AM: First Minister, six months or so ago, sitting more or less right here, you were talking to Theresa May and it seemed a very cordial first meeting after she became Prime Minister. I wonder what’s happened since then between the two of you?

NS: Well we’ve spoken on a few more occasions. We’ve met once more I think and spoken on the phone. I have to say though to be perfectly frank, I don’t feel as if I know any more about her negotiating objectives today than I did six months ago and probably what’s more worrying than that I’m not sure that she knows more about she thinks her negotiating objectives than she did back then as well and I think that is increasingly of concern the closer we get to the triggering of Article 50.

AM: Do you seriously think there is no plan?

MS: Yes, I do and I say that with a lot of regret because that puts every part of the UK I think into a very perilous position. You know last week we saw that with the treatment with the resignation of Sir Ivan Rogers that you know he didn’t know what the planning was and he was supposedly the man who would lead the negotiations to try to achieve that plan. Now my worry is that Theresa May instead of behaving like a Prime Minister should is putting the leadership of her own deeply divided party ahead of her responsibilities as Prime Minister in trying to appease the increasingly right wing Brexiteers in her own party and instead of prioritising what would be a sensible solution for the UK to stay in the single market for example and I think the interests of the country over these next few months really have to come to the fore.
NICOLA STURGEON

AM: Now at that meeting she seemed to agree that Scotland as Wales and Northern Ireland would be part of the process of debating how we were going to leave the EU. Do you feel that simply hasn’t happened?

NS: Yes, I would have to say that. You know there have been discussions and I took part with the First Ministers of Wales and Northern Ireland, the deputy first minister of Northern Ireland in Downing Street I think in October at a meeting of the Joint Ministerial Committee and I’m not exaggerating too much, I’m paraphrasing slightly I admit but I’m not exaggerating too much when I say that the Prime Minister sat at the other side of the table at that meeting and said “Brexit means Brexit” and not an awful lot more than and I came out of that meeting totally more frustrated after a meeting of that nature than I’ve ever been before. Now the reason for that is that I’m the First Minister of Scotland and you know we shouldn’t put it aside the fact that Scotland voted to remain in the UK. If the UK’s coming out of the European Union that has enormous implications for Scotland as it does for other parts of the UK, it has enormous implications for our economy, for jobs, for living standards, for trade, investment, for the kind of society we are and I want to play my part in making sure we get the right outcome from that. That’s why the Scottish government has published proposals that we hope are taken seriously, but thus far almost two thirds of the way to the triggering of Article 50 we know no more about the UK’s position than we did the day after the referendum and that is increasingly unacceptable.

AM: In those proposals you’ve made it very clear that what you mean by a soft Brexit, or an acceptable Brexit involves staying inside the single market and staying inside the customs union. The problem is that people were told all the way through the referendum that leaving the EU meant leaving those things.
NS: I don’t think that’s the case.

AM: It is the case if I may say so. I interviewed David Cameron, George Osborne, Michael Gove, Boris Johnson, I asked all of them and they all said, yes it means leaving the single market.

NS: I remember hearing and I think, I could be proved wrong but I think Boris Johnson saying, you know, the only good thing about the European Union is what we called the Common Market, the single market and leaving the EU didn’t mean leaving the single market. But what I’m trying to do and I’ve deliberately tried to take a step back from my preferred position which is the UK as a whole stays in the EU and say look we’ve got the situation where the UK as a whole voted to leave the EU, different parts of the UK voted in different ways, Scotland voted to Remain. Even in Scotland a million people voted to Leave and although the UK as a whole voted to leave almost half voted to remain. So can we find some common ground? Can we find some consensus ground? And that’s why I think staying in the single market it could be that consensus thing but more importantly it would avoid some of the deep damage to our economy and our society that a hard Bexit is going to do.

AM: The problem with staying in the single market is that means no control over migration from the EU and means carrying on paying into the single market and that would be seen by a lot of those 52% as a betrayal.

NS: Well let’s break down these issues because the paper I published on having the Scottish government just before Christmas actually goes into all of these issues. Now Theresa May has said that a number of things are red line, so not being subject to the jurisdiction of the ECG. Well if you’re like Norway is in the single market but not in the EU then you’re not subject to the direct jurisdiction of the ECG, it’s the EFTA court that applies -
AM: Though in effect you are.

