

Northern Ireland Affairs Committee

Oral evidence: The operation of the Windsor Framework, HC 491

Wednesday 22 October 2025

Ordered by the House of Commons to be published on 22 October 2025.

[Watch the meeting](#)

Members present: Tonia Antoniazzi (Chair); Chris Bloore; Sorcha Eastwood; Claire Hanna; Simon Hoare; Katrina Murray; Gavin Robinson.

Questions 96-139

Witnesses

[I](#): Lord Murphy of Torfaen.

[II](#): Hilary Benn MP, Secretary of State for Northern Ireland; Nick Thomas-Symonds MP, Paymaster General and Minister for the Cabinet Office; Fleur Johnson, Director Windsor Framework at Cabinet Office; and Simeon Hanfling, Deputy Director, Fiscal, Economy & Trade at Northern Ireland Office.

Examination of witness

Witness: Lord Murphy of Torfaen.

Q96 **Chair:** Welcome to the Northern Ireland Affairs Select Committee session on the Windsor framework. Giving evidence to us today is the right hon. Lord Murphy of Torfaen. Welcome, Paul.

Lord Murphy of Torfaen: Good morning to you all.

Chair: What are your reflections on carrying out the review as requested by the Secretary of State?

Lord Murphy of Torfaen: My reflections on it?

Chair: Yes. How did carrying out the review and drafting your recommendations go? What are your reflections on what you have produced?

Lord Murphy of Torfaen: The first thing is that there were two constraints on me. The first was time: six months was clearly too short. Organising the meetings and working out the mechanics and logistics reduces the six months anyway, so the amount of time that I had was too short. It would have been useful to have had a longer period—up to a year.



HOUSE OF COMMONS

The second was the constraint of the terms of reference, which were very tight. The terms of reference asked me to look at the operation of the Windsor framework, but I was told that my recommendations had to get cross-community support. That was hard. Obviously there is a fundamental divide in the politics of Northern Ireland between those, mainly on the Unionist side, who do not like the framework at all—for all sorts of reasons that you all understand—and those on the other side, who might not particularly like it but see it as an improvement on the protocol that needs to be done for practical reasons. That means that the sort of recommendations that I made, or could make, were constrained by those very strict terms of reference.

There were also areas outside the Windsor framework, which touch on it, about which I could not make recommendations. One example is the ETA—electronic travel authorisation—which was unanimously disliked in Northern Ireland because of its impact on the hospitality and tourism industries. As a consequence, although I touched on it in the report, I could not actually make a formal recommendation on it. Those are the constraints that I had.

My other reflection is that it was nice to go back. I spent five years of my time as a Minister of State and as Secretary of State for Northern Ireland, and I made a lot of friends, so I met a lot of friends when I went back, and made new ones. I was universally treated with courtesy. I met something like 100 people in total over there, as well as meeting people here in Britain and on Zoom. It was good to talk to people to get their ideas and feelings, about not just the framework but where we are in Northern Ireland at the moment. That was good and I enjoyed it.

I did not enjoy the travelling much, and for all those of you who are Northern Ireland Members, I am not sure I could cope with that travelling all the time, but I am older, and it was different years ago. It was good to be able to talk to people I know and like, and to be able to make an assessment. It was an enjoyable process in some ways, but in others it was slightly frustrating because of the constraints I worked under.

Q97 Chair: Unionist politicians have described the review as underwhelming, and you have obviously highlighted that there have been some issues. Deputy First Minister Emma Little-Pengelly stated that it does not “come up with any proposals or solutions which are required to support business”. You have done this in good faith, and you wanted to do a good job; how do you respond to those criticisms?

Lord Murphy of Torfaen: First, I can understand the frustration from a Unionist perspective because of this very severe disagreement that Unionism has with the principle and constitutional consequences of having that border in the Irish sea—I totally understand that.

I do not agree with the second part of those comments, because I have made a total of 16 recommendations, many of which have to do with business. Incidentally, they coincide with the recommendations made by your sister Committee of the House of Lords, with whom I will be meeting



HOUSE OF COMMONS

within the hour. Reading again through the recommendations of the Lords Committee and my own recommendations, there is a great deal of similarity, and there are also complementary ones between each other.

I will give you one example, which I think the Government should seriously consider. From a business point of view, there is the issue of having a one-stop shop for businesses, particularly small and medium-sized businesses, which are the backbone of Northern Ireland's commerce and industry. That would allow them to have a much simplified, clearer idea of how to deal with the technicalities and problems—there are many of them—in the operation of the system.

I fundamentally disagree with the second point, but I can understand the first.

Q98 Chair: Do you think the implementation of the recommendations in your review will make it more likely that cross-community support will be secured in the next Assembly consent vote in 2028?

Lord Murphy of Torfaen: Well, the 16 recommendations I made were cross-community, because there was no difference among the political parties with regard to the democratic deficit and the need to address it—we can talk about it a bit more later.

Secondly, there was absolute agreement that the burdens placed upon industry and business in Northern Ireland were acute and needed to be addressed. Clearly, both Governments—the previous Government and this one—have tried to address those issues, but the complexities, technicalities, financial difficulties and the understanding, or lack of it, of the Windsor framework in operation were so evident that there was no disagreement across the board on that. There may have been slight nuances but, generally speaking, they recognise the need to address those things, which I and the Lords Committee report have tried to do. We have highlighted those so that the Government understands that they are real concerns, not made up for political reasons.

As I say, I met somewhere touching on 100 people—the list of groups, organisations and businesses is in my report—and they were as one in their view on this. A lot of the recommendations that I made with regard to business were not mine; they were theirs. Those were the things that they told me needed to be addressed, and I hope the Government will step in and do that. Now, I am not saying it is easy or cheap, but if you are to ensure that this operation is easier and smoother, I hope the Government accepts my recommendations and those of the Lords Committee.

Q99 Simon Hoare: Thank you, Lord Murphy, for the work that you did on this. It is clearly important. If I may, I want to ask you a cheeky question—

Lord Murphy of Torfaen: I've had a few of those in my time.

Simon Hoare: You referenced the constraints of the terms of reference, one of which is the requirement for cross-party unanimity. Momentarily



HOUSE OF COMMONS

setting aside those terms of reference, and if you had a blank cheque, was there anything that was not able to secure cross-party unanimity but that you thought was absolutely key? What is the one thing you would do outside that requirement?

Lord Murphy of Torfaen: I would not say there was a single thing that was key. I touched earlier on the ETA. When I went to Armagh and talked to cross-border bodies, there were other issues that did not strictly fall under the Windsor framework but that I touched on in my report and could be addressed. A simple example is that cross-border services, such as insurance, can now be complicated because of no longer being in the EU. The rules are different now for a cross-border body that needs insurance for its employees.

Then there were issues affecting the democratic deficit that I could not really put in because there was not unanimity. One was on the relationship with the European Parliament. Now, I think that might be a good idea, but it isn't a good idea if people in Northern Ireland cannot agree on it. That has been part of my political life in Northern Ireland over the last 30 years: others and I might have excellent ideas, but there is this absolutely fundamental principle that it will not work unless you can get people to agree to it.

