

Sammy Wilson

DUP Member of Parliament for East Antrim May 2005 – Present
MLA for East Antrim November 2003 – August 2015

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The referendum

UK in a Changing Europe (UKICE): How long have you been a Eurosceptic, and why?

Sammy Wilson (SW): One of the first political campaigns I was involved in was the campaign against the referendum to join the European Union. I always had difficulties with the whole idea of giving over a country's sovereignty to another entity. I always had difficulty with the idea that somehow or other, you can devise policies which impact a wide range of countries which have all got different constitutional arrangements, different stages of economic development, different political outlooks, and also different industrial structures. It just struck me that it was never, ever a feasible model to have.

Then, of course, from a Northern Ireland point of view, we always felt that there was a degree of hostility towards the union, and a greater sympathy for the Nationalist view of what should happen in Northern Ireland within the EU. For all those reasons, from the very start, I was opposed to it.

As an economics teacher, I used to highlight the problems, especially as the European Union got bigger, of having a one-size-fits-all policy. Of course, once you tried to have greater fiscal and monetary union, we saw the impact that that had on some of the weaker countries in Europe. What suited Germany

and France was never going to suit Italy and some of the Eastern European countries.

Of course, we saw exactly that problem when we dropped out of the Exchange Rate Mechanism, because we were trying to tie the pound to an exchange rate which really wasn't feasible, given some of the economic difficulties that our own economy was facing at that time.

UKICE: Within the DUP, what was the process for deciding that the party would support Brexit? What was the split within the party, in terms of people who wanted to back Brexit and people who didn't, both in Northern Ireland and in Westminster?

SW: I think the only person of any prominence who supported remaining in the EU who I know of was the guy who took over from me as Finance Minister and is now the head of the Chamber of Commerce in Northern Ireland, Simon Hamilton. But he never really argued much within the party. I think he accepted that 99% of the party are supportive of leaving the European Union, and that that was the party view and didn't really make much noise about it.

UKICE: Was there a detailed discussion, pre-referendum, about what Brexit would mean, both in terms of what leaving would look like – Single Market, customs union – and what the implications for Northern Ireland might be?

SW: Yes, there was a lot of discussion in the media here, as well. Funnily enough, the whole emphasis during the Brexit debate was about the movement of people rather than the movement of goods. I took part in most of the Brexit debates that there were with the BBC and other media outlets, and also at a number of venues where there were discussions with people.

The concern always was that, if we left the European Union, then could you have free movement of people across the border? That was important for people within the Nationalist community who did not want to have physical impediments. It was also important, I suppose, for a lot of people who were engaged in employment in the Irish Republic, or vice versa. Indeed, we had a fairly integrated arrangement with the Irish Republic when it came to, for example, some health issues. When I was Finance Minister, we did a joint venture with the Irish Republic to have a cancer centre in Londonderry. They

paid half of it, we paid half of it, and it saved us duplicating services in a fairly remote area in the northwest of the island.

There were concerns with Brexit that the freedom to move across the border, and benefit from those services and from the social contact and the employment arrangements, that would be disturbed.

Of course, the argument that we always made was that the Common Travel Area preceded our membership of the European Union. There was, therefore, no need to be concerned about the free movement of people across the border.

The other thing was that the movement of goods only became an issue after the referendum and when it came to the negotiations. I believe that that was partly due to the duplicity of the Prime Minister at that stage, who, while she claimed to be a Brexiteer, was very keen to keep as close to Europe as possible and was looking for ways to stay within the Single Market and the customs union.

At that stage, the movement of goods across the Irish border, and the implications that might have for the Belfast Agreement, became a prominent issue.

The argument always was, 'Should you stay in the Single Market?', because that was the big argument amongst those even who were advocating Brexit: that Brexit could be a halfway house rather than a full divorce from the EU.

UKICE: When the referendum happened, were you surprised by the result, either in terms of the UK result, or the fact that Northern Ireland voted to remain?

SW: I wasn't surprised by either. I had taken part in quite a few of the rallies that Vote Leave had organised across the United Kingdom. In fact, I was guest speaker at the very first one, in Kettering, where I couldn't believe 3,000 people turned up on a Saturday afternoon. I'd spoken at events in Manchester, in Scotland, in London, and all of them had mass support. I think I went to one in the South of England, where two thousand people turned up. I was gobsmacked, to be quite truthful. I always thought that, as far as England

was concerned, there would be an overwhelming response to leave the EU, just from the vibes I picked up at those meetings.

