

Ministers Reflect

Carwyn Jones



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Biographical details

Welsh Assembly history

1999–present: Labour Assembly Member for Bridgend

Welsh government career

2009–18: First Minister of Wales

2007–09: Counsel General for Wales and Leader of the House

2007–07: Minister for Education, Culture and the Welsh Language

2003–07: Minister for the Environment, Planning and Countryside

2002–03: Minister for Assembly Business

2000–02: Minister for Agriculture and Rural Affairs

Carwyn Jones was interviewed by Akash Paun and Tess Kidney Bishop on 18 January 2019 for the Institute for Government’s Ministers Reflect project.

Carwyn Jones reflects on leading minority and coalition governments in Wales, dealing with of Brexit and its impact on the constitution, and leaving government after 18 years.

Akash Paun (AP): We will mostly be concentrating on your time as First Minister, and that’s quite a long period in itself. But we want to start when you first entered government, back in 2000. Thinking back to your first day in office as the Minister for Agricultural Affairs, what did it feel like becoming a minister for the first time?

Carwyn Jones (CJ): A combination of excitement and terror. I found out on a Saturday night, when then First Minister Rhodri Morgan phoned me at half past ten at night. I remember it well. My wife and I had been to IKEA in Bristol, would you believe? There wasn't one in Cardiff in those days, and IKEA in those days was almost a tourist attraction. And the phone rang, and I didn’t have caller ID on the phone then, and I thought: “Who’s ringing me on a Saturday night?” And I thought: “Well, I’d better pick the phone up.” I picked the phone up and it was Rhodri Morgan, who simply said to me: “Carwyn, I want you to take over as Agriculture Secretary on Monday in the Royal Welsh Show. So we’ll pick you up. Come to my house and we’ll come up together, is that alright?” “Yes.” And that was it. That was the conversation.

AP: Completely unexpected then?

CJ: Oh yeah, completely. Well, it was the only [ministerial] change. It was completely out of the blue. So we went up to the Royal Welsh Show that day, it’s the biggest agricultural show in Britain, and I was the Agriculture Secretary. So I remember the day vividly, because it was a complete surprise to people. I’d been on the Agriculture Committee, so I knew a fair bit anyway. But suddenly to become the minister... You have to go to different places and sound coherent, and know what you’re talking about, so it was a bit of a challenge. There was no warning, at all, before that Saturday night. And to be thrown then into the biggest agricultural event of all within a day was quite a challenge.

AP: So the initial feeling was excitement and terror, but in the event were there any particularly challenging things that happened that you had to deal with right at the start?

CJ: Well, I got through it. At that point, one of the issues that had been vexing us was the ban on beef on the bone. I think [the question of] whether we could lift the ban in Wales had just finished as an issue: we didn’t, because the medical advice was very clear. So at that point it was quite quiet in that sense. The euro was quite weak against the pound and so farmers’ subsidies were worth less than they'd been the year before. That was troubling some farmers. But there was no major issue at that point. What I did

was go around as many of the shows, of which there are many, as I could just to get myself known and to prepare myself to come back in September for questions.

AP: What about your first experience of actually going into the department, meeting your civil service teams and taking over this organisation – what did that feel like?

CJ: Well, I met quite a few of them at the Royal Welsh. Of course we were in recess at that point, so I went then into Cardiff. It was a blur at that point. There was so much to do, so much to learn, so many people to meet. And I had to learn the language, because agriculture has its own language, it's full of phrases that aren't used really anywhere else. So I had to learn about BSPS [Beef Special Premium Scheme], SAPS [Single Area Payment Scheme], APM [Agricultural Policies and Markets], that kind of stuff. My training as a barrister helped me there, because I was used to assimilating information fairly quickly. But yeah, it's a bit of a blur that summer, really, and the early autumn afterwards.

AP: At that point, when you were appointed, it was still not much over a year since devolution had commenced. What was your perception of how effectively the new institutions were operating?

CJ: There were challenges. We'd had political turmoil. Alun Michael had been the First Secretary, as it was called in those days. Rhodri then took over. But the biggest challenge we faced was that the civil service wasn't ready to take over. Bear in mind that the Scottish Office had been expected to do things itself – it drafted legislation. Well, the Welsh Office didn't do any of that. The Welsh Office, mainly although not always, tended to follow whatever was done in England and stamp it with Wales on the front. I don't believe there was a culture of innovation there at all. And a lot of people had come back to Wales from Whitehall to retire, and they didn't want to have all the work of servicing a government. It took some time for newer people to come in who understood that actually now they weren't working for a government department where the secretary of state would turn up for a half-day a week, if you were lucky, but now you had a raft of ministers on your back, basically. And it took some time for the civil service to adapt to that. By now, of course, it's changed completely.

AP: Within your own department, did that affect what you were able to accomplish?

CJ: No. I was lucky, I had good people. Oddly enough, agriculture was one of those departments where there was scope for innovation in the old Welsh Office, so I had some of the best people. I had a very good team around me, which wasn't true of everybody else, so what I inherited was good people. And that was really, really important for us when further challenges came the year after.

AP: You were in that agriculture job until 2002 and also responsible for agriculture between 2003 and 2007. Over that long period working in that sector, what were the main challenges you faced and how did you overcome them?

CJ: Well, foot-and-mouth [disease] was the biggest challenge. That arrived in the early part of 2001 in Wales. I remember exactly where I was when I heard that it had arrived. I was in the Port of Larne in Northern Ireland of all places. My wife's from Belfast, and we'd gone for a drive. I was told, and then of course we had months of chasing the disease and trying to track it down and get ahold of it. The odd thing was that even though I was fronting it all, I had no powers. All the powers were with Defra [the Department for Environment, Food and Rural Affairs] in those days. But Defra had no civil servants in Wales, so we had to use ours. So it was clunky but we got there.

I was 33 when it arrived, and there were two things that I remember thinking: that if this goes wrong you're finished and that's it, you're done in politics, and that this would be a test of devolution. If you can sound credible, and the Assembly as it was then can sound credible, it will mean that that people will have confidence in us and we'll be able to deal with the crisis. And we did that. It wasn't easy at times, the disease re-appeared a few months after we thought it had gone. We had to deal with that. It was unpleasant. People weren't happy at all, animals being buried and burned, there were all manner of challenges. But for me... It ended up being the making of me. But it could easily have broken me.

AP: You mentioned that you didn't really have the powers at the devolved level, but you were accountable, and felt accountable, nonetheless. How did that affect you? Were you able to get the additional powers from Defra, or was it dependent on them?

CJ: Yeah, we got those powers in the end anyway, and set up our own chief vet. We had to, it didn't make any sense not to. It didn't cause any practical problems, I must say, it didn't hinder dealing with the disease. But it was hugely important to have somebody, particularly in the early days, holding a press conference every day, because there were so many rumours going around that it had appeared here, there and everywhere. It was massively important that people felt that there was a source of information that could be trusted, and I had to make sure it was us. So I would front the press conference every day. At the start I was almost trying to answer the veterinary questions as well, until it was pointed out to me that perhaps the vet might be a better person to answer those questions. But it established, I think, an air of competence, but also of trust, that would have been lost had we not done that in the first few days. If there had been silence for the first few days, we could never have established ourselves in the same way. So establishing a point of information that was the truth, not rumour, was massively important.

AP: And was the responsibility for this delegated to you by the First Minister? What was that relationship like?

CJ: Rhodri [Morgan] was somebody who would take an interest when he needed to, but he was very keen not to interfere. Rhodri took the view that you are a minister and you must learn yourself, and if you want some advice I'll be there, but I won't interfere. And that's what he did. He would ring now and again, but he never ever pulled me in and said: "Do this, do that." Whereas Tony Blair was entirely different. For example, I went to meetings that Tony Blair presided over, and Nick Brown, the Agriculture Secretary [1998–2001], was there. And Nick would say one thing and then Tony Blair would come in and say: "No, we're not doing that, we're doing this", in front of us. And I thought that was a very different way of doing government compared to what I was used to in Wales.

