

# Ministers Reflect

## Claire Sugden



15 September 2021

# Biographical details

## Assembly history

2014–present: member of the legislative assembly (MLA) for East Londonderry

## Government career

2016–17: minister for justice

**Claire Sugden was interviewed by Jess Sargeant and Alex Nice on 15 September 2021 for the Institute for Government’s Ministers Reflect project. The interview took place remotely due to the Covid-19 pandemic.**

[Claire Sugden reflects on her time as justice minister for Northern Ireland in 2016–17 and her experience of being an independent member of the Northern Ireland executive.](#)

Alex Nice (AN): The first set of questions we have are about your experience of taking office and your first days in the job. Could you just talk us through your experience of coming into government and coming into the role of justice minister?

Claire Sugden (CS): Sure. I suppose it was as big a shock to me as it was to anyone else. And certainly the justice portfolio is an interesting one for a number of reasons. As an independent, it’s the only ministerial portfolio that would be available to me.<sup>1</sup> That in itself, I think, gives rise to a whole other set of interesting consequences. Even as an individual MLA [member of the legislative assembly] I cannot be a chairperson of a committee, which I suppose arguably is a lower level of thing than being a minister. So potentially justice ministers in Northern Ireland don’t necessarily have that experience to try and fully understand the role.

I think really it was very whirlwind and it was very much enveloped in the politics around it. I think given my age at the time, given the fact that I was a unionist and I suppose even just the kind of first of [someone like] me getting the role in particular, meant that there was a lot of politics and media attention around it. And I’m not sure I was prepared for that. I don’t know if the department could have done more in those early days to prepare me for that.

I must admit I was quite critical of the department’s press office or communications office. I felt it was very traditional in so far as the press strategy was about putting out

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<sup>1</sup> The minister for justice in Northern Ireland is elected by a cross-community vote in the Northern Ireland assembly. Other ministerial positions are allocated to parties using the d’Hondt mechanism, based on the number of seats held by the party in the assembly, or appointed directly by the largest parties.

an A4 page of words. Whereas for me, even at that point, which was 2016 I think, how we present ourselves and communicate is a lot different. I think they vaguely offered me media training, but I didn't feel it would be useful given my experience of the department at that stage.

It really was just a barrage of information. I got handed a lever arch folder that had the breakdown of the department and specifically what each directorate, and then subsequent directorates under that, were responsible for. I think it was difficult for the department as well in terms of having me come forward, because as an independent I wouldn't necessarily have a core party policy manual. As an independent I would say generally that I take each issue as I find it, try and balance it and weigh up every aspect of it rather than having a particular line. So I think the department found it quite difficult to understand who I was and where I was going with the department and almost assumed that I would be carried along with what they would suggest.

That's not to say I didn't appreciate their support and their information. But I think sometimes – this might be specific to Northern Ireland, I could be wrong – but sometimes I feel that there was almost an assumption that you would take their preferred recommendation rather than just making your own choice from a series of recommendations. I felt that even more in hindsight. And I think if that role came back to me I would take a different approach.

I'm very focused on trying to be a people person. That department has thousands of people working within it. Given they're working under the minister and they're working towards progressing that minister's agenda, I would like to have got down to the ground and given them more of a sense of what that was. It was talked of, and I did a few tours here and there, but I think more of that could have been demonstrated.

The other thing I would say, is that I think the department didn't really have any cognisance of the fact that as well as being a minister I'm also a constituency MLA. So unless I set clear boundaries as to what I wanted to do and what I didn't want to do, and I did eventually, the department would have had me working 24/7. And I appreciate why they would want to do that, but I think sometimes we forget that ministers are politicians and they do have a set of constituents and a constituency. And those things are as key, even in terms of how they impact on policy. Now I appreciate when you're a minister you have to take a wider view of things, but I think that it might have been more useful from a department perspective had they considered that a bit more.

**AN: You mentioned the process for choosing the justice minister is different from other portfolios and there were politics around it all. Did you hold talks with the main parties in advance of the vote?**

**CS:** Oh yes. The votes were just a rubber stamp. It was decided prior to that, and given the mandate of both those large parties it really didn't make any difference what the other parties said or did. If I recall, the other parties voted against it, but again it didn't make any difference in terms of the vote that was required and indeed the cross-community element that was also required was satisfied because the largest unionist party and the largest nationalist party [voted in favour].

