

Transcripts of Teachers Conference 2018

Morning everybody. Great to be back. Nice to see you all. It's always encouraging that this seems to be the event as a whole a popular one and I'm going to leave a little bit of space at the very end of my talk because a colleague of mine Peter Weil is going about a new initiative that he's involved with called Politics in Action which is designed to encourage participation amongst Fifth, Lower 6th, Upper 6th students at schools and he'll tell you a little bit more about the program a bit later and I'll give a fuller introduction when I get there.

Okay well what I want to do is basically is to think about whether there are any ways forward here in Northern Ireland and in particular in trying to address that question I want to talk about a report that was produced by the Northern Ireland Affairs Select Committee in May this year, which sets out a number of proposals that are designed to at least enable us to tread water if not actually to progress in the foreseeable future the subtext of which of course, ideally is the restoration of Devolution in Northern Ireland but I'll come back to that. For me that's a centre piece really of what I want to say and raise some issues that the Select Committee itself has provoked.

The first thing I want to do is to take a kind of stocktake of the last 12 months since I was last here and I suppose the kicking off point is the deal that wasn't earlier this year in February. We all remember those fevered talks and the belief that maybe a deal was possible and if you remember the belief was such that May flew in from London, Leo Varadkar travelled up from Dublin in the belief that they were going to set the seal on a deal brokered between the DUP and Sinn Féin and it all ended in embarrassment because of course there wasn't an agreed deal. There was a prospective deal and I think the real problem with what was being proposed at the time was the inability of the DUP leadership not as it were to buy what was on the table and what the offer was but rather the sense particularly over that weekend in February that they wouldn't be able to sell the deal to their supporters.

So I think there was a preparedness to accept what was on offer by Arlene and other key negotiators on the DUP side but the view within the, what we'd come to know if you like after Trump the base of the base of the DUP simply wasn't prepared to accept the offer that was on table. Especially of course in relation to provision for an Irish Language Act. So the context of that, it's been largely an impasse as far as the restoration of Devolution is concerned. We're stuck there's no obvious way out at the moment and I think there's a common sense that really, a common sense view that really what's needed here isn't any longer cosmetic surgery in relation to reform or policy proposals as part and parcel of the deal, but that might, perhaps what might be needed more is invasive political surgery to try and as it were, restore our institution so that we can get the Assembly and the Executive up and running again.

So that's one part of the current context. Two others I suppose one Brexit and I've said about the marginalisation of Northern Ireland there, what I mean by that, of course, is that DUP aside there is no representation for all the voices in Northern Ireland in relation to the Brexit issue. There is not a Nationalist voice in the House of Commons. There is not a Nationalist voice in the House of Lords. The only voice being heard as it were, at the centre where the negotiations on Brexit are focused is the DUP's voice. There is no formal provision to enable other politicians access to those negotiations. So they either as it were have to express their views locally or rely to a large extent on the Irish Government as a kind of vessel, conduit, through which the views of Nationalists can be, as it were, expressed at the top table during the course of the Brexit negotiations.

So on the one hand you've got that marginalisation of Northern Ireland as a whole at the Brexit talks and yet, Northern Ireland is central to the Brexit negotiations the whole issue of the Irish border is the one that is proving the least tractable in terms of the Brexit agenda.

There are no solutions, Boris Johnson thinks he's got a solution which is kind of technological. As he takes a break from running, I see that there's a photograph of him this morning running through a wheat field somewhere. Which is, you know, deliberately done to mock the Prime Minister. But that man child, I think his moment is gone if there ever was a moment for Boris Johnson as potential leader of the Conservative Party. He'll never get the support, sufficient support, amongst the Parliamentary Group of Tory MP's to be one of the two candidates to go to the membership as a whole of the Conservation Party to elect a new leader that is to say if there is to be a leadership contest and I'm not sure that is necessarily in the immediate offing.

So you've got on the one-hand the political marginalisation of large swathes of Northern Ireland in relation to Brexit and yet on the other you've got the centrality of Northern Ireland to the ongoing Brexit negotiations and there's a paradox there, it is a paradox that at a time when this critical issue of the border is top of the agenda as far as the Brexit negotiations are concerned we don't have full or adequate representation for all the voices in Northern Ireland to be heard during the course of those formal negotiations.

