

## The Government's Plan for Brexit

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Mr Speaker

I inform the House that I have selected amendment (a) in the name of the Prime Minister.

12:51:00

Keir Starmer (Holborn and St Pancras) (Lab)

I beg to move,

That this House recognises that leaving the EU is the defining issue facing the UK; notes the resolution on parliamentary scrutiny of the UK leaving the EU agreed by the House on 12 October 2016; recognises that it is Parliament's responsibility to properly scrutinise the Government while respecting the decision of the British people to leave the European Union; confirms that there should be no disclosure of material that could be reasonably judged to damage the UK in any negotiations to depart from the European Union after Article 50 has been triggered; and calls on the Prime Minister to commit to publishing the Government's plan for leaving the EU before Article 50 is invoked.

For months, Labour has been pressing the Prime Minister and the Government to set out their plan for Brexit. For months, the Prime Minister and a succession of Ministers have refused to do so, either in writing or from this Dispatch Box. Facing defeat on today's motion, the Government have now caved in—last-minute amendments tell their own story and everybody knows it. This is a victory for common sense. I thank those from various Opposition parties who backed putting pressure on the Government to disclose their plan, and I thank the Conservative Members who, rightly, want to see far more detail about the approach their Front Benchers are intending to take.

Caroline Lucas (Brighton, Pavilion) (Green)

Does the hon. and learned Gentleman acknowledge that, by accepting the Government's amendment to his otherwise very good motion, he is falling into a Tory trap of binding his party to supporting the invoking of article 50 by March, which is an unrealistic and increasingly arbitrary date?

Mr Speaker

Before the hon. and learned Gentleman responds, may I politely say that the intervention is absolutely legitimate but this is a helpful guide: if Members who are hoping to speak intervene more than once, in accordance with very long-standing practice they will be relegated on the list? That is only fair if I am to try to secure equal opportunities for all Members.

Keir Starmer

I am grateful for that intervention, and I assure the hon. Lady that I shall come to that important point in due course.

I have seen the overnight briefings, which will no doubt be repeated today from the Dispatch Box, that the Government always intended to publish their plan, but an eleventh-hour concession is an

eleventh-hour concessions. I have faced the Secretary of State on many occasions and asked for a plan, and he has refused on every occasion, so nobody is going to fall for that.

Keir Starmer

I am going to make some progress, if I may. The focus is now where it ought to be: on the substance, not the process. The terms upon which we leave the EU will define us and our country for many years, and this House and the public are entitled to know the approach the Government are intending to take.

Sir Gerald Howarth (Aldershot) (Con)

rose—

Keir Starmer

I will make a bit of progress and get to dealing with the amendment.

Today's victory is important, and so is the timing. As we debate this motion, the Government's appeal is being heard in the Supreme Court. We need to remind ourselves that the Government are arguing that this House should have no say on the question of invoking article 50—that is the argument they are presenting in the Supreme Court; through that argument, they want to remove the prospect of a vote granted by the High Court a few weeks ago. That is the core of their argument and the purpose of their appeal: to remove that vote from us. That is what they are seeking to achieve, but that would be to avoid scrutiny and avoid accountability. If the Government succeed in that appeal, this motion will be very important, because it puts grip into a process which would otherwise have none. We will only have a plan to discuss because we will not be getting a vote.

Chris Bryant (Rhondda) (Lab)

However, if the Government fail at the Supreme Court, there will have to be a legislative process. This is not a legislative process today, is it?

Keir Starmer

I am grateful for that intervention and I am coming precisely to that point, so I will press on.

Keir Starmer

I am going to get to the amendment, so that I can make my position clear on that, and then I will take interventions.

A plan will now have to be prepared, debated and subjected to scrutiny, whether or not we have a vote. That is a good thing for anybody who believes in parliamentary scrutiny. If, on the other hand, the Government lose their appeal, there will need to be article 50 legislation in the new year; a motion of this House will not suffice.

I pause here to deal with the Government amendment, on which I want to make this clear to all Members: today we are not voting to trigger article 50 or to give authority to the Prime Minister to do so. It is most certainly not a vote for article 50. Unless the Supreme Court overrules the High Court, only legislation can do that.

Nor does today's motion preclude Labour or any other party tabling amendments to the article 50 legislation and having them voted on. The motion, as amended, would be an indication that the purpose of calling for a plan is not to frustrate the process or delay the Prime Minister's timetable. That is what is made clear by the motion and the amendment taken together. Labour has repeatedly said it will not frustrate the process, and I stick by that. That is why the Government should prepare

their plan and publish it in time for this House to consider it when it debates and votes on the article 50 legislation. The timetable in the amendment is in fact there to put pressure on the Government, because a late plan would clearly frustrate the purposes and intentions of this motion. I put the Government on notice that I will not be slow to call them out if they do not produce a timely plan.

Mr Peter Bone (Wellingborough) (Con)

I do not want the shadow Secretary of State to inadvertently mislead the House. We already have legislation before this House—the Withdrawal from the European Union (Article 50) Bill—which has had its First Reading and will get its Second Reading on 16 December, unless someone objects.

Keir Starmer

I am grateful for that intervention and understand the point, but let us see what happens on 16 December. The Secretary of State has made it clear on a number of occasions, understandably, that in addition to the main point of the appeal so far as the Government are concerned, which is to take away any right to vote on invoking article 50, there is a secondary intention, which is to get greater clarity on the type of legislation that may be needed in the new year. I anticipate that it is that Minister legislation that we will address before too long, but I do, of course, acknowledge the private Member's Bill.

Mr Jim Cunningham (Coventry South) (Lab)

I am glad that my hon. and learned Friend has made it clear that it is not our intention to frustrate the article 50 process, because the Government and their supporters have been putting it around that we are somehow trying to sabotage any decision on it.

Keir Starmer

I am grateful for that intervention, because what we have seen is the characterising of anyone who questions the Government's approach as frustration. That is the wrong characterisation and it is to be avoided. Having accepted today's amendment, I hope that I will not be intervened on the whole time by Members saying that this is an attempt to frustrate. The plan needs to be produced in good time and with sufficient detail for us to debate it, but the purpose is not to frustrate the overall process or to delay the timetable that the Prime Minister set out some time ago.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC)

If the hon. and learned Gentleman accepts the Government's amendment, is he not effectively giving unilateral support to whatever plan they decide to present, which means that Opposition Members will not be able to perform their parliamentary role of scrutinising the Executive?

Keir Starmer

I understand the hon. Gentleman's concern, but that is not the case, and I will make that point in a moment.

Dr Julian Lewis (New Forest East) (Con)

Does the shadow Secretary of State agree that, if the Opposition support, or at least do not oppose, the Government's amendment, it would be completely unacceptable and totally inconsistent for them to do anything in the new year to delay the triggering of article 50 beyond 31 March?

Keir Starmer

I have made it absolutely clear that nothing in today's motion precludes any party, including my own, from tabling an amendment to proposed legislation, if there is proposed legislation, and voting on it. I am astonished that some Members are willing to pass up the opportunity to have a vote in the first place and to restrict our ability to debate amendments.

The Secretary of State for Exiting the European Union (Mr David Davis)

I do not want to break the hon. and learned Gentleman's flow, but I want to make a factual point. Will he please answer the question that has just been put to him? Given that he supports the amendment, does he think it reasonable that some want to frustrate and slow down the article 50 process?

Keir Starmer

I have made it absolutely clear—and I will make it absolutely clear again—that the purpose of the motion calling for a plan is not to frustrate or delay the process. That is not why we are calling for a plan. This presents a challenge for the Government, because they now need to produce a plan in good time to allow the proper formalities and processes to be gone through. The timetable is more of a challenge for the Government than it is for the Opposition.

Keir Starmer

I am going to make some progress. I have taken a lot of interventions.

The Government must now prepare their plan and publish it. I put the Government on notice that, if they fail to produce a plan by the time we debate proposed legislation on article 50—assuming that we do debate it and that the Government do not win their appeal—amendments will be tabled by the Opposition and, possibly, Government Members, setting out the minimum requirements of a plan. In other words, we are not going to have a situation where the Government seek a vote in a vacuum or produce a late, vague plan.

Richard Fuller (Bedford) (Con)

I congratulate the hon. and learned Gentleman, because he is playing on a very difficult wicket. The motion states,

“that there should be no disclosure of material that could be reasonably judged to damage the UK”.

Does he therefore believe that this plan should be a series of hints, an explanation of principle or specific priorities? It would be helpful to know what he means by a plan.

Keir Starmer

I think it is pretty straightforward and I have said this on a number of occasions. I fully accept that the Government will enter into confidential negotiations for a number of months, and that producing a plan should not undermine that process. This is not the first time that I have said that; I have said it repeatedly. Some argue that we should not produce a plan because saying anything might undermine the negotiations, but I do not accept that. I do, however, accept that there is a level of detail and of confidential issues and tactics that should not be disclosed, and I have never said otherwise.

I want to put the contrary proposition, to see how comfortable Members really are with it. Absent of a plan and of us knowing the objectives and starting position, the Government would then negotiate for two years without telling us any of that detail. Are any Members of this House content not to know any of that between now and March 2019? Hands up who does not want to know that and is happy to say, “I don't need to know. Whatever you are negotiating is fine by me.”

Mr David Davis

The hon. and learned Gentleman is an experienced lawyer, so I am sure that putting up Aunt Sallies is old hat to him. Given that he thinks that the alternative is telling the House nothing, I ask him what he thinks of these comments, which I have made eight times to this House:

“As I have said several times in debates that the hon. Gentleman has attended”—

this was in response to the hon. Member for Kilmarnock and Loudoun (Alan Brown)—

“I will make as much information public as possible without prejudicing our negotiating position.”—[Official Report, 20 October 2016; Vol. 615, c. 952.]

Keir Starmer

I heard that point being made and I understand and respect the Secretary of State’s position on this issue and his history on issues of scrutiny and accountability. I also understand why he feels uncomfortable not disclosing the information that can be disclosed, but the motion moves the issue on and makes it clear that there will be a plan, while, of course, preserving that which needs to remain confidential.

I acknowledge that the Secretary of State made those comments and that he has said on more than one occasion that, when the Government have reached a judgment on the customs union—I assume that he also means when they have reached a judgment on the single market—they will make that position public. I therefore anticipate that the Secretary of State has no difficulty with a plan that sets out the position on the single market, the customs union, transitional measures and the like, because that is the direction of travel that I have understood him to be going in. The plan commits him to it and puts it in the framework of scrutiny and accountability that will come with proposed legislation on article 50, but I do acknowledge what he has said.

Mr David Davis

I thank the hon. and learned Gentleman for that acknowledgment, but let me pick up on the issues that he has raised. There may be circumstances in which the criteria and aims are clear, but the individual policy is not. There may be several options and it might be in our negotiating interests to keep more than one of them open. Surely that does not necessarily require that we specify in detail any individual line of pursuit.

Keir Starmer

I understand the Secretary of State’s point. To some extent, we will probably return to this debate as and when the plan materialises, but it is important there is no mischaracterisation. Asking for a plan setting out the objectives is not to seek to undermine the UK’s negotiating hand, nor is it to seek a running commentary. It is, in fact, to seek to have clarity, scrutiny and accountability.

Keir Starmer

I am going to make progress.

The minimum requirements of a plan are fivefold. The first—I have begun to touch on this—is the need for enough detail and clarity to end the circus of uncertainty that has been going on in recent weeks on issues such as the single market, paying for access to the single market, the customs union and transitional arrangements. The pattern and rhythm of those exchanges over the past few days and weeks is clear for all to see. One member of the Cabinet says one thing one day; another member of the Cabinet says something else on a different day; then a spokesperson says that no decision has been made. We have seen that pattern over and over in the past few weeks. That uncertainty causes anxiety across the UK, in businesses, among working people, and in our nations

and regions. It has to end, as it causes more damage to the process than anything else at the moment. The House, the public, businesses, working people, the media and our communities are entitled to know the basis on which the Government intend to negotiate their future.

Lucy Frazer (South East Cambridgeshire) (Con)

The hon. and learned Gentleman said that the alternative to having a plan was no information until 2019. Does he accept that in the debate on 12 October he asked the Secretary of State whether we would have the same information as the European Parliament, where there is a mandatory obligation to inform the European Parliament of the negotiations? My right hon. Friend said very clearly that the answer was yes.

Keir Starmer

Yes; good. We are working with our European colleagues on that issue, but that is after article 50 has been triggered. We are discussing what comes before. Of course, there are stages in the process. The plan is important because it is the start of the process: it sets the scene and the direction of travel. Once article 50 has been triggered, MEPs will be involved in the process, because they have a vote at the end of the exercise. I acknowledge that the Secretary of State has said on a number of occasions that whatever information they have, we will have. I should jolly well hope so. The idea that MEPs would be provided with more information about the negotiations than us would be wrong in the eyes of everyone in the House. The Secretary of State made that commitment early on, and it was the right commitment to make. He will not be surprised to learn that I intend to hold him to that every step of the way. I am sure that we will meet at the Dispatch Box to discuss precisely that.

Mr David Davis

rose—

Keir Starmer

I have not finished dealing with the intervention from the hon. and learned Member for South East Cambridgeshire (Lucy Frazer). This is about what happens before the negotiations in the run-up to article 50. There will then be a two-year tunnel of negotiations. Then there is what happens at the end. MEPs will have a vote, and if they vote down the deal there will be no deal. I have no doubt that the Secretary of State will concede that we will have a vote in the House, because the idea of MEPs voting, but not the House, on the final deal is wrong in principle. He might be able to indicate now that there will be a vote at the end of the process on the deal, in the same way that MEPs will have a vote, as that would be helpful for this side of the House.

Mr David Davis

I apologise for intervening again, but we have said that procedures under the Constitutional Reform Act 2005 will apply. That is straightforward. I have said that at least three times to the House.

The hon. and learned Gentleman has asserted that there is no vote between whatever happens as a result of the court case and the ratification process. The great repeal Bill will be presented to the House during that two-year period, and after that there will be a series of consequential legislative measures, some primary, some secondary, and on every measure the House will have a vote and say.

Keir Starmer

I acknowledge that, but my response is exactly the same as my previous response. The timetable for the great repeal Bill applies after article 50 has been invoked, so that does not help us with the plan and the starting position. That is why this part of the process has to be gripped now, because what

happens between now and 31 March really matters to the starting position. I accept that after that the great repeal Bill will be introduced and debated, and no doubt there will be votes on its provisions, but essentially it is a Bill that indicates what will happen at the end of the process, rather than a Bill that deals with the plan—the starting position—or the process.

Mr Dominic Raab (Esher and Walton) (Con)

I understand why the shadow Minister is pressing the Government for their plans and I understand why he is setting out his red lines. I do not understand why he wants to enshrine that in legislation. The only reason for doing that is so that the Labour party can set up the Government to be sued later. Is that not the truth—will he come clean? It is wrecking tactics by any other name.

Keir Starmer

The answer to the question is no.

Keir Starmer

I am going to make progress—I have taken a lot of interventions.

The second requirement of a plan is that it must have enough detail to allow the relevant parliamentary bodies and Committees, including the Exiting the European Union Committee, chaired by my right hon. Friend the Member for Leeds Central (Hilary Benn), to scrutinise the plan effectively. The Committee's terms of reference include examining the Government's objectives, so the plan must have sufficient detail to allow parliamentary bodies to conduct scrutiny effectively.

Keir Starmer

I am going to press on. Thirdly, the plan must provide enough detail to enable the Office for Budget Responsibility to do its job properly. As Members across the House know, the Budget Responsibility and National Audit Act 2011 sets out the role of the OBR: it is the duty of the OBR to examine and report on the sustainability of the public finances. Its charter states:

“The OBR's published forecasts shall be based on all government decisions and all other circumstances that may have a material impact on the fiscal outlook.”

The Government are responsible for all policy decisions and policy costings, but it is for the OBR to provide independent scrutiny and certification of the Government's policy costings. It states whether it agrees or disagrees with the Government's costings, or whether it has been given insufficient time or information to reach a judgement. It is an important check and balance in the system on the spending of public money and on costings.

In its response to the autumn statement this year, the OBR made the following comment on assumptions about the cost of Brexit. In the foreword to the response, it said that it asked the Government for

“a formal statement of Government policy as regards its desired trade regime and system of migration control, as a basis for our projections”

on Brexit.

“The Government directed us to two public statements by the Prime Minister that it stated were relevant”.

The OBR was trying to do its job and obtain sufficient information to carry out its statutory functions, and has asked the Government for the relevant information. It has been directed to two public statements by the Prime Minister. In its report this year, the OBR said:

“Perhaps understandably, the Government’s response leaves us little the wiser as regards the choices and trade-offs that the Government might make during the negotiations”.

It is perhaps understandable in the early stages why that may be the case—I concede that, and this is not intended to be a cheap shot based on the OBR report—but it is important that the OBR should be able to do its job properly over the next two years or more. Unless it has sufficiently clear objectives it cannot do so. It is wrong in principle for the OBR to be disabled from discharging its functions properly. There should be enough detail for that scrutiny to be carried out.

Fourthly, the plan must have enough detail to enable the relevant authorities in Scotland, Wales and Northern Ireland to be assured that their particular and specific concerns are addressed. Other Members will speak about those concerns far more authoritatively than I can, but they include concerns about the single market and, in Northern Ireland, concerns about the border and related issues. The detail must be sufficient for those authorities to be assured that their concerns are understood and are being addressed. Over the past few weeks, I have visited Northern Ireland, Wales and Scotland to speak to the devolved Governments as well as to businesses, trade unions and the public in meetings. I can assure the House that “Brexit means Brexit” does not come close to answering the concerns I heard or to addressing the huge, complex challenges that Brexit will pose across the UK.

Fifthly, the plan must have enough detail to build genuine consensus. That is an important point, because the future of this country is bound up with the negotiations, and it is wrong in principle for the Government to act solely for the 52%—to base its approach on the 52% or a group within the 52%. The vote on 23 June was not a vote to write those that voted to remain out of their own history. They have a right and an interest in these negotiations and they have a right to have a Government who give weight to their interests as well as the interests of the 52%. I have said this before and I will say it again: the Government must act not for the 52% or the 48% but for the 100%, acting in the national interest. That can be achieved only if we have a national consensus.

Crispin Blunt (Reigate) (Con)

I am fascinated by the focus on the plan and the amount of work that the hon. and learned Gentleman will invite the OBR to do. He does understand, surely, that no plan survives engagement with the enemy. [Interruption.] That is a military metaphor from assaults. Our negotiating hand is clear, and it is clear that it is not compatible with the position taken by our 27 partners. This will all change in the course of the negotiations, and we will have to leave it to the Government to make those decisions.

Mr Speaker

Order. I recognise that the hon. Gentleman is an illustrious Member of the House as Chair of the Foreign Affairs Committee, but even so the intervention was too long.

Keir Starmer

On reflection, the hon. Gentleman may think that he did not use the right word in describing our partners as “the enemy”.

That brings me to a footnote, but an important footnote. Some of the language and tone that has been adopted by the Government and their Front Bench is not helping the prospects for a good



outcome. [Interruption.] I hear the comment that that is disingenuous. I have been to Brussels. I have spoken on a number of occasions to those who will be involved in the exit, and they are not particularly amused by jokes about Prosecco; they are not particularly interested or amused by references to “cake and eat it”. They want a professional, constructive set of negotiations, and some of the comments that are being made about them and their real purposes are not helping the prospect. We have a shared interest across this House in getting these very difficult negotiations off to the best possible start, and comments along the way that are unhelpful or disparaging of our EU partners are simply not helping.

Keir Starmer

I will press on.

Until now, the Prime Minister’s two mantras that “Brexit means Brexit” and that there will be “no running commentary” on negotiations tell us nothing about the type of Brexit that the Government propose. I am not sure that the recently coined “red, white and blue” Brexit takes us any further forward. The question that everybody wants answered is, will it be the hard Brexit suggested in Theresa May’s party conference speech, or the vaguer form suggested by Cabinet Ministers when they speak of possible payments into the EU budget and provide welcome guarantees to Nissan about the prospect of arrangements that are free of tariffs or bureaucratic impediments? These are two different versions of our future that will be negotiated over the next few years, and we need to know which version we are running with, and we need a consensus.

Chris Leslie (Nottingham East) (Lab/Co-op)

My hon. and learned Friend is right to insist on a plan. It is important that we do not stand in the way of the will of the British people in the referendum, but does he accept that there are many people in all parts of the House who have some doubts and misgivings about the timing of the invoking of article 50? Many people think that 31 March is simply too soon—that we are rushing into it—and that as we will not start negotiations until after the German elections, we may get only a year of negotiations. Does my hon. and learned Friend accept that there is risk in that timetable?

Keir Starmer

I am grateful for that intervention. I do understand the concerns about the timetable and I think they are shared across the House. It is a tight timetable. I accept that the purpose of the plan, or the motion, is not to frustrate or delay the process. I know that the Secretary of State equally wants to keep to that timetable, but it is an exacting timetable and it is incumbent on the Government to make sure that the deadline is met by ensuring that the plan is available as soon as possible in January 2017.

Keir Starmer

I shall press on, if I may.

The question on everybody’s lips is, is it the hard Brexit sketched out at the party conference, which was read by those in Brussels as meaning outside the single market, outside the customs union, and an arm’s length relationship with our EU partners, or is it a more co-operative, collaborative approach with our partners? I understand, and I can hear from the statements, that there is disagreement on the other party Benches about this, but we cannot go into the negotiations with that disagreement still raging. We need to go in with consensus.

I will say this loud and clear: there is no mandate for hard Brexit; there is no consensus for hard Brexit.

Sir Edward Leigh (Gainsborough) (Con)  
Will the hon. and learned Gentleman give way?

Keir Starmer  
No. I have given way a number of times.

In the past few months I have travelled across the UK to hold meetings with a wide range of interested parties, such as businesses large and small, different nations and regions, trade unions, working people and local communities on the question of the terms on which the UK should exit the EU. I know that the Secretary of State and his team have been engaged in the same exercise. We have been to some of the same places and regions and spoken to some of the same people. The overwhelming evidence is that they do not want hard Brexit. There is not a consensus out there for hard Brexit. If we are to reach a consensus, it must be genuine consensus that works for everybody.

The ball is now in the Government's court to produce a timely plan that meets these requirements. That will be the start of scrutiny and accountability, not the end. If the Government fail to produce a timely and sufficiently detailed plan, they should expect further challenge from the Opposition, and I put the Secretary of State on notice that that is what we will do. Only legislation, not today's motion, can allow the Prime Minister to trigger article 50. That will have to be debated and subject to the full and proper procedures in this House, as the Secretary of State accepts. The motion makes it clear that although Labour will not frustrate the article 50 process, it does intend to shape the debate and head off hard Brexit.

13:27:00

The Secretary of State for Exiting the European Union (Mr David Davis)  
I beg to move an amendment, at end add:

“, consistently with the principles agreed without division by this House on 12 October; recognises that this House should respect the wishes of the United Kingdom as expressed in the referendum on 23 June; and further calls on the Government to invoke Article 50 by 31 March 2017.”

Before I speak to the amendment, let me make a few factual remarks to the Labour spokesman, the hon. and learned Member for Holborn and St Pancras (Keir Starmer). He ended by saying that there is no mandate for hard Brexit. To be honest, I do not know what hard Brexit means. The mandate was to leave the European Union. We should keep that in mind. He quite properly raised the issue of Northern Ireland. It is simply because I am standing at the Dispatch Box today that I am not chairing a joint ministerial committee of the devolved Administrations on exactly these issues. There has been considerable progress on that; I can brief him on that, if he does not know about it. Some of it, almost by definition, is confidential. He should take it as read that the process has been going on for some time and is quite well advanced.

The hon. and learned Gentleman raised the issue of the Budget Responsibility and National Audit Act 2011. He may remember that I was a Chairman of the Public Accounts Committee, and I am reasonably familiar with National Audit Office and OBR operations. The condition that applies to any information that we put in the public domain—that it will not bias or undermine the negotiation—applies equally here; if we were to give information to the OBR, there would be the same telegraphing of what we are doing. It would be very inappropriate for another reason as well. This is a negotiation, not a policy statement, so where we are aiming for—I think we may be on the same page on this—may not be the exact place we end up, and I think he would understand that.

Keir Starmer

To be clear, I was not making the argument that the OBR required confidential information, the disclosure of which would undermine negotiations; my point was simply that the plan must be sufficiently detailed to let the OBR do its job in a way that lets it provide the scrutiny it is supposed to.

Mr Davis

I take that point. As I make progress through what I have to say, I will explain why, in some respects, that is not practical.

This debate is very similar to the last Opposition day debate Labour chose to have on Brexit, and it really is the last clause of the motion that extends beyond that. The Government and I certainly can accept the motion with the amendment that whatever plan we set out is consistent

“with the principles agreed without division by this House on 12 October”,

and that the House

“recognises that this House should respect the wishes of the United Kingdom as expressed in the referendum on 23 June; and further calls on the Government to invoke Article 50 by 31 March 2017.”

Geraint Davies (Swansea West) (Lab/Co-op)

Will the Secretary of State give way?

Mr Davis

No, I am going to make a bit of progress. I will give way later. I normally like the badinage with the Opposition, but I have to make some progress on quite an important argument.

Dance on a pin as the shadow spokesman may, that is what the Opposition are signing up to: the Government invoking article 50 by 31 March 2017. Let us be clear about that. It has always been our intention, as I said in my intervention on him, to lay out the strategy in more detail when possible, provided it does not undermine the UK’s negotiating position.

Mr Dominic Grieve (Beaconsfield) (Con)

Will my right hon. Friend give way?

Mr Davis

If my right hon. and learned Friend will wait a little while, I will, of course, give way to him.

In fact, I have said that categorically in front of this House and the other House on a number of occasions, including just last week, and I am happy to confirm it again today. Our amendment also lays out an important challenge to those on the Benches opposite who say that they respect the result of the referendum, but whose actions suggest that they are looking for every opportunity to thwart and delay this. We will see today if they are willing to back the Government in getting on with implementing the decision made by the people of the United Kingdom. However, before I address the motion in terms, I will give way to my right hon. and learned Friend.

Mr Grieve

May I emphasise to my right hon. Friend that the motion must require Parliament to support the triggering of article 50 by means known to the law? He will doubtless agree that as the law stands,

that requires primary legislation. While it is possible for private Members' Bills to be introduced, in reality it will be the Government's duty to introduce legislation if they wish to proceed, and to do that in a timely fashion that enables proper debate on it.

Mr Davis

My right hon. and learned Friend, the ex-Attorney General, should know better than to tempt me to comment on a court case that is taking place as we stand here, so I will not do that, but as he well knows, we will obey the rule of law; we will obey what the Court finds. We will ensure that we do the right thing. As the spokesman for the Opposition said, one of the reasons we are waiting on the outcome is to get precisely right what it is this House has to do.

Geraint Davies

On the timing set out in the amendment, would the Secretary of State not accept that, given that the French election is in May and the German election is in October, nothing will be achieved in that timeframe? If we trigger in March, there will be negotiating time lost in the two-year window. Article 50 should therefore be triggered in the autumn, in November, with time for a referendum on the exit package, so that people can decide on the final deal.

Mr Davis

No, I do not accept that. Between now and the possible end of the negotiating process, if it goes the full distance, there are 15 elections, and of course we have already had two events this weekend: a referendum and another election. There is no point in the period when there is no election under way, so it is simply not possible to meet the hon. Gentleman's requirement.

Mr Nigel Dodds (Belfast North) (DUP)

Is the crucial issue here not that, whatever the caveats entered by the shadow Minister, anyone voting for this amendment tonight will find impossible to justify to the public any renegeing, any going back or any procrastination—anything after 31 March that seeks to delay the triggering of article 50? That is the reality of the situation.

Mr Davis

The right hon. Gentleman is exactly right. I agree with him entirely.

Mr Kenneth Clarke (Rushcliffe) (Con)

rose—

Mr Davis

To balance up affairs, I will give way to the Father of the House.

Mr Clarke

Quite apart from the legalities of the situation, we have to address the political question of the Government's accountability to this House for their important policies. This word "plan" is being used in an extremely vague way, and could cover some of the vague assertions that Ministers have been making for the last few weeks. Will the Secretary of State accept that the House requires a description—published in a White Paper, preferably—of the strategic objectives that the Government will pursue, and that the Government should submit that strategy to a vote of the House? Once it has the House's approval, they can move to invoke article 50.

Mr Davis

My right hon. and learned Friend is at least straightforward in what he says; he does not really agree with the outcome of the referendum. My view on this—I agree with him to some extent—is very

clear. He has said that the word “plan” is vague; I think that what I have said already to this House, in terms of giving all possible information, subject to it not undermining negotiations, is actually more comprehensive. But it is not that we are not going to allow the House votes. First, we cannot do that as a Government, even if we wanted to. Secondly, as I have said, there will be a considerable amount of legislation during the course of the negotiation, which will, in some respects, confine us.

Mr Davis

I will make some more progress, if I may. [Interruption.] I will not give in to my normal temptations today. [Hon. Members: “Go on!”] No, no.

Chris Bryant

rose—

Mr Davis

Mr Speaker, I am going to make about five minutes’ progress. I hope the hon. Gentleman does not mind. [Interruption.]

Mr Speaker

Order. The Secretary of State is clearly not giving way at present—a point that is so blindingly obvious that only an extraordinarily clever person could fail to grasp it.

Mr Davis

You make my point, Mr Speaker.

It is widely accepted that the negotiation of our departure from the European Union is the most important and most complex negotiation in modern times, and it is overwhelmingly important that we get it right; I think that is common ground. It is normal even for basic trade negotiations to be carried out with a degree of secrecy. Indeed, the European Commission recognises this in its own approach to transparency in such negotiations, in which it says:

“A certain level of confidentiality is necessary to protect EU interests and to keep chances for a satisfactory outcome high. When entering into a game, no-one starts by revealing his entire strategy to his counterpart from the outset: this is also the case for the EU.”

The reason for this is to retain room for manoeuvre, including the ability to give and take, to trade off different interests, to maximise the value of concessions, and to do so without always giving the other side advance notice. We must retain the ability to negotiate with a high degree of agility and speed; the more complex the negotiation, the more parties to it, and the more time-pressured it is, the more important that is.

Any trade negotiation—and this is more than a trade negotiation—is difficult and complex. This negotiation will be another step up beyond that, for a number of reasons. First, it is about more than just trade. While that is an incredibly important part of it, our new relationship with the EU will also encompass our continued co-operation in areas such as security, justice and home affairs. Secondly, it is not merely a bilateral negotiation, but one involving about 30 different parties with a number of different interests. Thirdly, while considering our exit, Europe must also consider its own future. We have been clear that we want a stable and secure European Union—a vital partner for the UK at a time of very serious global challenges. Finally, the political scene in Europe is not set, but is changing—the point I was making. During the period of our negotiations, there are at least 15 elections and other political events that could change the backdrop to our exit process. The

combination of these factors and their interplay will mean a changing climate for what are already complicated talks.

Sir Edward Leigh

Will my right hon. Friend allow me to intervene?

Mr Davis

In a moment.

We will need to find a way through a vast number of competing interests to manage our exit from the Union so that our people benefit from it—that is the aim of this exercise: for our people to benefit from it.

To do that, the Government must have the flexibility to adjust during negotiations. It is like threading the eye of a needle: if you have a good eye and a steady hand, it is easy enough, but if somebody jogs your elbow, it is harder. If 650 people jog your elbow, it is very much harder.

Mr Pat McFadden (Wolverhampton South East) (Lab)

The Secretary of State has just read out a list of reasons not to disclose the Government's plan and negotiating objectives, but the right hon. and learned Member for Rushcliffe (Mr Clarke) called—rightly in my view—for a White Paper on the Government's intentions. If the Secretary of State does not agree with him, will he at least agree with himself, because he called for the same thing before he was appointed to the job? Why was a White Paper the right thing to do in July, but not now?

