

Philip Rycroft



Director General in the Deputy Prime Minister's Office May 2012 – May 2015

Second Permanent Secretary, Head of UK Governance Group June 2015 – March 2019

Second Permanent Secretary at the Department for Exiting the European Union January 2017 – October 2017

Permanent Secretary at the Department for Exiting the European Union October 2017 – March 2019

26 June 2020

The Coalition Government

UK in a Changing Europe (UKICE): How did coalition impact on how EU matters were handled? For instance, did the Deputy Prime Minister's Office have any input into the Bloomberg Speech prior to it being delivered

Philip Rycroft (PR): It was a point of tension. I came in, in May 2012. This was after the walkout from Cameron, which was the early explosive moment. The tone had been set by then because clearly the Conservative Party were on a different trajectory. In essence, what happened over the three years that I was there was that Government policy was a series of uneasy compromises while the Conservative Party developed its thinking on Europe. The Bloomberg speech was one crystallising moment. After that moment, this then developed into the holding of a referendum becoming a big part of their manifesto pitch in 2015.

But there were some things we couldn't avoid having rows about. By the time I got there, they'd already triggered the 'Balance of Competences Review'. Now we were trundling on with that and that kicked up the occasional little

flurry because there was an editorial board – I didn't sit on the thing – where various SpAds from the Lib Dem side would come back and say, 'They're at it again.' But most of that was contained.

Part of the reason, I think, the exercise – and it was quite a good exercise – never really got much publicity was because the story it told was a little bit too balanced for those who'd wanted it to come out with something that was a bit more critical. But then you had things you couldn't avoid sorting out. Probably the biggest of those was the JHA (Justice and Home Affairs) stuff. There was a long, difficult argument about how many of the things we would sign up for.

We got there at the end of the day. I can't remember all the detail of it, but we were bouncing around on four or five of them at the end. Mrs May, as Home Secretary at the time, actually played it pretty straight. Once the decisions had been taken, she presented it and argued it through, and it got through Parliament.

There were some underlying issues which should have burst into the public from time to time. Not the EU but the European Court of Human Rights, with prisoner voting, which was a running problem for us because, basically, Cameron was saying, 'I'm not going to abide by our international obligations.' We were saying, 'You can't do that. They have opined and you can't just ignore that. Ignoring it puts you in some pretty unsavoury company.' So, as officials, we worked pretty hard to try and find a landing zone, which ultimately succeeded, and there we go. I can't quite remember the time, but I think it was into 2016 that we got a solution which everybody had signed up to and got us off that particular hook.

I used to go out to council meetings in Brussels as part of the Cameron entourage. To keep him honest, was in theory what I was meant to do. But, by and large, there weren't many occasions where I was sitting there feeling uncomfortable about the direction of travel. I missed the big one which happened in December 2011 before my time. But, in terms of governance, these issues were reasonably contained while the parties went their separate ways.

The Bloomberg speech we were not consulted on, full stop. When I say, 'We,' the DPM's Office. It was a party thing and we found out about it pretty late in

the day. The politicians I worked with weren't very happy. But that was, perhaps, to be expected.

UKICE: Was there was any thinking on the Liberal Democrat side about whether they would make reneging on the referendum pledge a condition of a renewed coalition if we got there?

PR: If things had turned out different electorally, that that would have been one of the big things up for negotiation. I don't think it would have been a make or break for another coalition, but it would certainly have been a big part of negotiations. One wonders – I don't think this is in the Cameron autobiography, but you wonder – the extent to which he and others were rather hoping that that would be the outcome and it would get them off the hook.

But I suspect, for those who want to do the counterfactual, if the Conservative campaign had been less successful – because, of course, it was most successful against the Lib Dems in cleaning up in the South West and elsewhere – it is fair to wonder whether history would have been very different. I think what I do give some credence to is the Cameron argument that you couldn't duck this one forever. The momentum was building up for the UK public to have a say – well, the momentum was building up in his own party and among those who might or might not vote for his party. There is, of course, some truth in that.

In 2015 it would have made another coalition, I think, quite vulnerable. As you remember, UKIP was on a bit of a roll, the pressure absolutely still there, and if the coalition said, 'Sorry, guys. Because we're hooked up with a party that has only got, 50 to 60 seats,' or whatever they would have had to make a coalition viable, 'We're not going to allow you to have a referendum.' It would have been a very, very dominant feature of that Parliament – and I think, probably, unsustainable for the Conservative Party.

UKICE: Of course, the Lib Dems were the first party to put an in/out referendum in their manifesto in 2010. Was there any sense amongst Clegg's team that referendum might be a good idea?

PR: I obviously wasn't privy to the deep political discussions about that, but I was privy to enough discussions to know that there were discussions going on,

on precisely that point: was it the time to get this done?

Don't forget, at the time the broad assumption was that the 'Remain' side – it wasn't called that then, but the 'Yes' side of staying in – would win. Tactically, people's options seemed to be further open than we know in hindsight than they actually were, because the evidence that you and others have pieced together suggests that public opinion was further into 'Leave' throughout that time than the polls were suggesting. That evidence, I think, is quite compelling. But the politicians weren't seeing that. They were seeing, on the face of it, polling that suggested that this campaign would be a fairly relatively straightforward run for staying in and certainly, from the impression I got from conversations I knew that had happened, Cameron had that confidence.

The EU referendum

UKICE: Was there any attempt to think about the lessons from the Scottish independence referendum? It was obviously slightly closer run than it appeared it would be, with quite a big shift in the polls during the campaign.

PR: I think they did learn the lessons, but they learned all the wrong lessons. I think the Leave side learned all the right lessons. It was – it is – very interesting the way that that played in. The slight myth, actually, about the Scottish referendum campaign was that it was 'Project Fear' that won it. That's actually a distortion of the reality. The phrase 'Project Fear' emerged from some loose talk by somebody on the 'Better Together' campaign. It was a caricature of that campaign and what the UK Government was doing.

Everything we were arguing about was, 'What you have now works well for you, so the pound, shared social security, the BBC.' It was an argument that was presented as, 'These are the benefits of what you have at the moment' – being in the EU, interestingly, was a big one. Then, of course, the kicker: 'If you come out, this has a series of consequences which are likely to be negative.' But it didn't start with the negative. It started with what we have, but the way that then was taken into EU campaign was it became unrelentingly negative. It was all, 'If you go, you'd get a kicking.'

