

Northern Ireland Affairs Committee

Oral evidence: [Devolution and democracy in Northern Ireland—dealing with the deficit](#), HC 613

Wednesday 28 February 2018

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Members present: Dr Andrew Murrison (Chair), Mr Gregory Campbell, John Grogan, Lady Hermon, Kate Hoey, Jack Lopresti, Conor McGinn, Nigel Mills, Ian Paisley, Jim Shannon, Bob Stewart.

Questions 372 - 477

Witnesses

[\[I\]](#): Rt Hon. the Lord Murphy of Torfaen.

[\[II\]](#): Rt Hon. Karen Bradley MP, Secretary of State for Northern Ireland; Sir Jonathan Stephens KCB, Permanent Secretary, Northern Ireland Office.

Examination of witness

Witness: Rt Hon. the Lord Murphy of Torfaen.

Q372 **Chair:** Lord Murphy, good morning. It is a great pleasure to see you here. Having served under your chairmanship in the past, I know that you are a fantastic committee chairman. It is always very strange in events like this to be on the other side of the table, as it were, but we are very much looking forward to your evidence today.

This session is to do with how we can strengthen the institutions in Northern Ireland, given what has happened over the recent past. I know you have spoken at length on these matters and have a unique perspective, particularly in relation to the Welsh Assembly. Perhaps I might start with that, since one of the suggestions that has been made is that the Welsh Assembly in its early days, before the formation of the Welsh Executive, might form a model for how the Northern Ireland Assembly might be utilised, in the event that we have to move towards some sort of direct rule or direct rule lite-type arrangement, which appears to many of us pretty much where we are heading, even if we do not call it that. I wonder if you might give us your thoughts on how that might work.

Lord Murphy of Torfaen: Yes. It is a great pleasure, Dr Murrison, to be with you on this snowy and wintry morning. We face very difficult times in Northern Ireland. We have been in difficult times for the last number of years.

The Welsh example is interesting, because it was originally the idea of devolution in Wales to have a sort of committee system, a big county council, which would have made the Assembly very different from what it is now. That certainly would not be acceptable in Wales today—far from it. The Welsh Assembly is soon to name itself the Welsh Parliament, and inevitably, as time goes by, bodies that are set up want to increase their powers, increase their responsibilities and change their ways.

The early comparison with what might happen in Northern Ireland is interesting, but I underline everything by saying that, whatever the details of the solution—and I will come to the details of the other part of your question in a second—it has to be based upon a consensus among those political parties in Northern Ireland, as you know from your experience. We can set up whatever type of body we want to but, unless the political parties in Northern Ireland are willing to attend it and go to it, it is all meaningless. You can have a weak body—a county council—or as strong a body as it now is. Unless parties agree to attend it, it is pointless.

Let us for the sake of argument, however, assume that they would agree with such a solution. It would be a neat temporary solution, but no more



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than temporary. It would at least allow the elected Members of the Northern Ireland Assembly to question Ministers and to involve themselves in the government of Northern Ireland in a way that they are not now. Then, hopefully, because you start meeting again, you start talking to your colleagues in the Assembly from all different parties, and the business of contact and of talking, from my experience over the years in Northern Ireland, helps enormously. Bringing people together in Stormont for whatever type of Assembly it might be would, in itself, be a good thing. Yes, it is worth a try. It would need legislation for that to happen, but if that is the way ahead it is better than nothing happening in Northern Ireland, which is the case at the moment.

Q373 Chair: In your experience in a number of roles in Northern Ireland, did you find that you were being challenged by elected representatives in Northern Ireland during periods of direct rule? To what extent were you called to account? How did it work? What were the practicalities of that, given the physical separation of the interlocutors?

Lord Murphy of Torfaen: They always challenged me on everything—that is for sure—as a couple of members of the Committee know, because they were the challengers, and that was right. The entire period I was there as Secretary of State was direct rule. It was me, plus various Ministers, dealing with different subjects: education, health, and so on.

There was no question at all that the elected MLAs—and they remained elected MLAs, even if they did not have an Assembly to go to—would constantly make representations on behalf of their constituents to whomever the appropriate Minister was. Whether it was the closure of a hospital, the building of a school, the construction of a bypass, or whatever it might be, it was constant. There was no question that they would be silent on these matters, and inevitably the direct rule Ministers would do as much as they could to try to accommodate those representations. The great majority of the representations would be exactly the same as if there was a sitting Assembly, but it would be done in an office, face to face.

I always felt immeasurably uncomfortable in doing all this. I represented a constituency in south Wales. Why should I be making decisions about where hospitals should be going, where schools should be built, where bypasses should be constructed, or planning decisions should be made? It should not be me. It fell legally upon my own shoulders and those of my ministerial colleagues to take those decisions, because otherwise it would be done by civil servants, so we had to do it, but it was not right.

That is the great tragedy of the current situation: locally elected politicians are not taking those decisions. They are taken at the moment partly by civil servants. If direct rule comes, they will be taken by Members of Parliament and Members of the House of Lords from Great Britain. That is wrong. It did not stop, but it was entirely inadequate from a democratic point of view.



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Q374 **Chair:** You expressed your reluctance as a Welsh MP making determinations on behalf of people in Northern Ireland. Did you have a sense of perhaps being reluctant to take any decision at all? It has been suggested that direct rule might simply kick the can down the road, since decisions on big infrastructure projects, for example, might not be made, and that Ministers acting from Westminster might be more conservative, anticipating the restoration of the institutions in Northern Ireland, not wishing to make decisions, particularly those that might be controversial, and simply doing nothing or acting in a managerial capacity.

During your time, a very large number of Orders in Council were made, which do not have the benefit of being amendable. One can see, perhaps, why it could be that, under direct rule, the default position would be “do nothing”, rather than making decisions and taking action. Did you have a sense of that when you were Secretary of State?

Lord Murphy of Torfaen: It depends upon what the decision is, and what the issue is. For example, the reconfiguration of hospitals in Northern Ireland had to be done. It was done by direct rule Ministers—by the Health Minister, in this case—and then agreed by me. There were certain decisions that you could not put off. You had to do them, and that was right. Remember that every decision that we took, we had the widest possible consultation on. As British Ministers, you do that, but in Northern Ireland, under direct rule, it was even more important that you went to the people of Northern Ireland and their representatives to see what they felt about these decisions.

There were, however, decisions that, in my view, so long as we knew that eventually a devolved Assembly and Executive were coming along, should be left to those Members. A classic example was that of grammar schools and the 11-plus. That was a hugely sensitive issue in Northern Ireland. I had my own views on it; other Members did as well, but I did not think it was for me to impose those views on the people of Northern Ireland. They should decide for themselves what they do.

Even more important, I guess, is an issue like abortion. Again, I have my views on that, which do not necessarily coincide with a large number of members of my own party on this, but nevertheless it was not for me to decide that. It was for Members of the Northern Ireland Assembly, when it reconvened, to make those decisions. It entirely depended on the issue, but you cannot put off very difficult decisions forever. The vast majority of governmental decisions that were made were made with a lot of consultation.

Q375 **Mr Campbell:** Lord Murphy, you are very welcome again. We will renew old acquaintances from way back. When we get to difficult positions in Northern Ireland, in which we have been on a number of occasions, we sometimes find that, in trying to work our way through to the shared objective, which is the restoration of devolved government, we end up at looking at various options and stage posts to get there, and sometimes have to say, “We have to go with the least worst option to get to the



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preferred goal”.

Last week, we heard from a number of witnesses, and one of them was the SDLP leader. He indicated that he was quite concerned about, on one hand, the Conservative-DUP link and how that would impact on Northern Ireland, and the fact that there were no nationalist MPs elected from Northern Ireland in the House of Commons. He therefore felt that that was an unfortunate way to proceed, and it should not go ahead. But he then suggested the counterbalance to that, which would be that the British and Irish Governments should meet under the umbrella of the BIIGC, work out a way forward and implement it. What do you think about that option?

Lord Murphy of Torfaen: As you know, Mr Campbell, the Good Friday agreement set up the British-Irish Intergovernmental Conference. In my time, I spent a great deal of time in it, but that was when the Assembly and the Executive, like now, were not up and running. It was in no way a body that pretended to govern Northern Ireland, nor was it meant to be that. It was meant to bring the two Governments together, in order to look at areas of common concern and suggest ways of overcoming them. A classic example, I suppose, was policing, co-operation between the two police forces on the island of Ireland and issues like that.

Mainly, if my memory serves me right, it was about the peace process and the political process generally. That would dominate, obviously. It was about trying to get the institutions up and running, just like now, but it was not in any way a joint authority, because that would be very difficult. Coming back to my initial point, what has to happen all the time is to try to get agreement and consensus among the political parties in Northern Ireland. I rather fancy that there would not be consensus on joint authority. I am not suggesting one way or the other whether it is a good thing; all I am suggesting is that it would not work, because it would not have consensus across the board.

I see no problem with the BIIGC meeting in order to talk as two Governments together, to try to get solutions to overcome the problems that we have now. There is nothing wrong with that, and it should happen anyway. Perhaps one of the reasons we are in the state that we are in at the moment is that there has not been enough engagement in the process by Governments. My memory goes back to 1997, when we were setting up the agreement in the first place. There was simply constant, day by day, week by week, month by month involvement by not only the Ministers, but the two Prime Ministers, in all this as well. Minds have to be concentrated on these matters, but I do not think that the BIIGC means joint authority, which I know is an issue that concerns some people in Northern Ireland.

Q376 **Mr Campbell:** For clarity, you are not suggesting that a possible outcome is to devise a mechanism where a sizeable section of the community feels excluded, not only from the outcome, but from the process.



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Lord Murphy of Torfaen: No. The BIIGC is an established part of the structure set up by the agreement in 1998, in the same way that we have the three strands of negotiations and settlement that led to the agreement, and in the same way that we set up the Policing Board. This is a mechanism for the two Governments to formally get together and discuss issues. It was never meant to be a governing institution.

Because both Governments have enormous concern, interest and involvement in what happens in Northern Ireland, there is nothing wrong with them talking about these things, and perhaps even looking at areas like those the Chair raised at the beginning of the meeting. Are there other methods, other ways, in which the Assembly can be utilised, rather than doing nothing at the moment? Although the Assembly and Executive are matters for strand 1 and the British Government, if, on the other hand, the Irish Government could be persuaded that that is a good way to go, perhaps they in turn would be able to use their weight to persuade as many people in Northern Ireland as possible to accept that solution, for example. I understand the sensitivities.

Q377 **Mr Campbell:** Do you see any way around the political parties that represent the bulk of the people of Northern Ireland trying to work their way through the difficulties and coming to a conclusion, however difficult and laborious it may be? We have seen how difficult it is, but you are not suggesting that there is a way around that, to circumvent that, or a shortcut to overcome that.

Lord Murphy of Torfaen: No, there is no shortcut. The whole basis of the Good Friday agreement and subsequent agreements, and the whole basis of the process in Northern Ireland, is about general agreement among the parties. It just will not work unless that happens, so we just have to carry on, doing our best to try to find a solution. From what I understand, a solution was nearly found a week or so ago. If we came that close to it, it is not beyond man's or woman's wit to try to do that again, but any solution that does not involve the parties in Northern Ireland agreeing to it will not be able to last, in my view.