NS: Well, I’m trying to see where she could – and this is a bit comprising – this is not my preferred solution –

AM: Where she could compromise.

NS: - so I recognise it may not be her prepared solution, it can be found compromise ground. I think we need to get away from a situation, and I make no apologies for saying this, where this obsession with immigration, almost becoming an obsession with foreigners in this country is Trumping, if that’s not the wrong word to use in these times, the best interests of the economy. So I think we need a much more honest debate about the benefits of migration to our economies.

AM: I just put it to you given the politics in London it is very very unlikely that Theresa May will say we’re going to stay in the single market or the customs union. That compromise is probably unlikely and you yourself have said that (Indi ref 2?) is more likely than that.

NS: What I’m doing is trying to explore common ground okay and I said I think the UK should stay in the single market and I want to work with others across the UK, across the political spectrum to see if we can achieve that as the objective of the UK. If that can’t happen then recognising that Scotland voted to say in the EU by a majority, by a significant majority can we find a way of allowing Scotland continue to say in the single market?

AM: But that surely is practically impossible.
NS: Well we again – the paper we published sets out the practical barriers but also sets out the basis on which those practical barriers can be overcome...

AM: so the paper you’ve published says for instance that for that to happen, for Scotland to stay inside the single market while the rest of the UK is not would require the repatriation of important powers to the Scottish parliament including over immigration. But how is it possible for one part of the UK to have one immigration policy and England have another immigration policy?

NS: We had a group of MPs just the other day saying that we should move away from a one size fits all immigration policy across the UK. You’ve got the Mayor of London arguing that London should have greater flexibility for immigration, you’ve got countries that will carry that, in Australia they already operate a differential systems. Scotland used to have a situation where we had a differential situation around post study work arrangements. What I’m saying, this is an important point, Andrew. Everything about Brexit is going to be complicated and difficult. I’m not denying the solution I’m putting forward will be complicated and difficult but there are ways to overcome these difficulties...

AM: Well let me just ask you about one way because if the people of England have just voted to quotes: ‘take control over immigration from the EU’ and Scotland has an open border to the rest of the EU in terms of migration how can you possibly not have a border between England and Scotland where people otherwise just move down into England?

NS: Well firstly now I’ll come onto that and the detail in a second but let’s not forget we’ve got a UK government right now that is at pains to say to the Republic of Ireland, an independent country that is going to continue to be in the EU that it doesn’t have to choose between trading with the EU and trading with the UK, that
there doesn’t have to be a hard border because of Brexit, so if that’s true for Ireland there is no reason why that wouldn’t also be possibly true for Scotland. But if you take the issue of free movement for example, people would continue to get their passports checked as they come into the UK - the external UK border as is the case just now. If people come into Scotland and if the concern as I appreciate would be would they go to England or other parts of the UK and seek to work there, Theresa May is already talking about the arrangements that she’s going to put in place in terms of employment checks and such like. There are practical ways of overcoming these things, but if we’re going to get into the practical discussions about how these things can be overcome we first have to a UK government that’s going to meet the Scottish government half way to try to discuss that. I’m for compromising. I’m prepared to compromise. I need to have a UK government that’s prepared to do likewise.

AM: This is a compromise which gives you in effect independence. Or something very, very close to it.

NS: The proposal we put forward wouldn’t make Scotland independent. Yes it would have –

AM: But very nearly.

NS: Yes it would have significant additional powers for Scotland, but I have to say around some of these additional powers notwithstanding whether there will be a different single market solution for Scotland, there’s already growing cross party support that in the post Brexit landscape there needs to be a fundamental look at the devolution settlement. So I think some of those arguments apply regardless of the position around the single market. But on the fundamental question that arises here in Scotland, I’m trying to compromise. I lead a party that you know many of whom would want an independence referendum tomorrow. I am trying to act as First Minister to say: is there a compromise ground? But if we are in a position where I’m doing
that, but we have a Prime Minister, a UK government that says no compromise, Scotland just has to shut up and like it or lump it, then the question for Scotland is much more fundamental question than the EU or Brexit. Is are we happy with that? Are we happy to have no voice in the UK to simply have to accept that direction of travel that an increasingly right wing UK government wants to impose upon us..

