

David Frost



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Chief Negotiator for Exiting the European Union July 2019
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This is a transcript of a conversation between Professor Anand Menon and Lord David Frost CMG, recorded on 24 June 2021 as part of the UK in a Changing Europe's 'Brexit: Five Years On' series marking five years since the 2016 EU referendum.

Reflections on the negotiations

Anand Menon (AM): I want to start off with a bit of history, just to talk about your experience with the negotiation of the Trade and Cooperation Agreement. First and foremost, was there a point in 2020 when you thought you wouldn't be able to secure a deal?

David Frost (DF): Yes, quite a lot of points, actually, if I am honest. I think obviously the pandemic itself hit us quite badly, and we all wondered whether it was going to be possible to do a negotiation by Zoom or whatever at all. We subsequently discovered we could, as we put things back together.

I suppose there was a moment in October where it did sort of break down. There was a moment, if you remember, when Michel Barnier was expecting to come to London. We said to him there wasn't much point because we seemed to have reached a point of nothing to talk about. That seemed to be quite a difficult moment, but we picked it up again.

Actually, I would say even as late as the last day, it was not certain, even

having done 99% of the work, whether we would do the final 1%. But I think we did prove you can do it in these very challenging conditions, even though I would say I think you lose something in terms of informal contact and the ability to talk things through in a normal way with the other negotiating team. I think some of what looks a bit like friction and some of the jarring can probably be put down to that during the year. The ability to defuse things and move on, that is much harder over Zoom.

AM: There are people who say that one of the reasons why you succeeded where Theresa May failed, in the sense of getting a deal that would actually secure the agreement of the British Parliament, is that you were tougher. Looking back on the previous regime, do you think they weren't tough enough? Do you think that was the secret, or was it simply that you had a different set of asks which the EU was more able to give?

DF: Yes. I mean, we had the advantage last year, in 2020, that obviously the Government had just won a big majority on a very clear set of propositions about how the Brexit process ought to be done and concluded, and a very clear vision about what the future relationship should be like. In a sense, it was very possible to be tough on that basis.

We were always clear that if we couldn't reach an agreement, that was life, and we were trying very hard, but it might not be possible. I think the credible walk away option was really important in 2020, and that was obviously an advantage we had that predecessors didn't have.

Even the 3 months in 2019, where we concluded the Withdrawal Agreement, I think was different. We were still within the EU at the time. Domestic politics was difficult. We had the Benn-Burt Act and all of that. We didn't even then have a credible walk away option.

But I think we were clear. It was more difficult to be tough, but we were at least clear in what we wanted in the second half of 2019, and tried to get there.

Our predecessors had lots of disadvantages. I think there was obviously no agreement domestically on what sort of Brexit ought to be pursued, and that became increasingly obvious. That obviously makes life difficult.

I wonder how tough they really wanted to be at times, I suppose I kind of question that, but I think the biggest problem they had was, in my view, a set of intellectual errors around the Ireland-Northern Ireland issue and the nature of the border. That seems to have led to the conclusion that alignment was the only way of solving these problems and, hence, took you in a direction that ended up with being part of the customs union, the Single Market and the backstop and all of that.

I think that was the core of their problem. Not so much just banging the table, but the intellectual underpinnings took a diversion at one point and led them to a proposition that couldn't be sustained politically, as became obvious.

AM: We will come back to the protocol, I suspect. But just in terms of the negotiation, you have worked with the European Union, you were in UKRep, if I remember rightly, for a while.

You said in front of the Foreign Affairs Committee the other day that you had expected the EU to prove to be more flexible in some areas than they ultimately proved to be. Overall, were you surprised by the way the European Union acted and approached the negotiations? Did you think they would do it in a slightly different way than how they ultimately did?

DF: Surprised is the wrong word. I think I got the impression, and the EU may tell you this is wrong, but it certainly seemed to us that they hadn't swept away the cobwebs of the process that led to the departure of the previous Prime Minister and the policy that had underpinned that. There were still quite a lot of relics of that around, and there was an assumption that we were the weaker party and would have to accept certain things if we wanted an agreement.

It felt like there was an assumption that we would wish to be closely aligned and would make certain sacrifices, if you like, to achieve that. I think it took time for them to realise that that wasn't the case.

We still, at times in the negotiations, had propositions of policies attributed to us that weren't actually our policies but were the policies of the previous team. That is what surprised me.