Another context, of course, is RHI and what the RHI has done, the enquiry, politically, I think of political relevance is first of all, it's like all administrations here, Northern Ireland Executive contained a lot of hidden wiring. It's true of all governments, you know, there is this kind of hard hidden wiring that enables the machine of politics if you like an administration to function. What RHI did was it's short circuited that hidden wiring and what we are now seeing if you like, is the dysfunctionality of the way in which the system here operated.

It was short circuited by I suppose the Spotlight programme and more particularly, maybe, the Jonathan Bell interview undertaken by Stephen Nolan, which I think Arlene said last week put a nuclear weapon under the whole administration. Probably slightly over the top, but nevertheless it certainly has had the result fed in to the impasse that we've currently got and there is a sense, I think, among some people, that it's revealed corruption. Now that's the allegation and we won't know until the enquiry reports fully of course, and that will be some months in the future whether or not that perception is correct but what we do know is that that hidden wiring wasn't working.

I thought that Timothy Johnsons' evidence to the enquiry last week, when he said acknowledged, readily acknowledged, that the DUP didn't as it were comply with, either the letter or the spirit of the law - 2013 Act on SPADs in terms of appointing SPADs and that is quite, when you think of it that's a startling admission for somebody who's at the centre of the Administration to say, in effect, we broke the law but everybody else is doing it in terms of the appointment of SPADs. Well of course, that's no defence to say we were only doing what others were doing. The fact of the matter is that the law was broken. I think that gives us real cause for concern.

The other perception which is growing out of the RHI debacle and it is, it's a huge financial scandal, is I suppose it reveals how much mistrust there was within the Executive. Particularly, of course, between DUP and Sinn Féin and that is no, it doesn't provide a bedrock upon which stable, strong and steady and stable government to paraphrase Theresa May can rest because trust, political trust, is the mortar that, as it were, binds together the institutional architecture of the 1998 Agreement.

Two particular aspects of dysfunctionality that have emerged are mostly in relation to the Civil Service here, which to seems to have adopted a culture of not bothering to take notes at meetings. Now Public Administration 101 will tell you that any Civil Service briefing document emphasises the importance of taking minutes and taking notes at meetings. This was something that came into the public eye I think initially when Tony Blair was Prime Minister and if you remember one of the criticisms of the Blair administrations was that it was

"sofa style" government. That we would bring Ministers and some officials together in Number 10 or Chequers or wherever it might have been and there would be a kind of informal chat about policy initiatives and so on and so forth. It was then by a relatively small number and notes weren't taken, it was, you know, it wasn't formalised at those discussions, which was, as it were, at odds with the Civil Service culture in the UK and the same feature seems to have attended quite a lot of meetings in relation to here in Northern Ireland when we had an Executive.

Under Theresa May "sofa style" government became too "armchair style" of government and the two armchairs were occupied by Fiona Hill, Nick Timothy, who were her SPADs initially at the Home Office and then in Number 10. She brought them with her when she moved from the Home Office, became Prime Minister and they were the gatekeepers, they proved to be a real obstacle in terms of gaining access to the Prime Minister. They developed this habit, if you like, of defending her at all costs, as it were, and shielding her and it all ended in tears when she moved into Number 10. As you know Nick Timothy and Fiona Hill both subsequently had to resign because there were so many complaints amongst other Cabinet members and key officials that this simply wasn't working, that they were acting as a block, as a hindrance, as it were, to the free flow of discussion and negotiation amongst and between Ministers and particularly in relation Ministers and the Prime Minister.

But that culture of not taking notes, is I think, is here, is deplorable really because, you know, that is something that is an essential part of administration so that Ministers, officials, everyone involved knows what page they're on, you know, it has to be codified and that wasn't being done in relation to RHI. How more widespread it might have been of course, is moot, we simply don't know but it seems to have become a habit of senior officials in the Northern Ireland Civil Service that this practice wasn't implemented.

The other piece of dysfunctionality of course is in relation to SPAD's. Special Advisors and Special Advisors are necessary and they do perform a variety of roles you know, they offer personal support to the relevant Minister, shoulder to cry on, amongst other things. They offer political support particularly in Parliament, for the Minister in Parliament or here in the case of Northern Ireland the Assembly.

