

HOUSE OF COMMONS HANSARD

UK's Withdrawal from the EU

27 February 2019

UK's Withdrawal from the EU

Mr Speaker

I have provisionally selected the following amendments in the following order: (a) in the name of Leader of the Opposition, the right hon. Member for Islington North (Jeremy Corbyn); (k) in the name of the right hon. Member for Ross, Skye and Lochaber (Ian Blackford); (c) in the name of the right hon. Member for Meriden (Dame Caroline Spelman); (b) in the name of the hon. Member for South Leicestershire (Alberto Costa); and (f) in the name of the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper).

I remind the House that reference may be made in debate to any amendments on the Order Paper, including those which I have not selected. Under the terms of the business motion just agreed to, the debate may continue until 7 pm, at which time the question shall be put on any amendments that may then be moved. To move the motion, I call the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office.

14:12:00

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Mr David Lidington)

I beg to move,

That this House notes the Prime Minister's statement on Leaving the European Union of 26 February 2019; and further notes that discussions between the UK and the EU are ongoing.

It is a pleasure, as always, to return to the Dispatch Box to debate European policy matters and to see the familiar cast of colleagues on both sides of the House. I start by making it clear that the Government's political objectives remain to leave the European Union in accordance with the referendum decision of 2016, to do so in an orderly fashion that protects jobs, living standards and investment in this country, and to do so by means of a formal withdrawal agreement under article 50 that includes clear protections for European Union citizens living in the United Kingdom and United Kingdom citizens in the 27 other EU countries, that provides for a financial settlement, and that ensures that there is no hard border on the island of Ireland. We look forward to negotiating a deep and special partnership on trade, security and political co-operation with the European Union—a community of democracies that will remain not only our closest geographical neighbours, but key partners friends and allies in the world.

Sir William Cash (Stone) (Con)

I thank my right hon. Friend, with whom I have been debating such matters for the best part of 30 years, for giving way. As for this community of democracies, how can he can justify article 4 of the withdrawal agreement, which would subjugate the United Kingdom and require us to pass primary legislation to achieve that objective when the decisions that would be imposed on the constituents

of every single Member in this House, by virtue of what goes on in the Council of Ministers, will be decided by 27 other member states? We will not even be at the table and will not have even so much as a transcript. Is that not a complete travesty of democracy?

Mr Lidington

No. As my hon. Friend says, he and I have been debating European matters for about 30 years — time flies when one is enjoying oneself—but I think his criticisms would have force if they were describing a situation that was intended to be permanent. All that is covered in article 4 of the withdrawal agreement are the arrangements that are necessary to govern the winding down of this country's membership of the European Union and the residual obligations that derive from that over a period of months.

Charlie Elphicke (Dover) (Con)

In recent days, a number of statements have been made by several different Ministers that have left me somewhat puzzled about, first, Her Majesty's Government's policy and, secondly, the policy on collective responsibility. Is my right hon. Friend able to provide some clarification to assist the House?

Mr Lidington

The Government's policy is what the Prime Minister set out in her statement yesterday and is summarised in the words that I have just spoken. The approach to collective responsibility is set out clearly in the ministerial code.

Sir Edward Leigh (Gainsborough) (Con)

On a more positive note, in order to get the withdrawal agreement through, which we should all want, does my right hon. Friend agree that it is not necessary to unpick it? Under international law, we could have a conditional interpretative declaration stating that the backstop is not permanent. If we get that and if the Attorney General changes his mind, will my right hon. Friend join me in urging all my Brexiteer colleagues to vote for this agreement, because the choice is no longer perhaps between an imperfect deal and no deal, but between an imperfect deal and no Brexit?

Mr Lidington

I agree with my hon. Friend. We all wish my right hon. and learned Friend the Attorney General well in his continuing talks with representatives of the European Commission.

Frank Field (Birkenhead) (Ind)

I am immensely grateful to the right hon. Gentleman for giving way. Is he aware that the atmosphere in this debate is changing from a massive concern about crashing out and the damage that might do, to, among those of us who want to leave, a worry that we will get no Brexit at all? Therefore, may I through him tell the European Research Group that the choice that we will face when the Prime Minister's deal comes back is whether we have the certainty of some deal or, as the right hon. Member for Gainsborough (Sir Edward Leigh) said, no deal at all?

Mr Lidington

The right hon. Gentleman accurately encapsulates the decision facing every hon. Member, from whichever political party or grouping they come.

Tom Brake (Carshalton and Wallington) (LD)

I thank the right hon. Gentleman for giving way, because this may help us later in the debate. Can he provide some clarity about whether the Government will in fact support amendment (b), tabled by the hon. Member for South Leicestershire (Alberto Costa)? As I understand it, the hon.

Gentleman has been sacked for doing so, but the Home Secretary is supportive of the amendment. I am confused, so will the right hon. Gentleman set out where the Government stand on the issue?

Mr Lidington

This may not be the first or last time that the right hon. Gentleman has been confused, but he will have to contain his excitement until I deal with the amendments that have been tabled.

Hilary Benn (Leeds Central) (Lab)

Will the right hon. Gentleman clarify something following the Prime Minister's statement yesterday? If the Prime Minister's deal is defeated when it returns to the House and if leaving with no deal is also defeated, will the time period in the motion proposing an extension of article 50 that will be brought on 14 March be amendable by the House?

Mr Lidington

Whether a motion is capable of amendment and which amendments are in order is, of course, always a matter for the Chair, rather than for Ministers, but I would point out that, in addition to the opportunities for amendment that would arise on such a motion in the normal course of events—I cannot predict at this moment how the Chair will rule—the obligations on the Government in the circumstances that the right hon. Gentleman describes in respect of section 13 of the European Union (Withdrawal) Act 2018 will also remain.

Lady Hermon (North Down) (Ind)

The Minister will be well aware that we are approaching the 21st anniversary of the signing of the Belfast/Good Friday agreement on 10 April, just days after we are due to brexit. I had assumed, and I want him to confirm this, that in the light of the Government's repeated emphasis on their commitment to the Belfast/Good Friday agreement throughout the Brexit negotiations, and rightly so, the Government have been busy organising and planning a significant event to mark their commitment to the Belfast agreement. Will he shed some light on that anniversary event?

Mr Lidington

The detail of any event to mark this anniversary would be a matter for my right hon. Friend the Secretary of State for Northern Ireland to announce. What I can say to the hon. Member for North Down (Lady Hermon) is that the Government, and I personally, regard the achievement of the Belfast agreement and the development of the peace-making and peace-building process in Northern Ireland as one of the most signal political achievements of successive Governments of different political parties in this country during my career in this House.

I remember being called to a meeting in John Major's office with other Government Back Benchers when he first reported on the message he had received from back channels to Sinn Féin-IRA about the prospect of a process opening up, and I know how much he, Tony Blair, Gordon Brown, David Cameron and my right hon. Friend the present Prime Minister have committed themselves to that process. I believe that every hon. Member of this House will share that commitment.

Tommy Sheppard (Edinburgh East) (SNP)

Does the Minister agree that the phrase "Government policy" implies not just the offering of a choice to the House but an expression by the Government of a preference as to the outcome of that choice? If he does agree, will he inform today's debate by saying what the Government's policy will be on either voting for a no-deal Brexit or extending article 50?

Mr Lidington

The hon. Gentleman is asking me to speculate about hypothetical events. My energies and the Government's energies are focused on achieving a negotiated agreement with the European Union behind which a majority of hon. and right hon. Members would be prepared to rally.

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

In relation to the Minister's answer to the Chair of the Select Committee on Exiting the European Union, my right hon. Friend the Member for Leeds Central (Hilary Benn), the Prime Minister was very clear yesterday that, if the House voted for an extension, she would bring forward the necessary legislation to change the exit date commensurate with that extension. Can the Minister provide some more clarity? Is he talking about, for example, bringing in a statutory instrument immediately after such a vote to make it happen? Or is he talking about some other way of changing the date? It would be helpful to have some clarity on that point.

Mr Lidington

I will come to that point when I address the amendment in the name of my right hon. Friend the Member for Meriden (Dame Caroline Spelman).

Dr Andrew Murrison (South West Wiltshire) (Con)

Does my right hon. Friend agree, further to the point made by the hon. Member for North Down (Lady Hermon), that a good way to commemorate the signing of the Good Friday agreement would be to encourage the European Union to define what it means by "temporary," as listed in article 1(4) of the Northern Ireland protocol? Without some certainty on that, it is difficult to see how the withdrawal agreement is compatible with the Good Friday agreement.

Mr Lidington

I agree that the question about the definition of "temporary" is important, particularly in the light of the position, which the European Union has consistently taken in its negotiations with us over the past two years, that a withdrawal agreement negotiated under the terms of article 50 cannot be a secure legal basis for the creation of a permanent partnership with a third country.

Mr Lidington

If the House will forgive me, I have given way quite a lot and I want to move on to the substance of my speech.

At the end of this afternoon's debate, this House will have a choice on the Government's motion and the various amendments that Mr Speaker has selected, but by 12 March, at the latest, the House will have a more important choice when we bring back a second meaningful vote. There has been a lot of speculation, and we have already heard it in the debate this afternoon, about what should happen if the House declines to vote for a deal. Let me start by saying why I am confident that the Prime Minister will be able to put before the House a deal that it can support, and why this House should support such a deal.

My right hon. Friend the Prime Minister spoke yesterday of the extensive work that has been taking place to make good on this House's call for legal changes to guarantee that the Northern Ireland backstop cannot endure indefinitely. The House endorsed an amendment tabled by my hon. Friend the Member for Altrincham and Sale West (Sir Graham Brady) on 29 January. Since then, the Prime Minister, the Secretary of State for Exiting the European Union, the Attorney General and I have been engaging in focused discussions with the EU, with the different institutions of the EU and with member state Governments to find a way forward that would work for both sides. We are making good progress in that work, with constructive discussions taking place this week.