I always believed that Northern Ireland would probably vote in favour of staying in the EU, though I was fairly convinced that my own constituency would vote Leave – and it was 60 to 40 in my own constituency. Brexit went down to two things within the Unionist community. There was, kind of, a business – Unionist business – vote and then a Unionist populist vote.

I think that was a divide in Northern Ireland, so I wasn't surprised that we voted to remain, but my view always was that this was a kingdom-wide referendum. Northern Ireland shouldn't be treated differently. We were part of the United Kingdom. We had to abide by the result of the United Kingdom-wide referendum.

You couldn't start compartmentalising the vote, because otherwise we would have had London having special treatment. We would have had Scotland having special treatment and then having some areas of England having special treatment.

UKICE: Where were you on the night of the referendum?

SW: I was actually at the count, which was down in the Titanic Centre in Belfast Harbour, and was doing interviews there, waiting for the result. When the result came through, I was pleased.

I'm an optimist in these things anyway, but knowing what I'd seen as I campaigned across England – not too much in Northern Ireland, but knowing what I'd seen as it campaigned across England – I always felt that we could win the referendum.

Brexit, June 2016 – June 2017

UK in a Changing Europe (UKICE): In August of 2016, the First Minister and deputy First Minister wrote that letter to Theresa May outlining an NI Executive approach to Brexit, if you recall. What did you make of that?

Sammy Wilson (SW): To be quite truthful, I wouldn't have been totally happy

with it, but I think that it did give the excuse, which the Prime Minister later used, about the Belfast Agreement and the issue of the border. It allowed her to give some prominence to it, which I didn't believe was necessary.

My view always was that any border issues could have been dealt with, and dealt with easily. There shouldn't have been an issue made of the border, but I think you've got to remember, in the context of Northern Ireland, that everything which is done has to have this kind of Unionist/Nationalist flavour to it, because the two offices are joint. You couldn't get a letter signed off without the other side agreeing it.

Personally, I felt that it shouldn't have contained all that it did, and I think it raised – unnecessarily raised – the issue of the border and gave the border more prominence than what it really needed.

Don't forget, the only issue up until this point was the movement of people across the border. That had already been dealt with by the commitment by both the Irish and the UK Government that the common travel arrangements would still pertain after the referendum.

UKICE: A few months later, Theresa May made her speech at Lancaster House and talked about no return to the borders of the past on the island of Ireland, but also about leaving the Single Market and the customs union, and strengthening the union. Were you reassured by that speech?

SW: I was always suspicious of Theresa May's commitment to delivering Brexit in full. While she made those commitments about Brexit being Brexit and leaving the Single Market and the Customs Union, by introducing the whole idea of difficulties along the Irish border and not having the borders of the past, she really was laying the groundwork.

I think if one looks at it – sometimes it's easier to do this with hindsight than it is to see at the time– it is quite clear that she was preparing the ground for a situation where the UK as a whole would commit to staying in the Single Market and the Customs Union.

Don't forget this was a difficulty we always had with Mrs May's approach. On one hand, she was making a political commitment to keep the UK, as a whole,

within the Single Market and customs union rules, but Northern Ireland was going to be legally bound to be in both.

Of course, as Nigel Dodds made the point at the time, as the political landscape in the United Kingdom changed, you could find that government policy changed. But any legal commitment which was made in respect of Northern Ireland could not change, because we'd be legally bound to stay in the customs union and the Single Market. So, despite those assurances, I think we always had our suspicions that she was preparing the ground. Of course, as events bore out, that's exactly what she was doing.

UKICE: Did you actually have any discussions with Theresa May or her team, at this stage, about her plans for Brexit, or were you just relying on her public statements?

SW: At that stage, we were relying on public statements, though I think that Nigel Dodds, who was the leader of the group in Westminster, would have had much more contact with the officials and the Prime Minister than I would have had.

Nigel and Jeffrey (Donaldson) – he was the Chief Whip at the time – would probably have had more contact. After the election, when we were in the arrangement with the government, we had fairly constant contact with the negotiators, who kept us up to date with what was happening. I think it was the more we knew of that, the more we saw that Northern Ireland was probably going to get thrown under the bus.

UKICE: At about the same time as Theresa May's Lancaster House speech, we had the collapse of the power-sharing executive in Northern Ireland. Do you think that made a big difference to how Brexit then unfolded?

SW: Not a bit. I don't think it had any impact at all. In fact, if anything, I think the existence of the Executive would have probably muddied the waters even more because, don't forget, in the Executive you had a range of parties who were all committed to staying in the European Union.