They also are involved in communication strategy in that they help to manage the media and I suppose, the SPAD who was most famous or infamous, was Alastair Campbell when he was in Number 10. They offer policy advice, you know, they're meant to be in part experts in particular fields so they bring knowledge, experience and so on to policy matters and they're key in co-ordinating the wider Executive, you know, there's a lot of communication between and amongst SPADs from the centre, that is Number 10, the policy there and, or, the Departments of State and exactly the same is true here.

The problem is that the perception is formed that SPADs were exercising too much influence, too much authority in relation to policy making. Particularly and this is the point that Timothy Johnson made last week in coalition governments there is a heavier burden, if you like, on SPAD's because in coalitions there has to be day in day, 24/7 communication between the parties who are forming the coalition, in our case the DUP and Sinn Féin and they each had three SPAD's in the Executive Office - OFMDFM. And actually SPADs can perform a very useful role in terms of testing the waters at that level where you've got a coalition so they're not, as it were, the cuckoos in the nest as far as the Civil Service is concerned.

Civil servants don't particularly like this species called SPADs, as they seem to be, as it were "obstacles" in terms of access to the Minister but here the perception I don't know whether you hold this perception is that they were simply exercising too much power and they were "primus inter pares", as it were, first among equal, then they had their own hierarchy, so it's

been alleged and Timothy Johnson has been singled out as the person who sat at the centre of this web and pulled all the strings in the web.

Now it's very difficult to dispel that perception but it would be very helpful, of course, if in appointing and monitoring SPADs the legislation was observed - the 2013 Special Advisors Act. Which if you remember came onto the statute books here because of the anxiety, in particular, that Jim Allister had and some of the Sinn Féin SPADs, who were, you know, ex-activists within the IRA whatever it might have been. And a new code was devised in the light of that piece of legislation, but it hasn't, simply has not by DUP and Sinn Féin, and I'm not saying this applied to all parties but the allegation by the DUP is that Sinn Féin was simply not observing the code, not observing the legislation and we now know because Johnson has admitted it that the DUP wasn't doing it, wasn't doing it either.

So while SPADs have a lot of roles to play and they're very positive and constructive and so on, there is always a risk that they can be perceived as they were being over-influential, too much power, too much authority.

One defence between the way our SPADs were appointed and the way that SPADs are appointed in GB or Central Government is that in London Ministers choose their SPADs and the Prime Minister signs off on them once that choice has been made. Here what seems to have happened is that, as far as the DUP is concerned the centre decided which SPADs went where, that it wasn't a matter, if you like, ministerial choice which is the case in Central Government.

So I think that will be one of the issues that emerges out of the enquiry that will need to be addressed, particularly in the context of any reform of our institutions and processes which might be necessary in order to get Devolution back up and running.

Now this is where I want to turn to the Northern Ireland Affairs Select Committee. That should be NIASC by the way I've made a mistake there. Northern Ireland Affairs Select Committee Report it was in May this year and it's called "Devolution & Democracy in Northern Ireland: Dealing with the Deficit". The Committee is very exercised by the fact that minus Devolution decisions that are made in relation to Northern Ireland are largely left unaccountable and you know that kerfuffle over the waste facility over in the Belfast Docks area, planning permission for that to go ahead was initially granted by the Civil Service and then that was appealed it went to the High Court. High Court ruled that civil servants couldn't do it, that was then appealed to the Appeal Court here and they also agreed that the civil servants shouldn't do it that they were acting outside the parameters of their role.

So the context for the report and they started doing back in about February this year and myself and Jon Tonge from Liverpool and Chris McCrudden from Queen's we appeared before the Committee in May I think it was, April or May, but the context is no Devolution and the reluctance of the UK Government to restore Direct Rule here and the Committee was concerned to unplug this democratic deficit, in ways that I'll turn to in a moment.

To encourage the Secretary of State to renew talks amongst the parties here, promote the concept of accountability in government for decision making and they're also interested how can we reform the Devolved institutions to make them less vulnerable to collapse because, as you know, it took the resignation of Martin McGuinness. That as it were was the act that, the decision that brought the whole thing tumbling down back in January 2017 because you can't have a First Minister if you haven't got a deputy First Minister and you can't have an Executive if you don't have either, or both those.

So that was the context for the Committee under which they were taking this enquiry and they made a number of proposals.

Going back to the Brexit point they want a dedicated Minister for Brexit and Northern Ireland, a Minister who would spend most of his or her time in Brussels to ensure that the Northern Ireland voice is heard at Brussels, at the top table through this Ministerial innovation.