As hon. Members will also have heard, there have been discussions on the political declaration, including additions or changes to increase the focus and ambition of both sides to deliver the future partnership, which we both seek, as soon as possible. The ideas we are putting forward in those discussions are not simply the Government's; they reflect the intensive dialogue we have had with Members on both sides of the House. I have met the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) once and am keen to do so again, as he knows, and I have met colleagues from other political parties and colleagues representing all shades of opinion on this country's relationship with the European Union.

Mr Owen Paterson (North Shropshire) (Con)

My right hon. Friend is being very generous in giving way. Before he moves on to the question of alternative arrangements, he and the Brexit Secretary are to be strongly congratulated on getting the European Union to accept the need to set up a taskforce of experienced officials on the European side and the UK side to work up the arrangements proposed by our working group. Will he guarantee that, once those proposals are accepted, there will be a commitment in the treaty that is legally binding and will commit the Government and the European Union to a definite and definitive date by which those arrangements will be implemented?

Mr Lidington

My right hon. Friend has been championing this approach for a long time. I am grateful to him and to other Conservative colleagues for their detailed discussions with my right hon. Friend the Brexit Secretary and others about the alternative arrangements to ensure the absence of a hard border in Northern Ireland. Let us not forget that the term "alternative arrangements" features in both the withdrawal agreement and the political declaration, so it is already a known concept in the documents that have previously been agreed.

This has led to the consideration of a joint work stream with the European Union that will take place during the next phase of our negotiations. Our objective is to ensure that we have a set of alternative arrangements that can be used even in the absence of a full future relationship deal at the end of the implementation period. The EU has agreed to prioritise what will be an important work stream in the next phase, but we will also be setting up domestic structures to take advice from external experts, from businesses that trade with the European Union and beyond, and from colleagues across the House. This will be supported by civil service resources and £20 million of Government funding.

Kate Hoey (Vauxhall) (Lab)

The right hon. Gentleman mentions a hard border and the backstop. Does he understand why the Irish Government last week produced a Bill, which is going through Parliament, to deal with any problem arising if we happen to go out on World Trade Organisation terms, yet there was no mention of any infrastructure and any hard border? How come the Irish Government can do that, but we are saying that the hard border is such a huge issue?

Mr Lidington

It is for the Irish Government to explain their policy. We will also have to deal, as I am assuming they will, with the reality of the plans that the European Commission published in December, in which it stated plainly that from the day the UK departs the EU, in the absence of a transitional period, as provided for under the withdrawal agreement, the full *acquis* in terms of tariffs and regulatory checks and inspections would have to be applied. One striking thing about that Commission publication was that it made no specific reference to, or provided no exemption for, the situation in Ireland. That is something for the Government of Ireland to take up with the

European Commission, but it is part of the legal and political reality with which Governments are also dealing.

Joanna Cherry (Edinburgh South West) (SNP)

I wish to pursue the question asked by the right hon. Member for North Shropshire (Mr Paterson). Would I be correct in understanding that these discussions that are going on about the backstop relate purely to the next phase of the negotiations and what can be done in relation to the political declaration, and do not involve any question of opening up the withdrawal agreement and changing its force? That is right, is it not? If we look at the Prime Minister's statement yesterday, we see that it was all about the next phase—a "work stream in the next phase", as the right hon. Gentleman just said. Will he clarify that: it is not about opening up the withdrawal agreement?

Mr Lidington

Let me be clear that when the Attorney General has been talking to representatives of the European Commission this week and when my right hon. Friend the Brexit Secretary has been talking to them, they have been talking about changes to the overall terms of the agreement to facilitate our orderly departure from the European Union.

Anna Soubry (Broxtowe) (Ind)

I thank the right hon. Gentleman for what he did yesterday with the publication of the summary of the no-deal papers—let me put it that way. My question to him is: why are the Government only now, after two and a half years, looking at these alternative arrangements, given that the Select Committee on Northern Ireland Affairs did an enormous amount of work on finding some alternatives—they travelled the world—but came to the conclusion that there are no alternatives some considerable time ago?

Mr Lidington

I thank the right hon. Lady for what she said about the papers published yesterday. I thought she was being uncharacteristically unfair to the Government in her criticisms about not dealing with this earlier. A lot of official and ministerial time has been spent in the past 18 months examining some of these things. One problem that was identified, which still confronts us today and which we are talking to the European Commission about in the context of these discussions about alternative arrangements, is that we have to deal not only with the problem of the technology itself and making sure there is technology that is fit for purpose, but with the fact that, on the sort of model that has been discussed, we would need to see a significant number of derogations by the EU from its normal arrangements. So there are legal, and not just technical, problems that would have to be overcome.

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

Does the right hon. Gentleman agree that because the political declaration is legally non-binding, any concessions he gives on a level of alignment in respect of the single market, a customs union, standards and the environment are intrinsically changeable in the future, and that the only safeguard in place to prevent a slash-and-burn approach by a future Tory Government is the backstop itself?

Mr Lidington

I place rather more faith in this House than the hon. Gentleman would appear to do, because I do not think there is any appetite in Parliament for what he described as a "slash-and-burn approach" to standards.

We believe that our deal is the right one for this country and no better one is available on the table. I also believe, as do the Government, that leaving with our deal is better than leaving without a deal.

Mr John Baron (Basildon and Billericay) (Con)

rose—

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

rose—

Dr Sarah Wollaston (Totnes) (Ind)

rose—

Mr Lidington

I will give way to my hon. Friend, as he tried valiantly to persuade you to accept an amendment, Mr Speaker, but was unsuccessful.

Mr Baron

Unfortunately, amendment (j) was not selected, but I am sure my right hon. Friend will agree that the Government will have no problem in accepting in principle, and I look forward to hearing about that. Many of us who have wished the Prime Minister well recognise that compromise is required on both sides in these negotiations. The transition period is not brilliant but the backstop does have to be sorted out in respect of its indefinite nature. In recognising that, is the Chancellor of the Duchy of Lancaster at all concerned that the next steps as outlined by the Prime Minister yesterday might make a good deal less likely, because the EU may hope that Parliament does its work for it by taking no-deal off the table and extending article 50?

Mr Lidington

I genuinely do not fear that, because what I am finding increasingly in my conversations with politicians in different parts of Europe is that they want this issue sorted out. Frankly, they have politics of their own. They have important decisions to make on a range of subjects: the future of the eurozone; the negotiation of a multi-annual financial framework without a UK contribution; the tensions that exist between some of the central European and western European powers within the EU; and the continuing problem of the very large-scale movement of people from Africa into southern Europe. It would be a mistake for hon. Members to think that the leaders of the other 27 countries spend every waking hour thinking and worrying about Brexit matters.

Mr Pat McFadden (Wolverhampton South East) (Lab)

rose—

Angus Brendan MacNeil

rose—

Dr Wollaston

rose—

Mr Lidington

I will give way to the right hon. Gentleman, for old times' sake. Then I will come back to the hon. Gentleman and then the hon. Lady, and then I will move on.

Mr McFadden

The right hon. Gentleman is being typically generous in giving way to Members from all parts of the House. He was just referring to the position of other member states. Yesterday, the Prime

Minister told us, for the first time, that she would countenance an extension to the article 50 period, but today President Macron of France is quoted as saying:

“We would support an extension...only if it was justified by a new choice of the British”.

He continued:

“we would in no way accept an extension without a clear objective.”

Is it not the case that if there is to be an extension, it must be an extension with a purpose, rather than for two or three months of the same parliamentary gridlock?

Mr Lidington

I agree with the right hon. Gentleman, and I do not think that what he has just said is any different from what the Prime Minister or other Ministers have been saying at this Dispatch Box for several months.

Angus Brendan MacNeil

Unfortunately, my amendment (g), which sought to end the whole charade by revoking article 50, has not been accepted, and we have a series of Brexit-enabling amendments before us. I want to take the Minister back to his point about the concessions he is looking for from the European Union on borders. We know that the technology has not been invented and the idea is that we have derogations—so this involves concessions. If the EU is going to give concessions on that border, it will have to give them on every border, and the EU has multiple borders. So why would it not be doing this already? The reason is because we are back to UK pie-in-the-sky, fantasy thinking here—I hope the right hon. Gentleman accepts that.

Mr Lidington

The flaw in the hon. Gentleman’s logic is that it should be welcome to any Government or supranational authority such as the European Commission if technology and systems are available that streamline border processes, whether we are talking about the border between Northern Ireland and Ireland, the border across the short straits, or other external borders of the European Union with third countries.

Dr Wollaston

I am glad that the Government have published at least the summary of the no-deal consequences, and hope that they will go much further and publish the detail. Has the Minister seen the detailed paper published in The Lancet this week about the health consequences of no deal? If he has not seen it, will he assure me that he will look in detail at those consequences? No responsible Government could inflict that kind of pain on their people.

Mr Lidington

I have not seen that particular paper but I will make sure that I look at it and draw it to the attention of my right hon. Friend the Secretary of State for Health and Social Care. I hope it is of some reassurance to the hon. Lady that the Secretary of State has been making these preparations one of this very top priorities. He wrote to the leaders of the healthcare and pharmaceutical sectors in December last year, and the NHS executive is working hard to make sure that contingency arrangements are in place to ensure that supplies of medicines continue to be available.