I did have conversations separately with both Arlene Foster [then first minister of Northern Ireland] at the time and Martin McGuinness [then deputy first minister]. They did ask me what I wanted, which I found quite interesting because obviously at the point other parties were using it as leverage to maybe get some policy objectives satisfied. Again, that wasn't really my interest as an independent. And I recall at the time saying: "Look, just considering the mandate of justice minister, I would like to progress issues in relation to domestic abuse. It's one of the most prevalent crimes in Northern Ireland." And I also said: "Just let me do my job." Which is the one thing they didn't do.

**AN: Were you able to have any sort of formal or informal conversations with your predecessor about the role? Did you have a sense of what the role entailed before you came into it?**

**CS:** No. Because as I say it was very whirlwind and my predecessor [David Ford] I think in himself was a bit indignant about me potentially getting the role. So it was too political for me to have spoken to him prior to that. I became justice minister within a week of even getting any sort of inkling that it might happen. I really didn't expect that it would even be offered to me. And it's not because of me individually. I think at the time it was always thought that the justice portfolio would go to a 'neutral' party. What I mean by that is a party that doesn't designate as either unionist or nationalist. I designate as a unionist. But there were other options available to the two big parties. And I make this point because I think sometimes it's forgotten that the reason they were content to move forward with me was because I actually worked really well with them, behind the scenes. I'm not a particularly combatant type of politician. I do just want to try and progress government in terms of delivering and getting stuff off the ground and that was the conversation we had.

**AN:** You alluded to this a little already, but what were your immediate priorities when taking office? And what were the most burning issues you knew that you were going to have to deal with?

**CS:** My priority areas were: women, rural areas, older people, children and young people – there was a fifth one, but I can never remember it and we never even got on to it... People would say: “Claire, they’re not justice-related issues.” And I would say: “Ah, but yes they are.” My idea around that was, it wasn’t necessarily about direct policy intentions in the justice [portfolio], it was about recognising: “How do we support older people and is there anything that we can do within our remit to do that?” The same with women. That’s where the domestic abuse thing came in as well.

And I was always keen to try and look at issues upstream so that they didn’t become the issue. I would often describe the Department of Justice as the ‘failure department’ because it’s where every other department has failed; we tend to pick up the pieces. And I didn’t want to see the numbers in our prisons [rise], and I didn’t want to see police attending hospitals at weekends because of mental health issues. So it was about trying to address it more from the angle of: “Well how did we get to this point?” Obviously, you have to address it for people who’d passed that point. My approach was very much a holistic kind of approach and I really was keen to work with other ministers in other departments to try and have better outcomes.

Certainly the government that I was part of in 2016 had taken a new approach to governance in Northern Ireland than they had previously. Sadly that hasn’t really been picked up again since. It was about outcomes-based accountability. And it really did force, if that’s the right word, government ministers and departments to actively work together because they owned the various elements of the outcome and did have to work together, whereas prior to that [the attitude was]: “Yeah, that’s a great idea Claire, but that’s not our remit and that’s not our budget,” which is disappointing because to me government doesn’t work that way.

We always look towards Scotland in terms of a good model in that respect. I think the outcomes-based accountability model in 2016 for the Northern Ireland executive was on the right track. I don’t think it was the finished article by any means because I still think that civil servants in Northern Ireland did struggle with getting their head around outcomes-based accountability. It’s very easy to tick a box, it’s very easy to say we need to achieve this very smart target and then tick that box. But when the outcomes that you wish to see are not as easily measured, then I think the civil service in particular really struggles with that.

**Jess Sargeant (JS):** I'm interested in what you were saying about cross-government working and looking to Scotland for a model. I know part of that is about outcomes-based delivery, but to what extent did the structure of government play a role, where you have these clearly defined departments in Northern Ireland, compared to the Scottish structure where it's perhaps more unitary and there is more cross-governmental working? To what extent do you think that affected the ability to achieve those cross-government goals?

**CS:** It's exactly that, when I say that the model they were introducing in 2016 was limited. I agree that if we genuinely want good outcomes for children then perhaps we need a department for children, rather than three separate departments or four or five. Because I still think there is a natural inclination to want to fall within a certain set of objectives rather than focusing on an outcome. And certainly in my experience as an MLA and as [a] minister, it makes so much sense for certain outcomes to be determined across various departments. When I was a minister and I had a set of objectives or priorities if you like, it wasn't based on a particular law or reforming the justice system. Those were almost tactics, I feel, in terms of my overall approach. It was really about looking at it from my stakeholder group, which was the people of Northern Ireland. And I think when you do that then you have a more joined-up approach.

**AN:** Are there particular challenges from being an independent MLA without a party structure behind you, without ministers from the same party working with you in the executive?

