ARLENE FOSTER

ANDREW MARR SHOW
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AM: Arlene Foster, welcome. Are there any circumstances in which you would vote for this deal?

AF: No. There aren’t. Because the withdrawal agreement which has been ratified this morning has a very large section in it, the Irish protocol, as it is known, which is legal text, an internationally binding treaty which makes a difference between Northern Ireland and the rest of the UK.

AM: For people watching at home they might be slightly confused, because Northern Ireland and the Republic of Ireland are already in a single electricity deal. And perhaps more to the point, when livestock is moved from Britain into Northern Ireland it’s checked, there are veterinary checks, there are physical checks, there are paper checks. And all this is saying is that there are going to be further regulatory checks. Isn’t there already a border down the Irish Sea?

AF: No, there isn’t. Those are very sensible checks that have been agreed between all of the parties. What we’re seeing in this Irish protocol is much more than that. We’re seeing us staying within the European Union in terms of the single market. The Customs union rules will apply to Northern Ireland. We’re in the same VAT regime as Europe. We’re in the same state aid as Europe, and there is very much a border down the Irish Sea as a result of this. And that’s why we can’t support this deal.

AM: But the new regulations that are proposed are only for things like processed food, so it sounds like regulations for cows are alright but regulations for Ulster fries and sausages are not alright.
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AF: No, it’s much more than that. It’s manufactured goods and agricultural products as well. And one of our concerns, one of our real concerns, apart from the fact of the constitutional piece, which of course is very important to us, is that this is going to add costs to the consumers in Northern Ireland as well because there are going to be more regulatory checks on the goods that come from GB into Northern Ireland.

AM: You’ve already got a very different society in Northern Ireland in some respects from the rest of the UK. When it comes to gay marriage, when it comes to abortion and other things, you are a different society already. Is this change so big that it’s worth bringing the house down?

AF: Well, I’m very glad you asked me that actually, because of course those matters are devolved to Northern Ireland to make decisions on. But international trade, customs, the single market, those things stay at Westminster, those things are kept in the national parliament, and what this document does, what the international treaty which has just been agreed today does, is make a difference between us in terms of those international issues, and I think that is very important for us.

AM: So that’s why you want to vote it down. If you’re unsuccessful, if Theresa May gets this withdrawal treaty through the House of Commons, what happens to your supply and confidence agreement that you’ve got with her?

AF: Well, as far as I can see, there doesn’t seem to be a great deal of enthusiasm in the House of Commons for this deal. In fact, quite the contrary. So let’s wait until we get to that vote. I don’t see any circumstances at present where that vote will be able to go ahead in Theresa May’s favour. So then we will have to go back, and what we’ve been saying and what I said at my conference yesterday is why waste time? Why not look for a
better deal now instead of wasting time and having to do that after the vote is taken?

AM: I guess what I’m trying to get to is, is your deal with Theresa May to support her government still live?

AF: Oh, it is still live. But you should remember also that the deal was signed to deliver on Brexit and to do that in a way that had shared principles between the Democratic Unionist Party and the Conservative Party. But of course the reality is there are many in the Conservative Party who don’t like what’s on the table today either.

AM: And so at what point would it expire, that agreement?

AF: Well, I think – and I’ve said this before – if it came to the situation that parliament did decide, and there’s no evidence that they’re going to, but if they did decide to back this deal, then obviously we would have to review the confidence and supply agreement.

AM: Can I ask you – you say you’d have to review it – can I ask that if that happened, and who knows what’s going to happen – the whips are working very hard, it’s a very fluid situation – if she gets this through do you end that agreement?

AF: Well, I’ve just said we’ll review the agreement at that point in time, because, as you’ve just said, things are very fluid, things change. We have to see where we are when that vote is taken. I don’t believe currently, given everything that is happening, that she will get support for that. I know she’s going over the heads of people, and she’s doing that in Northern Ireland as well, but as far as I can see, in parliament she does not have support for this deal.
AM: Because one of the things that’s being speculated about in the papers today is that if she takes it to the House of Commons and loses she almost immediately holds a confidence vote in her government, and then her future is in your hands immediately. Which is why I’m pressing on this. Do you then support her?

AF: Well, we will have to see what happens at that time. I think this last couple of weeks should tell all of us that we shouldn’t jump ahead of ourselves, what we should do is wait and see what develops in that respect.

AM: So you can’t guarantee –

AF: What I can guarantee to you is if this is what’s coming out, and it looks very much like this is what’s coming to Parliament, we will not be able to support that deal.

AM: So we know what’s coming, you won’t support it, and in those circumstances you’d be taking us logically and inevitably closer to no deal. That’s a huge risk for the DUP isn’t it?

AF: No, I don’t accept that at all. Because even if we got to the situation where Europe was refusing to negotiate further there will then have to be a lot of bilateral deals and a lot of very meaningful things, not just for the UK, but for Europe as well. So I believe we should use the time now to look for a third way, a different way, a better way. Look, Andrew, I recognise the whole shading of fatigue, I recognise that more probably than anybody, but there comes a time when everybody’s very tired, everybody just wants to get it done. But we shouldn’t just accept an outcome for the sake of it. We should try and get a deal that is good for everybody.