Mr Davis

I really ought to make the people who raise this point, which has been made about five times in this House, read out what I actually said, which was that this is one negotiating option among several. The right hon. Gentleman says that I have just been giving reasons for not outlining negotiating objectives, but that is not true—I will come back to why in a minute. There is a reason not to lay out in detail some of the trade-offs and some of the options that we do have to keep to ourselves until we are in the negotiating chamber. I make this point more generally to the House. During the course of the Amsterdam treaty, we had difficult negotiations to carry out, and I kept the House up to date with every bit of that, but that was done at the right time—the appropriate time—and not when it undermined the national interest, which is the problem here.

Sir Edward Leigh

Does my right hon. Friend accept that one can be an honest Brexiteer who wants to get this through while still wanting to proclaim parliamentary sovereignty? That is a perfectly logical point of view. I happen to agree that we want to get article 50 through without any wrecking amendments that unduly tie the Government's hands, but can he give a commitment that in addition to votes on the great repeal Bill, when we have a final deal, the matter will come to this House for ratification?

Mr Davis

In fact there is a law that applies to this—the Constitutional Reform and Governance Act 2010—so we are, in effect, bound by that.

Keir Starmer

This is important, so can the Secretary of State say in terms that there will be a vote on the final deal in this House? I understand what he says about the underpinning statutes, but can he say simply, for the record, that there will be a vote on the final deal in this House?

Mr Davis

All I can say is what I have said before: that is what I expect. It is as simple as that.

I want to pick up on the point about parliamentary scrutiny in a little more depth, if I may—

Chris Bryant

The 2010 Act says that a Government cannot ratify a treaty until such time as they have laid the treaty before the House and 21 sitting days have passed. It does not guarantee a vote. In fact, since 2010 the Government have on several occasions refused to allow a vote on treaties even when they have been asked for by the Opposition. Is the Secretary of State now specifically saying that the Government will guarantee a vote at such a point?

Mr Davis

As I was about to say—I was in the middle of a sentence—it is inconceivable to me that if the European Parliament has a vote, this House does not. It is as simple as that.

Mr Jacob Rees-Mogg (North East Somerset) (Con)

Will my right hon. Friend clarify the point that any vote in this House at the end of the process would merely be on the deal and could not reverse the fact that we had left the European Union.

Mr Davis

That is entirely correct.

Sir Gerald Howarth

Will my right hon. Friend give way?

Mr Davis

If my hon. Friend will forgive me, I will make a bit more progress for a few moments and keep him in mind.

All this does not mean that parliamentary scrutiny is not very important—of course it is. I, of all people, would be last to argue that. That is why I have already given three oral statements to this House and answered more than 350 parliamentary questions. It is why Ministers from my Department and I have already appeared before Select Committees on 10 occasions—I will be appearing in front of the Brexit Committee in a week. It is why the Government announced a series of themed debates, with workers' rights and transport already discussed, and another debate coming up before Christmas. There have also been more than 15 debates about this in the other House.

However, there is no doubt that the way in which we handle and disclose information is important to the negotiating process. Needless to say, I have given a great deal of thought to how we achieve accountability at the same time as preserving the national interest. That was why at the first parliamentary Committee hearing I appeared before—I think it was the House of Lords Select Committee—I volunteered an undertaking that British parliamentarians would be at least as well served, in terms of information, as the European Parliament. As I said to the Opposition spokesman, I have said on several other occasions that we will provide as much information as possible—subject, again, to that not undermining the national interest. This is a substantive undertaking, but it must be done in a way that will not compromise the negotiation.

Helen Goodman (Bishop Auckland) (Lab)

The Secretary of State repeats that what he is doing is—he thinks—in the national interest, but he must have heard from industrialists, as Labour Members have, that the uncertainty and lack of clarity from Ministers means that people are putting back projects and not investing. That is why the growth rate is down and the public finances are in such a mess.

Mr Davis

We heard during the campaign about how the economy was going to collapse, but I seem to have noticed in the past few months that really it is doing very well indeed, thank you very much. This nay-saying—this talking down the country—is, frankly, the least desirable part of the Opposition's behaviour.

Sir Gerald Howarth

Will my right hon. Friend give way?

Mr Davis

Yes, as I promised to do so.

Sir Gerald Howarth

May I say how strongly I support my right hon. Friend? My right hon. and learned Friend the Member for Rushcliffe (Mr Clarke), who is of course a very great national treasure, called for us to set out our strategic vision, but surely this Government have set out that strategic vision with great clarity: we want to recover control of our borders, make our own laws, keep our own money, engage in free trade, and leave the European Union. What could be more strategic than that?

Mr Davis

My hon. Friend is, of course, exactly right, and that brings me rather neatly to the next thing I want to say.

Opposition Members have tried to pretend that we have told them nothing, but that simply demonstrates the old adage that none are so deaf as those who will not hear. We have also been clear that we will set out more as we approach the negotiations.

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP)  
rose—

Mr Davis

I will give way in a moment.

As the Prime Minister said in October, although we will not be giving a running commentary—Opposition Members love that phrase—we will give clarity whenever possible and as quickly as possible. As she told the House earlier this month:

“Our plan is to deliver control of the movement of people from the European Union into the United Kingdom.”—[Official Report, 16 November 2016; Vol. 617, c. 230.]

That was the first point made by my hon. Friend the Member for Aldershot (Sir Gerald Howarth). I have also been clear about what this involves. Free movement of people cannot continue as it is now, but this will not mean pulling up the drawbridge. We will operate the immigration system in our national interest, with a view to winning the global battle for talent. Labour Members do not like this, partly because they cannot agree on their own policy. In the past few weeks, we have heard at least three different positions on the future of free movement from shadow Front



Benchers—[Interruption.] The Opposition spokesman probably thinks there are more, as he is challenging me. It is therefore no surprise that they do not want to talk about it, but this is an important, substantive decision that reflects the will of the British people.

Similarly, the Prime Minister has said that we intend to remove the UK from the jurisdiction of the European Court of Justice. That is part of the promise to recover control of our own laws. Some Labour Members do not like this because they suggest that the ECJ is the principal guarantor of basic British rights and freedoms. I have to say that that shows an astonishing lack of knowledge of our own history, in which British people fought to create and preserve those freedoms. I suppose it is unsurprising that the party that attempted to impose on Britain the most draconian piece of law in modern times—90 days' detention without charge—has little understanding of the proper origins of freedom and the rule of law.

Mr MacNeil

As part of our determination to find out some knowledge from Ministers, it was asked several times at today's Prime Minister's questions whether the UK would want to be in the customs union or not. Can the Secretary of State for Brexit let us know what his policy is? Can he give us something substantive? Is it a case of in the customs union or not in the customs union, because this was not on the ballot paper? The people did not vote to leave the customs union.

Mr Davis

What was on the ballot paper, and what I think a million Scots voted for, was leaving the European Union—[Interruption.] I will come back, do not worry. I am not going to sidestep the question; I never do.

The simple truth is that, as the Prime Minister said—I am a Minister of the Government, remember—this is not a binary option. There are about four different possibilities, and we are still assessing them. I have given an undertaking to the Opposition spokesman that I will notify the House in detail when we come to that decision.

Emma Reynolds (Wolverhampton North East) (Lab)  
rose—

Mr Davis

I will make some progress and then I will give way again in a moment. There are some among the Labour party who think that leaving the jurisdiction of the ECJ will undermine employment law. Again, that shows a sorry ignorance—employment protection in the UK does not derive principally from the ECJ.

Anna Soubry (Broxtowe) (Con)

Will my right hon. Friend give way?

Mr Davis

No.

Nevertheless, to prevent any misrepresentation or misunderstanding, the Government have announced that they will not erode employment protections, so there can be no doubt about the situation. Labour talks about employment rights, but the Government have made clear guarantees and are bringing forward the great repeal Bill to ensure that the rights that are currently enjoyed are maintained.

Anna Soubry  
Will my right hon. Friend give way?

Hon. Members  
Give way!

Mr Davis  
Clearly somebody has the support of the Labour party for what she wants to say. I will get around to my right hon. Friend in a minute.

We have been clear that the great repeal Bill will transpose all EU law into UK law, wherever practical.

Anna Soubry  
rose—

Mr Davis  
I will not give way for a second, because this point is incredibly important. No law will be changed without the explicit approval of Parliament. That is the key point to understand in this debate.

Anna Soubry  
I am grateful to my right hon. Friend for giving way. On the customs union matter, did I hear him correctly? Is he saying that the Government will decide whether we will seek to remain in it or out of it, and that then the House, or rather the Opposition, will be told what the Government's decision is, but we in this place will have no say in it?

Mr Davis  
My right hon. Friend was not listening; she probably made up her question before she heard the last paragraph. I said that there would be no law changed in this country without the approval of the House of Commons.

Let me come back to the issue of customs union, since it is important. There are several options on customs union. One is shown by Norway, which is in the single market but not in the customs union. One is shown by Switzerland, which is neither in the customs union nor in the single market, but has a customs agreement. A whole series of options exists, and we will come back to the House about that when we are ready.

On my right hon. Friend's other point, she intimated that because I gave the undertaking to the Opposition spokesman, it was somehow to the Opposition, not the House of Commons. Any undertaking made from this Dispatch Box is to the whole House of Commons, and she should understand that.

A further area in which our aims have been made very clear is justice and home affairs. As I said in the House last week, our aim is to preserve the current relationship as best we can, consistent with our broader aims. That clearly extends to areas such as security and law enforcement. Even after we leave the EU, the UK and the EU will face common threats, from terrorism to organised crime. As such, I believe that there is a clear mutual interest in continued co-operation in these areas. The security of Europe will remain of paramount importance to us, meaning that we will continue to co-operate as we do now with our European partners to help to maintain it.

As for the area that has dominated the debate so far—trade and the European market—the Government have been as clear as is sensible at this stage. We have said that we seek the freest possible trading arrangements, in respect of both tariffs and non-tariff barriers. The Government’s view is that the best deal is most likely to be achieved by a negotiated outcome.

Emma Reynolds

rose—

Mr Davis

One moment. There is a range of means of arriving at a deal and there is a range of outcomes, and it does not make sense to box ourselves in. I am a believer in free trade, and I want to see the freest trade possible with the European Union and also with the rest of the world. We will be a global and outward-looking nation, and a leading advocate for free trade. We want to be able to embrace the opportunities of Brexit—I know that the shadow Chancellor agrees with that, although it apparently makes my opposite number “furious”—but we want to maintain the best relationship possible with the European Union.

Callum McCaig (Aberdeen South) (SNP)

Will the Secretary of State give way?

Mr Davis

Not at the moment. We have made our aims clear on immigration, on the ECJ, on workers’ rights and, in fact, on European Union legislation more broadly. We have clear aims on justice and home affairs, on security and, finally, on trade. It is important that the House understands what we are aiming for, but it is also important that we do not close off options before we absolutely have to. Just this weekend the leader of the Opposition suggested that he would seek to tie the hands of the Government regarding certain outcomes, such as a particular status in terms of the European market. To do so would seriously undermine the national interest, because it would undermine our ability to negotiate freely.

As I said at my first appearance at the Dispatch Box in this role, Parliament will be regularly updated and engaged. Keeping in mind those strategic aims and the fact that to reveal our position in detail or prejudge the negotiations cannot be in the national interest, we will set out our strategic plans ahead of the triggering of article 50. It is well documented that when we have decided to trigger article 50, the Government will notify the European Council. As I have said on several occasions, the House was always going to be informed in advance of the process. We are happy to support the spirit of today’s motion, with the vital caveat that nothing we say should jeopardise our negotiating position.

The Government amendment underlines the timetable for our departure, affirming the Prime Minister’s intention to notify by 31 March. Many Opposition Members pay lip service to respecting the result of the referendum, while at the same time trying to find new ways to thwart and delay. The shadow Cabinet cannot even decide whether it respects the will of the people. We are well aware of the desire of my opposite number to keep his “options open” with regard to a second referendum—the most destructive thing we could do for our negotiating position at the moment.

Keir Starmer

Will the Secretary of State give way?

Mr Davis

No.

Today we will see whether the Opposition are prepared to back Britain and support our plan to follow the instruction of the British people and leave the European Union. The Government are absolutely determined to honour the decision made by the British people on 23 June.

13:56:00

Stephen Gethins (North East Fife) (SNP)

I thank the shadow Secretary of State for his speech and for giving us the opportunity to debate this subject today. As we have said, we are keen to continue to work with him and his colleagues, and indeed with Members from across the House, where that is possible. We appreciate the remarks that he made about devolved Administrations, but, given where we are and given the Government's comments, that is not enough for us, and neither is what has been set out.

It is 167 days—almost six months—since the referendum. We have 113 days to go until the 31 March deadline that the Government have set themselves, so we are almost two thirds of the way there. To talk about a glacial pace of progress might be something of an overstatement. So far, the Government have told us nothing. We have been told about soft Brexit, hard Brexit, grey Brexit, and, earlier today, a red, white and blue Brexit. Perhaps we will be getting a continental Brexit, to keep our European partners on side, or even a deep-fried Brexit. We are not entirely sure. Given the timetable, it will not be a Christmassy Brexit for whoever is trying to plug the gaps in the Government's plans.

There has been an impact, and a significant number of questions remain unanswered. They are not just questions that float out there; they go to the very heart of the Government's negotiating position. What exactly are the Government telling their negotiating partners, if anything? Are the Government telling them that the single market is important, and that we need to maintain membership of it? Have the Government listened to their Scottish leader, who said of the single market that

“the over-riding priority is to retain access to it”?

Do the Government agree with her on that? What about the rights of EU nationals? European nationals call this country their home. They call Scotland, England, Wales and Northern Ireland their home, and I hope that they will continue to do so. What a huge contribution they have made and continue to make. They deserve better than this continued uncertainty.

We all benefit from freedom of movement, and I hope that we will all continue to benefit from it. A large number of our industries also benefit from it, not least the food and drink industry. Scotland has suffered over the years from emigration; we have benefited more than most from freedom of movement, as I know the Secretary of State is well aware. We want to keep it. It benefits us and it will continue to benefit us. It benefits us not only financially but culturally, by enriching our communities and bringing in the people who enrich our society.

Mr David Davis

The hon. Gentleman and I do not differ on many of these points, but I would say this to him. Allowing people access to any part of the United Kingdom, and access to work in particular, is not achieved only by an absolute rule on freedom of movement. Control of our borders by our Government would presumably be operated in the UK national interest. Why does he expect that to punish Scotland? It would not do so.

Stephen Gethins

The Secretary of State makes the point. Why not give Scotland—it needs the powers—some of the responsibility for immigration?

On that very point, the Vote Leave campaign, of which the Secretary of State was a member—a full and active member—did not promise much. It is good to see that the right hon. Member for Surrey Heath (Michael Gove) is in his place, for was it not he who said that Scotland could have control over immigration if we voted to leave the European Union? I would be delighted to hear about their plans when the Under-Secretary winds up.

Michael Gove (Surrey Heath) (Con)  
indicated assent.

Stephen Gethins

I am glad that the right hon. Gentleman is nodding still, and I look forward to his joining us in the Lobby at some point. He can come home to his roots, and we will welcome him on this issue.

Let us not forget the impact this is having elsewhere in the United Kingdom. On jobs and the economy, Nissan has been given reassurances, but what about other industries? What about the food and drink industry? What about our fishermen and farmers, a lot of whose rules and regulations come from the European Union? What will happen to the common agricultural policy, or to the coastal communities fund, which is so important to our fishing communities? [Interruption.] What happens, as the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) points out from a sedentary position, about Horizon 2020? What will happen to universities, which particularly benefit from freedom of movement? What will happen to workers' rights, which will come back to this House, which has not always been the best place to guarantee those rights in the past? What will happen to the environment, which has also benefited from Europe?

Kevin Foster (Torbay) (Con)

The hon. Gentleman mentions workers' rights. First, the Government have already confirmed that we will maintain what exists; and secondly, in many areas UK law exceeds the EU minimum.

Stephen Gethins

In many other areas, such as parental and other rights, we relied on European Union rulings. I tell the hon. Gentleman right now that I would trust the European Union a lot more than I trust this Government when it comes to workers' rights and other rights.

We need more details. Mario Draghi, the president of the European Central Bank, has said:

“it is important to have clarity over the negotiation process as soon as possible in order to reduce uncertainty”.

The Secretary of State's speech has not reduced that uncertainty in the slightest.

The Secretary of State made the point that no law will be changed without the say of Parliament, so let me ask him a question. He is in the Chamber, but not in his place, although his colleague the Under-Secretary is on the Front Bench. Will no law that is a responsibility of the Scottish Parliament be changed without the say-so and consent of that Parliament? That is critical, because the motion fails to take on board the impact of devolved Administrations, and a huge array of the questions lie unanswered about matters that are the direct responsibility of not just Edinburgh, but of Belfast and Cardiff.

Ian Blackford (Ross, Skye and Lochaber) (SNP)

My hon. Friend is making an excellent speech, which is well worthy of the award he won last night as an MP to watch. The Government talk about respect, but the people of Scotland voted to remain within the single market. Why do the UK Government not respect the wishes of the Scottish people and support our bid to make sure that we retain the benefits of European membership?

Stephen Gethins

My hon. Friend makes an excellent point.

I have another point—I hope the Under-Secretary has his notepad ready so that he can respond to it. We were told by the Secretary of State for Scotland just on 27 November that Scotland would be gaining “significant powers”. Will the Under-Secretary outline what those significant powers are and, to come back to the point I made earlier, whether they will include powers over immigration among others?

Scotland is a European Nation, and we are proud to be a European nation. We benefit, as we see every day in our interactions with the food and drink industry, universities, businesses and the financial sector among many other sectors. The EU benefits us in many different ways—financially, socially and even politically, because there are so many areas, such as energy and climate change, on which we agree so much more with the European consensus than we do with the Westminster consensus.

The relationship with the European Union is important and will be important in the future, but for the record it is important for us to bear it in mind that Scotland has always been a European nation. In the town of St Andrews in my constituency, there stands a statue of General Sikorski, who led the free Polish troops. We remember the sacrifice that they made, and the contribution that the Polish community has made to Scotland and to other parts of the United Kingdom. I remember the interaction between universities in Scotland and those across Europe for hundreds of years, such as the interaction between Scottish universities and those in the Netherlands and elsewhere. I also remember the Lübeck letter: just after the battle of Stirling Bridge—we are going back a bit—the first thing that William Wallace did was to tell the Hanseatic League that Scotland was open for business again. This relationship goes back a long time, and the lack of preparations for Brexit is irresponsible.

There is the Court case across the road today. I do not want to go into it too much, but the Scottish Lord Advocate will be making the arguments for the Scottish Government, and he will do so much better than I possibly could. However, I do not understand why the Government are scared of parliamentary scrutiny. What concerns them about trying to undertake what is, as the Secretary of State himself conceded, an enormous undertaking? Is it not the case that the Government governs, or so the theory goes, and that the legislature scrutinises its work—never has that been more important—while, despite what some people have said, the judiciary does not decide the laws, but carries out the task of assessing whether the rules are being adhered to? All of us in the Chamber must respect that. Similarly, it is for the devolved Administrations to have a say over areas under their responsibility.

Stewart Malcolm McDonald (Glasgow South) (SNP)

In the case currently going through the Supreme Court, the Lord Advocate for Scotland described the Sewell convention yesterday as

“a political restriction upon Parliament’s ability to act, no more and no less than that”.

However, has not that convention been put on a statutory footing as part of the Scotland Act 2016? Is my hon. Friend as concerned as I am about the lack of clarity from Brexit Ministers on that point?

Stephen Gethins

The Minister makes—[Laughter.] My hon. Friend—he is not yet a Minister, but let’s give it time—makes an excellent point. There is chaos, pure and simple. The chaos is the fault not of the judges but of the Government who have carried on the irresponsibility of the Vote Leave campaign by continuing to give us no details.

We are well aware that the Secretary of State does not like the use of the prerogative, but this could all have been avoided. Let us give credit where it is due: I give credit to David Cameron—hon. Members will not hear this often from SNP Members, and, frankly, they will not hear it often from Conservative Members either—who sat down with the then First Minister of Scotland, my right hon. Friend the Member for Gordon (Alex Salmond), and hammered out the Edinburgh agreement to give the Scottish independence referendum a legal footing to remove any uncertainty. I will read a little of agreement, which was agreed by the Westminster Government and the Scottish Government—and full credit goes to everybody, particularly the officials who worked so hard on it. It states:

“The governments are agreed that the referendum should...have a clear legal base”—

just imagine if the Government had done that—

“be legislated for by the Scottish Parliament;...be conducted so as to command the confidence of parliaments, governments and people; and...deliver a fair test and a decisive expression of the views of people...and a result that everyone will respect.”

It went on:

“The two governments are committed to continue to work together constructively in the light of the outcome, whatever it is, in the best interests of the people of Scotland and of the rest of the United Kingdom.”

The question is: why was there so little preparation? Was it negligence, breath-taking complacency, or did they think that everyone would be okay regardless and they did not need to bother?

Joanna Cherry (Edinburgh South West) (SNP)

If my hon. Friend has been following the Supreme Court case as closely as I have, he will be aware that it was pointed out by senior counsel for the respondents yesterday that the Government had the opportunity to give legal force to this referendum, as a result of the amendment proposed by my right hon. Friend the Member for Gordon (Alex Salmond), but they specifically said that they did not want to do so. The now Leader of the House, who was then the Minister for Europe, said:

“The legislation is about holding a vote; it makes no provision for what follows. The referendum is advisory”.—[Official Report, 16 June 2015; Vol. 597, c. 231.]

It was said quite clearly by the Government that it was their intention to make no provision for what would follow.

Stephen Gethins

My hon. and learned Friend makes a very fine point, as always.

Let me make another comparison. We are here to scrutinise the work of the Government. They put forward manifestos before elections, and we scrutinise those. No one questions the idea that the Government should try to prepare a manifesto. Before elections, officials pore over the manifestos of the parties standing, including even the no-hopers—some poor soul in the civil service has to go through the Labour party manifesto!

Whatever happened, the Government got it wrong and need to change course. That is the responsibility of the Members who campaigned for out. It is not just us asking these questions: Manfred Weber, president of the European People's party group in the European Parliament, has said:

“I haven't really heard how the British government want to tackle Brexit or what Brexit really means.”

The Foreign Secretary has some responsibility, and has a job on his hands. I hope everyone on the Government Benches is taking him terribly seriously nowadays, as they have been told to do so. He is determined to make a “titanic success” of this process, but he has been telling everyone a different story. I wonder if that goes beyond the Brexit process. What about when he decides what Christmas card he should give his Foreign Secretary counterparts? Will it be a Christmas tree, or is that perhaps a bit too German? Will it be the flight into Egypt, or is that a bit too soft on refugees? Will he go for Santa on his way from Lapland with his elves, or does that give him freedom of movement problems? Perhaps everyone will just get two and be done with it.

Look at the chaos at the heart of this Government and compare and contrast it with the Scottish Government. Ireland is a hugely important partner and key nation—a partner nation and our sister nation. Charlie Flanagan told his Government's Brexit Committee that he had no idea how the UK would approach Brexit. The Irish Minister for Jobs described the International Trade Secretary as like a husband

“who wants a divorce, but “

to

“keep all the assets and the family home.”

Compare that with the reception that the First Minister got in Dublin just last week. Compare it with the partnership that we are building. [Interruption.] Members call getting a positive response grandstanding! The Government wish they could get a positive response from a European partner. Even James Reilly, the deputy leader of Fine Gael, said:

“We are very much heartened by the fact that Scotland voted to stay in the EU. We would be very supportive of ensuring that Scotland's voice is heard during the UK negotiations, as well as the voices of our fellow Celts north of the Border, who also voted to stay within the EU.”

The Government are in chaos, pure and simple. That chaos is affecting our day-to-day lives and will continue to do so. This is too important to let the Government off the hook about it. It is too important not to have full scrutiny, and it is too important to the powers of the devolved Administrations for it to be left purely to this place. That is why we cannot back the Secretary of State's amendment today.



Mr Speaker

Order. On account of the number of would-be participants in the debate it is necessary to impose a time limit. We will start with a time limit of eight minutes on Back-Bench speeches, but I give due notice that that is not likely to endure for very long. Members can help each other, however.

14:13:00

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con)

I will, I hope, be brief. I support the Government's amendment, and wish to make it clear that I believe that making great pace in getting ourselves through the process and into the negotiations is the key for whatever the Government do now.

Most people, including the Opposition, fail to define what leaving the European Union actually means. They keep saying that they will not and do not want to frustrate the will of the British people, and that that means they do not want to delay the triggering of article 50. But in the same breath—with respect to the hon. and learned Member for Holborn and St Pancras (Keir Starmer)—they go on to qualify what leaving actually means. When listening to him, the definition I heard was that he wants to be a member of everything that we are in as members of the EU now, with one or two small changes—so he does not actually want to leave. In that sense, the purpose behind what the Opposition are doing speaks more of their own problems than of the negotiations that the Government will embark on once we activate article 50. I will say more on that in a moment.

I make no bones about the fact that I voted and campaigned for the UK to leave the European Union. I believe that it is necessary for us to understand what we mean by that—to define it, and then to act on that, as some of my colleagues have already said. Leaving the European Union at its most basic will mean that we will no longer be subject to European law. From that flow the other elements that were debated during the campaign. The public most clearly want to take back control of their borders with the European Union, and to take back control of the money raised from them in taxation. Those things cannot happen if we are subject to European law. This, then, is the key element: leaving the European Union means that we are no longer subject to the jurisprudence of European law. That is really quite important. The failure of the Opposition to accept that means that they are not really in favour of leaving, and have not even accepted that we are leaving; they are debating how we stay in with modifications.

On that principle, I remind the House that the Centre for Social Justice published a report about why people voted to leave, called "48:52". That report made it very clear—even many remainers have said the same—that the public wanted control of migration and they wanted sovereignty returned. I was quite surprised by their using and agreeing with the word "sovereignty". We are always being told in this House that no one out there cares about sovereignty, and that it is an esoteric issue debated only here by obsessed politicians who cannot get away from the fact that no one talks about it out in the country. In fact, sovereignty was the key element that the people spoken to for the report all agreed that they wanted—to take back control, the phrase that we use endlessly when debating this matter.

We are therefore clear about what people wanted. When people say we do not know what the public wanted, that is simply not true. They do a disservice to the general public if they cannot understand what they meant when they voted to leave the European Union. The public were very clear on that. I have heard the Liberals go on about how people voted to leave but did not vote for a destination. Leaving is a destination. It means we are in control of ourselves. This country is not moving. It is

staying where it is, but we will no longer be subject to European law. Playing silly games does not help anyone to believe that, fundamentally, politicians understand what they are going through.

Given all that, there is no point during any of the negotiations in our trying to ask the European Union for something that it simply cannot and will not give us. This is the main point. There is no point going to the EU and saying, as a point of special pleading, “We want to be out of the European Union and are going to be free to make our own laws, but will you let us stay in the single market, and can we stay in the customs union?” I fully understand the position of those of my colleagues who want to stay in those elements. That is a wholly reasonable position, but if we are leaving the European Union, staying in those two things does not stand. More importantly, I would not want to, because that would again bring us under the control of the *acquis communautaire*, and not being so is one of the main reasons for leaving. The Opposition asked for enough detail. The strategic aim is on those points—that is enough detail.

On the customs union, I come back to this simple point. Why would the United Kingdom want to stay in the customs union when one of the key elements behind making the important decision to leave the European Union was getting back the opportunity to make our own trade arrangements with other countries? I would rather we stayed in than stay in the customs union. It seems completely pointless to embroil ourselves in the customs union—to go through all of the rigmarole, arguments, debates and rows, only to find that at the end of the day we do not have the jewel in the crown of our making free trade arrangements.

On that point, I have something interesting to say to the House. I discovered the other day that there are now no fewer than five elements of legislation—three Bills, I think, and two amendments to Bills—going through both the House of Representatives and the Senate that pave the way for a free trade agreement between the US and the United Kingdom. So much for the current President’s view that we will be at the back of the queue. It appears that the legislators in Congress see us wholly at the front of it. They know the reason why: we are the great free trading nation of the world. We believe in free trade, and that is the direction in which we want to take ourselves, and, I hope, many others. For us, the rest of the debate, once we get through that and understand its relevance, is about process.

I listened very carefully to the hon. and learned Member for Holborn and St Pancras as he spoke for the Opposition, and I understand deeply the problem the Opposition have right now. The Conservatives were in opposition for a number of years and we were often divided. I was a Leader of the Opposition and I remember it very well. Leading the Opposition is like herding cats and there are a lot of cats sitting on the Benches behind him. They are divided about what they want. They are exposed in a simple position of not really wanting to leave, but recognising that 70% of them now sit in constituencies that voted overwhelmingly to leave. They are focusing on the fact that they run the risk, politically, of being in danger when the next election is called.

I understand fully Labour Members’ need to somehow try to confuse the issue with this particular agreement in relation to the amendment. However, the Government amendment is very clear. It sets a date by which article 50 has to be invoked. By not voting against the amendment, the Labour party will be giving the Government a blank cheque to go forward and invoke article 50 without any real caveats. I am wholly in favour of that, I have to say, because I support the Government, but I did not think Labour Members were supporting the Government. I welcome them to that position, although some of my hon. Friends absolutely deplore them for doing so. I see from the shaking of heads that many on their own Benches deplore the weakness they seem to have shown, but I congratulate them—

Mr Speaker

Order. I was momentarily distracted by another hon. Member speaking to me. The right hon. Gentleman was a beneficiary for a few seconds, but I am afraid his time has now elapsed.

14:21:00

Hilary Benn (Leeds Central) (Lab)

I want to begin by expressing my concern about the continuing tone of some of the debate on the UK's exit from the European Union. I also want to express the hope, which may be vain, that today will mark the end of the phony war.

The decision has been made. We all campaigned on one side or the other and we accept the result. Parliament will vote in favour of triggering article 50. The deal—this is the importance of the motion tabled by my hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer)—is that in return the Government will come forward with, and get on with producing, a plan. It is entirely reasonable that the House and the British public should expect the Government to publish a plan well in advance of that vote. I welcome the fact that belatedly—nearly six months on—the Government have finally done so today.

So please, can we have an end to talk about “democracy deniers” and “remoaners”? One headline yesterday read

“Forty pro-EU Conservative MPs defy the will of the people to ‘side with Labour’”

and the Prime Minister's official spokesperson said

“While others have seemingly made clear they want to frustrate the will of the British people, the Government is pressing on with it.”

May we have an end to that? It does a profound disservice to the scale of the task our country faces, to the seriousness of that task and the importance of the outcome to every single person who lives in the United Kingdom. I say to the Secretary of State that the Government and the Prime Minister should be trying to unite our country as they go about their task—we all agree that we should try to achieve the best possible deal—and to recognise their responsibilities to the 48% as well as the 52%. Maybe today will mark the day when they begin to do that.

Of course there are different views about the future of our relationship with the EU. Leaving the EU is not in doubt, but the nature of that new relationship—here I disagree with the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith)—is up for debate.

Sir Edward Leigh

We accept that Labour is going to vote for article 50 and we all want the plan, but does the right hon. Gentleman believe that Labour should not put forward an amendment on the article 50 vote that lays down a specific future, for instance, staying in the single market?

Hilary Benn

No, I do not. First, we have no idea what the legislation will look like. I would just make the point that, when I last checked, Norway is not a member of the European Union. Unless any hon. Members wish to contradict me, it is not a member. It is outside the EU and it is a member of the single market. What that demonstrates is that there are choices to be made about our future relationship with the EU.