**CS:** Yes. And I would say challenges that I could almost have anticipated that didn't happen because the executive fell after nine months. I think the difficulty again was that Sinn Féin, the DUP [Democratic Unionist Party] and myself really did agree to a kind of joined-up way of working. I know it's hard to imagine that given what's happened since. But there was this idea around collective responsibility. Sometimes, if you look at the assembly now, you can see ministers of the same government, or government parties, fighting across the chamber at one another. And I think that idea, that essence of collective responsibility, almost undermines the executive in its entirety. Where we were in 2016, probably prior to Brexit and RHI [the Renewable Heat Incentive scandal] and all of that, it was felt that in order to get things done, from a government perspective or a governance perspective, there did need to be that kind of joined-up thinking. And I do think those two parties without the others lent itself to that.

The problem then is that if an issue comes up in your constituency, for example in relation to how the education minister is not doing something that they should be doing, it would make it difficult for me to then advocate on behalf of my constituents because I'm in government. So I suppose in terms of those types of challenges, I found it difficult to have a voice outside of justice on other related issues. But again, I think that was my own limitation around fully understanding the role and how I could create a bit of a distance where it was required, to advocate on more constituency-related

issues. Obviously I haven't been a minister from within a party, [but] I'm not really sure that ministers in Northern Ireland in any case have so much of a connection to their parties, in terms of support.

There is a thing in the assembly called a 'parliamentary secretary', so you'd find sometimes the ministers of a party would appoint another MLA to be their assistant within the department. But those rules seem to be very limited; sometimes it just feels like a title. Other than that, I don't really know what else the party offers. There's more visible things – when you're speaking in the chamber, parties tend to crowd behind their minister to make it look like they've got support. I didn't have that. I'm not really bothered by that. And again, I have such a good relationship with other MLAs within the chamber that if notes have to be passed to me by officials or whatever else [they would do that], and indeed the ushers do that. I'm sure there is some level of support there that I didn't have that exists within the parties but I don't think it's too explicit for it to be a particularly big issue.

The only thing I would say is that, politically, all those parties obviously sit on the various other committees. I didn't have that. Obviously, as a minister I wouldn't have sat on a committee, I wouldn't have been asking questions, I wouldn't have been doing the usual parliamentary stuff. Maybe there's things happening that I didn't get an oversight of. But then that's kind of the same as a backbench MLA as well. It doesn't really make any difference in terms of the minister. If anything, I really enjoyed the role of minister because all of a sudden I had 3,000 people working for me! Whereas now I have two and a half, that makes the job really tough.

**AN: Speaking of the civil service, what was your experience of working with civil servants in your department? Did you feel that they gave you the right kind of support to deliver your objectives?**

**CS:** I would probably have both a good and bad perspective on this. I found that individually some civil servants were fantastic – almost more capable than their title or their grade would suggest. And I think the structure of the civil service doesn't support those individuals to really develop policy, simply because they can't get past a certain stage of the promotion process. And I found that disappointing.

Equally I had quite senior people here and I didn't really understand how they got there. Maybe this is because I'm a politician and maybe this is what's required of me and not required of them, but I think if we're developing policy and better outcomes for people, then you really need to feel the issue sometimes. Whereas I think [the] civil service can have an inclination to tick boxes and to take a distanced view of things, rather than getting onto the ground and speaking to people. Maybe this isn't their role; maybe that's the role of the politicians to then feed that through. But even in terms of consultations, where civil servants in the departments would have a role, I do feel like it was limited. It felt like they were pulling from the same pool of people. And a lot of it

did feel like a tick-box exercise. You know a part of the policy making process is a consultation period, [so they take the attitude of]: “Put this out to such and such, and tick, tick, tick.” A lot of the outcomes of those developments were already predetermined in most cases.

If I’m honest, the department probably did have a difficult time getting their head around me as a young female. I was very different to my predecessor, and that’s no criticism of him by any means. And I was an independent and I think that’s probably at the core of what they found difficult. And my kind of approach is a positive one in so far as I want to improve things and I almost felt like there was an attitude that: “If it’s not broke, why fix it?” Mine is: “If it could be better, then why wouldn’t you?” To me that’s my job as a politician. It’s about progression, it’s about trying to improve policy – it may be good but could it be better? And I think they found that quite difficult. I found there were occasions when I wanted things that they couldn’t get their head around, that they were frustrated at. I remember requesting a piece of research that could have led to quite a significant decision for me, and they were worried that I would take one particular decision. I can’t prove it, but I didn’t get that information until it was past the point at which I was making the decision. So that made me feel like someone else held the power strings rather than I did.

