

ANDREW MARR SHOW

6<sup>TH</sup> NOVEMBER 2016

JEREMY HUNT

AM: Mr Hunt, welcome.

JH: Morning, Andrew.

AM: A very straightforward choice here in a sense: three judges have come under pretty sustained attack for their judgement in the court, and it's been reiterated again by Nigel Farage on the programme today, that they are somehow not independent but they're behaving politically. Nobody really from the government has come out to defend the judges, and therefore defend the judicial system. I wonder if you'd like to take this opportunity to do so?

JH: Well, let's be absolutely clear: the idea that the government doesn't passionately defend the independence of the judiciary and the sovereignty of parliament is absolute nonsense. Because in fact what we're trying to do is implement what the British people decided on 23<sup>rd</sup> June, which is actually to restore the sovereignty of parliament, to remove the jurisdiction of the European Court of Justice over our legal system, and the Lord Chancellor Liz Truss made it very clear, the importance of the –

AM: Late in the day, if I may say so, and quite lukewarm in her comments I thought.

JH: Well, I think we're muddling up the democratic right of newspapers to disagree whenever they want with what judges decide – we're an open society, that's very important, and indeed the right of the government to disagree with the court's decision, and that's why we've said we'll appeal this to the Supreme Court. But what we also said, and this is very important, is that we will respect what the Supreme Court ultimately decide. And this isn't about anything to do with the independence of the judiciary, which is an absolute bedrock of our democracy. It's about us wanting to implement the will of the British people. And that's why I think the concern that we have is that some of this

processology that we're getting over Brexit is really people who actually want to stop us implementing what Britain decided at any cost.

AM: For some people, at any rate, it's more than processology. When they saw that headline in The Mail 'Enemies of the People' and the three judges arraigned on that front page, they didn't like it. What was your personal reaction to that?

JH: Well, there are plenty of times when I haven't liked the tone of The Daily Mail, and many times I don't like the tone of the BBC, but that is democracy and I would defend to the hilt the right of newspapers, within the law, to write what they like and to criticise politicians, the government, as you do on this show very regularly. And that's a very important part of our democracy. But I think what is not a statement – even The Daily Mail is not criticising in any way at all, is the importance of the independence of the judiciary. But I think our concern is a more fundamental one, which is if you are a Remainer and you are worried about the decision taken by the British people – I was a Remainer until June 23<sup>rd</sup> – and you're worried about the impact on the economy and the impact on the economy will be far worse if, through some parliamentary mechanisms, Theresa May is forced to lay out her entire negotiating strategy. And there's a confusion here, which is very straightforward: parliament passes laws, it always has, but governments negotiate treaties. And the reason that parliament can't negotiate treaties is because you can't decide an international treaty by a simple vote of MPs. There's another party involved, there's negotiation, there's to and fro, and in that situation you have to give the government latitude to make a deal. But where does parliamentary sovereignty come into this? First of all, as Nigel Farage was saying, and others have said, parliament decided to give this vote to the British people by a majority of six to one. And secondly: the government has said that it's highly likely that parliament would ratify any deal that

was agreed about the terms of our exit from the EU. So that parliamentary sovereignty will be there.

AM: What about Gina Miller's point, however, which is that parliament does not have the chance to actually express proper opinion in a vote on the kind of deal that we do with the EU? And you know, it can go anything from Nigel Farage is worried that we stay inside the single market, right through to the hardest of hard Brexits and so forth. These are really big choices facing the British government, and if we are a parliamentary democracy then it's right for parliament to be able to express its view on those big choices. Not the granular detail of every paragraph and sub-clause, but the big stuff. Isn't that fair?

JH: It's absolutely right, and that's why we've got 30, I think 30 parliamentary inquiries going on, and why the government has said that it's highly likely there will be a vote to ratify the deal. But I think it's just a very important point to make, that you know, in my own case I was a Remainer until June 23<sup>rd</sup>, after that I became a democrat. And for people who are worried about the impact of Brexit on the economy or whatever else it is, the damage to the fabric of our democracy would be far, far worse if people felt that the establishment was trying to unpick a decision that was made. And I think, you know, we have, I think – we were talking about the American elections earlier in the programme. I think in this country we have one of the strongest and most vibrant democracies in the world. And one of the reasons for that is because periodically we allow the people to punch the establishment on the nose and say: 'I'm sorry, we are the bosses.' And that happened in 1945, it happened with the Brexit vote, and it's very, very important now that we get on. And that's what Theresa May wants, to get on a deliver this decision that's been made.

AM: To be absolutely clear, you are taking the appeal to the Supreme Court in January. If you lose that appeal that's it. It does

go into the House of Commons, it goes into the House of Lords in a way you don't want and the government accepts that?

JH: We have said we will absolutely respect the decision of the Supreme Court, yes. Because that is the system we have. But that doesn't mean that we don't have the right to disagree with the decision that the High Court has made.

AM: Well, we know it'll be difficult if it does come to the Commons. The Labour Party has now said that they have red lines. Looking at the red lines for their version of Brexit, I don't think those are red lines the government could possibly accept. You have Conservative dissidents, and even in the court case you have the Scottish, Welsh and possibly the Northern Irish governments, involved too. So a whole series of things coming. Your Brexit plans could get seriously jammed up in the House of Commons and then the House of Lords, we haven't even talked about the Liberal Democrat peers. If that happens and given that you have said the British people have a right to occasionally punch the establishment on the nose, isn't the only thing that you can then do is to have a general election and hand it back to the British people and say, parliament is stopping what you want to happen, your choice again?