So, you'll have had, almost on a weekly basis, motions in the Assembly, questions raised, debates organised, which would have highlighted the

differences in approach, where one side of the executive would have been arguing against what the government was proposing, in terms of the Single Market and customs union. For them, it wasn't enough – they wanted to stay within the European Union, while we'd have been arguing for something totally different. So, I don't think it made any difference, other than it stopped the polarised debate, which was occurring nationally, being amplified locally.

UKICE: In early 2017, the UK Government was publicly saying it wanted a seamless and frictionless border for trade between Northern Ireland and Ireland. Was that a red flag to you? Did you see that there would be difficulties if that's what they sought at the same time as leaving the Single Market and the customs union?

SW: No. My argument always was, at that stage, that it was totally possible to have a seamless and frictionless border because there was already an international border there. Even when we were part of the EU, there were differences in fiscal arrangements, VAT, certain rules. There was a huge amount of trade that went across the border, which did require to be monitored, and taxes to be paid.

Let me just give you one example. Diageo, who made Guinness in the Irish Republic and Baileys Cream in Northern Ireland, had 29,000 movements of goods across the border every year. Most of those movements, because of different tax rates and so on, would have required taxes to be paid either to the British authorities or to the Irish authorities.

Not one of those lorries or vans had to be stopped. There was an electronic means of carrying out the checks, of ensuring that payments were made, that tax was not avoided. So, my argument all along was, 'Look, there is the means for having a seamless border'.

Indeed, we have a seamless border at the moment, even though there are differences in the two jurisdictions, and those differences require goods to be checked. So, it was a bit of a red herring to say that, 'We have to do something different to make a seamless border'. The arrangements were already there: Trusted Trader status, electronic checking, and other means by which a seamless border could have been put in place.

UKICE: Many people think that Theresa May shifted her position from a fairly uncompromising vision of Brexit, to what ended up being the backstop. You seem to be implying that you think that was her plan all along. Is that right?

SW: I do, yes. Looking back, and hindsight is a wonderful thing, I think she started off not taking sides, but being seen on the side of wanting to stay within the European Union.

She then went through this period where she made an ambivalent statement about Brexit meaning Brexit, but very quickly then moved to this position and seemed to enthusiastically embrace the idea that problems on the Irish border, and problems which might arise with the Belfast Agreement, were the means by which you made an argument for remaining in the Single Market and the customs union

So, my view on it was that that was probably her genuine position all along. Then, the way in which the debate around Northern Ireland began to be shaped enabled her to move formally to the position which she would have preferred in the first place.

Brexit, June 2017 – November 2018

UK in a Changing Europe (UKICE): During the 2017 election, how big an issue was Brexit on the doorstep?

Sammy Wilsn (SW): For us in Northern Ireland, it wasn't a huge issue. I suppose the only thing was, 'Look, when are we going to have this delivered?', because in my own constituency, 60% of people voted for Brexit. The main issue was not the controversy that later emerged and was beginning to emerge around Brexit and the border, but was people saying, 'Look, we voted for this over a year ago. Why has it not been delivered?'.

UKICE: Post-election, can you just talk us through that process of securing the confidence and supply agreement with the Government? How did that unfold? Who were you talking to? What were the contacts like?

SW: I wasn't involved in that. It was the Chief Whip and the party leader who were involved in those discussions, but we made it clear at the very start of

that, if there was going to be an arrangement with the government, then we wanted there to be benefit for Northern Ireland.

We also made a conscious decision that any benefits we sought would not be for a narrow, sectarian advantage. That's why most of the negotiations were around economic packages; because we believed that could benefit everyone in Northern Ireland, regardless of whether they were Unionist or Nationalist, and we were cognisant that there wasn't much Nationalist representation in Westminster at that stage.

Maybe we should have, in those negotiations, demanded some more safeguards for the Unionist position. But, as I say, most of it was centred around economic advantage, because at least in that way we could say, 'We're not using the fact that we are the sole representatives in the Westminster Parliament to just only further our own ends'.

UKICE: You've already said that you were suspicious of Theresa May's real, underlying endpoint. Did you get any assurances from the UK Government about where it was aiming with Brexit that enabled you commit to support them over EU exit?

SW: We always believed that we had the ability, if the government were to wander off the path, to make it clear to them that they would lose our support. Indeed, that's what happened.

Don't forget, the government got about 50% of its economic programme through because of our votes, but there were other times we decided we wouldn't vote with them, because we were displeased about how the Brexit negotiations had been going.

Secondly, of course, I think on a number of occasions it was our votes which ensured that Theresa May did not get her way in the House of Commons with some of the Brexit proposals she was wanting to try and get through.

So, we always knew that we had the ability, because the government's majority was so narrow, to really put pressure on.

