

ANDREW MARR SHOW, SIR KEIR STARMER MP, 21/10/2018

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SIR KEIR STARMER, MP

Shadow Brexit Secretary

AM: Theresa May's still planning on coming back with a deal before Christmas. If she does it will mean we formally leave the EU, but remain effectively in the customs union and the single market for some time. Labour, given its six tests, would presumably be delighted to avoid the no deal and would support the Prime Minister in the House of Commons, wouldn't it? I'm joined now by Sir Keir Starmer. Wouldn't it?

KS: Good morning.

I think the proposition you're putting to me is if the Prime Minister comes back and her own team won't back her, will Labour step in and prop her up?

AM: And stop a no deal.

KS: Well, a couple of things. We've always said any support we give will be conditional, which is why we set out a number of tests at the beginning of the exercise, and we'll obviously judge the deal against those conditions when it comes back. But we've equally never accepted, we're not going to accept that this argument of it's either my deal or no deal. Because on that logic you would be putting to me that the Labour Party should back anything the Prime Minister brings back which means that it's completely meaningless.

AM: We'll come onto the Commons in just a moment, but in essence what Labour wants is some kind of agreement which protects British jobs and British industry. And whatever you think of Theresa May that's what she's striving to achieve and she's a bit friendless in her own party at the moment, but if she brings back something with a common rule book and all the rest of it, staying in the customs union for a bit, the kind of things that Labour's

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been talking about, why would you not back her and toy with the idea of completely conflagration, complete collapse and no deal?

KS: Well, you're absolutely right. We've said that what needs protecting is the economy and the manufacturing sector –

AM: Exactly –

KS: - hence a customs union and the service sectors. And also for Northern Ireland –

AM: So let's get the agreement through the Commons.

KS: But the difference at the moment – we'll see what comes back – the difference at the moment is that all the Prime Minister is proposing is a temporary arrangement for a customs union. We say that should be the long term relationship. So that there's a big difference there. But at the moment I think there's a real lack of confidence that she can bring back anything by way of a good deal. I think we're at this position where the country's losing confidence in her.

AM: I accept we're at the stage of if and perhaps at this moment, but nonetheless, if she brings back that kind of deal, I say again, this is about the national interest and avoiding what the Labour Party has called 'the catastrophe' of a no deal breakup with the EU. In those circumstances isn't it in the higher national interest for the Labour Party to allow this divorce deal to get through the House of Commons and start to actually process leaving the EU?

KS: Andrew, it's not in the national interest for anyone to back a bad deal and unless it satisfies our conditions then it's going to be a bad deal. So there's no national interest in backing a bad deal. Secondly, I think we just to just ask ourselves the question whether if there's a deal before Christmas that goes through that that's going to survive for very long. This idea that there will be a sort of settlement the issue will be over. I don't think anybody thinks that this 30 year civil war in the Tory party on Europe is going to end before Christmas. What we're going to see is even if

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there's a deal the Tory party will try to rip it up next year. Some of them are already saying they're going to do that. So this idea of a historic moment just before Christmas in the national interest isn't going to happen. They will not stop fighting about this. And I think more and more people – you know there's a very serious situation where I think people are saying is this government actually capable of delivering 'cause it is so divided. As you said earlier on the show round this block of headlines almost every Sunday we're sort of fighting, but it seems to have gone to another level and I think that is the real -

AM: It is a real crisis at the moment.

KS: That's been the problem throughout.

AM: There is a danger, I mean we are running out of time. The end of March next year is coming pretty close and from your point of view starting the negotiation all over again with Labour's ideas it's too late for that now, isn't it? It's just too late.

KS: The logic of that argument is that you've got to vote for anything the Prime Minister brings back or you get nothing. We do not accept that. And it's not just us.

AM: Well obviously if she brings back the killing of the first born you're not going to vote for that, but nonetheless if she brought back a deal which seems to protect – at least in the short term – big British engineering companies and the City and the supply chains and so forth for the time being, and it was that or no deal.

KS: For the time being is not good enough so far as we're concerned. But in any event we do not accept this proposition it's that or no deal. And it's not just us. There's a huge majority in parliament that will not accept that the alternative to Theresa May's deal or if there is one, is no deal. And that majority will speak when we get to this vote.

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AM: I mean the problem is this is a negotiation and whatever MPs say if the two sides negotiating can't have a deal there is no deal. MPs can't interpose their bodies, as it were, in Brussels and force a deal if there isn't one.

KS: But Andrew, what we've seen – we haven't seen a strong Prime Minister who came out after the referendum saying I'm going to be a leader of leaders, I'm going to pull the country together, I'm going to allow everybody to see their future and then fought with a her own united team behind her and then comes back and says I've closed the gap –

AM: It hasn't gone quite like that, I grant you.

KS: Well it hasn't, it hasn't. She set out ridiculous red lines at the beginning of the exercise which have beleaguered her all the way through and they fought about it in the party all the way through. So the reason we're in this position is she's not just negotiating with the EU – that was always going to be tough. She's negotiating with her own Cabinet and she's negotiating with the DUP. Why? Because she went to the country wasting negotiating time and put herself in the weakest of weak positions. So coming now to the Labour Party and saying well you've got to help her out at the last hurdle has to be seen in its proper context.

AM: Well let me come to the Labour Party then and look at your idea which is that the UK could stay inside the customs union but as it were alongside the EU, negotiate free trade deals around the world. Yes?

