ANDREW MARR SHOW
NICOLA STURGEON

AM: You have a double track strategy now. You want to try to get the best for Scotland inside the UK and then if you fail on that you want to have a second independence referendum. That’s more or less it. Can I ask you about the first part of that strategy and exactly how you can persuade London to allow Scotland somehow to stay inside in the single market when the rest of the UK leaves it?

NS: Okay, well firstly we’re going to try to work with others across the political divide to avert a hard Brexit not just for Scotland but for the whole UK. I don’t believe there is a mandate to take the UK out of the single market and I don’t believe there’s a majority in parliament, so that’s the first thing we’re going to do. Secondly, as I laid out to our Party Conference earlier this week, we will over the next few weeks publish proposals that would allow Scotland to stay in the single market, to preserve aspects of our relationship with the EU, even if the rest of the UK is intending to leave. Now I don’t suggest for a second that that would be straight forward or without challenges, but in the unprecedented circumstances we’re in just now I think there is an obligation on all of us to try to work out solutions that will allow the vote in Scotland to be respected, just as I understand that Theresa May wants the vote in other parts of the UK to be respected.

AM: We’ll let’s take the first part first. Nick Clegg has said on this programme that he and others are putting down a motion to oblige Theresa May to come to the House of Commons and lay out in detail what her plans are for Brexit and that Article 50 should not be triggered until the Commons has voted on that. Are you going to support that motion?
NICOLA STURGEON, 16TH OCT 2016

NS: Yes, in principle. We haven’t seen the exact terms of the motion but in principle I can’t see why we wouldn’t support that, because we agree with that position, that there should be a vote in the House of Commons on the broad negotiating strategy and you know, I think we saw last week that there is a lot of support right across the House of Commons for that proposition. The SNP, Labour, the Liberals and of course a number of moderate Tories. I don’t believe there is a majority in the Commons for a hard Brexit and I believe the House of Commons should exert itself and make sure that there is input into the position as it develops.

AN: Can I just challenge you on the hard Brexit, soft Brexit point because it was pretty clear during the referendum that voting to leave meant voting to quotes: ‘take back control over immigration and end free movement of people.’ If you do that then you can’t be part of the single market and therefore actually I suggest you people were voting for so called hard or clean Brexit.

NS: Well, of course much of what the leave campaign put forward was very vague. I mean they promised extra money for the health service which is clearly not going to materialise either. But I vividly remember hearing prominent leave campaigners, Boris Johnson amongst them I think, say leaving the EU doesn’t mean leaving the single market. In fact many leave campaigners talked about the common market or the single market being the only aspect of the European Union that they thought was worth anything at all, and of course the Tory manifesto that Theresa May every Tory MP was elected on in 2015, made it very clear that they thought the UK should stay in the single market. So I don’t believe there is a mandate to take the UK out of the single market and as I say you know, if MPs vote to do what they think is right I don’t think there is a majority in the House of Commons as well. So I don’t think those of us who want to see the UK as a whole stay in the single market should be giving up on that argument.
AN: So that’s your first line of approach. Try to, as it were, straight to the hard Brexit approach in the House of Commons and at Westminster, keep Britain inside the single market, but you’re not suggesting at any point that Scotland could be in the single market and England outside it, are you?

NS: No, I think that is possible. I don’t think it would be straight forward, I don’t think it would be without its challenges -

AM: Be chaotic.

NS: - but that’s what I’m talking about. We’re going to put forward proposals that we would hope the UK government would be prepared to listen to that would allow Scotland to preserve its place in the single market, preserve aspects of its relationship with the EU.

AN: How would that possibly work?

NS: Well, we’ll publish proposals over the next few weeks. It will go into detail on this but we’ll look at different ways in which that could work, and I think it – at this point where you know the UK is in unchartered territory, this is an unprecedented situation, there is a need to be creative and innovative to try effectively to square the circle, because Scotland voted overwhelmingly to stay in the Europe Union and if our voice is to count for something, then surely there must be a willingness to look at different options. Now it would certainly require new powers to be devolved to the Scottish parliament and that’s something that I think has to be on the table.

AN: We’re certainly in a very fluid situation. Can I ask how the talks have been going on in Brussels to allow Scotland somehow to stay inside the EU when the rest of Britain leaves?
NS: Well, the talks at the moment are focusing on the UK government. Now I’ve been, as have colleagues of mine, been talking to people across the European Union. We’re not at the stage yet where we’re asking people in the European Union to agree a specific proposition because first we’ve got to persuade the UK government to look at a specific proposition as part of its Article 50 negotiations, so the most important aspect of our discussions just now are with the UK government. A week tomorrow I’ll be in London meeting with the Prime Minister and with other devolved administrations to discuss how the devolved administrations, not just Scotland but Wales and Northern Ireland as well are going to be involved in this process over the next few months.