I think you do have to be cognisant of the fact that there are people there who are in permanent roles. I would always make the point around permanent secretaries – they’re permanent for a reason, politicians come and go. In fairness to them, that’s a consideration that they have to have. They have to keep things moving and they have to ensure continuity in all of the day-to-day operations. But at the same time, there is a reluctance to change, and maybe it’s frustration too. In Northern Ireland, ministers do come and go, and they tend to come and go quicker than their mandates even last. They could be working towards an outcome and immediately overnight another minister comes into the role and wants to change that. The justice department in itself did feel like it was set apart from the other departments in the assembly and I think that’s because it was devolved when it was [in 2010]. My predecessor was in that role for six years, which is a very long time for a minister, for one person to be in that role. So it did feel sometimes like I was being compared a lot. And there [were] things that were said to me that just felt very minor. And I felt like I was being bogged down by the little stuff rather than actually looking towards the policy ideas. I’m talking basic administration issues. And civil servants getting upset with me because I didn’t tell them how wonderful they were.



**AN: Were there particular changes that you either did undertake, or wanted to undertake if you had had more time, to reform the way that the department operated or civil servants interacted with you?**

**CS:** One of the things that I did and I think they have since rolled back – I’m not 100% sure on this – was to really make communications the focus of the department. Now I think that was a challenge generally because communications in the Northern Ireland executive are held centrally. They are almost tasked from the executive office rather than from each department. So you couldn’t vary too wildly. I’m trying to finish a Master’s at the minute and it’s in communications and I think if you look at other organisations and businesses, alongside the business plan sits the communications plan. And I think that’s particularly critical in the public sector because we need to communicate with the public regarding the things that we are doing, [that they] are for people. Communication is an essential part of that. The department did create a communications division, which was a bit lower level than what I would have wanted it to do, but I’m not sure they had the capacity to make it any higher level than that because of the central communications unit. But I think they’ve since rolled back on that. For me, the press office was almost like an appendix to the department rather than being a core element of it. Six years later I feel a wee bit justified in asking for that because I think communications are key. Even just looking at how the Department of Justice conducts their communications – it’s better, it’s not great, it’s better. But then that’s probably a crisis in government departments generally in Northern Ireland – I think communication’s poor.

**AN: And what was your relationship like with the key public services that your department was in charge of, the police and the courts service?**

**CS:** It’s an interesting one again in the case of justice. Because policing and justice in Northern Ireland are quite political and it was the last power to be devolved, the department would almost advise you to make a very clear distinction between the two of those [the remit of the Department of Justice and the Police Service of Northern Ireland]: “By all means have good relationships with the justice family, but very much stay away from even daring to tell them what to do or anything like that.” Even if I did they probably wouldn’t listen to me because I didn’t have that jurisdiction, if you like.

But I’m a great believer in making relationships with all key stakeholders and I take great value in their experience and their perspective. I sought to really develop those relationships and I actively went out and met with solicitors, the Law Society, the Bar Council, I made great relationships with the Lord Chief Justice. I knew what they were trying to do and tried to kind of crack their shell open a little bit, to say to them: “Yes, you’re there to interpret the law; however, you do have a view and that’s helpful to the wider conversation. You’re not in a decision making position, but let’s work together to support one another rather than just everybody keeping to their own lane.” And I think that went down well. I’m not sure what it’s been like since. Obviously, we had three

years of no government here in Northern Ireland so I don't know if that good work had been rolled back on a wee bit. But I think it was important to have those relationships and I would have spoken with them regularly. I think that was expected. I didn't just assume that they weren't useful to me. Obviously we had an interest in each other's work.

**JS: So the next section [of the interview] is about relationships within the executive. You mentioned before some of the challenges of working cross-department and cross-party. Were there any particular examples that you felt either worked particularly well or didn't work particularly well? What was your experience more generally of working with different departments and different parties?**

**CS:** I felt I was embraced more by the other politicians and political parties in government than I necessarily was by the civil servants within the departments. And I think that was probably more to do with the departments still having that inclination to stick within their own boundaries. But I had great relationships with Sinn Féin and the DUP behind the scenes, even to the point that they gave me my own office in Stormont Castle, which hadn't happened before in terms of other political parties when they were in government. And really the point of that was to ensure that we did have that close working relationship.

I opened up the channels so that my special adviser and myself would interact regularly with both political parties in government and from what I hear that was unheard of. And I think particularly Sinn Féin would say that what I opened up to them, even in terms of access to my department, was quite unheard of as well. It made no sense to me to do it any other way, simply because we were one government. I know other parties don't necessarily look at it in that way, but I wasn't being particular about my department. I thought if I want to get things over the line, I needed the other parties to be interested. So I think that actually worked really well.