All any unreasonable delay in bringing forward the plan will do is create further uncertainty. The hon. Member for Bedford (Richard Fuller) is no longer in his place, but he said that it might consist of hints. I merely remind the House that when Moses came down from the mountain bearing the tablets, they did not contain the 10 hints. He was pretty clear about what he was telling people to do. I remind the House that the Secretary of State has got up eight times to enlighten us not a great deal about the Government's objectives, and I have never heard Parliament described as "elbow joggers" before, although I did like the analogy. We are not elbow joggers, but participants in the process and we intend to scrutinise the Government as they undertake it. Apart from anything else, it would have been quite unacceptable for the Government to have told the 27 member states what their objectives were before they told Parliament and the British people. It is therefore really important that we get the plan, and that the Government publish one with substance.

To be fair to the Government, in some areas, we know what the plan is. That has been set out very clearly for the car industry. We know what the Government want: no tariffs and no bureaucratic impediments. Those were the words of the Business Secretary. They do not want anything to happen that would make it more difficult to trade. I am sure the rest of the manufacturing sector says, in all the meetings the Secretary of State is having, "Okay, that's great for cars, but what about us?" Is it unreasonable for the Government to then say what their objectives are for the rest of manufacturing industry? I think that is perfectly reasonable.

There is then the curious case of the customs union, which got even curiouiser during the Secretary of State's speech. The Prime Minister has now told us twice that it is not a binary choice. Now we understand it is a four- way choice. The Secretary of State said there are four different models. The right hon. Member for Broxtowe (Anna Soubry), who unfortunately is no longer in her place, asked a perfectly reasonable question: whether he could at least tell us what the four different options are, so that we can all join in the conversation on which of the four the Government might eventually decide to choose.

Presumably, we are going to seek maximum access to the single market. For financial services, and the jobs and the tax revenue that depend on it, it is really important that we are able to keep access to the single market. I am sure that causes the Chancellor to lie awake at night, worrying about it. How will those controls on free movement, which the Secretary of State reminded us of, work in practice? How will they affect lecturers at universities, doctors and nurses, people picking and processing vegetables, chefs, care workers, highly skilled engineers, technicians and IT specialists? Will companies—this is a question we have heard a lot in the Select Committee—continue to be able to move their staff within their companies to another base elsewhere in Europe to repair a product, solve a problem or create a new business opportunity? When will we be able to offer clarity to EU citizens about their position here? We now know from the Home Secretary that they will all have to be documented. It is a fair question: how many civil servants will that take, how much will it cost and when will it be completed?

What about our universities? Young people from the rest of Europe will be asking themselves whether they are still going to apply to come to Britain, and when will they stop being treated as a home student and become an overseas student? They need to know and the universities need to be able to plan. Will we continue to participate in the Erasmus programme that allows young people in Britain from low-income backgrounds to study elsewhere in Europe? Will we continue to be a part of Horizon 2020?

What about the whole range of agencies? I will pick one: the European Medicines Agency. Now, one could say that wanting to remain a member of the EMA is cherry-picking. However, working

with our European neighbours to agree on how quickly and safely we can bring new medicines to market is good for patients in Britain as well as patients in Europe. I plead with the Government to be just a bit more enthusiastic—I do not say this so much about the Secretary of State—and clear that they are determined to find a way of continuing to co-operate on foreign policy, defence, security and the fight against terrorism, because that is so important to all of us?

Finally, on transitional arrangements, the cliff edge and the negotiating plan, previous Governments, in respect of a whole host of treaties, including the Lisbon treaty, the constitutional treaty, the Nice treaty, and the Amsterdam treaty, and even when we sought to join the common market in 1967, all set out what they were trying to achieve. George Brown talked about the need for considerable adaptations and an adequate period. If it was sensible to admit the need for transitional arrangements when joining the common market, which was a much simpler organisation, is it not sensible for the Government to admit now that, if they cannot negotiate everything within 18 months—listen to what Michel Barnier said yesterday—they will be prepared, if necessary—

Emma Reynolds

Will my right hon. Friend give way?

Hilary Benn

Will I get more injury time, Mr Speaker?

Mr Speaker

Indeed.

Hilary Benn

Then of course I give way.

Emma Reynolds

My right hon. Friend is very generous. Does he agree that businesses have expressed concern about the uncertainty created by the cliff edge in March 2019, about how we might fall back on WTO rules and tariffs and about how bad that would be not only for businesses but for jobs, our constituents and the broader economy?

Hilary Benn

My hon. Friend is absolutely right. We have heard a lot of evidence before the Select Committee, of which she is a valued member, saying precisely that. As she said, we have heard much about bureaucracy, rules of origin, delays and so on. Whole businesses have been created on the basis of goods moving back and forth four, five, six times before finally being added to the product being sold. People need to understand that the way business works in the Europe of which we have been a part creates and sustains jobs. To say, “We will walk away. It doesn’t matter. We can cope”, really misses the point about why business is worried about the implications.

The last point I want to make to the Secretary of State concerns the question of a vote on the final deal. I heard him say today, “I expect there will be a vote”. Well, I expect that the District line will turn up within five minutes, but today there were longer delays. He said, as I understood it, that it was inconceivable that there would not be a vote. Well, some people would have said it was inconceivable that Donald Trump would be elected President of the United States. It does not fill me with a great deal of confidence. I gently say to him that the simple response to the question, “Will there be a vote when the deal comes before us after the negotiation?”, is to stand up, look the House direct in the eye, and say, “Yes, there will be a vote.”

14:32:00

Mr Kenneth Clarke (Rushcliffe) (Con)

It gives me pleasure to follow the right hon. Member for Leeds Central (Hilary Benn). It shows the odd situation we are in that I can say I agreed with every word he uttered. It might be a long time before either of us finds ourselves in that situation on any other subject, but then this is unlike any decision that has come to the House for many years.

We all know that when we leave the EU and begin the several-years process of deciding our future political and economic relationships with Europe and the rest of the world, we will be embarking on some of the most complicated and epoch-making decisions that the House will have faced for a century. Although those debates will come later—and I will not argue today my well-known views on the merits of EU membership—I think that the decisions we are taking today on the parliamentary procedure that should apply to a Government engaged in policy making and acting on behalf of the UK, including future citizens, not just present citizens, are equally important. If we carelessly agree to things today, we might create precedents that will be quoted in future to the detriment of both Houses of Parliament and of the system of checks, balances and accountability that is crucial to our constitution. Of course, today, I speak politically not legally—we all await the outcome of the serious issues before the Supreme Court.

I do not understand why the Government indicated that today's Opposition day motion posed some sort of threat. With great respect to the Leader of the Opposition—he is working very subtly, and I have high regard for how he conducts himself—it is a harmless motion, a plain and simple motion, setting out what one would expect to happen in any similar circumstances and what one would certainly expect to have happened at any time in the past 100 to 150 years—certainly in every Parliament I have sat in.

Jeremy Quin (Horsham) (Con)

Surely you haven't been here 150 years!

Mr Clarke

No—only the last few decades can I recall directly. In any previous Parliament—certainly the ones I sat in—the process to be followed would have been regarded as self-evident: the Government would produce a policy statement, a White Paper, setting out their strategic objectives, their vision, for the role they were seeking for the United Kingdom; the House of Commons would be invited to vote on that strategy and to approve or deny it; then, with the approval of the House, the Government would go forward, again with the consent of the House, and invoke article 50; then they would start the negotiations. It is a quite unnecessary performance to try to modify that, but I am extremely worried that people are trying to do so.

I would echo the comments of the SNP spokesman, the hon. Member for North East Fife (Stephen Gethins). I do not think that scrutiny and debate are a threat to a Government or to the quality of decision making. It is my opinion that we should return to proper Cabinet government in this country. If a Minister comes forward with controversial proposals, it is useful to have them tested by colleagues and improved in discussion, before they are sent to the House. Every Minister has taken part in debates in the House of Commons, and of course they maintain their course, but every now and then they will have a sinking feeling that their opponent is actually making rather a strong point. In such cases, one goes away and makes improvements. In strengthening their negotiating position, the Government could benefit from such a fit and proper process, particularly given that at

the moment it is sadly clear from the constant remarks to the newspapers and the occasional leaks that Ministers have no idea what the strategy is and do not agree with each other anyway.

The Government have two or three arguments against this. The point about the royal prerogative is a matter for the Supreme Court. The excellent Treasury Devil, James Eadie, for whom I have the highest respect, has apparently argued that the royal prerogative still applies to making war as well as to making treaties. I will wait for the legal judgment but, politically, had Tony Blair decided when invading Iraq to tell the House of Commons that it was not a matter for the House of Commons and that he was invoking the royal prerogative rather than seeking a vote, he would have had even more trouble than he had in any case as a result of the strange way he went about the vote.

We are told that the referendum somehow overrides the centuries-old tradition of parliamentary accountability. I will not comment on the pathetically low level of debate, as reported in the national media, on both sides during the referendum campaign. My right hon. Friend the Secretary of State for Brexit no more adopted some of the dafter and dishonest arguments on his side than I think I did on mine, but serious arguments were not reported. More to the point, the public voted by a majority to leave the EU. They did not vote for anything on the subject of replacements for the EU; it was not even raised in debate. These choices that Ministers are now struggling with, and for which they should be accountable to us, would have been a mystery to 99% of the people who listened to the debate and voted in the referendum. The issue of whether we should be in the customs union, and the consequences one way or the other, was not decided by the referendum. Brexiteers in the Government do not even agree with each other on the path they should now follow. We should go back to parliamentary democracy and accountability to this House.

Mr Bernard Jenkin (Harwich and North Essex) (Con)

I am glad that my right hon. and learned Friend now agrees that this Parliament should be supreme. In fact, Mr Blair did take the country to war on the royal prerogative, because the vote in this House was not law, but purely advisory. Is it not rather odd that we now have a Supreme Court that sees itself as a constitutional court able to direct that this House shall have to do something, which has always previously been our right? We are a supreme Parliament; we can stop Brexit if we want to.

Mr Clarke

It is not going to direct us at all. The Supreme Court is the authority—I am not, and my hon. Friend is not—for saying what, strictly speaking, the legal constitutional position is. This House then has its own political role in deciding how, within that framework, it is going to operate. The political practice for decades has been that these kinds of decisions are not taken on the basis of telling Parliament that it has nothing to do with it and that Members will not have a vote. On the basis of that argument, the Cameron Government would have proceeded with their intervention in Syria, which we decided that we did not want; they would not even have offered the Commons a vote before they proceeded. In this particular instance, no Government that I can recall would have had the nerve to come along to Parliament and say, “Oh, we are exercising the royal prerogative; we are not going to ask you.”

Finally, let me deal with the nature of accountability. I am not sure that the Government have yet wholly picked up the point, apart from the fact that they have to get out of being defeated on a motion in a Labour Supply day. We are told, “Oh, the Government will make statements.” Well, the Government have been making statements, in which the rather vague language of “a plan” is used. We will probably be told that the plan is to have a red, white and blue Brexit, and that we are believers in free trade, whilst we are giving up all the conditions that govern free trade in the single market. Apparently, not only are we going to give up the European Court of Justice, which we have always used very successfully to resolve disputes, but we are going to have trade agreements with

everybody else and not abide by the rules of those either, if we feel like it. We need a White Paper, a strategy, votes in this House and clarity on policy.

14:42:00

Edward Miliband (Doncaster North) (Lab)

It is a privilege to follow the right hon. and learned Member for Rushcliffe (Mr Clarke).

This debate might appear just to be about this House, and the rights of this House and whether we get a plan. It is not. And it is not about whether you were for leave or for remain. It is about a deeply divided country. The truth is that we are divided between people who voted leave and fear being betrayed, and people who voted remain and fear a deep sense of loss.

In case we have forgotten, after all this is over—I suspect it will take more than two years—leavers and remainers will have to live in the same country. That is why I believe that the way we conduct this debate, as my right hon. Friend the Member for Leeds Central (Hilary Benn) said, is absolutely crucial and all of us, however we voted in the referendum, should be seeking to unite the country and not divide it. What does that demand?

First, I believe we need to honour the result of the referendum. It was a referendum that, as the House knows, I did not seek, and it was close, but it was clear and it needs to be respected, in my view. We are leaving the European Union; I could not put it any plainer than that. That is my starting point. But unifying the country takes a lot more than simply saying “Brexit means Brexit” or even “red, white and blue Brexit”.

There are hugely significant and material choices to be made by the Government and our EU partners, which will have implications for our country for decades to come. That is why it is good that the Government have said that they are going to publish a plan. I looked up the “Chambers Dictionary” definition of a plan, and it is this:

“a thought-out arrangement or method for doing something”.

That seems to me to be more than a series of hints, to use the words of the hon. Member for Bedford (Richard Fuller). What the Government have committed to—there should be no doubt about this—is the thought-out arrangement that they favour for Brexit, and they have committed to produce that to the House before the negotiations begin.

We know the key questions that need to be answered. Do we remain in the single market or not? Do we remain in the customs union—that has been debated today—or not? If Brexit is outside the customs union, as seems to be the Government’s position—maybe, although there are four different options and we do not know what they are—what is the best estimate of the economic impact of that on our country and every one of our constituencies and constituents? The reason this matters is that these are not nick-picking or procedural questions; they are questions that will affect millions of people and businesses up and down the country. There are not simply matters of procedure.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op)

My right hon. Friend is absolutely right to say that this is not nit-picking. A key issue in my constituency is the funding for the South Wales Metro, which was due to come from European funding. The First Minister is going to Europe to see what he can get for the next two years, but this is a huge area of uncertainty, and it will affect hundreds of thousands of people in south Wales.



Edward Miliband

My hon. Friend puts it very well.

What about the plan on immigration, including for citizens of this country who want to go and work or live abroad in the future? What is the vision? I think the Secretary of State for Exiting the European Union, who is no longer in his place, was nodding and saying that they would produce a plan on our approach to crime and terrorism, foreign policy, climate and energy policy, in respect of which Governments of both parties have taken a leadership role in Europe. What is the future for that? We do not know at the moment, so it must be in the plan.

Our motion is not a request for every dot and comma of the negotiations, to use the Prime Minister's words, to be included. We are talking about basic and fundamental questions about the Government's vision of our economy and place in the world, post-Brexit.

As my hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) said, the plan must be produced in January—soon enough for Parliament and, crucially, the British people to debate it properly. I had some time on my hands, so I looked up the consultations on which the Government have embarked since the 2015 general election. There were 1,200 in all, and they include everything from consultation on the code for small sea-going passenger ships to one on the regulation of traffic signs. The Government consult a lot. Are we seriously saying that the issue on which they are not going to consult the British people is the post-Brexit arrangements for our country? I would point out that this is less of a niche issue than the regulation of traffic signs—important though that issue is.

Here is the thing. The Government said that they want to bring the country with them. That is really important, and those words were echoed by the leader of the Scottish Conservative party, who said that we have got to listen to the voices of the 48%. But a Government cannot take the country with them if they do not tell the country where they are seeking to go before the negotiations begin.

I have no greater authority to cite on this than the current Prime Minister. In 2007, she wrote a very interesting pamphlet with somebody called Nicholas Timothy, who I believe is her chief of staff. It is called "Restoring Parliamentary Authority: EU Laws and British Scrutiny." I am told that it has been taken off the relevant website, but fortunately the House of Commons Library has a copy. It says:

"Our feeble system of scrutiny undermines Parliament's ability to check or restrain the Government's action in Europe...We therefore need a system that gives Parliament real powers over ministers, enough time to scrutinise, and the transparency to restore public trust in the process."

I could not have put it better myself.

Sir Oliver Letwin (West Dorset) (Con)  
rose—

Edward Miliband

I give way to the right hon. Gentleman, who might well have had a hand in the pamphlet or written many like it.

Sir Oliver Letwin

I am grateful. To clarify, for the benefit of the House, is the right hon. Gentleman arguing whether, after the scrutiny, Parliament or Government get to decide on how to proceed with the negotiations?

Edward Miliband

I believe, as the right hon. and learned Member for Rushcliffe said, that of course there should be a parliamentary vote—a mandate for the Government. That takes me precisely to further crucial points. The Government think that they will be weaker if they bring a plan to the House and get our support. I think the Government will be stronger in the negotiations, because they will be able to go to our partners in Europe and say that the plan is not just the Government's, but one endorsed by the British Parliament.

The Government's excuse relates to secrecy, and I think this needs to be dealt with. I do not think this argument stands up even to the most basic scrutiny. Let us think about how things will unfold. Once the formal negotiations begin, the EU negotiator will obviously have to confer with the 27 other Governments. Our Government's intention and detailed proposals will remain secret for a few days if they are really lucky, but probably not even for a few days. The Government's position will inevitably leak. The question before us is not whether the Government's intentions are kept secret—which is apparently what the Prime Minister wants—but whether those in this Parliament and this country are the last people to know what the Government's intentions actually are. It seems to me that there is absolutely no chance of the Government's uniting the country, and taking the country with them, if they adopt that approach.

There is also the question whether the referendum decides the form that Brexit will take. I do not believe that it does, as many other Members have said, but it is not just me who takes that view. Daniel Hannan, one of the leading Leave campaigners, has said:

“Some Leavers claim the result as a mandate for whatever arrangement they happened to want.”

That is the truth about this, and there is no getting away from it. There are many different forms of Brexit, as we see in the numerous other countries that are outside the European Union.

I want to end where I began, with a point about the spirit of the debate. My right hon. Friend the Member for Leeds Central quoted some comments that had been made by Downing Street spokespersons on Monday, but they said something else which I find incredibly troubling. They said that those of us who are asking for transparency were not “backing the UK team”. In other words, we are not being patriotic. By my reckoning, that puts Sir John Major, Ruth Davidson and a number of Conservative Members of Parliament in the unpatriotic category. I am used to being called unpatriotic, and my dad has been called unpatriotic as well, but it really is something when Conservative Members are called unpatriotic. We know that things have become desperate for the Government when that starts happening.

We are not seeking proper scrutiny of the plans for Brexit because of our lack of patriotism; we are doing it out of patriotism, because we believe in the unity of the country. We believe that the country must be brought together. We believe that the cohesion of the country must be protected. This is the most complex and treacherous situation that our country has faced for a generation. Candour and transparency are not qualities that the Government should fear, but qualities that they should embrace, because they are the only route to uniting our nation, and we all have a responsibility to seek to unify the country.

I urge the Government not to choose a path of division, excluding the 48%, refusing to share their intentions and vilifying their opponents, including those on their own side. That is not behaviour

equal to the moment: it is not behaviour that our country and the world need. We all have a responsibility to rise to the moment, and that is what we must do in the months and years ahead.

14:52:00

Sir William Cash (Stone) (Con)

Listening to the right hon. Member for Doncaster North (Edward Miliband)—

Mr Speaker

Order. I think the hon. Gentleman has been notified of this, but I should notify the House that, although the clock can be stopped at this point, the time limit for Back-Bench speeches is being reduced to five minutes, with immediate effect.

Sir William Cash

Thank you, Mr Speaker.

I was about to refer to the final remarks made by the right hon. Member for Doncaster North. I think it was Samuel Johnson who said that calling on patriotism was the refuge of the scoundrel. I listened with great care to what the right hon. Gentleman said, as I always do, but I have to say that he dodged a number of issues, not least when he described the dictionary definition of a plan as something that was thought out or a method of doing something. He said that that was not the case for the Government, but in fact, of course, it is.

It is very simple—as simple as this: there was a vote which was authorised by a sovereign Act of this Parliament. That Act transferred the right to make a decision to the British people, and they made it. The right hon. Gentleman acknowledges that, and he says that he wants to respect it, but the reality is that the decision was about whether to stay in the European Union or to leave it, and the bottom line is that the people of this country decided, by a substantial majority, to leave. The right hon. Gentleman, he tells us, accepts that, but then he sets up a fog, as does the right hon. Member for Leeds Central (Hilary Benn), and as does my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke). We are given a whole lot of amorphous details that are intended to make the situation far more complicated than it is.

Mr Kenneth Clarke

I am grateful to my hon. Friend for giving way, not for the first time during these debates. He and I took part in a referendum in the 1970s, when he was no doubt saddened to find himself on the losing side. I seem to remember that he strongly took the constitutional view that the result was purely advisory, and it did not change either his views or his political campaigning one iota afterwards—just as Nigel Farage and many of his supporters made it perfectly clear when they were expecting to lose this referendum that they were waiting for the next chance, and they were going to go on. We must have respect for each other's opinions, rather than telling each other that we have been ordered by an opinion poll to start abandoning them.

Sir William Cash

I hate—this pains me—to disappoint my right hon. and learned Friend, but I voted yes in the 1975 referendum—[Interruption.] I accept my right hon. and learned Friend's apology. It was only when I came to the House and the Whips made what I think was probably a terrible mistake of making me a member of the then Select Committee on European Legislation that I began to see the truth. I discovered that, actually, we were not able to run our own affairs as this whole process continued towards political union. That was what the Maastricht rebellion was all about. There is a very interesting article by Philip Johnston about it in today's Daily Telegraph.

It is because of the political union with which we are still lumbered—because we have not, as yet, left the European Union—that this is so essential. Back in May I wrote a paper about the question of repeal, entitled “Achieving leaving by repealing”. The laws that we incorporated by virtue of the European Communities Act 1972, as they accumulated, created circumstances in which we were becoming increasingly suborned to an undemocratic system of majority voting, which was combined with the ever-increasing assertiveness of one country in particular, and others in general, congregating around one another. That put us at an incredible disadvantage.

The European Scrutiny Committee, of which I am Chairman, conducted an inquiry into the manner in which the Council of Ministers operated, and reached the conclusion that it was not transparent. We took evidence from Simon Hix. The decisions that are made on behalf of the British people and imposed on us by virtue of section 2 of the European Communities Act are neither democratic nor accountable, and they are not transparent. That is why it is so essential that we repeal that legislation. While the Supreme Court is weaving in and out of political issues and trying to avoid article 9 of the Bill of Rights—I do not need to go into that now—the bottom line is that what we are facing is a political imperative towards a greater degree of political union.

I discovered that last week when I went to a conference in Brussels, where Mario Monti said, “Europe needs political integration or there will be war. It is as simple as that.” That is the manner in which this argument is being constructed across the water. Similarly, Chancellor Kohl said that there would be war in Europe if we did not agree to the Maastricht treaty and the whole European integration process. That was why my hon. Friends and I—there are not many of us left in the House now—opposed the treaty. We saw that it was European government. That was the key—for us, it was a question of democracy above all else.

I wanted to intervene on the speech made by the right hon. Member for Leeds Central, but unfortunately he would not give way. I rather suspect that I know why, but there we are. I wanted to ask a question that I will ask those on the Opposition Front Bench as well. Will they oppose the Second Reading of the great repeal Bill when it comes before the House? That will be a crucial test. Let us leave aside all that is going on relation to article 50, which is about one simple question: are we using the prerogative or not? In my opinion, that is largely a very big storm in a very big teacup. The bottom line is that we will agree to article 50. The real question is: are we going to leave the European Union?

Let me say this, very simply. We should not be supplicants in these negotiations. We should say no to the single market, no to the customs union, and no to the European Court, because we cannot be subject to that European Court in any circumstances. We should say yes to borders, yes to free trade, and yes to regaining the democracy for which this House has stood for hundreds of years.

14:59:00

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP)

I come to this debate from two positions. First, I am a Scottish National party Member from Scotland, which voted to stay in the EU. We were told that this is a family of nations, and as such we would expect a member of that family to be respected—as, indeed, the EU respects its members. Secondly, I am the Chairman of the newly formed International Trade Committee, and it is to that that I shall direct most of my remarks.

The Prime Minister talks about Brexit meaning Brexit, but I have spoken to a number of economists about that. Indeed, I am indebted to a number of economists of various shades and political

persuasions: Angus Armstrong of the National Institute of Economic and Social Research; Patrick Minford; Professor Ian Mitchell; Professor Ian Wooten of Strathclyde; Dr James Scott of King's; and Dr Jim Rollo of Sussex University, as well as legal experts from Cambridge, University College London and the London School of Economics. Brexit actually means about seven options. It means: do we stay in the European economic area? We can still see the video of Nigel Farage and Daniel Hannan saying before the referendum that leaving the EU meant we would be like Norway. The question was: should the UK remain a member of the EU or leave the EU? The seven options include the EEA, EFTA and the currency union. We could not get an answer today at PMQs or from the Secretary of State either.

Another option is to trade at WTO levels. That would mean that we need to have our schedules accepted at the WTO. I see that the Secretary of State for International Trade was in Geneva last week, probably discussing that. If we do not get the schedules agreed, we will be at WTO-minus. That is a possibility because of the difficulties over agriculture. Some 98% of the schedules might well be agreed, but those in the agricultural sector should be very scared. Of course, some people will have voted for Brexit on the basis that they do not want to trade so much as a stone axe ever again with Europe, but they are probably the editors of the Mail, The Sun and the Express.

We find ourselves in great uncertainty. Investors are uncertain. If we go to WTO rules, would that mean for them? What will it mean for employers, too? We have absolutely no idea where the Government are going. There is great uncertainty for the Irish, too. This morning I met the Irish Foreign Minister, Charles Flanagan. He did not know what the ask from the UK Government is. This is our next-door neighbour, but they do not know where we want to go.

George Kerevan (East Lothian) (SNP)

Does my hon. Friend agree that the Government could show good faith by agreeing to reveal their goals and negotiating strategy with the devolved Administrations under Privy Council rules, which would put aside the whole question that the Government cannot reveal their negotiating hand?

Mr MacNeil

My hon. Friend makes an excellent suggestion; perhaps the Government should explore that further.

We should think of our other neighbours, not just the Irish. What does this mean for the Isle of Man, for Jersey or for Guernsey—for people we have close links to? What, indeed, does it mean for Gibraltar and the Gibraltarians—people I respect greatly and have very close links to myself?

We find ourselves in a very difficult situation here in Parliament. The Government have created a problem of their own making because of the Prime Minister's naivety in not taking this process forward by putting a simple measure before Parliament. That would have stopped us from needing to go to the courts in the first place. Now the devolved Administrations have woken up to the fact that they can be involved, and maybe—probably—the Supreme Court will rule that the process requires the consent of the Scottish Parliament, in which case Brexit is finished, Brexit is over and Brexit will be blocked.

We see also that Europe is dictating the pace. The Barnier declaration yesterday that the UK will have 18 months to negotiate after triggering article 50 shows that it is dictating the pace. Given the experience of their negotiators, Europe will probably be negotiating the terms, too. That is because I fear there are more experienced negotiators in the tiny Faroe Islands than in the United Kingdom, and the UK negotiators will probably be scalped very quickly.

We need to know where the UK plans to go. The question in June was: should the UK remain a member of the EU or leave the EU? Nobody voted to leave the European economic area. Nobody voted to leave EFTA. Nobody voted to leave the customs union. Arguments afterwards that that question gives a mandate for those subsequent steps are nonsense. There is no mandate to take these next steps. Leaving the European Union can mean being like Norway or like Iceland, as Daniel Hannan, Nigel Farage and a number of Conservative Members said before the referendum, before changing their tune quite markedly afterwards.

We need answers. We need to know what the destination is, because a lack of a strategy is not what people in the UK need for their jobs, investments, industries, employment, families and communities. No answers is not a black Brexit or a white Brexit—or a red, white and blue Brexit. No answers is a yellow Brexit—it is a cowardly Brexit. It is a Brexit that shows that this Government have absolutely no idea where they are going, and it is a Brexit to keep together our ragbag of Brexiteers who each want a different one of the seven options. When the Brexiteers see which of the options the Government choose, they are going to fight like cats in a sack.

That is the difficulty that the UK Government face. They cannot consult the devolved Administrations and they cannot consult their European friends because they cannot consult properly and meaningfully around the Cabinet table as each member of the Government supports something different. There is going to be mighty trouble in the UK Government when they do decide in March.

15:05:00

Michael Gove (Surrey Heath) (Con)

It is a privilege to follow the hon. Member for Na h-Eileanan an Iar (Mr MacNeil) and a superb argument against secession from a Scottish nationalist. I thank the right hon. Members for Leeds Central (Hilary Benn) and for Doncaster North (Edward Miliband) because the challenge they put to the House is one to which we should all attempt to rise: how can we ensure not just that we respect the result that 52% of people voted for, but that we involve the 48% who voted remain for a variety of reasons? While I am grateful to them for their speeches, which I thought were for the most part very constructive, I was disappointed in the Front-Bench speech from the hon. and learned Member for Holborn and St Pancras (Keir Starmer). He spoke for nearly 40 minutes, longer than some Pinter plays and many Haydn symphonies, and he spoke on what he referred to as the “defining issue” facing the UK, but he did not reveal at any point what Labour’s position is on our future relationship with the EU. He did not reveal on behalf of the 48% for whom he professes to speak whether he wants to stay in the single market or the customs union. What we had was 40 minutes of pious vapouring—a hole in the air masquerading as an argument.

One of the reasons why it is so important that we hear from the 48% is that we know what the 52% voted for. Some in the course of this debate have tried to complicate and obfuscate, but it was made perfectly clear not just by the Vote Leave campaign, in which I was privileged to play a role, but by the then Prime Minister and Member for Witney; by my right hon. Friend the Member for Tatton (Mr Osborne), the then Chancellor of the Exchequer; and by Lord Mandelson. It was made clear by every single one of the leading representatives of the remain campaign that voting to leave the EU meant leaving the single market. There should be no ambiguity about that point. The public were fully informed and they took their decision in full knowledge.

That is one of the reasons why I am glad our Prime Minister and Chancellor of the Exchequer—both, it must be said, among the 48% who voted remain—are very clear that the result must be

respected, and that means ensuring that the votes of 17.4 million people and their determination to leave the single market alongside leaving the EU should be acknowledged.

George Kerevan

Is the right hon. Gentleman telling us that leaving the single market is the Government's position?

Michael Gove

I am telling the hon. Gentleman that that was the position taken by the British public, including more than 1 million people in Scotland and including many more people in his constituency than voted for the Scottish National party.

Not only do we need to respect the result and what the 52% wanted, but we need to acknowledge some of the concerns put forward by those who articulated the case for remain. There were two powerful concerns that weighed with me. The first was the prospect of an immediate economic shock, should we leave. That was a view put forward by the Governor of the Bank of England and a number of other distinguished economists, but we can now see that, while their concerns were expressed sincerely, they did not come to fruition. The point was made at the time—[Interruption.] I am grateful for the sedentary intervention from the hon. Member for Nottingham East (Chris Leslie), but the point was made at the time that there would be an immediate shock not just to Britain but to the world economy. That shock did not materialise. In fact, since we voted—

Anna Soubry

Will my right hon. Friend give way?

Michael Gove

Not quite yet.

Since we voted to leave, we have seen increased investment from Nissan, Jaguar Land Rover, Amazon and Facebook—from a variety of both traditional manufacturing and new technology investors. Far from there being an economic shock, we are the fastest growing economy in the G7.

It was also a legitimate concern of some who voted remain that voting to leave the EU would damage the United Kingdom. The truth is that since we voted to leave the EU, support for a second independence referendum has fallen, support for Scottish independence has fallen, support for the SNP and its secessionist sermonising has fallen, and the single most popular politician in Scotland is Ruth Davidson, the only leader of any party that wants to embrace the result.

Anna Soubry

Will my right hon. Friend give way?

Michael Gove

No, I am not giving way.

So on two of the legitimate concerns expressed beforehand—that our economy would be damaged and the Union would be damaged—the evidence is that our economy is stronger and the Union is more popular.

Of course other concerns were expressed by people who voted to remain. Some of them relate to the fate of EU citizens in this country, some relate to future academic and scientific co-operation, and some, naturally, relate to defence and security co-operation. My point is that it is incumbent on everyone—not just the Government but the 48%—to put forward their propositions in this area.