With regard to the much wider issue of the framework itself and the fundamental disagreements there, it may be that the Governments and the parties need to have a much bigger look at this so that they can eventually come to a conclusion about how we carry on in Northern Ireland on this issue. At the moment, it is still difficult, despite the recommendations from me and the Lords Committee, which will hopefully help the way in which the Windsor framework operates and make it more democratic. There is still this essential difference, which is burdensome on the body politic, and we need to address that. How that is done is not easy. All I know is that it has to be done in the way that we have dealt with Northern Ireland in the last 30 years: trying to get agreement by sitting down and talking about it. That is beyond my pay grade.

Q100 **Claire Hanna:** Thank you very much, Lord Murphy, for your work on the review. I know that my party would have preferred a bit more focus on north-south and the island economy in the terms of reference, but the report was really fair and constructive within the terms you had.

I want to ask about your recommendations on the Democratic Scrutiny Committee, one of which was to give 10 days, instead of five, to decide whether to hold an inquiry. You have not recommended extending the time allowed for them to conclude. Are you comfortable that that would give stakeholders adequate time to engage?

Lord Murphy of Torfaen: Those were really pointers to what was wrong with it. I went along and sat in the Democratic Scrutiny Committee—

Claire Hanna: That is service!



HOUSE OF COMMONS

Lord Murphy of Torfaen: My first conclusion was that I would never want to be a member of it, because it was extremely hard for the members to get to grips with these highly technical issues. I could not have done it easily.

Sorcha Eastwood: I was a member of it; it was awful.

Lord Murphy of Torfaen: Then you will absolutely understand the problem. I really think that a huge burden has been placed on their shoulders that it is difficult for them to overcome.

The committee members themselves, and the political parties generally, made a number of useful recommendations on how that committee could operate practically, and they are in both reports. One of them is about time—your idea, Claire, of extending time would be a good one. They are not the only things necessary to improve it, but they are pointers to things that might. For example, there is a case—which I did not mention but the Lords Committee did—for looking at the thematic issues that arise from their work, as well as the detailed scrutiny.

It is always the case that if you want to influence the laws from Brussels, it is good to be able to do it at an early stage, not at a late stage. When it gets to Belfast, it is sometimes too late to do much about it. But there have been good examples of where you can do it at an early stage. That is why, for example, I am recommending the importance of the Brussels office being widened, in the sense of them being able to look at the detail, and for the excellent people who are already there—Aodhán and his colleagues—to be able to network to try to get support whenever Northern Ireland issues are raised, and before they get to a stage where they become highly controversial.

There is also a real need for better support for the committee—

Q101 **Claire Hanna:** The committee suggested they would access UK officials directly, and you suggested that NI civil servants would be empowered to provide that advice. What is the reasoning behind that?

Lord Murphy of Torfaen: I do not think they have sufficient strength of advice at the moment—it is probably resources.

Claire Hanna: But you do not think they should get some of that engagement and advice directly from UK Government officials?

Lord Murphy of Torfaen: I do; I don't see any problem with that at all.

Q102 **Claire Hanna:** You say, perhaps diplomatically, that they could take a more strategic approach. Where do you think that strategy should come from?

Lord Murphy of Torfaen: The strategy should come from themselves.

Claire Hanna: And that is not happening currently?



HOUSE OF COMMONS

Lord Murphy of Torfaen: They haven't got the time for it. They are just overwhelmed, it seems to me, by the huge amount—some of these regulations are enormous.

Q103 **Claire Hanna:** To be honest, the first year or two was probably a fairly slow period for the production of legislation, because of the European elections and the reforming of the Commission, so they probably haven't seen anything yet.

Lord Murphy of Torfaen: Since then, of course, the opportunity to influence legislation in the early stages has now become better than it was when this started in the first place. The framework was predicated on the basis that Northern Ireland itself should have a greater say in what the regulations should be. You will have an opportunity to discuss the detail with Nick and Hilary later, but the UK Government should help as much as they can to ensure that these things are properly scrutinised. I would also hope that the influence is at an early stage—I keep on coming back to this, because it is so evident—so that it is dealt with then, before ever getting to that later stage.

I do think that the committee has brave people on it, and that they need a great deal of help. They were asked to do these things in difficult circumstances, and I just hope that both Stormont and the United Kingdom Government will look at the practical ways of helping them. That link with Brussels is important, and strengthening that office is just another example of how it could be made easier. What is the point, to be honest, if, at the end of the day, you just get so overwhelmed as a committee that this just becomes a routine exercise, looking at stuff that has come to you too late? What is the point of it? That is not scrutiny.

These recommendations are there to make it a more effective committee. The Ulster Unionist party, I think, suggested that it become a statutory committee of the Assembly. That is for the Assembly to decide, almost, but as long as people are thinking about ways to improve it. This report gives the impetus for further thought and to remember that this is not an easy thing. For any of you have been on European legislation committees here in Parliament, these are difficult details. It is tenfold for members of the Democratic Scrutiny Committee.

Q104 **Sorcha Eastwood:** Your points are well made. From my experience of having served on that committee, one of the big frustrations that we felt—I can only speak for myself, retrospectively—was business coming to us whenever it was initially formed, and of course that was not technically a function of it. In addition to the helpful suggestions that you outlined, do you think that there is potential for a process to run alongside to support businesses to engage with all the paraphernalia of forms, so that they also feel that they have direct contact, rather than committee members having to say, "Actually, it is not our function to do that; we have a very narrow scope"? Would that make sense?

Lord Murphy of Torfaen: It would make sense if more resources were given to the committee. Obviously, at the moment it could not cope with



HOUSE OF COMMONS

that. Another suggestion is that, perhaps, other Assembly committees could have a bigger role in liaising with businesses about the nature of the framework. That is obviously for the Assembly itself to decide, but I can see the logic behind it. I can understand that the more that business is involved in the practicalities, the better, because it is business that has been affected by this—small, medium and large—but the smaller you get as a business, the more overwhelming it becomes, to the extent sometimes that they just give up on the whole thing.

There is very much a case for greater stakeholder involvement—I think that is the phrase—by which I mean businesses in particular getting involved. How that is done depends on a strengthened committee—one that may have a bigger remit—or perhaps another committee dealing with it. What I know at the moment is that it is not adequate.

Q105 Katrina Murray: Thank you, Lord Murphy, for coming today and for the work you have done on this issue. I would like to look at the whole concept of the Stormont brake and the Government's response to the first use of the Stormont brake at the first opportunity, which was to override it. Ministers have notified Stormont of only two of five new laws in order for the Assembly to debate motions on whether they should apply to Northern Ireland. Do you believe that these mechanisms really offer an effective way of addressing the democratic deficit?