I do think it was [a] series of events rather than structures that led to the collapse of the executive. Prior to all of that I do think there was a real opportunity, because for the first time probably in a long while, the DUP and Sinn Féin were quite keen to work with me to get outcomes. I have a theory that this is because they aren't a threat to one another electorally, because the people voting for the DUP are not voting for Sinn Féin, so they didn't need to compete with one another in government. And I think that's what happens in a five-party executive when all parties in government do have competitors from within and I think we have seen that since January 2020. Sometimes I think it may have collapsed because it was working too well. People say: "Well, what does that mean?" And I would say: "Because I think the people who vote for Sinn Féin and the DUP don't like them working as closely as they do." Maybe it did look too cosy; maybe there needs to be more done in terms of leadership and about what government actually means in Northern Ireland. You hear the usual nonsense about getting into bed with such and such policies. It's a fairly common feature across the

world to have coalition governments and it's just about doing what we can to get the day-to-day stuff done.

So I would say, in terms of your question around what worked well, I really do think the relationships between the political parties worked quite well. I even recall an executive meeting where I could see civil servants sitting in a table off to the corner, jaws dropping on the floor because they couldn't get over how well the ministers were talking and working together. Almost to the point that I would have an item on the agenda, and you would have another minister say: "Do you know Claire, I've an interest in that, let's work together on this." That doesn't happen [often]. And I think sadly, because of what happened subsequently, those opportunities have fallen back a few steps. I don't know if we'll ever get to it because of where everybody's head is again.

But to come back to the structure in terms of the civil service and departments, I don't think it lends itself to that type of idea and thinking. It really did require political leadership to take it there and I think it was starting to happen. Even the response from outsiders too, everybody was saying to us in 2016: "There's a real feeling that this is a government that could get things done, and there's a real feeling that this is a new way of doing things." They were telling us about the frustrations of the departments being difficult on certain issues, and that it felt different now. I know it's really frustrating that it didn't realise itself. Maybe it never was going to, I don't know.

**JS: Did you feel that because you were an independent minister in the executive that you had a bit more autonomy than some of your colleagues in other departments? Or did you feel that you were a bit more limited because your role in government was constrained by the first minister and deputy first minister?**

**CS:** There's an element of that but I don't think it's because I'm independent. I think it's because I was one minister in a government where other parties had more than one minister and I think that would have been the case had [the ] Alliance [Party] got that role, for example, which is what was expected. They would have had one vote at the executive table, the same as I did. I suppose I'm a believer in the art of what's possible and how you work towards that. And you can have a position publicly, but if it's about getting things done then you have to recognise how we can get things done.

I worked with the health minister at that point in relation to abortion legislation in Northern Ireland and realistically we were never going to convince the DUP to go for the abortion policy that we now have. But I did recognise that there were elements of it that we could convince them on. So I sought to do what was possible there. And to me that was still progress from where we started from, albeit we ran out of time before that happened. I suppose the right phrase is to play the cards you've been dealt.

In terms of LGBT [lesbian, gay, bisexual and transgender] legislation, people forget sometimes that that was the first positive piece of legislation [to protect LGBT rights]

that went through the Northern Ireland assembly, probably ever actually. And that required the support of the DUP and they gave it. And it was fairly simple, not simple to give it but we had a very respectful conversation about it. We recognised their position and we tried to present it in a way that worked for them because that was how we were going to get it done. And we did.

**JS: And what was your experience of taking decisions or watching decision making happen in the executive committee? What was the role of the first minister and the deputy first minister? Did you feel that forum was genuinely a forum for decision and debate, or did that happen in structures outside of the executive committee?**

**CS:** Realistically a lot of the work happened behind the scenes and it happened in conversations, not necessarily private conversations. But [the executive committee] was a very formal kind of event. Obviously there's an agenda, things have to be discussed and it's obviously subject to more public scrutiny. But in a way it felt sometimes like the executive committee meetings did just go through the motions of an agenda, which I tend to find in most organisations if I'm honest, whereas the legwork to get to that point happens behind the scenes. But equally both the first and deputy first minister at that point gave me my space and I'm not backward in being forward and if I felt that I wanted to have an opinion, I'd give it. And I hope other politicians would have done that too. I did feel at that time that they were doing that.

I suppose it's really the only opportunity where all the ministers were together at one point, which didn't tend to happen too often in any other kind of forum. So maybe that helped. But as I say there were times when I needed to work with other ministers. I just set up [a meeting]. I wasn't reluctant in that at all.