I have made it clear, and I share this view with my right hon. Friend the Member for Loughborough (Nicky Morgan), that I believe that EU citizens in this country should stay and that their role should not be a bargaining chip. I am sure that many of those who voted remain will join me in that call, but where are those who voted to remain, now that power is flowing back to this place for the first time in my life, offering to explain how we can refine regulation and change our laws and rules as we become a self-governing country once more and become freer, more liberal, more prosperous and more creative? I am afraid that, despite some honourable exceptions, most of those people are still looking back in anger, remorse and regret instead of looking forward optimistically. This is a great country. We can achieve great things. This Parliament has an opportunity to shape—

Anna Soubry

Will my right hon. Friend give way?

Michael Gove

No thank you.

This Parliament has an opportunity to shape an economic policy, an immigration policy and a knowledge policy that can once again make us a world beater, but if we do not take that opportunity and instead concentrate on seeking to dilute the result of the referendum, I am afraid that we will fail the people of this country at this historic moment.

15:11:00

Dame Rosie Winterton (Doncaster Central) (Lab)

It is a great pleasure to follow the right hon. Member for Surrey Heath (Michael Gove). I was pleased that he called for unity, although I am not sure that he actually achieved it in the House during his speech.

This debate has shown why it is so important that Parliament should be able properly to consider the plan for leaving the European Union. There is no doubt in my mind that we will leave; my constituents voted decisively to do so. I absolutely agree with what my hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) and my right hon. Friend the Member for Leeds Central (Hilary Benn) said about article 50. As my right hon. Friend the Member for Doncaster North (Edward Miliband) said, however, this is a time to bring the country together, and it is essential that we work together to get the best deal for our constituents when we leave. This is such an important step to take, and it is inconceivable that as Members of Parliament we should just sit back and let the Government get on with it without telling us, even in broad terms, what discussions they are having. I am therefore pleased that the Government have accepted that they will share with Parliament the broad terms of the negotiations.

Companies in my constituency are suffering because of the uncertainty, and they want to know what analysis is being done of the effect that Brexit will have on them. I have said before that such an analysis should be carried out not only by sector but by region. Ministers have said that they will consult Scotland, Wales and Northern Ireland about the Brexit negotiations, but what about Yorkshire and the Humber? What about the other regions of the UK? Will the Minister tell us what the process will be for consulting the regions, and how companies and others in my constituency will be able to contribute to that process?

Companies will also want to know what the approach to the single market is going to be. They will want to be assured that if the Government intend to give up our current level of access to the biggest



marketplace in the world, they have a clear plan to ensure that businesses and jobs will not be adversely affected. Equally, if the Government intend to seek a transitional deal in order to make the transition smoother, they should be open and up front about it that so that companies and workers can plan accordingly. The Secretary of State said earlier that workers' rights would be protected. I welcome that, but I hope the Minister will be able to assure me that he is fully consulting the trade unions on how employment rights will be protected in relation to the European Union.

When we talk about employee rights, part of our discussions about the UK workforce will involve discussing how freedom of movement will operate in a post-Brexit world. We know that this was an issue in the referendum; it certainly was in my constituency. We also know that we have to strike a balance between addressing people's concerns about how freedom of movement has been operating and ensuring that we do not leave our health service, our food and agriculture sectors and many other industries unable to function because of labour shortages.

We also have to address how freedom of movement has led to the exploitation of workers from other parts of the European Union and the undercutting of UK workers' wages and conditions. I know from my constituency that agencies have too often operated in an unacceptable way, recruiting from outside the UK while not even advertising in this country, with workers from other European countries coming here on short-term contracts and never knowing from week to week what work is going to be available. I know from discussions with colleagues from socialist and social democratic parties across Europe that other countries are aware of such developing problems, and we need to have an honest debate about this. Surely we should be talking about EU citizens moving to the UK in order to take up secure employment, and about employers being made to take responsibility for how workers are treated, so that UK employees are not left at a disadvantage, with all the resentment that follows on from that. These are just a few of the issues that Parliament should be discussing. I hope that the Minister will be able to give us some reassurances on the negotiations, and that he will address the points that are being made today.

15:16:00

Mr Peter Lilley (Hitchin and Harpenden) (Con)

I want to make two main points. The first is that the Government's position is much clearer than many Opposition Members are willing to believe and that it narrows the range of outcomes very considerably. The second is that what matters as much as, if not more than, the Government's position is the position of our partners in Europe, yet no one on the Opposition Benches has mentioned that—there seems to be a sort of arrogance in suggesting that we can say, "We want this and we'll get it." Or perhaps it is subservience in saying, "We want this and we'll any concession in order to obtain it."

The Government's position has ruled out three options. First, we will not be part of the internal market of the European Union. I use the term "internal market" because that is what it is called in European law. There is no such thing in European law as the single market. To be a member of the internal market, we would have to be a member state subject to all the laws of the European Union, and the Prime Minister and the Secretary of State today have said that we will not be subject to the European Court of Justice.

Secondly, we will not be members of the European economic area, because all members of the European economic area have to accept free movement, and the Government have ruled that out. On top of that, we cannot negotiate service deals because we do not have control over the laws governing all our service industries. This was described during the referendum campaign by the

current Chancellor of the Exchequer as the worst of all possible worlds, and many others on that side of the argument supported him. Now, however, they suddenly want to be part of that worst of all possible worlds.

Thirdly, we cannot be subject to the common external tariff of the EU because we are champions of free trade, according to the Prime Minister. We set up a Department for International Trade that has to be able to negotiate tariffs. We also want to cut the tariffs on products that we do not produce—including food and clothing products on which the EU imposes very high tariffs—because those tariffs are damaging to the just-about-managing people in this country. So those three options are ruled out, which leaves two realistic options.

Mr Iain Duncan Smith

May I give my right hon. Friend one good example of this? It relates to the import of oranges. Very recently, the customs union has slapped on a tariff increase from 3% to 16%, solely to protect some producers in Spain. That raises the cost of buying the products here in the United Kingdom, so food is now more expensive as a direct result of interventions in the customs union that Opposition Members want to be part of.

Mr Lilley

My right hon. Friend makes a good point, and I would add that we do not easily manufacture oranges at scale in this country.

There are two realistic options. The first is that we continue with roughly the status quo: tariff-free trade and no new barriers to service trade. The EU already has free trade agreements that do not require free movement with 50 countries. The second is that we trade with them on WTO terms and they might try to make trade in our service and financial services industries a bit more difficult. The important thing is that both options are actually very simple to negotiate. Going from zero tariffs to zero tariffs is much easier than negotiating a trade agreement between Canada and the European Union, where each side has 5,000 or 10,000 different tariff lines and must trade them off against each other. We also have exactly the same rules on products and so on as our partners in Europe. The status quo would therefore be simple to negotiate. The WTO option does not even require negotiation; it is what happens if the negotiations have no successful outcome. Both are simple and could be done quickly.

I also believe that both options are acceptable to the UK. In the view of most, retaining the status quo would obviously be the superior option if we could get it immediately, but if we go to trading on WTO terms, the average tariff would be about 4%—much less than that on average on manufactured products, but the 4% includes agricultural products. We have just experienced a 15% devaluation against the euro, so our exporters will, on balance, be much better off even with those tariffs, whereas exporters to us will have to face a 15% hurdle plus that 4% average tariff, so they will be much worse off.

It is important that we emphasise to our negotiating partners that although we might prefer to continue with the status quo, if they do not want it, we are willing to walk away and trade on WTO terms. Quite a few Opposition Members have been trade unionists and are used to negotiating, but not many people in this House are. We cannot successfully negotiate unless we are prepared to walk away with no deal. Ultimately, however, it will be our partners in Europe—the EU 27—that will choose between whether we continue with roughly the status quo or whether we move to WTO terms and some obstacles.

George Kerevan

Will the right hon. Gentleman give way?

Mr Lilley

I am sorry, but I will not.

Our EU partners will choose. If their primary concern is the economic wellbeing of their people, they will choose to continue with free trade. If their overriding primary concern is political and if they want to punish us and be seen to punish us, they will go with WTO terms. In practice, they will punish themselves far more, and we should make that clear. We cannot negotiate our way into making them choose one option over the other. We can perhaps try to persuade them, their industries and their electorates that they will be much better off if they continue to trade with us on roughly the current basis than if they move to WTO terms, under which they will be the principal losers. We are their single biggest market. A fifth of all German cars come here, much French wine comes here, and so on. Let us go to them and say, “It is a simple choice, make that choice—

Mr Deputy Speaker (Mr Lindsay Hoyle)

Order. I call Pat McFadden.

15:23:00

Mr Pat McFadden (Wolverhampton South East) (Lab)

The motion before us, moved by my hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer), the shadow Secretary of State, calls for a plan before article 50 is invoked. Since 23 June, the resistance to such calls, for reasons of “no running commentary” or not giving away negotiating positions to what the Chairman of the Foreign Affairs Committee, the hon. Member for Reigate (Crispin Blunt), unwisely referred to as our enemy—

Crispin Blunt

The faux outrage that has followed the use of a metaphor is not worthy of the right hon. Gentleman, so I invite him to desist.

Mr McFadden

We are all responsible for what we say, and I do not believe that our European partners are our enemies.

Behind all that resistance lies one emotion. It is not the confidence of those who won the referendum campaign, but fear about the contradictory statements made during the campaign, about the exposure of divisions within Government, and about the enormity of some of the decisions that must be taken. On one level, I sympathise with Ministers, because the dawning realisation of what they are facing and what must be decided is in some ways something to which I can understand a response of fear. However, that does not serve well either democratic debate or our negotiating position.

To pick up on a point made by my right hon. Friend the Member for Doncaster North (Edward Miliband), an assumption has been made that, if we say what we want, that weakens us, but that is not necessarily the case. If we say what we want, that can strengthen our hand, which is precisely why the Secretary of State called for a White Paper in the article he wrote back in July. It is important for Ministers to understand that 23 June was not just a decision by the people on whether we stay in the European Union—although it was obviously that—but the passing of political responsibility for the consequences of that decision to those who led the leave campaign, many of whom now occupy senior Government positions. Despite the fear, there is no place to hide. There is

a duty to both leave and remain voters to set out the principal negotiating objectives. There is also a responsibility to accept the consequences of post-referendum decisions.

James Cartlidge (South Suffolk) (Con)

Like the right hon. Gentleman, I campaigned to remain, and we do all have a responsibility now to try to get the best deal, but the most basic business lesson shows us not only the point about not playing our hand, but that we should not narrow our options. We want to keep our options as wide as possible, not narrow them, which is the thrust of what the Labour Front-Bench spokesman was getting at, which takes us down a narrow lane when we want to keep things as wide as possible to get the best deal.

Mr McFadden

I am afraid that I do not agree with the thrust of the hon. Gentleman's intervention. Responsibility cannot be evaded. The Government have a duty to do more than define success as whatever it is they manage to agree at the end of the day. The public need more than that.

What is it reasonable for such a plan to cover? I do not have an exhaustive list. Other Members have referred to some of the key points, but I want to outline some things that it is completely reasonable for such a plan to include. Will we stay in the single market? Some hon. Members have said that that question has been decided. I do not believe that it has. If the Government's position is to withdraw from the single market, is it their aim to ensure equivalent access not only for goods, but for services? What is the position on the customs union? The Government have said that they will not accept free movement as it currently stands. Many of us want the way free movement has worked to be reformed, but what reforms do they want? They have rejected the points-based system, so what can we expect in future? Is it, for example, the same visa system that applies to non-EU immigration? It is perhaps worth reminding ourselves that that has resulted in higher levels of immigration from outside the EU in recent years than from within the EU.

If agreement is not reached within the two-year period after triggering article 50, are we happy to fall back on WTO rules, with all that that means, or is it Government policy to seek a transitional agreement to avoid that happening? That is a perfectly reasonable question for us to ask and for the public to ask. Will we be able to avoid customs and people controls on the border between Northern Ireland and the Republic of Ireland? That is another reasonable question. What are the proposals, beyond the single market, for cross-border co-operation on issues such as terrorism, crime and environmental protection? If we do pay in for future access to trade, as the Secretary of State said he was open to doing last week, how will the Government guarantee the spending promises made to universities and to farmers, the promises on regional spending and of course the £350 million a week extra promised during the campaign to the NHS? Will workers' rights, many of them underpinned by European directives, be guaranteed in the future—and in what way?

As I have said, that is not an exhaustive list and there will be other questions, but I ask them in order to illustrate that a plan has to be more than a statement and more than a press release; it has to be comprehensive and to have substance. Fear cannot be an excuse for steamrolling through anything the Government choose to define as "success". Fear is no excuse for accusing anyone who asks questions of trying to deny the referendum result or, even worse, of not being behind team UK or of being unpatriotic in some way. The truth is that asking questions like this is in the interests of the country and of voters, both those who voted leave and those who voted remain. It is our political duty, as representatives of our constituents, to ask these questions and to insist on a proper plan for the country's future.

15:30:00

Sir Oliver Letwin (West Dorset) (Con)

The right hon. Member for Wolverhampton South East (Mr McFadden) has made out that the essence of today's debate is about whether the Government publish a plan and how it is scrutinised, and the shadow Secretary of State echoed that thought. I do not believe that is the debate we are having today; as was made clear in the response to me from the right hon. Member for Doncaster North (Edward Miliband), the former Leader of the Opposition, the debate we are actually having is congruent with the discussion going on in the Supreme Court, over the road. It is about a great constitutional issue: the old Leninist question of "who, whom?" The question is: should the Government of the UK, following a referendum, be able to conduct negotiations in the style and manner, and with the intent, that they decide, on behalf of the people of the UK, or should Parliament seek to constrain the negotiation, ultimately by passing a law constraining the activities of the Government in that negotiation? That is the issue we are facing.

I wish briefly to argue, in the time allotted, that if we think about it carefully, it is clear that it is impossible to conduct that negotiation successfully on the basis of a legal mandate given by Parliament. Why? It is because once a law is passed that determines negotiation, the negotiation as a whole, and in every particular and at every moment, is justiciable. We will end up with the Supreme Court and lower courts being called upon to decide, from moment to moment, in judicial review after judicial review, whether the Government have sufficiently transparently made clear every detail of the negotiation to satisfy the Court that the mandate of Parliament in the law is being observed; and whether they have fulfilled the terms of the mandate, once everything is transparent. Any Member of this House who believes this country will have an advantage in the outcome from such a process is severely misguided.

I voted to remain, and I still believe that would have been the right decision for this country. I believe we would be better off inside the customs union than out, and better off inside the single market than out; I wanted to be free of the rest of the EU's jurisprudence, but not of those things. I think we might have achieved that, but that world has passed; the referendum has occurred—we are leaving. If we are leaving, we have to negotiate an exit. The horror and the tragedy of the discussion we are having now is that, if it does lead to Parliament imposing those kinds of constraints on the Government, it will not be possible for the Government to do a trade deal with the remainder of the EU when we have left—by that, I mean left the single market and left the customs union, as we are bound to do by the logic of the situation—and it will not be possible for the Government to negotiate a trade deal to the advantage of our country because it will not necessarily be within the mandate, and that could leave us in the worst of all possible positions. So I urge Opposition Members to remove the cloak, cease to pretend that this is about transparency and plans, as we know perfectly well where the Government are going, admit that this is a constitutional argument and give up the attempt to control the negotiations line by line from Parliament.

Helen Goodman

When the right hon. Gentleman looks at the way the other European countries conduct their negotiations within the EU at the moment, he will surely acknowledge that, for example, the Chancellor of Germany goes to her Parliament and receives a negotiating mandate, and then goes to Brussels. It is that kind of process that we on the Labour Benches are looking for.

Sir Oliver Letwin

The hon. Lady is an old friend of mine, but she is totally misguided if she thinks that this is an analogous situation. This is the first time in history that a country has sought to remove itself from the EU. We are engaged in the most complicated game of multidimensional chess that any country

has ever engaged in. To imagine that that can receive a legally binding negotiating mandate from Parliament, justiciable by the courts, is pure fantasy.

Mike Gapes (Ilford South) (Lab/Co-op)

Why is it, then, that the European Parliament can be involved in this process, but this sovereign Parliament, because of the problems that the Government have created for themselves, cannot have any say? That is a democratic outrage.

Sir Oliver Letwin

The reason is that the European Parliament is one of the counterparties to the negotiation. The counterparty in our case is the Government of the United Kingdom. We have had a referendum. The Government have to be able to carry through the effect of that referendum, and the plain choice we face is whether or not to constrain the Government. My argument is that, if we constrain the Government, we will end up with a worse result from the point of view of people such as me who were part of the 48%.

Edward Miliband

In November 1991, John Major came to the House to seek approval for his negotiating mandate—his plan, we might call it—for the Maastricht negotiations. I do not understand how the right hon. Gentleman can say that this is a terrible breach of our practices when John Major did precisely the same thing.

Sir Oliver Letwin

He did. The outcome was catastrophic. I wrote 100 articles inveighing against the Maastricht treaty. Had we never signed up to the Maastricht treaty, we would not now be in this position. The right hon. Gentleman is not citing a precedent that augurs well for the negotiations that are to come.

David T. C. Davies (Monmouth) (Con)

Is not it the case that, during those negotiations, John Major said,

“don’t bind my hands when I am negotiating”

with the European Union?

Sir Oliver Letwin

He did. He did not succeed in having his hands not bound, and I repeat that the result was a catastrophe.

Mr Duncan Smith

The Maastricht treaty and internal negotiations on being in the EU are wholly different from leaving the EU. The strategy for those was about remaining in the EU—all the rest was detail for debate. Here we are debating something strategically quite different: we are departing from the European Union, including the European Court of Justice and various other elements. That means that too much detail on that will delay the whole process and make it impossible to reach the agreement that my right hon. Friend is talking about.

Sir Oliver Letwin

I happen to agree with my right hon. Friend, but my point goes beyond that. It was never suggested, even during the Maastricht debates, that there should be a justiciable mandate. It has never been the case in the course of our island’s history that the prerogative power of making treaties was

constrained by a justiciable mandate, still less in the case of a negotiation of this complexity, as my right hon. Friend has said.

Anna Soubry

I pay tribute to my right hon. Friend, as ever, for his careful and thoughtful remarks. He says that we are out of the customs union and that we will not be part of it, but people such as me and my constituents are asking whether that is right. Is not it right that we in this place should have a debate to determine whether that is the case?

Sir Oliver Letwin

My answer is no. It is not right that we in this place should decide those things, because ultimately they can be decided only as part of the negotiation. As a matter of fact, I think that the Government will be compelled by the logic of the situation to take us out of the customs union, but whether or not they do that has to be left in the hands of Ministers to negotiate as part of the complex of negotiations.

15:38:00

Angela Smith (Penistone and Stocksbridge) (Lab)

Let me be absolutely clear. We cannot say this often enough: this debate is not about whether we Brexit but how we Brexit. That is of prime importance. Decisions taken during the withdrawal process could have a huge impact on our economy and the prosperity of the people of this country. I do not accept the comments by the right hon. Member for West Dorset (Sir Oliver Letwin). The future of this country and its prosperity is of prime significance to the Members of this Chamber, and we have a right to discuss, debate and take a vote on it.

The people may have voted for Brexit—we cannot say this often enough, either—but they did not vote to be poorer. I echo the comments by my right hon. Friends the Members for Leeds Central (Hilary Benn) and for Doncaster North (Edward Miliband). The time for digs against and negative comments about those of us who want the best possible deal for the UK is over. It is time to move on and to be responsible and mature in terms of what we are looking for.

It is the responsibility of Parliament to explore what Brexit means, both for our constituents and, importantly, for businesses located in our constituencies. I shall take for an example a key sector of our economy—food and farming, the biggest manufacturing sector in the UK economy, with a value of more than £108 billion, providing 3.9 million jobs. Seventy-five per cent. of our agricultural exports are to the European Union.

Ms Margaret Ritchie (South Down) (SDLP)

My hon. Friend and I are both members of the Select Committee on Environment, Food and Rural Affairs. Yesterday, I had a meeting with a Minister from the Department for Environment, Food and Rural Affairs, and I fear that there is a problem in the Department with the conflation of two issues—free trade and access to the single market. Will my hon. Friend comment on that issue?

Angela Smith

I shall come on to the option that we should follow in the negotiations. As many Members have illustrated, we all have views on where we should be going. The National Farmers Union has modelled three scenarios for the outcome of the negotiations: a free trade agreement with the European Union; World Trade Organisation rules; and trade liberalisation.

The potential cost to farming of non-tariff barriers to access the EU and worldwide trade range from 5% as a result of regulatory divergence to 8%. If direct farm payments are reduced or taken away completely from farmers in those scenarios there will be a hugely negative impact on farm incomes, ranging from a reduction of £24,000 per annum under the best deal—the free trade deal—to an impact of over £30,000 per annum on individual farm income under the trade liberalisation scenario. The EU spends £3.2 billion a year on support to farmers, which is just under 25% of what we pay the EU to be a member of the Union. A key question for the Commons is whether we continue direct farm payments to farmers at the existing 100% level. Do we reduce it, and do we look at the impact on farm trade and individual farmers? We need answers to those questions before we can sign off any Government position on what we do in Brussels in summer 2017.

The farming industry employs more than 80,000 seasonal workers a year. The NFU has called for a seasonal agricultural workers permit scheme. The Government refuse to commit to such a scheme, but without that input there is little hope for the horticultural sector. Furthermore, the food and drink manufacturing sector has a skills gap. By 2024, it will stand at 130,000. On top of that, one in 12 employers in the sector report an intention on the part of their employees to go back home.

The road haulage industry, which is a critical service for the food and farming sector, has a skills shortage of 45,000. Sixty thousand drivers in the UK are foreign, mostly from the EU. The veterinary sector is another vital service for the food and farming sector, and reports that over 50% of vets registered every year in the UK come from abroad, mostly the EU.

Helen Goodman

My hon. Friend is making an excellent speech about the importance of the farming sector. She will know that we have had representations from the National Trust and the Royal Society for the Protection of Birds, which have millions of members, all of whom are concerned about biodiversity, which is what farmers support in this country. Farmers cannot provide the environmental goods if their income makes farming uneconomic.

Angela Smith

Mr Speaker, I did not get the extra minute for the second intervention.

Mr Speaker

It is right that all of us should be held to account, including the Chair.

Angela Smith

Thank you, Mr Speaker.

I accept what my hon. Friend the Member for Bishop Auckland (Helen Goodman) said.

The labour shortages that will or could result from Brexit should be taken seriously by the Government. We need to know what resources and plans are required to take account of immigration policy and restrictions on freedom of movement and on the development of the domestic workforce. It is reasonable that this Chamber has an understanding of where the Government are going on this key issue before it accepts the Government's negotiating position on Brexit. These concerns should be addressed when the Government publish their plan.

My own position is that we should retain membership of the single market, but I also believe that we need a proper timetable and sufficient time for Parliament to scrutinise the proposals and to amend them if necessary.



I will vote against the amendment, therefore, because there are no guarantees before us today. Nothing that I have heard today gives me confidence that the Government will not try to wriggle out of the commitment to put a plan before this House. The vote today is not against Brexit, but against a motion that will potentially curtail the right of Parliament to act in the national interest, as it should do, and in so doing, act in the interests of our constituents.

15:46:00

Nicky Morgan (Loughborough) (Con)

Thank you, Mr Speaker, for calling me in this debate.

Let me make it clear at the start, for the benefit of Members and of the Whip on the Bench, that I intend to support both the motion and amendment (a). I am very pleased that the Government have accepted the motion. This is the first time that they have accepted that Parliament should have a say on the triggering of article 50, and a role in scrutiny of the Government's plans for Brexit.

We live in a representative democracy. It is right that Members in all parts of the House, many of whom have spoken today, act for both the 52% and the 48%, as has been said today. I want the ability to speak up for the students in my constituency, the university academics, the farmers, the businesses, the NHS workers and everybody else who lives there. I agree with my right hon. Friend the Member for Surrey Heath (Michael Gove) that the Government should give urgent clarity and confirmation to EU citizens living here that they may stay. We will have the moral upper hand at the start of negotiations if we have given that clarity.

Today's debate has shown that we should have started the debate a number of months ago. Although I might disagree with what my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) said, it is important that he has said it and we are able to debate those issues. I want a proper commitment to the plan, as we have seen, and a vote on the timetable. It is not good enough that these things are dragged out of the Government by Opposition day motions. I am pleased that it has happened, but I wish the Government were taking more of the initiative.

The Government plan can set out the high-level overall objectives. I might disagree with what my right hon. Friend the Member for Hitchin and Harpenden (Mr Lilley) said, but he said it more clearly than I have heard it said by anybody with his beliefs. Does the Minister agree with what my right hon. Friend said? The Secretary of State was right when he said in his opening speech that "it is also important that we do not close off options before we absolutely have to."

As the Labour motion says,

"there should be no disclosure of material that could be reasonably judged to damage the UK in any negotiations to depart from the European Union after Article 50 has been triggered".

The trouble with having "no running commentary" from the Government is that it has been replaced by running commentary based on notes seen in Downing Street, ambassadors' private conversations with the Foreign Secretary, and Nissan executives' conversations with those in Downing Street.

It is also important that we have a timetable. I have been very clear previously that I want the Government to get on with triggering article 50. I see that as the start of healing the rift between Parliament and people that we have seen result from 23 June. I do not have a problem with voting for the amendment, but I understand and respect those Members who do. I do not think it is the

same as having an Act of Parliament, as the High Court ruled, and I hope the Minister will be very clear that approving the amendment is not the same as having legislation.

We are going to have a wholly new relationship with the EU in or before March 2019. We are going to have a wholly new place in the world, and I want this country to be outward-looking and forward-facing. Brexit is going to affect our economy, our foreign trade, our foreign policies, our trade policies and our immigration policy. How the Government conduct the next two years will say much about our constitution and our values as a country.

Parliament has to rise to the occasion, and I have to say that neither Front-Bench speech today quite got there. Contributions from other Members of the House have got closer to showing an appreciation of the magnitude of what we are doing. If we are going to argue solely about the process, I think we will be letting our constituents down. It is the substance of the final deal we agree with the EU, and the final trade agreements we have with the rest of the world, that will shape Britain's place in the world.

We need Ministers—from the Prime Minister downwards—to inspire as well as engage on these issues, and to be clear about what 2019 and beyond will look like for this country. I look forward to further such debates.

15:51:00

Mr Douglas Carswell (Clacton) (UKIP)

The Opposition motion is absolutely right about one thing: leaving the EU is indeed the defining issue for this country. As such, I urge the Government to get on with it.

As for parliamentary scrutiny, of course Parliament ought to have the ability to hold the Executive to account, but believe me, as someone who enjoys endlessly banging on about Europe, there are endless opportunities to scrutinise the Government. I suspect that the sudden surge of interest in parliamentary scrutiny is in fact about seeking to frustrate the referendum result.

Those on the Labour Front Bench have been happy for the past 20 years to use Crown prerogative to hand powers to Brussels. All of a sudden, we see the issue of parliamentary oversight being used, in effect, as a brake—a brake against taking back control, and a brake against bringing our democracy home. Once again, those on the Labour Front Bench side with the supranational élites; they are out to try to frustrate and overturn the way people voted in June. Parliamentary sovereignty is shorthand for the sovereignty of the people. The verdict of the people on 23 June was absolutely clear. It would be perverse to invoke parliamentary oversight and sovereignty as a pretext for dither and delay.

I am absolutely delighted that the Government have tabled amendment (a) and it is an honour to add my name to it. The amendment calls the bluff of those who wanted to use sophistry to frustrate Brexit. Let us stop playing these parliamentary parlour games. Today's vote is non-binding, and I hope Ministers will shortly bring binding votes before the Commons.

Finally, some politicians' approach to Brexit these past few months has been to regard it almost as though the people somehow made a mistake on 23 June. They seem to hold out the hope that we might have a second referendum and—who knows?—presumably assemble a new people. Perhaps, if these efforts to subvert the outcome of the referendum persist, we would find it easier to assemble a new Parliament.

15:53:00

Mr Owen Paterson (North Shropshire) (Con)

The conundrum we are facing is that this is the first time in our history that the establishment and the Government of the day, having decided to have a referendum, have got a result that they disagree with. The Labour party's 1975 referendum, and the Scottish, Welsh and Northern Irish referendums, all delivered a result that was satisfactory to the establishment and the majority in this House. Today, we face the opposite.

Two weeks ago, I was at the annual general meeting of my local National Farmers Union office, and a lady said to me, "What is it about London—what don't they get? We voted to leave. Leave means leave." As a founder member of Vote Leave, I think that we were pretty clear right throughout the campaign about what we wanted—we wanted to take back control. The Government have been pretty clear that they are going to deliver on that.

We wanted to take back control of our money. On my first day at the Department for Environment, Food and Rural Affairs, my Secretary of State's briefing said that we were handing back £642 million of real money because the Commission, under the ECJ, disliked the manner in which the right hon. Member for Derby South (Margaret Beckett) had implemented the then CAP reform. So there was I, democratically elected and responsible to this democratic House, with nothing I could do about it. This House began from the principle of deciding what taxes were and who was responsible for them, controlling the monarch of the time, and it still has that fundamental role. The people will get back their role of kicking out politicians who raise taxes and spend them badly, because we do not have that at the moment.

We voted to take back control of our laws. I know about that in spades from my time at DEFRA. About 90% of DEFRA's work is the implementation of European law. I tried manfully in negotiations to work with good allies, but we were outvoted on many occasions, and our farmers are struggling with the latest CAP reform. With many areas of activity competing strongly to be the worst, I would say that the EU's governance of fishing wins, because it has been a catastrophe. Getting back our powers to control our fishing will restore our marine environments and fish stocks, and bring prosperity and wealth back to our most remote marine communities.

Angela Smith

I am listening to what the right hon. Gentleman says about the CAP, but does he believe that post-Brexit—in 2019 and 2020—the UK Government should continue to give support to farmers at the levels they are currently receiving? Does he believe that that money should still go to farmers or not?

Mr Paterson

Emphatically yes. If the hon. Lady had listened to my speeches during the referendum campaign, she would know that I said, "And, if appropriate, more." What we will now be able to do is to embrace technology. The EU is becoming the museum of world farming because it is so extraordinarily hostile to technology—and that also applies to fishing.

The hon. Lady has also mentioned immigration—quite rightly. The most angry people I met when I was at DEFRA were the fruit farmers in Essex, Kent and Hereford who had been deprived by the then Home Secretary, now our Prime Minister, who had stopped the seasonal agricultural workers scheme, which brought in 21,250 highly skilled Romanians and Bulgarians before their countries became full members. I worked hard with my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith) and the then Home Secretary to see how we could work our

way around this. The hon. Member for Penistone and Stocksbridge (Angela Smith) is absolutely right—we need a supply of skilled labour to work in our horticultural, fruit-picking and vegetable industry, and also in food processing.

At the other end of the scale, I know an eye surgeon whose family—they are Sufi Muslims—came from the United Provinces of India. She gave me, unprovoked—I have clean hands; she started it—the most extraordinary lecture attacking current immigration policy whereby she has to take less qualified, less skilled, less safe and less experienced eye surgeons because they have European passports, and she cannot choose more skilled and safer ones from Bangalore, Hong Kong or San Diego. I would like us to have the choice of the world’s workers—whether fruit packers or eye surgeons—on a permit scheme. I wholly endorse the comments of my right hon. Friends the Member for Loughborough (Nicky Morgan) and for Surrey Heath (Michael Gove) because it would send out a tremendous signal if we stated here and now that there are very large numbers of EU citizens working in our economy who make an enormous contribution. We should give them, up to a certain date, the right of abode, and from then on move to a permit system.

We said that we would take back control of our ability to trade around the world. SNP Members make a huge fuss about the single market and the customs union. We have to leave the single market if we want to come out from under the cosh of the European Court of Justice. The single market does not exist anyway. My noble Friend Lord Bamford recently gave a very good speech in another place saying that there are 10 standards for brake lights on tractors within the current so-called single market. It is a non-problem. People just punch in the information when they go on the production line.

Joanna Cherry

I am interested in what the right hon. Gentleman has just said. Can he tell me why the Conservative manifesto, on which his party fought the last election, stated:

“We say: yes to the Single Market”?