On the other hand – and I think you've got to accept we're a Unionist party –

we want to see the United Kingdom prosper. Therefore, we did not use the position that we had irresponsibly. There were times when we were urged to vote against the government on certain issues, which we didn't do, because we felt that it wasn't in the national interest to.

UKICE: Were you surprised that the government decided to go for a confidence and supply agreement rather than just govern as a minority government and assume that, with Jeremy Corbyn as Labour leader, if it came to a confidence issue, they could rely on DUP votes?

SW: No, we weren't, because I think that they weren't sure just how we would vote on some issues. I think that, secondly, they knew that there was a rocky path ahead because the dissent was already showing in their own ranks at this stage.

They were quite clear that they had a hard core of people who were either pro-Remain and were prepared to defy the government, or on the ERG side, who wanted to see Brexit progress quickly and progressed in a certain way.

So, I think that the government were always aware that they were going to need our vote on certain occasions and, therefore, went down the route of making some formal commitment to us.

UKICE: As we move towards the infamous joint report of December that year, was there good communication between Number 10 and the DUP?

SW: No, there wasn't. We never, ever wanted to embarrass the Prime Minister. But I think there had been a conversation with Arlene Foster on the Sunday, that there was going to be the lunch on the Monday, and the government was going to have the joint report. I wasn't privy to the conversation, but certainly there were no alarms raised as to the content of the joint report when that discussion occurred on the Sunday.

When we saw what was in it on the Monday morning, Arlene Foster immediately made contact with the Prime Minister and told her that, if she went ahead with this, we would withdraw from the confidence and supply arrangement.

At that stage, of course, the government then pulled the meeting and we had about four days where we tried to undo the impact of it. The main thing, of course, was that there had to be an ability of Unionists, through the Assembly, to have the final say on what the arrangements were with the European Union.

I was involved in helping to write those paragraphs. As it turned out, the assurances that we were given were simply ignored by the EU. I can't remember the exact wording, but basically any arrangement would have had to have the approval of the Northern Ireland Assembly. That was basically it, and that there be no impediment between Northern Ireland and the GB market.

Of course, it then turned out that, having signed that – and here's yet another example of the bad faith of the European Union on all of this – they later on argued: 'Well, that's an arrangement between the UK Government and Unionists'. It wasn't something that the EU had signed up to.

UKICE: What did you make of the way Arlene Foster handled the whole joint report episode?

SW: I think that, first of all, her prompt action in making it clear to the Prime Minister what the consequence would be, and getting the lunch called off and any agreement stopped, was the correct one. I think that maybe we should have insisted that certain paragraphs be taken out of the joint report rather than simply adding paragraphs in. It was always our understanding anyhow that, once they were added in, they were agreed by both the EU and the UK Government.

We hear a lot of talk from the EU about good faith and about abiding by arrangements and everything else, but the joint report and the way in which they dismissively acted in relation to the bits which Unionists put into the joint report shows that the EU were never acting in good faith in relation to Northern Ireland.

We only found that out, of course, later on. We were happy that we had put safeguards and that the UK Government had accepted safeguards in the joint report, because it would have always given Unionists the ability to safeguard and to have a vote on any separate arrangements for Northern Ireland. That satisfied us. We believed that that was accepted by all parties, only to find that

the EU simply dismissed any commitment which they had made on it.

UKICE: Did the UK Government involve you at all, after the joint report was agreed, in what might be a UK text on what the joint report could turn into?

Lots of people were surprised that the UK didn't table its version and basically just left the field blank for the Commission to then table its proposals, which Theresa May denounced.

SW: Yes, there was engagement, and we met quite frequently with the negotiators. We were kept up to date with what was being discussed, and we became increasingly alarmed at the way in which the government appeared to be abandoning the commitments which were made when they accepted the changes which we had made to the joint report. Alarm bells were ringing all along. Then, of course, it became clear that Theresa May had made commitments to the EU that Northern Ireland would be treated differently.

Because the proposals came to the House of Commons, we did speak about them, and voted against them.

UKICE: Going back to the EU for a moment, Michel Barnier famously said that the Unionists never brought him solutions. I suppose two questions: do you think that's a fair assessment, and what were your relationships like with him?

SW: No, it's not true. I was only involved in two meetings with Michel Barnier, both of which were fairly prickly. It's not true that solutions were not brought to him, but though what I must say is that I think that Michel Barnier was not in the position to, and had no intention of, listening to anything that Unionists were saying. He seemed to be tone deaf to any Unionist concerns.

Any meetings we had with them, he was fairly brusque about things and also dismissed out of hand any of the arrangements which we put to him. Don't forget, as I've already pointed out to you, there were arrangements in place to allow a seamless border between Northern Ireland and Irish Republic, even when we were part of the EU and there were differences which had to be facilitated when goods moved across the border. Secondly, we had indicated how we believed that those things could be overcome.