Currently, Lord Duncan who is Parliamentary Under Secretary in the Northern Ireland Office is the Northern Ireland / Brexit voice but he also wears another hat which he does the same role for Scotland, now he's very talented man clearly, if he can represent both Scotland and Northern Ireland but he doesn't spend much of his time in Brussels so the Committee argued let's have a single Minister.

Currently we have three Ministers in the NIO - the Secretary of State Karen Bradley who I see, by the way I don't know if you ever look, or get your students to look at the Conservative home website at all, every year they do an annual poll of Conservative members, how well they think different Ministers are doing performing their task. It will be no surprise to learn that Chris Grayling came right at the bottom of the list, the Transport Minister with a negative rating of minus 50 something, Karen Bradley wasn't that far behind, Secretary of State she came out as minus 25 approval rating amongst Conservatives - Conservative members throughout GB. Anyway we've got her, we've got Shailesh Vara who is the Minister of State and Lord Duncan who is the Parliamentary Under Secretary of State who speaks in the Lords and as I say wears two hats which is in my view one too many but there we are.

The Committee agreed with the Secretary of State that there should be no fresh Assembly election as you know and with Northern Ireland Act she was obliged within a reasonable period of time to call an election if there was a breakdown. The Committee agreed with her reluctance, if you like, to call an election on the basis that it wouldn't make any difference it might make a difference in the margins in terms of relative seat strength so they said she's right not call for a new election and as you know in the interim, partly in response to the Committee report she announced recently that the obligation on her and the Northern Ireland Act is going to be deferred and she's going to bring forward Primary legislation in the House of Commons which enables her to put off an Assembly election, probably for up to a year I think. So we know that's off the table and Sinn Féin has been calling for a fresh Assembly more or less ever since the institution's collapse. That is not now going to happen within the foreseeable future.

The Committee also endorsed her decision to implement Trevor Reaney's report formerly of this parish to cut MLA's pay and that's coming into effect next month, so she's done that. They were also concerned about the failure of some of our institutional architecture to function in the absence of Devolution and they took particular interest in the fact that we haven't had a Policing Board for over a year now so she's taken powers and will be announcing shortly a reconstituted Policing Board because, of course, without Devolution half the roles or positions on the Policing Board here in Northern Ireland were taken up by MLA's so she's now going to come up with proposals to reconstitute the Policing Board and that was something too that the Committee endorsed.

As you're aware since the collapse there's been, if you like, sporadic Ministerial intervention in terms of some policy decisions here in Northern Ireland. The most significant of which was setting a budget for the next financial year but it's been done, not on a kind of a systematic way but much more ad-hoc way by the Northern Ireland Office, in fact by Central Government and the Committee says that that should continue. There should be more Ministerial intervention by London using, as the basis for policy decisions, the draft Programme for Government that was in the pipes, in the pipework just before Devolution collapsed in January last year.

Well the real problem with that, I mean the Committee recognised it, it says the draft Programme for Government is, and it's a quote from their report, a mandate of sorts, well the key words there are "of sorts". It is a draft Programme for Government, it was not an agreed Programme for Government. It hadn't gone through all the stages in the Assembly and secured the support of parties. Its agreement within the Executive Office was between DUP and Sinn Féin but not amongst all the other parties. Things have changed in the course of the last twenty months of course, so using the draft programme which was never finally agreed is rather a risky process because we don't know what the outcome would have been once that draft as it were, got to the floor of the Chamber and amendments had been put down and so on and so forth and if you look at the draft Programme basically it's a set of aspirations rather than as it were a set of detailed policy proposals. So albeit the Committee recognises that it's not without risk to follow the draft as a guide to that Ministerial intervention they still say it can provide the basis if you like for, some decisions at least, maybe over the Mallusk incinerator, I don't know, to be taken.

A second issue that they, I mean they spent a lot of time on it, was, well if we haven't got Devolution and there is going to be this fitful sporadic intervention by the NIO in policy terms how can we hold those decisions and those officials and those Ministers to account? If that's going to be the pattern, it's simple enough, well not simple, but straightforward enough, if you've got Devolution of course because we've got a whole range of Statutory Committees that scrutinise each of the devolved departments including the Executive Office, but how do you do it, if it's the NIO taking decisions?