Mr Paterson

I am speaking for the Vote Leave campaign, which made it very clear that we would not be under the jurisdiction of the ECJ and that we would be able to make trade treaties around the world. Also—this was massively popular during the campaign—if we leave the customs union and get outside fortress Europe, the prices of everyday goods, food and clothing will come down. That will be of massive benefit to our consumers, and it is another example of why this is the establishment against the people.

The same thing is happening in Europe. We saw the results of the referendum in Italy this week, and there will soon be elections in Holland, France and Germany. Opposition Members should wake up to the phenomenon that we have allies in those countries who want what they would call an open Brexit. They want to trade with us, so we should be offering them zero for zero on tariffs.

Ilse Aigner is a senior member of the Christian Social Union in Bavaria with whom I worked extremely closely when she was the federal Agriculture Minister. Only last week, in her role as Economic Affairs Minister for Bavaria, she said to her federal counterpart, “Don’t mess up Brexit. We don’t want recession in Bavaria; we want to continue selling our products.” As well as the 17.4 million people here who voted for Brexit, we have significant interests in Europe on our side.

Quotes have been bandied about—including one that was, I think, a perversion of something that Helmuth von Moltke said—and I close with two. Napoleon, who knew a thing or two about winning battles, said:

“I never had a plan of operations”.

Carl von Clausewitz said:

“Pursue one great decisive aim with force and determination.”

Good luck to the Government; I will vote for the amendment tonight.

16:01:00

Mr Ivan Lewis (Bury South) (Lab)

We have to face up to the fact that a growing proportion of our population have lost faith in this place and in our collective ability to address their concerns and offer them hope for a better future. Brexit was a shock-and-awe wake-up call from too many who feel that mainstream politics is broken and does not work for them. Of course, some voted against the notion of pooled sovereignty and the fear of a federal superstate, but many others registered their protest at the state of their everyday lives: stagnant wages; the loss of traditional jobs and the consequential destruction of communities caused by globalisation; the impact of migration; and horrendous continuing inequality, which is something that UKIP has no answers to.

Although many of us believed that we had too much to lose by leaving the European Union, many of our fellow citizens felt they had nothing to lose. I am not the first Member of this House to make these points, but it is astonishing that in the aftermath of the Brexit vote and at a time of alarming levels of support for far-right parties across Europe and elsewhere, mainstream parties in this House appear to have learned nothing. Until the motion was tabled, the Government thought it acceptable to keep their Brexit plans secret from not only Members of the House but the people of this country. The Lib Dems suggest that the referendum result should be overturned via a second referendum. Some senior Labour Front Benchers demonstrate contempt for those who have legitimate concerns about the pace and impact of immigration.

If we are to begin a reconnection with those who have been left behind, it is vital that we demonstrate that we get it. We must have an honest dialogue with people about the unavoidable change that will continue to take place and the difficult choices that we face.

Mr Carswell

Will the hon. Gentleman agree with UKIP’s long-standing policy by voting in favour of supporting the triggering of article 50 and leaving the European Union?

Mr Lewis

I do not think I agree with a single policy that UKIP advocates. The party is about dividing our communities and causing mayhem in terms of community cohesion. It has nothing to say about the inequality in our society.

We must have an honest dialogue with the people. The language of hard and soft—and now, apparently, red, white and blue—Brexit is meaningless to many of our constituents. The Government’s shambolic and secretive approach to our negotiating position is cutting our constituents out of some of the most crucial decisions facing the future of our country.

Only this weekend, we saw the farce of the Prime Minister's crackdown on Brexit leaks itself being leaked—an episode worthy of “The Thick of It” and “Yes Minister” combined. My concern that we are alienating large sections of the electorate and playing into the hands of the far right is not simply about the Conservative party. I despair when I hear Labour spokespeople responding to questions about immigration with meaningless platitudes such as, “We need to talk about immigration,” or when I listen to Front Benchers who dismiss or deny voters' legitimate concerns. We need a credible policy agenda that does not compromise our internationalist and anti-racist values, but recognises that if people do not believe in open borders, they must show how they will control and manage immigration.

It is entirely consistent to have zero tolerance for the demonisation of immigrants while believing in the control and management of migration. It is also consistent to assert that integration is an expectation of citizenship, and to be crystal clear that it is this country's duty and in our finest traditions to be a safe haven for refugees fleeing violence and repression. None of these things is incompatible with our values, and they are not contradictory.

Finally, we must tackle the grotesque inequality that scars our society. I commend the Governor of the Bank of England for his thoughtful and challenging speech recently about the need for real change. The fact is that the combined impact of globalisation and technology will continue to threaten jobs in our country, and income inequality and stalled social mobility are forming a lethal cocktail. Frankly, this Government are making those issues worse, not better. I remain convinced that it is in our national interest for the UK to be at the heart of the European Union, but the people have spoken and we have to respect their decision. Brexit is a wake-up call that has magnified the growing division in our society. We must not only tackle grotesque levels of inequality, but do politics differently in relation to how we engage with people about the big changes that will continue to affect their lives. The “we know best” era of Government has passed, and the stakes have never been higher for the future of our country and our politics.

16:06:00

Mr Peter Bone (Wellingborough) (Con)

It is a great pleasure to follow the hon. Member for Bury South (Mr Lewis). He made an important point about reconnecting with the electorate. I entirely agree with him that for too many years Governments have thought that they knew best and have ignored the people. For instance, they have not been willing to engage on the issue of immigration. He is also absolutely right to say that we can want controlled immigration without demonising immigrants.

It is nice to see you back in the Chair again, Mr Speaker. The fact that you are giving so much attention to this debate clearly shows that it is an important one.

I will turn to an aspect of this debate that we have not touched on completely, because it has suddenly started to be about parliamentary sovereignty. As somebody who has always defended the right of Parliament and has been concerned about the power of the Executive, hon. Members would expect me to bang on about that and say that we should have a vote in this House on article 50. In fact, I have always thought we should do so. However, the reason why the Government are right to say that they can use the royal prerogative to trigger article 50 is the unique circumstances of the referendum. This House, in an Act of Parliament, gave the British people the right to decide that question. That is why I absolutely defend the right of the Government to proceed in the way they have thought fit to proceed.

Having said that, the role of Parliament is to deal with all the issues that will come up after we have triggered the process, reflecting the fact that we want to leave the European Union. To the Government's great credit, they are putting on a series of debate on the European Union and Brexit in which hon. Members can make their views known. When the Government go to negotiate, they will therefore know the views of Parliament. It would be totally absurd, however, for the Government to lay down their negotiating hand in advance. It would just be daft. When I was in business, I did not tell the opposition what I wanted in advance of a negotiation. In the same way, the chief spokesman for the European Union has said this week that he will not lay down in advance what the European Union wants.

The most important part of this debate is that we will tonight, I hope, agree a motion telling the Government to trigger article 50 by 31 March. The Supreme Court is saying that that is not enough and there has to be an Act of Parliament.

Mr MacNeil  
The High Court.

Mr Bone  
Quite right—that is what the High Court has said. It is possible, of course, that the Supreme Court will agree with the High Court and we will have to have an Act of Parliament, although if the Supreme Court disagrees with the High Court the Government can continue the way they want to, through the royal prerogative.

That is why I have introduced my Withdrawal from the European Union (Article 50) Bill. It is two clauses long. All it does is tell the Government that by 31 March they have to trigger article 50. If that Bill goes through, we will be satisfying the High Court. That Bill will get its Second Reading on 16 December unless anyone objects to it. It will then go into Committee to be discussed and come back to the House on Report. By the time it comes back to the House for Third Reading, the Supreme Court will have given its decision.

Mr MacNeil  
The hon. Gentleman is quite taken up with the triggering of article 50. It is not so much the triggering that is the major concern, but where the Government are going after that. Are they going for the Norway option that they talked about before the referendum, or for World Trade Organisation rules—what is the destination beyond the trigger point?

Mr Bone  
The narrow point I am dealing with is the triggering of article 50, which I say has been authorised by the British people. The High Court disagrees. If the Supreme Court endorses that view, we will have to have an Act of Parliament. The hon. Gentleman is right that there are very many things to be negotiated and dealt with afterwards, and they have to come before this House. It has been quite a surprise to me that some Members who have suddenly found that they greatly support parliamentary sovereignty are ex-Ministers and ex-Whips who used to have no time for this place when they were in government. A sinner repenting is wonderful, but—

Anna Soubry  
Name names!

Mr Bone  
My right hon. Friend the Member for—I cannot remember what her constituency is—[Hon. Members: “Broxtowe!”] My right hon. Friend the Member for Broxtowe (Anna Soubry). It is a

juxtaposition for very many people. It is great that people now believe in this place. We should absolutely do what the hon. Member for Na h-Eileanan an Iar (Mr MacNeil) says, and scrutinise the Government as they go through the Brexit process.

Michael Gove

May I say, just for the record, that as Chief Whip I had a number of dealings with my right hon. Friend the Member for Broxtowe (Anna Soubry) and she was always vigorously resistant to whipping and the imposition of parliamentary discipline? She remains on the Back Benches, as she was in the ministerial team, a feisty and independent voice whom we should all respect.

Mr Bone

I am always glad to be corrected by a former Chief Whip. What my right hon. Friend said is undoubtedly the case.

The important part here is very simple. Tonight we will, I hope, pass a motion that authorises the Government to invoke article 50. [Interruption.] That is what it says. [Interruption.] There is debate about that. Given that there is that debate, the only certainty is through having an Act of Parliament. I therefore look forward to my right hon. Friend the Member for Broxtowe and others being here on 16 December to support my Bill—if anyone wants a copy, I have a few spares—because it would satisfy all the Court's requirements.

The great thing about today is that it is Parliament that is dealing with the matter. It is not a Government motion on the Order Paper but an Opposition one. It is not a Government Bill going through but a private Member's Bill. It is clearly Parliament speaking. I therefore hope that tonight the amendment and the motion are agreed and we can move forward, and then, in about 10 days' time, we can give Second Reading to what this House wants: to trigger article 50.

16:13:00

Mr George Howarth (Knowsley) (Lab)

It is a pleasure to follow the hon. Member for Wellingborough (Mr Bone). I simply make the point to him that the negotiations that the Government are involved in are a good deal more complicated than any business negotiation he may have been involved in in the past; simplifying things to that level does not really do justice to the scale of the problem.

I have two points to make. The first concerns the process of negotiation itself. The second is to do with the incoherence of the Government's position.

Before I address those two points, I should say that although I campaigned to remain in the EU, I accept that the public have spoken and that their view has to be respected. My constituency voted in almost exactly the same way as the national referendum result—narrowly in favour of leaving. Close as it was, I frankly cannot see any democratic way of setting that result aside, and Parliament should respect it regardless of any court decision. If the hon. Member for Stone (Sir William Cash) was still in his place, I would say to him that that is not lip service; it is a serious statement, by almost every Member, about where we stand.

My first point is that it is important that the Government's negotiations lead to the best possible outcome in terms of our jobs, economic prosperity, security co-operation and continuing engagement with Europe from outside the EU. I find it odd that the Government have so far been unable to give a clear account of the principles that will frame the negotiations. My right hon. Friend the Member for Leeds Central (Hilary Benn) brought that point out very well.



I recently relinquished my membership of the Intelligence and Security Committee. I served on it for over 11 years, so I do understand that, in some circumstances, the state does have to have secrets—for example, on how our intelligence and security agencies work and their capabilities. However, the principles and objectives that govern our Brexit negotiations are the most urgent matter we have confronted in decades. They are an urgent matter of public policy that should be properly debated at every point along the way by this House. It surely follows that, on behalf of the people we represent, we should have an influence on those principles and objectives before anybody concludes the negotiations.

That brings me on to my second point. I am not at all clear whether the Government are committed to a so-called hard Brexit or a soft Brexit. Indeed, we now have two new additions to the terminology: a grey Brexit and a red, white and blue Brexit. I hope the new objective will be a least-damage Brexit. To simplify it, I accept that in terms of trade and the economic impact of leaving we need to get the best possible terms. In reality, soft Brexit means continuing access to the single market, or, at the very least, access to the customs union. However, how that can happen is becoming increasingly incoherent. Strangely, some Ministers—most notably the Secretary of State—are even talking about having to pay for access. I am sure that that would, understandably, cause outrage even among those who, like me, voted to remain.

What I am about to say may not please many, but it is politically naive to believe that continued access to the single market or the customs union, without corresponding concessions on the free movement of labour, could be possible. I ask hon. Members to put themselves in the shoes of Angela Merkel or the next President of France as they go back to their countries and say, “Well, we’ve given the UK all the economic concessions and we’ve let them off the hook on the free movement of labour.” That just is not likely.

I accept that we have to have a route map for negotiations and I accept that this is not straightforward—I have already said as much. It cannot be the case, however, that, as a democratically elected Parliament, we can be expected to have no say whatever in the determination of the principles and objectives of those negotiations. I support the amendment to the Opposition motion, but only as a first instalment along that road.

16:18:00

Anna Soubry (Broxtowe) (Con)

It is a great pleasure to follow the right hon. Member for Knowsley (Mr Howarth). I endorse in particular his opening remarks. Like him, I am getting somewhat tired of the constant abuse and constant criticism that somehow we are remoaners who want to thwart the will of the people, that we do not accept the result and want to go back on it. We absolutely do accept the result. I do not like the result—yes, I believe the people made a terrible mistake—but I said publicly, as did the right hon. Gentleman, that we would accept and honour the result. We said to people, “If you vote leave, you will get leave”. Would everyone please finally understand and accept that so that we can move on to the most important thing, which is how we get the very best deal for our country?

I gently say to the Secretary of State, who is no longer in his seat, that he should not be almost deriding me for working with people who sit over there on the Labour Benches, or further down the Benches opposite, or even with the Lib Dems—if any of them are going to take part, which I hope they might. [Interruption.] I am looking forward to their one contribution, from the right hon. Member for Carshalton and Wallington (Tom Brake). The point is that the Secretary of State should not be criticising me for working with others on this most important of all matters—the most

important for a generation and more I would say. When he sat on the Back Benches, of course, he was very happy and willing to work with right hon. and hon. Members opposite on the things that were important to him, and rightly so. This transcends party politics and tribalism.

Most importantly, now is the time for our country to come together. Make no mistake: families and friends are still divided. In my county, as I have said before, levels of hate crime remain 18% higher than this time last year. The way we begin to heal, build bridges and restore our communities, friendships and families is to include that 48% who voted to remain. To be honest, many of them—I include myself—have understandably felt sidelined and ignored and experienced the weight of abuse, be it online or in other places, and we are sick and tired of it. We are entitled to our opinion and we are entitled to express it.

We reach out and say, “We now want to work together with anybody—frankly—in order to get the best deal”. This is not just about my generation. As I enter my seventh decade—[Hon. Members: “No!”] Today’s the day. Moving swiftly on. I nearly said, “Everybody’s invited to the party”, but that’s another matter. In all seriousness, it is not about my generation. The decisions we make now will resonate for decades to come and for generations now and in the future, so it is important we get it right, and it is important that we remember those youngsters. The majority of them voted to remain, and the honest truth is that many feel that an older generation has stolen their future. We have got to wake up and recognise that. I remind all hon. Members that the 16 and 17-year-olds of today will be their voters in 2020.

As ever, I am running out of time. I just want to say, in response to the excellent and wise words of my right hon. Friend the Member for West Dorset (Sir Oliver Letwin), that I struggle with the concept that we cannot debate these really important matters. With great respect to him, he says that we are leaving the customs union, but are we? Businesses and trade organisations in my constituency want certainty, they want to have a say and they want the right to shape what is best for business and our future.

Stephen Doughty  
rose—

Anna Soubry  
Ooh, I will give way. I will get an extra minute.

Stephen Doughty  
It is true that the right hon. Lady has been willing to work across the House on crucial issues, as on the steel industry, on which matter I was pleased to work with her. She is making the right point about what is best for jobs, businesses, organisations, individuals and universities in our constituencies. That is what many of us are arguing for and what we want answers on, because those are the questions our constituents are asking.

Anna Soubry  
I agree with the hon. Gentleman. Businesses and trade organisations in my constituency want certainty and transitional arrangements. Universities and others who employ migrant workers are saying, “What is your new immigration policy going to be, and how do we make sure we have the workers we need?” It is not politically correct to say this, but it is in the interests of British business and workers that we have migrant workers. It is they who make British business so good and who make us the fifth-strongest economy.

Claire Perry (Devizes) (Con)

rose—

Anna Soubry

I will not get another minute, but I will give way very quickly.

Claire Perry

I just wanted to say this to my right hon. Friend: would it not be the best possible birthday present for her if the House genuinely came together tonight, went through the Lobby in support of the Labour motion and our Government amendment, and showed the country that we can come together for something so important? We are not remoaners; we are bring-it-on Brexiteers.

Anna Soubry

I am grateful for that comment and all that my hon. Friend says.

I want to say this gently to the Government. I will vote for this, but I am nervous and concerned. On 12 October, this place agreed, without Division, that we would have a series of debates and we would scrutinise the Government's plans. Thus far, we have had two debates. The first was on workers' rights. I know they are important, but frankly that is a red herring—no pun intended—because the Government have made it absolutely clear, and I take the Secretary of State and our Prime Minister absolutely at their word, that workers' rights will remain entrenched in British law. Truly it is not a great issue.

The second debate was on that grave and weighty matter, “Transport and Brexit”. I am sorry, but this is not good enough. The debates we now need to have are about the value of the single market—let us thrash it out and hear why some say we should not be in it. Let us talk about the customs union and the peril of tariffs. Let us talk about immigration—the positive benefits of it, and some of the downsides, but let us have these debates and, most importantly, let us take part in that—Parliament. We speak for our constituents. We speak for the people.

Let no one use tonight's motion and any vote when it comes to the proceedings in the Supreme Court. I want a White Paper. I want legislation. I want to go through the Lobby and make a difference on our relationship with the EU in order to secure a strong future for everybody for generations to come.

16:26:00

Mr Ben Bradshaw (Exeter) (Lab)

It gives me great pleasure to follow the right hon. Member for Broxtowe (Anna Soubry), who has been incredibly brave and, as a result of her courage, has faced hideous threats. I am sure that the whole House will want to wish her a happy birthday.

I shall try to focus my remarks on the motion and the Government amendment. I fully support Labour's motion, but for the same reasons as my hon. Friend the Member for Penistone and Stocksbridge (Angela Smith), I cannot support the Government amendment. In effect, it gives a blank cheque for us to invoke article 50 by March without any of us being any the wiser about the Government's intentions today.

The Government promise to publish a plan, but it has been clear to me from Government statements and from statements of Conservative Members outside this Chamber in the last 24 hours that that plan will not be the White Paper that the Brexit Secretary once promised. It will not answer the big questions about our vital access to the single market, the rights of UK citizens abroad and EU

citizens here, or issues such as tariffs. All the signals from the Prime Minister's speech to her party conference and since have been that the majority of the Government want and are heading for a hard Brexit. In my view, that would be disastrous for jobs and prosperity in my constituency.

In the Labour party conference just a couple of months ago, we agreed as a party:

“Unless the final settlement proves to be acceptable, then the option of retaining EU membership should be retained. The final settlement should therefore be subject to approval, through Parliament and potentially through a general election or referendum.”

I accept that that does not specifically mention article 50, but it is surely explicit that, unless we start arguing now that article 50 is reversible, we should not support its invocation without having any confidence that the Government's Brexit would be acceptable—and I have no such confidence.

I also happen to believe that the timescale that the Government have imposed on themselves is unnecessary, unrealistic and unwise. Michel Barnier, the EU's chief negotiator, said yesterday that it would be completed in 18 months, but the French and German elections mean that no meaningful talks will happen until the autumn of next year. That means that, under the current plan, the talks will have to be completed within 12 months—the most complicated negotiations that this country has ever faced completed in just 12 months.

Geraint Davies

Given that the French and the German elections provide a case to delay article 50 and given that we can only negotiate before article 50—because, afterwards, we just give in our membership card and the Government decide—does my right hon. Friend agree with me that we should delay article 50 until November and then perhaps have a referendum on it?

Mr Bradshaw

I do not agree with everything that my hon. Friend has said, but I do think it would make sense for the Government to delay the invocation of article 50 until after the German elections, to give themselves more time to secure a good deal.

The Government have prayed in aid a motion that was agreed by the House, without a Division, on 12 October. The Secretary of State for Brexit prayed it in aid in his speech as well, without making clear that it had said nothing about a March deadline. It is worth my putting that motion on the record. It said:

“this House recognises that leaving the EU is the defining issue facing the UK; believes that there should be a full and transparent debate on the Government's plan for leaving the EU; and calls on the Prime Minister to ensure that this House is able properly to scrutinise that plan for leaving the EU before Article 50 is invoked”.

There was nothing in the motion about a 31 March deadline. It was completely different from today's Government amendment.

I know it is relatively easy for me, as one who represents a “Remain” seat, to oppose the Government in the Division Lobby tonight, but all of us, as Members of Parliament, are called upon to exercise our judgment on what we believe to be in the best interests of our constituents and the nation. I am afraid that I will not submit myself to a straitjacket of a timetable—an artificial timetable—to suit the Conservative party and deal with its internal problems when that would not be in the national interest, which is why I will oppose the Government amendment tonight.

16:31:00

Mr Dominic Grieve (Beaconsfield) (Con)

As the Member of Parliament for a constituency that voted narrowly to remain, I have felt ever since the summer that my task is to help my colleagues in the Government to achieve Brexit in a manner that is satisfactory and will lead to the best possible outcome for everyone in the country, and today that is still exactly what I want to do. The difficulty, as I see it, is that what we have heard over the last two months in particular—the vitriolic abuse, the polemical argument without any substance, and the ignorance of some of the basic ABC of our constitution—has reached a point at which I sit in the Chamber and listen to utterances that border on the completely paranoid. The nadir, for me, was to sit one evening and hear a Minister of the Crown—not one of those who are on the Front Bench today—say that one of the Queen’s subjects who was seeking to assert her legal rights in the Queen’s courts, and who was, I might add, subjected to death threats as a result, was doing something, or had achieved something, that was unacceptable. If we continue like this, we are on the road to a very bad place.

In my opinion, while my duty as a Member of Parliament is to seek to uphold Brexit and help the Government to achieve it, that does not mean that I must suspend all judgment. On the contrary: we have a clear responsibility to scrutinise legislation, to ask awkward questions, to express our views and, if necessary, to intervene in the process if we think it is going off the rails to such an extent that it is no longer in the national interest. That is why I felt frustrated by the Government’s apparent refusal to come up with a coherent plan.

When article 50 is triggered, we shall be embarking on a process which, in reality, the Government themselves will have great difficulty in controlling. I certainly do not take the view that it is the duty of the House to micromanage the Government, and it has certainly never occurred to me that we should lay down prescriptive rules for what the Government should be trying to achieve, along the lines feared, I think, by my right hon. Friend the Member for West Dorset (Sir Oliver Letwin). I do not think that that is realistic. However, I do think we are entitled to know what the Government are intending to achieve, in broad terms, so that we can debate it and influence it. Some Members may then have to accept that they are in a small minority in respect of some of the legitimate issues that we can debate within the parameters of Brexit itself, and then help to sustain the Government as they go ahead with their work. The fact that the Government have that mandate, and have the approval of the House, will, in my view, help them immeasurably in their negotiations.

Sir Oliver Letwin

My right hon. and learned Friend is making a powerful speech. Does he agree that if this House and the other place sought to amend the triggering legislation, that would have the effect of making the mandate justiciable?

Mr Grieve

It depends on whether we were seeking to limit the mandate in carrying out amendments. As I have not seen what the Government are proposing by way of primary legislation, I have no idea to what extent it might or might not be amendable. But what I will say is that it certainly would not have crossed my mind that one of the sorts of amendments I should have would involve creating justiciable targets. I think my right hon. Friend knows me well enough from my time as a Law Officer to know that my views about declaratory legislation and targets are probably fairly unprintable—and certainly unutterable in this Chamber—and I do not recommend it to anybody.

On the question of where we are going after that and considering the issues around Brexit, I simply point out that some of the things said, even today by Members on the Government side of the House who I respect, seem to me to be rather fanciful. We have heard a lot about the sovereignty issue requiring us to withdraw from the European Court of Justice. I have to gently point out that if we are going to stay within the mechanisms of justice and security, which the Secretary of State said he believed was in the national interest, although our withdrawal from the EU will mean we will no longer be subject to the direct effect of the ECJ, decisions of the ECJ on interpreting the treaty will continue potentially to have force on us in this country. That is not surprising because we are signed up to over 800 international treaties which have arbitral mechanisms for resolving disputes.

So unless we start getting out of this fantasy element about Europe as a pariah entity, we are not going to start getting down to a realistic assessment of what it is in our national interest to remain adherent to and what it is in our national interest to withdraw from, even though we will be outside the EU and therefore not subject, for example, to direct effect at all.

Mr Rees-Mogg

My right hon. and learned Friend's last point is exactly the point: if we have left the EU, judgments of the ECJ will have the same effect as judgments of the WTO arbitration court. They will not be automatically law of this land and will be subject to Parliament, which is a fundamental change.

Mr Grieve

It is indeed a fundamental change, and I am delighted my hon. Friend is pleased and that appeals to him, but I have to say this from listening to some of the things said this afternoon: the logic of what my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith) in particular was saying was that we would have to withdraw from all the 800 treaties that were subject to any arbitral mechanism because they undermined our sovereignty. This is the kind of issue in debate we have got to start to sort out, because the public out there expect us at least to have some degree of expertise about what we are actually trying to do, and to go and explain it against the background, as I said earlier, of vitriolic abuse against anybody who is prepared to raise their voice to put forward any argument that appears to be counter to the fantastical vision some have created out of our leaving the EU.

Another example is the situation with regard to the WTO. I may be wrong but I think joining, or rejoining, the WTO requires a negotiation with 163 countries, including an agreement with the EU.

Mr Steve Baker (Wycombe) (Con)

Will my right hon. and learned Friend give way?

Mr Grieve

I will not give way as I must finish.

So that WTO negotiation will also be a matter of great complexity.

The one thing I am satisfied we are not doing tonight is validating the triggering of article 50 without more debate. First, it is quite likely that we will have to do it by way of primary legislation, but even if we do not, the Government would be wise to come back to this House and get the endorsement, as they would be entitled to do, once they have engaged in the type of debate that will enhance this House's reputation and help us to do our jobs properly.

16:38:00

Heidi Alexander (Lewisham East) (Lab)

It is a genuine pleasure to follow the right hon. and learned Member for Beaconsfield (Mr Grieve), who has made a characteristically thoughtful and informed speech.

This is the first occasion on which I have made a speech on the subject of the EU since the referendum. I have stayed away from previous debates in this Chamber because I felt conflicted—conflicted by my personal views and political instincts, and conflicted by my constituency's large vote to remain and my country's narrow vote to leave. I was a fervent campaigner for remain, and I believe that the British public were failed in the referendum by an exaggerated and embarrassing debate. I deeply regret my own failure as the then shadow Health Secretary to expose the lie that Brexit would automatically mean more cash for the NHS. But we are where we are: 16 million people voted to remain, 17 million voted to leave, and 13 million people who could have voted chose not to do so.

I stand by my long-held view that leaving the EU will be economically harmful, socially divisive and fundamentally detrimental to our country's relationships with its closest neighbours. If I could see a positive way through this that would respect the referendum result and leave our country economically and socially stronger, I would grasp it, but at the moment I cannot. On that basis, I cannot see how I could vote to trigger article 50 without a credible plan setting out the Government's approach to the negotiations, their high-level aspirations and the process that will be in place thereafter. The strength of the plan is critical, and I will not sign up to an arbitrary timetable set by the Government to placate their own Back Benchers.

We need basic answers to basic questions. Is the Government's ultimate priority continued tariff-free access to the single market or an end to freedom of movement? They might wish to keep up the pretence that they can have both, but the mood music from Europe suggests otherwise. Tariff-free trade with the EU has to be the priority, and if that means we have to accept immigration from within the EU, so be it.

Mr Lilley

Will the hon. Lady give way?

Heidi Alexander

I will not give way. I have come here to set out my position, and that is what I will do. If retaining tariff-free trade with the EU means that we have to pay significant sums to access the single market, so be it. Would this be a better arrangement than we have at present? Good question. So yes, I support a second referendum on the terms of leaving the EU.

The reason that we are trying to conjure up a positive economic future for our country outside the EU is to deal with the issue of immigration. I accept that a good number of the people who voted in June to leave the EU did so because they wanted to control or reduce immigration. I understand that when decent jobs and decent homes are scarce and public services are under pressure, some people look around for someone to blame, but although it might be unpopular, I say that we are going to need immigration for some time to come. We are not having enough babies, and we have not been for decades. I am a 41-year-old woman without children. Babies grow up to be taxpayers who fund public services. Who will be contributing to my pension and my care in 30 years' time? The answer is immigrants and their children. I have no fixation with freedom of movement, and if other EU states were up for modifying it, I would be up for the conversation, but it makes no sense to take the economic hit of leaving the single market in order to curb immigration when we have a basic need for it.

I would also say that if anyone thinks we should extend the system we apply to immigrants from outside the EU to those from within it, we should be honest and admit that we would be expanding a broken system that causes sclerosis in the economy because of the turgid way in which immigration applications are processed and that exerts no control over people who overstay their visas. However, my fundamental concern about prioritising immigration over all else is that we run the risk of whipping up even more of the intolerance, division and—let us be honest—hatred that we saw in the referendum campaign.

16:43:00

Crispin Blunt (Reigate) (Con)

I come to this debate straight after returning from the United States, where I have spent three days meeting Congressmen, and I can say that the remarks made by my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith) are absolutely right. There is terrific support in Congress for a free trade deal between the United Kingdom and the United States, and that view is shared by the President-elect. There is a terrific world of opportunity out there as we view our emerging role in the world.

Last week at Chatham House, the Foreign Secretary gave the first in a series of speeches outlining our global role. I recommend it to hon. and right hon. Members because it should lift their eyes from the rather parochial preoccupation with the British plan. The point that I was trying to make in my intervention on the shadow Secretary of State, the hon. and learned Member for Holborn and St Pancras (Keir Starmer), was not that I somehow think that Europeans are the enemy. Of course I do not, and anyone who knows me knows that I do not believe that. I was making a graphic point about the plan. The whole quote goes on to say:

“When your plan meets the real world, the real world wins. Nothing goes as planned. Errors pile up. Mistaken suppositions come back to bite you. The most brilliant plan loses touch with reality.”

I do not see any particular difficulty in discerning the key elements of the British plan. I heard nothing from Opposition Members or anyone else to suggest that we should not be taking back sovereign control of immigration, which was a key issue in the vote. That does not have any implications for what immigration policy will mean, but the idea that this process of leaving the European Union will end without this House having sovereign control of immigration is for the birds. Everyone understands that, but that result has implications.

We have heard in recent days from Michel Barnier and from the German Chancellor, who have made it perfectly clear that we will not be allowed to cherry-pick our relationship with the European Union. This is where we come to the key element in the negotiations. Were we to cherry-pick, we would of course want full access to the single market on current terms and sovereign control over immigration, but we would not want to pay into the budget or to have the European Court of Justice overseeing our courts. There is room to manoeuvre in all this, such as around money and what items in the relationship we might think it appropriate for the ECJ to adjudicate on, but my hon. Friend the Member for North East Somerset (Mr Rees-Mogg) made the point that that relationship would be different from the one we have now.

The problem in the negotiation lies not on our side; the 27 states have an immensely difficult task. Their interests lie in the continuation of the closest possible relationship with the United Kingdom. Their interests are in our making sense of a continued British engagement in the EU's common foreign and security policy. Ireland's interests are absolutely engaged in this discussion. A difficult deal for the United Kingdom is a catastrophic deal for the Republic of Ireland.