Q378 **Jim Shannon:** It is nice to see you again, Lord Murphy, and nice to see you in good health as well.

Lord Murphy of Torfaen: Just about.

Jim Shannon: You have put the weight back on again, so well done. It is good to see you here. To follow on from my colleague's comments, is there any reform of the Good Friday agreement, for instance, that could enable the parties to move forward with a regional Assembly in Northern Ireland that actually works? Sometimes—I have said this before, but it is worthy of comment again—there are things that we are just never going to agree on, and sometimes they become a stumbling block for the whole process. In your opinion, is there anything that could be done with the Good Friday agreement as it is that would enable the parties to move forward and perhaps agree to park some things?



Lord Murphy of Torfaen: There is provision in the agreement for it to be reviewed from time to time. After all, the 20th anniversary comes up in a couple of weeks' time. Two decades is a long time in politics. The basis of the agreement is about mutual respect and parity of esteem, so that everybody understands that they have to live on this small part of the island, of the world, together in harmony, and be able to sort things out properly. How you do that is, as I said earlier to Mr Campbell, a matter for the parties to agree.

For example, if you want a temporary measure by which the Assembly could be set up, like the Welsh Assembly was initially envisaged, as long as there is agreement, and as long as there is agreement that you would eventually move away from it, I see nothing wrong with that. After all, over the last number of years, various Acts of Parliament have been passed in this Parliament that have changed the way in which the Assembly and the Executive operate, again because of mutual agreement. The St Andrews agreement changed the Good Friday agreement to a certain extent, as well. It is not writ in stone, so long as there is this general—I keep coming back to it—agreement between the parties on how to change it, and how to add to it as the years go by.

Of course things change. If you want to take the Welsh Assembly as an example, it is a very different Assembly now than it was when it was set up 20 years ago. It is very different. We have had a referendum in Wales that has increased the powers of the Assembly, which I agreed with, and which was passed overwhelmingly in the referendum, agreed to by the Welsh people. Things do change. Things do evolve over the years, but that evolution in Northern Ireland is trickier than in other parts of the United Kingdom, inevitably, because of the nature of the place and the nature of the problems. That does not mean to say that these things cannot be changed with agreement. Of course they can.

Q379 **Jim Shannon:** The major stumbling block, Lord Murphy, as we all know, is the Irish language Act. You can draw the comparison, if you do not mind me doing so, with the Welsh Language Act, which is quite strong, by the way, in Wales. The major difference is that the political parties in Wales agreed to the Welsh Language Act. That is all the parties. In Northern Ireland, we quite clearly do not have that agreement. We will not have an agreement on an Irish language Act. That makes it a political tool. It is no longer about the love of the language.

I do not have any problems with the Irish language per se, and people enjoying their culture and language, but I certainly have great objections to—and my constituents have great concerns over—the implementation of any Irish language Act that makes it a political stick to beat my people with, and beat the unionists with. In other words, there is a large section of people in Northern Ireland that cannot agree to it.

Are there any thoughts that you might be able to give this Committee, in this discussion that we are having now, in relation to the Irish language Act and the very clear difference that there is between the Welsh



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Language Act and the one that people in Northern Ireland—Sinn Féin, in particular—are trying to push forward? Indeed, last week, we had the SDLP also committing itself to something that, quite clearly, 51% or 52% of the people do not want, and pushing something that is quite clearly unacceptable.

You can see the problems that we clearly have when we have nationalist parties that want to pursue something that the unionists do not want. Just for the record, the people who contacted me—and, I think, contacted us all—as unionists in Northern Ireland were from across the political spectrum. I cannot underline this enough: a large number of liberal people, middle-of-the-road people, have told me that they will not accept an Irish language Act. I would be grateful for your thoughts.

Lord Murphy of Torfaen: This goes, in a sense, to the heart of the issue in Northern Ireland over the last number of decades. There are, essentially, two traditions that have to live side by side. How you deal with that is the whole story of the last 20 years, and the story of the Good Friday agreement. When that agreement was agreed in 1998, and prior to it, it was my responsibility to deal with the language issues, Ulster Scots as well as the Irish language. If you take a look at the final agreement, you will see that it is only a paragraph or two in it, recognising the fact that these two languages exist and how we are to give them mutual respect.

It has changed a lot since—you are quite right—and there is always a danger that language issues can be used in a political context. That has been the case in Wales, in the same way as it has been the case in Northern Ireland over the years. It would be wrong to assume that the passage of the Welsh language legislation was simple or easy—far from it. I represented an overwhelmingly English-speaking constituency, where there would have been huge resentment—certainly when I was first elected, 30 years ago—at the idea of the Welsh language being in any sense imposed upon the people of my constituency and south-east Wales generally, which is an English-speaking area.

It has changed, largely because of agreement between those who speak Welsh and those who speak English. The first language of about 20% of the people of Wales is Welsh, compared with 80% whose first language is English. There are a number of people who can speak Welsh in that 80%, but not as their first language. It was a hugely sensitive issue. It always is.

In a way, the difference between Northern Ireland and Wales is that those of us in Wales who are English-language speakers, and had great sensitivity about the Welsh language being used in Wales at that time, felt that we were just as Welsh as the Welsh speaker, even though we could not speak the language. The difference with Northern Ireland is that there are people who do not regard themselves as Irish, but as British, so that immediately is a difference between the two situations.



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These difficulties have eased considerably in Wales. The sensitivities are still there, but nothing like they used to be. Welsh is taught in schools. It is a compulsory subject in secondary schools. It is an optional one for A-levels. There are Welsh-medium schools. The public bodies have to produce in Welsh and English, and you can use Welsh in the Welsh Assembly. There is simultaneous translation, and so on and so forth. As I will repeat, you must not get the idea that this was a simple, easy thing, even in Wales. It was not. It has to be dealt with with huge sensitivity.

Again, I think the issue could be resolved in Northern Ireland, so long as the points you have made, Mr Shannon, with regard to the difficulties faced by the unionist population in Northern Ireland can be addressed: first of all, by dealing with those who regard Ulster Scots as part of their heritage; and secondly by ensuring that whatever legislation eventually emerges does not in any way offend people who do not have that particular linguistic skill. At the same time, it is important to acknowledge that the Irish language is a part of the heritage of Ireland, north and south. As you probably know, there was a huge Presbyterian Irish-language situation a century or so ago. There were lots of people in Ireland of the Presbyterian faith who spoke Irish.

It is about dealing with this sensitivity, with the acknowledgement that not everybody wants to learn or speak Irish, or Ulster Scots, for that matter, and that you have to ensure you give those people parity of esteem, as well. How that is done is more complicated, but it can be done, as long as there is will on both sides to ensure that you have mutual respect for both languages, or three languages in this case, and the heritage that lies behind them.

I accept that these matters can be highly politicised, and they should not be, because the Irish language is a language of great richness and cultural wealth. It should be able to be acknowledged like that, but I acknowledge—like we do in Wales—that, if you do not want to speak Welsh, that is a matter for you. I was once asked, when I first became Secretary of State for Wales, “Do you intend to learn Welsh?” I said, “Of course I do not”. “Why not?” “Because I am a Welshman”.

Q380 Lady Hermon: Thank you very much indeed. It is really very good to see you here, Lord Murphy, and your evidence has been fascinating. It is your depth of knowledge about Northern Ireland that makes you such a valuable witness, if you do not mind me saying so. Reflecting on your long, long involvement in Northern Ireland, and your passion and compassion for the people of Northern Ireland, are you concerned about the survival of the Good Friday agreement, the Belfast agreement?

Lord Murphy of Torfaen: Yes, I am. I am concerned because of the hiatus that we have, the fact that we do not have a functional Assembly and Executive, and how that can eventually lead to increased bitterness and polarisation of the political situation in Northern Ireland. I do not think that anybody wants that; at least, most people would not want



that. I personally find it very disturbing and worrying that we are in the situation that we are in at the moment.

That is why the Chair's initial point about trying to find some sort of temporary solution to resurrect the Assembly, so long as there is agreement for that to happen, is a good idea, at least so that we are not seeing the political class in Northern Ireland basically disappearing. You have 100, or whatever it is these days, Members of the Assembly. Politics has changed dramatically over 20 years. People have got used to governing themselves. They are representing the people of Northern Ireland, and to see those institutions not working, to me, is extremely sad.

Q381 **Lady Hermon:** They reduced the number of MLAs in the last Assembly election from 108 down to 90, but they have not been functioning as an Assembly for 13 months. There is great anger about the fact that the MLAs have received their full salary, and their full staffing allowances, in all that time. If my memory serves me well, I think you were faced with exactly the same problem when the Assembly was suspended and we had direct rule, which is a different situation from what we are looking at at the moment. You, if I remember correctly, came under pressure to completely cut the salaries of the MLAs. Would you explain to the Committee why you were not persuaded that that was a good idea?

Lord Murphy of Torfaen: In a way, it is almost giving up when you do that. It is almost accepting that we have finished; that nothing is going to happen; that direct rule is going to continue forever, et cetera. That was my fear.

The other point I made to you earlier on was that, back in those days, politicians elected to the Northern Ireland Assembly had not been there very long. For 30 or 40 years before that, there had been a desert insofar as political representation was concerned. There were only the Members of Parliament who were elected for Northern Ireland, and members of local authorities, which have limited powers anyway. In 1998, with the Good Friday agreement, we set up the Northern Ireland Assembly. A new class of politicians was established in Northern Ireland, and to see that disappear in such a relatively short period of time was tragic.

The problem one always faces is how far you can do this when public opinion is probably going to be increasingly against it. Most members of the public would not pay MPs, or anybody, much money anyway, but to see them being paid and not established as an institution is very difficult for members of the public to accept.

Lady Hermon: Yes, that is the situation.

Lord Murphy of Torfaen: I saw a "Question Time", for example, coming from Northern Ireland some months ago. This really excited the audience in Northern Ireland, and I can understand why. It is perfectly understandable why that is the case. It is simply the fact that, when you



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start closing it down—and cutting off the salaries of MLAs completely is a part of closing it down—you worry that this is the beginning of the end. That was my fear.

Q382 Lady Hermon: Would you accept that 13 months of a non-functioning Assembly, with a Secretary of State who has still not cut the salaries at all, is a bit too long? She needs to be patient, yes, but 13 months is stretching it a bit.

Lord Murphy of Torfaen: I think I agreed to pay it for three years, but that was certainly too long, I suppose. It is a balance between public opinion and the collapse of the political class, in terms of those who are members of the Northern Ireland Assembly. I entirely understand public feeling. If my memory serves me right, there is some suggestion that the salaries might be reduced gradually over the months until there is an established Assembly, but it is difficult. I can understand the problems that people see on it in Northern Ireland.

Q383 Lady Hermon: Finally, this is a matter of curiosity. Given your long experience and the seniority of the roles that you held in Northern Ireland, not least being Secretary of State for such a long time, has the current Secretary of State, or indeed the Northern Ireland Office, sought your views? We are in a very difficult situation in Northern Ireland. Have your views been sought?

Lord Murphy of Torfaen: Yes, I have talked to various Secretaries of State.

Lady Hermon: Good.

Lord Murphy of Torfaen: I have given them my experience on these matters, yes.