**JS: And you were obviously part of the executive during the fallout from the RHI scandal and the eventual collapse of the government. What was it like being part of the executive at that point?**

**CS:** It was awful. That whole scandal: "Will it collapse? Won't it collapse?" In the earlier stages, my reading of it was that it wouldn't collapse. It was something that we could have got through, because I think if you look at the final outcome of that report [the report of the inquiry into the RHI led by Sir Patrick Coghlin] there was an awful lot that was suggested at that point that was never realised. But then it got heightened because of politics and you knew other parties were trying to seek opportunities from it. That was disappointing because ultimately it then led to the collapse [of the government] and we didn't see it up again for three years.

No it wasn't good. And there were other things that were happening too. Martin [McGuinness] wasn't well at that point. To be honest I think a lot of it really comes from the Brexit vote, which happened that year. RHI just was another event. There were a number of challenges and I think in the early days of January 2017 it was obvious it

wasn't going to get up again. Perhaps a week or two before that, [the problems] had gone from being practical to political and then I think we just lost it at that point.

It was tough for me. As I said at the beginning of this interview, they asked me what my red line was and it was: "Let me do my job." The politics didn't allow me to do my job and I think that's where I got frustrated. And then subsequent to the executive collapsing there was a purdah period where we were almost in a caretaking role. I didn't feel like I was a minister at all. It just felt like the department was stepping away from me, which maybe is natural, I don't know, but I was still in that role and that should have been respected. And I know I couldn't necessarily have taken new policy decisions at that point, it was just signing off the things that I was responsible for. But in those three months up to that election, they just felt very like: "What's the point?"

**JS: We'd like to turn to your relationships with people outside of Northern Ireland. The first question is: Did you work with the UK government and, if so, how regularly? What was your experience of that like? Often a criticism we hear is that there's not a huge amount of understanding of the specific circumstances in Northern Ireland within the UK government. Is that something that rang true to you, or did you have a more positive relationship?**

**CS:** I would say I would agree with those criticisms. That's not to say we didn't work together and I found myself going back and forth to London on a number of occasions. But again, some of the meetings felt very shallow in so far as [the attitude] was: "Here's your brief, minister, tick, tick, tick agenda, photo opportunity, move on." And you know I do hear that relationships haven't really improved even in terms of the behind-the-scenes conversations trying to convince the UK government, or officials in Whitehall, to even listen to these things. I wouldn't say it was a particularly strong relationship.

Sometimes you do feel like they are a level above, which I suppose in a way they are because they're the sovereign parliament and [as a devolved administration] we're below that. But that's not to say we shouldn't have an interest. One of the differences for Northern Ireland, maybe compared with other jurisdictions, is that element of security. The secretary of state [in the UK government] remains responsible for certain elements, particularly those related to the Troubles, counter-terrorism and paramilitary-related stuff. But that very much came into the sphere of the Department of Justice and the first and deputy first minister as well. We regularly sat in those executive meetings with Martin [McGuinness] and Arlene [Foster] with the British and Irish governments. So in so far as the interest that Westminster would have had in Northern Ireland, I think there was reasonable-enough engagement. But then when it came to the other issues, it felt a wee bit more removed.

I had relationships as well obviously with my counterparts in Scotland. I don't think I met my Welsh counterpart, I can't recall now. I had a great relationship with the justice minister from the Republic of Ireland. But there's a more formal arrangement there, it's

called the Intergovernmental Agreement I think – IGA. So we would have formally met every so often. It was Frances Fitzgerald at that point. She was incredible you know, and even just on a personal level she and I had a good relationship.

**JS: You mentioned Brexit earlier in the context of the effect that it had on the relationships in the executive. Obviously there were particular questions around security and justice co-operation on the island of Ireland that came from the vote to leave the EU. Did you have much engagement with the UK government, or people responsible for EU negotiations, either before or after the referendum? How much did those issues dominate your work?**

**CS:** Well if I recall correctly, the referendum happened probably less than a month after I became minister, so I don't really recall having any discussions prior to that. If I'm honest I'm not sure anyone expected that outcome. That doesn't mean they shouldn't have prepared for that potential outcome, but I probably wasn't in the department long enough even if they were. But I'd hazard a guess in saying they weren't [prepared].

After that it was interesting. And I do recall this moment when senior civil servants were saying to me: "You know we really need to prepare for this" – because of the potential consequences around things like the European Arrest Warrant, Interpol and all those sorts of things. So there very much was a concern in that respect, not least because of the island of Ireland and the border arrangements. You know, what did that mean? There were very direct issues that the minister of justice, or the Department of Justice, had to be concerned with as a response to Brexit.