Caroline Lucas (Brighton, Pavilion) (Green)

I want to be a little bit helpful. In response to the right hon. Member for Wolverhampton South East (Mr McFadden), the Minister basically said that he did not see any difference between what President Macron has said and what the Prime Minister said yesterday. There is a huge difference. The Prime Minister said yesterday that she would use an extension for more dither, delay, faffing and kicking the can down the road; President Macron is saying that there has to be a purpose to a delay. The purpose that is gaining more and more credibility across the House is precisely to put this matter to a public vote.

Mr Lidington

The hon. Lady does not characterise the Prime Minister's words yesterday accurately at all. The Prime Minister could not have been clearer in many appearances at this Dispatch Box that in every conversation we have had with the European Commission or with Heads of member state Governments, they have said that were we at any stage to seek an extension of article 50, they would want to understand for how long one was being sought and the purpose for which it was being sought, so I do not think that anything President Macron said today came as a shock to us.

Stephen Kinnock (Aberavon) (Lab)
rose—

Mr Lidington

If the hon. Gentleman will forgive me, I will try to give way to him later, but I hope he will let me move on for the moment.

The Government believe that leaving with our deal is better than leaving without a deal. Members who have seen the summary paper published yesterday, and other sources, too, will know that there is no avoiding the fact that an abrupt departure from the European Union without an agreement of any kind would lead to a shock to our economy, and that it would not be possible for a Government, even with the most meticulous planning of arrangements in this country, to mitigate and plan entirely for what might happen outwith our own jurisdiction. In those circumstances we would, for example, be reliant on the readiness of the authorities in France and elsewhere to introduce streamlined checks and procedures, or on the readiness of the European Commission to allow a short-term derogation from its normal rules and practices. As a responsible Government, we have therefore been taking appropriate steps to minimise that disruption and have published extensive information to ensure the country is prepared. We have published and updated 106 technical notices and contacted the 145,000 businesses that trade with the European Union to help them to prepare for no-deal customs procedures.

It is a fact that as long as this House is unable to agree to an alternative course of action and get behind a particular agreement on exit from the European Union, businesses and individuals will have to plan for and take action as well. The Government have taken and will continue to take steps to provide businesses and citizens with advice to help them to make preparations to mitigate the potential impacts of a no-deal Brexit. The paper published yesterday showed that there are more actions that businesses should consider taking and which the Government urge them to plan for as necessary.

Gareth Johnson (Dartford) (Con)
rose—

Antoinette Sandbach (Eddisbury) (Con)
rose—

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab)
rose—

Mr Lidington

I will give way to my hon. Friend the Member for Dartford (Gareth Johnson) first, then to my hon. Friend the Member for Eddisbury (Antoinette Sandbach) and to the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), and then I will move on.

Gareth Johnson

I am grateful to my right hon. Friend for giving way; I think the whole House appreciates his generosity. As he knows, the meaningful vote needs to return to this House by 12 March. If that vote falls, we will presumably move on the following day to debate whether to rule out no deal. Will my right hon. Friend and other members of the Government vote in favour of that or against it?

Mr Lidington

I do not blame my hon. Friend for having a good try, but one thing I have learned in my years here, and which has perhaps been reinforced by my observation of events in recent weeks, is that although I may at some stage wish to give advice to my right hon. Friends the Chief Whip and the Prime Minister about whipping for any actual or hypothetical motion, I will do it not from the Dispatch Box but in private instead.

Antoinette Sandbach

I am sure my right hon. Friend will be aware that a lot of small businesses have not put in place no-deal preparations. Many of them may have been misled or given the impression by comments made in this House that tariff-free trade may be available for 10 years under article 24 of the general agreement on tariffs and trade. The document published by the Government makes it crystal clear that those GATT 24 provisions are not available. I encourage my right hon. Friend to make that clear so that small businesses in my constituency and throughout the country do not rely on what they may think has been publicised as an option when it is not one.

Mr Lidington

My hon. Friend makes a good point. Our right hon. Friend the Secretary of State for International Trade has publicly rebutted the arguments about article 24 of the general agreement on tariffs and trade, and the reference in the paper published yesterday was a reference to his remarks. The Government are stepping up their communications to business about that point. We accept that in this country, and also among our major trading partners, such as France and Germany, it tends to be small and medium-sized enterprises that for all the obvious reasons do not have the capacity to spend a lot of time monitoring what Governments are saying, and therefore may be further behind in their planning than the larger companies. We will do our utmost to try to communicate better with them.

If I may move on—

Yvette Cooper
rose—

Mr Lidington

I beg the right hon. Lady's pardon. I shall give way to her, then I would like to address the various amendments that have been selected.

Yvette Cooper

The question from the hon. Member for Dartford (Gareth Johnson) is so important, because businesses are still worrying and having to move money, jobs and assets abroad because they do not know what is going on. The Minister could give those businesses huge clarity by simply saying that the Government will vote against no deal if it comes to a vote on 13 March. This is really important, because we need to know the status of the commitments that the Prime Minister made yesterday. The Secretary of State for Exiting the European Union has previously dismissed motions passed by this House. He said in reference to previous motions against no deal:

“Frankly, the legislation takes precedence over the motion”—[Official Report, 14 February 2019; Vol. 654, c. 1070]

and he also said that the Government’s policy continued to be to leave with no deal on 29 March if a deal was not passed by this House. Will the Minister confirm that as a result of the Prime Minister’s statement yesterday, that policy has now changed, and that Government policy is at least to be bound by the will of this House if no deal is passed by 13 March, rather than simply to leave without a deal?

Mr Lidington

The short answer is yes, but I will flesh that out when I respond in more detail to the selected amendments. The words that the Prime Minister used yesterday were ones that had been discussed and agreed at the Cabinet meeting yesterday morning. On the right hon. Lady’s earlier question to me, I think she is leaping too lightly over the fact that, before we get into any debate or motions about how we respond to a potential decision on exiting without a deal, it is the Government’s clear intention to bring forward to this House a motion on a revised deal and to invite the House to support that. I will be supporting the Government when that vote is brought forward, just as I supported the Government on the previous meaningful vote. That decision will remain the earliest possible opportunity for this House to end the uncertainty that businesses and individuals are now experiencing, as she rightly said.

Mr Kenneth Clarke (Rushcliffe) (Con)

With the greatest respect, I think the question asked by my hon. Friend the Member for Dartford (Gareth Johnson) and the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) is absolutely key to understanding what the Prime Minister said yesterday. I entirely understand that my right hon. Friend is retreating, as the Prime Minister does, to the argument that the aim is to get a withdrawal agreement, and I support what he says on that. If it does not get a majority—it was defeated by 230 at the first attempt—the key thing to know is whether the Government will actually vote in favour of an extension, or whether they will vote in favour of leaving with no deal. The Cabinet must have considered that when they sorted out their differences yesterday in what was, no doubt, a perfectly private, orderly and good-humoured meeting.

Mr Lidington

My right hon. and learned Friend is asking me to comment on a hypothetical whipping decision on a hypothetical vote that the Government do not wish or intend us to confront. We will be voting as a House in favour of the revised deal, which will reflect elements that this House, on 29 January, said it wanted to see changed in order to be able to support the withdrawal agreement wholeheartedly. Exactly the same challenge that my right hon. and learned Friend has posed would be posed in respect of any hypothetical event on the Bill tabled by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper). At this stage, it is too early to make those assertions on a hypothetical situation. What we are focused on, and where our energies lie, is negotiating an agreement with our partners in the European Union that delivers on the conditions that this House

set when it passed the amendment in the name of my hon. Friend the Member for Altrincham and Sale West (Sir Graham Brady).

Mr Marcus Fysh (Yeovil) (Con)
rose—

Mr Lidington

I will give way one last time to my hon. Friend, and then I will make some progress, otherwise I will never get on to the amendments.

Mr Fysh

I am very grateful to my right hon. Friend. Just before he moves on, I would like to ask one question about the no-deal advice paper. When was it prepared, and why did it not mention the use of the transit system, which means that goods can be delivered into Europe without having to be stopped and checked at Calais?

Mr Lidington

Instructions were given to draft that paper following the previous debate during which the right hon. Member for Broxtowe (Anna Soubry) agreed to withdraw the amendment in her name calling for the publication of Cabinet papers, following an assurance given from the Dispatch Box by the Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Daventry (Chris Heaton-Harris). I then spoke to the right hon. Lady to ascertain the information that she wanted. What we have produced is a thorough document, which I am satisfied can be traced in all details to documents that have gone before Cabinet or Cabinet Committees. Internally, I have been able to footnote every assertion made in that paper. We took the words of the right hon. Lady's amendment in seeking material that had been given to Cabinet and to Cabinet Committees, and the content of the document was determined by that categorisation.

Anna Soubry
rose—

Mr Lidington

As I have referred to the right hon. Lady, I will give way to her and then I will make some progress.

Anna Soubry

The right hon. Gentleman is, as ever, being very generous. It is very important to make this clear. I took a sample of the many papers from which this document has been compiled, and I can assure the House that, from my reading of the contents of those papers, it is an accurate and fair summary. Furthermore, the original document that I was given was then edited and updated—that is how up to date it is. I am confident about that. I now want the detail, but that is another matter.

Mr Lidington

I am very grateful to the right hon. Lady for that.

I will, if I may, move on to the various amendments that have been tabled. Let me move straight to amendment (f) in the names of the right hon. Member for Normanton, Pontefract and Castleford and my right hon. Friends the Members for West Dorset (Sir Oliver Letwin) and for Meriden (Dame Caroline Spelman).

Mr Speaker

Order. Just before the right hon. Gentleman starts on this important process of critical analysis, to which we all look forward with eager anticipation, I simply point out to him that, as I am sure he is aware, he is currently on 44 minutes. [Interruption.] A snip, I know, but it is 44 minutes.