Q384 Lady Hermon: If you had some advice to offer to our next witness, who is the Secretary of State, how would you try now to get us out of this impasse? The people of Northern Ireland want their Assembly up and running again, but there appears to be no exact meeting of minds, although the parties seem to have agreed on a number of things in great detail. How do we proceed from here, in your view?

Lord Murphy of Torfaen: I wish I had the answer, but constant involvement has to be a part of all this. I have often had to travel to different parts of the world explaining the Northern Ireland experience, and the one thing that I have always emphasised is that, when we were making this originally, we could not do it part time. There has to be constant involvement of the relevant parties—with a small “P” in this case—in all this. That includes Governments. It includes Prime Ministers and Taoiseachs. All those late-night sit-ins we had over the years—and there were many of them—were necessary, but, of course, you can only do these things if there is a will on the part of the people who want to do them.



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Ultimately, if those people who make up the political establishment in Northern Ireland do not wish to come to a conclusion or do a deal, it will not happen, but I personally do not think that that is the case. I think that politicians in Northern Ireland want the restitution of the institutions. It is a question of how you get there, but then it is the job of the Governments to keep on nagging them, to ensure that they are there all the time, to act as enablers and to ensure that, in this case, both Governments are involved by talking to each other about the issues and being able to, behind the scenes, bring pressure on the political parties as much as they can to try to come to an agreement.

It is hard work, and it is constant hard work. It takes up all your time, and so it should do, because it is such an important issue. I do not know the details of the involvement of the Governments at the moment in Northern Ireland. In fact, Members around the table here would know more than I would on that, but that is my experience. It was constant, constant, constant reactivity and involvement, until we arrived at a conclusion.

Q385 Lady Hermon: You have hinted on a number of occasions that the Prime Minister has not been sufficiently involved. Are you critical of the Prime Minister's involvement, and has it been too little, perhaps because of Brexit?

Lord Murphy of Torfaen: There is never an easy comparison between what might have happened 10 or 20 years ago and today. Things change, but I have said on a number of occasions in the House of Lords that prime ministerial involvement—including the Taoiseach, by the way—where it is appropriate to be involved is very important, because the weight of the office is so significant.

There was a time when people in Northern Ireland said that Prime Ministers came too often to Northern Ireland, and the then Secretaries of State could not do an awful lot because of "We want to see the Prime Minister to do this" all the time. There was an element of truth in that, but at the same time Prime Ministers are Heads of Government. They carry the weight of their office with them, and it is important that they are engaged.

However important Brexit is—and it is important, and it is inevitably dominating politics at the moment—the idea that we have one part of our country where this is happening is entirely unacceptable. Therefore, it is a matter of urgency for Prime Ministers and the Government to get involved as much as they can. It is not for me to tell Prime Ministers what to do; I merely say that this is what we did in the past, and it seemed to work.

Q386 Conor McGinn: It is great to see you, Lord Murphy. You were a Minister at the time of the agreement, and subsequently Secretary of State. There has been some commentary around the recent talks process, and around the mood music prior to that and the reasons for the collapse, about the



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fact that the field has been narrowed to the two major parties.

The public vote for the DUP and Sinn Féin; that is why they are the two biggest parties, and ultimately they have to agree if the institutions are to be re-established. But do you think that the Executive, the Assembly and the process have been damaged by the fact that the smaller parties feel that they do not have a voice, and that the structures around the talks and the Assembly itself do not lend themselves to that range of voices being heard?

Lord Murphy of Torfaen: It is an important issue. As you know, the actual agreement in 1998 and the process that John Major set up some years before, which Tony Blair continued, meant that all parties were involved in the talks process over those years. If things came to a vote, which was rare, they did not have the same weight, but in a structure like this all parties would be involved. Everything that led to the Good Friday agreement involved all parties. Of course it did.

It is inevitable that the biggest parties are those that need to be persuaded to work with each other, more than anybody else. Of course it is. That is life; that is what has to happen. Initially, it was the SDLP and the Ulster Unionist Party; then, as politics changed, it was the DUP and Sinn Féin. My first comment is that those two parties have to agree for anything to work properly, but what about the other parties, as you say? It was often the case—it is not just now—that the smaller parties complained very vigorously that they were not involved enough in the process. My view, when I was Secretary of State, was that they should be. They represented a strand of opinion in Northern Ireland. They had been elected, even though not in the same numbers.

Let me tell you what I think the great value of all-party talks is. They would not, and never will, replace the importance of the two big parties working together, but if those issues that divide the parties are on the table, and everybody is involved in talking about them, parties from your own side can sometimes question you as a party as to why you are going down that route. The Ulster Unionist Party could question the DUP, or the other way round. The SDLP could question Sinn Féin, and the Alliance could question everybody, but you know what I mean. Everybody has the chance to talk about the issue.

In answer to Mr Shannon just now about the Irish language, what is wrong, for example, with all the other parties coming in and saying how they can find a solution to this deeply difficult issue in Northern Ireland, and saying it semi-publicly, in a meeting like this, rather than saying it separately to the Ministers in little rooms off to the side? One of the successes of all parties meeting is that lots and lots of ideas were able to be put onto the table, some of which came to fruition and formed the basis of the agreement. It is coming together and talking about these things that is so important, and bringing pressure on the other parties to come to an agreement.



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Q387 **Conor McGinn:** When you were the Secretary of State and we had that long period of direct rule, you said that the British-Irish Intergovernmental Conference met. Was that frequently? Was it on an ad hoc basis? How often, in your recollection, did it meet?

Lord Murphy of Torfaen: Quite frequently. I am guessing two or three times a year, perhaps a bit more. I do not know. It was something like that.

Q388 **Conor McGinn:** That was in addition to other bilateral meetings that you had with the Irish Government on how to reach an agreement in Northern Ireland.

Lord Murphy of Torfaen: Bilateral meetings were every couple of weeks, I would say.

Q389 **Conor McGinn:** In terms of the British-Irish Intergovernmental Conference's role, it discussed matters that would be considered internal to Northern Ireland, in the sense that both Governments talked about the process and how to get it back on track. Even though you had direct rule, the Irish Government had a very strong involvement in decisions that were being taken about the governance of Northern Ireland.

Lord Murphy of Torfaen: Yes. Ultimately, the two Governments are guardians of the agreement, and therefore both Governments have an interest in all parts of the agreement. I come back to strand 1 again; that is to say, the internal organisation of government within Northern Ireland is a matter for the British Government. Of course it is. That does not mean to say that the Irish Government have no interest in it. They will express their views.

It is as the guardians of the overall agreement that the two Governments meeting together is so important, in the same way that the British Government might have a view on what might happen in the Republic of Ireland that touches upon Northern Ireland issues. You do not just say, "We cannot talk about this because it is strand 1, 2 or 3". Of course that does not happen, but the decision-making is another issue. The decisions about Northern Ireland are a matter for the British Government.

Q390 **Conor McGinn:** Finally, again on the structures, I have some sympathy with the view that, if we were to go into a period of direct rule—which I do not see, and I do not think many others see, as a preferred option—you have the Assembly in some form, because there is that democratic deficit about the fact that, as you said yourself, you have English, Welsh and, rarely but occasionally, Scottish Ministers making decisions about Northern Ireland, when no one there elects them.

My concern is that it is not really a hybrid model, is it? In truth, unless the Assembly has the power to vote on legislation that is being brought through here, or on decisions that are being made by Ministers, in the end the power rests with those Ministers here. There is still an accountability gap, and the accusation will be that the Assembly, or a



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shadow Assembly, just becomes a bit of a talking shop, really.

Lord Murphy of Torfaen: Yes, but is that not what “parliament” means? It means “to talk”, and I probably prefer a talking shop for a temporary period to no shop at all. That happened, actually. There was a time between the referendum that agreed the Good Friday agreement and the establishment of the Executive when the Assembly was elected and met.

I was then Finance Minister. I recall very clearly going to the Assembly, addressing it on the budget and spending two or three hours while the members of the Assembly questioned me about the budget. You are right: at the end of the day, I took the decision on the budget, but I would be a very foolish direct rule Minister if I did not take any notice of what the Members of that shadow Assembly were telling me. In fact, I would be completely off my head if I did not take notice of it. There was that little period of time when that happened, and there was this shadow Assembly. Is that not better than not going to anything at all?

Eventually, again with agreement, that Assembly could have some control on a temporary basis of what direct rule Ministers might do. That is far from adequate, but I simply say that it did sit, which meant that, very publicly, Members of the Assembly were able to get together and question Ministers. Going back to that original point that I was making to Dr Murrison some time ago, the business of being in that building together, going to committees and other meetings together, means that you start engaging, and that engagement is so important in any process.

Q391 **Ian Paisley:** It is good to see you, Paul, at the Committee, and thank you for what always comes across as very non-partisan advice and guidance. It is very much the elder statesman, and we do appreciate it. The Alliance party of Northern Ireland and Sinn Féin are the only two parties that boycott this Committee, for a whole host of reasons. You would encourage them to talk to us, would you not?

Lord Murphy of Torfaen: Of course I would, yes. I do not see anything wrong with people talking. That is how we get to agreement, at the end of the day. Is there any reason why they boycott your Committee?

Q392 **Ian Paisley:** Lord knows. The other issue that I wanted to raise with you, Lord Murphy, is that you made some brilliant comments about the Welsh language. We have, I think, three Assembly Members in total who actually speak Irish. The highest score awarded in the last two years to an Irish speaker at A-level was awarded to a Presbyterian girl. She just happened to be the daughter of the Presbyterian Moderator. She did not make a song and dance of it, but congratulations to her.

What I really liked about your comments was, with the issue of language and identity, you have made it clear that language in Wales has not been weaponised, but that the heat has been taken out of it and it has been culturised. That trick appears to be missing in Northern Ireland, and I am sure that you would wish us well in trying to get around the weaponising of culture and identity, and take the heat out of it.



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Lord Murphy of Torfaen: It has not happened overnight in Wales. Let me give you an example. I came from what was then the county of Monmouthshire, which until 1970 was still technically an English county. It was never really English, but it was regarded as such until local government re-organisation. The motto of Monmouthshire County Council was "Utrique Fidelis": "Faithful to Both", and the "both" was England and Wales, so they would support England in the cricket and Wales in the rugby. In reality, it was a Welsh county, but Welsh was never taught at all in Monmouthshire schools. I was actually taught the Welsh national anthem in English.

That was a million years ago, and things have changed since then, but it was, in my early days as a politician, a hugely sensitive, highly politicised issue. That has dramatically changed, partly because of devolution; partly because of an acceptance that you can live together; and partly because the key to the success of the Welsh language, in my view, is not necessarily bilingual signs on motorways, but education. Teach people the language. If you come to my former constituency now, they have four Welsh-medium schools there: a secondary school and three primary schools.

Q393 **Ian Paisley:** There is no hostility to that.

Lord Murphy of Torfaen: It is residual but tiny. You have to take into account the sensitivities. I will give you another example.

Q394 **Ian Paisley:** Sorry to interrupt, but do you get a sense that there is—I want to put this very gently, but I have to use the word—a sense of superiority of people who speak Welsh?