AM: What do you say to those people across the UK who voted to leave the EU who listen to you now and say she’s just a wrecker. She’s trying to overturn the democratic vote of the entire UK?

MS: Well I’m not trying to do that but I would ask people to equally understand that I’m the First Minister of Scotland, Scotland is a country, we’re part of the UK right now but we voted to remain and I’ve got a duty, particularly given that this is not some academic debate, this is a debate that has real implications for jobs and living standards of people the length and breadth of the country. I’ve got an obligation to seek to protect Scotland’s interests and that’s what I’m trying to do. So I’m compromising. But at the end of the day I’m not going to sit back while Scotland is driven over a hard Brexit cliff edge with all the implications for jobs and the type of country we are that that would have.

14:06

AM: Well let’s come to that. You have said that if you get what’s been called a soft Brexit, staying inside the single market, then a second independence referendum is off the agenda for a while. How long is a while, how long?

NS: Let me explain exactly what I’m saying. The argument for independence doesn’t go away in the circumstances. The argument for independence is much bigger than the European Union. What I said though is if we can – and I said this in this very
room the day after the referendum that I would seek to find ways within the UK recognising the diversity of opinion on independence within Scotland, to see to protect Scotland’s interests within the UK. If we can do that, the independence argument doesn’t go away but we don’t need to have that decision within the timescale of Brexit.

AM: Sorry, what is the timescale? Are we talking about this parliament? So no independence referendum during the course of this parliament?

NS: You’re asking me what the timescale of Brexit is. I can’t answer that question.

AM: It could be 20 years.

NS: But let me tell you what my assumption is. My assumption is that in – from the point at which Article 50 is triggered we have a two year period after which the UK is no longer in the EU. Now that may change because I don’t know what the negotiations are going to deliver. I have tried from the 24th of June onwards to take a logical path through this and to – at the moment we’re the only government in the whole of the UK that’s put forward a plan, a possible way forward. Now if that’s going to get any legs behind it it needs to have a UK government that’s willing to talk to us because if what I encounter with the Prime Minister the next time we next time we sit in this room is ‘I’m not interested’ then Scotland is in that position of we were told we an equal partner in the UK but the reality is very very different.

AM: Well here’s where we come down to the hard politics because it seems to me that the view in London is that Nicola Sturgeon is try to call our bluff and we can call her bluff, she cannot win an independence referendum in Scotland because of the economics,
because of the border issues, because of the Euro. It’s all just bluff.

NS: Well they will be making a big mistake if they think that I’m in any way bluffing because if it comes to the point, you know two years after Scotland’s been told to quote in the independence referendum we’ll Scotland doesn’t leave the UK, but lead the UK. Here we are, we voted to stay in the EU, we were told that saying no was the only way we could stay in the EU and we’re now faced being taken out of the EU. Now that creates much more fundamental question for Scotland. When something is fundamentally important as membership of the EU and the single market and all the implications that has for us if we’re going to be ignored, if our voice has been completely cast aside, our interests cast aside then that can happen on anything. And we have to ask ourselves in Scotland are we happy to have the direction of our country, the kind of country we want to be determined by a right wing Conservative government perhaps for the next 20 years, or do we want to take control of our own future. And that’s the case that in those circumstances I think it would be right for Scotland to have the opportunity to decide.

AM: But we’re not looking at Indy Ref 2 as it’s called, in 10 years time or five years time, we’re looking at it much quicker than that?

NS: In the context of – if we’re facing a hard Brexit.

AM: If we have a hard Brexit, yes.

NS: I would think, yes. If we’re talking about a hard Brexit. But let me not get away from this point, I’m putting to Theresa May a compromise solution.

AM: Theresa May is watching, one message to her very clearly, what do you say?
NICOLA STURGEON

NS: Don’t disregard Scotland because it’s not acceptable to do so. You said during the independence referendum that Scotland was then a full partner in the UK. It’s now time to prove that and how you respond to the sensible compromise consensus proposals that the Scottish government has put forward will tell as much, possibly everything we need to know about whether Scotland really is an equal partner or whether that’s just rhetoric.

ENDS 14:18