I'm not sure the UK government were very responsive either. I can remember speaking with one of my directors and almost suggesting that the IGA, which we just talked about, was a mechanism, a formal mechanism which actually allowed an all-Ireland cross-border arrangement. And potentially that could open the door for conversations between the UK with Ireland. Could we extend that somehow or whatever? But they didn't seem to care or even get their head around it. And maybe that's simply because it wasn't a good idea. I don't know, I feel the British government generally with Brexit has just been very: "Let's cross that bridge when we come to it; we might not need to plan because it might not happen." And then it does happen and we're all screwed, to be honest.

**JS: What was your relationship like with the assembly? Did you feel that you were adequately scrutinised? How was your working relationship with relevant committees?**

**CS:** I am a big fan of scrutiny. I'm a big fan of challenge. I don't take it personally. I think a lot of politicians and ministers do, but I see it as an opportunity to improve. I take the view that if an MLA can dismantle my policy, then the policy is not very good. I respect the mandate of each representative because I recognise that they bring their own perspective to the debate and what might be good for East Londonderry, where I

represent, may not be necessarily good for West Belfast, for example. So I really do like scrutiny, to the extent that I actively met with the justice spokespeople of all the political parties, and asked them: “What do you hope to see here? How can I help you help me progress justice in a way that’s good for everyone?” I thought it was really key. I took great value from other politicians.

And even in the assembly recently I think there was a private member’s bill where they were trying to minute everything and have civil servants in the room when we had conversations of ministers and MLAs, and I actually convinced them not to do that [have civil servants present] because I do think there’s a dynamic that exists for politicians to need to speak to one another privately, and progress things through relationships in a way that civil servants should not. I’m very much a believer that politicians are the buffer between civil servants and the public and I think if civil servants start getting into the same rooms that politicians are in then that buffer is weakened. And it’s not necessarily because I think the civil servants are out to get anything, I just think that there’s a healthy distance that has to exist there and that’s democracy.

So I very much strive to have good relationships with the assembly. I would say there was the odd day or two where I reacted to some of the MLAs’ comments because they do say things – I’m guilty of it myself, I’m sure – for effect, rather than being informed. And I did get frustrated sometimes as a minister, hearing some politicians come out with the most remarkable nonsense. And thinking: “Do you understand this?” But I always tried to take the approach: “You know what, if you’re bringing this to me as a concern, let me consider it. I’m not sure I agree with it but let’s not dismiss it. Because, number one, you have a mandate so I’m in theory listening to the views of the people that you represent and let’s see how we can make this good for everyone.” I try to almost kill them with kindness, if you like. I felt that if I rose to it a lot it would have maybe made me look worse. So I was like: “Yeah okay, let’s take this on board, let’s see how we can work with it.”

**JS: Great. You have spoken a bit about how the breakdown of relationships affected your ministerial role. How well did you feel you were able to continue to pursue your policy objectives in those final months? And are there things that you had in motion that you weren’t able to achieve because of the sudden collapse of the government?**

**CS:** To answer the first part of that question, I think anything new that hadn’t already begun was fruitless. I do feel that after the executive collapsed and the election was called, it was a caretaking role at that point. To be honest, if there were things that maybe I was trying to push civil servants towards... [but] as much as people think a minister can say “we want to do this”, that’s easier said than actually done. I felt that where there were things that the department weren’t quite convinced about, if I’m being honest, then they were never going to be convinced at that point, so what was the point?

But equally in my seven months prior to the collapse, I had put in situ a lot of policy objectives. And to be honest my successor is now fulfilling those. So that in itself is a good thing because had I not started that in the short time that I had, those things wouldn't have happened now, believe it or not, three, four years later. Because the department during three years of no government did continue to work on those things. Someone always uses the phrase: "The king is dead, long live the king." And until someone else comes next, they will continue to do what the predecessor did.

So I think I did manage to get a number of policy objectives in place, not least the Domestic Abuse Bill, which is now an Act – fantastic – in Northern Ireland. The current minister is bringing forward legislation on committal, which hopefully should go some way in splitting up our justice system, because it removes a step in that process. That was work that I had started. She's going to develop a stalking bill. That again was work which I had started. She's doing other bits and pieces too, which in fairness probably comes from her own work. But yeah, it's frustrating that I didn't get to conclude them. But it's not really about me, it's about getting them onto the statute, which fortunately we've been able to do, or will be able to do if we don't collapse again in the next few weeks.