AN: She’s rather frozen you out so far, hasn’t she?

NS: Well, you know, I think it has been to some extent frustrating if I can be diplomatic about, you know. Theresa May came to Edinburgh just a couple of days after she became Prime Minister, gave a commitment to me and to Scotland that we’d be fully involved and that she would listen to options we put forward. I think it’s fair to say that promise hasn’t yet been fully honoured and I hope that we’ll see it honoured in the days to come.

AN: Let me read you something that Mr Rajoy, the Spanish Prime Minister has said. "I wish to be very clear Scotland does not have the competence to negotiate with the European Union, Spain opposes any negotiation by anyone other than the government of the United Kingdom. I am extremely against it. The Treaties are extremely against it and everyone is against it. If the United Kingdom leaves, Scotland leaves."

NS: Well, I don’t think anybody will be surprised at that quote. That’s one I’ve heard before, the position of Spain obviously given the circumstances around Catalonia is well known. But what he’s
saying there is about who negotiates at the moment once Article 50 is triggered or indeed before Article 50 is triggered, and in a sense I’ve just recognised the point, that at the moment we have to – if we’re looking at options for Scotland within the UK then we have to in the first instance seek to have that discussion in the context of the UK developing its Article 50 negotiation, which is why I’m pouring so much emphasis on that strand of discussion at this stage. But you know we come back to fundamental –

AN: Sorry, is it also because it’s so difficult for you to win an independence referendum in the future if Scotland has to somehow get back into the EU? You’d have to have the Euro, you’d have to have big, big public spending cuts because of the fiscal compact, your deficit is now 9% and they say it’s got to be 3%, that’s a big gap to close and you might even have to have a hard border with England if you’re inside the single market and the English are not.

NS: There’s a lot of supposition there but let me cut to the chase.
AN: Well it’s logical.
NS: No, absolutely, that’s fair enough, but what I’m trying to do is to explore options whereby Scotland doesn’t have to leave the European Union or the single market because we voted to stay in. And you know, that’s what I was going to say. There’s a fundamental principle here about, you know, does Scotland’s voice matter? Does what we think and what we say and how we vote count for anything? And that’s what’s going to be put to the test I think in the next weeks and months. And Theresa May perfectly legitimately says she values the UK, she wants to keep the UK together. In the independence referendum Scotland was told repeatedly it was an equal partner in the UK. You know my message really to the Prime Minister it’s now time to prove these things and to demonstrate to Scotland that our voice does count within the UK and our interests can be protected. Because if that’s
not the case then I think Scotland would have the right to decide whether it wanted to follow a different path.

AN: Your education spokesman has suggested the SNP in the Commons might vote down English grammar school legislation which seems incredibly aggressive and cheeky and also totally against the spirit of English votes for English laws.

NS: Well, what she actually said was if the legislation when we finally see that legislation impacts on Scotland, you’re very familiar, Andrew I know, we’ve talked about it lots of times in the past with the Barnett Formula –

AM: Not the Barnett Formula again!

NS: Exactly, it always comes back to the Barnett Formula. But whereby decisions on English health or English education, if that affects spending can then affect spending in Scotland through the operation of the Barnett Formula. So we will assess any legislation that perhaps on the face of it looks as if it only applies to England to make sure that it doesn’t have an impact in Scotland and we would vote if it had an impact on Scotland and I think that’s a fair position to be in. But where legislation is actually and purely English only of course we wouldn’t vote on that and it would be wrong for us to do so.

AN: And to sum up your message with perhaps brutal clarity, it’s if you don’t listen to Scotland, Theresa May, we will help frustrate your plans for Brexit at Westminster.

NS: Well I think that is certainly brutal and if I can perhaps be more diplomatic, I don’t think it’s right for the UK as a whole to be taken out of the single market and I don’t think there’s a mandate for that, so it’s not about frustrating that in order to be difficult, it’s about standing up for what we think is right. And absolutely,
yes, I am going to stand up for Scotland’s voice being heard. I don’t think it’s right for Scotland to be dragged out of Europe, dragged out of the single market with all of the potentially ruinous consequences for our economy when we didn’t vote for that. And if that’s the prospect that faces us then, yeah, I do think Scotland would have the right to decide whether it wants to do that, or allow that to happen, or whether it wants to follow a different and in my view a better path.

ENDS