The EU are very tough, obviously. They take positions and stick to them, that is

read, but it seemed to take them longer to move on and deal with us, on the basis of what we were saying and doing and the propositions we were advancing, than I thought. I felt we lost a bit of time for that reason.

The principles underpinning Brexit

Anand Menon (AM): One of the things that struck me when you made your speech in Brussels in February 2020 was, I remember, heated debates about whether you meant it or not in the pages of the newspapers.

Did you find that during the negotiations you would say, 'This is our position', and the retort would be, 'Well, you can't mean that, what you say about alignment'? Did you find that people took that with a pinch of salt and didn't take it as a statement of principle?

David Frost (DF): I think so. I don't think I ever heard anyone say to us, 'We don't believe you', it was never quite as stark as that, but I do think that there were lots of unspoken assumptions, which the speech was designed to dispel to some extent, or at least try to dispel.

I think there was perhaps an assumption that a political debate was still going on in the UK, in the way that it just wasn't, and that certain questions were settled and that there was political pressure on us which didn't exist any longer.

I think there was just some of that intellectual hangover, and that did get dispelled. Possibly the pandemic getting in the way is part of the reason why it took some time, but it did take a bit of time.

AM: Was there any sense at all in which you felt uncomfortable giving that speech? It was a slightly odd situation, because you were a special adviser at the time, and you went to Brussels and gave a substantive policy speech.

What was the thinking behind that, and did it make you feel slightly uneasy to be put in that position?

DF: No, I quite enjoyed it, actually. I think it is an unusual thing for a special adviser to do, but, equally, I was the chief negotiator, people knew who I was,

and Michel Barnier was travelling Europe and giving speeches from time to time about how the EU saw things. We felt that we shouldn't try and be parallel to that, but we should set out our case in a kind of intellectual way that people should engage with.

For various reasons, people felt I was the best person to do that. It is, to some extent, a personal speech, kind of about me, as well as the vision for Brexit and some of the justifications for Brexit that I thought people hadn't heard in those terms, or had just dismissed.

It was expressed in quite stark terms, and people picked it up, but I like to think it affected judgements about us a bit. I reread it before coming here today, and I think a lot of it still stands up, as a proposition about where the country is going.

AM: And I would assume that the Prime Minister had known what you were going to say?

DF: Yes, absolutely. Although, I have got to say, I find on these questions he and I think in very similar ways. It wasn't a laborious process, agreeing that speech.

AM: If we can just spend a bit of time on the substance of that speech, the first thing I would say is that you were almost one of the first in government to admit that there might be trade-offs involved in this.

You said that, 'We are not frightened by suggestions that there is going to be friction, that there are going to be greater barriers, and we have factored that in.'

Was that an important part of the process for you? Did you see accepting trade-offs as inherent in the Brexit process, even if only to start with? Would it have been easier if your predecessors had been as forthcoming about the trade-offs, I suppose, is the follow-on?

DF: I think they were maybe not as forthcoming, but a set of trade-offs clearly underpinned the Government's position in 2016 to 2019. I think it was just there were different assumptions about them, and they came to a different

position about what made sense for the country. It wasn't one that we agreed with, but that sort of judgement was obviously being made.

I think it is really important just to be honest about these things. You can't construct an intellectual case on propositions that don't quite stack up. It is obvious, as I said, that there is- I would say it's pretty low- cost to leaving the customs union, and it is outweighed by the ability to control your own terms of trade and your own legislation. I believe that to be true.

If you look at successful states around the world, they are not all part of multinational semi-political unions. They achieve things on their own, and I believe as a proposition that a nation state, organising its own rules in the way that suits it best, underpinned by genuine democracy, is the best form of successful social organisation we have found, and I think we are going to show that.

AM: I am going to stick to the economic side of it rather than the political-democratic side. There are two things there; there is being in charge of your own trade and those regulatory aspects.

Obviously, we have government forecasts that stress that trade deals with the rest of the world simply would not replace lost trade with the European Union and, I am sorry to do this to you, I have just read a piece you wrote for Portland in 2016, where you seem to suggest very much the same thing.

Do you think that is true? We might be able trade differently, we might have more freedom to create trade deals that suit us rather than having to negotiate them as part of the European Union, but surely there is no way that whatever we do in terms of trade deals, it is going to compensate for the lost trade with our nearest and largest trading partner?

DF: I wouldn't look at it like that, I suppose is my answer. We don't know yet what the effect on trade of leaving the customs union, or the Single Market, is going to be. There is a lot happening at the moment and it is difficult to make sense of the figures, but I am much more optimistic than many people.