A student working for Jim Gallagher has done an analysis of the language used in the two campaigns, and there is a marked difference in the language

set. The Osborne argument that ‘We won it by denying them the pound,’ was a misinterpretation of actually what happened in the Scottish campaign. In fact, I can’t substantiate this right now, but it’s something I will look at again over time, but his big moment was coming up to Edinburgh in February 2014, I think it was, when he went to one of the banks and announced this big decision on an independent Scotland not being part of the same currency. People thought that was a big turning point in the campaign. It was a turning point, but in the wrong direction. The polls, funnily enough, started to slip the wrong way fairly soon after that intervention. People didn’t believe it, so it was not as helpful a moment, as I think, probably, Osborne’s own recollection of it would suggest.

I think the other wrong lesson they learned from the Scottish campaign, was that Cameron gave away time to Salmond early on. He announced it at some gathering of journalists, before my time in the Coalition Government and basically said, ‘No, the date of the referendum will be decided by (Alex) Salmond.’ Salmond, not being daft, played it long because Salmond was the insurgent. He needed time to turn opinion round, because the status quo was what he needed to attack. He did it incredibly successfully. If the campaign had gone on for another three or four months, it might well have gone the other way. It was right on the cusp in the last days. I think the lesson that Cameron drew from that is you’ve got to do this thing really quickly.

What he hadn’t calculated was that in the EU referendum campaign he was actually the insurgent. He was the one who needed time because opinion that he, not least, was part of having formed had had coagulated into the sense that the EU was not good for the UK, that the UK’s interest weren’t respected. You scratch away at the polls, and most people had, at best, a neutral or mildly negative view of the EU. The campaign needed time to turn that round, but he thought, ‘The lesson from the Scottish campaign is do it quickly.’ I think that was a fatal mistake.

UKICE: Was there ever a sense of recognition on David Cameron’s part that his tone and rhetoric made quite a big contribution to that mood?

PR: Yes, absolutely. I never detected any sort of recognition on his part in creating the problem that felled him, but it goes all the way back to coming out of the (European People’s Party) EPP in the early days, just playing time and time again to that gallery. He may have thought, ‘I’ve got no alternative other

than to do this,' but he fed the alligator, I think – or the crocodile, or whatever image you want to use. Eventually, it got so big it was able to jump on the boat and eat him up.

I think if he did understand that, I suspect it was quite late in the campaign when he realised it. This whole thing about not going blue on blue. Well, 'Hang on a minute, but you spent most of your time, in most people's perception, in the camp of folk who are now irritating the hell out of you by running a rather successful Leave campaign.'

This is where I think the time thing comes in. Because I half buy the argument – in fact, maybe a little bit more than half buy the argument – that at some point we were going to have a referendum, but it was the conditionalities of that referendum that were going to matter most.

You could argue that he should have made it 50% of the electorate, or set a 60% bar, you could have fiddled around with the boundaries, but I think that would have been really tough and probably been called out. But what you could have done is said, 'This is a bloody big decision. We need to understand what these two options look like, so we're going to set up an Independent Commission to gather the evidence and to work out what life would look like.' It would have got us into some of the debates that we've had very, very painfully over the last four years, and I think would have allowed the time for him, as it were, to shed some of his own history, to reinvent himself as somebody who wanted the UK to stay in the EU. But that's one of life's counterfactuals now. He never went there.

UKICE: What sort of consideration was there in Government about actually the mechanics of how to construct the referendum? Was that a big subject looked at before we announced it?

PR: No. It was my team that was responsible for all of that because we did the legislation with the Foreign Office. Obviously, we were responsible for the constitution. I don't recall being asked for any advice on those sorts of options. Memory is a fickle thing. Was some advice requested at some point? Possibly, but it was not a big deal as far as I recall. By the time you've said you're going to have one of these things and you've got precedent, it becomes really difficult to shift that precedent. There was a big row over the length of time of

the regulated period. It was Bernard Jenkin who got very excited about that. It was illustrative of just the degree of attention from the Jenkin side of the debate on the modalities of holding the referendum, that they weren't going to give Cameron any space at all to shift the rules in a way that might have been helpful.

Of course, one of the paradoxes of all of this is that we'd outsourced the rules, to a large extent, to the Electoral Commission, an organisation really not set up in a way that envisaged it having to adjudicate over existential issues in the life of the nation, because it had the same role in the Scottish referendum. It was the Electoral Commission, of course, that turned this from a 'Yes/No', into Remain/Leave.

UKICE: Obviously, you can be asked for advice, but the civil service can also raise issues with their minister and say, 'Look, you really need to be thinking about this. Here's a letter for you to send to the Prime Minister,' either on the modality of the referendum or, indeed, the implications that this might have for the union. Were civil servants making those sort of arguments?

PR: We had a very clear instruction. There was a lot of stuff going on at the time in that sort of constitutional space. We had a Scotland Act, a Wales Act to do. We had EVEL (English Votes for English Laws) to get through, and we had the referendum bill to sort out. Ministers were very conscious of the potential impact on the union. I do remember Oliver Letwin at the time making those arguments, and we did have long discussions about what this might mean for the union. But that was in the context of a campaign where the civil servants were supporting the Government of the day, as we did in the Scottish referendum, in terms of the Government putting its best arguments forward.

What we didn't get a look-in on, or we weren't invited into the room on – understandably, because it was an absolutely central manifesto commitment – was whether or not you have a referendum. On the terms of that referendum, there was just no question that it would be anything other than a straightforward majority on the existing franchise.

I don't recall it being that big an issue, because the Government was delivering what it had to deliver from its manifesto, and its scope for manoeuvre, I think, in practice was very, very limited. There was a lot of debate

through the campaign about, for example, the rationale for putting out leaflets to every household. That, of course, had been preceded in the Scottish campaign, and was resisted bitterly by Bernard Jenkin and his band.

There were arguments about business engagement. There were arguments about the length of the regulated period. There was quite a lot of tussling going on about the handling of the campaign and the proper role of civil servants, but that's all in a context where the big decision had been taken in the manifesto, what we were doing was supporting the Government of the day to deliver that commitment.