AP: So having observed both Rhodri Morgan and, to some extent, Tony Blair's approach, what lessons did you take from that when you ended up stepping up to be First Minister yourself? How did that inform how you went about striking that balance?

CJ: Well, you have to strike out on your own. The first thing that you have to establish is credibility. You have to sound credible, you have to be able to give interviews clearly, you have to be able to give speeches in an authoritative way. If you can't do that, then no matter how good you are otherwise, people won't see beyond that point. Blair was very good at it. Rhodri was a very different sort of speechmaker, but people liked him because Rhodri was quirky. And people liked the fact that he was genuine, as a result of that. For me it was a question of trying to sit between the two I suppose. You can't be up yourself, you've got to make sure you are warm, you're approachable, but also you can't control things too much. Rhodri didn't like control. The Blair Government was very controlling, it was the way he operated, and successfully. Rhodri was very different. In that sense, for me, it was a matter of whether there was somewhere between the two I could go and run a government that way.

AP: Did you feel that Rhodri Morgan was a bit too hands-off in some cases?

CJ: Rhodri was different. I mean, Rhodri was an incredibly intelligent man. He'd give the impression that he wasn't, but he was. He had this incredible knack: if he met you once, he would remember you 10 years later. How he did this I don't know. But people liked that, that was Rhodri, and he was a very, very clever man. He absolutely understood government and what to do. So I could never be like Rhodri, there's no point in trying to imitate your predecessor, but I learned a lot from him. He was somebody who mentored me in so many ways. He was only a year younger than my own father, and he was a father figure to me in politics, literally in that sense. And he would always refer to me as 'bachgen'. It means 'boy' in Welsh, but it really means 'my boy', so, it's not patronising, it's affectionate. He'd always refer to me that way, which I liked. I never took any offense from it, because he was in that generation above me.

AP: Moving on to when you were in the post of First Minister, you went through different political contexts. You came in when Labour was in coalition with Plaid Cymru and subsequently governed alone, sometimes with a majority and with a minority as well. I'm wondering about the challenges you faced in your role during those different periods. When you first came in, you inherited a coalition. Did that constrain how much you were able to strike out on your own?

CJ: No. I fully supported the Coalition [with Plaid Cymru] and it ran pretty well for four years. There were tensions, there were strains, but compared to what happened up here with the Tories and Lib Dems, they were very, very minor. I got on well with Ieuan [Wyn Jones], the Deputy First Minister, there was no tension between us at all so that worked very well at that time. And we had a very big majority as a result of that coalition. In 2011, we won 30 seats. That was enough, in effect, to govern. And then of course in 2016 we lost one seat, we went down to 29. I then invited the one Liberal Democrat, Kirsty Williams, to join the Government because I thought she deserved it – she was very good and is very good as a minister – but also of course because it gave us that extra vote. Then we got another defection, that was Dafydd Elis-Thomas, who left Plaid Cymru and became an independent. I brought him into the Government and that worked very well.

So we created a majority that way. But the mindset in Cardiff was very different to Westminster. Yes, it's an adversarial system, but people do work together to get legislation through in a way that I don't think happens here [in London]. It's a slightly different culture. So with many of the bills that we take through, we've worked on them to get the support of at least one other party. And that's how we work, it's normal for us, rather than saying: "Right, we'll just do this now and you either support it or you don't." That doesn't work in our context. There's never been a time, apart from now, oddly, when any government has had a majority in the Chamber, and so it does create a situation where you have to work in a very different way.

AP: In 2011, given you'd been working effectively with Plaid and you only had a bare 50% of the Assembly, did you consider whether it would be better to keep the Coalition going? What led you to start to govern alone?

CJ: Plaid didn't want to be in a coalition. They said: "Look, you've got 30 seats, you can govern." From their perspective it hadn't gone well electorally, because they'd lost seats. And within their party they had people saying, you know: "We were in government and look what's happened as a result, so we don't want to do that again." So, there was no ill feeling, but that was Plaid's decision, not mine.

AP: Would you have preferred to carry on in coalition?

CJ: Well, the pressure on me was to govern alone rather than in coalition, and I think I would have had to try that first. But the coalition option was removed anyway as soon as the election was over.

AP: You didn't consider the Liberal Democrats?

CJ: No. But bear in mind that the Liberal Democrats by that point were in coalition with the Tories here [in London], so it was impossible, it couldn't be done. There's no way any of my party would have countenanced being in coalition in Cardiff with a party that was in government on the other side in London.

AP: But later the Liberal Democrat Kirsty Williams did join the Labour Government?

CJ: Yeah, because [by 2016] the Lib Dems weren't in government anymore. Kirsty was well-liked by many people, and they well understood and supported her being in government. You have to remember it's a 60-seat chamber. People know each other in a way, and it's not quite the same as in Westminster. People were prepared to accept her as a Lib Dem in government. And she was prepared to come into government, because she said: "Look, you know, we've known each other since '99, we were there from the start." I think she felt she could trust me not to stitch her up in some way, which has never happened.

Tess Kidney Bishop (TKB): What was your approach to setting out what the priorities were for the Government? You mentioned you did have some room to do this in the Coalition, but particularly when you were governing alone.

CJ: Our manifesto. The objective was to deliver the manifesto. There were always discussions about legislation. There were discussions about the budget, because 30 votes wasn't enough to get the budget through, but we worked on those and spoke to the other parties and they would say: "Well, look, if you put this, this and this in, we'll support it." And we'd say: "Well, look, we can't do that, that and that, but we'll do this, this and this", and then we'd get to a point of compromise. And the budget always got through. So that's just the way that we operated. We're used to that system, and we've had a Labour [-led] government in Wales now for 20 years, but not once with a majority. And the only way you can govern then is to work with other parties. Otherwise you can't, you won't get your budget through. You don't get your budget through, it's a confidence issue. So that's just the way it's been done.

TKB: When you were writing your manifesto, were you already thinking about what you could realistically get through when you were in office?

CJ: No, because you have to write your manifesto on the basis that you think you're going to win. We delivered all our promises between 2011 and 2016, and we're on

course to do it again now, and we did that against the backdrop of ever-diminishing resources. Even in the Labour-Plaid Coalition, the object was to deliver your own manifesto and some of the Plaid manifesto as well. There was a lot of crossover between the two manifestos anyway. So we were able to do that. There's nothing there to sacrifice: we were able to take on board other things, but there was nothing that had to be sacrificed.

TKB: And when you were elected to government, were there particular things, personal priorities, that you championed?

CJ: Well, in 2009, the question was: do we have a referendum on primary powers? Which I supported. That was tricky with our Westminster colleagues, who were very sceptical of the whole idea, because [from 2007–11] we had this bizarre system where we could pass what were called Measures, which were in effect Acts, but only if we'd asked permission from Westminster first. And there was a process to go through there.

AP: Is this LCOs [Legislative Competence Orders]?

CJ: LCOs, yeah, long may they rest. Plaid wanted a referendum in 2011. It was difficult because it would have caused great problems within my own party, actually, at that point. Of course there was a general election in 2010, and David Cameron was supportive of a referendum, or at least neutral. So we had the referendum. We um-ed and ah-ed about when it should be held. The opinion polls were absolutely clear, and that was reflected in the final vote. So that was the first challenge, because of course if the result of the referendum had been different, I'd have had to resign, after 14, 15 months in the job. That's not what happened. So that was the first challenge that we had to face.

There've been financial challenges of course since. In terms of legislation, some of the legislation we've passed has been groundbreaking – the Wellbeing of Future Generations Act [2015], the Human Transplantation Act [2013]. That was a real test of the Assembly's ability to make laws, and also of course for government to work with other parties, because there were a few people against the idea. No party was against the idea, but they had different concerns, so we sat down and worked through the concerns and that's what happened.