Trade depends on growth, as well as proximity and trade arrangements, and other parts of the world are growing much faster than the European Union.

There has been a persistent rebalancing of our trade in the last 15, 20 years away from the European Union towards the rest of the world for that reason. I am sure that is going to continue in the new environment.

If you are talking in a simple way, a crude way, about replacement, I think it probably will happen over time. Also, you can't look just at trade flows in isolation. You are looking at investment, you are looking at other kinds of financial flows, and simply looking at shares and trade doesn't capture it.

What we need to do, and what we will do, is make the country even more of a magnet for investment than it is already, and that will show up in different ways in the trade figures. But the important thing is being a magnet for investment and domestic growth.

Finally, I would say what matters is domestic productivity leading into growth, and trade is obviously a factor in generating productivity. It isn't the only part of it, and your control over your own rules and legislation, over ways of doing things, is a powerful way of improving your own productivity if you wish to use it that way. That is what I hope we will do.

AM: I am going to come on to regulation. Just one more thing on trade, which is something I genuinely don't understand about this argument, is that history suggests that geography is a primary determinant of trade patterns. Yes, Asia is growing faster than Europe, but Asia is an awful long way away and the trade we do with China amounts to a fraction of the trade we do with the European Union.

Why should a cynic believe that we are going to buck the trend that history makes so apparent and suddenly start trading a lot more with countries a long way away than we do with countries on our doorstep?

DF: I suppose it depends how big a sweep of history is, because you go back 50 years and the trade patterns were very different. A lot of what we see now is the function of being part of a customs union and the trade diversion that has arguably gone with that.

These things change all the time. Our trade with the EU has not disappeared. It is still a substantial chunk of our trade, and we are talking about marginal

changes annually that tend to go in one direction rather than another.

So, yes, geography counts, but growth counts. Trade in services is relatively indifferent to geography, and there are lots of other things going on. So, I just resist the simple analysis that this is all about trade figures. I think there is just much more to it, and you have to look at it in that broader way.

AM: You talk a lot – you hinted at it quite strongly in that Brussels speech again – about how being able to set your own rules is absolutely fundamental, both in terms of democratic principles, but also in terms of being able to address those issues of things like productivity, which you spoke about.

One obvious question is that there has been little sign of a plan. I know there has been a pandemic, but shouldn't we have the right to think that the Government has a very clear idea of what those regulatory opportunities are? Why haven't we seen more of a hint of them?

DF: I think it is more than just regulation. I would say it is wider tools. I think you are being a bit unfair to us; even if we haven't dressed it up in a 'five-year plan' style that everyone can come and look at, we have done quite a lot.

We have set out changes to our agriculture, for example, which was one of the big problems of being in the EU. We have control of our own immigration, which has quite significant economic effects, in different directions. In the current session, we are changing state aid rules we have inherited, so they are more flexible, and more easily used. We are changing our procurement rules so that, again, they are more flexible, and we are not bound by the process we have inherited from the EU. We have developed the Freeport programme with the underpinnings in different ways that will go with that.

I think there is stuff happening, and quite a lot already that is making the country begin to feel quite different. One of my jobs, with my non-negotiation Brexit opportunities hat on, is to make sure that we have sufficient energy behind what comes beyond that, into the third and fourth session of Parliament, and keeps drive for reform going.

AM: Just one follow-up on that- of all those things you cite, is there any that is really going to be a game changer in terms of boosting our productivity? I can

see why the North East might welcome having a freeport, though I am not convinced about the aggregate impacts of it, but what is the stuff that is going to fundamentally change the story of relatively lagging British productivity compared to that of our neighbours and competitors?

DF: That is obviously a bigger problem. Some of that has been in our own hands. Some of it has been set by the EU rules. We know we have got a problem with skills. We have had one for the best part of 100 years in the UK, and we are putting in place stuff to try and deal with that, but these things do have very slow pay-offs, obviously, but it doesn't mean they aren't still the right thing to do.

One of the problems of EU membership, and it is almost a psychological problem, was that there was a sort of failure of will a bit. We got used to having rules set by others. We got used to thinking solutions to our problems were not to be found within the borders of the country but had to be done in some other way. I think, somehow, we had lost our energy a bit in large areas that were not EU competences and where we could, in theory, have done things. Actually, I think we lost some of that energy and drive to find solutions.

I think that is some of what we will get back after Brexit, even in areas that have always been in our control. That is why I do think this point about democracy and control is, actually, really important. It isn't just about pure analysis of the economy. Political economy, animal spirits, all those sorts of things make for successful economies.