Again, it's just worth remembering that through most of this time the polls were showing that Remain was ahead. It was nervy, but it was not as clear-cut as it now is that this was not even on a knife edge, I think, because I think it was over the other side of the knife. I think it was the Remain side that was having to do the work to hold the thing together, in retrospect. But that's not how it felt at the time. Do you remember, right up to polling night and those first in the studio, Farage conceding, Nicky Morgan being gracious in victory? It's just worth remembering how people were feeling.

UKICE: One of the arguments is that David Cameron reportedly told Jeremy Heywood, the Cabinet Secretary at the time, not to do contingency planning for the possibility of a Leave win. Was there really no contingency planning during that period?

PR: Again, this was preceded in the Scottish referendum and there was some contingency planning done. Jeremy (Heywood)'s no longer here to have to fess up to it, but it wasn't deep: 'Here is a 500-page document describing how we have to go through all of this.' There was a meeting of a handful of folk, sort of out of sight, out of mind, on both of them, perhaps on two or three occasions. Mostly, it was about the market impact, the diplomatic impact, the reassurance to folk that the planes would still fly, and in the Scottish context that the pound in Scotland would still be worth what it was the day after the referendum as it was the day before the referendum. So, how do you get through the first week or so? That was just responsible, non-contingency contingency planning, to put it like that.

Clearly, the people who had to think most deeply about that were the Treasury.

I wasn't privy to all their deeper thinking. But I was reassured that they had done enough thinking to work out how they would deal with a run on the pound. Of course, they will have talked to the Bank (of England) and what have you, but what we didn't have was the game plan for taking us out of the EU, self-evidently. What was the legislative programme going to look like? How are we going to negotiate this thing? Who was going to do it? We didn't have a shadow team in place. There was an awful lot of scrabbling around going on, in the two to three weeks after the referendum.

UKICE: Were you surprised by the decision to suspend collective Cabinet responsibility in the campaign and to keep the Conservative Party machine neutral?

PR: Not surprised, I think it was almost inevitable he'd have to do that. Otherwise, he'd have lost five or six minimum – probably more – members of his Cabinet. I think it's very indicative of his whole approach, which was, 'I'm going to win this thing, and I'm going to win it at least cost. The cost I'm most worried about is to my own party, so I am not going to allow blue on blue. I'm not going to fling these folk out on their ear. I'm going to try and manage all of those risks.' Clearly, that was a huge misjudgement.

Governance and devolution after the referendum

UK in a Changing Europe (UKICE): Post-referendum, the immediate structures set up were the Europe Unit, with Olly Robbins brought in to replace Tom Scholar, reporting to Oliver Letwin in the Cabinet Office. Was that the civil service's view of the right model for doing this, or was that a holding arrangement, pending the inevitable appearance of a new Prime Minister?

Philip Rycroft (PR): My role at that time was running the UK Governance Group. I wasn't involved in the decisions around Olly's appointment, the creation of DExEU (the Department for Exiting the European Union) or any of that stuff. What I was focused on was the immediate impact on relations with the devolved governments and trying to ensure that that was marbled into the thinking from the off.

I don't remember the precise sequence of who did what to whom at what point, but there were some quite interesting decisions made at that point that

then set the pattern for the what came afterwards. One of the things that this whole episode revealed was just how short of experienced, knowledgeable people we were about how our relationships with Europe operated.

The fact that, in order to find somebody to lead this new creation, you have to go to somebody who'd never done any European business – for whom just learning where Brussels was and how it ticked was a big deal – is, I think, illustrative of the relative neglect of the civil service over time of its cadre of officials experienced in doing European business. There ought to have been a lot more folk around who could have come in ready formed to pick up that huge challenge.

Jeremy (Heywood) did not have a rich set of names to choose from. He made his choices as he did but, in a way, the constraint that he was under was a consequence of decades of failure of the British civil service to build up the reputation – the kudos, if you like – of being somebody who was an expert in handling European business. There ought to have been, at the senior level, far more folk across the Government who could have come into that space with the background and knowledge – and, indeed, the connections and the relationships to have been able to get going from day one.

UKICE: It looked as though there was almost a sense that it had to be someone who wasn't steeped in Brussels culture, because only they would therefore actually be committed to the task of Brexit and have the credibility with ministers.

PR: Yes. It portrays the huge misunderstanding a) of the civil service and b) of the sort of challenge that we were going to have, because this was going to be the biggest bloody negotiation the UK has ever embarked on. To set off down that track with people who'd never been in that space before was an interesting move. But I think maybe that was the rationale that was going through Jeremy's mind. Maybe he did try and put some folk forward who did have that deeper background and got pushed back. But in my view it was something that, from where he was sitting as Cabinet Secretary, he should have persisted with in terms of ensuring that, as you went into the negotiations, you did so with an experienced and knowledgeable team.

It plays into this whole 'The civil service is a bunch of Remainers' argument,

doesn't it? If you accept that premise from the start, then in marks your cards throughout the whole enterprise. To some extent, the civil service is still struggling with that. Maybe some of the signalling early on might have said, 'No, what we're here to do is to support the Government of the day. What you need are people who've got the right experience. They will deliver for you. That's what we do, whatever their personal views or their antecedents.' I think that was an argument that would have been worth having, and certainly worth winning. The point I'm making is not just about Olly (Robbins) and his appointment, but it's about the strength and depth across the UK civil service.

UKICE: Yes. There are certainly quite a lot of ex-Perm Reps who, I think, were expecting a call-up to be tapped for advice.

PR: You'd think, wouldn't you? I managed to assemble in DExEU quite a cadre of folk who had been in UKRep or worked in the Commission, but we weren't fishing in a very big pond.

UKICE: In the run-up to Article 50, the period before your move to DExEU, how much time, effort, and thinking was going on into handling the devolveds? How did ministers decide their approach there?

PR: We were doing a lot. It was my job to do that, and it was bloody uphill work, all the way through. Of course, there was lots of the 'precious union' rhetoric, which started pretty much straightaway. She obviously goes up to Edinburgh and to Cardiff. Did she go to Belfast?