Lord Murphy of Torfaen: I do not think they command sufficient trust at the moment. There is nothing wrong with the principle behind them. I think that was a genuine attempt to try to ensure some control and accountability from a Northern Ireland point of view on it. Obviously, you will have to ask Hilary Benn about that particular issue and why he took that decision. But as a consequence of that decision being taken, confidence—particularly among the Unionist community—dropped considerably. Queen's University Belfast, for example, has done quite a lot of work on monitoring public reaction to these issues. When that decision was made, quite a significant proportion of the Unionist community—I wouldn't say agreed with the framework—were willing to live with it. That went because of that decision.

On the Stormont brake and the other methods by which we deal with these things, there is a need to improve trust in how they operate. I think there are two ways you can do that: much more stakeholder involvement in the EU-UK committees in Brussels, and also transparency about the workings of the Stormont brake. Again, what is the point of it if people do not have trust in the fact that it works?

That does not mean to say that the Stormont brake has to be used—far from it. That is not the point. The point is that there has to be trust in a system that can say that on occasions it will be used, because a particular law is not right for Northern Ireland. There is a big job of work to be done, and my recommendation on the Stormont brake is to ensure continuous engagement, with Northern Ireland political parties in particular, to work out whether the system is effective or not. At the moment, it does not command the trust sufficiently for that to be so.



Q106 Katrina Murray: Part of the recommendation was an onus on all parties involved in those decisions to have a role in the building and development of trust. How would you ask the UK Government to acknowledge the wider effect that this piece of legislation could have on Northern Ireland?

Lord Murphy of Torfaen: That is question that I hope you will put to my colleagues later, because it is for them to decide how that is done. It is a very hot political potato, so it has to be handled very sensitively. Remember my terms of reference were to get cross-community agreement on things, so the point that I am making is that, in order to ensure that this Stormont brake system works properly, we have to engage all political parties to ensure that they believe, when necessary, the brake could and will be put on. So far, that has not happened. There may be very good reasons for that, but it is not for me to say one way or the other.

All I know is that the decision clearly had an impact on those members of the community in Northern Ireland—mainly but not exclusively Unionist—who thought that the brake was an example of something that does not work, basically. That has to be looked at. There is no point in having on the statute book, as it were, mechanisms that cannot command trust right across Northern Ireland. That also means, of course, that those people who very much agree with the Windsor framework have to be consulted and talked to about the issue too. There must be a way through on this. All I looked at was the actual fact: do people trust this mechanism?

Q107 Gavin Robinson: Good morning, Lord Murphy.

Lord Murphy of Torfaen: Good morning.

Gavin Robinson: Thank you for your engagement during the process. I think it was cordial and thoughtful, and we appreciate your work, although not necessarily the outcome, but that is politics.

Whenever we met—you were kind enough to meet this Committee at the very start of your review, and we had a discussion in one of the Committee Rooms—I asked you about the constraints of the terms of reference. I asked you whether you felt constrained by the terms of reference, or whether you thought this was a good opportunity to lay a foundation for future negotiations of the Government. If I recall correctly, you indicated that you felt that it was the latter. Having concluded the process, do you think that there was a missed opportunity to use this review as a precursor to future negotiations, or can you highlight aspects of your report to demonstrate that there is something for which this Government can work from to solve the more intractable issues that, in fairness, were not for you?

Lord Murphy of Torfaen: I felt the constraints as I went through. At the beginning of the process, I did not think I would be quite so constrained. Inevitably, however, as I talked to people, I realised that feelings were so strong. To say that it was not an easy task is a massive understatement. I also want to say, though, that there was overwhelming agreement that people would like an agreement. Who wants constant friction and



disagreement over an issue in Northern Ireland? Forget whether you were for or against Brexit—the consequences of Brexit on the island of Ireland have brought us to this. This was a genuine attempt by the last Government to put it right. The protocol clearly was not. This is, I think, an improvement, but there are still real issues that need to be addressed.

The fundamental difference can only really be addressed by political parties in Northern Ireland themselves, and together. I mention somewhere in my report that one of the great problems was that all this occurred when there was no Executive and no Assembly. I do not know—no one will ever know—whether, had there been absolute operation of the Executive and the Assembly when we went into all this at the time of Brexit, that would have made a difference. I actually think it would have done. I do not think it would have been easy—far from it—but I always think that imposition on Northern Ireland never works.

Let me deflect for a second and go back to the Good Friday agreement and the St Andrews agreement; I was involved in the first one but not the second. Their success, very largely, was based on the fact that the political parties themselves in Northern Ireland decided the outcome of those particular talks. What emerged was what they wanted. I have often said that it is quite possible I could have written the Good Friday agreement in about two or three weeks, more or less, by the time we got to it, because of what had happened, but there would not have been a cat's chance in hell of that being accepted, because it would have been seen as me and the British Government saying, "You've got to do this." The fact that the parties themselves came to the conclusion that this was what was right to do, in that agreement, the St Andrews agreement and others later on, was because it was done like this as opposed to like that—you can't put that in *Hansard*, can you? *[Laughter.]*

Gavin Robinson: For the benefit of the text, he flapped his wings.

Lord Murphy of Torfaen: The absence of that at the time of all this was a huge problem. As I said, we will never know whether we could have solved this in a different way, but it should have been given a chance, so there must be an occasion when it is given a chance.

Q108 **Gavin Robinson:** Were you disappointed that the First Minister for all did not engage with your process?

Lord Murphy of Torfaen: We tried to do that. Diaries are always complicated. I did, of course, talk to Sinn Féin, and I talked to the other parties—the SDLP, Alliance, your party, the UUP and the TUV. It would have been helpful, had I done so, but I do not think it would have necessarily made any difference to the recommendations that I came up with because, as I said to you, those recommendations were based on universal views about where we are.

I was quite disappointed about the European Union, which we did try to engage with, but in the end, it concluded that this was a matter for the United Kingdom—which of course it is, but the European Union does have

an interest, presumably, in these issues. That was a bit disappointing as well.

Q109 Gavin Robinson: You have framed all this around recommendations that followed consensus among the parties. There is a recommendation in your report that I am not sure you will have heard much from us on that would have led to consensus. It was a recommendation that arose out of a view given by the Northern Ireland Human Rights Commission about the need for the UK Government and the Northern Ireland Executive to have due regard to article 2 when drafting legislation. Why were you motivated to include that as a recommendation without sufficient consensus?

Lord Murphy of Torfaen: I think it was self-evident, in the sense that article 2 refers to due regard. It does not say it has to do it; it says it has to have due regard for it. Personally, I thought that would have been consensual.

Q110 Gavin Robinson: Do you agree with their suggestion that article 2 of the Windsor framework is often overlooked?

Lord Murphy of Torfaen: I do not think it is as obvious a part of the Windsor framework as the other parts. When you talk about the Windsor framework in Northern Ireland, or here for that matter, everybody thinks about the democratic deficit and, above all else, the impact on businesses. That is the No. 1 thing: how does it affect businesses?