Lord Murphy of Torfaen: No, I do not think so. I do not get that. There is a sense of difference, I suppose. Most people in my old constituency would want to learn it, because they are not native, unless they have moved from other parts of Wales. You tailor the Welsh language provision according to where you are. If you go to Gwynedd in north-west Wales, that is overwhelmingly a Welsh-speaking area. Local authority meetings are held in Welsh, with simultaneous translation. All the road signs will be in Welsh, and so on and so forth, but it is different in my part of the world. There is an acceptance, now—40 years ago, this would not have been accepted—of the fact that the Welsh language has come this way.

Q395 **Ian Paisley:** Can I ask something about the Belfast agreement very quickly? I am sorry to rush you, but the Chairman has the cosh hand on me at the moment.

There have been recent comments from people who were integrally involved in the negotiation of the Belfast agreement. The former chairman of the Ulster Unionist Party, James Cooper, described it as not fit for purpose any longer. A year or two ago, Mark Durkan said that the ugly scaffolding of the Belfast agreement had to be removed. Last week in New York, I noticed that Mark Durkan went further and said that the agreement needed to be rebooted and reset in many aspects.



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The fact of the matter is that some political commenters have become very precious. Would you agree? If you comment at all about the Belfast agreement, you are almost attacking peace. Do you agree that we need to tone that down, and recognise that it is actually okay to talk about changing things?

Lord Murphy of Torfaen: As I said earlier, there is provision within the agreement to review it from time to time. The basic principles of the agreement—of parity of esteem, of acknowledging that there are two traditions in Northern Ireland, alongside those who do not belong to either, which you have to accommodate to ensure that you have everybody taking part in government and politics in Northern Ireland—remain firm and untouched, but it is a matter for people in Northern Ireland to decide how to change the structures that result from them.

Of course, 20 years is, as I said, a long time, and you can change them. They were changed; this Parliament has changed certain aspects of that agreement, in terms of how the Assembly and the Executive operate internally. There is no reason why that cannot happen. But what people are probably saying is that you have arrived at peace and political stability of a sort in Northern Ireland as a consequence of coming together over all these years and doing what everybody did. That is the basis of it. As long as you all agree, it does not matter how you deal with it.

Q396 **Ian Paisley:** Very finally, there are many goods that transfer from the Republic of Ireland into the United Kingdom via Wales on cargo ferries, as well as some people. Are you a wee bit alarmed that the European Union appears to make no mention of Wales, and does not really seem to care about Wales, in these Brexit negotiations; that all it wants to do is highlight, very cynically, the Northern Ireland border; and that it does not really care about the transfer of goods or people to Wales? Do you feel that people are just being cynical about our border?

Lord Murphy of Torfaen: I hope not, because it is a hugely important issue. It is dominating the news this morning, for example. But you are absolutely right in saying that Welsh ports—Holyhead and so on—are critical to what happens to goods coming from Ireland, north and south, into Great Britain and across to continental Europe. That is hugely significant. Our First Minister in Wales, Carwyn Jones—who is married, by the way, to a Northern Ireland girl—has pointed out that these things are hugely significant.

Q397 **Nigel Mills:** Lord Murphy, when you were Secretary of State and direct rule was in place, were you ever tempted to think that perhaps a year with no government in Northern Ireland would be a good way of taking things forward? Is that something that you wish you could have done in your time? Do you wish that, when the Assembly was suspended in 2002 or something, you could have had the option of just not replacing it for a year and seeing if that helped?



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Lord Murphy of Torfaen: I do not think so. The idea that local politicians should not be governing themselves was anathema to me, completely. However difficult and however bitter these things can sometimes be, I saw no alternative, other than to keep working towards the resurrection of the Executive.

As I said, I deeply resented, in many ways, being a direct rule Minister. I always felt extremely uncomfortable: not about the political side of it, or to a certain extent the security side of it, but always on the domestic issues, if I can call them that. I felt deeply, deeply uncomfortable about having to take those decisions, even with the widest possible consultation. I knew, as someone who represented a constituency in a devolved part of the United Kingdom, that it was not for me to take those decisions. It would be bad enough for me to take those decisions in the old days, before devolution in Wales, but why should I take those decisions in Northern Ireland?

Q398 **Nigel Mills:** You did not think that no one taking the decisions was better than you taking them.

Lord Murphy of Torfaen: No. Someone has to take them. I do not think that decisions should be left to civil servants, if that is what you mean. That is wrong, and it puts a terrible burden on the shoulders of civil servants, to try to work out what the political consequences of their decisions would be. They can let it tick over for a short time. No, in a democracy, it has to be done by elected people. Now, direct rule Ministers are elected, but they are not elected by the people of Northern Ireland. That is the problem.

Q399 **Nigel Mills:** That is where I was trying to get you to. You are basically saying that, if we cannot get the Executive back, established, and we have spent nearly 14 months trying, direct rule is better than no rule. You would accept that.

Lord Murphy of Torfaen: Just. It is not the answer. It can only ever be a very temporary answer, and it has to be hemmed in by all sorts of conditions and the need for the widest possible consultation. It is extremely inadequate. That is why I would come back to some of the questions posed to me earlier, with what is going on at the moment. I can never understand why it is that we cannot resolve the difference between parties in Northern Ireland, in parallel with government carrying on there, but for government not to happen, for the Assembly to be redundant, does not seem to be a prerequisite for dealing with issues that are so important, such as the Irish language or whatever it might be.

Chair: Lord Murphy, thank you so much for being with us today. We have kept you for far too long, but it has been well worth it from our Committee's perspective, because you certainly will have influenced our report and the recommendations that we make when we come to publish that report. Thank you so much for being with us.

Lord Murphy of Torfaen: Thank you very much indeed, everybody. All the best.

Examination of witnesses

Witnesses: Rt Hon. Karen Bradley MP and Sir Jonathan Stephens.

Q400 **Chair:** Secretary of State, Sir Jonathan, it is great to see you again. It is always a pleasure. I am going to kick off by asking a topical question. This relates to the leaked document from the Foreign Secretary and the legalised form of the joint report that is being published by the European Union, both of which have a direct bearing upon Northern Ireland.

I wonder whether you could clarify the Government's position in relation to the border, since the Foreign Secretary's leaked letter seems to suggest that he was considering, at least, a so-called "hard border", and give your reflections on the report from the European Union. This morning we have heard the future of Northern Ireland being cast in graphic terms as perhaps being that of an annexe of the European Union, which is clearly strong language. Since you are here in public forum, this might be an opportunity for you to share with us your thoughts on both of those things.

Karen Bradley: It is a delight to be back so soon in front of the Committee. This is definitely a very active Committee, and I can see from the number of inquiries going on that I will spend many happy hours in front of the Committee. I welcome the work you are doing on the inquiry on the specifics of devolution and democracy, which I know we will get on to. I understand that there are these topical points you would like some comments on. The first thing to say, as you would expect me to say, as Secretary of State, is that I do not comment on leaked documents and it would not be appropriate for me to do so.

The British Government stand resolutely behind the joint report from December. There is no change in position with regards to the joint report and no change in our position with regards to support for the Belfast agreement; we are resolutely behind that. That means, as the joint report says very clearly, that there will be no hard border.

We have said that; the Irish Government have said that; and the EU has said that. There will be no new infrastructure at the border, and that is north-south but also east-west. To be absolutely clear, the constitutional and economic integrity of the United Kingdom is paramount, and it is something the United Kingdom Government will ensure is what we achieve.

We have also been clear, as the Irish Government have been, on the record that our desired way of resolving the issue of the Northern Irish border is through option A from the joint report, which is that we resolve it through the overall UK-EU relationship. That is what the Government



are working towards doing; that is what the Government are determined to achieve.

I have not seen the document that is going to be published today, so it would not be fair for me to make any specific comments on it, but it is important to note that this is an initial attempt by the European Union to codify option C, which is the fallback option if we are unable to resolve the border through the overall relationship or through the overall relationship in option B with some specific solutions for recognising the unique circumstances in Northern Ireland.

This is the EU's document. It is not the British Government's document. The United Kingdom Government have not had input into this document. I look forward to seeing it, but it is not a final position.

Q401 Chair: That is very, very clear. Thank you for your clarity. To bring us back to the matter in hand, we have just been interviewing one of your distinguished predecessors. That caused us to reflect on the last period of direct rule, after which interregnum there was the St Andrews agreement, which was by way of being an addition or amendment to the Good Friday agreement and the Northern Ireland Act 1998.

When we are past the current impasse, which we will be, will a similar such arrangement be required—that is to say, an agreement that might amend the Good Friday agreement and the Northern Ireland Act that followed—or can we move on without such an instrument?

Karen Bradley: First of all, the British Government are committed to devolution. I believe in devolution individually, and the British Government believe in devolution. The right thing for the people of Northern Ireland is for them to be governed by the people they elect in Northern Ireland. That is what I have been trying to achieve over the last few weeks.

I am sure the Committee will want to ask me about the talks and what happened in the talks. While I am happy to answer where appropriate, I hope the Committee will also understand that I firmly believe an accommodation can be reached. I firmly believe it can be the case that the two largest parties—the largest nationalist party, Sinn Féin, and the largest unionist party, the DUP—can reach an accommodation and form a devolved Government. In light of that, I will perhaps be circumspect in some of the language I use in order that I do not jeopardise the possibility of that happening. I hope the Committee will understand that situation.

I have also said, and I will restate, that the British Government are committed to the Belfast agreement. We are coming up to the 20th anniversary of the Belfast agreement. It has delivered peace in Northern Ireland; it has delivered amazing prosperity and success for Northern Ireland. There is so much more that Northern Ireland can achieve with stable government and by continuing with that progress.



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We have also been clear that we do this on the principle of consent. When amendments have been made to the Belfast agreement, as they were at St Andrews, it has been on the basis of consensus, where a majority of nationalists and a majority of unionists wish to see that. Again, as the UK Government, we are committed to that principle of consent. If it was the will of the people of Northern Ireland in both communities that amendments should be made, we would of course look at that.

Q402 Lady Hermon: It is delightful to see you back so soon. You obviously enjoyed the last evidence session before NIQs, and you are back again. You are very welcome indeed. Sir Jonathan, we have some questions in store for you as well, I hope.

In response to the Chair's question, you made it quite clear that you do not comment on leaked documents. However, would you agree that Eamonn Mallie did everyone a great favour in somehow managing to get a copy of the document that had been agreed between Sinn Féin and the DUP and putting it into the public realm? Was that not a good thing for all of us?

Karen Bradley: First of all, there was never a final, agreed document. Texts and suggested wordings were passed between the parties, as I understand it, but I do not believe there was ever a final, agreed document.

Q403 Lady Hermon: However, what had been agreed was impressive in its detail.

Karen Bradley: We had very intense, very deep and meaningful talks. I want to be clear that the talks between the DUP and Sinn Féin were talks I facilitated, but I was not in the room when the two parties spoke to each other about their negotiations. It would not be fair for me to comment or speculate on what was said or done behind closed doors.

But it is clear to me that we have made significant progress in the last few weeks. That is why I still believe that it is possible that we can reach an accommodation. I am working to ensure that we do everything we can, as the UK Government, to help that be the case.

Q404 Lady Hermon: When the document was put into the public domain by Eamonn Mallie, it did not come as a surprise to you as the Secretary of State. You had seen the document before that.

Karen Bradley: I had seen a variety of pieces of paper that were shared with me and I was asked to provide support to the parties as part of their talks. But there was no final document; there was no final agreement. It would not be right for me to speculate on those leaked documents.