It didn't help much that you had the UK Prime Minister saying that she would not accept any solution which even had an extra camera on the border. Our own side were almost conceding that any solutions that were put forward were not going to be acceptable anyway, because we had set such a high bar as to what would ensure that a frictionless border.

I don't blame Barnier totally, because I think our own Prime Minister had a role to play on this. But I will say that he is being untruthful when he says, 'No solutions were being brought forward'. He certainly was never, ever willing, I think, to listen to any things which Unionists said.

He'd made his mind up, basically, that in a negotiating position, the vulnerable part for the UK Government was the border between Northern Ireland and the Irish Republic. Bringing the Good Friday Agreement into it added an extra bit of spice to the argument. He was never going to let go of that, because the EU plan, quite clearly, was that Northern Ireland will be the means by which we keep the United Kingdom tied as closely as possible to the EU.

Subsequently, we have seen that in the way in which they have argued that the Northern Ireland border problem could be easily sorted if the UK agree to align with EU veterinary rules and all of the other alignments which they're now saying could solve the problems of the checks on the Irish Sea

UKICE: When you saw the Prime Minister's Chequers proposals, did that look like a vindication of your view that Theresa May was trying to stay in much of the Single Market, at least for goods? Were you surprised by the EU's reaction to the Chequers proposals? Do you think that the EU regarded them as a bit of a victory and snaffled them, if you like?

SW: Yes, I think they did. They saw it as a partial victory, and they saw it as a sign that, if they kept on pushing, they could get even closer alignment of the EU and the UK after Brexit. It became fairly clear from the very start with the sequencing of the events, the sequencing of the discussions – again another mistake, I think, on the part of the British government – where they insisted that you had to have the budget sorted out, you had to have North Northern Ireland sorted out, and you had to have the status of people who were living in the UK, or living in the EU, sorted out.

It was quite clear all along that they were bullying the UK into a programme of negotiations that was always going to be to the advantage of the EU, and our negotiators allowed themselves to be drawn into that

I can remember at the time arguing, ‘Why would you include Northern Ireland and the arrangements along the border in any negotiations until you had finally sorted out the free trade arrangement?’. A free trade arrangement which had no tariffs and no quotas, and a free trade arrangement which would encompass a whole lot of other things, would have dealt with a lot of the issues which might have occurred, in some people’s eyes, along the border, but the government conceded that at an early stage. We couldn’t believe it.

I think that, with hindsight – and I hope I’m not being unfair to her – that the Prime Minister recognised that, by accepting that kind of timetable, she was funnelling the UK into a certain kind of outcome which kept us tied as closely as possible to the EU.

Opposing May's Withdrawal Agreement

UK in a Changing Europe (UKICE): When it came to the Withdrawal Agreement itself, were there any second thoughts or reservations in your party about the decision to oppose it in Parliament?

Sammy Wilson (SW): No.

UKICE: There were no dissenting voices?

SW: No. I think that we took the view that the country thought that Brexit had to be delivered, and that the issues contained in the Withdrawal Agreement were not issues which couldn’t be addressed anyway. Therefore, the Withdrawal Agreement and the content of the Withdrawal Agreement, much of it in relation to Northern Ireland, was unnecessary, and that, had there been a willingness on the part of the UK Government to push harder, and a willingness on the EU side to come to an agreement, all of those issues could have been dealt with without the conditions which were attached in the Withdrawal Agreement. So, we had never any difficulty, because we believed that there was an alternative which had never, ever been considered properly.

UKICE: Were you involved in the discussions on the Conservative backbenches about alternative arrangements and the Brady amendment? Were you co-authors of that?

SW: We had quite close links with the ERG at that stage. A lot of the discussion during the Brady amendment was designed to try and deal with some of the issues in Northern Ireland. We were fully apprised of those and did have considerable input into those discussions.

UKICE: Do you think that the government was ever taking them particularly seriously?

SW: No, I don't believe they were, because I think that Theresa May had made up her mind as to what kind of arrangement she wanted with the EU. I don't think she was looking for solutions at that stage. She was simply looking for a way of getting an arrangement which suited her version of Brexit and where she could say, 'Look, this is the best I can get out of negotiations with the EU'. That's why she continued to manically push it, even though she knew she was going to get hammered in the House of Commons.

UKICE: Number 10 has said that, at this stage, they were making overtures to try and reassure the Unionist community that the backstop wouldn't mean Northern Ireland getting out of alignment with the rest of the UK, and offering those sorts of assurances. What were those discussions like?