AP: This is opt-out organ donation?

CJ: Yeah.

TKB: On that, as well as working with the political parties on their concerns, how much were you working with the public and with doctors? Were other people involved?

CJ: The consultation processes are very similar to here [in London]. We produced a white paper and there was consultation on that. We talked to the representatives of the

medical profession and the legal profession, and we had a public consultation as well. A public consultation doesn't often generate a lot of response, but what we did, once the legislation was passed, was advertise it all over the place, so people knew about it and the level of understanding of it was very high. The problem we have is that most of our people get their printed news from English papers, with no [reporting on] Wales, they don't know what's going on. They don't have Welsh editions even, so we've got to get past that. The TV, fine, but we have to get past that to make sure that people do get the message that this is what is happening. I think there are people alive today because of opt-out organ donation, and you can't ask more than that in politics. If people have been given a second chance at life, that's something I'm particularly proud of.

TKB: On policies like that, did you set up systems or units to monitor how they were actually being implemented after the legislation has been passed?

CJ: That happens anyway. There are reviews of legislation to make sure it's working effectively. The Law Commissioners do work for us as well. We decided against establishing our own Law Commission for two reasons: firstly the expense, and secondly the Law Commission of England and Wales was very keen to work with us. So they've done a great job for us so far. But, of course, as the body of Welsh legislation expands – we've got 35 Acts already – then there will be a need to have a more formal review process that's more coherent, and that's where the Law Commission comes in.

The first idea we're looking at is planning law. The idea is we want to codify Welsh law, so if people want to find out what planning law is anywhere, you look at the code. You don't have to go through any number of books, it's all in the code. That's something that the Law Commissioners looked at, and that's where we will go next with establishing legal codes to make it a hell of a lot easier for the public to access the law. With legal aid diminishing, more and more people are litigating personally in the courts. It's hugely important that they're able to access the law in the easiest way possible and they can't do that now. And without lawyers doing it for them, they'll struggle.

AP: That's one aspect of ensuring that your policies are implemented. Another side we were wondering about was whether you created anything like a delivery unit or implementation unit in the centre of government to make sure that departments were getting on with what you expected them to be.

CJ: Yes, I did.

AP: How did that work?

CJ: That worked well. It's still there now. It's quite strange because at the beginning it was called a delivery unit, and basically it was seen as a bit like the police complaints people. [People felt that] you were there sort of to look over their shoulder. It wasn't welcome, but hey ho, there it is. And those people who joined it almost had to think:

“Well, hold on a second, if I'm joining this, you're seen as being on the other side”, and so on. So, it was... But it worked, we knew what was going on.

AP: Is this something new that you created in 2009?

CJ: No, I created it after 2011. That's now morphed into the Cabinet Office, so that's now a much more formal process because they changed it after the last election. The job of the Cabinet Office is roughly what you get up here [in London]. It will produce cross-cutting pieces of work. It's a way of a First Minister knowing what's going on in a department as well, early warning signs. And so we've moved away from something that was fairly uncoordinated into something that's much more aligned and holistic, in terms of the approach we take.

AP: Interesting. So when you came in, did you identify that the centre was a little bit under-resourced?

CJ: No. I mean, we didn't really have a centre as such. We had a political centre in terms of ministers, but we didn't have a centre in terms of what was being done. Yeah, you've got the permanent secretary, but the question I asked myself was: “As First Minister, do I know, or do I have enough early sight of, what's actually going on?” And the answer to the question was no. So the delivery unit was designed to look at problems before they arose and say to me: “Look, there's two departments here that are at loggerheads, we need to sort it out.” So it was a problem-solving unit that looked at how we could deal with a situation as or before it arises. It's now moved on to having a policy role as well.

TKB: Do you have an example of where you saw those early signs and had to intervene in a particular department?

CJ: It would usually be personality clashes.

TKB: Between the ministers or civil servants?

CJ: Usually ministers, sometimes civil servants. And then if there was a need I'd step in and say: “Well, look: What do *you* say? What do *you* say? Right, this is what we're going to do.” That's only a trivial example, but it did happen. They were mainly to do with finance, where people say: “I haven't got this money, that money” and “yes you have”. But without that delivery unit, it would have taken far longer for that conflict to have come to my desk and so it would have been far more difficult to resolve.

AP: And before that, were different parts of government pulling in different directions?

CJ: Bear in mind that we're in effect almost a one-department government, because most of the civil servants are all in one building. We don't have separate buildings, we don't have separate ministries. We have different offices around Wales, but ministers are not based in those offices. It's all ministers on the same floor, and all senior civil

servants, in the main, in one building. Because there's no physical separateness, the opportunity to create a particular culture is not quite there in the same way. So it does make it easier to handle. Bear in mind we've only got 5,500 civil servants. It's not a big organisation at all, so it should be far easier to, not keep a grip, but be able to coordinate what's happening from the centre.

TKB: How effective did you find the civil servants generally? Were you getting the support you wanted?

CJ: Variable. It's improved massively over the past 20 years, there's no doubt about that. When I first started, you had people who really, they couldn't write a letter, I'd be correcting letters. Now you don't want to be doing that for simple spelling and grammar mistakes. We had some, but we didn't have enough people in positions of leadership. The Welsh Office was not an attractive place for ambitious people to come. They would go to a Whitehall department and then they'd come back to Wales. That's changed. We still need people to come here [from Whitehall], I don't want to stop that happening, but the fast-trackers that we have now, the younger people, are really very good, because they see an opportunity in Wales to influence government more effectively in a small organisation. So there's been a consistent improvement generally. There's still people there from the Welsh Office days that were very good. So it's not that they were all hopeless, far from it. But generally we've seen a steady improvement in the quality of the civil servants.

TKB: Were there particular reforms you made for that improvement to happen?

CJ: It was simply a question of saying to some of the people who had been here for a long time: "Look, it's not a backwater department anymore. We need to be doing things. We need to do this, do that, you need to be doing it; and by the way there's no England template, you've got to do it yourself." And also, as we developed our powers, we became far more attractive for bright young graduates, particularly, to be in Wales. Because they saw there was a chance here for innovation. That wasn't the case in the days of the Welsh Office. It was an administrative office, in the main. Some things were done differently, but in the main it didn't do very much that was different to what was happening in England. And so we got the poll tax at the same time as England. Well, that doesn't happen now.

TKB: You brought up that up at the beginning as well that there was not a culture of innovation. Were you particularly encouraging people to experiment and try new ideas?

CJ: Yes. The biggest challenge we faced was developing the skills to draft primary legislation, because there was no expertise at all in the old Welsh Office. Yes, there was expertise in drafting secondary legislation, but that was mainly a question of copying what happened in England and then issuing it in Wales. So there were two things we had to do. First of all, all our legislation is bilingual, so you have to have bilingual

drafters. And there're not many of them in the world, bilingual legal drafters, but we got them. And secondly, to develop the expertise to produce primary legislation that was effective. Now, we had that halfway house with the LCOs where we could get a bit of practice in, I suppose. And then of course in 2011 it was straight into primary legislation. So, we went from '99 to 2011 from being an organisation that had no powers and no expertise in drafting primary legislation to an organisation that's done just that, bilingually, and we know that our laws have been tested and they've been sound. So that's been a heck of an achievement in that time.

TKB: Were there particular policy areas where you were pushing them to do something a bit more innovative or different from what had been done in Westminster?

CJ: We don't start from the perspective of Westminster's doing X, so we will do Y. We started off on a small scale, so people noticed it, for example by issuing free bus passes to everyone over 60. But our powers were limited. We would debate things like the Undersized Whiting Order, and the Potatoes Originating in Egypt Regulations, on the floor of the Assembly, because we had no more legislation to discuss. We controlled the purse strings in the sense that we couldn't raise money but we could spend it. We couldn't really make any legislation. The development of those skills after that point has been immense. The only problem is the pressure on the Assembly, because there are only 60 members and the workload per Assembly Member in terms of committees is far greater than London. I'm on two [committees] now. A lot are on three a week. So we don't have enough members. That's our problem. You say to the public you need more politicians, it's not like it's a popular move.