Q405 Lady Hermon: You have commented on that, and it has been very helpful so far. Are the two main parties—at least some of their representatives at a senior level, we are assuming—meeting and



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discussing how they can reach further agreement and complete agreement? Could you just confirm that there are talks ongoing between Sinn Féin and the DUP?

Karen Bradley: I cannot confirm that. We are not facilitating any talks at this time. I have met, as have my officials, representatives from both parties individually, but I cannot tell you whether the parties are meeting each other, because we are not at the moment facilitating that process.

Q406 **Lady Hermon:** Why not?

Karen Bradley: I am busy at the moment looking at the budget, which I know is of interest to the Committee, and making sure that a budget can be ready so the Northern Ireland Civil Service has the information it needs.

The other point to make, which I said in my statement on the day that phase of talks ended, is that there was no further for the two parties to go in terms of their discussions with each other. The conversations that need to happen are now within the parties, in terms of what the parties could accommodate, and with the British Government and the Irish Government in terms of commitments that might be required by the Governments in order to facilitate devolved government.

To be clear, we are not currently facilitating one-to-one talks between the DUP and Sinn Féin.

Q407 **Lady Hermon:** Do you not think that is a priority, Secretary of State? You have a Minister of State. If you personally, as Secretary of State, cannot—I accept that you are busy with the budget—surely the Minister of State in the Northern Ireland Office should see it as a priority to facilitate talks between Sinn Féin and the DUP. We, the people of Northern Ireland, are waiting for the Assembly to get back up and running again.

With the greatest respect, it has to be given priority. If the parties have managed to agree in such detail on so many topics, it is the duty of the Northern Ireland Office to facilitate those talks. I cannot understand why there has been this pause.

Karen Bradley: I can assure you, Lady Hermon, as and when there is a point at which I am convinced that the two parties getting back in a room together will help this process, I will make sure that happens. But at the moment the discussion does not need to be between the two parties; the discussion needs to be with the parties internally. There needs to be agreement about negotiating positions and where accommodations need to be made.

There are also discussions with the British Government. You will know that both the DUP and Sinn Féin visited London last Wednesday and met both me individually and the Prime Minister and me. We continue to have that engagement and those discussions with both parties, but at the



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moment there is no need for the two of them to talk to each other. It would not be a useful way for them to spend their time. The point now is for us to try to work out the issues on which accommodation is required and the role the British Government can play in making sure they can be dealt with.

Sir Jonathan Stephens: Of course, there is nothing to prevent the two parties from meeting together. They are both in Parliament buildings on a regular basis. There is nothing to prevent them from meeting together.

Q408 **Lady Hermon:** Do you think they are meeting?

Sir Jonathan Stephens: I have no knowledge of that.

Lady Hermon: You could not confirm or deny that.

Sir Jonathan Stephens: No.

Q409 **Lady Hermon:** They may well have. A previous witness and many other commentators have suggested that the Prime Minister has not showed sufficient involvement in these talks or recognised the seriousness of the collapse of the Assembly or the collapse of these talks. There has been criticism of the Prime Minister. Would you like to address that?

Karen Bradley: I would. I disagree completely with that. The Prime Minister has been engaged throughout. The Prime Minister has regular conversations with the leaders of the two main parties and other parties. The Prime Minister is involved in helping me, as Secretary of State, and the previous Secretary of State, James Brokenshire, to facilitate the talks in Stormont House. She has been actively involved throughout.

Q410 **Lady Hermon:** For example, has she spoken to them this week? It is a week since she met the leadership of the DUP and Sinn Féin. That was last Wednesday. Has the Prime Minister spoken to the leadership this week?

Karen Bradley: I do not believe she has, but I have not been privy to her diary to confirm that.

Lady Hermon: That may suggest that in fact she has not been as closely involved as we might have expected her to be.

Q411 **Jim Shannon:** Secretary of State, it is good to see you so often. You said you are looking forward to "many happy hours". There will be many hours; I hope they are all happy. We will see how it goes.

I just want to ask a quick question about the talks process. The Irish language Act was not an issue in the Anglo-Irish agreement. The Irish language Act was not an issue in the Belfast agreement. The Irish language Act was not an issue in the Good Friday agreement. It was not an issue in the St Andrews agreement. It was not an issue in the Stormont House agreement. It was not an issue in December 2016 in the Northern Ireland Assembly. Yet in February 2017 it suddenly became a red-line issue for Sinn Féin. We have the process, politically, where the



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Irish language Act was not a big issue; it was not even included in all the agreements. I know there is a recognition of the Irish language as a culture and Ulster Scots as a culture as well.

At this very, very frustrating time, the nationalist parties both seem to collectively insist upon an Irish language Act, while the unionist people, and those who are in the middle of the road and are more liberal in their unionism, are saying very clearly, "Do not let the Irish language Act happen". How do we move forward? With great respect to everyone, is it not time to look at some other political process that takes all those parties who want to have a regional Assembly in Northern Ireland and moves everything forward? Is it not time to look at something more radical?

Karen Bradley: Mr Shannon, you express some of the concerns that have prevented an accommodation from being reached so far, but I want to clarify. You said that the Irish language Act has not come up in any of the agreements. It is explicitly referenced in the St Andrews agreement.

Q412 **Jim Shannon:** The Irish language Act is not in any of the agreements.

Karen Bradley: Yes, it is. In the St Andrews agreement there is explicit language about this. It says that the British Government will legislate for an Irish language Act. It does say it very explicitly. That is probably where one of the issues is, because that became a devolved matter once devolved government was re-established after the St Andrews agreement. It would not be right for me, in my capacity as Secretary of State, to comment on how we ended up getting to this point, but you reflect very well and very eloquently the concerns there are and why both sides need to go and reflect with their supporters and their membership as to how we get through this.

Q413 **Jim Shannon:** You have outlined very clearly what the critical issue in the political process is. If we find a political process that does not move forward because of one thing that happens, is it not time to look at something radical, something different, something with the parties that want to be collectively involved in the political process? Is it not time to look at something along those lines? Will that become part of the process at any stage? Are one or two parties going to hold up this whole process?

Karen Bradley: There are two points to make there, but, as I said earlier, we believe in the principle of consent. The United Kingdom Government support the principle of consent. If there is consensus across both communities, with a majority of nationalists and a majority of unionists believing that changes need to be made, that is something we would look at.

The Chair will also know from the reporting that the sustainability of the Executive was one of the matters that was being discussed by the parties, and progress was made on making the Executive more sustainable so that it did not suffer in the way it had done at the end of



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2016 and the beginning of 2017, when it was unable to be restored in very short order.

Q414 **Jim Shannon:** On the issue of the options that are available, if the nationalists insist upon an Irish language Act and the process fails, direct rule is something that will be at least considered. A hybrid or an in-between system could be considered, where the Assembly goes into a consultative or observational role and the decisions, at the end of the day, are made by Ministers from London, who will rubber-stamp or sign off the documents. Is there a plan B or a plan C, even, rather than plan A, which seems like it is going to fail?

Karen Bradley: A number of suggestions have been put to me by all the parties as to how to break this impasse. I am considering all those suggestions, again with the principle of consent being foremost in my mind. But I still believe that an accommodation can be reached and the parties can form devolved government, and that is the best thing for the people of Northern Ireland. I repeat: the people of Northern Ireland elected their politicians. They expect and want their politicians to govern them. I firmly believe we can achieve that.

Q415 **Lady Hermon:** May I just come to the topic that I regularly raise with you, Secretary of State, as I did when you made your statement last week? That is the very vexed question of the salaries of the MLAs. We are moving into March tomorrow. The Assembly has not functioned properly since January of last year. It is intolerable and totally unacceptable that 90 MLAs receive their full salaries when they are not doing their full job. You have repeatedly told Members, including me, that you are considering the proposals. Where are we today?

Karen Bradley: Next week, I will make a statement on the budget, and I will make a statement at that point about decisions around MLA pay.

Q416 **Lady Hermon:** You will be cutting MLA pay next week.

Karen Bradley: I will make an announcement about that in the statement.

Lady Hermon: That is fantastic.

Ian Paisley: That is value for money there.

Q417 **Lady Hermon:** As well as the MLA salaries, which you will announce you will be cutting, what about their staffing allowance? I know you could not possibly disclose all that you are going to say next week, but do the words "reduction in staffing allowance" come in the same sentence?

Karen Bradley: I have said to the parties publicly that, as a Member of Parliament who values my staff and the work my staff do—they work incredibly hard—the staff should not be punished or penalised for the inability of the parties to form an Executive.

Q418 **Lady Hermon:** The words "reduction", "salary" and "MLAs" will come in the same sentence, but not "staff allowance".



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Karen Bradley: As I say, I value the work that my staff do. I know how incredibly hard they work for my constituents. I know the staff of MLAs are working very, very hard for their constituents on important constituency casework, and we should all value that.

Q419 **Lady Hermon:** Reading between the lines, staff will not have a reduction but MLAs will. When are you making this statement?

Karen Bradley: It will be next week. I do not which day yet. You say it is March tomorrow, but looking out of the window it does not look very March-like, does it?

Q420 **Lady Hermon:** It could be lovely this time next week. May I ask you about a very serious matter? Again, this is an issue that has been raised with you before. This is the Hart report on historical institutional abuse. It was very interesting reading the detail of what the parties had agreed in the documents leaked by Eamonn Mallie. I am quoting directly from that. "The parties also agree to deal with the issue of historical institutional abuse promptly"—full stop. There were no caveats; there were no conditions. There was absolutely nothing to detract from the commitment to implement the Hart report.

In the event that we do not have the Assembly restored in good time, may I plead with you as a Government to please implement the Hart recommendations here at Westminster? We are going through the budget, but I would ask you to give serious consideration to this. The parties have not expressed any anxiety or concern about implementing those recommendations. Is that something that the Northern Ireland Office and the Government would consider implementing here at Westminster?

Karen Bradley: As I have said, a number of points have been made to me by all parties—this includes the smaller parties as well as the two large parties—about how to break the impasse. You will know that the last time I came to the Committee we talked about this. When an inquiry has been set up by the devolved Administration, it is right and proper that the devolved Administration should respond to that and, as you say, deal with it properly.

It would not be right for Westminster to second-guess what that might look like, but I understand the point. I am considering all the issues we need to deal with in the absence of devolved government, with a view to doing everything I can to get devolved government up and running as soon as possible, mindful of timely matters like that.

Q421 **Lady Hermon:** Bearing in mind the age of the majority of the victims of historical institutional abuse in Northern Ireland, time is of the essence for them. Some of them have already died; others are terminally ill. This is a really serious matter. I will push you again. Will you give serious consideration, if we do not have the Assembly up and running any time soon, to implementing the Hart recommendations here at Westminster? The parties were clearly agreed about it.



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Karen Bradley: The difficulty we have is that the recommendations have not been considered and reviewed by the Executive that instigated the inquiry. That produces a problem, because to try to second-guess what the response to the recommendations would be is a very difficult thing. Lady Hermon, you have raised this matter with me before, as have a number of others. There are a number of matters like this, which people want resolution to, and I am considering all those matters.