SW: We felt we were being taken for fools. We were capable of reading, and we knew that it was not possible for such promises to be made on the basis that Northern Ireland was going to remain within the Single Market. And it was going to remain. The UK was going to be subject to future rules which would be made in Brussels and, since there was no commitment to align the rest of the United Kingdom totally and to have the same arrangement in the rest of the United Kingdom, divergence was bound to happen.

Leaving aside the argument for the democratic deficit and so on, I think we pointed out on a number of occasions we actually can read English and we understand what the implications of this are.

UKICE: What did you think when you saw, with those second and third

meaningful votes, some Conservatives deciding that they needed to vote for Theresa May's deal because without it there might be no Brexit? Did you come close to thinking, on the third meaningful vote, 'This might be the last chance to save Brexit'? Some people think that the DUP was almost there in terms of voting for that agreement.

SW: No, we weren't. I can assure you that we never even had a discussion about voting for Theresa May's arrangement, because we saw that, regardless of whether we delivered Brexit or not, it was our view that Brexit wouldn't be fully delivered for the rest, for the whole of the United Kingdom with Theresa May's proposals. Secondly, Northern Ireland was excluded from Brexit with her proposals, so there was never, ever any inclination on our part to vote for it.

UKICE: Did you actually regard Theresa May's deal as worse than no Brexit?

SW: I think that, if you look at it from the point of view of Northern Ireland, we really haven't achieved Brexit, so it was worse than no Brexit insofar as it divided the United Kingdom. It left the part of the country which I represent and which, as a Brexiteer, I wanted to see included in the Brexit arrangements, out of them. It has caused all kinds of constitutional difficulties, so, if I was looking at it purely from the point of view of Northern Ireland, it was worse than no Brexit.

If I was looking at it from the point of view of the United Kingdom, at least the United Kingdom as a whole has achieved some sovereignty back, though I'd point out that though the Chancellor claims to be the Chancellor of the United Kingdom, there are certain tax measures which he can't take in this part of the United Kingdom as a result of the Brexit deal which Boris Johnson signed and which, in fact, was similar to what Theresa May was signing up to anyway.

So, to a certain extent, Brexit hasn't even been achieved for the whole of the United Kingdom, as a result of the Withdrawal Agreement, which started off with Theresa May and which was completed by Boris Johnson.

Johnson's Brexit and the future of the Union

UK in a Changing Europe (UKICE): Boris Johnson came to the DUP Party

Conference in 2018. Do you know who arranged that, and how well was it received? Did you feel reassured by what he had to say?

Sammy Wilson (SW): I think that Nigel and Arlene had asked him to come along. After all, he was regarded as the figurehead opposition to Theresa May's deal, which we had been opposing and which we had been spelling out was dangerous for Northern Ireland.

He came along, and he delivered that message that he believed it was dangerous and that no British Prime Minister could ever sign up to it. He was very well received. Of course he then, for his own political purposes, decided that what he had said to us didn't really apply any longer, a short time later.

UKICE: When he was running for leader, did you have any chats with him and his team about where he might end up on Brexit, what his different sort of Brexit was going to look like, and what that might mean to Northern Ireland?

SW: Right up until he became leader, he was attending ERG meetings that I was attending as well. He was saying exactly the same kind of things as I was saying at those meetings, so there was never, ever any indication that he intended to do the flip-flop that he did. But I think that, as has been explained to me by a lot of Conservatives, even Conservatives who voted for it, the flip-flop was presented in a way which would have indicated that he wasn't really serious about it anyhow in the first place

I remember he made it quite clear that, once we're free, we're free and can do whatever we want. In fact, I think it was Nigel Dodds who made the point to him in one of the meetings: 'Well, actually, you're not, because you're going to be bound by international law if you make an international agreement,' but he was quite dismissive of that.

Michael Gove, of course, adopted the same view, too. Again, we felt that maybe they were taking us as fools who didn't understand these things, but it was made quite clear to him that we did not believe that once we had the Brexit deal arranged, the British government was free to do what they wanted, and that they could undo all of what they had agreed about in Northern Ireland.

But, as I say, up until he became leader, he was still saying all of the same

things, with the same force, same kind of gung-ho attitude: 'We'll not be accepting any of this'. Then I think that, for internal party reasons, he needed to get an electoral mandate, and he believed the only way of doing that was to say that Brexit was done, even though Brexit hadn't been done, so he changed his mind.

UKICE: I suppose this question gets to the heart of whether you're viewing these things with a Brexit hat on or a Unionist hat on, but in retrospect, do you think what Boris Johnson negotiated was better or worse than the backstop that Theresa May negotiated?

