

Theresa May's £1billion DUP deal faces High Court challenge

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Theresa May's £1billion deal to win the support of the Democratic Unionist Party for her minority government could be challenged in the courts on the grounds that it breaches the Good Friday agreement

A crowdfunding campaign has been launched by Ciaran McClean, a Green party member in Northern Ireland and peace campaigner, to raise funds for the challenge.

Mr McClean believes the deal, which sees the Conservatives granted an overall majority with the support of the DUP's 10 MPs, breaches both the landmark 1998 Good Friday agreement and the Bribery Act.

The confidence and supply arrangement, signed on June 26, mean that £1billion will go to Belfast for infrastructure, broadband, schools and hospitals in return for DUP support in key Commons votes.

The £1bn payment - the equivalent of £33 for every taxpayer in the UK - could be only the start after DUP sources hinted that they will ask for more cash when the deal is "reviewed" in two years' time.

The legal team aim to issue high court proceedings this week and will push for the case to be heard as early as possible.

There has already been an exchange of letters over the issue between McClean's lawyers and the government.

The initial aim is to raise £20,000 for legal fees but more will be needed if the case progresses to a full hearing in the high court.

The basis of Mr McClean's claim is that any deal between the government and DUP is in breach of the 1998 Good Friday agreement, under which the government undertook to exercise its power in Northern Ireland "with rigorous impartiality on behalf of all the people in the diversity of their identities and traditions".

A letter from Edwin Coe solicitors argues that any agreement between the DUP and the Conservatives would compromise the government's independence and breach the reasonable expectation of the citizens of Northern Ireland, including McClean, that the government will act with rigorous

The Government is trying to act as an honest broker in re-establishing the collapsed power-sharing executive at Stormont.

Mr McClean is represented by Dominic Chambers QC of Maitland Chambers, who was involved in the Supreme Court challenge to the government's attempts to trigger article 50 without a Commons vote.

Mr McClean told the Guardian that the Government "has obligations under international law which are not being observed in this deal with the DUP".

He also argued that the arrangement could be construed as "a bribe to patch together a parliamentary majority".

He added: "The £1bn bribe actually threatens the institutions in Northern Ireland. How can there be impartiality when one of the executive parties has the UK government over a barrel?"

"This case is not being taken for nostalgia value. The DUP deal threatens to undermine our democracy in Northern Ireland, so it is important that citizens can challenge it," he said.

David Greene, a senior partner at Edwin Coe, said: "This case is of huge public importance and demonstrates that individuals can call governments to account and the importance of that capability in a democracy."

Joanna Sidhu, a former City litigation lawyer who now works for CrowdJustice, said: “By launching a crowdfunding campaign to support this challenge, Ciaran is giving everyone the opportunity to be part of the fight to preserve our democratic values.”

CrowdJustice has so far helped individuals and organisations raise more than £3m to fund more than 160 cases, three of which have reached the Supreme Court.