Q422 **Lady Hermon:** Finally, Sir Jonathan, may I turn to you? There was a very interesting programme, as there often is, on Radio Ulster on Sunday—I think it was the “Sunday Sequence” programme—were there was talk about preparations being made for the anticipated visit of the Pope to the island of Ireland in August of this year. In the absence of a functioning Assembly, which we have not had for such a long time, what preparations have the Northern Ireland Office been making in anticipation of the Pope’s visit to the island of Ireland?

Sir Jonathan Stephens: As you know, an official invitation was issued by Her Majesty’s Government. We have been liaising with the Vatican and with the Northern Ireland Civil Service around possible preparations. We have had no confirmation of a visit yet.

Q423 **Kate Hoey:** Secretary of State, just a day after you last appeared, you had one of your first successes. I asked you a question about legal aid for the victims of the Hyde Park bombings, and the next day it was announced.

Karen Bradley: I would like to take credit.

Kate Hoey: We will take you as being helpful in that, but that was a very good result. You are going to make a statement next week about the budget, so people in Northern Ireland now know that, as from next week, there will be a budget in time for the rates to be set and all that.

Karen Bradley: Yes.

Q424 **Kate Hoey:** Good. Is anything else happening in the next week or so that you are going to have to make a very big decision on? Are there any major decisions in Northern Ireland to do with bread-and-butter issues such as the health service or education?

Karen Bradley: The priority is the budget. I met David Sterling on Monday in Belfast. It is quite clear that the Civil Service, which has done incredible work—I want to put on the record my thanks, and pay tribute to those dedicated public servants who have delivered public services and worked so hard—is crying out for Ministers to be appointed in Stormont to assist it and give it the political direction that it would wish to have. My priority is making sure it has what it needs to be able to continue running those public services as we move into the next financial year.

Q425 **Kate Hoey:** Have you made a personal judgment of just how much longer things can go on in Northern Ireland, even if we get a budget,



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without more Ministers being appointed and more genuine direct rule?

Karen Bradley: I do not want to undermine the devolution settlement. I do not want to do anything that undermines the devolution settlement.

Q426 **Kate Hoey:** No, I understand that. Earlier you said you were not sure about who was talking to whom within the different parties. You must have some idea yourself about whether, realistically, anything is going to change in Northern Ireland in terms of getting the Executive back in the next month or two months.

Karen Bradley: I am optimistic that an accommodation can be reached. I have spoken to the leadership of both parties, and I am convinced that they both want to make this work, but there are issues they need to resolve. There are issues they need to discuss; there are things the British Government can do; there are things the Irish Government may need to do. I am working through all those. I am looking at all the suggestions and representations that have been made to me, and doing everything I can to enable the politicians to be in a place where they can restore devolved government to Stormont as soon as possible.

Q427 **Kate Hoey:** How long are you going to give that process? You are not going to give any more deadlines, I assume—deadlines not being very successful in Northern Ireland.

Karen Bradley: I do not want to put anything in the way or say anything that makes this more difficult. I am working to make sure that we can deliver this. People say, "How long is too long?" Thirteen months is too long, but we have been 13 months without government.

We should reflect here. Your inquiry is about devolution and democracy. If one takes a step back, it is extraordinary to see that we have had successful devolved government in Northern Ireland, given the ideological differences between the parties. They have been able to come together; they have been able to govern in the interests of the people who elect them. That is a testament to the politicians.

I firmly believe that we can restore devolved government and get back to that situation where the politicians were delivering for the people who elected them.

Q428 **Kate Hoey:** With the greatest respect, that is what we have been hearing from your predecessor and everyone over the last 13 months. It is always just about to happen—something might happen. There are probably a lot of people in Northern Ireland just saying, "Look, is this really going to work? Let us just get on with getting something happening so we do not only have civil servants making decisions".

Karen Bradley: When I have had the opportunity to meet people, points have been made to me by people in businesses, people in community centres, people just going about their daily lives. They do not understand why their politicians have not been able to come together and do what



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they elected them to do, and they would like them to do it. But undermining the devolved settlement when there is a possibility of devolved government being restored is not something I want to do.

Q429 **Kate Hoey:** At the last Committee meeting, you said, "I am under a legal duty to call an election in the absence of an Executive". Have you given that any further thought?

Karen Bradley: I am considering all my legal duties and all the responsibilities I have.

Q430 **Kate Hoey:** Finally, we had a very interesting discussion with the previous Secretary of State, Lord Murphy. One of the things he said was that there had been changes to the Belfast agreement over the years. In fact, he said the structures can change. Can you just be quite clear today that people who want to suggest changes, perhaps minor changes or major changes, to the Belfast agreement are not trying to bring about the end of the peace process?

Karen Bradley: Of course. If I may say so, it is incumbent on everybody in public life to take great care in the language they use with regards to what has been achieved in Northern Ireland and the implications of changes. We all have to be careful and mindful of that. As Secretary of State, I have the responsibility for ensuring that we have national security in Northern Ireland. Anything that incites or causes people to think that there are problems is not helpful. I would urge all figures to be careful about the language they use in this regard.

I would also repeat what I said earlier: we govern on the principle of consent. If there is a consensus—a majority of the nationalist community and a majority of the unionist community—that wishes to see changes, as we saw at St Andrews where minor changes were made to the Belfast agreement to enable devolved government to be restored, then of course we will consider them.

Q431 **Chair:** Very briefly, before I come to Ian Paisley, you said in your response to Kate Hoey's questions, "There are things the Irish Government may need to do". Can you clarify what you meant by that? What was in your mind?

Karen Bradley: I mean support for infrastructure, for example road projects, where there is benefit to both Northern Ireland and the Republic from infrastructure projects.

Q432 **Chair:** What about issues like healthcare?

Karen Bradley: That is a strand 1 issue. That would be a matter for the United Kingdom Government and the parties in Northern Ireland.

Q433 **Chair:** But there is co-operation, albeit on a fairly small scale at the moment, on matters like healthcare.



Karen Bradley: There is. There are people who use hospitals on either side of the border and go to doctor's appointments on either side of the border. Specifically in terms of what we are doing at the moment, it is more about things such as infrastructure.

Q434 **Ian Paisley:** Secretary of State, it is good to see you back at our Committee. Can we start with the point the Chair started on, which is this EU report? Can I say, as a citizen of the United Kingdom, to a Cabinet Minister who represents me at the Cabinet, I am disgusted about what the EU is saying about my country? I am appalled by it. I would like you to bring back to the Cabinet that, as a person with a large vote in Northern Ireland, I am appalled and disgusted at how the EU can dare to say that it wants to annex a part of the United Kingdom and take it away from the governance of the rest of the United Kingdom.

I am delighted by what you have said in your opening comments about how Northern Ireland will be treated in the same way as the rest of the United Kingdom. That is absolutely credible and absolutely critical going forward. We are now facing the biggest test in the resolve of the character of this Government in terms of how they deal with the EU. I wish you well; I wish the Government well as they deal with that. But I would ask the Government to show some teeth now to the European Union. We will not be rolling over to their demands about annexing part of our country. I want to leave that on the record with you, and I want you to take that message back to the Cabinet when you meet again, which no doubt will be later this week.

Can I ask you very specifically about the Belfast agreement? I see there was a little spat between Lord Caine and Lord Hain about the sanctity of the agreement. There was a comment by the former chairman of the Ulster Unionist Party who helped negotiate the Belfast agreement, James Cooper, who has described the agreement as not fit for purpose. Mark Durkan, an SDLP negotiator at the time of the agreement, said that the ugly scaffolding should be removed and that it should be rebooted and reset in many aspects.

The fact of the matter is that people who are very precious in talking about the Belfast agreement, who say you can never change it, are wrong. Changes always have to naturally come about and occur. Those of us who have been arguing for changes are not opposed to peace. The danger in language is that we prevent a debate about good, sensible and reasonable change because we are characterised by some people—I do not mean you, Secretary of State—as being opposed to peace if we dare to talk about the sanctity of the agreement. Do you agree?

Karen Bradley: You have made a number of points there, Mr Paisley. Lord Caine has asked me to clarify the social media conversation that he had with Lord Hain this week. To be clear, his concerns were not about the St Andrews agreement but the way the St Andrews agreement was put into law. That was what he was debating with Lord Hain on social media.



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Ian Paisley: I must say that is what I took out of his comments.

Karen Bradley: Some have not perhaps understood that. I know you would understand that.

I go back to the point I made earlier. The British Government support the principles and status of the Belfast agreement and the agreements that were made at that point, but, where there is consensus—a majority of the nationalist community and the unionist community in Northern Ireland—we would of course consider changes, where consensus and the principle of consent apply. Changes have been made to the Belfast agreement over the course of the 20 years since it came into being.

Q435 **Ian Paisley:** That is very helpful. In terms of messages back to the Republic of Ireland, it would be very helpful if Her Majesty's Government reflected to the Republic of Ireland that, if a bad Brexit occurs as a result of this EU paper, the Republic of Ireland's costs of membership to the EU are going to rocket by a further £1.5 billion. That is an eye-watering amount for a tiny little economy like the Republic of Ireland.

Could you make sure that point is made clear to the Republic of Ireland? As its neighbour, we want to work with it and have a good relationship. If it keeps insulting us and playing the EU's game of trying to annex Northern Ireland, it is going to face a massive bill, and it is not going to be very helpful to its economy.

Karen Bradley: As I said earlier, we have been clear that we stand by the joint report. Our desired outcome is option A, where the overall EU-UK relationship north of the border is what we are working towards. The Irish Government have also said that that is what they are working towards. The EU has published some documents today, which I have not seen, so I do not know what they say. There has been language around them. We all have to be careful of the language we use in that regard.

With regard to option C in the joint report, where there is no other agreement, that is not what we are working towards; that is not what the Irish Government are working towards. We are working towards an overall UK-EU agreement that means there is no hard border, no new physical infrastructure at the border, frictionless movement of people and goods, and the economic and constitutional integrity of the United Kingdom is preserved.

Q436 **Ian Paisley:** Speaking about the economy and the issues about our economy, I do not know whether the Northern Ireland Office or you, Secretary of State, have had any communications directly with the US Administration. As you know, there has been some talk about an envoy being appointed to deal with Northern Ireland issues. For the record, if the US Administration decide it is in their interests to have a point person on Northern Ireland, I would not oppose that. Whether it is in their policy interests is a matter for them.

If the Northern Ireland Office and you, Secretary of State, were to make



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representations to them, it would be important to say, if they are minded to appoint that person, that person should really get engaged on the needs of Northern Ireland as part and parcel of a Brexit deal with the US in terms of trade negotiations.

If the US is going to do new trade negotiations with the United Kingdom, Northern Ireland has to be really central in that. We have a very, very good US relationship in terms of our economy. Building on that and using an envoy to that end would probably be to our advantage and it might give us the edge. Are you making those types of representations to the US Administration?

Karen Bradley: I have met representatives of the US Administration on a number of occasions. I hope to be in Washington in a couple of weeks' time. There is something going on over there, apparently.

Ian Paisley: I might see you there.

Karen Bradley: I may well see you there. I will be continuing those discussions. I have not had specific conversations about a role for a special envoy, but I will make your points, Mr Paisley, when I am there. I am sure you will make the points yourself.

Q437 **Ian Paisley:** Thank you. The critical point of us playing our part in those trade negotiations will be very, very important for Northern Ireland. Some people like to colour an envoy as having a political role, but if they have an economic role it is much more advantageous to all the people of Northern Ireland.