KS: Yes.

AM: Have you spoken to a single senior figure inside the EU – anyone in any authority who has told you this is a runner?

KS: Yes.

AM: Who?

KS: I have discussed it across the EU. I'm not going to disclose confidential meetings, but Andrew I would never have surfaced

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that idea if I'd not had those discussions, not only in Brussels but in other EU countries. The idea of a customs union being made to work is something that people are very interested in and they would discuss. And it would be a million miles from where we are now. But I would never put that on the table if I hadn't had those discussions.

AM: The reason we might be sceptical is the EU has said all along that this is only the competence of the EU itself. In fact it is in the founding treaty of the EU. We've got it on a graphic here I think, we can see it. Here we go.

This is Article 3 of the Founding Treaty, the basic law of the EU. "The Union shall have exclusive competence in the following areas:

(a) Customs union"

So they're not going to allow British ministers to sit alongside them and negotiate these treaties ever. Are they?

KS: Negotiating a new customs union will be difficult, but is there an appetite for having that discussion about a customs union, making it work with the benefits that that will bring for manufacturing and also solving the issue in Northern Ireland? Yes there is. Now I'm not going to sit here and say it's the easiest negotiation in history, somebody else said that about these negotiations, Liam Fox, he was wrong.

AM: I'm saying, suggest it may be impossible.

KS: Well Andrew, I've had these discussions with a number of people to explore whether this is possible for not. I would never have surfaced this idea for the Labour Party if I hadn't –

AM: You genuinely think it's possible?

KS: Of course I do. I would not have surfaced this as a Labour Party position if I hadn't had the assurance that this was a negotiation that could be had.

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AM: And there's one country which has got a customs agreement with the EU without being a full member of the EU of course and that is Turkey. And their finance minister said recently that it was a terrible situation, they really didn't like it and no independent country would ever negotiate something like that. And this is your proposal.

KS: No. I agree about Turkey and in the discussions I've had I've made it clear that we are not looking for a Turkey style solution. If that's all that's on offer then this wouldn't be something we wanted to negotiate. So yes of course we've fought that through and we do not want a Turkish style arrangement and the way we've discussed this has been on the basis that it wouldn't be that.

AM: 700,000 people marching in London yesterday. If you hadn't been Shadow Brexit Secretary you would have been with them, wouldn't you? Your neighbours, your friends, you would have been there as well. That's where you are in your heart.

KS: Look, Andrew -

AM: Go on.

KS: - 700,000 people, it's a very significant number. I think the fact of the march, the size of the march is significant and where people came from. But I think it actually reflects a much, much bigger group, I think both Leave and Remain, who are utterly losing confidence in the Prime Minister's ability to bring back a deal. So it is significant in itself, but also because it reflects this much bigger concern about where all this is going.

AM: And you could make it significant really if you marshalled Labour MPs to vote for a second referendum. You got a huge cheer at the Labour conference when you raised the possibility of a vote, including the chance of remaining. When is the Labour Party going to come off that particular painful fence and say do

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you know what? We've listened, we've watched our TVs, we've talked to our neighbours and we are going to give people a second vote?

KS: Well Andrew, I got a large cheer for setting out Labour Party policy which we had agreed. And what happened at Conference was that Labour Party came behind a motion and agreed and it's very straight forwardly structured, which is we'll address the deal when we see it, if we see it and apply our conditions that I've set out. If that falls and there really ought to be a General Election - and if it wasn't for fixed term parliament there would be - if there's no General Election then other options must be on the table, one of which is a public vote. So we've set out, as it were, what we -

AM: Quite a lot of hurdles before you get there.

KS: But of course, but you accept that the deal has to come - we've got to vote on the deal first. Obviously then there's the question of a General Election then we move to the next stage. Of course you say there are hurdles, but they're the logical steps. Nobody's said to me it won't come in that order. Of course it will. Well we then get to the situation if there's no deal brought back or the deal is voted down, then other options are on the table, one of which is a public vote. And in that public vote no options are ruled out, including the option of remain.

AM: Your six tests, outrageously described on this programme as a bit silly, will they be in the next manifesto?

KS: Well, the six tests, as you will know, came from the promises that the government made at the beginning of the exercise. And they said this is what we're going to achieve.

AM: Will they be in the manifesto though?

KS: Well it depends where we are in the stages. They were in the last manifesto, this conditionality, so of course. Because what they do is they describe what sort of Britain we want to live in.

AM: They're very important to you. Specifically why would these six tests not be in your election manifesto if they are more than a way of trying to engineer an early election, if they really matter surely they should be in the Labour manifesto.

KS: Well it depends when the next election is, Andrew. And obviously what's in the manifesto will be decided at the time. But I'm not shying away from the fact that these tests describe a collaborative, cooperative relationship with the EU. Something that works for all our regions and nations. Something that won't strip away our rights and protection. They describe the sort of Britain that we in the Labour Party want to live in and the vision we have for the future of our country. So not just technical tests, they actually describe what we want out of this.

AM: So they'll be in the manifesto.

KS: Well if the manifesto is before – I mean if it's 2022 for the next election I don't know where we're going to be, but there's no shying away.

AM: But in six months time it will be in the manifesto?

KS: Yes and we said last time this is what we want to achieve.

AM: Keir Starmer, thanks very much indeed for talking to us.

Ends