It was quite rare, until I actually met the others, that article 2 was something that was discussed, but remember article 2 wasn't part of the vote in December—that, I think, was articles 5 to 10, so it did not actually form part of that issue as well. Because it is part of the framework, and the wording—have due regard—is really quite mild, I did not see that as an issue.

Q111 Gavin Robinson: In fairness to you, Lord Murphy, you are right that the recommendation, in and of itself, does not have significance. The issue, however, does. It was before the Supreme Court last week. There is a contested argument now as to whether article 2, in its textual terms, is around “no diminution of rights” at the time the UK left the European Union, or whether that commitment has a level of dynamic alignment and continues to evolve as rights evolve. It is a contested issue. Can you reflect on whether it was your intention to speak one way or t’other to the contested arguments around the application of article 2?

Lord Murphy of Torfaen: Not really. All I wanted to do was to listen to what they thought was the impact of the framework on their areas of responsibility. As it says, “due regard”, due regard should be made of it. It is up to Stormont, in the end, how it deals with that, but of course there are varying views on that among the political parties. My recommendation is one that I hoped would have brought a consensual approach to it.

Gavin Robinson: Thank you.

Chair: We will suspend the session for now. Thank you very much for your time.

Examination of witnesses

Witnesses: Hilary Benn MP, Nick Thomas-Symonds MP, Fleur Johnson and Simeon Hanfling.

Q112 Chair: I welcome Nick Thomas-Symonds and the Secretary of State, Hilary Benn, for our second session on the Windsor framework. Claire Hanna has left the room, so I will take up her opening question. Secretary of State, what are your initial responses to Lord Murphy's report and recommendations?

Hilary Benn: I know that you have just been taking evidence from him. I am very grateful to him for having undertaken the work. The Government will publish its formal response within the six months required under the arrangements that have been set out.

I thought it was a very good report. It reflects what a number of other people are saying; there are common themes and patterns emerging. One thinks of the FSB report, some of the issues that Intertrade UK have identified, and things that have come up in the discussions that Nick and I have with businesses in Northern Ireland. He also makes a number of very practical recommendations that the Government will look at extremely carefully.

One example is a one-stop shop, which I was discussing with the FSB two weeks ago in Northern Ireland. At a very simple level, that is enabling companies that want to send goods to Northern Ireland to go to one place online where they can find all the sources of information relevant to their particular business and the goods that they are sending to make it easier for people to navigate the system. There are complexities; it is no good pretending that there are not. Bigger companies find it easier to deal with that because they have folk to handle it. Smaller companies find it more challenging. That is a quick run-through.

Q113 Claire Hanna: You will be raising the recommendations in the report with the Joint Committee. When do you think that will happen?

Hilary Benn: A lot of the recommendations in Lord Murphy's report relate to the Government. They are things that are within our control to deal with—anything that is relevant to the operation of the Windsor framework that does not go beyond the essential element that the Windsor framework is here and is the best means we have available for dealing with the problem of an open border and two systems that was created as a result of leaving the European Union.

Of course, there are opportunities for matters to be discussed in the Joint Committee. The Northern Ireland Executive is represented on it as well. The way we have tried to handle this in recent times is through faithful implementation but finding practical ways of dealing with issues that arise, of which there are plenty; dental amalgam is a good example. What appeared to be a "Well, what are we going to do about this?" issue was solved.

Q114 Claire Hanna: Minister Thomas-Symonds, what do you hope to achieve from discussions with the EU about the report? Will you come back to this Committee after that?

Nick Thomas-Symonds: First, let me say that it is very good to be here, Chair. On the latter part of the question, I would of course be delighted to come back in future.

On the report, let me first express my gratitude to Lord Murphy. He was working within a particular envelope of putting forward proposals that were going to command cross-community support, and he has followed that to the letter in terms of what he has put forward. As the Secretary of State has set out, a lot of the recommendations are things for the Government to consider; they do not need to tread into the negotiations that I am conducting with the European Union. For example, there are things around appropriate resourcing for the Northern Ireland Executive.

Q115 Claire Hanna: But I presume that the feedback that Lord Murphy captured, the views he encountered and the suggestions he made will frame your future engagement with the EU more widely.

Nick Thomas-Symonds: Yes, of course they inform it. We have had three reports in recent months: the FSB's report, which I have looked at very carefully, Lord Murphy's report and the report by the Northern Ireland Scrutiny Committee in the Lords. Broadly speaking, the first theme coming through is reducing trade barriers. That is exactly the work that I have been doing since I came into office; it is not just informed by these reports. I was proud to lead the negotiations on the common understanding back in May, and the SPS agreement, when implemented, will significantly reduce trade barriers.

The second theme, as the Secretary of State said, is complexity. I do not think that either of us hide from the fact that the Windsor framework is a political compromise. We certainly do not bring a counsel of perfection. There are areas where we can be pragmatic and do what we can to make things easier for business. On the point about a one-stop shop, we have a gov.uk page, but we are absolutely looking at that concept. In direct answer to your question, Claire, yes, of course it will inform my discussions, but Northern Ireland has been at the forefront of my mind since I started the negotiations.

Q116 Chris Bloore: Thank you, Minister and Secretary of State, for coming. The statement published after the Specialised Committee meeting on 2 October said that despite some progress having been made, "significant work...remains" to implement the Windsor framework as agreed. Just a few days later, the *Financial Times* reported that the European Commission warned the Government that it must fully implement checks on goods entering Northern Ireland from Great Britain before negotiations can progress on an SPS deal. If that is correct, how is the UK falling short?

Nick Thomas-Symonds: The SPS agreement is one of the two mandates that the EU still has to agree, along with the linking of the emissions trading systems, which we may come on to in due course. I understand

that that mandate and the SPS mandate will be agreed—I hope shortly, within a few weeks—by the European Union. That is the next step in that regard.

The point here is this, and it does not just apply to the negotiations that I am conducting with the EU; it applies more broadly to any negotiations that the UK Government want to conduct around the world. Even in the last 12 months, we have secured a free trade deal with India, an economic deal with the United States and the common understanding with the EU. To do that, the foundation stone has to be that we will faithfully implement the existing agreements to which the United Kingdom has signed up. That is a pretty obvious concept. If the United Kingdom has signed on the dotted line, that has to mean something. That shows that we are a good faith partner.

That does not mean that in international engagements we always agree; of course we don't. We represent the United Kingdom's national interest, but we need to be a full and faithful partner and recognise the importance of existing agreements. Coming to the European Union, implementing the existing arrangements, from the withdrawal agreement to the Windsor framework, is fundamental to being able to secure the new agreements that we secured in May.

Q117 Chris Bloore: When the Specialised Committee's statement refers to "significant work that remains", do you think that is about not just the nitty-gritty, but the confidence by both partners that it can be delivered?

Nick Thomas-Symonds: At the moment the level of confidence between the UK and the EU is very high. When I came into office, I promised a reset in the relationship. I have no doubt that has happened and you can see it, visibly, in the Prime Minister's relations with European leaders, and in not just the work that I do but the work that is done across the Cabinet and across Government with the European Commission.