Mr MacNeil

I met the Irish Foreign Minister this morning, and one of the concerns that I left with was the possibility of Northern Ireland being encircled by the sea and a hard border. That is a real possibility, particularly if we end up on WTO terms, because there is no plan from any side to say that that would be dealt with in the island of Ireland.

Crispin Blunt

The hon. Gentleman, who now chairs the International Trade Committee, will be out of work if we remain in the customs union on the same basis, so the fact that he has a Department to oversee sends a firm signal that we are going to be negotiating our own trade agreements.

Sammy Wilson (East Antrim) (DUP)

Does the hon. Gentleman accept that, because the interests of the Irish Republic are so tied up with a successful Brexit for the United Kingdom, we will have one ally in the negotiations? The same could apply to a whole range of nations across the EU.

Crispin Blunt

The hon. Gentleman is absolutely right. However, the principal nations of the EU, which are facing populist insurgencies in their politics, are anxious about the message that is sent. If the UK gets a really good deal, that will encourage other movements to seek the same arrangements for themselves. They have an explicit choice to make between their interests, which with the current balance of trade are to continue trading with the UK as we are, and the political message that might be sent.

Mr Grieve

I agree with my hon. Friend's analysis, but is it not also the case that the whole negotiating thing is about human relations, and the difficulty that we face at the moment is that the message we put out to our European partners is deeply offensive, which is going to make securing our deal with them much harder?

Crispin Blunt

My right hon. and learned Friend is, of course, absolutely right. We have to try to take the temperature down, which is why people should not exploit it when I may have said something inadvertently and I was actually saying something totally different. We are talking about our allies—most of them allies within NATO—and, in the words of the Foreign Secretary, we need to be a “flying buttress” to the future of the European Union from the outside. One reason I supported Brexit is my belief that the UK will have a much happier relationship with the nations of the EU by being outside and having engaged their support, rather than by having to fight battles as our interests diverge from those of the states that had the currency. We could see that that was going to happen over the decades. Our country has taken this decision in its medium and long-term interests, and it should be seen in that guise. It is on the other side of the table that the principal negotiating challenge sits, as the 27 nations have to reconcile all this. My right hon. and learned Friend may say that the interpretation of positions from here is difficult, but Mr Barnier and Chancellor Merkel made a mistake in rejecting the reciprocal arrangement to try to address the situation of EU citizens here and UK citizens there, and in saying that nothing must be agreed until everything is agreed. That has played into the British position, which is helpful, as we have very much to offer the EU and it needs—

Mr Speaker

Order.

16:51:00

Andy Burnham (Leigh) (Lab)

The sad context for today's debate is that far from coming back together as a country since the referendum, we are probably more divided than ever. The blame for that lies not with the public, but with the way in which Parliament and the Government have responded in the six months since. In the referendum, the public were issuing a sharp rebuke to the political class, which they feel does not listen to them and is not straight with them, but what has the Government's response been? They have been saying that they want to keep the citizens of this country in the dark about their plans for Brexit so as not to give anything away to the other side—or, as the hon. Member for Reigate (Crispin Blunt) said, “the enemy”. That is simply unacceptable. In these anti-politics times, it is hard to imagine a more politically inept approach.

Crispin Blunt

Let me just correct that. I did not say that they are the enemy and I made it crystal clear in the speech I have just given that that is not my position. If the right hon. Gentleman wants to wind the temperature up in this debate, he can go on like that, but I suggest that everyone should try to calm it.

Andy Burnham

The hon. Gentleman used the phrase “the enemy” and he needs to clarify what he meant by that. I do not think it helped to raise the tone of this debate.

The Government's politically inept approach of saying that they can keep the public in the dark has, first, bred suspicion among remain and leave voters alike, making them think a fix is going on. Secondly, it has cast the negotiation in an unnecessarily aggressive light and has fuelled even more bad feeling towards Britain among its EU partners, in turn meaning that it will now be more difficult to get a favourable deal once article 50 has been triggered. At the moment, we are not getting a hard Brexit or a soft Brexit, but a botched Brexit. For all of our sakes, the Government need to get their act together, which is why I congratulate my hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) on forcing their hand.

Mr MacNeil  
rose—

Andy Burnham

I will make some progress. Today needs to mark the beginning of a new phase in the Brexit debate. It is time to move beyond the re-running of the referendum arguments and accept what people voted for. The 700,000 people in Greater Manchester who voted to leave, many of them lifelong Labour voters, voted for change on immigration. I am clear about that, and it has to be our starting point in this debate. The status quo—full free movement—was defeated at the ballot box, so it is not an option. What is to be debated is the precise nature of the changes that replace it, so that we get the balance right between responding properly to the public's legitimate concerns and minimising the impact on our economy.

Callum McCaig

The right hon. Gentleman's party is suggesting that leaving the customs union was not on the ballot paper, so how come free movement of people was on the ballot paper? It simply was not. The ballot paper asked whether we should leave the EU or not.

Andy Burnham

I suggest to the hon. Gentleman that he speaks to the public and listens to what they had to say during the referendum campaign. If he is saying that they were not voting for change on free movement and immigration, I am afraid that he simply was not listening to them.

I have long argued for a change in the system of free movement to reflect people's concerns. As it stands, it is not working for the more deprived parts of our country, particularly those where traditional industry has been replaced by lower-skill, lower-wage employment. My preference was to work within the EU to fix those problems, but the country, understandably, lost patience with that approach.

Free movement does not affect all places in the same way; it affects cities differently from former industrial areas. It has also made life more difficult in places where it is already hardest. These are areas that got no real hope from the Government when traditional industry left and that saw house prices collapse and whole streets bought up by absent private landlords. They are places that, alongside taking new arrivals from the EU, continue to take in the vast majority of this country's asylum seekers and refugees. Largely they do so without any real strife or difficulty, so I do not want to hear anyone claim that people in places such as Leigh who voted to leave are in any way xenophobic or racist. They are welcoming, generous people, but they also want fairness, and they do not think that it is fair that the country's least well-off communities should expect pressure on wages, housing, public services, primary schools and GP services without any help to manage it.

Steve Rotheram (Liverpool, Walton) (Lab)

I agree with my right hon. Friend that it is certainly not xenophobic or racist to call out unscrupulous employers who are causing some of the problems in our working-class areas by allowing the undercutting of wages, which is causing resentment from people who work in traditional industries such as the construction sector. Is not that what we really need to understand? We hear it constantly on the doorstep.

Andy Burnham

That is precisely the issue that neither Europe nor, let us be honest, this Parliament was addressing. Free movement was being used to undermine skilled wages and we did not do enough about it. We have to be honest about that.

People in my constituency want to continue to welcome people here who contribute to our society, but they want an immigration system that affords greater control and reduces the numbers. I believe that that is what we must work towards. The left across Europe has got to break out of its paralysis on this issue. The fear of being labelled as "pandering" stops people entering the debate, but it also stops progressive ideas that meet the public's concerns and leaves the pitch clear for those with right-wing solutions.

I want to set out two principal reasons why there is a legitimate left-wing case for reform. First, in an era of increasing globalisation, free movement has arguably been providing greater benefit to large companies than it has to the most deprived communities. There is nothing socialist about a system of open borders that allows multinationals to treat people as commodities and to move them around Europe to drive down labour costs and create a race to the bottom.

Secondly, there is a strong case for saying that the immigration system that has developed over time in this country is inherently discriminatory—it does not treat all migrants equally. Instead, it accords a preferential status to migrants from our nearest neighbours in the context of a policy that

seeks to cap numbers. That, therefore, discriminates against those non-EU migrants who seek to come here and who have families here.

My call to this side of the House is to put forward a plan that treats all people equally and that applies progressive principles to migration. We need to make the argument for an immigration system that allows for greater control and that reduces the numbers coming here, but that does so in a fair way. This would be a system that treats all migrants equally, that does not allow people's wages to be undercut, as my hon. Friend said, and, crucially, that continues to welcome people from Europe and around the world to work here. Those are progressive principles that can form the basis of a new immigration policy for the left.

It is time for many of us on this side of the House to confront a hard truth: our reluctance in confronting this debate is undermining the cohesion of our communities and the safety of our streets. I am no longer prepared to be complicit in that. We need answers to the public's concerns, but answers that are based on hope, not hate.

16:59:00

Mr Bernard Jenkin (Harwich and North Essex) (Con)

I found the speech by the right hon. Member for Leigh (Andy Burnham) rather refreshing. I submit that democracy is an awesome thing. When the tide turns in the minds of the voters, it is refreshing to see their democratically elected representatives turning as well. I wish him well in advancing a humane case for a humane and sensible immigration policy.

We have to acknowledge that this is a fraught moment—for some, it is painful—in our history, as the hon. Member for Lewisham East (Heidi Alexander) demonstrated. We need to take on board the points made about healing divisions and adopting the right tone. The House should look at the continuum of our history: a whole millennium of this nation. Our successors will look back on this short period in which we were a member of the EU very differently. We have been in this organisation for only 43 years, which is a tiny span of our history. We debate it hotly now, but all the controversy will pass, and we will look back with much more equanimity than we feel today.

John Redwood (Wokingham) (Con)

Does my hon. Friend agree that as we bring the country together it is important that people do not look for possible or imaginary problems, because we want the strongest possible position to negotiate the best possible answer for the country, and we need to unite to do so?

Mr Jenkin

I wholly agree with my right hon. Friend.

The Latin monetary union was formed in 1865 in Europe and lasted for 62 years, but has been completely forgotten. It is never discussed. It came and went, and I think that we will come to see our EU membership, barely longer than a generation, in the same way.

There are two aspects to the motion. First, the Government will produce a plan—we all agree about that now. I do not think it came as a surprise that the Government conceded that point. Secondly, it seems that most Members will vote for the invocation of article 50 by 31 March 2017. We can demonstrate to the country that there is a great measure of consensus, but it prompts the question of why there is a court case, and why the courts have chosen to become involved, particularly once the motion is carried. We do not need a court to tell the House that it is sovereign. The House could stop Brexit whenever it wanted, as it could stop anything else that a Government do if it chose to do

so. It is unfortunate that a different kind of judiciary is developing, as I do not think that Parliament ever voted for that. We await the outcome of the Supreme Court ruling with respect and great interest to see if that is the kind of judiciary that we want.

Mr MacNeil

Does the hon. Gentleman share concerns about the headlong rush to trigger article 50? Given that there may be 12 months of negotiations, if there is no deal in place the UK might find itself trading under WTO conditions, which would not be beneficial, particularly in the agricultural sector but also in a whole host of other activities. Has he thought about the consequences? I think that industry is not suitably engaged and is not demanding from Government the conditions in which it wants the UK to trade after 2019.

Mr Jenkin

The hon. Gentleman will find that a great deal of industry is quietly preparing for the possibility that there will not be an agreement. It is much more adaptable than many of us in the House. It is much more able to deal with change than many of us in government. What we are seeking in the plan is less complexity and less uncertainty, because that is what preoccupies people. Some people are talking up the complexity—some people want more uncertainty—to try to make a point. However, we have an opportunity in the plan to have less complexity and less uncertainty. My right hon. Friend the Member for Hitchin and Harpenden (Mr Lilley) made it clear that the Prime Minister has cleared up a great deal of uncertainty, but that many in the opposition choose not to hear.

As for the aim of the article 50 agreement, it should be to put as little in the agreement as possible. If we want an agreement, let us not overload the process. Let us keep to the bare minimum. Let us try to shorten the timeframe. I was encouraged that Michel Barnier, the negotiator at the European Commission, wants to shorten the period of negotiations. Perhaps the European Commission is beginning to feel the pressure from business and people outside politics who want us to get on with this process, not drag it out and make it take 10 years or some of the more ridiculous suggestions.

We should be in a position to make a generous offer in our opening bid, which I expect to be included in the White Paper. It is worth reminding ourselves what the treaties invite the EU to do. Article 8 of the treaty on European Union states:

“The Union shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity”.

The EU should read its own treaties before it starts its negotiation. Article 3.5 says that in its relations with the wider world, the EU

“shall contribute to peace, security . . . mutual respect among peoples”

and

“free and fair trade”.

Our opening pitch should be very simple. We should make an offer—a zero/zero offer: we will give EU countries zero tariffs on their exports to our country, if they will give us zero tariffs on their imports from us. That is in everyone’s interest. It is in the interest of jobs on the continent and in the United Kingdom.

We should also offer an opportunity for mutual recognition of services agreements so that we can continue trading in services, as we do now. That, again, would be in everybody's interest. We want the European Union to have access to the global financial capital and we want to be able to trade in the European Union in the same way. Of course we will offer continued co-operation, as the Secretary of State said, in justice and home affairs, security and defence, and foreign policy. We want to be the good neighbours.

Finally, the repeal Bill can be simple, unless people choose to make it complicated to try and carry on scoring points. The European Communities Act is a few clauses long. We need a repeal Bill of only a few clauses, setting out the principles by which we leave. It is worth reminding ourselves that the Czech Republic and Slovakia were one country and within six months of deciding to split, they split, and they are better friends now than they ever were before. That is the kind of relationship that I look forward to having with our European partners. Let us move it along quickly. I hope that my right hon. Friend the Secretary of State will do a quicker deal and offer a quick Brexit in everyone's interests, to reduce the uncertainty and keep things simple.

17:06:00

Tom Brake (Carshalton and Wallington) (LD)

The hon. Member for Harwich and North Essex (Mr Jenkin) asked what kind of judiciary we want. Well, we want a judiciary that is independent and will not be brow-beaten by the likes of the Daily Mail.

We should thank Labour for initiating this debate today. When the Leader of the House, standing in at Prime Minister's questions, was asked about this, he took credit on behalf of the Government for the debate taking place today. The Government cannot share the credit for this debate, although they should, of course, have initiated such a debate in their own time.

Labour may take some satisfaction from securing from the Prime Minister a promise to publish a rather sketchy plan before article 50 is invoked, but in the words of the hon. Member for North East Somerset (Mr Rees-Mogg), this is thin gruel. How many hours before article 50 is invoked will the plan be published? Will there be any time to debate it, challenge the Government on it or vote on it? Will the plan be a White Paper or a Green Paper? Will it amount to anything more than "Brexit means Brexit", "no running commentary" and now "a red, white and blue Brexit", another meaningless phrase to add to the lexicon of Brexit platitudes that masquerade as policy?

Where is the guarantee that the people will be able to vote on the destination as well as the departure? The right hon. Member for Chingford and Woodford Green (Mr Duncan Smith) said in his speech earlier that destination and departure are the same thing. I do not know about him, but when I catch a train, I do not arrive at the same place at the end of my journey. Why do people need a vote on the destination as well as on the departure? Because whatever rough outline of a deal the Government manage to secure towards the end of the two years of negotiations after article 50 has been invoked, we can be certain that a majority will not be happy. The 48% clearly will not be happy; what of the 52%?

John Redwood

Has the right hon. Gentleman taken the trouble to listen to the statements, to come to the several debates that the Government have put on, and to read the Prime Minister's very full speech on the subject at the party conference and all the other statements which made very clear what our negotiating aim is—good access to the single market and the freedom of this country back again.

Tom Brake

No doubt that is the position that the right hon. Gentleman has adopted today, and he may have done so consistently over a number of months, but there are many others here in very senior positions who adopt a different position on a daily basis.

James Heappey (Wells) (Con)

Will the right hon. Gentleman give way?

Tom Brake

No. I will continue because I know that others who have been waiting a very long time also want to speak in the debate.

How many of the 52% will be happy if, for instance, the Government secure a deal that requires the UK to pay a substantial amount to the EU budget—not just the relatively small sums that might be required to stay in, for instance, Erasmus or Horizon 2020, but the larger amounts that might be required to secure privileged access to the single market? That is why the Government are going to need public support on this issue, and that is why the Liberal Democrats have tabled an amendment that would allow people to have a say on the final deal.

As I stated, there is no indication of what the plan will actually include, yet we as Members of Parliament are expected to bind ourselves to triggering article 50, no matter what, at an arbitrary date. The High Court has made it clear that Parliament must have a proper role in this process, and that does not mean signing away any right to scrutiny in exchange for the shallowest of promises from a Government that cannot hack any questioning of their motives, strategy or direction. We will not allow ourselves to be bullied into this, and all Opposition parties—and some Members, I hope, on the Government Benches—should resist that. The Liberal Democrats will vote against the Government amendment and the motion, if amended. We cannot support a parliamentary stitch-up that would deny the people a vote on the final deal and straitjacket Members of Parliament in an arbitrary timetable.

I call on the Labour party to remember that it is the official Opposition; it should not cave in to Conservative attempts to deny the public a final say on the most important question facing the country in a generation—it should not be muzzled. It is now clear that the Liberal Democrats are the real Opposition to the Conservative Brexit Government. We are striving to keep Britain open, tolerant and united.

17:11:00

Mr Steve Baker (Wycombe) (Con)

I am grateful to follow the right hon. Member for Carshalton and Wallington (Tom Brake). I rise to give the Government my complete support.

Kwasi Kwarteng (Spelthorne) (Con)

First time.

Mr Baker

No, it is not the first time—I am grateful to my hon. Friend.

I want to pick up on what the Secretary of State said—that there are none so deaf as those who will not hear. I will go on to talk about what else might be said, but, first, what has the Prime Minister said? In particular, she has said:

“Our laws made not in Brussels but in Westminster.

Our judges sitting not in Luxembourg but in courts across the land.

The authority of EU law in this country ended forever.”

Of the deal, she has said:

“I want it to include cooperation on law enforcement and counter-terrorism work.

I want it to involve free trade, in goods and services.

I want it to give British companies the maximum freedom to trade with and operate within the Single Market—and let European businesses do the same here.

But let’s state one thing loud and clear: we are not leaving the European Union only to give up control of immigration all over again. And we are not leaving only to return to the jurisdiction of the European Court of Justice. That’s not going to happen.”

So the Prime Minister has said a great deal, and it has been supplemented elsewhere.

One thing I particularly welcome is my right hon. Friend’s work to secure reciprocal rights for those EU citizens currently resident in the UK and for those British citizens currently resident in the EU. What we have learned through the press is that 20 member states seem to have agreed to her framework arrangements, but that the Chancellor of Germany and EU officials at the most senior levels are obstructing that—indifferently and intransigently—when they could actually put people’s minds at ease by agreeing with our Prime Minister.

Sir William Cash

Does my hon. Friend accept that what goes with the Prime Minister’s very clear statements is that jurisdiction returns here? After the negotiations and the repeal, we will bring in our own Bill to deal, for example, with immigration and with a whole range of other matters. It will be this jurisdiction that deals with those things, not the European jurisdiction.

Mr Baker

I fully accept that. In fact, together with the right hon. Member for Leigh (Andy Burnham), who spoke a few minutes ago, I very much hope that we are able to deliver a much more equal immigration policy, which treats people much more fairly, from wherever they may come.

On the point about reciprocal rights, I particularly pay tribute to my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson). Although he has not long been in the House, he has been absolutely indefatigable on this issue, and I look forward to seeing what else he has to say.

On the EEA and the customs union, I refer to the argument of my right hon. Friend the Member for Hitchin and Harpenden (Mr Lilley), who made the case brilliantly. We cannot stay in the customs union if we want tariff-free trade with other parts of the world. We cannot stay in the EEA if we want 80% of our economy to be subject to new free trade arrangements with the rest of the world, because one has to put one’s domestic regulation on the table. Therefore, the implication of what the Prime Minister has said—that we are going to be a beacon of free trade—is that we must leave both.



John Redwood

Does my hon. Friend agree that there is absolutely no need to pay these countries anything, because they need to trade with us and I am sure they are not going to pay us?

Mr Baker

I do agree. It would be quite wrong for us to pay a market access fee. As my hon. Friend the Member for Wellingborough (Mr Bone) said, they sell us more than we buy from them, so perhaps they should be paying us a fee. Of course, the facetious nature of his remark, if I may say so, indicates the fallacy at work. It is one thing for us to cover the costs of programmes in which we participate but quite another simply to pay for the privilege of selling.

I offer some other things that the Government might consider saying, and that would not harm our position, when they set out their framework agreement. We could state our intentions on third-country passporting for deemed equivalence and mutual recognition, particularly in relation to the financial services industry. I recommend the Legatum Institute Special Trade Commission's report on that subject. We could say that our withdrawal agreement will cover trade and non-trade aspects of our relationship, including, in particular, those covered in the magisterial 1,000-page document from Business for Britain. No one can say that there was not plenty of high-quality research available before the vote. We could say that we will have mutual recognition of products, standards, licences and qualifications. We could explain trade facilitation. We could talk about territorial waters and our intentions there. We could talk about our intentions for the aggregate measure of support in agriculture.

The Government could explain how the great repeal Bill will work, how transposition of EU law into UK law will work, what will happen when something needs to be amended or repealed, and what exceptions there will be. I believe we can do much better on competition law—in particular, in driving out anti-competitive market distortions—than the EU currently does. We could explain our process for trade deal ratification. We need to say more about how WTO rectification will work. There has already been a written ministerial statement, but more can be said.

We need to explain to our trading partners all around the world our willingness to liberalise, to be more free-trading and to ensure that we are able to lift out of poverty people in some of the poorest agricultural regions of the world who are currently excluded from trading in a proper manner.

Mr Duncan Smith

Speak for decency.

Mr Baker

I am grateful to my right hon. Friend. We need to help those people to build their way out of poverty through trade.

I would like to give the Government an example of a form of words that could be used to reassure industry. If I make mistakes on this, they are my own, but this is derived from some advice from a trade negotiation lawyer. We could say: "The terms of our withdrawal agreement will ensure no UK-owned or UK-based manufacturer will be disadvantaged by our exit. Both EU and UK manufacturers seek tariff and barrier-free access to each other's markets, and we will seek to deliver it with a broad, deep and permanent free trade agreement. We intend that manufacturers in the UK will either pay no tariffs or that they will have the opportunity to take advantage of a fully WTO-compliant tariff drawback system. UK manufacturing, after we leave the EU, will be more successful, more competitive, and lower-cost." If the Government made that statement, everyone

would begin to understand that our future will be far brighter once we have left the European Union, taken back control and made our own way.

I leave the House with this thought: the Legatum Institute Special Trade Commission proposes that, if we implement the very best in contemporary trade practice, we can add an extra 50% to gross world product in the next 15 years. That means unemployment at 2% in the UK, no deficit and billions of people lifted out of poverty.

17:19:00

Thangam Debbonaire (Bristol West) (Lab)

I rise to speak in support of my constituents, the people of Bristol West. Four out of five of them voted to remain, but they are all democrats. We have been dealt nothing but uncertainty by the Government, and that uncertainty cannot go on, because it is not good enough. It is already affecting businesses and individuals in Bristol West, and I will fight for them.

The big employers in my constituency—the university, the aerospace industry, the financial services sector and the healthcare system—all depend on the current free movement of labour and harmonisation of regulations across the EU. That may not sound sexy, but it is really important. The cost of imports and raw materials has gone up as the pound has sunk. The university and the tech and creative sectors have told me that they are being cut out of collaborative research and development proposals funded by Horizon 2020 and other streams. We do not know whether the Government will protect EU workers' rights and environmental protection and bring them into UK legislation.

I passionately support the current free—or, rather, reciprocal—movement of people around the European Union. That provision has helped our industries, and I want it to be part of where we end up. I welcome and value all the EU citizens working in Bristol, and I know well the benefits for the UK when people from the UK are able to live, work, study and retire in other EU countries. There is complete uncertainty for all those people. They are not bargaining chips; they are people.

Young people, as the right hon. Member for Broxtowe (Anna Soubry) has said, feel betrayed by this decision. They have told me that they feel as though we have thrown away their futures. I have also heard from industry that the harmonisation of regulations between the UK and the EU for our key industries must be part of what we end up with in order for them to trade freely; that is something other Members have spoken about. I want the UK to retain its right to apply for funds from Horizon 2020, to help us to remain in our position as a place that has among the best university provision in the world.

Many of us, from all parts of the House, feel we are economically better off being a full part of the single European market than being out of it. Anyone in the world can trade with the single European market. I want us, and businesses in my constituency want us, to do that as full members without tariffs and barriers. That is a choice that the Government could take.

John Redwood

Did the hon. Lady learn anything from the referendum majority view? Does she not understand that a lot of people think that we are inviting too many people in, which makes it difficult to have good public services and decent wages?

Thangam Debbonaire

I have heard the result of the referendum, but I also know that there are 33,000 people from EU countries working in our NHS at the moment and that they face complete uncertainty, as does the NHS.

Labour has forced the Government to climb down today. Without the leadership shown by my hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer), the Government would have continued to refuse to give this House any information about their overall aims for the UK's relationship with the EU. Now they have had to commit to providing that information before they trigger article 50, and I thank my hon. and learned Friend for that. The Supreme Court may yet rule that the Government also have to give Parliament the right to vote on the matter, and I hope that it does so. The Government could end that uncertainty today and cut the expense of this court case by deciding to commit to giving this House full scrutiny and a vote.

My inbox is rammed with emails from constituents asking me to resist article 50, and I believe that that is, in large part, because of the absence of a good plan for Brexit. My constituents are not unreasonable. They know that 52% of those who voted in June voted to leave, but they want the views of the 48% to be represented in this process. I will do that unstintingly, because to do otherwise would be to allow a tyranny of the majority, which I do not believe is worthy of this House. My constituents deserve to know what the plan is; whether it will help or hinder our jobs, our industries, our environment and our standing in the world; and, above all, what will happen to our reciprocal movement of people, about which people are left with great uncertainty.

When I went out of my front door this morning, I may not have been certain exactly which bus I would get, but I knew the route it needed to take me on. I knew which bus stop to start at. I did not just get on any old bus without looking at the number and checking that it was going where I intended to go. I cannot ask my constituents in Bristol West to get on an unnumbered bus, and I do not think that hon. Members representing people who voted with the majority to leave want their constituents to get on an unnumbered bus either.

Whether people voted leave or remain in June, they did not vote to lose their jobs; they did not vote to lose trans-border co-operation over terrorism; and they did not vote to dirty our beaches and rivers by removing our protection from pollution and our protection for the air. For the sake of everyone, whether leave voters or remainers, we need to see the plan—not the full negotiating strategy, but the plan.

Mike Gapes

I agree entirely with what my hon. Friend is saying, but is there not also a problem in that, in their amendment, the Government are proposing we start the process of leaving the European Union on or by 31 March? We know that there will be elections in Germany, the Netherlands and France and that real negotiations cannot start then, so the period will be limited.

Thangam Debbonaire

I understand the point my hon. Friend makes, but I believe my hon. and learned Friend the Member for Holborn and St Pancras has secured a good deal for us. It is not certain, and some of my constituents will want to know why I am voting the way I am voting tonight, but I will vote with the Labour shadow Secretary of State for Exiting the European Union because I support what he has done to get this Government to make their plan clear. If, to get that, I have to agree to vote for what seems like a very sulky Government amendment, then so be it. It is worth making such a compromise because my constituents in Bristol West deserve to know and want to know what the plan is. Local campaigning organisations in Bristol—they have campaigned strongly for and

supported Europe—have created and adopted a petition with some key demands and are circulating it, and I support them in doing so.

I ask the Government to get on with answering these questions for the sake of the people of Bristol West and of the whole of the UK. This Government are trying to avoid scrutiny, but Labour are holding them to account. I will continue to stand up for the industries, the jobs and, above all, the people of Bristol West. The Opposition will hold the Government to the agreement to bring their plan to this House for scrutiny and a vote, and if that plan is non-existent or inadequate, I will vote against article 50. I owe that to my constituents and to the country.

17:26:00

Mr Jacob Rees-Mogg (North East Somerset) (Con)

It is a great pleasure to follow the hon. Member for Bristol West (Thangam Debbonaire), who is a near constituency neighbour of mine, although I cannot say I am in agreement either with her or with most of her constituents.

This is a very interesting debate. As one listened to the hon. and learned Member for Holborn and St Pancras (Keir Starmer), one discovered that Labour Members really had nothing to debate at all. They have accepted the assurances of my right hon. Friend the Secretary of State that he would keep the House up to date. They have accepted that there would be no disclosure of material that was in any way damaging to the negotiations. Just to add a cherry to the top of the cake that we are all looking forward to eating in due course, they have accepted a date for the implementation of article 50. Her Majesty's loyal Opposition have reached the point of such loyalty that they are having an Opposition day debate to back the policy of Her Majesty's Government.

I think this is a very interesting way of spending our time, and perhaps having the Opposition supporting Government policy will be a new means of forming consensus across Parliament, but one does wonder why they decided to have a day's debate on this—purely to support the Government—rather than on the other things they could have debated. The answer one comes to is that, when the Government tabled their amendment last night, they cooked the Opposition's goose. This debate is not really about the form of words used—or even the split infinitive—in Her Majesty's Opposition's motion, but about seeking to reject the decision that was made by the British people on 23 June.

That is what underlies every bit of this process. One minute, it is about delay, with hon. Gentlemen and hon. Ladies on the Labour Benches—some even on the Government side—saying, “We are doing it too fast. We should slow down and be a bit more cautious, because it would be so dangerous to do what the British people asked us to do at the pace at which they expected us to do it. Surely that is not wise.” Such people have delayed Brexit through applications to the Court.

Labour Members have also come to Parliament. Oh, how wonderful—what joy that, suddenly, so many of them are in favour of parliamentary scrutiny. When I sat in the Chamber discussing issues sent for debate by the European Scrutiny Committee, were the Benches heaving? Time after time, Labour Members were represented only by their Front-Bench spokesman. In debates in Committee put forward by the European Scrutiny Committee, in which every Member has an entitlement to turn up and be heard, do debates run for the full two and a half hours that they are allotted, or do people try to get through them in about 10 minutes and then go back to signing their Christmas cards? Parliamentary scrutiny has become the watchword of people who held Parliament in contempt. Why do they bring it up? Because they are condescending to the British people: they think the British people got it wrong.

Thangam Debbonaire

Will the hon. Gentleman give way?

Mr Rees-Mogg

I am honoured to give way to the hon. Lady.

Thangam Debbonaire

The hon. Gentleman and I debated this very issue many times during the referendum campaign—and, I must say, very courteously—but does he not remember what he said so many times, which is that Parliament should be sovereign? If Parliament is sovereign, surely we have to scrutinise and vote on the deal.

Mr Rees-Mogg

Parliament is indeed sovereign, and Parliament, in its wisdom, passed a referendum Bill; and my right hon. Friend the Lord President of the Council said that it was advisory. Just think about that. Who was it supposed to advise? Did Parliament pass a Bill to advise itself? Surely not. If it had been to advise Parliament, Parliament would have made the Bill automatically effective, because we do not need to advise ourselves on the Bills that we should pass. It was clearly an exercise of parliamentary sovereignty to advise the Crown in the exercise of the prerogative. Parliamentary sovereignty has already been expressed and ought to be fulfilled.

Those who are appealing now to parliamentary scrutiny are in fact rejecting an Act passed through this House, and worse, they are rejecting our employers—our bosses, our liege lords—the British people, who decided this matter for us. They use a glorious language, of which Lewis Carroll would have been proud—a Humpty-Dumpty-esque approach to saying what they really mean. Even in this motion—when it was first brought forward, before the Government had managed to corral it into, in effect, a Government motion—they say how much they respect the decision. Respect! The word has been changed by the lexicographers. It used to mean that one held something in high esteem and high regard and believed it should be implemented; now it means “condescend to, think ridiculous, think unwise”. The word “respect” has been utterly devalued by those on the Opposition Benches, as they feel the British people got it wrong. Let us not use the word “respect” of the electorate any more; let us say, “Obey,” for we will obey the British electorate.

And yes indeed, we have a plan. There is a plan set out clearly, and that is that we will leave. Everything else flows from that—everything else is leather or prunella. Leaving means, as the Prime Minister said, that there is no more superiority of EU law; the European Court of Justice may advise and witter on but no more will it outrank this House, and any contribution we make to the European Union will be from our overseas aid budget, because it will be supporting poor countries.