The future of UK-EU relations

Anand Menon (AM): Do you agree with a lot of the commentators who now are saying that an equivalence agreement on financial services is unlikely?

David Frost (DF): It is not my absolute specialist area, but I think financial service equivalence is not one thing. It is a set of potential equivalences, and some of those are in place because they are systemically important to both parties. We have granted a particular pattern of equivalence, and we are still waiting for the EU on some things.

I think we are waiting to see what they do. It is realistic to assume that,

probably, we are not going to get equivalence in every area, given the atmospherics coming out of Brussels, but I think the City feels pretty confident about that and, again, in general, believes that control of our own financial services rules and the dynamism and ability to experiment that comes with that is going to be more important, if it comes to it.

AM: Do the atmospherics with the European Union trouble you at all? It is not a state secret to say that relations within the UK and the EU have been better in the past and are quite tense in many ways now.

Isn't that something that concerns you in, just in terms of our ability to work with our neighbours? Do you think that might end up being problematic?

DF: As I said last week in another speech, I don't think those who campaigned five years ago for Brexit drove the analysis, or drove the politics of it. I think they would have been surprised- I think they are surprised quite often- to find relations are in the state they are in. We genuinely didn't think this; we genuinely didn't want this.

The vision is of a free trading, sovereign Britain that is friendly with its neighbours, and it seems to have been more difficult to get there than we thought. The history and the process of the last few years probably weighs a bit on that, but it is not where we want to be. We absolutely do want friendly relations and to mutual profit.

One difference, perhaps, is that we see competition and doing things differently as a good thing, and a good thing for the whole of Europe, and not just for us, because the ability to experiment and learn from others' experience is quite important. I am not sure everybody in the EU sees it like that. Some certainly do. I think that is part of the reason why there is a bit of friction.

Until we settle the Northern Ireland issue and put in place a new balance, or the right balance, I think it is going to be difficult to get relations onto the right footing that we want, but we absolutely do want that. It is absolutely not part of the plan to be bickering with the EU, and I hope it isn't part of their long-term plan either.

AM: We will come on to sausages in a minute, but more generally on the

protocol to start with, I suppose there are two questions. The first is, to play devil's advocate, is it surprising that relations are tense when we threatened to tear up an agreement that we had signed only a year before, via the Internal Market Bill? Is it a surprise that they say they have lost trust in us?

DF: I don't want to rerun the arguments about the Internal Markets Act, which were all talked through at the time, though I do think some of the things the EU has said and done since the beginning of this year have vindicated some of the concerns we had at the time, though that is water under the bridge now.

I think the concern we have about where things stand now is obviously that the EU, through its own intervention in Northern Ireland, has created a political situation that is new and difficult to manage and causing problems. I do think that they are a little bit too swift to resort to threats of various kinds for problems, in a way that we are not, I don't think. That is also problematic.

I definitely don't agree with this analysis that the trust problem is all one-sided. Obviously, you wouldn't expect me to, but I genuinely don't think it is.

AM: By the same token, isn't talking about the possibility of using Article 16 a threat?

DF: Article 16 is a perfectly legitimate part of the protocol, where the reasons for its use are set out clearly. As far as I am aware, the EU hasn't taken off the table their threat to use Article 16 if they needed to either in Northern Ireland. They haven't renounced it, even if it is not being used at the moment, and they are right not to renounce it because it is part of the protocol, and we wouldn't expect that.

Article 16 is there for a reason. It is in case we see societal or economic difficulties, trade diversion and so on, and I think we are seeing some of those things.

AM: Before we get onto the- I was going to say the meat, which is a bad way of putting it- the substance, are you concerned about potential damage to the UK's international reputation because of our apparent willingness to go back on agreements we have signed, to potentially break international law, albeit in limited circumstances?

Does it worry you that it ruins or spoils or undermines our reputation, particularly at a time when one of the key planks of 'Global Britain' seems to be to portray us as a country that is a defender of the liberal, rules-based international order?

DF: It would worry me if I thought it was the case, but I don't think it is the case. I don't think that people see us in that way at all. I didn't see it come out of the G7 summit; I didn't see it come out of the discussions around it. We are a huge contributor to global security, global public goods, in all kinds of ways.

I think there is a tendency to be mesmerised by the minutiae of actions on Northern Ireland, but I just reject the proposition that extending a grace period for the paperwork that goes with parcels makes you an international problem state. I just think that is a totally disproportionate reaction to what is going on here.