Karen Bradley: The opportunities for Northern Ireland are incredible. It is a young and vibrant place with exciting new technological developments in the FinTech industry and people working in the tech sector. It is a vibrant place that people should visit, if they have not done so, and consider as a place to set up home and live, because there are so many opportunities and there is so much there.

I want to make sure all those opportunities are available to all the people of Northern Ireland, and that means working globally with our friends and neighbours in Europe but also with our friends and partners around the world.

Q438 **Ian Paisley:** Unemployment is at 3.9%. That is a fantastic result for our economy.

Karen Bradley: It is a really, really great success story. There is so much more we can do.

Ian Paisley: When I was a teenager, unemployment in Northern Ireland was 33%. It is a fantastic story.

Karen Bradley: I will repeat, though, that stable, devolved government in Stormont would assist enormously in helping with foreign direct investment.



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Q439 **Chair:** I hope your trip to Washington goes well. Can I ask how many times you have been to Brussels?

Karen Bradley: Since I have started this job, I have not been to Brussels yet. I have met EU representatives but not in Brussels.

Q440 **Chair:** How many times has your junior Minister within the Department been to Brussels in his current appointment?

Karen Bradley: I do not think he has been at all yet.

Q441 **Chair:** We discussed this last time we met in Committee: the complete absence of ministerial representation from Northern Ireland in the Brexit discussions, which stands in stark contrast to Wales and Scotland. There is clearly an urgent need for that to be rectified. How do you propose for it to be rectified?

Karen Bradley: There are a few points that I would make. The only reason I have not been to Brussels is just that I have been slightly busy doing other things that were my focus, and I hope the Committee will understand. Chair, you have enjoyed the experience of talks in Stormont and you know they can be very time-consuming, but that is not to say that I have not met representatives from Brussels about these matters.

Since being appointed, the Secretary of State for Northern Ireland is now a full member of the EUXT (SN) sub-Committee, which is the strategy and negotiating committee, and that means that the Northern Ireland voice is heard at that top table.

Sir Jonathan Stephens: Your predecessor visited Brussels and, consistently since the Article 50 letter was written, resolving the issues around Northern Ireland has been one of the top priorities for the UK Government, as reflected in the joint report.

Karen Bradley: At official level, there is considerable conversation and discussion. I want to assure the Committee that the Northern Ireland voice in the Brexit discussions is heard. Chair, you make a very important point. Take JMC (EN), for example, which met last week. The Scottish and Welsh Governments were able to send political representation; Northern Ireland is not able to do that. That is a great shame, and it is why devolved government is needed, so those voices can be heard from across the community.

Q442 **Conor McGinn:** It is very nice to see you again, Secretary of State. Your commitment to restoring devolution is very clear. What is less clear is the role you have played and are playing, and how we get the institutions restored. I am struggling a bit with what “facilitate” means. If you were not in the room, how were you facilitating the talks?

I also want to ask you whether, in the days approaching the collapse of the talks, you understood there to be a draft agreement or at least the heads of an agreement, because otherwise why would the Prime Minister have come to Northern Ireland? She flew over to cut the ribbon on what



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everyone expected to be a deal, but found that the building had closed and it was empty. She was humiliated then by the leader of the DUP. How did that come about? What role did you play and what is your role going forward?

Karen Bradley: If I can start with the PM's visit, the Prime Minister is the Prime Minister of the United Kingdom. Bombardier is a fantastic success story, with a 57% increase in profits. That was something she had been personally involved in, in terms of the decision by the US authorities. She was determined to visit Bombardier and to see that for herself. As the Prime Minister of Great Britain and Northern Ireland, I am sure we would all expect that.

Q443 **Conor McGinn:** That was the primary purpose of her visit.

Karen Bradley: She went to the Bombardier factory in Northern Ireland.

Q444 **Conor McGinn:** How long had that been planned in advance?

Karen Bradley: It was in her diary for several weeks. While in Northern Ireland, as she would in any visit, she met political leadership and political leaders. Nobody should misinterpret the role she played.

Q445 **Conor McGinn:** Was it a distraction that she went? That is what the leader of the DUP said.

Karen Bradley: I am not going to get into the details of what was said or not said. The fact is that it had been a longstanding fixture in her diary to visit Bombardier, to reflect the success of Bombardier, with the significant increase in profits and the decision that had been taken by the US authorities about the tariffs being applied to Bombardier. She had a personal role in that, and wanted to go and meet the workforce. I know it was a very successful visit.

On the talks themselves, my role was to bring people together. There were meetings of all five larger parties. I know that there are some independents and others who were not able to be part of those meetings. It is very difficult to know how many people you can have in a room to have a successful meeting that makes progress. But it was always clear, to me and to the Tánaiste, that the only way we can get to having an Executive back in place is if the largest nationalist party and the largest unionist party, in this case Sinn Féin and the DUP, are able to reach an accommodation. That is why we made it possible for everybody to be together and to work together. We were available throughout the period to provide support, if there was a need for technical assistance.

Q446 **Conor McGinn:** What does "technical assistance" mean? Did you do the printing for them?

Karen Bradley: No. What might legislation look like? What might be involved? What might be the case? What would the British Government's role be?



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Q447 **Conor McGinn:** If a married couple go for counselling, the facilitator does not say, "Here is the room; in you go. Let me know when you have sorted it out".

Karen Bradley: I like to think that this is not quite like a divorcing couple.

Q448 **Conor McGinn:** I hope not. It is certainly a couple with problems but they are hopefully not getting a divorce.

Karen Bradley: These are two political parties. This is about the way devolution works. You would not expect to see the British Government in the room when a coalition agreement was being formed in the Welsh Assembly, for example. You may ask the British Government to provide the room, to provide technical support and assistance, and to be there to deal with issues that arise from the discussions. I do not want to get into the specifics.

As I said at the beginning, I want to make sure I leave this room with the best possible opportunity for the parties to reach the accommodation they need to reach to form an Executive. When the two parties have reached that accommodation, I want the other parties and other MLAs to be able to decide whether they want to be part of a functioning Executive or not. That is what we would like to see.

I was always clear that I was not there to impose. I was not there to tell the parties how this should work. I was not there even to express an opinion about the suggestions, the processes and the issues that were between the parties, because this is for those two parties to come together and form a Government.

Q449 **Conor McGinn:** I understand. I do not doubt your commitment, effort or sincerity in trying to resolve this. I think the Government should be in the room, because progress is made when the Governments drive progress forward.

Karen Bradley: You will understand, though, that there are some sensitivities around that.

Q450 **Conor McGinn:** I do. Kate Hoey referred earlier to decisions needing to be made, and you have talked about the budget. One decision that needs to be made, which is long overdue, is to extend equal marriage to Northern Ireland. You may have seen that I am taking through a private Member's Bill this month.

Karen Bradley: I also responded to a written question.

Conor McGinn: You have indeed, which attracted some media coverage last week. My preference is very much for a fully functioning Assembly and Executive to do this. In the absence of that, you and the Government should do it. If that is not the case, I am prepared to push this through myself, along with other colleagues.



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Can you confirm that you support equal marriage, that you are in favour of its extension to Northern Ireland, that the position you outlined in the written answer last week is the Government's position, and that the Government will allow a free vote? Will you also confirm that, similarly to me, your understanding is that this is not about being a unionist or being a nationalist? It is not even about being gay or being married; it is about being equal.

Karen Bradley: I can wholeheartedly agree with your last point. You will know—it is on the record—how I voted during the debate about equal marriage in Westminster that applied to England and Wales, but I did not vote on equal marriage applying in Scotland. Quite rightly, there is a devolved Government there, and they were able to take the legislation through that was appropriate for Scotland. Like you, I would like to see this done in a functioning Assembly with a devolved Government and a private Member's Bill probably being brought forward in Stormont to enable this to be achieved. The answer to your written question stands, Mr McGinn.

Q451 **Conor McGinn:** How long should people have to wait for their rights, then? There is no functioning Assembly at the minute.

Karen Bradley: My priority is getting functioning government back up and running, and that is what I am focusing on. But you have made your point very clear about the role and the interest that people in Westminster have in this issue.

Q452 **Conor McGinn:** Finally, the Foreign Secretary wrote to the Prime Minister to say that it was wrong to see the Government's task as maintaining no hard border and that the Government needed to counter the exaggerated impression of the impact that a hard border would have. People on the island of Ireland, particularly in border communities, will look at those statements and think that the British Government do not have a clue how they are going to sort out the issue of the border, and, more importantly, they could not care less.

The Government are contorting themselves into this position on regulatory alignment and what that means for Northern Ireland, the rest of the UK and its relationship with Ireland and the EU. Is the simplest solution to this, which protects the economic and constitutional integrity of the UK and ensures no hard border, that we enter a customs union with the European Union? Why are the Prime Minister and your Government allowing hard Brexiteers to dictate the approach you are taking to the island of Ireland?

Karen Bradley: There are a number of points there, but I will repeat that I am not going to comment on leaked documents. The British Government's commitment to the joint report stands, and the British Government wishes to see the relationship between the UK and EU be the relationship that resolves the issue of the Irish border. There will be no hard border; there will be no new physical infrastructure. The British Government are committed to that. I can absolutely assure you of that.



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Q453 **Conor McGinn:** Is it a priority?

Karen Bradley: It is absolutely a priority of the British Government.

Q454 **Conor McGinn:** So Boris Johnson is wrong.

Karen Bradley: I am not commenting on leaked documents.

Q455 **Conor McGinn:** If he publishes it, will you issue a statement to the effect that you think he is wrong? He has pledged this morning to publish the letter. When that is the case, will you make a further statement outlining your position on it?

Karen Bradley: As I have said, the British Government's position is that we are committed to the joint report and the conclusions of the joint report. We are working towards dealing with the Irish border through option A of our overall UK-EU relationship resolving those issues.

Q456 **Nigel Mills:** Can I just go back to the Stormont talks and the Prime Minister's presence? The Taoiseach made some comments in the Dáil yesterday that are probably worth considering. He said, "With regard to my presence at Stormont, I was there because the Prime Minister was there. She was keen to visit Belfast. She visited Shorts and then joined the talks". That seems pretty consistent. He then goes on to say, "It was understood at that point that the two major parties had reached an accommodation, even though everything may not have been signed off at that stage". Is the Taoiseach wrong in what he said yesterday or was there a feeling that there had been a deal or there was going to be a deal, and, therefore, the two Heads of State should turn up?

Karen Bradley: If I can go back to the point I made about the Prime Minister, the Prime Minister's visit to Bombardier had been in the diary for many, many weeks. Her schedule, as I am sure you can imagine, is set out significantly far in advance because of security issues and others. It is also fair to say that the talks have been very intense. They have been very deep. Significant progress had been made, but there was never a point at which an agreement was reached between the parties.

I go back to what I said to Lady Hermon earlier: the point was reached in that phase of talks where there was no further discussion that would be useful between the two parties. The issue is now for the parties themselves to consider what they are prepared to do in order to facilitate getting government back up and running in Stormont.

Q457 **Nigel Mills:** It is just interesting, because I presume the Taoiseach is also a busy man. He seems to say a lot of things anyway. He said, "I had other plans for the day. As Members know, the First Minister of Wales was in town and I was due to meet him and do some other things". It sounds like he had to drop things to get to Stormont with the Prime Minister for an announcement of a deal, and then no deal turned up.