Adam Afriyie (Windsor) (Con)

Will my hon. Friend give way?

Mr Rees-Mogg

Of course I will give way.

Adam Afriyie

Pray may my hon. Friend continue.

Mr Rees-Mogg

I am extremely grateful for the extra minute.

Leaving is everything. That is the point. The rest of it is subsidiary. It is the ordinary activity of government, which the Government do as long as they command a majority in this House. The ultimate parliamentary scrutiny, which all Governments have suffered from going back at least to the 19th century and probably before, is the ability to command a majority in this House. If a Government can do that, it is then quite right that they are able to exercise the royal prerogative in the details of negotiation. As my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) so rightly put it, if we were to tie down every jot and tittle of what the Government were negotiating, we would spend our whole time in the law courts. That makes government impossible.

It is not a man, a plan, a canal: Panama—a wonderful palindrome. It is a lady, a plan, freedom: Brexit.

Madam Deputy Speaker (Mrs Eleanor Laing)

Order. Such has been the excess of interventions and excited speeches this afternoon that I am afraid I have to reduce the time limit to four minutes.

17:33:00

Joanna Cherry (Edinburgh South West) (SNP)

It is a pleasure to follow the hon. Member for North East Somerset (Mr Rees-Mogg), particularly as I will say something about legislative consent motions, about which we have tussled previously. I draw his attention to something that may interest him regarding what he said towards the end of his speech. If he would care to look at page 154 of the transcript of the Supreme Court proceedings yesterday afternoon, he will see that the Supreme Court referred to the fact that at the time that the Bill to permit the referendum was going through this House, no less than the Government spokesperson, the then Minister for Europe, now Leader of the House, said:

“The legislation is about holding a vote; it makes no provision for what follows. The referendum is advisory”.—[Official Report, 16 June 2015; Vol. 597, c. 231.]

Now is the time for this House to make provision about what follows on from the vote.

What I really want to speak about, in the brief time I have, is the concern on the Scottish National party Benches that the motion makes no call for the devolved nations to have a formal role, or for their agreement to be sought before triggering article 50. The right hon. Member for Surrey Heath (Michael Gove) made much of his desire to protect the concerns of the 48% across the UK who voted to remain part of the EU. My concern, and the concern of my colleagues, is to protect the interests of the 62% of Scots who voted to remain part of the EU. I am sure some of my hon. Friends sitting on the Benches behind me will be concerned to protect the interests of the 56% of Northern Irish voters who voted to remain in the EU.

Triggering article 50 will lead to the legislative competence of the Scottish Parliament being curtailed and the rights of individuals and businesses being affected. That is why the Lord Advocate has been on his feet this afternoon, across the road in the Supreme Court, arguing that the consent of the Scottish Parliament should be sought. Like the right hon. and learned Member for Rushcliffe (Mr Clarke), I do not want to talk about the legalities; but I want to talk about the political implications of the line the Government have adopted in the Supreme Court.

The Exiting the European Union Committee was told, by a witness at our very first session, that failure to obtain the consent of the Scottish Parliament to the negotiations around article 50 would trigger a constitutional crisis.

John Redwood

Does the hon. and learned Lady not understand that when we get the powers back from the European Union more power can go to the Scottish Parliament?

Joanna Cherry

The right hon. Gentleman is getting rather ahead of himself, but we on the SNP Benches will make a careful note of that, because the person who officially speaks for Scotland—the one Tory MP in Scotland—seems rather unclear about what powers will be returned to Scotland. But we take on board what the right hon. Gentleman says and we make a careful note of it.

Stephen Gethins

My hon. and learned Friend makes a very good point. The Secretary of State said that no law would be changed for which this Parliament has a responsibility. Will the law be changed for which the Scottish Parliament has responsibility? That question has not been answered yet.

Joanna Cherry

Indeed that question has not been answered yet. The point of my speech this afternoon is to say that the effect of triggering article 50 is to trigger an inevitable process for leaving the EU, which means that the legislative competence of the Scottish Parliament will be affected—and that triggers the Sewel convention. My concern is that yesterday, when the Advocate General spoke on behalf of the British Government, he basically told the Supreme Court that the Sewel convention has no legal effect whatever—that it is a political convention that can be overridden at the whim of this Parliament.

The Supreme Court will determine the legality of the situation, but the politics of that statement is not what we were told by the Secretary of State for Scotland, and by others in the Conservative party, when the Scotland Bill was going through the House. As Lord Sumption, a Justice of the Supreme Court, asked the Advocate General yesterday afternoon, what was the point of putting the Sewel convention on a legal footing in statute if it has no legal force? The political consequence of the whole thrust of the arguments made on behalf of the UK Government in the Supreme Court is to show utter disrespect to the Sewel convention and utter disrespect to the wishes of voters in Scotland, and indeed in Northern Ireland.

That does not sit well with the respect agenda promised by the previous Prime Minister; with us in Scotland being told during the independence referendum that we were an equal partner in this Union; and with us also being told during that referendum campaign, by Ruth Davidson and others, that the only way to guarantee Scotland's membership of the EU was to vote to remain part of the UK. Those promises were all made on behalf of the Conservative party. The Conservative party's legal position in the Supreme Court is to kick sand in the eyes of voters in Scotland and to dishonour those promises. My point is that that has serious political consequences for this Union.

I know that the Secretary of State is a very reasonable man, and that he is conscious that not to give Scotland a role in this process, regardless of what the Supreme Court says, would be deeply damaging from a political and constitutional point of view. So my request to him this afternoon is this. Please, Secretary of State, persuade the Prime Minister and her Cabinet colleagues to involve the Scottish Government and the Scottish Parliament formally in this process. Listen to what my colleagues in Edinburgh have to say, because they are the legitimate voice of the Scottish people—

they won a third term recently. Involve us in the process. Honour the words of the Secretary of State for Scotland, treat the Sewel convention seriously, and regardless of what the Supreme Court says, from a political point of view seek our consent to this process.

17:40:00

Mr Dominic Raab (Esher and Walton) (Con)

I welcome the opportunity to debate this important—indeed, defining—issue for our country. This is the 14th time Ministers, including the Prime Minister, have come to the House to debate or answer questions on Brexit, and there have also been four Westminster Hall debates. The Exiting the European Union Committee is up and running; indeed we took evidence this morning from the CBI and the TUC. That is the vital role for Parliament in this Brexit process. Let no one say that Parliament is not already discharging its responsibilities, and let no one confuse that essential scrutiny role with the designs of—let us face it—a small and dwindling minority who genuinely seek to delay or derail Brexit.

I view Brexit as a three-stage process. First came the incredibly important but short-term job of stabilising the economy in the immediate aftermath of the vote. If we take a moment to look at that, we will see that the Government have done a very good job. I also pay tribute to the previous Government for the resilience of the economy now. We are the fastest-growing G7 economy this year, with record employment levels, inflation dipping below 1% and strong purchasing managers' index data. We have also had a vote of confidence from business after business, including, in car manufacturing, from Nissan; in tech, from Facebook, Apple and Google; and, in pharmaceuticals, from GSK and AstraZeneca. All have announced fresh investment in this country since 23 June.

The second stage is to prepare for the Brexit negotiations. No one can underestimate the huge amount of work going on behind the scenes, for which I pay tribute to Ministers and their wider teams. The contours of our negotiation are plain for anyone to see, except those deliberately closing their eyes. We must give effect to the will of the British people. At the time of the referendum, every party leader seemed, at least in theory, to accept that premise, but now Labour and particularly the Liberal Democrats are cynically changing their position. I am still not clear exactly where the Labour Front-Bench team stand.

The vote to leave the EU was a vote to take back national democratic control of our laws, our money and our borders, as we were reminded almost daily during the referendum campaign, but I do not want to dwell on that. The Prime Minister told the House on 24 October that she would set out the high-level principles before and after the Christmas recess—well before triggering article 50—and that is wise, but it would clearly be utterly foolish to show our negotiating hand to our European partners in any more detail before then.

Sammy Wilson

Does the hon. Gentleman accept that the Prime Minister could at last make it clear that our membership of the customs union and the internal market are incompatible with the other objectives the Government have set out? At least then we could have clarity on those two issues.

Mr Raab

The hon. Gentleman makes a powerful point. It is my view that, given the positions already announced, we will almost inevitably be coming out of the customs union and the single market. Incidentally, that is also the evidence given to the Brexit Committee by everyone we have heard from so far. I understand why the Government do not want to drip feed their negotiating strategy



into the public domain but want to let us know when they are ready with the whole strategy, and we now have a clear timetable for that.

I want to get beyond the procedures, the tricky games trying to trip up the Government, the name calling on both sides and the divisiveness of the referendum campaign. Instead, I want to spell out the positive, ambitious, optimistic vision that we on all sides ought to share for our post-Brexit relationship with our European friends. On trade, we want as few barriers as possible, in our rational, mutual economic self-interest. On security co-operation, there is a host of things that we can do together without being subject to the European Court's jurisdiction. On policing, there is Europol, as well as the PNR—passenger name record—system and other forms of data sharing. All those things are already done with non-EU members.

We can continue with and strengthen our commitment to our European friends, particularly in the aftermath of the Brussels and Paris terrorist attacks. On defence co-operation, I praise the Prime Minister's incredibly important commitment to our Polish allies during the Polish Prime Minister's visit here last month. Poland and Europe should know that we stand shoulder to shoulder with our European allies in the face of the menace posed by President Putin, regardless of the position of the President-elect across the pond.

On immigration, between the positions of open-door immigration and pulling up the drawbridge, it seems to me that there is huge scope for central arrangements on visa waivers for tourism and business trips, and for skills migration to be subject to permits. Such systems would still allow us to maintain national democratic control in the way that the British people expect. I hope we can move beyond procedures and the divisiveness of the referendum campaign, and work together across the House. That is what the British public, by three to one, expect us to do—no more political games, but getting on with delivering Brexit. I commend and support the motion and the amendment.

17:45:00

Mark Durkan (Foyle) (SDLP)

Those who have spoken most strongly in favour of the Prime Minister's amendment have generally taken some time to ridicule and carp at the Opposition's motion. They have questioned the wording, asking what "plan" means, for example, and they have even criticised the language for its split infinitives and the like. They are denigrating the very motion that they now claim to want to pass, as amended by the Government amendment.

Sometimes consensus can be a great and powerful thing; at other times it can be a risky thing. Many Members have often counselled against consensus. When the consensus is entirely artificial, however, and is made up of a purely ephemeral coincidence of tactics without any substantive or strategic work, we should not fall for it. I am here to represent my constituents, who voted by more than 78% to remain, and I know that they would not fall for this amended motion.

John Redwood

Is it not a good idea to try to get a consensus to back the British people in their decision?

Mark Durkan

I am not one of the British people; I am here as an Irish person, proudly carrying an Irish passport. However, I fully respect the terms on which other hon. Members come to this House. I come to the debate in circumstances in which the people of Northern Ireland voted by 56% to remain, while the people of my constituency voted by 78% to remain, as I said. The people of Northern Ireland, moreover, previously voted for the Good Friday agreement in a unique dual referendum process

involving the north and south of Ireland—that was the high watermark of Irish constitutional democracy. I am pledged to adhere to that and I make no apology to anybody for it. I do not seek to indict the terms on which anyone else comes to this House to speak in this or any other debate.

The principle of consent is meant to be the core of the Good Friday agreement. It is not only housed in that agreement, but it was the principle of consent that was used to endorse the agreement. A week after the 23 June referendum, the then Secretary of State for Northern Ireland, the right hon. Member for Chipping Barnet (Mrs Villiers), tabled a written statement on the security situation in Northern Ireland. The words she used about republican dissidents on 30 June were interesting.

Kwasi Kwarteng  
On a point of order, Madam Deputy Speaker.

Mark Durkan  
She said—

Madam Deputy Speaker (Mrs Eleanor Laing)  
Order. A point of order has been raised by Mr Kwarteng.

Kwasi Kwarteng  
I have just realised, Madam Deputy Speaker, that my intended point of order has been attended to by the Clerks. It involved the clock.

Madam Deputy Speaker  
Thank you. The clock was stuck, and it is now working again.

Mark Durkan  
The then Secretary of State said:

“Their activities are against the democratically expressed wishes of the people in Northern Ireland. They continue to seek relevance and inflict harm on a society that overwhelmingly rejects them”—

she could have been talking about the Northern Ireland Conservatives. She continued:

“Their support is very limited. Northern Ireland’s future will only be determined by democracy and consent.”—[Official Report, 30 June 2016; Vol. 612, c. 13WS.]

Where is the democracy and consent for the people of Northern Ireland when it comes to Brexit? Many of us are free to come here and vote against article 50 as and when the relevant provisions are tabled. When we do so, that will be consistent with our principled support for the Good Friday agreement and consistent with our pledges to our constituents honourably to represent them.

Michael Gove  
As a result of the Good Friday agreement and the consent principle, the people of Northern Ireland voted to remain in the United Kingdom, and to give foreign policy and treaty-making powers to the UK Government. There is no inconsistency between a UK Government choosing to trigger article 50 and the hon. Gentleman’s constituents having objections to that. There is no breach of a consensus.

Mark Durkan

I am afraid the right hon. Gentleman does not know the difference—people in Northern Ireland are very clear about this—between the principle of consent and actually giving consent. He has made a mistake that is consistently made, and it is a mistake that will strain some people’s belief in the Good Friday agreement.

People such as the right hon. Gentleman do not recognise the damage that they are doing. Carefully compacted layers of understanding created the bedrock of the Good Friday agreement, and fissures are being driven into those key foundations. Remember that, as a result of that agreement, the principle of consent is housed in the Irish constitution as well, because the referendum—north and south—changed the constitution. It removed the territorial claim, and two additional clauses were inserted.

If the key constitutional precept of the Good Friday agreement is not housed in any new UK-EU treaty that might result from these negotiations, we shall be in a very serious situation. The promise and the understanding that the people of Ireland, north and south, were given when they endorsed the Good Friday agreement in overwhelming numbers will have been betrayed and damaged. I do not accept, and no Irish nationalist, north or south, who supported the Good Friday agreement has ever said, that the principle of consent that is housed in the Irish constitution can be removed, replaced or surpassed by a vote in England on Brexit or on anything else.

The Good Friday agreement states very clearly that the question of Irish unity will be a matter for the people of Ireland, north and south, without external impediment. That key principle must be reflected in any new UK-EU treaty, making clear that if in the future Northern Ireland votes to become part of a united Ireland, it will do so as an automatic part of the EU, without any change in Ireland’s terms of membership and without the need for any new negotiations on the part of Northern Ireland. We cannot afford, in the Northern Ireland context, the sort of trickery that was used in the Scottish context to raise question marks over whether EU membership would apply. This is a key principle and tenet for those of us in the House who support the Good Friday agreement.

There are other risks to the agreement as well. There are risks to the weight of the rights in strand 1. There is also significant damage afoot in relation to strand 2, which involved a delicate balance of institutional and constitutional arrangements. That strand will be left in complete deficit after Brexit unless someone takes care of it.

17:52:00

Robert Neill (Bromley and Chislehurst) (Con)

It is a pleasure, as always, to follow the hon. Member for Foyle (Mark Durkan). As a Unionist, I share his concern about the need to ensure that whatever arrangements we make will protect and safeguard the Good Friday agreement, the position of Northern Ireland, and our relationships with the Republic. As Chairman of the Justice Committee, I also think it is important for us to take account of the position of the Crown dependencies, including the Isle of Man, which has a particular economic relationship with both Northern Ireland and the Republic.

It is no secret that I campaigned and voted to stay in the European Union, and I still believe that that would have been the better outcome. I regret the decision that the majority of the British people took. However, as a democrat, one must live with decisions that one may think were ill-advised. The majority decided otherwise, and we must respect their decision. For that reason, I have no problem with voting for the Government amendment, but neither would I have a problem with the Labour party’s original motion. Let me explain why.

It is perfectly reasonable and sensible to have a plan. Having made a decision, we now need to remove ourselves from the European Union in an orderly fashion, and that requires a high-level set of objectives. It certainly does not mean giving away every bit of the detail of our negotiating tactics on the day. I have complete faith in the ability of the Secretary of State and his team—especially given the Secretary of State’s business background—to handle those matters pragmatically, and pragmatism is, I think, the most important consideration. At the end of the day, the British people voted to leave the European Union, but they did not vote to do so on terms that would make them materially worse off. It is therefore critical that, whatever we achieve, we achieve it in a way that safeguards the economic interests of this country and its people, which I believe will be possible if we are cool-headed and sensible. That must always be the top priority.

It is also appropriate for us to get on with the job of triggering article 50, for the same reason. Both the plan and the move to invoke article 50 are necessary to deal with uncertainty. It is quite right that some of the worst economic predictions made in the referendum campaign have not come about, which is good news, but that is, of course, in part—not wholly—because of investment decisions taken before the referendum. Let us hope things continue that way but, as my old grandmother said, “Don’t always count your chickens until they’re hatched.”

What is crucial, however, is that we continue to have a stable climate for investment. In some areas that has been achieved, but in other sectors, particularly financial services and the property sector, there are clear instances of investment decisions being put on hold. The sooner we have clarity about the timeframe we are working to—hence we have the Government amendment—and a plan that we are working to, the better, as it will then be much easier to reassure business about those key points. I think that that is a perfectly sensible means of reconciling the original motion and the amendment.

The key things with which the plan needs to deal are financial services, legal certainty and, above all, our ability, if necessary, to have a sensible period of transition. The Prime Minister has hinted that we should not face a cliff edge. Our financial and legal services sectors are critical to this country’s economic wellbeing, and because of the complexity of the regulations we have to deal with and re-transpose into our own law, a transitional period might well be needed. Ministers should not be afraid of that; if it is a necessary part of our achieving a practical outcome for this country, we should be happy to have it. We should also have confidence in proper scrutiny by this House of what is in the interests of our nation as a whole. As democrats, we can be optimistic about the future, but only if we are pragmatic and do not allow sloganising to get in the way of common sense in our negotiations.

17:56:00

Geraint Davies (Swansea West) (Lab/Co-op)

It is a pleasure to follow the hon. Member for Bromley and Chislehurst (Robert Neill).

I respect the vote in principle of the people to leave the EU, but they made that vote on three grounds: more money, market access and lower migration. What we are seeing, however, is that instead of getting £350 million to the NHS, it is going to cost us £300 million a week; instead of higher living standards, we have 5% inflation because of depreciation eating away at people’s incomes; and borrowing is going up, so everyone will be in debt with another £1,000 to pay back.

Kwasi Kwarteng

Is the hon. Gentleman essentially saying the people got it wrong on 23 June?

Geraint Davies

I am saying that people were misled, so basically now we are going to have another year of austerity.

On market access, everyone is talking about a hard Brexit. It is all very well Nissan, Tata and others being paid billions of pounds under the table to bribe them, to compensate for the tariffs they will inevitably face, but we will have to pay for that in the end, and we do not have proper market access.

Michael Gove

The hon. Gentleman has made the astonishing assertion that there have been under-the-table bribes to Tata, Nissan and others to continue to locate in the UK. What is his evidence for that assertion?

Geraint Davies

Clearly they have come to the Government and said, “The only reason we’re in this country is to platform into the EU market, and if we face tariffs we want the money back or we’re going to move,” and the Government have given them the money. I know the right hon. Gentleman knows nothing about economics and just criticises the Bank of England, but that is the simple business case.

As for the ridiculous arguments the right hon. Gentleman and his colleagues put about on trade, what he wants to do is turn his back on 46% of our trade and somehow dream we can make up those relationships, which were always weaker than the EU negotiating new bilaterals. That is fantasy land.

Mr Jim Cunningham

Will my hon. Friend give way?

Geraint Davies

I will not.

I do not think that people voted for Brexit—

Michael Gove

Will the hon. Gentleman give way?

Geraint Davies

No, I will not.

I do not think people voted for Brexit at any cost. In fact 75% of those who voted to leave have said they will not leave with a blank cheque and at any cost. The situation is that even though the majority voted in principle to leave, the mass of people—the silent majority—are now thinking twice. They do not want this decision made behind closed doors; they want to be able to have the final say. The silent majority want the final say on the final deal because they will live with the consequences.

A lot of rubbish has been talked about article 50 on both sides of this Chamber, but the reality is that as soon as we trigger it, that is literally giving back our membership of the EU. We then have no negotiating power, and the other 27 countries will decide in their own interests what deal we have. The Members on both sides of the House who want a referendum after we trigger article 50

must realise that if we have a referendum or a vote here and say we do not like the deal, the EU 27 nations will say, “Tough; that’s the one that suits us. It stops others leaving. Live with it and shut up.” That is a constitutional fact, and it is the primary reason why I cannot support the amendment that calls on the Government to invoke article 50 by 31 March. After that date, we will have no negotiating power. What is more, there is an election in France in May, and an election in Germany in October, so that time would be wasted even if negotiations were going on because the two biggest power players would not be able to engage with us as they will be focusing on their domestic audiences. Article 50 should therefore certainly not be triggered until November next year at the earliest.

Sammy Wilson

Is the logic of the hon. Gentleman’s argument that we might as well never trigger article 50 because we will have given away all our negotiating powers, regardless of when it is triggered?

Geraint Davies

I introduced a Bill on the terms of our withdrawal from the EU. It stated that after the emergence of the situation in which we now find ourselves had become apparent, the British people should have the final say on the deal before article 50 was triggered. The EU would then have an incentive to negotiate with us, because it would know that our default position was to stay in the EU. At the moment, it has no such incentive.

The reason the Government are keeping their cards close to their chest is that there is nothing on those cards, because none of the 27 EU countries will speak to the Government. They are just saying, “You’re leaving—get out! Trigger article 50, get on with it, and we’ll tell you what you’re getting.” People are buying that up and thinking that it is in the British interest, which it clearly is not. I appreciate that the Government’s game is to rush forward with article 50 before March, to take two weeks to repeal the Fixed-term Parliaments Act 2011, to rush towards a May election and then to have the appalling Budget that they will have delayed from March in the autumn. They would then say, “Oh, what could we do? We didn’t realise there was going to be a downturn.” Then all the money going to Nissan and Tata and the others under the table would be revealed. But the British people will not buy that—

Simon Hoare (North Dorset) (Con)

On a point of order, Madam Deputy Speaker. The hon. Member for Swansea West (Geraint Davies) has now twice implied that the Government are making, or that private companies operating in this country are taking, under-the-table cash payments in contravention of all the corporate regulations and anti-corruption legislation. Could you invite him to reconsider and perhaps recast his argument?

Madam Deputy Speaker (Mrs Eleanor Laing)

As the hon. Member for North Dorset (Simon Hoare) knows, the content of an hon. Member’s speech is not a matter for me. However, it would be a matter for me if the hon. Member for Swansea West said something in the course of his speech that implied wrongdoing on the part of any other Member or member of the Government. I am sure that he will confirm, as I call him to recommence his speech, that he did not mean to say anything of the kind.

Geraint Davies

There was certainly no wrongdoing. What I was suggesting is that huge amounts of public money are being pushed towards foreign companies to get them to stay here, and that the Government have pointedly refused to tell the Office for Budget Responsibility, when asked, how much money was involved so that the OBR could factor it into its forecasts. The Government have refused to give those figures. These are enormous amounts of money; we are talking about hundreds of millions of

pounds, which would affect our economic forecasts. The Government refuse to give the figures now, but they will come out after everything has been decided and article 50 has been triggered in March, when there is no room for reversal. The British public deserve and want either a good deal or no deal, and the right to decide that question. This should not be decided behind closed doors. We need to delay article 50 until November to allow the people to decide their own future.

18:03:00

Lucy Frazer (South East Cambridgeshire) (Con)

In a debate with much intense feeling, I would like to highlight the fact that there are some areas of common ground. First, there is acceptance across the House that there needs to be, and will be, parliamentary scrutiny. Secondly, and importantly, it has been accepted on both sides of the House that parliamentary scrutiny should not trump achieving the best deal for our country. In this debate and in the many that will follow, we must never forget that second point. Our overriding concern must be to get the right long-term arrangement for our country's future.

I will outline the steps to which the Government have already agreed. This House has already resolved that there will be parliamentary scrutiny. In a motion agreed to by both sides of the House on 12 October, this House resolved that there would be

“a full and transparent debate on the Government's plan”

and that the House should properly

“scrutinise that plan for leaving the EU before Article 50 is invoked”.

The Secretary of State confirmed in that debate a commitment that

“Parliament be kept at least as informed as, and better informed than, the European Parliament”—  
[Official Report, 12 October 2016; Vol. 615, c. 332.]

in circumstances where there is a mandatory obligation to inform the European Parliament. Through her amendment, the Prime Minister has now agreed to publish a plan, and the Secretary of State said today that it is inconceivable that there will not be a vote on the final deal. It therefore follows that there is already an agreed level of parliamentary scrutiny, but we must strike the right balance between parliamentary scrutiny and ensuring that we maintain the best negotiating stance.

Alex Chalk (Cheltenham) (Con)

I was a remainer, too, and I welcome the fact that a statement of the broad parameters of the British negotiating position will be made clear, but does my hon. and learned Friend agree that we should never allow any demands for excessive granularity to undermine the UK's negotiating position or the national interest?

Lucy Frazer

I absolutely agree. It is vital that we get the best deal—not that we have the power to determine the deal at every stage.

The Opposition have accepted at many stages that we must not tie the Government's hands. In the October motion, it was accepted across the House that the process must

“not undermine the negotiating position of the Government as negotiations are entered into”.

The shadow Secretary of State stated in the course of that debate that

“navigating our exit from the EU will not be an easy process, and it will require shrewd negotiating”

and that we

“must put the national interest first”.—[Official Report, 12 October 2016; Vol. 615, c. 323.]

He accepted that there had to be a degree of confidentiality and flexibility. He repeated those very words today. Those statements, which the Opposition have repeatedly made, must be honoured and remembered, because we made some strategic errors when we first negotiated in Europe.

To the Spaak Committee meetings of 1955 that eventuated in the treaty of Rome, we sent a sole British delegate, a minor trade official called Russell Bretherton. He was eventually summoned home on the grounds that Britain should have no part in what a more senior civil servant described as this

“mysticism which appeals to European... federalists”.

Interviewed in later life about the experience, Bretherton said:

“If we had been able to say that we agreed in principle, we could have got whatever kind of common market we wanted. I have no doubt of that at all.”

Now, we have an opportunity to renegotiate our role in Europe and the rest of the world. I do not want to say to my children that we did not get the best deal because of our fear, our scepticism, our adversarial parliamentary system, political point scoring and, possibly, ulterior political motives. I do not want to say that we restricted ourselves in negotiating the right arrangement for our long-term future.

18:08:00

Caroline Lucas (Brighton, Pavilion) (Green)

I welcome the motion tabled by the official Opposition and I had been planning to vote to support it. However, their adoption of the Government amendment changes things in two key ways. I regret that the Labour leadership appears to be walking into the Tories’ trap: they are insisting that, in return for accepting Labour’s motion, it votes to invoke article 50 by March. Introducing such a tight timetable, based on an arbitrary deadline, undermines the principle that this is about getting the best possible deal for Britain. That is particularly pertinent given that serious negotiations will inevitably not start until autumn next year—after French and German elections. We will therefore effectively lose about six months if we stick to the timetable set out in the amendment.

To say the Labour strategy of pushing the Government to produce a plan worthy of the name by the end of January—in effect only four to six weeks away—is ambitious would be to take understatement to new levels. Any plan needs to be more than a summary of the banalities that the Government have been repeating until now about the so-called “best possible deal.” We should have been demanding a full-blown White Paper. That is why I cannot support the Government-amended motion, which threatens to throw Britain off the Brexit cliff edge, with a vague plan at



best and within a timeframe that simply is not compatible with developing any sort of coherent strategy.

Kirsty Blackman (Aberdeen North) (SNP)

Does the hon. Lady agree that some things we are voting on tonight totally disregard respect for the devolved Administrations?

Caroline Lucas

I absolutely agree with the hon. Lady's point about the devolved Administrations. Her party has put it clearly on the record and I am grateful for that.

I want to tackle head on the accusation that voting against this amended motion, or even being prepared to vote against triggering article 50, equates to disregarding the will of the British people. This is not about challenging the result of the referendum, which of course I accept, but it is about saying that we need to know what kind of Brexit the Government are planning to negotiate. As many others have said, it is not about the issue of departure, but about destination. We are no clearer about that now than we were three or four hours earlier. That is why I believe it would be irresponsible to vote to throw the country into the potential nightmare of leaving the EU within two years without knowing what might be in the plan and what kind of plan it is. To do so without any solid proposals for an interim deal after two years of negotiation would be particularly reckless.

Turning to the content of the negotiating position, I wish specifically to argue for an outcome that maintains strong social and environmental regulation, and free movement and membership of the single market, because I believe that that is what is best for Britain and for my constituency in Brighton, where so many businesses and the two universities have been talking to me about the uncertainty they believe is being engendered by the current proposals. On the environment, the referendum was not a mandate to weaken our standards on air, water or wildlife. A poll in August found that 83% of the public think that laws protecting wildlife should remain as strong as they are now or be made tougher following our departure from the EU. The environment must not, in any way, be the price we pay for any deal struck with the EU over membership of the single market. In the Environmental Audit Committee last month, the Secretary of State for Environment, Food and Rural Affairs suggested that about a third of EU environment legislation will not be carried over. That is wholly unacceptable and indicates that the Government are not prepared to fight for the UK to remain part of EU-wide action on tackling climate change, on reducing the use of dangerous chemicals or on animal welfare standards. Any plan must set out how the Prime Minister intends to reflect the cross-border nature of the environmental challenges.

Geraint Davies

Is the hon. Lady as concerned as I am that 40,000 people a year are dying of diesel pollution in Britain and we may get rid of the EU monitoring standards?

Mr Speaker

Order. May I just point out to the hon. Gentleman that he has just spoken and he is going to prevent other people from speaking, which is discourteous?

Caroline Lucas

Thank you, Mr Speaker. In broad terms, I agree with the point the hon. Gentleman is making about air pollution, because the EU is providing the best bulwark against the reduction of air pollution standards in this country.

Let me move on to talk about freedom of movement, as, sadly, few MPs seem prepared to defend it any longer. It is especially sad and worrying that the leadership of the official Opposition are in danger of ceding the terms of this debate to the right. I readily accept that it is easy to blame free movement when the benefits have been enjoyed so unevenly. There are people in my city of Brighton and Hove who have not visited Brighton seafront because they cannot afford to get there. For them, the idea of being able to live, work or study in another country is about as likely as travelling to the moon, but that reality does not justify denying them the right to free movement in the future. On the contrary, it should mean fighting tooth and nail for a Europe of equals, in which the hard-won rights enshrined in EU law do not just exist in the statute books as perks for the privileged, but are genuinely available to all EU citizens. We should have, and we deserve to have, successful policies to redistribute wealth fairly and to create real opportunities for all.

There is an enormous task ahead of us to reunite our country, and it will be made all the more difficult by further economic hardship of the kind that we will have with a hard Brexit which does not have us as part of the single market and does not have free movement. So we absolutely need to know what the plan is going to look like. The justifiable anger and mistrust felt by those who voted leave will only deepen if the many promises made turn out not even to be worth the red bus they were written on. We need to be honest about how people are feeling and why they feel the way they do. We do not need blindly to follow the damaging, blame-laden rhetoric that is being used to distract from the failure of neo-liberal economics to provide the basic needs of all members of our society. Immigration has been systematically and cynically scapegoated for everything, when in fact what is at the heart of this is decades of not investing in our public services. That is what—

Mr Speaker

Order. Matt Warman is the next speaker. We have eight would-be contributors and I would like to accommodate them all, so the time limit will have to be reduced, with immediate effect, to three minutes. Colleagues are absolutely welcome to intervene on each other, but if they do, somebody will not get in.