Mr Lidington

I will try to restrain my appetite to take further interventions, Mr Speaker.

Yesterday, the Prime Minister set out three clear commitments to the House that should provide reassurance and clarity about the way forward. First, we will hold a second meaningful vote by Tuesday 12 March at the latest. Secondly, if the Government have not brought forward a further meaningful vote, or if we have lost such a second meaningful vote by Tuesday 12 March, then we will, in addition to the Government's obligations—I stress that this is in addition to, not in place of them—table a neutral, amendable motion under section 13 of the European Union (Withdrawal) Act 2018 to be voted on by Wednesday 13 March, at the latest, asking this House if it supports leaving the EU without a withdrawal agreement and a framework for a future relationship on 29 March this year. The United Kingdom will leave without a deal on 29 March only if there is explicit consent in this House for that outcome.

Thirdly, if this House, having rejected leaving with the deal negotiated with the EU, then also rejects leaving on 29 March without a withdrawal agreement and future framework, the Government will, on 14 March, bring forward a motion on whether Parliament wants to seek a short, limited extension to article 50. If the House votes for an extension, the Government will seek to agree that extension approved by the House with the EU and bring forward the necessary legislation to change the exit date commensurate with that extension. The Government are committing themselves to bring forward—and therefore to support—such legislation. These commitments all fit the timescale set out in the private Member's Bill in the name of the right hon. Member for Normanton, Pontefract and Castleford. They are commitments made by the Prime Minister, and the Government will stick by them, as we have stuck by previous commitments to make statements and table amendable motions by specific dates.

Sir Oliver Letwin (West Dorset) (Con)

May I say that I enormously welcome the fact that my right hon. Friend has reiterated all that from the Dispatch Box? I have personally had no cause ever to doubt that what the Prime Minister states from the Dispatch Box will be anything other than fully fulfilled, but my right hon. Friend repeating it today is helpful, as were the remarks of my right hon. Friend the Brexit Secretary earlier this morning. In light of those remarks, it is my view that there is not a necessity to proceed in the way in which the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) and I, with many others, would have wished to proceed in relation to amendment (c) and the Bill referred to in it.

Mr Lidington

I am grateful to my right hon. Friend for that intervention.

Yvette Cooper

If the Government were to bring forward legislation in accordance with a vote in Parliament, would they—as I presume—vote for that legislation? Will the right hon. Gentleman also explain what the circumstances would be if there were a disagreement between the Government and the EU about either the length or terms of the extension? Would the Government bring it back to Parliament for a further vote, rather than simply dismissing it and deciding to shift to no deal instead?

Mr Lidington

As the right hon. Lady knows, the Prime Minister said that an extension would be short and limited. It is clearly a fact of law that any extension to the article 50 period would have to be agreed with all the other 27 Governments; that just reflects the treaties. It logically follows that if the Prime Minister has committed the Government to bring forward legislation in those circumstances to comply with what would be the will of the House, the Government would therefore support such legislation.

Liz Kendall (Leicester West) (Lab)

With the greatest respect, the Minister did not answer the other question from my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper)—what will the Government do if the EU does not want to agree to a short, time-limited extension? Will they come back to the House with a different proposal? [Interruption.] This is a serious matter. Government Members shake their heads, but we need to know. If the EU were to turn down the extension, what would happen? Would we crash out with no deal or would we have another chance perhaps to ask for a longer extension?

Mr Lidington

In the absence of either an agreement to extend article 50, to leave with a deal or to revoke article 50 all together, the default legal position under the treaties is that the exit date is two years after article 50 has been triggered; that is a matter of European law. The hon. Lady asks a perfectly serious question. I do not believe that the other Governments of the European Union have either an economic interest or a strategic interest in seeing a chaotic departure of the United Kingdom from the European Union. My belief is that there would be a negotiated agreement in those circumstances. But as I said earlier, the new obligation that the Prime Minister announced yesterday is in addition to the ones that would already flow in those circumstances as a result of section 13 of the withdrawal Act—that is, section 13 as modified by the two amendments successfully moved by my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve). Therefore, the matter would come back to the House and there would be an opportunity for right hon. and hon. Members to table amendments to urge particular courses of action.

Nick Boles (Grantham and Stamford) (Con)

Will my right hon. Friend give way?

Mrs Anne Main (St Albans) (Con)

Will my right hon. Friend give way?

Mr Lidington

I am conscious of the concern about time that you expressed, Mr Speaker, but I will briefly give way to my hon. Friend the Member for St Albans (Mrs Main) and then to my hon. Friend the Member for Grantham and Stamford (Nick Boles).

Mrs Main

I have listened very carefully to just every debate on this topic, and I understand that the European Union would give an extension only if it thought there was a reasonableness behind the request; I can perfectly understand that. Will my right hon. Friend tell me what rationale we would give to ask for this very short and limited extension, given that the House will have already rejected the newly negotiated deal? I cannot think what else could happen in those couple of months that would be helpful.

Mr Lidington

My hon. Friend is asking me to go deeper into the realms of hypothetical speculation. Tempting though that is, all I can say is that a lot would depend on where we had got to in the negotiations, the reasons for which the House in these hypothetical circumstances had rejected the revised agreement and so on.

Nick Boles

Nobody has a better understanding of these issues than my right hon. Friend and there is nobody whose word I would trust more completely at the Dispatch Box. But this is very important detail, and he has referred to the fact that the Prime Minister made commitments yesterday that replicated the provisions in the draft Cooper-Letwin Bill, which we are hoping not to have to move as a result. Now, that Bill very specifically sets out what would happen if, having consulted with Parliament and received Parliament's approval, the Government proposed an extension to the European Union and the European Union came back and said, "We're not happy to grant that extension, but we suggest a different length of extension."

The Bill makes provision to come back to the House with whatever had been negotiated with the European Union to seek the approval of the House for that actual extension, and it is extremely important that we have that same provision confirmed here today at the Dispatch Box. If we do not, I for one will feel bound to continue with the process of supporting amendment (c) in the name of my right hon. Friend the Member for Meriden (Dame Caroline Spelman), and then tomorrow supporting the Bill. If we can have that reassurance from the Chancellor of the Duchy of Lancaster that the House will get a chance to approve whatever final extension length is agreed between the Government and the European Union—if it were different from the one to which the House had previously consented—I will be happy.

Mr Lidington

The straight answer is yes, of course. Frankly, I just do not see any circumstance in which, if a period had been agreed with the European Union or had the potential to be agreed, the Government would not bring this back to the House. Were the Government not to bring it back, it would be brought back anyway under the provisions of section 13 in the way in which I described in response to an earlier intervention, so I think I can give my hon. Friend that clear reassurance on that point.

Sir Oliver Letwin

I thought that that answer was extraordinarily helpful. I agree with my right hon. Friend entirely that the provision actually already exists under section 13, but I think that his confirmation of the attitude of the Government to that matter settles the thing.

Mr Lidington

I am very grateful to my right hon. Friend for that intervention.

Stephen Doughty

The Chancellor of the Duchy of Lancaster is extremely generous and I also take his word very seriously. He did not quite answer my earlier question about the legislation on the extension that he and the Prime Minister have made repeated commitments to bring forward. What would be the form of that legislation? Would it be possible, for example, for the dates to be changed? As my right hon. Friend the Member for Leeds Central (Hilary Benn), who chairs the Exiting the European Union Committee, also asked, how would such disputes be dealt with?

Mr Lidington

I do not think that I can go into details on the legislation at this stage. It would depend a bit on what the outcome of the negotiations with the European Union itself had led to. If it were secondary

legislation, clearly there are the normal constraints on amendments. Equally, if it is secondary legislation, it is sudden death in both Houses; both Houses have a veto over secondary legislation. The section 13 provisions do give the House a safeguard that there is always that additional opportunity to bring forward and vote on concerns that the House feels are being overlooked.

Let me turn to amendment (c). I am grateful to my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) for indicating that he thought that this amendment would not now need to be pressed to a vote. If the House will allow me, in the light of his comments, I do not propose to go into detail about this amendment, but if it is brought up further in the debate, my right hon. Friend the Secretary of State can respond to those points when he winds up.

I now want to refer to amendment (b) in the name of my hon. Friend the Member for South Leicestershire (Alberto Costa). On citizens' rights, he has succeeded in an endeavour that some might have thought was impossible in persuading both the Leader of the Opposition and my hon. Friend the Member for North East Somerset (Mr Rees-Mogg) to share the honours as lead signatories to an amendment. All Members of this House are aware of how vocally and passionately my hon. Friend the Member for South Leicestershire has campaigned on the issue of citizens' rights for many months now. This is an area that the Government take extremely seriously. We have consistently put citizens' rights first in our negotiations. It was one of the very first parts of the withdrawal agreement to have been agreed and had negotiations completed with the European Union. Of course, the best way to guarantee those rights, both for our citizens in the EU and EU citizens here, is to vote in favour of the deal, as my hon. Friend did in January.

But there is a lot of uncertainty surrounding no deal. That is why the Government have already committed that the rights of the 3 million EU citizens living in the UK will be protected in any scenario. EU citizens resident here by 29 March would be able to apply for the EU settlement scheme to secure their status. The Home Office has already granted more than 100,000 applications under that scheme and such people will continue to have access to social security and healthcare as before.