JH: Well, I think a general election is frankly the last thing that the government wants. Theresa May wants to get on with the job, and frankly it's the last thing that the British people want, with all these very, very important national decisions. And I think because of that I think it is highly unlikely that parliament would not in the end back a decision to trigger Article 50. You know, MPs were majority Remainers, many incredibly passionate –

AM: But you also – you'd bring primary legislation – I'm sorry – into the House of Commons and David Davis as suggested would have to happen. It then goes to the House of Lords. Very, very likely the House of Lords would be difficult there. Now, whatever the outrage by government and many people in the country and

the press, that could well happen. And in those changed circumstances wouldn't it be right to have an election?

JH: Well, first of all, in terms of the House of Commons, I think it is important to remember that a lot of the MPs who were Remainers have constituencies who were heavily Leavers, and you also have highly principled Labour MPs like Hilary Benn, who've made it very clear that they would respect a decision – and indeed vote for a decision to trigger Article 50, because he too is a democrat. When it comes to the House of Lords, I think it is worth reading what Lord Falconer says in this morning's papers, that it would be incredibly difficult, and indeed, unprecedented, for the Lords to try to vote down, not just something that the House of Commons had approved, but something that the British people had said in a referendum they wanted to do.

AM: Constitutionally dangerous?

JH: It would be, I think, something that would be completely unprecedented and I think it's very unlikely that the Lords, in the end, would decide to do that. And I think what everyone wants here is for us to get on and deliver a sensible Brexit that protects the interests of the British economy, restores control of our borders, and most of all does what the British people asked us to do.

AM: And you also, of course, have to deliver an NHS that works, and you have talked a lot about 10 billion pounds going into the NHS. Virtually every single independent health-related body says it's much, much less than that, it's four and a half billion. There's going to be, I think, three of the big organisations: the King's Fund, The Nuffield Trust and the Health Foundation this week are going to say the money going in is simply nothing like enough. And up and down the country people are beginning to notice, aren't they?

JH: Well, many of these people are my dear friends and I think they are totally passionate about the NHS, and we do tend to get, in the run-up to an autumn statement or a budget a coalition of

people who say that the answer to all the NHS problems is more money from the government. And I think the big question here is, as you rightly said, does the NHS have enough money? And I think the answer to that we do need more resources. We're looking after a million more over-75s than we were just five years ago, and that's why we're putting four billion pounds in more –  
AM: They're asking for more money now.

JH: That's why we're putting, as you know, we can't talk about our internal discussions with the Chancellor in the run-up to a budget, we're far, far less likely to get anything we ask for if we do divulge them. But the point here is that it isn't just about money. It's also about standards and supporting doctors and nurses to make the NHS into what we all want, which is the safest, highest quality healthcare system in the world. And there's lots of things we can do in terms of helping to make sure we're better at learning from mistakes, that we don't get a huge litigation bill, one and a half million pounds, because of some of the mistakes we made. That also helps on the money front.

AM: Absolutely. We're heading into winter, it's getting colder. Nigel Edwards, who's Chief Executive of the Nuffield Trust has said: 'the NHS is going into its toughest winter yet with the odds stacked against it.' Are you worried about a winter crisis this year?

JH: We always worry about winter in the NHS. It's extremely tough. You know, I can say that I think we are better prepared this year than we ever have been. But there's always the unpredictable, the cold spells, the flu outbreaks and so on. And so I know that the one thing we can depend on is NHS staff who work fantastically hard beyond the call of duty to do what they can to keep the public safe.

AM: But to be clear, we've had lots and lots of people from across the NHS saying, really, really sorry but the NHS does need more money, and you sound like you agree with them.

JH: Well, there are of course financial pressures. But I think it's a mistake to say that this is only about money. It's also about getting the culture right. If I give you an example –

AM: You're spending some more money, I think, this week on MRSA, for instance.

JH: Yes. I mean, we have had tremendous success, the NHS can be very proud of our success in tackling MRSA and Cdif. But we now have these really vicious bugs, the superbugs, the e-coli bugs, more than 40,000 incidences a year, five and a half thousand people die every year. And these are immune sometimes to some of the strongest antibiotics.

AM: Are we losing control of this fight?

JH: I don't think we are. In fact, I think what we did on MRSA shows that when we put our minds to it we can be absolutely world beating in this. But it isn't just e-coli, it's also sepsis, and I don't know if you've seen, there's a film that's out at the moment called Starfish, with Joanne Froggatt and Tom Riley. It's actually a love story about how a couple in the most appalling situation hold together. But the –

AM: A man who loses all of his limbs, is that right?

JH: Loses his arms and his legs. It's based on a true story of someone called Tom Ray and his wife Nick. And despite this incredible pressure, they hold together. It's a love story but it's about how awful sepsis can be, and one of the things we want to do in the NHS is be much, much better at spotting sepsis earlier.

AM: When we were talking just now about winter coming on you didn't seem to be entirely confident about the future. Are you worried about the NHS over the next year?

JH: Well, I think it would be wrong for any Health Secretary in the run-up to winter to say that everything is tickety-boo, because this will be my fifth winter and there are always unpredictable things that happen. But I do think that we have got fantastic people working in our hospitals, totally focused on doing the right thing for patients. And I think that, you know, we will get through

it, it will be, I'm sure, very, very challenging, but we have the amazing resource of our NHS staff to fall back on.

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