AP: That's been an ongoing issue.

CJ: Well, Northern Ireland had 108 [now 90], with half the population [of Wales]. Scotland's is 129 with just 60% more of the population. And we're struggling. Some of our councils have got more members [than the Assembly]. The Government doesn't struggle, but the danger is you end up in a position where scrutiny's not what it should be. So far we haven't seen that, because people have worked their socks off, but you need to be challenged as a government – I can say that now – in order to be more effective. And it's a real strain on our members to do that, because the workload is so high.

AP: Can I just pick up on the point about differentiation from Westminster? Rhodri Morgan was associated with the phrase 'clear red water'.

CJ: That was Mark Drakeford's phrase [from his time as special adviser to Morgan].

AP: Right. The implication was that the Welsh Government was measuring itself, in a sense, in reference to what was happening in Westminster. Did you feel when you were First Minister that things had moved on from there?

CJ: Yeah, things have moved on. Sometimes we had to react to something in England, but in health and education... The education system now is substantially different. We don't have free schools, our GCSE grades are different. We're still in the tripartite agreement on A-levels, but the qualifications, and for lots of schools the curriculum, will change next year now. That's been done not because we want to be different from England, but because we think it's right for Wales. Whereas I do think at the very beginning we tended to say: "Well, if that's what's happening in England, then we'll do something different in Wales", and sometimes that's quite populist. Now, we can't do that anymore. The money's not there anyway. But we have moved on from that point, as we should. We're not there to compare ourselves all the time with England, or any other country. If you do have to, have a comparator, to make sure you're doing okay. But that's not where we start in terms of policy anymore.

TKB: I've got a few questions about how you managed your team of ministers. How important were Cabinet meetings for you?

CJ: Cabinet meetings were important. We never had a vote in Cabinet in the 18 and a half years I was in it. So we tend to work in a consensual way. Issues are resolved hopefully beforehand, and if not they're resolved round the table. So they're hugely important. We met weekly at nine o'clock, and that was the opportunity to go through some of the issues that people were concerned with. And we tried to solve them as much as we could beforehand. If not, they'd be aired around the table and we'd get there.

TKB: And you were happy to have an open discussion within those meetings?

CJ: Yeah. Well, there's no point in people being guarded in the meeting, and then going off and complaining. They knew that. And I'm not the sort of person who would sit there and say: "You're opening your mouth too much." That's not the way it works. You've got to have people feeling free to express their views in Cabinet in order for you to be sure that they're content and happy, otherwise you'll never know.

TKB: You mentioned this a bit when we were talking about Rhodri Morgan, but how much did you get involved in the activities of individual ministers in the later years?

CJ: Not unless there was a particularly important issue, where we'd discuss that issue, but most often ministers would ask to meet me and say: "Look, we've got this, what do you think?" They knew my door was open, so they could come in and talk to me about a tricky issue anyway.

TKB: It sounds like that was partly because you had collective agreement on most things.

CJ: Yeah, that was never a problem for us, we never had a problem with people talking outside Cabinet and arguing with each other. We don't have that, it's chaos up in London compared to the order that we have, I'd say, in Wales. And we never had that kind of problem, we never had split Cabinets. We had personality clashes, no question about that, we had people who didn't get on, but that was managed.

TKB: One of the things we've heard about from quite a few of the other ministers is the difficulty of working on issues like mental health, where things fall into the health portfolio but also into justice. Did you have a particular approach to encouraging your ministers to work together on issues like that, where it wasn't just in one of their portfolios?

CJ: Well, they would more often than not, and where they didn't I'd step in. At one time, we used to have cabinet subcommittees, but the worry that I had about cabinet subcommittees was that not every minister was on the subcommittee. And so if they're not on the subcommittee, they won't see it as a priority for them. So, the way I organised it was: "Okay, we're going to have a Programme for Government: here it is. Everyone signs up to that. We have five priority areas – mental health is one of them actually – and all of you collectively are signed up to working for those objectives." So that's the way it was done, rather than doing it on an ad-hoc basis.

TKB: How did you use junior ministers?

CJ: It's not the case now, but I gave them particular responsibilities. They weren't there just to shadow what the Cabinet minister was doing, they had particular responsibilities and it was part of their title.

AP: And that's changed now [since Mark Drakeford became First Minister], hasn't it?

CJ: Yeah. Well, you know, everyone has to establish the system that they think is best for them. I liked to give people specific areas of responsibility so there was no conflict between doing things in the same department. Mark [Drakeford] takes a broader view. It's a different approach, that's all.

TKB: How did you go about organising and planning for reshuffles?

CJ: Reshuffles, if they were planned – and I had to sack two people outside of a reshuffle – they would be planned at specific times. Reshuffles almost always took place in a recess, because it gave people a chance to bed in without being asked questions. So that's what would happen. But the process we went through at reshuffles was that there were documents, and you basically sat with people who were your advisers and worked through scenarios. There'd be a first draft of people and then there's a second, third. You shift people around into different areas. You have discussion about who's staying, who's going. All that's quite normal, and then you eventually end up with a reshuffle.

TKB: So what were the kind of things you'd think about in choosing a particular minister for a portfolio?

CJ: Has someone been there a long time? How effective are they? Is there somebody else that deserves a chance? There are any number of issues that come into your mind, that are specific to the individual, quite often. But I don't like reshuffles, never did, because you have to tell people bad news and that's never easy. So the people coming in are delighted, but the people leaving, as you can imagine, are not. So it's always been very difficult. You've really got to be prepared for what the reaction might be.

TKB: After foot-and-mouth [disease] in 2001, can you remember a particular crisis that you dealt with when you were First Minister? An external crisis that the Government faced, rather than a political one.

CJ: Well, Brexit. That's both external and political. That sits there as the biggest crisis of all, there's nothing like it. It's dominated everything for years, to the extent that we are going through a huge amount of legislation now. We have to produce a thousand different SIs [statutory instruments]. Now, for a lot of them, we've said to Whitehall: "Look, we've got no policy difference with you, will you do it?" And they said yes. But that is by far the biggest thing that I've dealt with in that time.

AP: We'll definitely have a few questions on that.

CJ: Yeah. I mean mainly between 2009 and 2016 it was money. That was the dominant issue: money. The budget was going down every year. And then with Brexit, money problems are still there, but it switched to Brexit. And that is by far the most pressing and apparently insoluble, at the moment, issue that I have ever had to deal with.

TKB: Even just in terms of what you're thinking about day to day?

CJ: Yeah.

One of the external issues I do remember was there was an accident underground in a very small mine, that I didn't know was there, where four men were missing. And I went to sit with the families as we waited for news. And it wasn't even a mine, it was a hole in a mountain basically, with winding gear. I was there to wait for news to see what had happened. And three of them died, and that was tough. You can imagine, waiting, you can't comfort people, you can't say: "It'll be fine", can you? So that was quite tough, having to do that with people, just waiting and waiting. It took you back years to the old days when there were serious accidents in the mines. And that was very hard.

AP: You were there as First Minister, not because it was in your constituency.

CJ: Yeah. That was part of my job to be there.

TKB: And how did you manage the response to that?

CJ: All you can do is sit with the families. What can you do? You can't say it'll all be fine, you can't, there's nothing you can say to comfort them that's honest. So you just have to sit there.

TKB: I don't know in this particular instance, but were there things you then went back and changed about safety policy?

CJ: No, it's not devolved. No, mine safety's not devolved. What happened was they put an explosive charge into a wall, underground, and there was water behind it. It was there on the surveys, so it wasn't unknown, and of course the wall blew. They'd hidden and when they came around the corner, this torrent came towards them. It was basically a couple of men working got themselves caught really, it wasn't a big commercial operation. So no, mine safety isn't devolved, health and safety's not ours, [and] I'm not particularly keen on having either really.

