

## [The EU now threatens the Republic of Ireland with a hard border](#)

A desperate EU now says it will impose a hard border between the Republic of Ireland and Northern Ireland. The UK should carry on with its plans for no hard border controls when we leave the EU and the customs union which it has set out in published papers. We need not impose any new barriers on the UK side of the border. Will the EU really insist on them on the Republic side? They would be wise to work with the UK to ensure good arrangements on both sides of the border.

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## [We will leave the EU on 29 March 2019](#)

It is good the government is moving an amendment to confirm our exit date. It is two years nine months later than many Leave voters wanted. It means we will have paid the EU an extra £30bn after we decided to leave in extra contributions which gives them a win. Around £8bn of that extra cost came about thanks to Gina Miller and the courts, delaying our exit by a costly nine months. Let's now get on with it and have no more delays.

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## [Negotiating with the EU – again](#)

There are more talks underway between the UK and the EU. So far the EU has acted toughly with unfriendly actions and rhetoric, whilst the UK has behaved with diplomatic charm constantly stressing the wish to have a positive and wide ranging relationship once we have left. It is important that the UK continues to be warm and friendly about the future relationship, but also important that UK negotiators are not tempted to make offers on money or on the rights of the European Court against eventual promises to talk about trade and the wider relationship. We should not pay for talks, and there is no need to pay for trade either.

The EU has broken normal diplomatic conventions in the way they are handling their side of the talks. Usually states negotiate government to government, or in this case EU to government. They do not at the same time open talks with the opponents of the government. Instead the EU has welcomed delegations from the official opposition, from parties and individual MPs hostile to Brexit, and others who are in disagreement with the UK government.

I see press articles which look as if they have been sourced from the EU or its friends claiming that the UK government may be about to fall, or there might be change to a Labour government, or there is about to be a change of PM where there is no evidence to support any of these claims. At the same time the EU issues instructions to its member states seeking to prevent them talking to the UK on the grounds that they want a single view for the negotiation which will be the view set out by the Commission. There have been stories and quotes implying the EU wants to punish the UK for leaving. Their idea of punishment seems to be more punishment for them, as it entails imposing tariffs and obstacles to trade where they have a large surplus.

The EU has insisted throughout that there is a Brexit bill to pay though it cannot produce any legal basis for such a bill. It has insisted on only talking about three main chosen issues, and declining to talk about the important wider issues of the future relationship at the same time. As both sides agree nothing is agreed until everything is agreed it is silly to refuse to talk about the wider issues. With the clock ticking the UK government should now privately explain to the EU that if there is no prospect of talks about the free trade offer the UK is making before the end of this year then the UK will have to tell businesses to get on with planning for exit under WTO terms.

The UK is offering the rest of the EU great free access to the lucrative UK market. Translating this into the format to register as a free trade agreement with the WTO is easy as we already have the full framework in place. For the EU now it is a simple binary choice. Do they want to carry on with the access they currently enjoy to the UK, or would they prefer to access the UK as a third country under WTO rules and with WTO tariffs?

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## [The official and the political government](#)

One of the difficult things any Minister has to grasp and handle is the distinction between their government roles and their political roles.

In the UK if a Minister wishes to act as a Minister, changing policies, spending government money or leading the administration in their department, they need to do so working with the relevant officials, and keeping the department and the wider government informed of their actions. Cabinet members have various delegated powers to spend money and change policies, and in some cases Statutory powers to operate in a quasi judicial capacity without consulting other departments and colleagues. Any major decision or decision that has an impact on other departments needs to be cleared in correspondence or debated at Cabinet or Cabinet Committee unless it is a decision solely entrusted to a named Secretary of State.

If a Minister wishes to be involved in a local or national election, wants to change Manifesto policy for their party, wishes to attend a political function or otherwise act as a party politician they must not involve the civil service. They may not normally use a government car to get to the event unless there is a security need to do so. They have no duty to report the matter to the government machine, and will only tell the official government of decisions or problems that they come across at any such event that are relevant for the government to consider.

If a Minister travels abroad and wants to meet senior representatives of a foreign government it is normal to advise the Foreign Office and to study any brief they send so that the Minister sticks to the government view of the issues that relate to the UK's relationship with that country. If a Minister goes abroad for a holiday or to visit friends and family there is not usually any need to consult the Foreign Office or to understand the government line on all the issues, as the Minister is not speaking as a Minister or becoming involved in public policy. If a Minister goes to a foreign country to participate only in a conference or series of meetings that are clearly party political, again they cannot use government assistance and do not have to tell officials.

Various officials in Whitehall clearly do not like Priti Patel for whatever reason. They started briefing against her, claiming she had held meetings when on holiday in Israel that should have been reported to the Foreign Office, and cleared in advance of holding them. The Prime Minister was brought in to adjudicate. According to the press she asked for a full statement of what Priti Patel had done on holiday and told her she should not freelance in this way. When it subsequently emerged that the Minister had not made a full statement of what she had done, the Prime Minister clearly decided to take further action.

It is ultimately for the PM's judgement whether any given meeting or event was a political or an official one, and whether any given Minister has stepped too far from government policy in what they have said and done. It is clearly best if Ministers can work well with their officials, or can at least trust the official machine with details of their activities. It can also be the case that sometimes officials have their own reasons for wanting to criticise their Minister through unofficial and anonymous briefings, or by report to the Prime Minister. Only the Prime Minister can ultimately decide the merit of these criticisms. Establishing control when something has gone wrong is not easy. Some say sacking the Minister gives the PM control, but it also gives a win to the officials who wanted the Minister out.

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## [Daily reckoning website](#)

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