In practical terms, we made the case very early that you need a structure to engage them in this journey. Hence, the setting up of the JMC (EN) (Joint Ministerial Committee (European Negotiations)). We negotiated the terms of reference of that, which have been much criticised since from the UK Government side for being too expansive and from the devolved governments side for not having been met. Certainly, a fairly deliberate aim on my part was to try and create a construct which would get them inside the tent. We created the construct and built the tent. Then I had a whole load of folk who stood at the door at the tent with very sharp sticks, saying to the devolveds, 'You cannot come in.' My strategy really didn't work.

It was just very, very hard to persuade Number 10 and David Davis, as

Secretary of State for DExEU, that it was worth going that little bit of extra distance to demonstrate that we were listening to the devolved administrations. Of course – I'm not naïve about this – you were never going to get political agreement. But that was never my argument. My argument was always: 'You have to be the one that looks more reasonable than them.'

I was thinking about how this played, not in Whitehall but in Scotland, or Wales, or Northern Ireland. By giving the narrative to the devolved governments to say, 'They're just not listening to us,' I could just see this just drifting away from us. It was almost impossible to persuade Number 10, in particular, to treat them as though they were grown-up governments with their own democratic legitimacy. 'What, you want to share the papers for a meeting with them, like more than two hours before the meeting?' 'Yes, it would be quite helpful.' 'You can't.' 'For God's sake.'

You slightly wondered why we bothered at times. Because it just played into that whole narrative that Nicola Sturgeon in particular was exploiting, of Scotland being hoicked out of the EU against its wishes. Which, of course, in democratic terms you couldn't argue with.

But again, in those early days, we forget that the range of options for the sort of future relationship we might have was actually quite broad. I think it only took a while for us all to appreciate that the contradictions in the Lancaster House speech meant that we were inevitably moving towards coming out of the Single Market and the customs union. But straight after the referendum and through the rest of 2016, it was not necessarily a foregone conclusion that we would land up where we are effectively going to land up. From the official perspective, it wasn't completely crazy to think, 'Across that range of options, maybe there will be some space for the devolveds to get a look-in there because, if we stay with a reasonably closely aligned relationship, that, for the Welsh Government, could look reasonably comfortable because Wales voted to come out. It mitigates some of the damage done in Scotland, because the Scottish Government will be seen to have been influential in that outcome.'

That drifted away from us, really pretty quickly. It was, perhaps, encapsulated around the time of the issuing of the Article 50 letter, which the devolved governments were told about 24 hours in advance. That was symbolically the moment when the UK Government, effectively, put two fingers up to them and

said, 'We're deciding all of this without you in the room.'

It's the UK Government's call. There's nothing unconstitutional about that. But if you want the evidence that in terms of the future of the United Kingdom, that might have been a mistake, we're now looking at opinion polls in Scotland where John Curtice will tell you that the shift, the tick upwards in support for independence, is statistically significant. It's now running at 51%, 52%. There was a poll the other day actually as high as 54% for independence. Why is that? What's happening there? It's 'Remain No' voters switching to become 'Remain Yes' voters. There has been a wee bit of a drift the other way of 'Yes Leavers' becoming 'No Leavers', but there has been more folk moving in the other direction.

I'm not going to take a lot of credit for political acuity in all of this, but it seemed fairly obvious to me that a major risk was that, if you didn't win the reasonableness argument, you would see people who emotionally were already pretty semi-detached from the union, who had voted 'No' in 2014 with their heads not their hearts that it wouldn't take an awful lot more to shove them further down that track and to do what people prefer to do, which is to go with their heart over their head. That's what we're seeing. Despite all the economic evidence that it would be really, really tough for an independent Scotland, we are seeing that drift up in support for independence.

UKICE: On the specific issue of Northern Ireland, did much thought go into the potential problems that would be caused by the absence of an executive there? The follow-on is: and what problems did that cause?

PR: Recall in all of this that the one bit of the system I didn't look after on the devolved side was the NIO (Northern Ireland Office). Northern Ireland and the governance of Northern Ireland has always been really complicated in Whitehall. Brexit exacerbated that, and there was a real lack of clarity over who was calling the shots and giving the advice to ministers on Northern Ireland.

I wonder whether in retrospect – and this is as an observer rather than somebody who was involved, but not deeply involved – to what extent that occluded the advice that ministers were getting. Not so much on the handling of the loss of the executive but on what Brexit meant for Northern Ireland. It took the Prime Minister a long time – like post-Lancaster House, when she'd

sprayed all the red lines all over the place – to work out just how fundamental this was for the Union.

On the Executive itself, paradoxically, it made my life slightly easier. If you think about the structures that flow from the Good Friday Agreement, Sinn Féin rather like the British Irish Council, because it is a pan-islands thing, involves the Republic, as well as the Isle of Man, and Guernsey, and Jersey – the Crown dependencies, and the devolveds. So, they're quite happy to play in that space, whereas the JMC (Joint Ministerial Council) is a construct of the United Kingdom, which by definition for them is not a legitimate construct. So, it was a rare JMC when (Martin) McGuinness or his representatives would bounce into the room with a big smile on their faces. They tended to use them as a bit of a platform. Why wouldn't they? This was an institution that they didn't want to work.

We ran an exercise that the JMC Plenary under Cameron kicked off in 2014 on reforming the JMC. I worked with my counterparts in the devolved governments pretty hard for a year and a half, and we had a prospectus which we was agreed at official level and we had done some negotiating, ministers to ministers. It was going to be presented to the JMC at a plenary in late '16. We'd got it all teed up very nicely, and at the last minute it was vetoed by Martin McGuinness.

Then Nicola (Sturgeon), who couldn't be outdone by another nationalist, despite the fact that we'd signed it off with the Scottish Government, then had to retrospectively veto it as well. So, it didn't go in, but it's an absolute classic example of, "Why the bloody hell do we want to make this thing work better?"

With them not being in the room, it was one less problem for me to have to worry about once the Executive had gone. The Executive still wasn't there by the time I left, but I was saying to my colleagues, 'It'd be great, it's a good thing for the Executive to come back, but don't forget you're going to have to manage that inevitable tension in the JMC.'

