of moving goods from Britain into Northern Ireland, but also in relation to the 80% of the economy that is not goods.

In answer to your question, Baroness Ritchie, strengthening our voice via Article 14 is a critical part of that, and I really have to reinforce that point.

Lord Dodds of Duncairn: I was going to raise an issue that you then raised yourself, which was this problem that if you do expand the powers of the Northern Ireland Executive Office in Brussels, and they move away from what they are doing now—soft power, looking after visitors from Northern Ireland and generally promoting Northern Ireland—to a more policy-orientated role, you run into the difficulty, which you have already highlighted, of getting a consensus in the Office of the First Minister and Deputy First Minister on what that proposal should be. That is a fundamental problem. It is one of the reasons why we could not even get a representative of the Executive office in Brussels to give evidence to this committee.

Despite all this talk about the Executive office in Brussels, surely the more important role is for the UK delegation office in Brussels. Do you not think that is where civil servants from Northern Ireland should be embedded, in that operation? That is where they can actually make a difference.

Matthew O'Toole: I am not ideologically opposed to that because anything that improves engagement has to be better than the alternative. I would however say—there is obviously a political judgment here—that certain parties drew the conclusion that the UK-EU relationship is moving in a direction which is fundamentally different to the direction that it was moving in, certainly until the Boris era. The UK is not going to turn the table over and junk the withdrawal agreement; that would probably not be in the best interest of anybody, certainly not unionists. That is just my opinion; I am not a unionist, so it is a bit impudent of me to even say that, but by agreeing detailed positions at the Executive office, without prejudice to your view of the arrangements themselves, you are not actually sacrificing a fundamental objection to the existence of the protocol.

If the Executive office, led by Sinn Féin and the DUP, were able to get to agreed positions, that should be a test of their seriousness as a Government, frankly. By the way, they fundamentally disagree on a lot of things including the constitution and other social questions, but they still manage—they are supposed to be able to manage—to come up with agreed substantive positions on areas of common interest. For example, they should be able to come up with agreed positions on dental amalgams. If an Irish republican party that wants to be back in the EU—it may not want to be back in the EU, but it certainly wants a united Ireland, but that is a question for them—and a unionist party that is strongly Eurosceptic and hates the protocol can agree with each other on X number of other policies in relation to Northern Ireland here and now, they can probably agree that they want to work with the EU to change, soften or interpret differently the rules on dental amalgams, or whatever it is.

I do not think it is impossible, actually; the precedent is that this is what a power-sharing Executive do all the time: where there is a fundamental disagreement over something but you agree in substance that there are particular issues that you need to decide. Getting to that agreement would be a positive step forward, and lots of businesses and trade unions here, and civic society itself, would probably welcome that.

Now, I obviously have a strong view; I would love to be back in the EU. I want all these things. My aspiration—

The Chair: I am going to have to stop you, because we have run out of time for our broadcast. I am going to thank you very much for taking the trouble to give evidence to us today. I remind you that a verbatim transcript will be sent to you for correction. And so, my Lords, the public element of this meeting is now closed.