SW: It's just as bad. There wasn't really a great deal of difference.

UKICE: But one treated Northern Ireland differently.

SW: In both cases, Northern Ireland would have been treated differently anyway because, even with Theresa May's deal, Northern Ireland was still being treated differently. The difference was that she was making a political commitment to keep a degree of alignment which would have safeguarded Northern Ireland because, even though legally we were in a position where we would have to accept EU law, politically she was committing herself to accepting EU law anyway, so no differences would occur.

In the case of Boris Johnson's deal, Northern Ireland is committed to accepting EU law and there's not even the commitment on the part of the UK Government to do the same, though I think that subsequent events have shown that the UK Government has not used its Brexit freedoms, for one reason or another, to diverge too much from Northern Ireland. That's not to say it won't happen in the future.

UKICE: In the autumn of 2019, I think that Boris Johnson was in Northern Ireland and said, 'If anyone asks you to fill in a form, put it in the bin'. Meanwhile, Julian Smith, as Northern Ireland Secretary, was telling MPs that there would be more formalities. Did you get the sense that the Prime Minister didn't understand what he'd negotiated, or didn't want to understand what he'd negotiated?

SW: I don't know the answer to that question. Sometimes I go towards the

view that he didn't understand what he had agreed, and that he was genuinely surprised at the outcome of it, and is surprised now that what was agreed has been so divisive across the United Kingdom. On the other hand, I can't believe that, as a prime minister, nobody ever explained to him what he had signed up to and what the practical implications.

I've got to say, if I were in his position, I think, even if I didn't fully understand what the details of any agreement were – because don't forget the Northern Ireland Protocol runs to nearly 100 pages – I'd have been asking my civil servants: 'Explain actually what the implications of all of this are'. So, either he was negligent or else he was just being dishonest.

UKICE: In private conversations that you might have had, either with Boris Johnson during the latter half of 2019 or with other senior people in the Conservative Party, did Johnson repeat what he was saying in public about the lack of implications for East-West trade, that that would just keep going?

Did you talk to others who gave you the impression that the government was planning to renege on its commitments? We've heard subsequently from some people that they'd had commitments that the government didn't mean to implement what it was signing up to.

SW: Yes. A lot of them still give this view to me today. As far as they were concerned, the Withdrawal Agreement was an interim arrangement, and there were references in the Withdrawal Agreement, both in the Northern Ireland Protocol and in the political declaration, that alternatives could be looked at and alternatives would be explored.

This is the justification, at least, that you get from the Prime Minister and from many Conservatives, who quite honestly do appear to be genuinely appalled at the implications of the Withdrawal Agreement. As far as they were concerned, the Withdrawal Agreement was not the final station at which we'd come to rest, but it was simply an interim arrangement to allow for further political discussions.

That's why they would argue again there's bad faith on the EU's part, because the EU are now insisting not only on the Withdrawal Agreement being cemented into the arrangements here, but are demanding an interpretation of

the Withdrawal Agreement which was never, ever intended. Yet the EU are coming down with a very heavy hand. We've had all the stories about lorries being turned away because there was dirt on the wheels and you couldn't bring soil from GB into Northern Ireland, because it might have contaminants in it and would impact on the EU Single Market. They argue that every lorry load of frozen goods has to be inspected.

We've had whole lorryloads of stuff destroyed because EU inspectors have insisted they want to see a certain pizza, maybe, at the front of the lorry, so you have to take everything out. By the time you put it all back in, it's not safe to be eaten, because it's partly defrosted. I could give you lots of other examples of that.

The argument is that first of all, the Withdrawal Agreement was meant to be an interim or a transitional arrangement and that we were to look at alternatives which were more workable, and which avoided the checks in the Irish Sea. Secondly, it would be very light touch. Neither of which, of course, have been honoured by the EU, who now argue the Withdrawal Agreement has to stay as it is and has to be implemented to the extremis.

UKICE: Given where we are now, what is your preference in terms of a way forward over Brexit and the protocol?

SW: I think that, first of all, if there is a genuine willingness to ensure that the Belfast Agreement and its institutions are not damaged, then both sides have to recognise that the institutions will not operate properly until the Northern Ireland Protocol has been dealt with. Unless that recognition comes about, then I don't think you're going to get genuine negotiations anyway.

Secondly, if we were looking at an alternative, I believe that the one which has been put forward by the Centre for Brexit Policy – that we look at mutual enforcement of regulations on either side of the border for goods for the limited number of goods which are traded, and for the limited number of traders who actually do trade across the border – is an area which should be explored as an alternative to checks at ports coming into Northern Ireland.