TKB: Over the whole period, as the Government matured, did you still feel that pressure you mentioned at the beginning to deliver to show that devolution was working?

CJ: No, not to show that devolution was working, not anymore, because devolution was an established fact, all the polls are very supportive. It's now a question of making sure you deliver on behalf of your party, and on behalf of the country, of course, and also you keep your promises. I long stopped thinking: "Does this have the strength of devolution in people's minds?" We saw the result in 2011, it was overwhelming. And so no, I don't think that way anymore.

AP: You've mentioned the additional powers that Wales took on at various points a couple of times. It's been a process not an event, in the old phrase. I'm interested in how you took decisions about taking on additional policy areas. How did you decide which ones you would actually like to take on? A couple of former colleagues of yours we've interviewed, Andrew Davies and Jane Hutt, both used the phrase 'powers for a purpose'. So, I'm interested in how you went about that decision-making process.

CJ: Well, the powers we have are powers that we needed. Quite often they were in areas where we had half the powers and then not the other half. There's one outstanding issue to my mind and that's police and the justice system. It doesn't make sense it's not devolved. Now, I don't underestimate the cost of this, or the resource that would have to be put into it, but it doesn't make any sense that Scotland and Northern Ireland have got justice devolved and we haven't, because it means that trying to work to provide services in prisons, for example, is more difficult. You know there's a perpetual argument with the Ministry of Justice, where they say to us: "Well, you passed a law, now it's going to mean more resources have to be given to the courts: are you going to pay us?" And we say no. And then they say: "But they pay us in Whitehall." And I say: "How interesting, we're not in Whitehall." You're the people that don't want it devolved, you pay for it. We won't pay for something that's not devolved.

I think the one thing that in my mind has changed is that I now see devolution in terms of how it works for the UK. We've tended to look at devolution as: "Oh, it's for Scotland, Wales and Northern Ireland, let's give them that and give them that." And it doesn't work that way. It's now about how the UK functions. It wasn't meant to be for England. How do we have our situation which is actually more federal? I wouldn't say completely federal, because what you do with England's the problem, it's so big: the English question. But we have to start looking at devolution that is something that's part of the constitutional settlement for the whole of the UK, and not a series of bilateral 'handings over' of power, which is what it's been so far.

AP: Of course you've made two speeches here at the Institute for Government on that subject [in 2018 and 2014]. And I'd like to come back to the bigger constitutional question. But the justice issues are unresolved. You set up the Commission on Justice in Wales, so you see this as on the agenda as part of an ongoing process?

CJ: Yes, it always will be. I think you can separate the police from the criminal justice system, but you can't separate the rest, because the police bring people to the door of the justice system, and the CPS [Crown Prosecution Service], arguably. As soon as they're in the courts, there's a seamless process. If we look at the end of the system, where you've got sentencing and you've got people who are in prison: if you control the prisons, but you don't control probation, you don't control the courts, you can't control the numbers coming into prison. So you then go back: you have to control sentencing policy. Then you have to control justice, in terms of what the penalties are, so all that sits together. You can't say you have the prisons, but you're not having sentencing policy, because it doesn't make sense, you're offering yourself up to have to pay more money. So, for me, I'd like to see the police devolved, sooner rather than later, and then the rest of the justice system would come very gradually over time, I think.

Beyond that there's nothing else really, I'd say, that would be a priority. We have now some tax-varying powers, but the reality is our scope to vary income tax is limited. We did change land transaction tax, which is the stamp duty equivalent, because it reflected the Welsh market better. And landfill tax is quite small, but income tax is not. You know, the reason why income tax was important to us was we wanted to borrow like everyone else. But they said "you can only borrow if you have a revenue stream" – unless you're Northern Ireland. Fine, I understood that, and I knew that the scope for using income tax as an economic tool was going to be very limited. But it was a way of making sure we could then borrow money, which we needed to do, and every other government does.

AP: So, it wasn't because you wanted to diverge from the rates in England?

CJ: No. In fact, we made a commitment in 2016 that we wouldn't change the rates for this Assembly. In the future, who knows? But, for me, firstly you've got to be in anyway. And I couldn't see what the advantage was. The trap is of course that you end

up in a situation where, if your budget is going down every year in real terms, you then increase the tax rate, simply to plug a gap. So, what people then see is they're paying more tax, and they're not seeing an improvement in services. You're basically plugging a gap that has been created by the UK Government and being paid for by your own people who can't see why they're paying the extra money. So, there's a trap there. Which is why we knew it would be very difficult to do anything with it in this Assembly term.

AP: Land transaction tax and other functions were devolved in the two more recent Wales Acts, in 2014 and 2017. What did you do to ensure that there was the necessary capacity and expertise within the Welsh Government to take on those functions?

CJ: Our finance people are excellent, they're really good officials, but also we established the Revenue Authority. Now, originally it was going to be called the Revenue Authority for Wales. The acronym didn't appeal to me, so I said: "We can't call it RAW." So it's the Welsh Revenue Authority. Obviously we didn't want to create what HMRC could do anyway for the sake of it. But the Revenue Authority's there now, providing the expertise, with good people in it that we need for the future. In terms of tax predictions, all that is now in place.

AP: There were other policy areas and smaller extra powers that were devolved. Did any of those create challenges to the overall capacity at the devolved level?

CJ: No, because it feels that in many of the areas, our officials are well used to dealing with it anyway. So, we've not seen any capacity problems being created as a result of the new powers.

AP: Transport and energy policy functions, for instance?

CJ: Yeah, but you know we were doing a lot of that anyway. If you look at the trains, for example, at one point the trains weren't devolved at all. The track still isn't devolved, nor have we got the power, unlike Scotland, to direct Network Rail. But we did have the power we took over the franchising, we got the Wales and Borders franchise. Something's in place now and once we've got the new trains in place we think it will work very, very well. Now, we already had transport officials, because we already ran the trunk roads and the motorways. And also we were able to finance new rail openings, so we had railway officials, we had people who understood the franchising system. And the person who was at that point the director general, and responsible for transport, had worked in transport all his life, and he's now the Chief Executive of Transport for Wales. We had the expertise there already that we could call on. So there was nothing: there were no brand new areas that we had to build up because there was no expertise there to begin with.

AP: We've touched upon this in a few places, but we're keen to get your impression of your relationship with Westminster, how that works and any lessons you'd draw from it. To start with, you were First Minister during three different premierships at Westminster, very briefly with Gordon Brown, then David Cameron and Theresa May. How did your relationships differ in working with those three?

CJ: I didn't really get to know Gordon, because it was such a short space of time. I've got to know him better since he left office, and I think he's a different person anyway. I think Gordon found it... He loved being Prime Minister, but there was a lot of pressure on him. There's pressure off him [now], he's doing what he enjoys doing, and he's got a lot to contribute. So, I didn't know Gordon that well, but he's been very supportive of me for many years, which I appreciate.

With David Cameron, you could sit and talk to him, but you didn't get the impression he was listening. He was actually devolution-neutral. He wasn't some great anti-devolutionist, far from it, and that was something that we appreciated. He was happy to have the [further powers] referendum in 2011, and remained neutral on it. But once he made his mind up, you just couldn't convince him. In the Brexit referendum, I said: "Look, don't have the referendum in June 2016, it'll be six weeks after elections in Scotland, Wales and London. You can't be sure about these results and about how they're going to go. We can't spend months knocking lumps out of each other in an election, and then a few days later we're all working together. The public won't buy that. And secondly, we can't set up a proper Yes [Remain] campaign in Wales." And he wouldn't have it. I said: "Look, put it off to the autumn to give us some breathing space." "No."