Directly to your point about implementation of checks, we implemented the phase 3 checks back in July. That is something that we manage together, on a week-to-week basis at times. Obviously, I am always looking to manage and make sure that compliance is happening in an effective way, and I will continue to do that, but to your broad point, confidence is in a very good place.

Q118 Gavin Robinson: Good morning to you all. Thank you for coming. Ministers, what you have outlined is not the experience that I have. Both of you voted for arrangements that you have since repudiated. On delivering the commitments in "Safeguarding the Union" and commitments that would remove the necessity for checks within the UK internal market system, both of you voted for them but both of you have failed to implement them. When we talk about "faithful implementation", I think we need to be clear that that is faithful implementation with the European Union, not with those within the United Kingdom who are suffering under the failure to implement those agreements. There is a political consequence for all of that.



HOUSE OF COMMONS

I hear about practical solutions being brought forward. I remind you that we all met in October last year and I raised the issue of cars and the motor trade. One month ago, I received a letter from the Secretary of State indicating that you are aware—I know you are, because I raised it with you a year ago—that there are emissions requirements that are going to have a significant impact on the ability of the car trade within the UK internal market. There is a suggestion now that you may legislate at some point next year. One issue is emissions; the other is the commercial sale of vehicles and the benefit in kind associated with that.

That is one example. There is going to be a fundamental collapse of the motor trade within the UK internal market system unless these issues are addressed. If we are talking practical solutions, could either of you please outline to me when you imagine regulations will be brought forward, and what steps you can take in the interim on a singular, UK-wide basis to provide a derogation so that there is no loss of availability of vehicles in Northern Ireland until you are in a place to make your arrangements with the European Union?

Hilary Benn: As you are aware, the last Government allowed manufacturers to produce cars to either a GB standard or an EU standard, which created the problem to which you refer. We have been working to remedy that. Lilian Greenwood, when she was a Transport Minister, met car dealerships to discuss this, because we were all concerned about it, as were they. We have already informed vehicle manufacturers that we intend to align requirements and ensure consistency between GB and EU approval schemes. A remedy is coming, precisely because we recognise the problem that they have identified and you have raised today. We are conscious of the need for clarity before 1 February, so we will continue to work with the car manufacturers, but we have been quite clear with them that, in the future, they will have to align so that there is not the problem that you have identified. On the—

Q119 **Gavin Robinson:** Secretary of State, that was not the question. I indicated that you have made that commitment. The question is, “When?” We know that this needs to be in place for 1 February, and we have two and a half months of parliamentary time available for that to take place. Will it happen before there is an example of market failure? Did you see Agnew’s in Belfast this week indicating their profit loss as a consequence already of some of the issues around benefit in kind and commercial sales, never mind the availability of a wider range of vehicles?

Hilary Benn: I didn’t see that.

Gavin Robinson: This is a real issue, which crystallises in two and a half months’ parliamentary time—three months’ real time—so I am asking: will the solution be in place to prevent market stagnation?

Hilary Benn: If it is okay, I will have to come back to the Committee having found out from the Department for Transport when they are going to take forward the commitment that they have already given.

Q120 **Gavin Robinson:** Thank you for that. In fairness, I asked the question



HOUSE OF COMMONS

because I think it illustrates that when we hear in the round that you are driven by trying to provide practical solutions to practical problems, those solutions can be intractable to find. At the very get-go, there is normally a rejection of the problem in the first place, though helpfully, Mr Thomas-Symonds recognised the FSB's report. These issues are not going away.

I want to ask about democratic accountability. The Northern Ireland Assembly has a role and a right to understand when new legislation is being brought forward, and to give a view. Since these arrangements commenced, there have been five new measures from the European Parliament, only two of which were put to the Northern Ireland Assembly. Why was that?

Hilary Benn: When you say only two were put—

Gavin Robinson: Three specifically were accepted and added to the Windsor framework by the UK Government through the Joint Committee without any recourse or a request for an applicability motion.

Hilary Benn: Which are the three you are referring to?

Gavin Robinson: One was on geographical indicators, one was on Ukraine-Moldova, and the other was, from memory—Fleur knows better than me—*[Interruption.]* Critical raw materials. I didn't do too badly from the top of my head.

Hilary Benn: No, it is indeed impressive. Did you say agricultural geographical indicators or non-agricultural—

Nick Thomas-Symonds: It is non-agricultural geographical indicators.

Hilary Benn: Well, in the case of the non-agricultural—

Q121 **Gavin Robinson:** The question is: of the five, three were not put through the Northern Ireland Assembly. No applicability motion was sought. Why?

Hilary Benn: My understanding, on the non-agricultural geographical indicators, is that there was an applicability motion considered by the Assembly. We then spent a year looking at it, because the issue was, "Is this going to create a regulatory border?" That is the most important test that we have to apply. We spent a year doing that and we came to the conclusion that we could not find a regulatory border that it would create. Indeed, one or two people we consulted during the course of that said, "Well, there might be some benefits to Northern Ireland from this," so it was added to the Windsor framework in April 2025.

There are a number of issues here. One is how early in the process the Democratic Scrutiny Committee in Northern Ireland can see stuff. We went through a difficult period because the Assembly was not there, and so stuff that had been brewing in Europe for quite a long time, when the Assembly got back up and running, was quite far down the track.

Now, with the new Commission and the new work programme, you are able to get much further sight of what is coming, which gives the

Assembly, and indeed the Government, the chance to say, "Well, what are the implications of this?" I think we will be in a better place in those circumstances, but what we do is assess whether there is going to be a regulatory border, because if there is not, is there a problem?

Q122 Gavin Robinson: The question is whether, once you have made that conclusion in your own mind, having consulted your own colleagues, you see fit that there should be a democratic role for the Northern Ireland Assembly and its democratically elected Members, all of whom are perfectly capable of understanding the sort of thought process you have just gone through but none of whom were asked in respect of those three measures.

Hilary Benn: My understanding is that the Assembly is looking at the same pile of legislation that is coming our way as we are looking at, and it is open to them to discuss that legislation and to request the explanatory memoranda. They can consider it; it is entirely a matter for them. Of course, we will give careful consideration to any decisions that the Northern Ireland Assembly makes.

Q123 Gavin Robinson: With respect, Secretary of State, it is not a matter entirely for them, because these democratic scrutiny structures were set up to engage that body politic, so that the democratically elected representatives of Northern Ireland have a role and a say in this. Your failure to engage with them is a separate one. Lord Murphy noted Unionist concerns about the operation of some of these democratic scrutiny mechanisms. Do you share the concerns that he articulated in his review?

Hilary Benn: He heard that from some of the people he spoke to, indeed, but if you take the example of the Stormont brake, about which a lot of views have been expressed, there has been one pulling of the brake. In those circumstances, the Secretary of State has a legal obligation to consider that decision against specific criteria. As I made clear in the letter that I wrote to the Speaker of the Assembly, having given careful consideration to that one—it related to chemical labelling—it did not meet the test.