The Department for Exiting the European Union

UKICE: Philip, you've been Head of the Governance Group. You then move across to combine that role formally with being Second Permanent Secretary

at the Department for Exiting the EU, at top management. Why did that move happen around the time of triggering Article 50?

PR: I got a call, it was before Christmas in 2016, or fairly soon after, from Jeremy (Heywood), to say, 'Would you be prepared to go into DExEU as a Second Perm Sec?' I was already Second Perm(anent) Sec(retary), as Head of the UK Governance Group. It was 'to support Olly (Robbins).' It was one of those Jeremy conversations that you didn't say no to.

From my perspective, I could see increasingly that DExEU was dominating – the DExEU issues were dominating – my day job. I thought it was far better for me to go inside that particular tent and bring my current responsibilities with me. I thought that there was some logic in that from the perspective of the thing I really cared about, which was the impact on the UK. It took, as I say, three months, and I think quite a costly three months because, DExEU had had a really difficult time. They did need that extra layer of management support and leadership to stabilise the ship, get the thing focused on what it had to do. But David Davis needed persuading and so I had to go and have a chat with him.

You have your CV with all this la-di-dah stuff about all the wonderful stuff you've done through your career. I've always put at the end of mine, because I'm quite proud of it, Ironman triathlete, once. Very slow but, anyway, I did it. David Davis is the only person who's interviewed me for anything, ever, where the first thing they've said was: 'You've done an Ironman triathlon.' We talked about that quite a lot. Anyway, that helped to build a relationship.

So, in I go, Second Perm Sec, and then I've got about six months of doing that before we get to the point where again (David) Davis decided: 'No, I just can't carry on having somebody running my department who's spending more of his time, essentially, gravitating to Number 10. I've got to sort this out.'

It was really his decision, at the end of the day, that then led to the creation of the Cabinet Office Europe Unit. That's when I was propelled to the Permanent Secretary role at DExEU. Not really much choice in the matter again, from being Second Perm Sec to running the show. It made my life a lot easier in some respects, actually. It allowed me to do the job that I was trying to do, which was to organise the team across a multifarious series of tasks which were very, very challenging and kept growing all of the time as we uncovered

more and more stuff that needed done. I needed the authority to be able to manage that, not just with DExEU but with other departments as well.

There was a bit of knocking copy externally at the time that DExEU written out the script, all of that said by people who had really very little understanding of how this thing worked. If you think of the challenge, Olly had a big, big bloody challenge, which was to deal with the negotiation. But that negotiation was relatively limited in scope in terms of the detail of it – citizens, money, transition period and then all the other separation issues.

But it was a definable proposition. What we were dealing with was everything else, the legislation to get us out, the Withdrawal Act and then Withdrawal Agreement Bill; the planning for deal as well as no deal outcomes; changing the construct of the British state; the relationship with the devolveds through all of this; dealing with international agreements; the planning for the negotiations on the future relationship; the engagement with business; and so on and so forth. That was a very, very big job. We were trying to do that through the corralling of Whitehall which was in some respects quite reluctant to be corralled around this. It goes against so much of the Whitehall tradition to have to bend a lot of what you do, as a department, to somebody else's agenda. That's what we were asking people to do. It went against the grain, and that was a big part of the challenge that we had.

UKICE: Was that coordination task made harder by trying to do it from a department like DExEU, as opposed to from the Cabinet Office where people expect to be coordinated from, however reluctantly?

PR: Most of my career was spent in a devolved context, where the habit of working with other bits of the Government that you're in is quite well ingrained. So, I come into this really quite impatient with all this territorial stuff, and not as finely honed a Whitehall warrior as perhaps I should have been.

It was hard work. It might have been a little bit easier if we'd come with a Cabinet Office imprimatur. I talked to Jeremy quite early on about the future of DExEU, which was, of course, a time-limited department. Nobody was pretending DExEU would be around forever. I said to Jeremy, 'You're going to have a choice to make here: do you sustain the freestanding department and the Secretary of State, or do you fold the thing back into the Cabinet

Office?’ I leant slightly towards the Cabinet Office option. There was nothing in my approach to all of this that said, ‘You must have this separate, freestanding thing.’ In some respects, it slightly reflected my impatience with the question: ‘For goodness’ sake, we know the bloody job we’ve got to do. Can’t we just get on with it? Why are you worrying about the departmental boundaries?’ But people did.

I had the experience of working in the coalition and working with Whitehall departments who still, by the time I got there in May 2012, found this whole concept of coalition so alien. ‘For goodness sake, decisions have to be agreed by both sides of the coalition. How simple – how much simpler – can I make that?’

Then, of course, with the Scottish referendum, I had experience of saying to people, ‘No, you can’t do that, because we have an existential referendum coming up. If you do that, that’s a really, really stupid thing to do, so, please, don’t do it.’ I had been schooled in the way that Whitehall can be very, very obtuse sometimes about things that fall outside their immediate departmental interests, but it still surprised me.

Some of the departments I had to work with were unnecessarily antagonistic at times, and I found it personally irritating. I think when people reflect on what it says about the capacity of Whitehall to pull together around a common objective, it will be quite instructive.

There will be an interesting compare/contrast with Coronavirus. The Treasury, who are good in a crisis, have played a blinder so far. There’s a tail of consequences that it will have to work through as they unwind the furlough scheme and everything, but they did what they needed to do early doors.

But when you get to the more complex cross-governance government stuff, like PPE, test and trace, dealing with the devolved administrations, trying to hold all this together, Whitehall has struggled. In a way, I had precisely that same struggle. My advantage was that that struggle was playing out over time. I had, effectively, a couple of years to get to people, to persuade them to come into the process to make particularly no deal planning a genuinely cross-government exercise. By the time I left, I think we’d cracked that, but it was hard uphill work.

When you have a crisis like Coronavirus, it's slaps you in the chops – almost literally overnight. It reveals the weaknesses of the ability of Whitehall to manage complex delivery mechanisms in real time, and to do that in a way that hooks together all the disparate parts of the system. I think there is a lot of very interesting learning in that, which probably won't be learnt, but there we go.