**JS: And what is the thing you're proudest of having achieved during your time as minister?**

**CS:** I think the conversation around domestic abuse – very much so. Domestic abuse is not a new issue. The prevalence of it in Northern Ireland continues to grow. But I talked about it all of the time, I really talked about it as being a priority. And certainly the partners within the justice family recognised that I was a minister who really wants to progress this and that therefore we should align our priorities in relation to that. I think that was really important. As I said, this wasn't a new issue, [but] it wasn't really tackled prior to me. I think by really shining a light on that conversation if you like, and that debate, we've been able to progress. We've got a long way to go. But I do think that something that was almost a silent shame, people are now starting to realise, is not. It happens and it doesn't discriminate and it happens everywhere, and in all backgrounds. We need to call it out so it doesn't become an accepted behaviour, because I think before that it was. People would say: "Oh, that's terrible." But what does that mean really when it's still ongoing and you're happy to walk on after seeing it? My proudest moment very much is opening up that conversation into the prevalence of [domestic abuse] in Northern Ireland in particular.



**JS: And then our final question is what advice would you give to a future minister on how to be effective in office?**

**CS:** Trust your gut! My spad [special adviser] and I always used to laugh about my ministerial gut. I don't know what that even means or what it is.

Be open-minded as well. That can be a curse too sometimes because can you get things done if you're always trying to be too open-minded? But no I think trust your gut and be open to conversations and relationships. And recognise that you're there to serve.

People ask me all the time, particularly given the kind of contentious nature of Northern Ireland politics: "How can you work with such and such?" I say: "Look, it's not that individual I'm working with, it's the office in which they were mandated and in most cases that's thousands of people. So when I disrespect that individual, I'm disrespecting the people they represent, and I have a big problem with that. So, of course, I'm going to build those relationships." The job's there to be done and it serves everyone in Northern Ireland, regardless of what your views and values are.

**JS: Is there anything you think we haven't covered that you'd like to talk about?**

**CS:** I have two degrees in politics, and I'd worked in politics for maybe 10 years before I became minister. I think I was 29 years old. And there was an awful lot of criticism of me simply because of my age, and I would say a lot as well because of my gender. There was another minister who was a couple of months older than me and he wasn't criticised, yet I was heavily criticised. Even some of the photographs they used in media. So I think, in particular younger women need to be prepared for that. If you look at the assembly, it is getting younger. Hopefully this will lead to younger ministers, and hopefully, more women in those roles as well. Hopefully it will happen more than it does. So I think we need to be conscious around that.

I think some of my successes in the department as an independent MLA in Northern Ireland come from having that grounding in academic politics. I always see the benefit of third-level education as enlightening people. And it really does open up your mind to other perspectives and encourages you to think in that way and I do think that has helped me. I've always said that about my degree. But I also think it has given me a real understanding about what the structures are and what the purpose of them is. It's about the three strands of governance: it's the legislature, it's the executive and it's the judiciary. And they have to remain separate but equally they're interconnected. And even just in terms of what the role of a politician is. I hear this from the general public, as well as my colleagues, that an MLA's not a minister but a minister is an MLA and what's the different dynamics in that? And the role of scrutiny and the role of decision making – I have a grounding in that and really understand those structures, because most politicians will not have that. That's where I was helped in my role in justice. Whilst I didn't have the life experience that people thought I should have, I do think I

actually had a grounding that others didn't. I'm not sure what difference it made that my predecessor was a social worker versus me actually being in politics.

There's also an interesting question around career politicians, and maybe that means different things to different people. Often we'll hear the likes of: "The health minister should be a doctor; the justice minister should be a solicitor or a judge because they'll have a grounding in law." I don't actually agree with that. Yes, it's good to have life experience but to me the job of a politician is about representing people. I think a community worker does just as good a job as someone from a profession. My job is not to necessarily bring my own baggage or my own opinions to the table. It's to listen to a varied set of opinions from my stakeholders and then come to a decision after that. So I think I'm more likely to do that if I don't necessarily have a pre-emptive experience or qualification in that.

If you're trying to support ministers in doing the job, I do think it helps that you know the structures of politics generally and what that means and the dynamics. That even starts with understanding the Northern Ireland Act and the Good Friday Agreement and what the dynamics are in terms of the first minister and the deputy first minister and then all the ministers thereafter. Questions like: "If Sinn Féin or the DUP don't take their seats in a new executive, could the other parties do it?" No they can't because legally that's just not possible. My colleagues would think of those questions themselves. When politicians are elected it's on the basis of helping people. But that's just the first step to actually progress and to support the issues that they bring to the table. You have to understand the system. I think that lack of understanding means we're not very good at our jobs sometimes. I would certainly say that my very short experience of being minister has probably made me a better backbench MLA, because I now get what the job is better as I've seen it from both sides.

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