Karen Bradley: It would not be right for me to speculate on the Irish Prime Minister and his diary.



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Q458 **Nigel Mills:** The next point he made was this: "The current position with the talks is that both Governments have asked the parties to pause for reflection. We think that is advisable at this stage. As I mentioned earlier, the Brexit negotiations are going to enter a very intense phase over the next couple of weeks". He then says, "It will be a very intense couple of weeks with regard to Brexit so perhaps it is a good time for the parties in the north to pause for reflection". Have the two Governments asked the parties to pause the talks?

Karen Bradley: No, that is perhaps a misinterpretation of what he has said there. The two parties decided there was no further to go with the talks. We have agreed that this is a time for reflection from both parties, but we should not try to suggest that there is any need to do that because of what is happening with the Brexit talks. The two should not be conflated.

Q459 **Nigel Mills:** Have both Governments asked the parties to pause for reflection? That is what the Taoiseach said yesterday.

Karen Bradley: That is a misrepresentation of the situation.

Q460 **Nigel Mills:** So he is wrong. Can I just turn to the budget you are working on? How fundamental is setting a budget? Is that a minor thing that does not really represent direct rule or is having to set the budget quite a fundamental part of what the Assembly should be doing?

Karen Bradley: Setting a budget is a fundamental part of any Government's role. As you will know, when we do budgets here, they are absolutely vital to the functioning of the Civil Service and public services. You absolutely have to set a budget. The decisions that have to be taken with regard to budgets are often difficult decisions. It is much, much better if those decisions are taken by politicians elected locally, who understand the tensions and concerns with regard to public services in their own constituencies and across Northern Ireland.

For the functioning of public services, we need to have a budget in place, and that is why I will be doing that next week. I would much rather it had been done in Stormont.

Q461 **Nigel Mills:** Last autumn, when Westminster had to set the budget, the then Secretary of State was quite careful to take what the Executive had agreed before the Assembly fell and roll things on as best he could, to avoid taking any real decisions. Is that the approach you are trying to take for next week? Do you have to accept that another year on you will have to take a few more decisions this time?

Karen Bradley: I am looking at what the Executive said before it fell, and I am also looking at the situations that have happened since. If you will forgive me, next week is probably the best time for me to explain the decisions I am taking.

Q462 **Nigel Mills:** I am just asking about the approach you are taking. Is it a



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straight roll-on of the previous budget?

Karen Bradley: To be absolutely clear, I have no executive powers over the Northern Ireland Civil Service. The executive powers over the Northern Ireland Civil Service rest with the Executive in Stormont. In the absence of an Executive in Stormont, there is nobody with true executive powers. I am therefore taking legal and other advice to ensure I do what I can in terms of the budget, being extraordinarily mindful of decisions that were taken before the Executive fell.

Q463 **Nigel Mills:** If we had a scale of one to 10 for where we are on direct rule, with having Ministers in place being at 10, where is setting the budget on that scale?

Karen Bradley: It is not right to try to set it on a scale of any sort. I am determined that we get devolved government back up and running in Stormont, that we respect the agreements made in the Belfast agreement and subsequent agreements, and that we allow locally elected politicians to make those decisions. In the absence of that being the case, the British Government complies with and fulfils its obligations as the Government of Great Britain and Northern Ireland, but the executive powers remain with the Executive, which I would like to see up and running as soon as possible.

Q464 **Nigel Mills:** I just have one last question. Clearly, the Executive never considered the confidence and supply agreement between the Government here and the DUP. Is that something you are thinking of adding to the budget next week so that money can start being spent? Is that something that cannot happen until there is an Executive?

Karen Bradley: No, all the commitments made by the British Government will be fulfilled. If we have made commitments as the UK Government, we will of course be obliged by those commitments and ensure they are fulfilled.

Q465 **Nigel Mills:** The confidence and supply deal will effectively be in the budget next week.

Karen Bradley: If you will forgive me, I will be in the House next week and you can ask me those questions then, Mr Mills.

Q466 **Chair:** Clearly, we are going to have to wait until next week for a lot of questions to be answered, but setting a budget is not simply deciding upon a sum total of money and giving it to the Northern Ireland Civil Service to divvy up as it sees appropriate. You presumably are taking advice from the Northern Ireland Civil Service on what needs to be done, and you will attach figures to those requests. But in so doing you are endorsing the actions the Northern Ireland Civil Service believes need to be carried out within the next financial year. You are taking some level of ownership of it.

I do not expect you to respond to the invitation to place this on some sort of Likert scale. Nevertheless, I would invite you to reflect on the reality,



which is that, by setting the budget, you are embarking on a process of, if not direct rule, direct rule-lite. Is that reasonable?

Karen Bradley: I am doing everything I can to ensure the institutions set up under the Belfast agreement are fully respected. I am walking a very difficult tightrope, but I am determined to do so. I am working with the parties, for example, and consulting the parties in terms of what needs to be done. I am being very mindful of decisions taken by the Executive before it collapsed and I am looking at the fiscal reality of the situation in Northern Ireland. If you will forgive me, Chair, I will provide more details on that next week.

Q467 **Mr Campbell:** Welcome again, Secretary of State. I have a couple of quick questions. There has been some discussion here in the Committee about the past few weeks and how far we have come. I prefer to look forward, but, to bring a little clarity to the issue, Mr Mills and Lady Hermon talked about where we could have got to or almost got to. Perhaps you could pass on to No. 10 Downing Street that they could release the advice that they had been given by our party about the Prime Minister's impending visit.

Of course she is very welcome in Northern Ireland at all times, to visit Bombardier or elsewhere. She is very, very welcome indeed. In terms of specifically coming to the talks to supposedly rubber-stamp an agreement, I have been asked about this several times in the media. Because of confidentiality, I declined to indicate what that advice was. I will repeat, again, that I will decline. If they want to release it, we would be more than happy that that advice should be released, and then people could put that in the context of whether there was an imminent deal or not. But that is a matter for No. 10.

Just to look forward, Secretary of State, speaking to the parties and the representatives of the parties, do you get the impression that, as deeply divided as Northern Ireland is, sometimes on very symbolic and very important issues, there is a concept across the various political parties that accommodation and agreement can be reached on a range of issues, but there are some issues where there probably is not going to be agreement? Do you get a sense of that, or are you getting a sense of agreement on everything being possible, doable and achievable?

Karen Bradley: It is possible to reach an accommodation. There are some issues that are incredibly difficult for one side or the other, and that is true of both sides. I am working with both parties and with others to see what we can do, as the UK Government, to help to assist on those obstacles and allow the parties to then reach the accommodation that we all want them to reach.

Q468 **Mr Campbell:** I have one last question on the European issue. You said you had not been to Brussels. You have said quite openly and everyone here agrees with you that there is no appetite, desire or any demand whatever for a hard border, to use that phrase. From your discussions with DExEU Ministers and the Prime Minister, do you get a sense that



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there is an understanding in Brussels that it would be impossible to implement because of the 300-plus crossing points? Even if there were somebody somewhere who was going to insist on a hard border and they were going to get around the physicality that that would provide, it could be circumvented on 99% of occasions anyway. Do you get the sense that, in the EU, they get that?

Karen Bradley: It has been said publicly by the UK Government, the Irish Government and the EU that there will be no hard border. We are all agreed that there will be no hard border.

Mr Campbell: That sounds like there will be no hard border, then.

Karen Bradley: That is what the British Government are working towards.

Q469 **Jack Lopresti:** Welcome, Secretary of State. It is good to see you. Will direct rule allow us to make, perhaps, some more difficult decisions or quicker decisions on the whole issue of legacy, the potential statute of limitations and those ongoing issues?

Karen Bradley: Again, in the context of the legacy arrangements and the agreements that were made at Stormont House in terms of the institutions that need to be set up, the UK Government are committed to consulting on how we do that. I will be making comments next week when I make my statement as to timing around that consultation.

I had obviously hoped we would be able to do that in the context of devolved government in Stormont, but, as I have said previously, the UK Government look at the commitments and obligations we have. We have an obligation to consult on the issues of the institutions that were agreed at Stormont House, and we will do so.

Q470 **Bob Stewart:** Thank you, Secretary of State. You said earlier that you had a primary responsibility for security, so is it safer for someone to be in Northern Ireland or on the streets of London at the moment, in your view?

Karen Bradley: I am not sure it would be appropriate for me to speculate about that.

Q471 **Bob Stewart:** Is the alert state the same in Northern Ireland as in London? That is a public declaration.

Karen Bradley: It depends on the kind of activity one is talking about.

Q472 **Bob Stewart:** What about shopping?

Karen Bradley: No, I mean in terms of the threat. The threat from Northern Irish terrorism on the mainland is lower than the threat from activity in Northern Ireland itself.

Q473 **Bob Stewart:** Yet we might have a higher threat from al-Qaeda here, say.



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Karen Bradley: It would not be right for me to start to speculate.

Q474 **Bob Stewart:** I do not want you to speculate. I am just wondering whether the overall threat level is the same in London as it is in Belfast.

Karen Bradley: Not from Northern Irish terrorist activity, no.

Q475 **Bob Stewart:** All right, well, it is nuanced. Can I reinforce what Jack Lopresti said? Speaking as an ex-serviceman, and speaking for the service community in a way and the police in Northern Ireland, there has been silence now on the retrospective chances of policemen and servicemen being brought to court for alleged incidents a long time ago. I am hoping that will not be brushed under the carpet and forgotten. It is still very active among the service community, and I know the Police Service of Northern Ireland and other people have been involved.

Can I please reinforce the fact, as Jack has mentioned, that we are still concerned about this? We need some kind of resolution, because it is still very worrying.

Karen Bradley: Of course. That is why the institutions that were agreed at the Stormont House discussions are so important. They will allow the PSNI to get on with policing today, rather than having to also deal with the past. That is a very important point for policing in Northern Ireland. Those institutions would enable all the inquests and deaths to be looked at.

Q476 **Bob Stewart:** A lot of them have been looked at before. Soldiers and policemen have been told, "That is it. Forget it. It is done". Yet they are hauled back.

Karen Bradley: That is the current situation, Mr Stewart. Those are the arrangements we have at the moment. I want to set up the new institutions as agreed at Stormont House, so the whole community can see that these matters, which are so relevant and pertinent to all communities in Northern Ireland, are dealt with.

Q477 **John Grogan:** I just have one question, Secretary of State. In evidence to us, various ideas have been put forward by the different parties as to how to advance things. I will just mention two or three of them. Would you care to say whether they are still possible or perhaps rule them out?

One is an external arbitrator. Others have suggested that it is now time for all-party talks, even if it is not productive to have the two main parties in. Others have even suggested a meeting of the British-Irish Intergovernmental Conference might be useful. Are any of those possibilities?

Karen Bradley: A number of points have been made to me by parties across communities and across political divides, and I am considering all of those options. It would not be fair for me to start to grade suggestions that have been made to me so far while I am still considering them.

Chair: Secretary of State, Sir Jonathan, thank you ever so much for



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coming today. We have kept you rather a long time. We are very grateful. As ever, your remarks and reflections will definitely colour the report we ultimately file, and we very much look forward to the budget next week.

Karen Bradley: Thank you.