I think he thought that he could win it himself, as he'd done in Scotland [in 2014], I think that's what he thought. But what he didn't, what none of us saw really, was the fact that so many people voted for Brexit for reasons that had nothing to do with the EU. Lots of people, Labour voters, said to me: "I want to kick Cameron", because they see it as a battle in the Tory Party, because what they saw was David Cameron, Boris Johnson, Michael Gove. That's what they saw. But the level of annoyance there was at globalisation. They didn't call it that, but they would typically say: "Look, my father was underground in the steelworks. It was a difficult job, but great friends, it was well paid, pension at the end of it, union, great security. I've got nothing, I've got none of that." And although they knew it was nothing to do with Europe, this was their opportunity to tell the people who they thought had caused that situation, the free marketers, the free traders: "Look, this is what's happened and we're not happy, and this is our way of telling you." Europe came into it but quite often people don't follow Europe at all.

It was a protest vote: people feeling that society had become too divided and there was too much inequality. They wouldn't express it that way, but that's what it meant, which is why you get the situation where you have people voting for Brexit who are then voting for a very left-wing Labour manifesto. They like the idea of nationalisation, they

think that the 70s were great days, because people were all right, strikes all over the place and rapid inflation, but it was happy times. Inequality was at its lowest in 1976. Some of the older people, they hark back to that and they say: “Look, these big industries, secure work...” And for them, saying the EU equals too much free trade, to a left-wing agenda, was no problem at all. We made the mistake of thinking that Brexit was a right-wing project, and it wasn't. Lots of left-wing voters voted for it because they wanted to go back to the days that they thought were better days.

AP: You described how you tried to persuade the Prime Minister to delay the vote. In your view, did that affect the way the campaign played out in Wales?

CJ: We just couldn't get momentum going for any cross-party campaign. I'm not saying that was the reason [for a majority of voters in Wales voting Leave]... But people in Wales read the English papers, and they are mainly Eurosceptic. Scots don't have that, nor Northern Ireland. But that's where they get their news from. It didn't help. And we didn't campaign here. They came down to us the week of the referendum. And I'd said to him: “I will share a platform with you.”

AP: David Cameron?

CJ: Yeah: “I'll do that on this issue, okay.” And I did, and it went really well, but it was too late, because I needed to show to my own voters that this wasn't just a battle in the Conservative Party, where they could stick their fingers up at David Cameron, which is what too many people did. It wasn't a case of people moving away from Labour, far from it, the exact opposite happened a year later [in the 2017 election], but not enough was done to create that dynamic.

AP: You've spoken publicly about your frustrations during the negotiations with the EU, the JMC [Joint Ministerial Committee] structures through which devolved voices supposedly fed into decision making around the EU, and so on. How did that work from your perspective?

CJ: Badly, at the start. It got better, but that was because of the personalities behind it. So, at the start, typically, the JMC European Negotiations would meet regularly. But somebody different would be there every time from the UK Government, and they'd say something different and not be aware what we'd discussed before, so we'd end up going around in circles. David Davis [then Secretary of State for Exiting the EU] was rarely there. It got to the point where – and Mark Drakeford tells this story – they all turned up together. These were the days when the Northern Ireland Executive were still there [before its collapse in January 2017]. And Mark [then Cabinet Secretary for Finance] turned up together with Mike Russell, who was the Finance Secretary in Scotland, and Máirtín Ó Muilleoir, who was the Northern Ireland Finance Secretary at that point. And all hell broke loose. Mike was shouting and Máirtín was banging the

table talking about betrayal. And Mark said the irony was we were still on item one on the agenda which was 'Welcome' [laughter]. And he said that's what it was.

Now when David Lidington got involved [as Minister for the Cabinet Office], things improved immensely. I've got time for David, I think he's somebody who you can do business with and he's really driven it forward in a way that no one else did. So it's a shame he wasn't there at the start, if I'm honest. [I want to] be generous to him and other parties, and I will be to David [Lidington] because I think he has changed the dynamic completely. But he doesn't have time on his side. Two years ago, we produced a white paper [Securing Wales' Future], which is where they're moving to now.

AP: In what sense?

CJ: Well, what the relationship should be with Europe. We said: "Let's get free and unfettered access to the Single Market, as much as we can, and stay in the Customs Union. Because no one talked about the Customs Union in the referendum, no one knew what it was apart from a few people, and that was the suggested way forward. But of course what happened was Theresa May gambled. All the evidence before them was that it was a sensible gamble. She gambled on calling an election in 2017, on the basis of a hard-ish Brexit. And all the polls were behind her, and then of course it all changed in the week or two before the election. Nobody could have foreseen that. That gamble didn't work for her. But at that point she'd painted herself into a corner, which she now can't get out of. I know she's talking to other parties now, but she should have been doing that two years ago. It's no good doing it now, right at the end. Especially after 2017, where she must have known there would be divisions within her own party, so there had to be work with other parties to get things through, but it didn't happen.

AP: How much did you speak with her directly?

CJ: You couldn't get much out of her. I found her very distant. Less so as I got to know her over time. You know, at the end it was easier to have a conversation with her, whereas at the first meetings it was basically the recitation of lines. I'd say something "...and how about you?", and you'd just get a recitation of various sets of lines. She did relax a little bit more as time went on, but you never got the impression that you'd say something to her and she'd say: "Oh, that's interesting that...." Never. It was always a case of: "I'm going to say this, I know you will say this, we'll have a cup of tea and that will be it." That's the way it was.

AP: Was that dynamic similar in both the JMC and bilateral meetings?

CJ: Yeah, in general it was the same. She was more guarded in the JMC, because it was a wider audience. And the JMC Plenary is basically a place where we go to complain. It could be so much more, but that's what it is. It's an annual meeting where Nicola Sturgeon and myself, sometimes Arlene [Foster] or Martin McGuinness, and others, will go along and complain about things. It was no more than that, and it could be much more than that. So inevitably in that kind of atmosphere, you're going to be more guarded. And she'd sit there, flanked by a whole raft of ministers, trying to even the numbers out on both sides of the table. So, they went out. We'd say: "This is the situation", she'd respond. We didn't have a blazing row, and there's always going to be the: "I'll take that on board." Nothing was done in those meetings apart from the raising of grievances that were then politely acknowledged. That was it.

AP: You worked quite closely with the Scottish Government in particular [around Brexit]. How useful was that relationship for you in achieving your objectives?

CJ: Well, of course at one point we had Northern Ireland there. Now, when I started Alex Salmond was there in Scotland, and Peter Robinson and Martin McGuinness were there in Northern Ireland. I got on with them very well. Alex was on his own, in that he was very flamboyant and so on. Peter and Martin I got to know quite well. Nicola and I got on well personally, very different policies obviously, but I could get on with Nicola. With the current Northern Ireland people, I didn't know them very well. Michelle O'Neill [Sinn Féin leader in the Northern Ireland Assembly from 2017] I don't know at all, I think I've met her a few times. Arlene was very hostile politically, to the extent that she basically... I mean, Martin McGuinness told me a story after the Brexit referendum. I'd thought, well, let's try a bilateral: Nicola and Martin can give each other cover and Arlene and I can give each other cover. But I didn't know Arlene well enough to ask her, to ring her up. So I said to Martin: "Look, can you just test the water for me Martin, to see if there's any interest in a bilateral?" He rang me back and he was laughing. I said: "What are you laughing at?" He said: "You won't get a bilateral: she won't meet you. She won't meet you or Nicola." I said: "Why?" He said: "She sees you both as nationalists." Both of us because, I suspect, I didn't spend my time supporting the UK Government, which she did. She never argued with Theresa May in front of us. She was always supportive. And my wife's a Belfast Catholic... Arlene sees the world very differently. She's much more hard line than Peter [Robinson] was, definitely.

AP: Right, so that was a difficult one.

CJ: It was a difficult one.

AP: But you and Nicola Sturgeon worked quite closely together in various ways, in joint opposition to the UK Government [on the EU Withdrawal Bill].