AM: But a government minister did stand up in front of Parliament and say that a bill would break international law in a specific and limited way, didn't he?

DF: He did stand up and do that, and that was very much debated at the time. Those clauses, for wider reasons, haven't become law in the UK. We had hoped to move on from all of that, but, obviously, what the EU did on vaccines and Article 16 in January has produced a new situation in Northern Ireland that we are trying to deal with in as responsible and constructive a way as possible, which we would like to have a pragmatic and constructive partner on.

The Northern Ireland protocol

Anand Menon (AM): Turning to the protocol, you have said that the problem isn't the protocol itself, but the way the EU is implementing it. Is a logical interpretation of that that they aren't operating within the rules somehow? If they are operating within the rules, then surely the problem is the protocol.

David Frost (DF): I think, first of all, the protocol is a purposive agreement. It is designed to deal with a specific problem, which is quite unusual, a delicate political situation which I won't go into. It is designed to support the Good Friday agreement; it is designed to keep everyday lives as unchanged as possible in Northern Ireland.

I think if the implementation of the protocol, however correct one side may feel it is, is actually undermining those purposes, then it is undermining the protocol. It may not be illegal, but it is not supporting what we are trying to do here. I think that is one problem.

I think the second is that the protocol is not a clear, black and white document in every area. The way it was agreed left quite a lot to be sorted out subsequently, and there is quite a lot of margin of appreciation and provisions that have to be read together.

For example, in Article 5 it says at one point the provisions of the Union Customs Code should apply, and then in Article 6 it says we should all do our best to minimise checks and controls in the ports of Northern Ireland. You have to read those two things together; you can't just look at the first. You have got to read both of them. There is a margin of appreciation here.

There is a kind of purpose to it, that if you are undermining the logic of it, then you are not working within the spirit of the protocol. I think that is the difficulty we have got. Something can be sort of legal but not consistent with what we are trying to do, and that, I suppose, is what we are trying to get across.

AM: One of the other things you have suggested that caused a bit of a stir, I think it might have been in the *Financial Times*, was that one of the reasons why there is an unhappiness with the protocol is because the British government underestimated what sort of impact it would have on the movement of goods to Northern Ireland. Isn't that something we should have anticipated?

DF: I don't see what is wrong with learning from experience, is my first point. This is a very unusual agreement, and we have learned a lot about how economic actors behave and incentives in the last few months. It would be surprising if we could have predicted those things. So, I don't see what is wrong with learning from experience on that.

I think the FT article slightly is more black and white than I would have wanted to get across. For reasons best known to themselves, the FT wouldn't use the phrase I originally used, which is a 'chilling effect' rather than effect. We underestimated the chilling effects of movement from GB, on movements from

GB to Northern Ireland.

We knew there would be an effect. What surprised us is how strong the disincentive was and how quickly it came to be applied. I think the politics of the situation generated in Northern Ireland since January is part of that effect.

I suppose the last thing I would say is that we foresaw some of these problems. We foresaw that this is a very unusual piece of treaty-making, and that is why we built in the consent arrangements. We could see that some of this was only going to be sustainable with the explicit consent of Northern Ireland's political representatives, and that ended up being a vote in four years' time.

This sense that we have done something unusual here to deal with a special circumstance, but it had to be underpinned by a consent arrangement, is very important to the whole thing. The whole protocol can only really operate well if both communities in Northern Ireland have bought into it, and, clearly, at the moment they haven't both done so.

AM: Was there a point at which you considered going to the European Union and rather than saying, 'Look, you are being ridiculous, you are being legalistic, you need to be more flexible to make this work'" actually saying, 'We fundamentally underestimated the impact that this would have on trade from GB. Is there any way we can sit down and try and resolve this?'. It seems to me that might have led to a better tone in the negotiations, if nothing else.

DF: I think we have tried to do that, to be honest. We have put in a dozen or so papers to the EU on various aspects of the problem, including some quite fundamental ones. An SPS equivalence arrangement, for example, a trusted trader scheme, arrangements to make the UK Trader Service work better, and solutions on medicines and so on.

We are trying to find solutions here. It is not always visible, in the public gaze, and we haven't had a huge amount back from the EU. But we are trying to get into problem-solving, and I guess our frustration is that we don't seem to be able to get a discussion going on that. Meanwhile, obviously politics in Northern Ireland is taking its own course, and that is part of the situation we have to deal with.