Also lying behind my hon. Friend's amendment is concern about the rights of UK nationals living elsewhere in the EU. In the absence of a deal, this would be a matter for the EU and its member states. Despite the welcome progress made by some member states, there are other areas where the offer to UK nationals, in our view, falls short. Access to healthcare is a particular concern. The Government, led by the Foreign Secretary, are seeking solutions to address these issues through bilateral contacts with member state Governments at the same time as seeking a common EU-wide approach. We should not, though, underestimate the challenge in reaching a joint UK-EU commitment, as the amendment calls for, to ring-fence the agreement on citizens' rights. The European Union has been very consistent in saying to us that its legal mandate is clear that nothing is agreed until everything is agreed, and that its view, if these issues were not addressed in the withdrawal agreement, is that there are significant legal problems for the EU in protecting these rights since, in those circumstances, some of these issues would fall within the competence of member states and not of the EU institutions.

Despite those challenges, we do share with my hon. Friend the common goal of protecting the rights of citizens in the event of no deal. So in view of the fact that our political objectives are the same, the Government will accept his amendment today, and following this debate—assuming that the House endorses the amendment—we will take up with the Commission the arguments embodied in it to seek clarification of the EU position on ring-fencing the citizens' rights parts of the withdrawal agreement and to see whether it can be persuaded to change the position that it has adopted hitherto.

Heidi Allen (South Cambridgeshire) (Ind)
rose—

Joanna Cherry
rose—

Richard Graham (Gloucester) (Con)
Will my right hon. Friend give way?

Mr Liddington

No. I am conscious that I am disappointing a number of hon. Friends and other hon. Members, but otherwise there is a danger that my speech and associated interventions are going to take up pretty well all the time available for debate today.

I will move on to amendment (k) and then amendment (a). Amendment (k), in the name of the leader of the Scottish National party in Westminster, wills certain ends without any means. It asserts a determination not to leave the European Union without a withdrawal agreement and future framework under any circumstances and regardless of any exit date. It is therefore asserting a power to override what is actually in the European Union treaties but can have no effect in terms of European law and the implications of the article 50 process. While I understand the political motives behind amendment (k), the problem with it is that it ignores the legal reality that, once article 50 has been triggered, the only ways in which to avoid what the amendment seeks to avoid are to agree a deal or to revoke article 50 altogether and commit this country permanently—in good faith, to use the terms of the Court of Justice judgment—to membership of the European Union for the future. For those reasons, the Government cannot accept it.

I have also seen and studied the amendment tabled in the name of the Leader of the Opposition. I would urge Opposition Members to look at what my right hon. Friend the Prime Minister said in her reply to the right hon. Gentleman, because on each of the five points detailed in the amendment, I believe the Government's deal provides the right answer for the people of the United Kingdom. Let me briefly take each of those five points in turn. First, the amendment instructs Ministers to seek a permanent—

Pete Wishart (Perth and North Perthshire) (SNP)

On a point of order, Mr Speaker. The Minister has now been on his feet for over an hour. Is there anything that you could think of doing from the Chair to exhort him perhaps to reach his peroration?

Mr Speaker

Well, it has been 63 minutes. The Minister for the Cabinet Office is known for the intellectual approach that he adopts, which includes analysis in copious detail of propositions advanced by other colleagues, but I feel sure that he is nearing that peroration, which is keenly anticipated.

Mr Liddington

It is the hon. Gentleman's hon. Friends, as well other colleagues across the House, who have been seeking to intervene, and if somebody intervenes on me, I think, in justice, they deserve a considered response to the point that they have made.

Amendment (a) instructs Ministers to seek “a permanent...customs union”, but the political declaration already provides for the benefits of a customs union—no tariffs, quotas or checks on rules of origin. At the same time, the political declaration says that rather than trying to seek a voice

in EU trade deals, the UK should have an independent trade policy. Beyond the label of “permanent...customs union”, it is not clear to me what outcomes the Labour amendment is seeking that the political declaration does not offer.

Secondly, the amendment instructs Ministers to seek

“close alignment with the single market”,

but the EU has already said that the deal provides for the closest relationship possible outside the single market, and frictionless trade in goods and agrifood is one of our key negotiating objectives. The truth is, looking at the EU position, that it has said that completely frictionless trade is possible only if we stay in the single market. That would mean accepting both free movement and EU state aid rules in full—things that the Labour party’s leadership has said it does not want to see. That is why, I assume, its amendment is ambiguous about what a “close” relationship really means.

Thirdly, the amendment instructs Ministers to seek “dynamic alignment on rights”. We are committed to ensuring that leaving the EU will not lead to any lowering of standards in relation to workers’ rights. We are prepared to commit to giving Parliament a vote on whether it wishes to follow suit in the future whenever EU standards in areas such as workers’ rights or health and safety are judged to have been strengthened.

Fourthly, the amendment instructs Ministers to seek “participation in EU agencies”. The political declaration sets out how we aim to participate in EU programmes in a number of areas and have the closest possible relationship with EU agencies in the heavily regulated sectors.

Fifthly, the amendment instructs us to seek

“agreement on the detail of future security arrangements, including”

participation in specific EU tools and measures. Anybody who has listened to the Prime Minister speak from the Dispatch Box, whether as Home Secretary or Prime Minister, can be in no doubt about her commitment to the closest, most effective possible partnership now and in the future between police and law enforcement agencies in this country and those in other parts of the European Union.

The amendment ignores the very real negotiating challenge of the EU’s position. It says that, as a third country outside the Schengen area and without free movement, there would be restrictions on the UK’s ability to participate in some EU tools and measures. We do a disservice to the House if we do not recognise the reality of that negotiating challenge.

The deal that the Government have negotiated provides the best way forward for this country to build its future relationship of friendship and deep partnership with the EU outside membership of the European Union. With the work that the Prime Minister, the Secretary of State and the Attorney General are undertaking to get the changes that this House has asked for to the Northern Ireland backstop, I believe we can come back with a deal that the House should be willing—indeed, eager—to endorse. That way, we will be able to deliver a result that honours the outcome of the 2016 referendum but does so in a way that protects the jobs, prosperity and security of citizens in every part of the United Kingdom.

15:21:00

Keir Starmer (Holborn and St Pancras) (Lab)

I rise to support amendment (a) in my name and the name of the Leader of the Opposition. It is two weeks since we last voted on a Government Brexit motion, but nothing has changed. The Government are no closer to making progress, and that is clear from the Prime Minister's statement yesterday and underlined by the absurdly limited motion before us today. The motion tabled by the Prime Minister states that the House "notes" her statement of yesterday and

"notes that discussions between the UK and EU are ongoing."

The Government do not even dare lay a motion reflecting the decisions of 29 January, as they did last time. They are frightened to lay a motion even setting out what has already been agreed—namely, the so-called Brady amendment—and the rejection by this House of no deal as an acceptable outcome. The statement and motion just seek to buy another two weeks and note what they are doing, all of this with just 30 days to go.

One thing that has changed is the acceptance of the amendment tabled by the hon. Member for South Leicestershire (Alberto Costa). I want to ask some questions about that, because yesterday the Prime Minister appeared to rule out accepting that amendment. This morning, the Home Secretary was before the Home Affairs Committee, and he was questioned by the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald). The Home Secretary said, "What's wrong with the amendment? Nothing." "So is the Government supporting it now?" "Yes, what do you mean 'now'? When was the Government not supporting it? When did you hear that?" "Yesterday." "From who?" "The Prime Minister." "Did you?" [Hon. Members: "Shambles!"] Well, that is a vignette of how Brexit has been going. The question that the House is struggling with is why the hon. Member for South Leicestershire has been forced to resign when the Government are accepting his amendment.

Last time we had this debate, I set out the sorry history of the Government's delays in recent months, and I do not intend to repeat that.

Lady Hermon

I am grateful to the right hon. and learned Gentleman for allowing me to intervene. I thought he was going to mention the other significant change, which is the Labour party's policy on a second referendum. As he will know, the Prime Minister warned in January this year that a second referendum could "damage social cohesion". Does the Labour party believe that the Prime Minister was wrong about that, or is it prepared to take that risk?

Keir Starmer

I am grateful for that intervention. I will deal with it. I will come to the background and the amendment we have tabled, and I will answer that intervention. If I do not, I will take another intervention to ensure that I do.

There is, it seems, an expectation that between now and 12 March there will be a change to the deal, and I do not think that that is going to happen. Why? Because there has been no progress at all since the vote was pulled on 10 December. That is 79 days ago. That was when the Prime Minister said, "I'm going to seek changes. I know what the House wants." No progress has been made since the meaningful vote was lost on 15 January, 43 days ago, and no progress has been made since the Brady amendment of 28 January, 30 days ago.

For all the talk of discussion here and in Brussels, the stark truth is that not one word of the withdrawal agreement or political declaration has changed since it was signed off on 25 November

last year—not one word. That is 94 days—three months—ago. The expectation that all of that will change in the next 14 days seems extremely unlikely, and it is not going to be fulfilled. When the Prime Minister went off to do that, I said she was building an expectation that she would not be able to fulfil, and I fear that that is what we are heading for.

The deal today is the same as it was three months ago, and it is that basic deal that will be put before us again on 12 March. It may have some warm words around it, and the Attorney General may be asked to say what those warm words mean, but the withdrawal agreement will be exactly the same in two weeks as it is now. We have to face up to that and stop deluding ourselves that it will change in the next 14 days. There are serious consequences if the deal does not go through because it is precisely the same, which is why there has been such questioning this morning about what happens next.

The deal has not changed because the Government have made three central demands. First, they have asked for a unilateral exit to the backstop. That has been roundly rejected every time it has been asked for, and the deal was signed off 94 days ago. Secondly, they have asked for a time limit to the backstop. That has been roundly rejected every time it has been asked for, and it was on the table 94 days ago. The only other ask is that the backstop be replaced by alternative arrangements. The EU's response to that to the Government has been, "Well, what are you proposing? What are these alternatives, so that we can discuss them?" Nothing has been forthcoming.