Now one of the problems here is one legitimacy, because the Northern Ireland Affairs Select Committee has, because of the abstention of Sinn Féin and because of the failure of the SDLP to hold any Westminster seats there are no Nationalists on the Committee. It's 13 strong - there are DUP members along with Conservative and Labour members but there are no SDLP, because they're not in, weren't elected and Sinn Féin because they because they boycott. So the Committee can always be criticised for not being fully representative of the political and electoral geography and strength of Northern Ireland.

What they're proposing and what they've been doing as part of the answer to this accountability issue is to hold more meetings in Northern Ireland and that's a pattern they've already set and they're proposing to continue that with field visits, evidence taking sessions and so on here in Northern Ireland. But the most, I suppose, I don't if you can call it radical exactly but I know it's certainly not uncontroversial is they're recommending that the Northern Ireland Assembly Committees be resurrected in the absence of Devolution, either that or Ad Hoc Committees as and when the need arises operate within the context of the Assembly, even though there is no devolved authority. So the Assembly would become a kind of a shadow body. You might call it a shadowy body I suppose. Now, their role would be to hold the NIO to account for any of those Ministerial initiatives that were taken.

A lot of problems with this. How likely is it that a party or parties that is not prepared to go into the Executive would be prepared to sit in a Shadow Assembly, which formally, would have no power, no authority? It can have influence if it were to happen but it doesn't have a formal Executive role and like the devolved Assembly. So would, such Committees, even if they were to come to pass, would they be fully inclusive? Now I think you probably recall that Michelle O'Neill described this as "A Mickey Mouse Assembly". The SDLP is less than enamoured of the idea. So immediately you've got a problem of if it was to happen, a political skewedness if you like. Unionists might well participate in such an Assembly. I suspect Nationalists wouldn't touch it with a barge pole. So it couldn't be, in those circumstances, inclusive.

When we discussed that with the Committee I reminded them of Jim Prior's attempt to restore, or introduce, Devolution or reintroduce Devolution to Northern Ireland back in 1982,

do you remember the Prior Assembly? It was called a Rolling Assembly or Rolling Devolution, this idea that powers would be devolved on a kind of case by basis, you wouldn't do it one fell swoop. Start with one department being devolved and then you'd roll it out progressively over a period all other things being equal, where all other things were never equal because Sinn Féin couldn't participate in that Assembly of course because it was prescribed. The SDLP boycotted the Assembly. The Ulster Unionists had a rather fitful relationship with the Prior Assembly and the DUP, along with the Alliance, were the only two parties who as it were regularly attended that Assembly. So it was hamstrung from the first, politically and electorally hamstrung and I suspect, if it was to come to a vote, if the Government took a decision to establish a Shadow Assembly here I suspect its fate would be rather like that suffered by the Prior Assembly between 82 and 86. So I don't think that is a runner.

The Committee also turned its attention to the British-Irish Intergovernmental Conference. Now you know that much has been made of the potential role of the conference not least by Sinn Féin, who see it, if you like, as a vehicle for joint authority or towards joint authority. Now we could only have joint authority in Northern Ireland if there was popular support for joint authority in Northern Ireland because it would represent a constitutional revolution. It would mean that Northern Ireland instead of being governed under the terms of the UK constitution would be governed under the terms of both the UK and the Irish constitution and the precedent of course here is set and in GB for that matter because Brexit if nothing else is about constitutional change is it would require popular consent by means of a referendum. That's the enormity of such a proposal and it wouldn't happen it would also, amongst other things, betray the principle of consent if there wasn't to be a referendum, upon which the Good Friday Agreement rests and that would politically, that would have enormous ramifications.

I think that the role, the potential role of the BIIGC, rather like I think the Committee, is a bit vague about it, it posed the question rather than answered it about whether the Conference could play a constructive role in relation to Northern Ireland matters and I think the nearest parallel here is the Anglo- Irish Agreement of 1985 which Garret FitzGerald the Taoiseach at the time described as the North-South body, the relationship between the Irish and British governments. It was less than executive but more than consultative so a vague territory, if you like that the relationship between London and Dublin enjoyed under the terms of the 85 Agreement. Now I think that's probably the most that one could aim for in relation to the role of the BIIGC. I don't think you can go any further than that, that is to say, that the Irish government can express a view, or views but they have no executive authority under the terms of the Good Friday Agreement and the Northern Ireland Act which implemented it, they have no executive role they have a consultative role. It stands as a free body as you know, it has no writ to, as it were, influence policy within Northern Ireland whether it's relation to Health, Housing, Education, whatever. Yes they can say well we think that x, y and z. They can't say there will be x, y and z. So a constructive role, yes, I mean apart from anything else of course the body does try to encourage and foster, has been, is trying to foster a renewal of talks between and amongst the parties but as you know, I mean that's not worked so far.