CJ: Yeah, we took it as far as we could. There came a point where we had to part ways, because we [the Welsh Government] came to an agreement with the UK Government on powers. The Scots decided they couldn't do that and went to court. But that was fine, we didn't fall out with them over it. Up until that point we worked together. We got to a position where at the very start [in the original version of the EU Withdrawal Bill] every power that came back from Brussels, whether it was a devolved area or not, would sit in Whitehall and then a decision would be taken at some point in time as to when and if we would get that power devolved to us. And in the meantime, we would not be able to legislate in any way, but Whitehall ministers could. So effectively, because you've got this conflict [of interest] between the Government being the Government of the UK and the Government of England, you could do what you wanted in England but not in Wales and Scotland. Now, that clearly didn't work for us.

We got to a point where we understood there were some powers that needed to be exercised collectively. It didn't make sense for the UK's own internal single market to work very differently. Like agriculture, we have got common rules for agricultural payments and we have the common rules for fisheries. I understood that. So, we have a position where most of the powers would be devolved and the others would be held in a cupboard, as it were, and they won't be taken out of the cupboard until we've all agreed a way forward. We thought that was reasonable, because we couldn't say to the UK Government: "You must reach a good deal with the EU", if we ourselves were not prepared to come to a satisfactory agreement with the UK Government.

AP: This was the intergovernmental agreement that led you to recommend consent for the EU Withdrawal Bill. So, in the end, did you feel that that was a fair balance?

CJ: Yeah, it wasn't ideal, but it wasn't any good for them either, that's the nature of an agreement. I took the view that if it went to court, we could end up with nothing. If we could agree something now, that we could live with, then let's do it. And that's what happened. And it wasn't in our interests if there was a free-for-all. If, for example, there were no state aid rules, there were no rules in terms of how your agricultural payments were made, who wins that battle? England does. It's bigger than anyone else, it's got far more resources. That's not where we want to be: we've got to have an agreement and a common set of rules to protect our own interests.

AP: How well did that process work subsequently after the intergovernmental agreement and the passage of the EU Withdrawal Act, as you worked on the development of the common frameworks?

CJ: It's working well. My fear is that it depends on the personalities involved. So, from the Westminster perspective, it does involve David Lidington [Minister for the Cabinet Office] being there, because he's the one who made the difference. If he was moved and someone else came in, the whole dynamic would change. David always understood how important this was to us, whereas previous ministers I'd spoken to just took the

view: “Look, we are the UK Government, we govern the whole of the UK, there it is, sorry.” But he understood the circumstances.

AP: A lot of the areas where common frameworks are supposed to be created are Defra issues – the majority are within the Defra portfolio. So, presumably your relationship with Michael Gove as Secretary of State there has been quite an important one?

CJ: Yeah. I wasn't in those meetings, it was Lesley Griffiths [as Cabinet Secretary for Environment and Rural Affairs] who conducted and went to meetings with him. Defra, mind you, are very used to dealing with devolution. They're one of the more devo-aware departments in Whitehall, in fairness, so they understand all of this.

But we've got to make sure that nobody gets an unfair advantage when it comes to agriculture, if we want to have the internal single market of the UK preserved. Fisheries are even more complicated, because who fishes where? What are the quotas? We have our own quota, and we've been in dispute with Defra for years over the quota. They say we have too much and we say: “How very interesting, we don't agree.” Who will resolve that dispute now? Defra? Well, they're on the other side of the argument. It's not a big industry for us, fishing, our waters are quite small. But if you don't have an agreement, there'll be nothing to stop the Scots saying: “We don't want English boats in here, so you're not coming in.”

The odd thing is of course that international treaties are not devolved: we can all agree on that. So, let's say, for example, that the UK Government came to an agreement with Norway and said: “X number of Norwegian ships can fish in UK waters.” Well, the Scots can't do anything about that and nor can we, but we can do it with English boats, because there's no international treaty involved. So, if we wanted to, we could say: “Right, if you're English-registered, this is your quota.” We could do it. Now that's a free-for-all if there's no framework, which is why we need it. Otherwise, we end up with all manner of issues. It's more important to Scotland, where they've got a vast maritime area which is bigger than England's, and it's a big industry there. There will be pressure there to put Scotland first. You know: “Why should we let ships from Grimsby into Scottish waters? They've got their own waters, let them fish there. That's the next stage if we're not careful.”

AP: Yeah, those are big ones. Then there are some other potentially contentious ones, for example, around state aid policy.

CJ: Well, yes. There are different views. Now, I've heard Arlene say that she doesn't think there should be state aid [rules]. But she will see it from the basis of, we are here, the Republic [of Ireland] is there: if they are hamstrung by state aid and we're not, we've got an advantage over them. But the problem is if you don't have state aid rules, you don't really have an internal market. There must be some rules. Now, to my mind you could keep the EU's own rules, which I'd be happy with. If you don't, you have to

create state aid rules for the UK's internal single market. Well, you can't have the UK Government doing that because it again has a conflict [of interest], being the Government of England. So it has to be done and agreed on collectively.

You also have to have an independent adjudicator on those rules. You can't just say: "Well, the UK Government, or even, to my mind, an arm's-length body, will decide." You need a court to do it. Every other market has a court that determines issues of state aid. The ECJ [European Court of Justice] does it in the Single Market, the EFTA [European Free Trade Association] Court does it, the US Supreme Court does it as the regulator of inter-state commerce. There's always a court involved. So, it can't just be an independent arm's-length body, financed by the UK Government. That's not enough, so we need to move. Early on I said devolution is in part looking at the structure of the whole of the UK, not just the Celtic nations. And this is one classic example of it, where you have to have a common way forward or state aid rules to make sure you don't get massive distortion – you're going to get some distortion – within the UK market.

AP: You publicly made a case, including [here at the Institute for Government](#), for a significant transformation of the constitution as a whole and the intergovernmental relationship. How did you go about making that case to UK ministers, and with what success?

CJ: It was becoming obvious to me that we needed to have a constitutional convention. We had to have some way of improving the UK's own constitution. It fell on deaf ears, honestly, in Whitehall, they couldn't see what the problem was. That problem has been magnified by Brexit. I've said before that Brexit carries with it the seed of the UK's own disintegration, if it's done badly. Done well, there's an opportunity for us to recast the UK's constitution, to make sure it's going to be more robust in the future, not have these conflicts. For example, there's a formal dispute resolution process that exists in the JMC that we can use if we're in dispute with the UK Government. But the UK Government decides the dispute. And when Northern Ireland got its billion pounds [from the 2017 DUP-Conservative confidence and supply agreement], we raised a dispute, us and the Scots, and the UK Government said: "Well, there is no dispute, and we don't actually accept there's a dispute in the first place." That cannot possibly be right, so again there needs to be a way out. That process needs to be more independent. Originally, on the first discussion on the process, there was a suggestion that you would have to have a committee from the Lords who would act as the final arbiters. But the UK Government and the Treasury weren't happy with that. They never are, are they? But we do need to recast the UK's constitution. Thinking that we can bump along with a 19th century constitution, that makes allowances here and there for some of the smaller nations, it's not going to work in the future. It's bumped along so far, but surely we can do better than this.

TKB: How much did you ever work with the Welsh secretaries [in the UK Government]?

CJ: Variable. I used to meet Cheryl Gillan pretty regularly, but she was in a very different place to me politically. David Jones even more so, and in the end I barely saw him. Alun Cairns, I know Alun personally, he's stood against me, so there were elections and so on with him. There were irregular meetings. We didn't meet very regularly, because there wasn't much to talk about quite often.

Our relationships with the UK Government and its departments are bilateral, they're not through the Wales Office. The Wales Office couldn't cope, it's a small department. So in the main, our liaison would be with Defra or it would be straight with Theresa May. I was never going to accept having to go through an intermediary to get to the Prime Minister. It's more a question of letting the Wales Office know what's going on and asking them for support in certain areas, but they don't have any powers – or very, very limited powers which they were very keen to get, one of which is the Welsh appointment to UK Sport, which we see as an anomaly. We say: "Come on, we need to have this power ourselves", and they say: "No, you can't have it." That kind of stuff. But otherwise nothing.