UKICE: We had the complete breakdown of collective responsibility while you were trying to do this, with ministers clearly unable to agree, for quite some time, on a common vision for the UK's future relationship. You also had Parliament playing a role – a very unexpected role – when we had the minority government. Did that complicate your task in DExEU?

PR: There's no doubt it did complicate it, and I think sometimes directly where we just couldn't get stuff moving as fast as we'd want. I think also departments often did a little bit of camping behind an obdurate minister. There's no doubt that Philip Hammond did slow stuff down and was not prepared to give clear instructions, for example, to say to HMRC: 'No, assume we're going to have a border. We're going to pay. We're just going to put the resource in to assume that outcome, even if it's not an outcome that we want.'

I think, in a way, it's not a bad thing from that perspective that things got so sticky and there has been that extra time, because it has given the folk like HMRC that extra few months, or even a couple of years, to plan to have a border in place. Even given that time, of course, you saw the Gove announcement the other day having to go back on what he said in February and accepting that the UK border will not be in place, will not be fully functional at the beginning of January – and won't be fully functional until at least the middle of 2021.

So, there was that political dissonance, I have no doubt at all, that did hobble the cohesiveness and the speed with which the no deal planning was put together. I think we managed to work through that, but it was later in the day than I would have liked where we got to the point where I felt that the Whitehall mechanisms were all pulling in the same direction. It wasn't really until late in 2018 that I felt that I had everybody's attention where we needed it.

You'll hear from others the impact Mark (Sedwill) had on that. I think it was a

very positive impact. He got stuck into it and we adjusted the framing and mechanisms to put a bit more pace into it all. I think that worked quite well, but the political dissonance had a wider impact on some of what I thought of as core responsibilities for us. One was to make sure that ministers understood the impact of no deal, that they had had unequivocal advice to say that, if they went into this, they would understand some of the likely impacts of it. The other piece of advice that I was very keen that ministers got unalloyed was the advice on the economic impact: essentially, the economic impact assessment, the modelling of the impact of these various types of deals that might be done.

On both of those, what would have been fairly standard business in a normal Government – transacted out of public sight – became really quite sensitive exercises, not helped by the leak of the economic stuff in January 2018. I got a very, very angry call from David Davis about that because he was not bought into the concept of doing that modelling. He knew we were doing it but didn't like the fact that we were doing it.

But then we had to – and we worked really hard to, and it should have happened earlier, but it wasn't for want of pushing from us – get a serious Cabinet discussion about the impact of no deal. We got that in September 2018. Where I think my team can take a lot of credit is that the paper that was put to the cabinet, with the agreement of our Secretary of State – by then Dominic Raab, who, of course, was not a believer in the risks of no deal – was an honest account of the impact of no deal.

The essence of that – of course, the actual papers won't be out for 20 years or so, in theory, but the essence of it – was put in the public domain, under the threat of a humble address from Anna Soubry. It didn't actually attract a lot of attention at the time, but there was a paper published by the Cabinet Office, I think in February 2019, which set out the headlines of the advice that ministers had had. It was pretty unadorned advice.

This was cross-government work, but at DExEU we did the heavy lifting in order to get these things shaped up and formalised. Everybody talks about the economic advice as being Treasury economic advice. Actually it was DExEU that coordinated it, with the Treasury and other economists. But when people go about saying, 'Truth unto power,' those two pieces of work, I think, stand out as the civil service doing what it needed to do, despite that very, very

fractured political environment.

I think the person who really suffered from it more than anybody, of course, was Olly (Robbins). Partly because of the briefing that he had to endure throughout all of this. But of course, where the debate crystallised at its most antagonistic was over the approach taken to the negotiations – and hence (David) Davis and (Boris) Johnson resigning after Chequers.

UKICE: There has always been this story that DExEU and David Davis had been working up a set of propositions about the way forward, and suddenly was blindsided by the Prime Minister and Olly Robbins substituting their white paper for his. How did you manage the run-up to Chequers from your side?

PR: It's a story that's a bit over-told, to be honest. There was one white paper process. There were a lot of versions of that white paper, but DExEU ran that process. It changed, clearly, after Chequers, which was perfectly appropriate as Cabinet had made up its mind which way it was going to go. So, the white paper was one of the first things that Dominic Raab had to do, to launch that white paper.

Clearly, the Prime Minister's thinking had shifted in the weeks running up to Chequers. Davis was not surprised when he got to Chequers, because she had revealed that thinking to him before Chequers, but not many weeks before Chequers.

There had not been a lot of what I would have thought of as quality debate between the Prime Minister and the ministers that she really needed to persuade to get over the line. I was in some of those meetings with the Prime Minister, and David Davis, and Raoul (Ruparel). The problem that we were confronting was clear as the Prime Minister had set out what she was going to do.

There's nothing constitutionally inappropriate in any of that. The Prime Minister of the day is perfectly entitled to make up his or her mind about the policy direction they wish to pursue, and off they can go and pursue it, but it helps if you can take the most significant ministers with you.

That's what she failed to do. Chequers itself, some grumbling aside, seemed

to go okay, but in retrospect, clearly, Davis felt that he couldn't stick with the outcome, that it was giving too much away. Then Johnson, I think, felt, if Davis had gone, he couldn't not go.

UKICE: What Chequers didn't appear to do was land with the European counterparts, who were quite dismissive of it. Was that anticipated? Had there been thinking about, 'Can we actually negotiate this if we move heaven and earth to get the Cabinet on board?'

PR: It's one of the puzzles, isn't it, because, of course, I was not in those rooms in Number 10 when they were stitching all that together. Nor was I doing the negotiating. Nor was I dealing with the counterparts in Brussels. As you say, it was a very elaborately constructed compromise designed to try and hold Greg Clark and Philip Hammond in the same room as David Davis and Boris Johnson. It failed in that, but if it had got over that hurdle, which is a big if, the next hurdle was even bigger: persuading the European Union that this was a negotiable solution.

I think if you step back from the sweep of this and the way in which the Prime Minister handled this, the origins of the failure were at the inception of the project in terms of her writing out those contradictory red lines in the Lancaster House speech.

On the question of, 'Why did she allow that to happen, or why did she step into that space?' I think it was due to failing to understand two things. The first is the full implications of the sort of Brexit that she was describing for Northern Ireland. The second thing was her failure to understand the economic impact.