We learned from the Prime Minister's statement and the Minister for the Cabinet Office that a joint workstream will be considered by the EU and UK, which will be an "important strand". I do not doubt that a joint workstream on alternative arrangements is a good idea. I do not doubt that any country would seek to streamline any checks at the border whatever the arrangements, irrespective of Brexit. That workstream will apparently work until the end of next year. The announcement that that workstream is in existence is hardly a breakthrough. The idea that the deal that was so roundly rejected is now going to go through because there is a workstream on alternative measures seems to me unlikely, and that is why we have to get real about what is actually going to happen in two weeks' time, and it is why we predict that we will be left with exactly the same deal.

On the alternative arrangements, the Minister for the Cabinet Office says that those words are used elsewhere in the withdrawal agreement and the political declaration. That is true, but they are used only in two respects with two different meanings. One is that the alternative arrangements are the future relationship. That is one meaning provided in those documents, but that is not relevant to this discussion because if the future relationship is ready, there is no question of a backstop. We all know that.

The only other way in which alternative arrangements are actually used in the documents is in relation to the technology at the border making all the difference. We have been searching for that for some time. I do not doubt there will be advances in technology, but the reason the backstop was put in is that the assessment back in November was that there was no prospect of that technology being ready by the time the backstop would be needed, and therefore we needed the backstop. That was the conclusion.

Since I have been in this role, I seem to have spent quite a lot of my time standing on borders looking at lorries and people going across borders. I went to the main Sweden-Norway border to see what a border looks like where a country is in the EEA, and therefore has single market alignment and free movement, but is not in a customs union. It is a hard stop—with infrastructure, with security, with paperwork—and when it works well, each stop takes 13 minutes. Those two countries are not operating the least efficient system that they can; they think they are operating the most

efficient system that they can. I do not doubt it can be improved on, but I doubt that this workstream in the next few months is going to make the progress that many people in this House think is going to happen.

Mr Gregory Campbell (East Londonderry) (DUP)

The right hon. and learned Gentleman has referred to spending a lot of his time standing at borders. When he was at the border in Northern Ireland, was he able to see the complete and total complexity of that border, with the hundreds of crossing points, and has he grasped the total impossibility of anyone anywhere constructing a hard border that could not be avoided with ease?

Keir Starmer

I was and I have. I have visited that border many times. I visited it with the Police Service of Northern Ireland many times when I was working there for five years—as it policed the area around the border, which has particular issues—and I have been there since on a number of occasions. I am well aware of the nature of that border. I am also well aware of the fact, in relation to that border, that it is a mistake to think that the only issue is, technically, how to get people or goods over a line in the road. That border is the manifestation of peace: it is a settlement between two communities. Therefore, the very idea that this is just a technical exercise does not understand the nature of that border.

Mr Dominic Grieve (Beaconsfield) (Con)

It goes beyond that, does it not? The right hon. and learned Gentleman may share my anxiety that this issue seems to be consistently ducked. We have a pre-existing international treaty with Ireland that places obligations on us in respect of the border. I do worry, and he may share this anxiety, that in this House this is constantly brushed under the carpet, whereas as we are a rule-of-law state that believes in the international rules-based system, we cannot depart from that without reneging on such obligations.

Keir Starmer

I am grateful for that intervention and I agree with it.

This is really the heart of it: we know what the problem is, we know what the House thinks about the backstop and we know that there is an unlikelihood that those problems are going to be addressed in the next 14 days. When the Prime Minister lost the first meaningful vote, she had a clear choice. Choice 1 was to plough on with the failed deal in the usual blinkered way, and eventually put the same deal back to us. That was option 1. Option 2 was to drop her red lines, and negotiate changes that were credible with the EU and could command a majority in this House. The Government have chosen the first course—blindly ploughing on, rather than really engaging—and, as we have seen from the last few weeks, that path leads nowhere.

That is regrettable, because there is an alternative, and I want to address amendment (a). We have set out this alternative repeatedly over recent months. It was set out in full in the letter from the Leader of the Opposition to the Prime Minister on 6 February, and it is spelled out in today's amendment (a). I remind the House that the focus of the changes we are calling for are to the political declaration, not the backstop.

The changes are to negotiate a permanent and comprehensive UK-wide customs union. That is the first part. Why is that important? Because it is essential for protecting manufacturing, particularly the complex supply chains, and to avoid the hard border in Northern Ireland. I know that those on the Government Front Bench have, like me, gone to many of the big manufacturing companies to discuss with them their complex supply chains and how anxious they are about protecting the

customs union arrangements that allow them to do that. As I said, it is also essential to avoiding a hard border in Northern Ireland.

Dr Murrison
rose—

Keir Starmer
I will just make this point and then I will give way.

The Prime Minister has pretended that her customs proposals achieve that. I listened carefully to what the Minister for the Cabinet Office said about amendment (a). He said that, under the political declaration, the benefits are already there, because it notes that the single customs territory in the Northern Ireland backstop obviates the need for rules of origin checks. So the political declaration notes the backstop, which is the contentious bit of the withdrawal agreement. I concede that that is a form of customs union, because under the backstop that single customs territory obviates the need for rules of origin checks. The declaration goes on to say—this goes to the heart of what the Minister for the Cabinet Office just said—that if we build and improve on that customs union for the future partnership, we can continue to avoid customs checks.

Let us unpick that. If we build on the backstop, which is the bit that, as I understand it, many Government Members do not like, we can avoid customs checks. So, the temporary backstop—hopefully never to be used; only an insurance policy—has to become permanent, turbocharged and the foundation stone of the political declaration in order to get the protection of a customs union. That is precisely what the political declaration says.

I am not sure that the Minister for the Cabinet Office has explained that to all the Members behind him. If his proposition is that the backstop is just a short-term, temporary measure, whereas it is actually an essential foundation of the political relationship, I think that might be met with a particular response. The pretence that the political declaration equals the same as a customs union goes against the Government's stated aim to be outside a customs union.

Mr Kenneth Clarke

I listened with care to the Chancellor of the Duchy of Lancaster's response to the five principles at the end of his speech. Did it seem to the shadow Minister that the Chancellor of the Duchy of Lancaster disagreed with any of the five principles? I do not disagree with any of them. My right hon. Friend tried most of the time to demonstrate their compatibility with the political agreement. He might have hesitated, because in the Chequers policy the Government went beyond that and proposed a single market in goods—for about 48 hours. The shadow Minister raises negotiating points such as new trade agreements with other countries and what this would mean for freedom of movement, but all that will eventually be covered in the negotiations. Would it not help if Opposition and Government Front Benchers agreed on these five principles? That might transform the atmosphere of the debate when we move on to the next stage of the negotiations after the withdrawal agreement has been agreed.

Keir Starmer

As has been alluded to, I am having discussions with Government Front Benchers, including the Minister for the Cabinet Office. I do not intend to disclose what has been said in confidence in those discussions. They will continue, and we will play our part in them. We are trying to set up the next meeting, which we will hold as soon as possible.

Keir Starmer

I will give way, but I want to finish answering this question. The point is that, unless and until the Prime Minister changes her red lines, it will be impossible to find any space for those negotiations to progress. I do not rule out something dramatic happening next week. The Prime Minister may come to the Dispatch Box and say she now understands that her red lines were the problem and that she is prepared to change them, but I do not think that that will happen. I have concluded that the Prime Minister will plough on with the deal that she put before us last time, and that she is not willing to drop her red lines, which would allow more fruitful progress in those discussions.

I say that without prejudice to the fact that those discussions will go on between now and 12 March. However, the fact that a date is already set for the deal to come back in two weeks' time makes me just a little cautious in suggesting that those discussions will bear fruit in those next two weeks.

Sir Oliver Letwin

I am very grateful to the right hon. and learned Gentleman for giving way. As he knows, I shall be voting for the Prime Minister's deal. I think something has changed, which he did not admit at the beginning of his speech: the circumstances of the past 24 hours. I think they may change minds on the Government Benches quite significantly and favourably. But if it does not pass, while I completely agree with him that under those circumstances the Government will need to look again at their red lines to try to get an agreement that is somewhere in the region of what he has been describing, will he also commit that the Labour Front Bench will exercise flexibility? My whole experience of dealing with coalition Government was that it takes two to tango. There has to be flexibility on both sides to get to an agreement.

Keir Starmer

I am grateful for that intervention. We are playing our part in those discussions with the Government and will continue to do so for as long as is necessary. I do not want to go into what we are discussing, but we will continue to do so as long as is necessary. I am just slightly cautious as to the likelihood that that will lead to a breakthrough in the next 14 days.

Sir William Cash

I must say that the right hon. and learned Gentleman is possibly generating more alarm than he realises. The idea that there is going to be some compromise between the two sides of the House on this question of the red lines raises a very simple question. Would the right hon. and learned Gentleman like to state, on behalf of the Opposition, that they would like to see the repeal of the repeal of the European Communities Act 1972?

Keir Starmer

I am grateful for that intervention, because what it demonstrates is the point I was trying to make about the customs union. If the Government Front Bench say our political declaration is in effect a customs union by a different name, because we are going to build on the backstop and make it permanent and turbocharge it, I suspect there will be a degree of opposition to that, if I have understood anything about the debates that have been going on here for some considerable time. That is where the difference is.

As for the repeal of the 1972 Act, I have always said—I stand by it—that repealing that Act and putting a date for leaving in the withdrawal Act was a mistake because of the transition period. I have always said that the Act we have passed will have to be repealed before it comes into force, and so it will. The implementation Bill White Paper specifically says it is going to be, as the hon. Gentleman well knows. In other words, between now and the end of March we have got to intercept the withdrawal Act that we have passed if there is going to be any order to leaving the EU and ensure that things like the ceasing of the jurisdiction of the European Court is changed. It was

barmy to turn the European Court off at 11 o'clock on 29 March, which is the current law, because you cannot get on to transition. I always said that before that comes into force, if this is going to make any sense at all, it is going to have to be changed, intercepted and repealed. That is exactly what the implementation Bill will do. I am as sure as I possibly can be.