AM: Would it really represent a dramatic infringement of British sovereignty for us to sign up to alignment on veterinary rules with the European Union?

DF: I guess it depends on your definition of dramatic. Having control of your own SPS and agri-food rules is pretty important in free trade agreements nowadays. They are obviously a pretty central part of it, and it is difficult to see why third countries would reach agreements with us if our rules could change randomly at the behest of a third party.

I don't think it is quite as minor as people say sometimes. We aspire to have top-class SPS and agri-food rules, and that may take us in a different direction to the EU over time, it may not. But it comes back to the point I made about having control of your own rules being important; it is important and is connected to other things we are trying to do.

The proposition we are trying to advance is that both sides have extremely high standards and, therefore, it doesn't make sense to treat movements from GB to Northern Ireland as if that was crossing any other external border of the EU. It just isn't like that.

AM: On those trade points specifically, if, as I think is the case, the EU were willing to make this a short-term deal that we could revisit in the event that we needed to change our standards to accommodate a negotiation with a third party, that is problem solved short-term, isn't it, at the very least?

DF: We already have, in principle, the trade agreement with a third party, i.e. Australia. We hope to get some more during the year. We are very ambitious about CPTPP membership. So, I think the short term might turn out to be quite short term. That is the problem.

There is also a kind of political economy problem, which is that once you have decided to align, all the pressures are to remain aligned and not cause difficulties by un-aligning. That would be a worry for us to take into trade agreements. We have to have control, so that we can be genuinely equal when we do these negotiations.

AM: You have described the EU as being extremely legally purist, but you can see why their retort is that we are extremely politically purist. There are two

purisms standing off against each other; there is a sovereignty one and there is a legal one.

DF: I think all we are asking for is what every other country in the world has, which, unless you are a member of the European Union, is control of your own laws and your own ways of doing things. We have done something pretty exceptional in Northern Ireland. It is a massive compromise which we are willing to make in the interests of the peace process and the Good Friday agreement, and rightly so.

But it is a bit hard for that then to be exploited, to suggest the only way forward is for us to accept a set of rules which we ourselves have no say in. I just think that is not a feasible political direction to go in for an independent country, and we have to find some other way of managing this.

AM: What do you take the phrase ‘sovereign equals’ to mean?

DF: I am intrigued by the way people comment on this so much. When we first started using it, I just regarded it as a sort of statement of fact, that every independent state is sovereign. That is a fairly fundamental thing about international law, and the EU doesn’t use the word ‘sovereign’ in quite the same way. It tends to talk about autonomy, but I think it means the same things that we mean by sovereignty- deciding your own decisions, in your own interest, without a legal requirement imposed on you by some third party.

In that sense, we are sovereign equals. Obviously, we are not equal in other ways. The EU economy is a lot bigger than ours. That is just a statement of fact, but it doesn’t mean that as international actors we are both equal. For some of the reasons I was talking about earlier, we just felt it was important to situate that and make sure it is understood.

I do find it intriguing that so many people seem think it jars in international relations. I am not sure it does jar outside Europe very much, to be honest, to talk about sovereign countries. I think it is a Europe thing.

AM: I am no lawyer, but the pedant inside me wonders whether you shouldn’t have just said ‘equally sovereign’.

DF: That might have been okay. We just came up with a form of words and stuck to it, because it expressed something that we felt was important. I think when it is said, when the concept has been picked up between us and the EU, we mean the same things by autonomy and sovereignty. I don't think it is particularly controversial.

I am genuinely intrigued as to why a lot of people think it is controversial, or jars in some way with international norms, because I just don't see it.

Government and the civil service

Anand Menon (AM): Just a little bit on the workings of government. I suppose the first thing is, you now have a bird's eye view of the workings of government. Has there been anything about it that has surprised you, relative to what you might have expected when you were, say, sitting in the Foreign Office, in your previous career?

David Frost (DF): I have only been a minister for three or four months, but I can already see- this is a personal reflection- that being a minister is different to being an official or even a special adviser. You are not part of the bureaucratic system in quite the same way. You are screened from things in certain ways. Certain processes go on without you.

It is very important to give clear direction so that all those processes can operate, knowing what you want to do. I think that is something that I knew intellectually, but it is very obvious when you are sitting here doing it. Having been an insider in government for 30 years, how government works does depend on clarity of aim, objectives and ability to bring people along with you, and I think that is true wherever you are sitting, really.

AM: Did you have any momentary doubts when the Prime Minister asked you to take centre stage in the Brexit negotiations?