So that's probably been it in the last few years. I've known Alun, you know, we're politically very different and we're quite happy to spar with each other politically, but there's never been a personal problem there. And, yeah, it's varied, but of course I've dealt with at least two secretaries of state that didn't support devolution in the main. Cheryl was against a referendum in 2011 – she was overruled by Cameron. David Jones, even less of a devo enthusiast. But the relationship with Wales Office secretaries of state has diminished over the years. At one time we'd speak regularly, but of course when primary powers came, much of the reason for the Wales Office to be there in the first place disappeared. Yes, of course, it took through the Wales Bills that became the Wales Acts [in 2014 and 2017], that's true, and it played a strong role there, but after that...

AP: It doesn't really exist as a separate department now.

CJ: Yeah. They call it the Office of the Secretary of State or something, you know, not the Wales Office.

TKB: Does it seem to you like there is still purpose in having that role?

CJ: It's very difficult to see what it does now, to be honest. I don't want to upset my good colleague and former council representative Christina Rees, the Shadow Secretary of State [for Wales]. I'm not going to argue against Wales having a place on the UK Cabinet table. But it's very difficult to see what the Wales Office, or the Scotland Office for that matter, actually does in reality. I mean, you could argue there's more of a case for the Wales Office because justice isn't devolved. But otherwise no, there's not. It's a tiny, tiny department.

TKB: You've had just over a month out of office now. What has the transition been like so far?

CJ: Well, after spending 18 and a half years in government, where your life is managed for you, you wonder: "How's this going to work?" I sat on the backbenches for the first time on 12 December [2018] and it was really odd, because the last time I was on the backbenches was in a different building [Tŷ Hywel, the Assembly building until 2006], for a start. It was quite strange, and I thought: "What am I doing here?" And then Christmas was a bit odd because the phone didn't ring, which is quite nice in some ways, but I thought that was a bit strange. But when I came back this month... It's been great. It's funny, it's a new world, because I'm able to pick and choose what I do now more. You mix in with colleagues more. You're isolated when you're the head of government, you don't see people, you don't socialise with people in the same way. That's changed. And it's just time – the amount of time I've got now compared with what I'm used to. When I was First Minister, if I wanted to go to the dentist, I had to plan it literally weeks in advance, and that doesn't apply anymore. It's just nice to have time, I've got to say, and not to have that pressure all the time, of when the phone rings and it's: "What's going to happen?" You know: "Can you go to do an interview now?" And I loved it, I enjoyed the job and I'd do it again, but there comes a point...

I knew in the summer of 2017, I came back from holiday and I was as tired as I was when I went. And I thought: "Well, this has never happened before." And also I turned 50 in 2017 and I thought, well, you know, in your 40s you've got half of life ahead of you. You turn 50 and it's: "God, it's a bit serious now, isn't it?" I asked myself whether I wanted to work at the same rate in my 50s as I had in my 30s and 40s, and I said I couldn't. It's mentally difficult to do it, and physically I have to be careful. In your 50s, things start to... The lifestyle's awful, you know. No exercise, you're up late at night eating irregularly, you've got to be careful of yourself as well. And someone else deserves a chance. It's not your job to keep on forever and a day. So, I decided then, that's it: it's going to be 2018 and that will be it. I told my wife, who was delighted, and the kids were even more delighted, even though they're 18 and 16, so they're more interested in how much money they get, not the company of their father. No, that's a bit unfair really!

But it was a big decision, it wasn't trailed, no one expected it. I announced it at the Welsh Labour Conference [in April 2018]. People gasped. I thought: "God, all I need now is for someone to shout 'about bloody time', and the whole thing gets ruined", but no one did. And when I'd left the conference after the speech, I did all those interviews on TV, and then I was asked to join some of my colleagues in a pub. And I sat there in the spring sunshine and all of a sudden I thought: "What now?" 'Cause I love speeches, right? I love the buzz. You put me in front of an audience, I love it. And that's one thing I will miss, and I'm still sort of winding down from that. I sat down, and a friend of mine texted me, and he said: "Right", he said: "Does this mean you're coming to the [Six

Nations] game in Rome in February, the international?" Normally I couldn't go. I said: "Yeah, I'll be there." And all of a sudden something in my head went: "God, you can do this now". You know at one time, I was reluctant to go anywhere mid-week, unless I was in a suit, in case people thought: "What's he doing there now? He should be working." And I don't feel that at all now, not at all, and I would not go back to it then.

AP: You've got time to come down to London to do this interview.

CJ: Yeah, I can go anywhere, I can go here, I can go there, meet this person, do this interview, do that. Most politicians get thrown out, they've got no time to adapt or to get their heads round it. I had eight months to get my head round it and prepare. I can't ask for more than that.

TKB: And am I right in thinking you've also said you will step down from the Assembly?

CJ: Yeah, next election.

TKB: So have you thought about what you want to focus on in those two years on the backbenches?

CJ: Causing trouble! No, I'd like to just follow some interests. I'd like to do more with Ireland, my wife's home country. Some stuff outside politics, I've got to think what to do when I leave. I'll be 54, I can't retire, so there are things that I want to look at there. I've got to earn a living.

AP: Would you like to end up in the House of Lords?

CJ: Yeah, probably. It would be interesting, definitely. I know Rhodri [Morgan] was offered it, and I would do that. But with these things you never can tell.

And do more locally, which I haven't been able to do so much of. Not full-on all the time as I'm not standing for election, because the pressure's not quite the same if I'm honest. You do the work, but you're not constantly looking over your shoulder, which is what you do when you think: "Right, election coming, that person over there, the Conservative, is saying one thing..."

I took the view you can't be First Minister and then stay in the Assembly. You've got to leave. It'll be 22 years at that point. I've always said publicly that I don't think politics should be a career. I think you should come into it when you've got something to offer, do something else first, preferably. I say this to kids particularly, when I go to schools: do a job first that involves working with people, so you understand how to deal with people and their problems, so that people understand you and they have faith in you, and then bring that with you into politics. But you have to leave politics, because there has to be that churn. It's important, someone has got to have the chance. And I think

you become institutionalised. I think you just become too set in your ways. I didn't want to do that.

All I get is people coming up to me and saying: "Enjoy your retirement." It got so bad. I was 52 in March, right. We went to the cinema a week last Saturday, my wife and myself, and we walked in and there's a young lad there in his twenties behind the counter. "Oh", he says: "You're actually retiring?" I said: "It's not actually retiring", and then he said: "Okay", he said: "That's two senior citizens." Oh god. My confidence went to the floor at that point, he was asking me if I was a senior citizen. No, I'm not. I didn't swear, I was polite, firm, but polite. "A citizen at 51", I said. "Oh", he said. But he was only in his twenties, anybody over 45 is the same age.

TKB: What is your proudest achievement from your time as First Minister?

CJ: I think it would have to be the 2011 [Welsh devolution] referendum, when we got primary powers for the Assembly, because so many things flowed from that, particularly the Human Transplantation Act, which means that more people are alive – literally – in Wales because of that legislation. We couldn't have done that without having won the referendum in 2011, so for me that was a crucial turning point in Welsh politics.

TKB: And what advice would you give to your successor Mark Drakeford on how to be an effective First Minister?

CJ: Make some time for yourself. You need time to breathe. You're human. You need time to breathe and you need time to think. I was bad at that. Don't think you need to be in the public eye every single day. You need to make sure that you manage your time.

And secondly, you will learn over time to know what documents you need to know in detail and what documents you don't. You get bombarded with documents, and you have to learn that over time as well, otherwise you won't be able to do your job. You'll just get drowned in detail. But it's massively important to manage yourself as an individual and a human being. And manage your health as well and not think you have to be full-on all the time, every day. That doesn't work.

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