As you will be aware, one of the tests is that it will have a significant impact on the everyday life of communities in Northern Ireland in a way that is liable to persist. That, as I think I said in the letter, is quite a high bar. We looked very carefully at it and could not see that an issue of font sizes and labels on chemicals was going to have that impact. That was one of the reasons I cited in saying, "We're not accepting the Stormont brake application."

However, we also said that we would consult on ensuring that our chemical labelling regulations in the whole of the UK align with those that the EU has brought in. As I said at the time, we achieved exactly the outcome that the Assembly wanted in seeking to pull the brake, but by a different means. I would argue very strongly that that does not mean that the Stormont brake does not work. I think it shows that the mechanisms do work, because we took what the Assembly said extremely seriously,



HOUSE OF COMMONS

considered what we could do to ensure that there would not be a problem, made the commitment to consult on alignment, and the issue is now in the process of being dealt with. For me, that shows the democratic scrutiny mechanisms working.

Gavin Robinson: And I would argue that none of that would have happened had we not pulled the brake.

Hilary Benn: But that shows that the democratic scrutiny mechanism worked—that is exactly my point.

Gavin Robinson: I didn't disagree with that, but you were disagreeing with Lord Murphy's review point. That was my question.

Hilary Benn: Sorry, just say that again. His review point being that some people—

Q124 **Gavin Robinson:** The question was whether you agree or disagree with the point in Lord Murphy's review about the ineffectiveness of the democratic scrutiny.

Hilary Benn: I think that the example I have just alluded to is not an example of ineffectiveness. There are people in Northern Ireland who are very unhappy about the decision that I took in relation to that particular application, but I have legal obligations; I followed them to the letter. That does not mean it does not work.

Q125 **Gavin Robinson:** If you need to write to us in formal terms, that is fine. What process do you or the Paymaster General engage in when deciding what EU Acts are brought before the Assembly and before the Joint Committee?

Hilary Benn: Fleur, I am going to turn to you at this point.

Fleur Johnson: In relation to how we look at the Acts which are added, there are two different types of approvals. I think you are referring to those which are new Acts of the European Union, rather than additions to annexe 2.

With new Acts of the Union, the Commission inform us of their intention to add the Act. We then carefully consider the contents of that regulation, on the basis of whether it would create a regulatory barrier between GB and NI, and we look at the legal parameters and the UK's own regulations. On the basis of whether there is a regulatory barrier, that is the point at which we can consider whether it would be within the UK's vires under our legislative protections to add those to the Act or not.

Gavin Robinson: Okay. I am sure that you are grateful for Ms Johnson's presence, Secretary of State.

Hilary Benn: Always.

Q126 **Katrina Murray:** The answer that you have given, Ms Johnson, is very helpful, because I particularly want to look at the real-life situation.



HOUSE OF COMMONS

Secretary of State, I think that every time you have come to this Committee to talk about the work of the Department, you have been asked a question about the applicability of AI, and particularly the EU Artificial Intelligence Act and its impact on Northern Ireland.

Lord Murphy's recommendation was that the Government should be more transparent about the operation of the democratic scrutiny mechanisms. In that spirit, will you formally notify the EU Artificial Intelligence Act and the Cyber Resilience Act if they are brought to the Joint Committee for a decision on their application as a new EU law in Northern Ireland?

Nick Thomas-Symonds: Let me pick this up, because this is something where there are technical exchanges currently ongoing. You have the Artificial Intelligence Act and the Cyber Resilience Act. Both have been published. They have been notified at the moment; that is the situation under article 13(4), which is the process that Gavin was discussing with the Secretary of State in the last exchange.

At the moment, we are assessing the proposal; that is the stage we are at. We are having those technical discussions. Obviously, we will not make any decision that does not respect the internal market. But I am obviously being very guarded, Chair, in what I am saying, because the situation is that those technical talks are ongoing; I think they have already started and are continuing. That is where we are, basically. I will not anticipate what the outcome of the talks might be, but they are going on at the moment.

Q127 **Sorcha Eastwood:** Good morning, everyone. We had a discussion earlier with Lord Murphy about future potentials and what things might look like going forward. EU SPS rules will continue to apply to Northern Ireland on a different legal basis from the rest of the UK once the new SPS agreement is in place. How will you then ensure that Northern Ireland's interests are fully represented in the decision-making processes envisaged under the new SPS agreement?

Nick Thomas-Symonds: That is a really good question and challenge. Not only do I lead the negotiations with the EU, but I chair the interministerial group with the devolved Administrations. While the Northern Ireland voice is obviously hugely important, those discussions are also about Scotland and Wales. So there is, Sorcha, a direct formal structure—the interministerial group—that I chair on, as you can imagine, a regular basis. With Northern Ireland, I think, from memory, that the First Minister and Deputy First Minister have attended each one that I have chaired, and they obviously bring Northern Ireland's voice. I can also give the Committee the reassurance that, throughout the time that I have been negotiating, the real, tangible benefits of an SPS agreement to Northern Ireland have been at the forefront of my mind.

Q128 **Sorcha Eastwood:** One thing that stands out to me is that our Heads of Government often do not speak with one voice. That is just a political reality, and it poses some problems moving forward. I am the only person around the table who has previously served on the Democratic Scrutiny Committee, and I raised with Lord Murphy the issue that businesses often



HOUSE OF COMMONS

came to us and wanted to engage, but that was not our role. Obviously, we wanted to—naturally, you want to facilitate discussion that will make things operate easier—but that, technically speaking, was not the vires of the committee. Do you think there is merit in proper tramlines for businesses to feed into, in a way that they feel is not happening at the minute?

Nick Thomas-Symonds: Again, that is a very fair challenge. One of the things I have, again, tried to do is engage directly with business. To give a tangible example, I went to Belfast a couple of times last summer, when I first came into this job, and one thing that businesses in Northern Ireland raised with me was an issue about the parcels regime. In Belfast—from memory, I think I chaired a meeting at Queen’s University—I had strong feedback that businesses were not ready, so I applied for and secured a six-month delay from the European Union. I listened to what businesses said directly to me, went away and got the six-month delay, and now we have implemented it. There is also the Northern Ireland Business Brexit Working Group, which I met in opposition, and have met in government as well.

Q129 **Sorcha Eastwood:** The Northern Ireland Business Brexit Working Group was set up by business, for business, so it was reliant on the goodwill and strength of those businesses to set it up—I think that is my point.

Nick Thomas-Symonds: I will come to that now, Sorcha; you are absolutely right to say that. They were good enough to meet me in opposition as well as in government, for which I was extremely grateful.

When I went to Belfast last summer, I also met the co-chairs of the Democratic Scrutiny Committee. I have seen what Lord Murphy has said in terms of notice and the time they have, and that came up to me last summer when I was engaging with them.