Dr Murrison
rose—

Mark Pritchard (The Wrekin) (Con)
rose—

Richard Graham (Gloucester) (Con)
rose—

Keir Starmer

I am going to press on. I will just make some progress. I will give way in just a minute. I do not criticise the Minister for the Cabinet Office, because he quite rightly took interventions from a number of Members who really did want detailed answers, but I am going to try to make some progress. Otherwise, between the two of us, we really are going to get to the wind-ups before we anyone else has got in.

Let me move on to closer alignment with the single market. This part of the Brexit debate is too often ignored. How do we protect our service sector, which is of course 80% of our economy and 80% of our jobs? The second part of this package is also needed, alongside a customs union, to prevent a hard border in Northern Ireland. We recognise that if we are going to have closer alignment with the single market we need that to be underpinned by shared institutions and that would require accepting common obligations. What they are would be a matter of negotiation and how we stay aligned would be part of the negotiations. I am not pretending that that would be trouble-free.

The Minister for the Cabinet Office said that that is effectively there in the political declaration, as close as you can get. It is worth going back to the political declaration that the Prime Minister has put before us, because what it actually says is that we should achieve

“a level of liberalisation in trade in services well beyond the Parties’ World Trade Organization (WTO) commitments”.

Well, you cannot aim much lower than that. To quote the former UK permanent representative, that is

“about as unambitious as it can get.”

The third part of the amendment is

“dynamic alignment on rights and protections”.

That means UK standards keeping pace with evolving standards across Europe. Why is that needed? Because we cannot allow UK workers or consumers to see their rights lag behind those in the EU after we leave, or frankly, to allow future Governments to erode those rights. Again, the Minister for the Cabinet Office says, “Well, that is effectively there in the political declaration, or has been promised by the Prime Minister.” There is a world of difference between keeping up with

evolving rights and a non-regression clause that simply says they will not drop behind a frozen level, so the answer from the Government simply is not strong enough. They are promising only non-regression—to freeze, not to keep pace. That is a world of difference, and it is no wonder that the trade unions were never going to sign up to that proposal.

Yesterday, the Prime Minister said, “Well, don’t worry. What we’ll do is that every time there is an evolution of rights in Europe, we’ll come back here and see whether this House wants to keep up,” but she did not say, “My Government will vote to do so.” That would make a material difference, but she did not, so neither we nor working people are going to fall for that one.

The fourth and fifth elements are clear

“commitments on participation in EU agencies and funding programmes”

and an

“unambiguous agreement on the detail of future security arrangements, including access to the European Arrest Warrant.”

I do not doubt the Prime Minister’s commitment on this. I worked with her when she was Home Secretary and I know how seriously she takes it, but I also know that the political declaration does not say that there has been any progress towards replica arrangements for the European arrest warrant. With the Prime Minister back in, I think, 2012 or 2013, we looked at what would happen if we fell out of the European arrest warrant arrangements and what the old extradition treaties were, and we were horrified by what we saw. Outside the European arrest warrant, it takes about 10 years to extradite someone from a country such as Italy to this country, and there are real-life examples of that. Using the European arrest warrant, it takes about 40 or 50 days. These are material differences and there is nothing in the political declaration along those lines. I understand the technical problems with Schengen and so on, but one of the barriers has been the determination that the European Court should have no role in anything at all in future, thus blocking progress in this area.

I am not pretending that the plan—the alternative—that we have set out is easy or painless to negotiate. I have never pretended that it will be the easiest negotiation in history, but I know that that kind of deal—delivering a close economic relationship with the EU—would prevent a hard border in Northern Ireland, reduce the pressure on the backstop and could be negotiated. The EU has said as much in recent weeks. We have heard in meetings with EU counterparts and in public that the customs union/single market alignment proposition is credible. The EU has said that it is a promising basis for negotiations, and to quote Michel Barnier:

“If the United Kingdom chooses to let its red lines change...then the European Union would be ready immediately to...respond favourably.”

I think it could be achieved. If the Prime Minister is serious about reaching out to the Opposition, she should engage with that proposal. It is clear from her response to the Leader of the Opposition and her blind insistence on seeking further changes to the backstop that that is not her intention, so today we put that plan to the House and ask for Parliament to help in delivering the basis for a credible Brexit offer.

Richard Graham

I have been listening with some interest to the right hon. and learned Gentleman’s explanation of the five bullet points that are so important in the Leader of the Opposition’s amendment, but most

of them are fundamentally to do with the future phase of negotiations and are not specifically to do with the withdrawal agreement Bill. I am therefore still puzzled about what the major difference is between his party and the Government and why it cannot agree with the Government to secure the withdrawal agreement and get it through Parliament.

Keir Starmer

I think I acknowledged earlier that these points go predominantly to the political declaration and not the withdrawal agreement. Those two documents cannot be separated because they go together. [Interruption.] Well, an example of that is the customs union. The political declaration says that it builds on the withdrawal agreement; we cannot treat them as two separate documents, and the legislation that we will be voting on does not allow us to vote on them separately. But on the general proposition—do we accept that, for example, the backstop, whatever our concerns about it, is inevitable? The answer is yes. I said that when I stood here two weeks ago, and I make that clear again today.

Dr Murrison

But the Leader of the Opposition has said that he objects to the backstop because it will not be just permanent; it is potentially forever. Does the right hon. and learned Gentleman have any qualms about that at all? If he does not, he should be supporting the withdrawal agreement, since most of his amendment, especially point i., is contained within the backstop.

Keir Starmer

I tried to deal with that question last time I was at the Dispatch Box, but I will have another go. We do have concerns about the backstop. There are concerns about the exit arrangements. There are concerns that England, Wales and Scotland, on the face of it, will fall out of single market alignment when we are in the backstop. There are concerns about the protection of workplace rights, environmental rights, non-regression protections and so on, and the enforcement mechanism is not the same as it is for other provisions, such as procurement. So there are real, deep concerns. Notwithstanding those concerns, though, we accept, because of our commitment to the Good Friday agreement, that at this stage—two years in, with 30 days to go—a backstop is inevitable. I hope that makes that clear, but I do not accept that it is possible to separate the two documents and treat them as separate documents to be voted on separately. In addition, the legislation does not allow us to do so; it requires both documents to go through in order for us to move forward.

Mark Pritchard

Given that Labour party policy on a second referendum was different a week ago from what it is today, may I encourage the right hon. and learned Gentleman to be more optimistic? The Prime Minister could indeed get changes to the backstop—a time limit, or a get-out clause for later on. If she does make those changes—if she is successful—given what the right hon. and learned Gentleman has just said, will he then support the Government in order that we avoid no deal?

Keir Starmer

I understand the point and the force with which it is put. Given the conversations that have gone on here and in Brussels, I have to say that I really do not see the prospect that after 94 days of trying, there will be a breakthrough in the next seven days. If there is, we must all come back to the House; there will be a statement from the Prime Minister and we will consider what she says. It will only be on the backstop, and we have accepted the inevitability of the backstop, so it would be more to try to solve a problem on her own Benches than with the Opposition.

However, I have always said that we will look at what the Prime Minister brings back. It was what we did when she brought back the deal in the first place. People invited me to commit beforehand

that we would do this, that or the other, but I said I would wait to see what the deal was. I will faithfully wait to see, but at the moment I personally do not think that we shall be standing here in two weeks with significant changes, or any changes, to the withdrawal agreement. I will wait and see. I know that Members on the Government Benches want to be optimistic. My worry is that there is still the expectation of changes that will not happen, and therefore a lack of focus on what needs to happen next. That is why what the Prime Minister said yesterday was significant, because if the deal does not go through, obviously what happens next becomes deeply significant. However, we will faithfully look at whatever comes back and consider it.

A plan of the type that I have suggested is credible. It is a plan that is capable of negotiation, and it is one that the EU is prepared to negotiate. The only question now is, is the Prime Minister prepared to drop her red lines so that there can be a meaningful engagement with that alternative proposition? I invite hon. Members to vote for our amendment tonight, to ensure that that plan can form a consensus or a majority in this House to take us through to the next stage of the process.

I want to underline the commitment that we made on Monday, that if amendment (a) is defeated and the Prime Minister still refuses to negotiate a close economic relationship, Labour will support or table an amendment in favour of a public vote. That public vote would include a credible leave option and remain. It could be attached to the Prime Minister's deal—what I have called a lock against a damaging Tory Brexit—or it could be attached to any deal that managed to win a majority in the House of Commons.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op)
rose—

Keir Starmer

I will deal with the earlier intervention. It was put to me earlier that we should not adopt that course because of the social unrest that it might cause. There are a number of answers to that. First, this comes at a stage when we are trying to prevent no deal, and I do not think that no deal is going to be orderly and smooth; I think it is going to lead to huge problems up and down the country. Secondly, I think it important for us not to exaggerate social disorder, because to do so can encourage social disorder, and I am really worried about that. I am not suggesting for one minute that that was what the hon. Member for North Down (Lady Hermon) was doing—I take her interventions very seriously, as she knows—but I do not think we should casually say that there will be social disorder.

The third thing I want to say is this. I have been in this place for less than four years, but the idea that we would not take the right next step as a matter of principle because we thought that there might be social disorder is a very slippery slope.