A second proposal that they float is well if we don't have Devolution what about greater decentralisation? Give more powers to local authorities in Northern Ireland. Strip away some of the functions performed by the devolved departments and give them to local councils, the 11 District Councils across Northern Ireland, decentralise downwards as it were and that in conjunction with the kind of approval of the idea of Citizens Assemblies here in Northern Ireland suggests a kind of bottom up approach decentralised down to local authorities and you encourage civic society to become involved through the agency of a Citizens Assembly, to feed in ideas and I think the first one actually is meeting currently here in Northern Ireland.

It's advisory, purely advisory it's funded, funded by a charity, it's not an official organisation in that sense, not funded by government but there's a sense if you like that, in a piece I wrote a long time ago you're kind of inverting consociationalism because as you know consociationalism as a model of government and as a model of party relationships is very top down. It's all about agreement between and amongst political elites, that's our model. What these proposals seem to imply, or you can infer from them, is rather than just relying on a top down set of relationships you work from the bottom up.

I have to say that District Councils in Northern Ireland are eager to acquire more powers. One symptom of that was just yesterday when there was the announcement of the one billion pound bid from I think seven District Councils including Belfast for inward investment into infrastructure. A whole variety of Belfast rapid transit and all sorts, science park type ideas, creating centres for intellectual excellence to do with data protection and all that sort of stuff. So there is a willingness, indeed a readiness in District Councils to, as it were to accept greater powers in the absence of Devolution. In fact if of course that were to happen and they were given more powers that would have a consequential effect then on the Departments, devolved Departments if and when they come back into existence because they will have as it were they had some of their functions stripped away to the more local level and that in itself might encourage institutional reform of the devolved institutions if that step was to be taken.

Now there's no sign of it happening yet, but it's a possible supplement if you like, not an alternative, supplement to Devolution. They address the issue of the role of the Civil Service in the absence of Devolution and I mentioned earlier the two court cases in relation to the Mallusk incinerator where the judges, four judges in all, said no you can't do that to the Civil Service, you cannot give approval for that project to be implemented, you don't have the authority.

Systems of government in the UK whether Scotland, Northern Ireland, Wales, or the UK as a whole rely on Ministers being in place and being responsible and accountable for decisions and the courts ruled that if we enabled you and endorsed your decision in relation to Mallusk we would be undermining a fundamental plank of our constitutional settlement which is that Ministers are the responsible individuals. Civil Service then contemplated taking that to the Supreme Court in London but decided against but the Attorney General John Larkin has taken the issue to the Supreme Court and asked for clarification on what precisely the role civil servants might play in the context of Northern Ireland where we have no Devolution. Now the Secretary of State's reaction to that proposal and what had happened in relation to the Civil Service was to convene talks with the political parties here to see whether they would be prepared to enable civil servants to take some decisions, perhaps in relation to infrastructure, I suppose that might be the most obvious example, or implementing Bengoa reforming the Health Service here for which there is all party agreement of course. So she's consulting with the parties clearly with a view to empowering civil servants.

Now if she was to do that she would require Primary legislation at Westminster but that is a way that the Committee and clearly the NIO thinks we might get around some of the obstacles which are currently in the way of good governance in Northern Ireland. So that's in process we'll have to see what the outcome is. The other, another proposal of theirs was let's reform the whole shebang. In the Good Friday Agreement Northern Ireland Act there is provision for, after three years, i.e. it would have been 2001 for a full scale review of the outworking of Devolution - the institutions, the processes, the procedures and so on. Never happened. It didn't happen. What we've had is piecemeal changes over the period since Devolution. So if you think about, for example, we have no fewer departments, we have fewer MLA's, than we had back in 1998.