UKICE: As opposed to what you think should happen, what do you think will happen?

SW: I think what will happen is that the EU will hang on like grim death to the agreements which are there at present. We've already seen this. They must have some encouragement that the UK Government will be reluctant to deviate too far from EU rules.

Don't forget, all of the EU rules have been embedded now in UK legislation. Despite the noises being made by Jacob Rees-Mogg, and by Iain Duncan Smith and John Redwood and others, that we should now be looking for Brexit freedoms, and shaping rules and regulations, the government has not moved down that route.

We've even seen that they reneged on promises to remove VAT from fuel bills or energy bills because they know they couldn't apply it to Northern Ireland. That has caused great anger amongst their own supporters.

I suspect that the EU will bank on the UK Government making noises about wanting to exercise Brexit freedoms but not actually doing anything, because they're afraid of the impact it might have on further division between Northern Ireland and the rest of the United Kingdom. As long as that attitude of mind persists, then I don't think you're going to get any serious negotiations from them.

UKICE: Are there areas where you think that the UK should formally agree to align? I think Edwin Poots suggested that the UK could do a lot to ease the operation of the protocol by doing a Sanitary and Phytosanitary agreement with the EU, which obviously has some implications for independent trade policy.

Do you think that the UK should do that? Did they consult you at all about what they were doing in the Trade and Cooperation Agreement negotiations, which might have made the operation of the Northern Ireland Protocol a bit easier?

SW: No, I don't think they should. It might well be that pragmatically there are reasons why you should align, but I think this argument and this discussion around removing some of the trade barriers, really, is a false argument.

The damage that the Northern Ireland Protocol does is not on the disruption of trade, because eventually either people will live with that disruption or will find ways of minimising that disruption. The real damage that the protocol does is in

undermining Northern Ireland's position within the United Kingdom and in removing democratic accountability for laws in Northern Ireland.

To me, I think that the mutual recognition of each other's standards, regulations, and laws is the way forward. The protocol laws are giving us a different regime for law-making in Northern Ireland, as opposed to the rest of the United Kingdom. Our laws remain in Brussels, are imposed by the European Court of Justice. Therefore, there's a democratic deficit and there's also a constitutional division.

If we're going to address the problem, all the trade barriers are only symptoms of that real problem: that Northern Ireland is under a different legal regime than the rest of the United Kingdom. Therefore, I'm reluctant to go down the route of looking at, 'How do you alleviate some of the problems caused at the ports, and some of the restrictions?', because if you do that, then you ignore the real problem. The real problem being that the protocol is an affront to democracy in Northern Ireland and an affront to the integrity of the United Kingdom.

UKICE: In 2024 we have the first vote in the Northern Ireland Assembly, on whether to retain the protocol. That was one of Boris Johnson's big concessions in the protocol, and the big difference with the Theresa May backstop, if you like. Do you expect that to lead to a rejection of the protocol?

SW: First of all, it wasn't a concession. The concession that he made was in altering the Belfast Agreement to remove one of the fundamental safeguards in the Belfast Agreement: namely, that any significant and controversial changes in law in Northern Ireland had to have cross-community consent.

That's a central pillar in a divided society of the Belfast Agreement: the whole principle of consent and the need for cross-community votes. He removed that. That part of the Belfast Agreement was set aside in order to fix a vote in 2024, and fix a vote in favour of remaining within the arrangements which were set in the Withdrawal Agreement, because of course the Irish Government and the EU know that, when it comes to the Northern Ireland Assembly, there's a majority of parties which wish to have the law changed to have us subject to EU legislation.

I don't understand their logic. If I was elected by Northern Ireland, I would want

to make sure that, as a legislator, I had the ability to make the legislation, not some foreign body. But, nevertheless, that's the attitude which the majority of parties in the Assembly share at present.

I can't predict the outcome of the Assembly election which is forthcoming. We'll be arguing that the stronger you have the Unionist representation in the Assembly, the more likely you are to overturn these things in 2024, but you're still fighting a battle against a fixed vote.

I can't emphasise this strongly enough: not only has the protocol done damage to Northern Ireland, it has done irreparable damage. In fact, as David Trimble said in one of his articles, the protocol actually rips up the Belfast Agreement because it tears out one of the central principles: the principle of consent.

UKICE: Looking back over the last six years or so, what's your conclusion about the impact that Brexit and the Brexit process have had on Northern Ireland's place in the union?

SW: I think that the outcome of the negotiations, and the way in which the government has broken promises on what it said it wanted to deliver as a result of Brexit, has damaged the union, and damaged the union very severely.