DF: Yes, I think I would have been foolish if I hadn't interrogated myself on the question. I thought I had left government. I had left government once and come back with the now Prime Minister into the Foreign Office, and then left again. When I came back that time in 2019, there was only one job I wanted to do, and the PM was kind enough to offer it me, which was chief negotiator.

A lot of friends and colleagues said, 'You should do it', so that reinforced me in it. But I think, as I was saying, moving on from that to be a minister is a different kind of thing. But, again, I was persuaded that people thought I was the right person.

I feel we have achieved a lot in this field in the last 18 months. Agree with it or disagree with it, we have definitely achieved a lot of things that a lot of people said couldn't be achieved. That is why I am encouraged that we can take this forward.

AM: There was a delicious moment then, where I thought you were going to say, 'There was only one job I wanted to do, and PM was it'.

You are a former civil servant, and you know that there are those around this government who think that there is a pro-Remain bias amongst the Civil Service and this affects their ability to do their job. Do you agree on either of those counts?

DF: Yes and no, I guess, is the honest answer. The first point I would say is that this is all receding now, rapidly, in the rear mirror, whether people supported Remain or Leave and attitudes to it. That does feel like a debate that has happened.

I think it is reasonable to say, though obviously I don't know everyone's personal views, that the civil service is drawn from particular groups in society, and those groups, the polling evidence suggests, tended to vote Remain rather than Leave. In a way, it is not that surprising that you see that as part of the current.

I found very few cases where people let that interfere in what they were doing day-to-day. I wouldn't say it never happened, but I think, professionally, the organisation has stood up really pretty well to the pressures. Certainly, I have no complaints since I came back in.

I think I would say three things perhaps. One, I do think the Civil Service has gradually gained enthusiasm for the possibilities of an independent Britain. It comes back a bit to the point I was making earlier, that taking back control means something. The Civil Service, as a bureaucracy, can get things done,

and I think the possibilities of that are beginning to intrigue people.

I think if I would say the Civil Service has a bias, it is a bias to being nice to people, and maybe that is a very English thing. Sometimes I feel we could be, and we try to be, just a bit clearer, just a bit firmer, just a bit more unambiguous, even though there is a price of upsetting the people we are talking to, because it helps to be clear, and people know where you are coming from.

Sometimes people want to find solutions, but sometimes being clear about the problem is the first step to finding a solution. If there is a bias, I would say there is some of that.

Maybe the last thing, I think I have noticed, and I won't name colleagues in this, that colleagues who have begun the process of negotiations with me at some point with a relatively positive view about the EU and how it works have been radicalised in the process of doing the negotiations.

We have been clear at times that some of the things that have been said and done in the negotiations have surprised us, and I think it surprised some of the team as well.

I do think all that is a slightly long-winded way of saying I think there has been a learning process. I personally have got no complaints, but I do think that some of the natural 'déformation professionnelle', if you like, has changed, and are continuing to change as the situation of the country changes. That is probably the fairest assessment I could give.

Global Britain and the future of Brexit

Anand Menon (AM): What is the relationship in your mind between Brexit and 'Global Britain'? More specifically, what is 'Global Britain' and to what extent has it depended on Brexit first? Because we had an independent foreign policy as a member state, didn't we?

David Frost (DF): Yes, to a large extent. I do think it was a bit captured by the point I made earlier, that we had got used to not devising solutions for ourselves and not used to thinking hard about the world and what was in our

interests, but rather getting lost in a slightly mushy multilateralism where we spent all that time consulting and worrying about process and the system, rather than thinking about outcomes.

I think what we tried to do, and the Integrated Review that we produced earlier this year that the brilliant John Bew had a very strong hand in, though many others did too, was an attempt to bring some clarity of thought.

So I would say 'Global Britain', to me, one of its meanings is about clarity of thought about our interests. How the world should work, where we find our alliances, where we invest our effort and what a country like us can do. I think we have seen some of it already. The efforts on sanctions, the values of diplomacy that I think has come out much more strongly than many people thought it might do, and the clarity about some of the propositions we are trying to advance. But, obviously, there is a long way to go, and events in foreign policy shape it hugely.

AM: Did the G7 meeting not suggest that it would be easier to achieve the objectives of Global Britain if we had good relations with the European Union, if they were less prickly?