I think what you saw at Chequers was an attempt to square that circle, to get to the point where you can come out the Single Market, the customs union, but you can do so with the least economic damage and the least ructions for the union of the United Kingdom. It just stretched the elastic too far. It was never going to hold. I think it was a brave attempt to reconcile the irreconcilable, but I think all of us who are a lot wiser after the event can probably say, "It was never going to fly."

UKICE: What impact did the parliamentary environment have on DExEU?

PR: It was just that uncertainty which is, of course, a combination of ministerial uncertainty and the parliamentary backdrop to that. We were sort of living on the edge, week by week by week, and it just went on, and on, and on.

I had a meeting every Monday morning with my senior team, who were absolutely brilliant. A really super team, very committed, very experienced, good, good people. And it almost became a standing joke. Monday morning: 'What has gone wrong? What has gone wrong over the weekend? Surely this week something decisive will happen.' Of course, it never was this week, and it just dragged on.

It was a big part of the job that we had to do. A big part of my job was just to keep everybody's spirits up and keep people focused on the work they had to do.

I could claim great credit for being this very 'out there' leader getting a whole bunch of demoralised folk to point in the right direction, to get them to go over the top again into the withering fire, but actually it wasn't very difficult, because these were really, really good people. Not just the leadership team but throughout the department. They were canny. They were astute. They were well plugged in. They understood what was going on. They didn't need a huge amount from me. I just had to say, 'Look, guys, you might not know what's going on. I don't, either, but we're in this thing together. We've got a job to do. Get on with it.' The response I got from the department was just first rate. It was a big part of what we had to do. It was actually the best part of the job because it was so good to work with a lot of very, very able people.

One of the things about DExEU was that it was young in its age profile. I used to say to them – they quite enjoyed this – that 'Most of you weren't born when I joined the civil service,' which was literally true because the median age was about 29. It was also very diverse. It was, I think, probably one of the most diverse of the policy departments in Central London, reflecting a very young, qualified, professional London demographic.

A lot of people had come into it because they wanted the challenge of working on something really interesting and really difficult, so it made my task an awful lot easier. It would have been a lot more difficult, I think, if I'd inherited a department of people who'd been knocking around for 15, 20 years doing a

similar job, and asking them to do something completely outside of their ken. For most of my folk, this was all they'd known.

It was quite interesting because we did have quite a high turnover, so perforce we had to give people a lot of responsibility. People who were very new into the civil service and, in hierarchy terms, not high up the system were being given some quite crunchy things to do, exposure to ministers, having to go off to departments to argue the toss on things.

It was all a bit breathless, but after a while some of these folk who would say, 'Right, I've done my stint, great. Loved it, learnt loads. Now I've been offered a promotion somewhere else,' and off they'd go. You'd get sometimes these slightly plaintive little calls or messages back: 'I'm glad I got my promotion. I'm getting paid a bit more money, but it's nowhere near as exciting and as interesting as DExEU.' We gave people a really, really good experience. We put a lot of effort into promoting that sort of culture, of the importance of the work people were doing, and they were doing it in a very supportive environment. This whole 'DExEU Difference' thing which we worked really hard, I think, was critically important.

UKICE: Was the very high level of ministerial turnover in the department destabilising?

PR: We got used to it. I can do the number of Secretaries of State I had. I can't do the number of junior ministers. The turnover became almost routine.

The honest truth is we had too many junior ministers, so there was a little bit of feeding the machine just to keep them occupied. We could have probably done with half the number. They had a lot to do in Parliament, but on a day-to-day basis they didn't have as much because we didn't run anything. We didn't have programmes. We didn't spend money.

I'll tell you one little story. I used to do stand-ups on these critical moments when we'd lost Secretaries of State or whatever. At one of them, I was thinking, 'God, what am I going to say to these people?' I think it was after (David) Davis went, because it took a while for (Dominic) Raab to be appointed, so we were in this bit of a vacuum. Everybody was asking, 'What's going to happen? What's going to happen?'

Slightly in desperation, I thought I'd read out some of the text messages that I'd had that morning, mainly from my family, who are a combination of Yorkshire Scots, so they're not very loquacious. One of them from my older boy just simply said, 'Having a good day, Dad?' and so I read that out and they loved it. Then I read out a couple more.

Then, of course, at all the other occasions that we had after that, I had to read out texts from the family. I ended up having to invent a few, I have to be honest about it, just to keep the thing going. But it just became part of what we did... The team just responded brilliantly. 'Okay, we've got a whole bunch of new ministers.' We introduced them to everybody. The Private Office team was brilliant in terms of adapting and getting them going.

Most of them were good ministers to work with. My experience of working with ministers is that 90% of them have been good people at heart. They can have the odd bad day and you can get a bit of a tanking occasionally, but, by and large, you can get on with them as human beings. I won't tell you the ones that wouldn't fall into that category, but we had two or three of them.

For the most part, I tried to instil in my folk just a state of mind, saying, 'Look, you get these new folk in. We're there to support them, help them to do their job, so no cavilling, no looking shocked, or surprised, or sad about it. Just get stuck in and give them the support that they need.' It worked with most of them. There were one or two slight sour notes in all of that, but that's for my memoirs.

UKICE: Did you ever really think that we were heading for a no deal Brexit on 29 March or early April? What kept you awake at night if you did?

PR: If I'm completely honest about it, part of the reason I stayed relatively calm throughout this myself was that I didn't think we'd end up in a no deal Brexit. I think the consequences – for anybody, any rational person looking at it – you would have had to take a very, very big leap of faith to think that it was a sensible thing to do.

UKICE: Just to be clear on that, Philip, is that because you always thought it was a tactic, and a bluff, and that ministers were never convinced that they should actually try it out for real?

PR: It was deeper than that. It was more, ‘This is such a daft thing to do that it won’t happen,’ despite the fact there are folk out there who think it’s the best thing since sliced bread, and despite Parliament being pretty chaotic. I wasn’t that sanguine, but I think in my bones I just felt that the scale of the rupture, if we’d gone down that track, was just so great – for both sides – that common sense would ultimately prevail. I can say with hindsight, ‘I was right,’ but luckily so.