What that demonstrates among other things, of course, is that the Good Friday Agreement isn't cast in stone, it's cast in aspic, that is to say that it's reformable. It's not as if it's a kind of immovable concrete obstacle to change, it isn't provided there is consensus amongst the parties, local parties. So it is reformable and what the Committee is proposing is that we have that full scale review of institutions and procedures that was supposed to have happened back in 2001, and they'd like that to proceed ASAP. And it includes Petition of Concern, it's one of the things they mention in particular they worried about it, and its abuse and all the rest of it.

To date the reforms that we've had in large measure have been the product of inter-party agreement during the course of Devolution and things like the St. Andrew's Agreement, which did make changes including a reduction in a number of departments and so on. So where are we? Now I'm not a theologian, so I'm going to stand corrected on this, I'm trying to draw a distinction here between Limbo and Purgatory. Limbo is the sense of indecision not knowing where we are really. Purgatory is where we as I understand it where we suffer for our sins. Now it's up to you to decide whether we're in a condition of Limbo or whether we're in a state of Purgatory. I plump for the latter, but then I'm a miserable person at heart anyway so I would believe that wouldn't I? It's because the UK government is seemingly absolutely determined to avoid reintroducing Direct Rule. So all these measures and proposals that are currently in the ether are sticking plasters on the absence of Devolution and like I said earlier on, I think the time maybe for cosmetic surgery is over and we need some invasive surgery which is where I think that the full scale review of the institution should go ahead but it's all to avoid the UK government, which has got its hands full, not least so with Brexit and it's tending to crowd everything else out, doesn't want Direct Rule. It obviously doesn't want to reintroduce Direct Rule. I think it's not just for political reasons because of course if it was to happen SDLP and Sinn Féin would go bananas to use a technical term but they haven't got the capacity. I mean since 2010 the reduction in staff levels across government departments with the exception of the Brexit department of course, which had to be hastily invented because of the outcome of the Referendum they've been cut significantly. Not least the NIO, it's down to about 30 percent of where it was eight years in terms of its establishment. It's got very few people here, it's got very few people over in London. Taking on the mantle of Direct Rule to look after nine departments, which is what we have and a Devolution now, I think is a big ask given that the hands, the governments hands are really full. So there are administrative as well political reasons I think for avoiding the reintroduction of Direct Rule.

And then we have, well what's going to happen with the RHI and Brexit. Now there I would draw a distinction between RHI as indicative of a symptom of a chronic problem amongst our political parties and Brexit which is an acute condition. Devolution has been like, since 1998, has been like a grumbling political appendix. Always there. It's always a niggle, there's always some kind of ache and stress and strain and anxiety about how it's operating. You know indeed one of the lessons of our model of Devolution, is it's been subject to an almost constant process of renegotiation ever since 1998.

So our try at assent is symptomatic of that chronic condition I mentioned earlier of mistrust, amongst the parties. Brexit on the other hand is a full blown, acute, crisis. It has all the hallmarks of a crisis. High Risk. High cost. A high degree of uncertainty, and high time pressure. Brexit fulfils those four conditions of what you can as it were commencely describe as a political crisis.

Now there's no time pressure as far the restoration of Devolution is concerned. Yes there are costs involved. Yes there are risks involved in not having Devolution and it does create uncertainty, hence the proposals to give civil servants more authority and so on, but there's no time pressure. None, and now the Secretary of State is introducing legislation so that she can legitimately avoid calling another election, an Assembly election. That pressure has

been removed, at least temporarily. So our condition here is a chronic one but it's amplified by the acuteness of the Brexit issue. The consequence, I think, for us this stasis. We're not going anywhere as far as Devolution is concerned, in the foreseeable future. Now we might tweak it, the current stasis quo extant but there's not going to be any, as it were, great leap forward, "One giant step for man, one giant leap for mankind" or whatever. That's not going to happen, there is no sign whatsoever and I don't think there will be until the RHI panel reports and until there is a clearish outcome to the Brexit process. We know we're leaving in March next year which is six months away, whatever it is but that's only part of the process we've then got the transition period and all the rest of it. So I think we're in for this stasis, this stalemate if you will, for quite some time.

Now whether you or your pupils think that any of the proposals for example that the government is currently conjuring with or any of the ideas like a Shadow Assembly that the Northern Ireland Affairs Select Committee is proposing, whether they are sufficient on to the day is a matter that you can discuss with your students. I don't know. I don't know. I do know that there is no foreseeable prospect of renewing talks but, you know as I've said before, I think, on these occasions this place is full of surprises. So who knows?