DF: I didn't feel that about the G7, when I was there for the summit. As is known, Northern Ireland, to which I think you are alluding, came up in some of the bilateral conversations. But, in general, it was a very purposive summit on which we had to put forward and tried to develop some quite ambitious policy propositions that, to a large extent, found their way through into the conclusions.

I think G7 with the extra guests vindicates what we have done, rather than undermining it.

AM: Do you think the Trade and Cooperation Agreement is a basis for a stable, long-term relationship? My colleague, Catherine Barnard, has put a question in, for instance, asking about what the strategic objectives of the service provisions in the TCA were. Do you think things like that, we might have to revisit, as there is so little, apart from a little carve-out for lawyers, on services in that agreement?

DF: As a general proposition, the TCA is a stable document and a stable arrangement. I don't think our first recourse is to think about areas where it can be improved or developed. I think it is an incredibly broad document and covers an incredibly large number of things, and I think making it work as it should be the focus of the efforts, rather than immediately revisiting it.

As I think is known, in the negotiations there are things we would like to have achieved that we didn't get. A more streamlined process on qualifications, for example. Obviously, we would have liked better Mode 4 arrangements and work permits and so on. Maybe we will have to pursue some of those in other ways. But, as a general proposition, I think it is what it is. It is an incredibly rich basis for collaboration, and can frame lots of different kinds of positive activity.

AM: I detect a bit of parental pride about the agreement there. In 10 years' time, how would we know if Brexit had been a success or not?

DF: I think the first thing I would say is that we have settled into a more normal relationship with the EU than the one we have at the moment, more friendly and normal. It will be one where we have gone our own way in a large number of areas, I think, and succeeded in doing so.

Maybe some of the EU will have followed us in certain areas, and maybe we will have learned from the EU in some areas as well, but where there is a more natural learning and policy development process, which isn't too ideological, I think is one where we are still a major global player and influencing things in our own right, making things happen rather than being a policy taker in foreign affairs.

I would say it is a situation where nobody is seriously questioning Brexit, where it was self-evidently the right thing to do, the country feels comfortable with it, and the world has moved on. I think all those are perfectly achievable objectives, and I think we will get to them.

AM: I get that one element of this is simply the fact of being able to do things of our own volition that maybe we couldn't do before, but in slightly more specific terms, if in five or ten years' time a Leave voter said to you, 'What has Brexit done for me?', what can you name, if anything? To say, 'Come back in five years and judge us on this'.

DF: I think that is important. I would say some of the political and psychological benefits of Brexit are very important to everybody living in a democracy, where you can change your government and every policy of that government can change overnight. Is a very important thing.

The fact that that hasn't been possible for the best part of 50 years is, I think, one of the reasons why so many people felt switched off from the political process. I think that factor, living in a democracy where everything can change and everybody can influence things, is a really important benefit.

If you are looking at the economic side of it, I hope we will have seen more openness in the country, different patterns of trade, cheaper products, wider ranges of products. I hope we will have seen some of the levelling up that we are trying to pursue, where the country feels a bit different and the economic geography of the country has changed somewhat, in a way that didn't seem possible when we were EU members.

AM: That didn't seem possible when we were EU members, or simply didn't occur to people when we were EU members?

DF: I think it is hard to argue that EU membership did not reinforce the pull to the South East, which is already pretty strong. It has been a feature of British economic geography for 200 years, but I think EU membership reinforced it and the process of specialisation in the Single Market also took away some industries which, in other conditions, might have survived.

I think having control, having levers, having ability to shape these things, not in a dirigiste, directive way because I am very much against that, but setting up the right sorts of incentives, the right kind of encouragement, means government could do a lot to shape those things.

I think we had slightly lost the will to do some of them as an EU member, and we now have to. I think one of the most important things about Brexit is we now stand or fall on our own ability. We have to take the decisions that affect the outcomes. People have to engage in those. We are on our own now, and we have to make the right decisions. I think we will, but I think that is really important to our future as a country.

AM: Well, I hope you will come back in a year or so's time, maybe in person, and we can do this again and we can do a progress check. But a final question- just out of interest, are you enjoying politics, and do you envisage staying in it for the foreseeable? Is this what you want to do with your life now?

DF: I would say I came back into government to do one thing and one job, and that job has expanded slightly. The nature of it has become ministerial, but that is what I am interested in, that is what I came to do, and I am not really interested in doing anything else.

If I feel that somebody else could do it better, I won't have any difficulty in moving on. So, I am in a position where I think I have achieved, as it were, everything I can in the political world, and that is what I wanted to do. I have the freedoms and circumscriptions that go with that situation.