Of course, by then I’d designed my own exit. Actually, I was intending to go earlier. I’d always been clear to Jeremy that I wasn’t intending to stay in the Whitehall system much beyond the 10 years I’d allotted for myself, but I thought that the swivel point would have been Christmas 2018. You get the deal over the line and you pivot to the beginning of the proxy negotiations on the future relationship. You can’t start those formally until you’re actually out, which would have been 29 March, but that was the moment that the enterprise shifted from withdrawal to negotiation of the future relationship.

I just didn’t think Parliament would be so daft as to reject the May deal, to be honest. The failure in the Opposition was to recognise that this was about as good as it was going to get, that you’re starting the negotiations on the back of the deal that she had put together. There was a whole bunch of uncertainties in all of that, but far better to start off on that basis than to leave the thing open. I got that wrong like lots of other folk.

You’re then coming into just real uncertainty about what would happen next because we didn’t know ... We got the first extension to April and then through to October, but by then, clearly, Theresa May was on her way out as well. I continued to hope, by that point in the process of leaving DExEU, that Parliament would come to its senses and would recognise that it did need to take control of this process if it wanted some say in the sort of exit that we were going to have. That’s assuming this was a Parliament that, on balance, would favour a closer rather than a more distant relationship, but that didn’t happen.

The future of the civil service

UKICE: What do you think the implications of the Brexit process have been for the civil service, going forward?

PR: It's a good question, and there's not an easy answer to that. I think the civil service has done quite a lot of this very well. You look back at all the achievements and you could go through all of that, and we ticked off an awful lot over that time. I don't think the civil service has got credit for that.

I think what has happened is that the civil service has got drawn into a deeply ideological conflict. I knew the coalition government very well, sat in umpteen cabinet meetings, watching it operate – two political parties where the ideological divergence, in terms of what was going on in Government, was not actually that great. They were on a spectrum. Sometimes it started off at opposite ends of the spectrum, but if you take some of the grittiest arguments we had, for example, over the security state, over the 'Snoopers' Charter', Clegg wasn't saying, 'You can't have some sort of way of accessing people's movements,' and so on. Cameron wasn't saying, 'We need to have everybody's movements stored in perpetuity.' They were arguing about where to stand on that spectrum. On most things, not on that one, as it happened – they found a place to meet.

But there was no spectrum for the May Cabinet. These people were arguing from different ideological premises. The civil service was drawn into that, without the defences that it might have had in previous days to insulate itself from the political fallout.

I don't think this story has ended yet. I think there has been damage done. I think the system is now in the grip of folk who will assert their view of the way that the world ought to be, because of the ideological perception of the way the civil service worked through this time.

I don't think the civil service has failed technically. Yes, of course, we could have done loads of stuff better. There's lots that we can always improve, but this was an absolutely massive challenge.

I think the problem has been the way in which the civil service has been drawn into that ideological debate without being able to assert a position of impartiality, independence from that debate, loudly enough that has insulated it from the brickbats. So, it has taken damage.

UKICE: Just circling back, do you think ministers were advised by the civil

service – just way back, before the Bloomberg speech, when David Cameron was making his first commitment to a referendum – that the process of leaving the European Union had the potential to, basically, set every other agenda aside for a prolonged period if in the possible event of a Leave vote?

PR: I don't know the answer to that, because I wouldn't have been privy to those conversations at the time. What I do know is that the civil service has been poor at understanding the political milieu in which it operates. I had the advantage, in a Whitehall context, of not living in London, of being very conscious of a different political milieu and then having the experience of the Scottish referendum, which was a hell of a learning experience of watching populist policies in action. But I don't think the vast majority of senior civil servants really understood what was going on in England.

I didn't understand that as well as I should have done. I'm now doing, retrospectively, some of the reading I should have done at the time, but, of course, you don't have time to do that. But people did not understand what I might describe as the 'UKIP phenomenon'. People did not understand the extent of disaffection with the political system, the sense of disenfranchisement, the way that connected into a whole bunch of other stuff that was going on in the UK, the consequences of globalisation, all of that stuff coming together.

I think Whitehall – the civil service – would have seen elements of that but did not have the ability to piece it together. The Whitehall I knew was quite good at looking at some long-term trends, like ageing, shifting geopolitical balance of power, the rise of China. That's the stuff that turns most Whitehall folk on. What they didn't spend time doing is understanding what was happening with their own population.

That was true of the understanding of what was going on in Scotland, Wales, and Northern Ireland, but particularly Scotland through an existential referendum. It is quite extraordinary how little Whitehall understood about its own country. I think that remains the case today, in terms of the different elements that make up the United Kingdom.

But I think, for the EU referendum, we – and I include myself in this – just did not understand deeply enough the pressures in the country that led to the

outcome that we had. It took us by surprise because we did not spend time in town halls in Wakefield or Gateshead or wherever, to just get a better feel for where the population was at. We were detached. That, I think, is a failure of the civil service. It has become disassociated, if you like, from its own country. That may be true of civil services across the world. I suspect not to the extent it is in the UK.

It's just extraordinary. I've sat in a lot of Wednesday morning colleague meetings. I've sat in a lot of Whitehall meetings and lots of conversations about disadvantage, homelessness, about the work that was done on something like the 'Race Disparity Audit', people understanding the problem from that perspective. But what I don't think we understood or managed to do is to relate that understanding of the policy problems to the political context. I think that is made a lot more difficult if you have no experience – personal experience – of that political context yourself. MPs have that because they have surgeries, but Whitehall, in contrast to the devolved administrations, is quite detached from the political process.

One of the things I remarked on when I came south was that I went into what became (the Department for Business, Energy & Industrial Strategy) BEIS, and I found it quite extraordinary how little attention was paid to that big building, like a couple of hundred yards away. It was like most people thought 'We get a PQ once every six months,' and that was about the extent of the engagement.

Whereas, of course, in Edinburgh you go for a meeting with a minister in the Scottish Parliament, you go for a coffee under the upturned boats and the Opposition MPs would wander in and say: 'How are you doing? What's up with you now?' You're far more in a political milieu, which gives you a better sense of how the politics is playing out. The civil service didn't allow itself to get into that more speculative political space, because I don't think it had confidence that it understood that political space.