AM: And you are voting down the only deal that’s on the table.
AF: Presently.

AM: Presently. And the bedrock of DUP supporters, the small businesses, the farmers across Northern Ireland, are horrified by that. They’re really, really worried. Let me read you what the Ulster Farmers Union says: ‘we want to make sure we avoid a no deal situation. No deal for Northern Ireland agri-food and farming in particular would be absolutely disastrous.’ And they also say, ‘the sheep farming industry would be finished,’ in those circumstances.

AF: We’re not advocating a no deal, we’re advocating a better deal, and we’ve said that consistently. And I will keep saying that because that is what I want to see achieved. Theresa May knows that she is not going to currently get this deal through parliament, so let’s get a better deal and let’s not close our ears and close our eyes to what’s going on around us.

AM: Let’s keep my big ears open to the various possibilities ahead of us, one of which of course is discussed in this paper, the so-called gang of five Cabinet ministers who are talking about a more Norway-style arrangement instead of this deal. And it’s said the DUP are part of those conversations. Are you?

AF: Well, there are conversations going on right across government. I don’t think that will surprise you. We’re talking to everybody across government. We’re talking to people on the Remain side, we’re talking to Brexiteers, we’re talking to everyone, as I think you would expect us to do.

AM: So you want a better deal. What would change your mind and lead you to support the deal?

AF: Well, there’s a range of issues. First of all, we want to see the Irish backstop gone. If everybody is committed to no hard border
on the island of Ireland, Leo Varadkar has said it, Theresa May has said it, Europe has said it, who’s actually going to put this hard border in place? There is no need for the Irish backstop, so let’s get rid of it. If people are saying no, we want to keep the Irish backstop, let’s have a look at an exit clause then. Where is the exit clause that we were promised? It’s not there.

AM: They’ve been trying for 18 months to find a way round this Irish backstop and they’ve failed again and again and again. Theresa May and the EU both say that we don’t expect or want or hope to get into the Irish backstop situation, so this is something that might happen but probably won’t.

AF: It’s a legally binding text, Andrew. And really and truly you can’t have it both ways, you can’t say it’s not going to happen so don’t worry about it, and then on the other hand sell it as the best of both worlds. There’s been an inherent contradiction with that argument. Either it’s there and it’s in the text and it may come – which of course is what I believe – and that would be wrong and it would be wrong for Northern Ireland from a constitutional point of view and from an economic point of view.

AM: Could you live with EEA membership, so-called Norway-style membership?

AF: Well, we’ve always been very keen to give the government the space to negotiate a deal in terms of Brexit. That’s the way we’ve always operated. But the one thing that we could not have was a difference between us and the rest of the UK in terms of international trade, in terms of customs, in terms of regulations.

AM: So if we were all inside the EEA but not the EU, that would actually answer most of your problems wouldn’t it?
AF: Well, I’m not going to be prescriptive with the government, what I’m saying to the government is this deal, this current deal, does not allow us to take back control, certainly not in terms of Northern Ireland, because we stay within the European Union structure and we will have no say on those rules. We will have a democratic deficit. We have to take the rules but we’ve not way of influencing those.

AM: Has Theresa May let you down?

AF: Well, we’re disappointed with the way in which this has progressed, I have to say. Look, I really do understand that she is a unionist, she wants to get the best deal, but actually what this deal does is go against everything that she’s said around all of that.

AM: There’s a lot of people in the Tory party who accept that you’re going to vote against this particular deal, but think beyond that you will stick with the Conservatives come what may. It’s all bluster, it’s all mouth and no trousers, you huff and you puff but you’ll never blow their house down. Because you couldn’t possibly be associated with Jeremy Corbyn coming into Number Ten. You couldn’t be aligned with Labour. And therefore, in effect, they’re safe with you, whatever you say they’re safe.

AF: Well, there is a little matter of the Fixed-term Parliament Act, Andrew, and I think when people talk about Jeremy Corbyn coming straight in if we don’t support this deal, there’s been a lot of project fear involved in all of that.

AM: That is exactly my point. You don’t support the deal, but you don’t allow the circumstances in which we could lose this House of Commons or there could be an election, or maybe even a second referendum –
AF: I actually believe, Andrew, if we support this deal, then what you will see is those 17.4 million people who voted to leave in a meaningful way will say, 'why did we support the Conservative Party, why did we support the Conservative Party to deliver on this deal when they’re clearly not? And May will ensure that Jeremy Corbyn is in power, not us. They will ensure that he’s in power, and I think that’s a very key issue.

AM: Meanwhile you keep them in power. It’s like that old poetry line, ‘thou shalt not kill, but need’s not strive officiously to keep alive.’ You’re going to keep alive this Conservative government as long as you possibly can.

AF: As I think I’ve said to you, we will review after the vote. I don’t believe that that vote is going through parliament so we’re talking a lot of hypotheticals at the moment. But what we must do is get to the next stage. The next stage is a meaningful vote. And if she doesn’t succeed in that, then we will look to a better way and a third way.

AM: Do you think she’s finished if she loses that vote?

AF: Well, that’s not a matter for me, that’s a matter for her own party.

(ends)