So the answer is that I do not view my engagement simply to be with the First Minister, Deputy First Minister and the formal structures, important though that is. It is also hugely important that I am reaching out right across the business community in Northern Ireland. That is what I have always sought to do. I have walked through the port of Belfast to see all these things in action, so I am going way beyond that.

To come directly to your question, do I suggest some sort of counsel of perfection in this engagement? No, I don’t. If there is a way of regularising this, so that businesses feel that regularity and structure, I am always willing to look at that. But the assurance I would give is that I certainly view my role as engaging very widely, particularly on the SPS, as well as more broadly in the role I have in implementing the Windsor framework.

Q130 **Claire Hanna:** Lord Murphy’s report talked about how little is made of dual market access. Do you think there are more opportunities to promote the differential and positive impact of our dual market access?

Nick Thomas-Symonds: I always think there are more opportunities to do so, Claire. I have been looking carefully at what businesses have been



HOUSE OF COMMONS

saying. Last month, Evri, the parcel delivery company, announced the opening of a new £1.3 million EU gateway depot, creating 650 jobs. Evri itself said that the facility would allow it to avail itself of dual market access. In response to this, Minister Patrick said, "Fantastic to see 650 new jobs being created in Northern Ireland with Evri opening a new £1.3 million depot". Deli Lites, the food-to-go manufacturer, is investing £19 million to expand its range and create 130 jobs, and it said, "We are in a unique position, with a Northern Irish base, and therefore we have access to both the UK and EU markets." You can clearly, demonstrably see the advantage. The Secretary of State visited PRN Group in Lisbon to hear about this as well.

Hilary Benn: I did indeed, and that is exactly what they said too. There is clear evidence that there are businesses in Northern Ireland that absolutely get the benefit that comes from having dual market access. I think it is all of our responsibility to promote that and to generate the understanding. In my experience, businesses work out quite quickly how to do things in a way that benefits them, and Northern Ireland—as we have said before this Committee a number of times—is in an absolutely unique position.

Q131 **Claire Hanna:** What does the application of the EU steel safeguards mean for Northern Ireland?

Nick Thomas-Symonds: Let me just say this, because this is hugely important issue for Northern Ireland, and indeed the rest of the United Kingdom. At the moment, the European Union has launched a consultation and they are looking at the issue of world overcapacity in the steel industry. They are looking at things around the tariff rates and quotas—the tariff-free quotas, but also those around melt and pour.

There is a particular issue—which the EU has already recognised, by the way—around duties and respect of Northern Ireland. But this issue is relevant for the whole of the United Kingdom because steel is an absolutely vital part of the Government's plan for change. I have already engaged with the European Commission on this, and I am very keen, moving forward, to pragmatically find a solution with regard to the United Kingdom. The United Kingdom is not the issue in terms of overcapacity in the world steel industry. Looking after, safeguarding and protecting our steel industry in the United Kingdom is absolutely critical.

Q132 **Claire Hanna:** Looking at the Commission's proposals and the Q&A on their website, it looks like there is a massive advantage for Northern Ireland in how they propose to treat the region on that. Is that not something the Government should be shouting about? Are we sometimes victim of how proposals are being read in other parts of the UK? My understanding of it is that it leads to substantial advantage, and that might be something that is not being properly articulated and sold.

Nick Thomas-Symonds: Again, I am not suggesting perfection, but the fact that the impact on Northern Ireland was identified very early is of course a positive thing. Nobody would suggest that it is not, and I think it



HOUSE OF COMMONS

is really important. All I would say in respect of steel is that it is a foundational industry for the whole of the United Kingdom. While the position of Northern is certainly unique, and indeed advantageous, as we said—I am not downplaying that at all—it is also important, as I look at the position of steel, that we look across the whole of the United Kingdom. We are talking about people's jobs and livelihoods all across the United Kingdom. It is a huge priority for the Government to make sure that we have that thriving steel industry, and that is exactly the policy I am pursuing.

Q133 Gavin Robinson: Secretary of State, you just mentioned that businesses are good at working out what works for them. Is that within or outwith the context of no divergence of trade?

Hilary Benn: I am not sure I understand the question.

Gavin Robinson: There is an overarching principle that there should be no divergence of trade going back to the protocol, Windsor framework and subsequent agreements. A number of businesses are being encouraged to change their supply lines and find it easier to deal with a foreign economic entity in the Republic of Ireland. That is a diversion of trade from the United Kingdom, so that is not what these arrangements should deliver. Whenever you indicate that businesses are good at working out what works for them, do you still maintain the principle that there should be no diversion of trade?

Hilary Benn: Businesses decide where they buy from and where they sell to. It is certainly not my understanding of the operation of the Windsor framework that there is a role for anyone else to tell businesses where they should buy from or to whom they should sell their goods. Is there?

Q134 Gavin Robinson: Patently not, but it can be so convoluted, complex and unnecessarily burdensome that businesses look elsewhere. When we talk about the internal market guarantee, we want it to mean something. When people talk about the UK internal market, people seem to struggle or to be unable to realise that a marketplace is somewhere where you can buy and sell. Therefore, if you purchase products in GB and bring them to Northern Ireland, you should be able to do so in an unhindered fashion. I know that this Government have a policy around SPS—and Nick is involved in that. I know that this Government have passed legislation on product safety and metrology, even though our standards are exactly the same as the European Union's, and when it comes to the UK Food Standards Agency, I know what their chief executive says. At what point do you feel sufficient agreement will be reached in each of those sectors to allow for the removal of the impediments that are causing frustration in a whole range of industrial and consumer areas? Otherwise, we will always be left in this frustratingly elongated process of whack-a-mole and trying to find a problem, evidence base it, seek a solution, seek an agreement to that solution and then seek implementation of that solution—by which point most businesses have given up and done the one thing that they were never intended to do in the first place, which is divert their trade.



HOUSE OF COMMONS

Nick Thomas-Symonds: If I can just come in, there are two points. First, on the internal market guarantee and the 80% threshold within it, we have not yet had the report from the Independent Monitoring Panel to see what that percentage is. Obviously, I will look at it extremely carefully because we are very committed to the internal market guarantee. With regard to the SPS agreement, I entirely share the passion to deliver and implement that as quickly as possible, because it will come with very significant benefits to businesses across the United Kingdom. It will be of significant benefit to trade across the Irish sea and in reducing trade barriers. I came into office and within 10 months we delivered the “Common Understanding”. The Prime Minister has committed to the SPS being implemented by the early part of 2027. I very much appreciate that there is an issue around the planning and decisions that businesses make in the meantime. It is entirely correct to raise that. It is why, on things such as the duty reimbursement scheme, I am also always asking about the period in between, when people have paid out but are looking to reclaim. I am very conscious of those short-term business pressures as well. On the SPS agreement, there is obviously the track in terms of the remaining negotiations with the European Union, but it is also about driving Whitehall to implement it as soon as possible. That is why I have talked in public about how, by the early part of 2027, I want the benefits to be felt right across the United Kingdom.