18:14:00

Matt Warman (Boston and Skegness) (Con)

Over the past few days, Mr Speaker, I have not seen as much of you as I might have liked, partly because I have had the privilege of being up in my own constituency and partly because I have been in the neighbouring seat of Sleaford and North Hykeham. Until that seat is represented again in this place—I very much hope that the excellent Conservative candidate, Caroline Johnson, will have that privilege—I hope that you will permit me to report what is being said on the doorsteps of Lincolnshire. Whether it is in Boston, where 77% voted to leave the EU, or in Branston, which is in Sleaford and North Hykeham, where 62% did so, there is a single line that honest, decent voters use again and again: they doubt that the Government will deliver on their word and trigger article 50 by the end of March. They say firmly that the Prime Minister is the right person to do it, but the Lincolnshire public doubt that politicians in the House are on their side.

I hope that, through this debate, the message goes back loud and clear, both to Boston and Skegness and to Sleaford and North Hykeham, that Parliament will not seek to set the Government up to deliver anything other than the best possible deal for the UK by asking them to put all their cards on the table, and that we will trigger article 50 by the end of March. We on the Conservative Benches know that that is the right thing to do, and Members on other Benches or those in the Supreme Court seeking to make a different case should accept that to take another view is to go further than questioning Brexit: it is playing with the fundamental principle of democracy that the people must decide.

Some remainers say that that is not what they seek to do, but I would say this to them, in line with what the people of Lincolnshire have been saying to me. The argument that was lost in June was not lost in six weeks. It was lost over years and decades. We in the House govern with the consent of the people. To maintain that consent all of us must bear in mind the fact that we laid out a case in June. Now we must make sure, unused as some of us are to doing so, that we do as we are told. Not doing so risks far more than our relationship with Europe.

18:17:00

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op)

I support the motion and, after some consideration, the Government amendment. I am prepared to support the Government amendment because it refers to the motion agreed on 12 October, which called on the Prime Minister

“to ensure that this House is able properly to scrutinise that plan for leaving the EU before Article 50 is invoked”.

I make it clear that, while accepting 31 March 2017 as the deadline for invoking article 50, my support for that action is contingent on being satisfied that the first part of the provision has been satisfactorily implemented. I will reserve my view until that date and until such time as I have had the opportunity to make a judgment. I assume that proper scrutiny and debate imply an attempt to get some sort of consensus and the capacity of the Opposition to make amendments, along with a genuine attempt to arrive at a position that commands the full support of Members on both sides of the House. I stress to the Government that their position when negotiating with the EU will be improved immeasurably if they can secure that degree of unity.

Another reason for supporting the amendment is that we must end uncertainty. It locks the Government into an obligation to put plans before the House by early January that will at least begin to address some of the issues that we are being asked about on the doorstep and which, to date, have not been dealt with by the Government. Genuine questions about our future—key issues that affect local industries, the aspirations of local people, jobs, civil liberties and so on—have been met hitherto by “Brexit means Brexit” and other vacuous phrases that do not address people’s genuine concerns, such as

“red, white and blue Brexit”

or, if the Chancellor has his way, grey Brexit.

To continue the colour metaphor, I see this as forcing the Government to nail their colours to the mast and to start to bring before the House some genuine proposals in response to the genuine questions that are being asked—questions such as those that local businessmen ask me: “Will we be part of a single market?” They need to know before investing: “Will we be able to recruit labour in order to meet the additional demand incurred by being in the single market?” Still no answer from the Government. We need an answer. Until this is done, I will not give that support—

18:20:00

Richard Drax (South Dorset) (Con)

It is a pleasure to take part in this debate. I have two minutes and 58 seconds to say an awful lot.

The vote offered to the British people on 23 June came with no ifs, no buts and no conditions. The then Prime Minister, David Cameron, who gave us that wonderful referendum, for which I am eternally grateful, spent £9 million of taxpayers' money to tell us that in the literature that came through our doors. There were no ifs, no buts, no conditions. I recall him saying, whichever side wins, even by one single vote, the will of the people will be respected. It could not be simpler.

I believe my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke), who has retaken his seat, implied that not all the British people understood what they were voting for. That is what I understood from his speech. If I am wrong, I apologise, but if I am right, may I tell him that he is wrong?

Mr Kenneth Clarke

I do not think either side should resort to attacking the voters on the other side. I did say that I thought very few of them were expressing an opinion one way or the other on whether they should remain in the customs union and under what conditions. They agreed that they were going to leave the EU; what they were going to do instead was not even discussed during the referendum.

Richard Drax

That is where I must disagree with my right hon. and learned Friend. Leaving the EU, as we have heard from many Members on the Government Benches, means leaving everything to do with the EU. It could not be clearer.

I met a lady outside the polling booth on 23 June on Portland, who was holding on to her husband, who was not particularly well. She said to me, "Richard, I'm going to vote with you. I'm going to vote to leave." I asked her, "Why are you voting to leave?" She looked me straight in the eye and said, "Richard, because I want my country back. I want control of our laws, I want control of our borders, I want our rules and regulations made by people in our Parliament and nowhere else. And if you make a mess, we the electorate can kick you out." She understood. My electorate understood, I believe, exactly what the referendum was about.

The issue of triggering article 50 is a fig leaf being used by those who wish to postpone at best, or at worst even prevent, exit from the EU. Let me explain why. Triggering article 50 involves no legislative activity. There is nothing, in my view, to discuss. It simply begins the two-year period within which negotiations can start. The British people voted to leave the EU. The only way we can do that is to trigger article 50. It is as simple as that.

We hear right across the House this afternoon uncertainty. Yes, because people are prevaricating against the will of the British people. That is what is causing the uncertainty across our land. Sitting on the European Scrutiny Committee under the admirable chairmanship of my hon. Friend the Member for Stone (Sir William Cash), I have seen all the legislation that continues to sweep through into this country, and it is time we took back control. Of that I have no doubt. Once article 50 has been triggered, the uncertainty will go. I tell you why: in the EU, the one thing those unelected bureaucrats do not like and do not understand is a firm no. That is when they start to negotiate. I, for one, am glad that we will be in control at last of the future of our great country.

18:24:00

Mr David Lammy (Tottenham) (Lab)

I congratulate my hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) on forcing the Government to concede ground in committing to publish a plan for leaving the EU before they invoke article 50. However, he will have seen from the debate that it is not at all clear

what that means. Does it mean the Government are just going to publish a document saying, “We will seek the best possible Brexit and aim for the best possible access to the single market”? If it does, I am afraid we are not clear at all what we are going to get and what the plan is.

We have had a lot of discussion about whether there should be a White Paper, but we have had no commitment from the Government that we will get one. Will it answer specific points about the Government’s priorities? Will it set out their position on single market membership, free movement, security co-operation with our allies, workers’ rights, consumer protections or environmental protections? Will it set out all the red lines? Will it set out the Government’s position on the customs union? We are not clear yet what the plan will be. It is for that reason that I will certainly not be voting for the motion as it stands.

It is also clear, despite what my hon. and learned Friend said about the need for those in this House to accept the referendum decision and not seek to frustrate the Government—I understand why he said that—that the Government’s amendment (a) makes a commitment to 31 March. That timetable was set by the Prime Minister behind closed doors, with no input from Parliament at all. That is the second reason why I will not be able to support the motion.

A lack of clarity will not help us to get a good deal; in fact, it will do exactly the opposite, and that is the most important point that, I hope, has come across from today’s debate. The absence of any detail about the Government’s plans has created a vacuum, which has been filled by speculation and by hard Brexiteers. However, words have consequences: proposals to force companies to draw up registers of EU workers; threats to crack down on European students; plans to replace European doctors and nurses working in our NHS; refusing to guarantee the rights of EU citizens who reside in the UK; and doing so much to offend our partners in Europe—described as enemies in this House—with whom we have to negotiate.

I represent a constituency that has had two riots in a generation. I represent a constituency that will bear the brunt when we exercise article 50 and, no doubt, the economy turns down as a result. Those OBR forecasts have a bearing on my constituents. I regret that I have had only three minutes to make their case since the referendum decision on 23 June. However, for all the reasons I have outlined, I will not be supporting the motion.

18:27:00

David T. C. Davies (Monmouth) (Con)

Whether people like it or not, the referendum result gave the Government a very clear mandate to get Britain out of the European Union. It is extremely disappointing that some people are trying to frustrate the will of the people, whether it is hedge fund managers, with their money, taking cases to the High Court; Members of this House coming up with all sorts of reasons as to why they may not vote for article 50; or, closer to home for me, Members of the Welsh Assembly, who now seek to parley on equal terms with Ministers and to dictate to them the terms of our withdrawal from the European Union.

I know that Ministers will be polite to Welsh Assembly Ministers, but I hope they will remind them that they owe their existence to a referendum that had a much smaller turnout and a much narrower majority than the one that has delivered us the mandate for Brexit. I hope they will remind them that the people of Wales voted to leave the European Union, and that the Welsh Labour party is not speaking for Wales when it comes to meet Ministers. I hope they will also remind Welsh Assembly Ministers from the Labour party that foreign affairs is not within their remit, and if they seek to come here and talk about foreign affairs, maybe it is time Welsh Members of Parliament were able

to discuss Welsh Labour's appalling record on the national health service and on education; as the programme for international student assessment results have shown, Labour has left us at the absolute bottom of the educational league.

We have an absolutely first-rate Prime Minister who has the support of her Members of Parliament, and a first-rate set of Ministers. We cannot possibly have a negotiation that consists of 650 MPs, 800 or so Members of the House of Lords and a coven of Welsh Assembly Ministers. As John Major himself said, we need to unbind the hands of our Ministers and allow them to get out there into Brussels and negotiate the excellent deal that we know they can get, which will involve freedom of movement, freedom to trade, and freedom to get back control of our borders and money. We look forward to celebrating that deal over the next two years. I am very proud to support my Government tonight.

18:30:00

Danny Kinahan (South Antrim) (UUP)

I am intrigued to follow the hon. Member for Monmouth (David T. C. Davies), but I would hope that everyone is willing to listen to everyone else, whether the devolved Governments or anyone else within the United Kingdom who wishes to have a say. I am pleased to be here to put some points from the Ulster Unionist party.

The people have spoken. We must listen to the people and we must do what they have said. They have asked us to leave the European Union, so we must support the triggering of article 50. I campaigned to stay in; my constituency voted—just—to leave; my little bit of the United Kingdom that I adore so much, Northern Ireland, voted to stay in; and the whole Union that I am so passionate about voted to leave. I am therefore left in the middle of everything wondering which way to go.

When I heard someone talking about “red, white and blue”, I thought, “That’s lovely—that’s great.” Then I thought, “No it isn’t—we’ve got to include how we trade with Ireland, Northern Ireland’s neighbour.” This is a phenomenally complicated step forward. We have to sort out the border. We have to look after our farmers. We have to look after our universities. There is so much at stake, and yet—

Ms Ritchie

Does the hon. Gentleman agree that it is important that the Government are respectful of all political traditions in these islands and take those points of view on board?

Danny Kinahan

I thank the hon. Lady; I could not agree more. That is exactly what I was leading up to. When we talk about red, white and blue, I want to see a big bit of green and orange. I want to see us looking after the trade with Ireland, east-west and north-south, and looking after the people in Northern Ireland who have a different point of view. I also want an end to the post-truth politics that we have all seen worldwide. I want us to be back at a point where the public can trust us and look to the integrity of politicians.

Today we are talking about whether Parliament should be scrutinising this. Of course it should. I am assuming that the Government will come back to us when they have the right things to bring back for us to scrutinise. I trust them, just as much as I trust the rest of the Opposition to make sure that they take part as well. We have all got to start working together. I want the rest of the world to see the United Kingdom united.

I hope that all Members will listen to Northern Ireland's case. I welcome Ministers coming over to Northern Ireland and listening to us, and thank them for doing that so often when we are such a small part of the United Kingdom. I ask them to keep coming and keep listening to us. Let us all work together. My party put together the document I have here, "A Vision for Northern Ireland outside the EU", which contains some constructive points. Everyone should be doing that. This is a time to listen and to be flexible, with everyone working together.

Something that came over to me throughout the whole of the Brexit debate was an anti-establishment mood. This is not necessarily about which side people are on; it is that we are all failing as politicians. It is about whether the pothole in the road is being repaired, and so on. People are not getting the service they want quickly. I am keen that we all pull together.

18:33:00

Neil Carmichael (Stroud) (Con)

As the Order Paper states very clearly, this debate is about the Government's plan for Brexit, and absolutely rightly so, because we need to separate process from direction and outcomes. That is central to this debate, and many speakers have touched on it. As we have heard, if we are obsessed with process, we end up threatening our own constitution. This Parliament should be the place where big decisions are made and the place that sets the direction of travel. That is partly why I will support the motion: it includes the word "plan" and therefore, in effect, commits the Government to having a plan.

What should that plan be talking about? It has to talk about outcomes. This is not about tying the hands of negotiators, but setting out outcomes and directions of travel to get there. It is like a road map: there will be junctions and roundabouts. It is not about delaying anything or obstructing anything. It is about setting the terms that will provide the best outcomes for this country. We need a White Paper on trade. We need to understand the options and see where the Government's thinking is going, and we need to think about transitional arrangements if they are necessary for sectors such as financial services.

We must have a sensible debate about the information and our understanding of the issues. If we think that this is about sovereignty and nothing else, imagine what will happen if we start signing free trade agreements with other nation states. Any free trade agreement is a contract that involves making commitments to another nation, and that is about sovereignty. It is not simply a question of whether we are in the European Union; it is about how we conduct ourselves across the globe.

A related issue is the signal that we send out to our 27 existing partners and to the rest of the world. We are in danger of thinking of the debate as entirely domestic, but it is not, because everything that we say and do is interpreted by a lot of other key players. We need to say to them, through our debates, statements, White Papers and so on, that we have a level-headed and determined plan to make the very best of Brexit within the time that we have been given.

18:36:00

Tulip Siddiq (Hampstead and Kilburn) (Lab)

I voted to remain in the European Union, as did 75% of my constituents, so it is not surprising that my inbox has been filled with questions about access to the single market, customs union, immigration, the environment and workplace protections. Perhaps the most pressing issue, which

has come up over and over again, is the protection of EU nationals. Forty-six per cent. of my constituents were born offshore, and they have emailed me constantly asking about their future.

Anne, who lives in Hampstead and has done for 40 years, keeps asking me what will happen to her. Will she have to relocate? Can she live in the country that she has called her home, where she raised her family, where she got married and where she is a community member and part of the local school, or will she have to relocate? Unfortunately, I cannot give her the answers, because the Government's plans have been shrouded in secrecy from the very beginning. I applaud my hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) for forcing the Government to say that they will publish plans and let us know what they are doing, but it is far too little, far too late. The Government should have done that a long time ago.

This is not simply a moral issue; we have to think about the benefits to our economy. Figures from the Office for National Statistics show that EU immigrants to Britain are significantly younger than the national average and more likely to be in work. In Camden, which forms part of my constituency, 13% of employed residents hold an EU passport. The Government need to acknowledge not simply the moral issue about using people as bargaining chips, but the significant impact that there will be on our local economy if we do not secure the future of the people who hold EU passports and live in this country. The proportion of people in my constituency who hold EU passports rises to 17% in professional, scientific and technical industries. The figure is 14% in financial and insurance services and 10% in information and communications.

I know I do not have much time, so I call on the Government and the Prime Minister to do a few things. Immediately try to secure the future of EU nationals who live in this country, and who consider this country to be their home. Do not pander to the people who treated the EU referendum as a proxy vote on immigration. Stop trying to chase failed migration targets. That has not worked in the past, and it is not going to happen now. I call on the Government, the Prime Minister and Members of the House to secure the future of EU nationals living in my constituency and across the country, and to put their uncertainties to rest.

18:39:00

Kwasi Kwarteng (Spelthorne) (Con)

I am very grateful to you, Mr Speaker—you have managed our debate—for allowing me to speak, because we have had lots of interventions.

I want to say a few things about this debate. First, nothing could have been clearer than the vote on 23 June. It was the largest vote that has ever taken place in the history of our country, and 17.4 million people—a larger mandate than any ever given to any Prime Minister on any issue—voted to leave the EU. We all know that the one way we can leave the EU—in fact, the only way we can effect the will of the people—is by triggering article 50. It therefore stands to reason that any attempt to delay, frustrate or obstruct the triggering of article 50 is simply to delay and obstruct the will of the people as expressed on 23 June 2016. That is self-evident to any person who cares to think about these things.

The second point is about having a plan. To me, nothing could be clearer than the Government's position. We have said this many times. [Interruption.] Labour Members find that very amusing. I am glad to see that they find clarity amusing, because they would benefit from some clarity. The Government's position is very simple: we want to have some restriction on freedom of movement—we want a change in the arrangements—while having the widest possible access to the single



market. Those are two very simple principles. [Interruption.] Various Labour Front Benchers are chuntering from their places, but even they should be able to understand that basic position.

The third point is that our friends in the Labour party have got themselves into an awful mess on this particular issue. On the one hand, the people for whom the Labour party was created in the north and the midlands voted overwhelmingly for out, yet the current leaders of the party—the intellectual establishment and many of the Front Benchers—are based in London, and we all know that London’s view on the outcome of the referendum was very different from the view in the traditional heartlands. The two ends of the pantomime cow are pulling apart now, and—to change my metaphors—it is very difficult to see how Humpty Dumpty can be put back together again. This is obviously causing them massive pain, but I hope that they will support the Government amendment and I look forward to seeing many of them in the Lobby in a few minutes’ time.

Michael Gove

My hon. Friend is a distinguished historian. Is there any precedent for the fact that the Conservative party is now a more effective representative of the views of working-class Britain than the Labour party?

Kwasi Kwarteng

There is no precedent for this. One Labour resident of Islington—a friend of mine—said to me, “The one way for the Labour party to commit suicide would be to oppose the triggering of article 50.” That is palpable, and it would be a much shorter version of Labour’s suicide note in the 1983 general election.

We must very clearly say that a lot of the words we have heard are game-playing. Labour Members say they respect the will of the people, but we know that they have no intention of doing so. We know that many of them want to frustrate the will of the people as expressed in June. We know that all this obfuscation, all this delay, all the smokescreen and the dust in the eyes—all that sort of thing—is for one end and one end only: they want to stay in the EU at all costs. I say to them very plainly that the horse has bolted and that the ship has left. We are not going back into the EU, and the sooner they accept that very basic proposition, the better it will be for their constituents and for the country as a whole.

18:43:00

Jenny Chapman (Darlington) (Lab)

For the benefit of the hon. Member for Spelthorne (Kwasi Kwarteng), I just want to say that the Labour party was created for people living everywhere, not just those living in the north.

In his opening remarks, my hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) said that he wanted to see a plan “not for the 52% or the 48% but for the 100%...in the national interest.” I am glad that the Government now agree with him. As my right hon. Friend the Member for Knowsley (Mr Howarth) said, there is no mandate for what is known as hard Brexit, and there is no consensus for hard Brexit. He said that how we leave is an “urgent matter of...policy that should be...debated” and decided in this House.

The right hon. and learned Member for Rushcliffe (Mr Clarke) gave a clear description of how the process might work, saying: “I do not think that scrutiny and debate are a threat”. As an example of how not to do it, the Secretary of State referred to several options regarding the customs union. He said that the Government would decide whether the UK remains part of the customs union and that he would inform the House. That is not sufficient. This House must see the plan. The Government

need to publish it in January so that, on issues such as membership of the customs union, that plan can be tested, debated and, if necessary, amended. That is what taking back control means. The Government are going to have to get used to it.

With control comes accountability. The Government will no longer be able to hide behind the excuse that the EU made them do something or they would have loved to intervene but the EU stopped them. The Government will need to account for their own decisions, and that starts with their Brexit plan. As my right hon. Friend the Member for Doncaster North (Edward Miliband) said, the plan should examine whether we remain in the single market and the customs union, the impact on our constituents, and the vision on immigration, on climate and energy, and on crime and terrorism. My hon. Friend the Member for Hampstead and Kilburn (Tulip Siddiq) would add to that the question of the status of EU nationals. The Government cannot take the country with them if they will not tell it where they plan to go.

The charge against those of us who have proposed Labour's motion is that we are all remoaners who are using parliamentary tricks to obstruct the progress of Britain's departure from the EU. Even though the Government have now accepted our motion, we are accused of asking them to reveal too much, or of endangering their prospects of securing the best outcome. We have been told that there will be no running commentary. In her—as ever—excellent speech, my hon. Friend the Member for Lewisham East (Heidi Alexander) said that we need basic answers to basic questions. She raised questions that are uncomfortable for some, but that must be answered, and I applaud her for that.

We accept the outcome of the referendum, and, for the benefit of the hon. Member for North East Somerset (Mr Rees-Mogg), we respect that outcome. But this is not a game; this is serious. The future of the United Kingdom is in the balance. This is the greatest challenge for politicians of our generation, and the Government should not be surprised when responsible MPs, such as my hon. Friends the Members for Penistone and Stocksbridge (Angela Smith) and for West Bromwich West (Mr Bailey) show an intense interest in and concern about how Brexit proceeds. Our constituents have set us on the course we must now follow. We, as their representatives, must ensure that their voices are heard throughout the process.

Mr Jim Cunningham

Will my hon. Friend give way?

Jenny Chapman

I will, but only once, as I am trying to wind up a six-hour debate in a very small amount of time.

Mr Cunningham

My hon. Friend referred to our hon. Friend the Member for West Bromwich West (Mr Bailey). One of the big issues in the midlands is regional aid. How will that be replaced? That is the sort of answer we want from the Government.

Jenny Chapman

Precisely.

We must know more than we do about the Government's intentions. Surely, on the most important issue facing this country, that is not too much to ask. My right hon. Friend the Member for Wolverhampton South East (Mr McFadden) put it well: being clear about our objectives does not weaken us; it strengthens us. It is not just MPs who campaigned for remain who want more information; the British public, including those who voted to leave, want to know more about the plan. As my right hon. Friend the Member for Leeds Central (Hilary Benn) and the hon. Member

for South Antrim (Danny Kinahan) said, this is not leave versus remain; it is Parliament doing its job. Take back control, we were told. This House will have done everything possible after this evening to assure the public that we will not block article 50. We now need to gain some grip on the process. We need to see the plan. If the plan presented is insufficient, we will come back and demand more.

My right hon. Friend the Member for Doncaster Central (Dame Rosie Winterton) urged the Government to include a regional analysis in their plan. I wholeheartedly echo that demand. The Government say they do not want to reveal their negotiating stance before they have to and that they do not want a running commentary, but the trouble is that a running commentary is exactly what we are getting. We and our constituents are gleaning clues about the Government's intentions from leaked correspondence, snatched glimpses of notes and the musings of the Foreign Secretary. This is unhelpful in enabling challenge, scrutiny and contributions from MPs. It is also damaging our prospects for gaining a good outcome. It is not just the British public who are listening to the running commentary; it is being heard with some irritation by officials and parliamentarians in Europe.

Michael Gove

Will the hon. Lady give way?

Jenny Chapman

I will not give way.

There has been a vacuum, an empty space where the plan ought to be. As the right hon. Member for Loughborough (Nicky Morgan) said, it is not good enough that acceptance of the need for a plan has been dragged out of the Government by the Opposition. I look forward, as my hon. Friend the Member for Bristol West (Thangam Debonaie) said, to the debate moving on to the substance of Brexit, rather than the relentless focus on process.

The motion asks for the basic plan, not the fine detail. As my hon. Friend the Member for Bury South (Mr Lewis) said, the "we know best" politics has to end. He and my right hon. Friend the Member for Leigh (Andy Burnham) warned of the consequences of failing to talk frankly about immigration. It leads to the rise of the far right, and that cannot be allowed to happen. I congratulate them both on their speeches.

It would be profoundly wrong if Members of the European Parliament and officials in Brussels were the first to learn of the Government's stance. If the British public had to read about the Government's position through leaks from Brussels, it would be a most inauspicious start to the taking back of control that our constituents have told us they want.

The right hon. Member for Broxtowe (Anna Soubry), who has gained admirers on all sides, says she wants a White Paper and a Bill. I hope the Minister is listening to her.

Michael Gove

Will the hon. Lady give way?

Jenny Chapman

I have told the right hon. Gentleman that I will not give way.

We all know that there are those who want the hardest and fastest Brexit possible. Conversely, some MPs such as my right hon. Friends the Members for Exeter (Mr Bradshaw) and for Tottenham (Mr

Lammy), and my hon. Friend the Member for Swansea West (Geraint Davies), will vote against the Government amendment. They are not Brexit deniers; they are people with genuine concerns. The Government would do well to listen to them, because that is what building consensus means.

18:52:00

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker)

It is a pleasure to follow the hon. Member for Darlington (Jenny Chapman). I thank Members who have contributed to this excellent debate on what the motion rightly describes as the defining issue facing the United Kingdom. There have been many excellent contributions on both sides. Time will not allow me to congratulate all those who have spoken, but I should say that, as a new Minister, to follow the right hon. Member for Leeds Central (Hilary Benn), my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke), my right hon. Friend the Member for Surrey Heath (Michael Gove) and the right hon. Member for Doncaster North (Edward Miliband) is a privilege in any debate, but especially in a debate in which it was revealed that my hon. Friend the Member for Stone (Sir William Cash) voted to join the European Community in 1975.

Hon. Members on both sides of the House have raised important and pressing issues. My right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith) and my hon. Friend the Member for Harwich and North Essex (Mr Jenkin) called for pace, but the Government are getting on with the job of delivering on the mandate given by the British people. We are taking our time to get the detail right. As many Members have remarked, this is not necessarily a simple or straightforward set of decisions. Getting our approach right first time is vital to our long-term national interest. As the right hon. Member for Leeds Central and my right hon. Friends the Members for Loughborough (Nicky Morgan) and for Broxtowe (Anna Soubry) said, we should show respect for the enormity of this issue and its impact on all our constituents.

Members have shown that they share our concern that we prepare properly and focus on the details. Following the referendum, we are moving on from 40 years of EU membership. Carrying out this process properly and effectively is a complex challenge with a wide range of potential outcomes. That is why we are taking our time to inform and develop our negotiating strategy.

My right hon. Friend the Secretary of State set out before the House four aims: first, listening to all sides in the debate so that we can build a national consensus around our position and get the best deal for the UK; secondly, putting the national interest first and listening carefully to all the devolved Administrations; thirdly, taking steps to minimise uncertainty wherever possible, which is why we are bringing forward a great repeal Bill to bring existing EU law into domestic law on the day we leave, and empowering Parliament to make the changes necessary to ensure our law operates effectively at the domestic level; and, finally, putting the sovereignty and supremacy of this Parliament beyond doubt by the time we end this process and have left the European Union.

My right hon. Friend has also been clear about our broad strategic aims for the negotiations: securing the best available access for our businesses so that they can trade and operate within the single market, while taking back control of our borders, our laws and our money. I hear calls from both sides of the House—and indeed both sides of the referendum debate—for the rights of EU citizens in the UK to be guaranteed, and it is certainly the Government's intention to do so, alongside securing the rights of UK citizens living in the EU.

In preparation for the negotiations, we are undertaking a wide-ranging programme of sectoral and regulatory analysis, talking to businesses and civil society about the options for leaving the EU and the impact on their parts of the economy. On Monday, my right hon. Friend joined the Chancellor to

meet organisations in the City. From aerospace to the environment, energy to retail, farming to chemicals, tourism to automotive, fishing to fintech, and universities to ports, we have been listening to people's concerns and seeking out opportunities for UK industries.

From the start, the Prime Minister has been committed to full engagement with the devolved Administrations in Scotland, Wales and Northern Ireland. I commend the hon. Member for South Antrim (Danny Kinahan) for his powerful speech on the importance of finding a UK approach and of listening to the concerns of the devolved Administrations. I undertake to do that. Others, including my hon. Friend the Member for Bromley and Chislehurst (Robert Neill), mentioned the Crown dependencies. I can assure them that a great deal of engagement is going on with the Crown dependencies, as it is with Gibraltar. I met representatives of the Government of Gibraltar today to make sure we were taking their concerns on board in our preparations for this process.

The motion passed by the House on 12 October made it clear that while parliamentary scrutiny was an essential pillar in the process of our withdrawal, it should be carried out in a way that respected the will of the people and did not restrict the Government's negotiating capability. Parliamentary scrutiny is invaluable, and it is important that our approach is scrutinised by the expertise of both Houses of Parliament, but that cannot be, as my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) pointed out so clearly, at the expense of binding the Government's hands in negotiations. It is entirely proper that Parliament should scrutinise the Government's approach to the process of leaving the EU, and that there be a full and continuing debate, both on the Floor of the House and in the new Select Committee on Exiting the European Union, chaired by the right hon. Member for Leeds Central, which my right hon. Friend the Secretary of State will be attending next week.

Many hon. Members, including those the Opposition Benches—notably the right hon. Members for Doncaster North and for Doncaster Central (Dame Rosie Winterton)—have recognised that it is beyond doubt that the Government have received clear instructions from the British people that Britain should leave the EU. We are now discussing the right and proper process for withdrawal, and today's debate will take that process one step further. My right hon. Friend the Secretary of State has committed to being as open as possible with Parliament, and we remain committed to providing the House with regular updates on our plans to deliver on the clear mandate given by the British people to leave.

Mr Kenneth Clarke

Will my hon. Friend give way?

Mr Walker

I will not give way, I am afraid.

That brings me to the heart of the motion, which calls on the Prime Minister to commit to publishing the Government's plan for leaving the EU before article 50 is invoked. This country stands on the threshold of a new chapter in its history. In forging a new relationship with our neighbours in Europe, we must deliver a global Britain that can continue to be a global success, as my hon. Friend the Member for Reigate (Crispin Blunt) suggested. The Secretary of State has said he will set out our broad plans for doing so ahead of the notification to invoke article 50, but we must do so in a way that safeguards the vital national interest by securing the Government's negotiating position.

The Government amendment is entirely proper and I commend it to the House. I welcome the fact that Her Majesty's Opposition appear to accept the amendment, although I note that their Back

Benchers seem to disagree. Like many on both sides of the House, I fought the referendum campaign as a Remainer, but I always believed that it was right to trust the people with this decision and that their view had to be respected. I saw this fundamentally as a question of consent, and although I personally argued that my constituency might have an easier path to travel if we stayed in and fought our corner, I also said from the start that if the consent of the British people was withheld, we would all need to work harder than ever before to ensure we made a success of leaving the EU.

That is where we now stand. After the arguments and the division of the referendum, now is the time for people to come together and work together to ensure that the UK succeeds. By supporting the Government amendment, colleagues from across the House can show they have heard the will of the people and that we will work together to make a success of it. We can move forward with the process of making this work not just for 48% or 52%, but for 100% of the people we represent.

Question put, That the amendment be made.

Division 102

07/12/2016 18:59:00

The House divided:

Ayes: 461

Noes: 89

Question accordingly agreed to.

Main Question, as amended, put.

Division 103

07/12/2016 19:18:00

The House divided:

Ayes: 448

Noes: 75

Question accordingly agreed to.

### **Resolved,**

**That this House recognises that leaving the EU is the defining issue facing the UK; notes the resolution on parliamentary scrutiny of the UK leaving the EU agreed by the House on 12 October 2016; recognises that it is Parliament's responsibility to properly scrutinise the Government while respecting the decision of the British people to leave the European Union; confirms that there should be no disclosure of material that could be reasonably judged to damage the UK in any negotiations to depart from the European Union after Article 50 has been triggered; and calls on the Prime Minister to commit to publishing the Government's plan for leaving the EU before Article 50 is invoked, consistently with the principles agreed without division by this House on 12 October; recognises that this House should respect the wishes of the United Kingdom as expressed in the referendum on 23 June; and further calls on the Government to invoke Article 50 by 31 March 2017.**