Q135 **Gavin Robinson:** You will know that one of the reasons we pushed for the establishment of the Independent Monitoring Panel was to provide an evidential base and to be able to make rigorous arguments when restrictions are wholly unnecessary and disproportionate. Our intention had been that that evidence base would therefore be available for Lord Murphy’s benefit. The lethargy of your Government—or, if you want to be kind, the change of Government and the processes around that—meant that the IMP was not in place to commence its work and publish, so that Lord Murphy could benefit from it. That was a missed opportunity. The IMP concluded the basis of its first report in June. When do we expect the IMP to publish that report?

Fleur Johnson: We are expecting it imminently. It has undertaken, as you state, its first six months of its engagement, it has received all the information it requires, and I am expecting it in my inbox in the next couple of weeks.

Gavin Robinson: Okay, so it should be in your inbox in the next couple of weeks. What are the plans for publication?

Fleur Johnson: Shortly afterwards.

Q136 **Gavin Robinson:** Shortly thereafter, okay. Intertrade UK is a body to promote intertrade or intra-trade—trade within the UK—but it is also supposed to be a receptacle for businesses that have genuine frustrations and allow them to bring those to a body that can conduct advocacy on their behalf. Secretary of State, are you engaging with Intertrade UK? Are you satisfied with the work that has been conducted with it thus far? Do you see the merit of it? Do you think it is being used enough?



HOUSE OF COMMONS

Hilary Benn: There are a number of questions there. I met it last at the East-West Council, and I met individual members—Roger Pollen, for example—when I met the FSB recently. It was presenting its work programme to the East-West Council. I am grateful to all the members for agreeing to take on this task; they have a very important role, and the Government are committed to it. As I indicated in my first answer, a number of issues that it raises are those that we also find reflected in Lord Murphy's report, the FSB report and so on. It has just written to me with some further observations—that is in the last two or three days as I recall. I think it is doing a very important job.

Some people have said, "Are they really independent?" I would make the observation that nobody who looks at the individuals who have agreed to serve on Intertrade UK could sustain for a millisecond the argument that they are not independent people who will do the job as they see fit. They are not controlled or directed by anybody else. I wanted to get that on record.

In 2024, there were 11,400 businesses moving goods from GB to NI. The total value of that trade was £17 billion, and it was up 2.2% compared with the previous year of 2023. It is significant, there is lots of it happening and it was up compared with 2023. I accept the point about difficulties, navigating the system, complexity and so on, but I think as I have said in exchanges with Members from Northern Ireland previously: the goods flow. On lorry movements—those are vehicles carrying Windsor framework consignments—we have looked at the figures and have a working assumption that about 3% of lorries face any kind of in-person check, and about 1% face a full physical inspection. In other words, the vast majority—97% to 99%—of those vehicles carrying Windsor framework consignments come off the ferry and off they go. That is not evidence to me of a system that is completely gumming up trade flows between GB and NI. That is not the case.

Q137 Gavin Robinson: There are two things on that, Secretary of State. First, you would have to acknowledge that when you backed the "Safeguarding the Union" document, you acknowledged that there was a commitment there to remove checks within the UK internal market system—say for criminality, smuggling or that sort of thing.

Secondly, since those figures were crystalised, grace periods have ended. When you talk about faithfully implementing the Windsor framework, that means that the real-world experience of people transporting goods from GB to NI has got worse, not better—and that is worse in advance of you trying to remove these checks altogether, which seems nonsensical to most businesses. More businesses are now talking—including at the food and drink industry dinner in Belfast last Thursday—about the practical impediments and wasted goods that they are experiencing. I am sharing a counterbalance for fear that people think all is rosy—

Hilary Benn: And I didn't. I was very careful not to say that everything was rosy, because in my preamble I accepted producing those statistics. I entirely get why businesses say, "Well, why are we having to march



HOUSE OF COMMONS

further up the regulatory hill, when we can see the promised land of the SPS agreement beckoning from the distance?" It goes right back to the point that Nick made earlier. If you go prior to this Government, there was a serious lack of trust between the EU and the UK. Terrible damage was done to Britain's reputation—terrible damage. Therefore, it is not entirely surprising that the trading partner with whom you are having the negotiation, as I have said many times before, asks, "Is this partner honouring the last deal they signed, as we discuss signing a new one?" It is fairly obvious that that is a requirement, and it takes two to negotiate a deal. At least we have a Government that want a SPS agreement, and have agreed an outline with the EU in May this year. That is a huge step forward compared with what we were looking at previously.

Gavin Robinson: But it is our businesses, consumers and citizens that have to suffer the consequences of whatever political game goes on between London and Brussels—whatever Government; whatever game.

Hilary Benn: It is not a game—it is really practical, in order to bring relief to the people of Northern Ireland.

Q138 **Gavin Robinson:** I know it is not a game. But if you are going to sit there and criticise how other Governments acted, and how we have to suffer greater interventions because of how they acted compared with how you wish to be, I am reminding you that it is our customers, consumers and constituents who have to feel the brunt of those decisions.

Paymaster General, if you are able to reach agreement on SPS, as you have sanitary and phytosanitary alignments, standards alignments and a whole host of other areas you are working on, do you envisage circumstances where the overarching architecture of the Windsor framework or the protocol can be removed? That is when it is ultimately unnecessary, and there is therefore no need for this constitutional impediment that is impacting politics, life and trade in Northern Ireland.

Nick Thomas-Symonds: We voted for the Windsor framework in opposition, when the previous Sunak Government negotiated it. We support it and have sought to implement it. However, what the SPS agreement can do—I will not go through all of it, but I will give some examples—is take away some things that are currently there. For example, SPS paperwork, such as the health certificates to move agrifood or plant products to Northern Ireland, can go. There will be no mandatory identity checks or physical checks on goods. There will be no need for Northern Ireland plant health labels when moving plants for planting, seed potatoes and used agricultural and forestry machinery, which will make a big difference for garden centres. There will be an end to the so-called high-risk plants being prohibited from moving GB-NI—things like honeysuckle and sweet chestnut. I will not go through them all—

Q139 **Gavin Robinson:** You supported all that when we had an agreement two years ago, by the way, but that is good—you will get there someday.

Nick Thomas-Symonds: Delivering the "Safeguarding the Union" commitment to lift the remaining bans on plants—that would actually be



HOUSE OF COMMONS

delivering the “Safeguarding the Union” commitment. By the way, I do note it very much in negotiations, Gavin, always. The point is that we support the structure of the Windsor framework, which you have been discussing with the Secretary of State. But this can make a really significant practical difference to the businesses you have spoken about. I completely understand the point you make, Gavin, which is about where we have implemented the phase 3 checks, back on 1 July. Listen, I engage with Northern Ireland businesses as well, so I hear exactly the kind of issues that there are around this. But there is a position that we can get to in 2027, as I have set out—and I have only mentioned some of them—when lots of these checks can be swept away.

Chair: That concludes the session. Thank you.