Justine Greening (Putney) (Con)

Does the right hon. and learned Gentleman agree that if a Parliament simply guessed what version or outcome of Brexit people wanted, brought it about and then hoped that it was the right one for the British people, that would not be a pragmatic, sensible, sustainable or democratically acceptable way of proceeding?

Keir Starmer

I am grateful for the right hon. Lady's intervention for two reasons. First, I have been very hard on the Prime Minister, I think justifiably, for the fact that she set out the red lines without any discussion about them in Parliament, or even, I understand, in the Cabinet. It was her almost personal interpretation of the referendum. In my view, many interpretations could have been applied to it, but that was not one of them.

The second reason is important. I am not sure that getting a deal that is not really liked through the House at the last minute is going to settle anything. If, on a sweaty night in March, a measure goes through that no one really likes, the idea that that constitutes closure is very worrying. Of course, we are building up the expectation that if a deal goes through, that will be it, Brexit will be settled and it will all be over. We will still be in the foothills, because all that will happen after that will be the negotiations on the future relationship, which is so thin at the moment.

Mr David Lammy (Tottenham) (Lab)

May I take up the point about social order? I have faced social disorder in my own constituency and rightly condemned it, however hard that condemnation was for some constituents to hear. Does my right hon. and learned Friend agree that some in our country on the hard right who are suggesting that there will be social disorder forget that this is the country that faced down Mosley at home and faced down Hitler and Mussolini abroad? We can never give in to hard-right pressure.

Keir Starmer

I agree wholeheartedly with my right hon. Friend.

Gareth Snell

I too agree with my right hon. Friend the Member for Tottenham (Mr Lammy). Stoke-on-Trent was the city described by the British National party as the jewel in its crown, and we took no prisoners in fighting its members on the streets to rid ourselves of them.

My right hon. and learned Friend said that there could be a public vote on a deal versus remain at some point in the future. So that I can be clear about our party's policy, will he outline the nature of the deal that he would like to see on a ballot paper that would persuade him to vote for that deal rather than for remain? It appears to me that at the moment, Labour party policy is actually to revoke article 50 at pretty much any cost.

Keir Starmer

It is important to appreciate that at the moment, I am pressing an amendment that favours a Brexit deal. In our manifesto we said that, if elected, we would seek to negotiate. We said that we would

“end Theresa May's reckless approach to Brexit”,

and that we would

“scrap the Conservatives' Brexit White Paper and replace it with fresh negotiating priorities that have a strong emphasis on retaining the benefits of the Single Market and the Customs Union”,

and we set out why that was necessary. We also said that we recognised

“that leaving the EU with ‘no deal’ is the worst possible deal for Britain”,

and that we would

“reject ‘no deal’ as a viable option”.

Pete Wishart

Will the right hon. and learned Gentleman give way?

Keir Starmer

I have not finished answering the question yet.

What I am putting before the House today is entirely consistent with what we said in our manifesto that we would seek to do. Therefore, the question will be whether we can carry that tonight.

Pete Wishart

Will the right hon. and learned Gentleman give way?

Keir Starmer

I have not finished answering the question, and it is an important question.

If that cannot be done, we will be faced in two weeks with what I think will be the Prime Minister's red-line deal or no deal. In our manifesto we rejected both, and in those circumstances we would either put forward or support a motion on a public vote with a credible leave option—when we tabled a Front-Bench amendment three or four weeks ago we spelled out that that deal or proposition would have to have the confidence of the House—with the other option being remain.

Joanna Cherry

I welcome the Labour party's movement towards a second referendum. Some people say a second Brexit referendum would be undemocratic, but does the right hon. and learned Gentleman agree with Martin Wolf writing in the Financial Times today, who said:

“If democracy means anything, it means a country's right to change its mind”?

Keir Starmer

Yes, and I think that was repeated by the first Brexit Secretary on a number of occasions, although I am never quite sure whether I should quote the first Brexit Secretary—[Interruption.] Yes, or the second, but of course I listen carefully to the third every time, and look forward to seeing him yet again tomorrow morning at the Dispatch Box.

Keir Starmer

I am going to make some progress, as I have now been on my feet for 40 minutes.

We are putting forward a credible plan, and we are making it clear that if it is not carried and we are left with the option of the Prime Minister's deal on her red lines or no deal, then we will put down ourselves or support a motion in favour of a public vote in order to prevent a damaging Tory Brexit.

I had a section in my speech on extending article 50 and the amendment put down by others to that end. I hear what they say about that and commend their efforts to push the Government on this and to get the commitments we got yesterday and again at the Dispatch Box today. It would not have happened without a concerted effort by Members on the Opposition Benches, along with others across the House. It is extremely important that we now know that should the deal not go through on 12 March, there will be a binding vote on no deal—we have already had more than one indicating where the will of the House is—and that if that does go through there will be a binding vote on extending article 50. In those circumstances, I urge all Members to support our amendment.

Mr Speaker

Order. Before I call the right hon. Member for Meriden (Dame Caroline Spelman), I have now to announce the results of today's deferred Divisions.

In respect of the question on the draft Official Listing of Securities Prospectus and Transparency (Amendment etc.) (EU Exit) Regulations 2019, the Ayes were 317 and the Noes were 280, so the Ayes have it.

In respect of the question on the draft Employment Rights (Amendment) (Northern Ireland) (EU Exit) Regulations 2019, the Ayes were 317 and the Noes were 260, so the Ayes have it.

In respect of the question on the draft Employment Rights (Amendment) (EU Exit) Regulations 2019, the Ayes were 318 and the Noes were 288, so the Ayes have it.

In respect of the question on the draft Employment Rights (Amendment) (EU Exit) (No. 2) Regulations 2018, the Ayes were 317 and the Noes were 288, so the Ayes have it.

In respect of the question on the draft Employment Rights (Amendment) (Northern Ireland) (EU Exit) (No. 2) Regulations 2018, the Ayes were 317 and the Noes were 260, so the Ayes have it.

Finally—I know the House is ahead of me on all of these matters, and I am merely reminding Members of the prodigious knowledge they possess on these important questions—in respect of the question on draft Financial Services Contracts (Transitional and Saving Provision) (EU Exit) Regulations 2019, the Ayes were 318 and the Noes were 281, so the Ayes have it.

[The Division lists are published at the end of today's debates.]

It will now be a very great relief to the House to hear Dame Caroline Spelman.

16:03:00

Dame Caroline Spelman (Meriden) (Con)

Thank you, Mr Speaker. To be honest, I was not expecting to be called quite so early in the debate, so I prepared a relatively short speech, having been conditioned by the time limits that have usually pertained in these debates. So I do not expect to detain the House for too long with my observations.

I begin by picking up where the right hon. and learned Member for Holborn and St Pancras (Keir Starmer), speaking for the Opposition, left off. In his final words he acknowledged that something important has changed. Indeed his colleague, the right hon. Member for Birkenhead (Frank Field), intervened earlier in the debate to say that the atmosphere is changing, and I think he is right. The pragmatism and courage the Prime Minister showed yesterday in making her statement is a very important change. I also welcome the Brexit Secretary's recognition that, when my amendment carried on 29 January, Parliament demonstrated a clear majority against no deal. I listened very carefully to him speaking on the "Today" programme on Radio 4 this morning, when he set out that, if that majority should be restated, and if the meaningful vote did not carry before 12 March, Parliament would have an opportunity to vote on an extension to article 50 the following day. I am pleased to see that the will of Parliament will now be respected.

I absolutely agree with the deputy Prime Minister that the best way to avoid a no-deal Brexit is to vote for a deal. I did just that on 15 January and I will do so again when a deal is next put. I really do appeal to colleagues across the House to do the same. Agreeing a deal would help to ensure an orderly Brexit, which is essential to protect jobs. I have been absolutely consistent on my motivation on this issue, which is to protect the jobs and livelihoods of my constituents and those of my colleagues.

Peter Grant (Glenrothes) (SNP)

The Prime Minister has indeed repeated ad nauseam that the way to avoid no deal is to vote for her deal, but is it not the case that the way to avoid Parliament voting against her deal would have been to talk to Parliament a year ago to find out what kind of a deal would be acceptable to the vast majority of Members of this House?

Dame Caroline Spelman

As an experienced former commercial negotiator—I know that the hon. Member for Birmingham, Erdington (Jack Dromey) is one of those as well—I have learned that, in difficult negotiations of this kind, it is no good harping on about the past. We have to focus on the future and to be relentlessly optimistic and bring good will to the table.

Getting back to the subject that is closest to my heart, I sounded the alarm months ago about the risks to the car industry of a no-deal Brexit. Many workers in my constituency have already lost their jobs, and more recently we heard the sad news about Nissan and Honda. The loss of jobs is devastating, but far more will be risked if auto manufacturers leave these shores. The chairman of Unipart, John Neill, said in the weekend Financial Times:

“If we lose the automotive industry, we lose one of the most powerful drivers of productivity and a powerful source of industrial innovation”.

The UK is now the ninth biggest manufacturing country in the world and we just cannot afford to lose this critical industry.

A no-deal Brexit threatens not only our car makers. Last night, representatives from the CBI, Next, Bosch, Ford, the TUC, Make UK—formerly the EEF—the Food and Drink Federation, the Investment Association and Virgin Media, to name but a few, spoke to a large number of MPs at an event in Parliament. All those organisations fear the chaos of a no-deal Brexit and implored parliamentarians to come together and agree a deal. Those colleagues who think that leaving without a deal is in the national interest must answer the concerns of the industries that millions of jobs depend on.

Chris Cummings, chief executive of the Investment Association, which represents firms collectively managing around £7 trillion, told MPs last night that £19 billion had left the United Kingdom since the referendum. The Investment Association can measure that, because it involves its members. The current run rate of this capital flight is approximately £2.4 billion each month, so the notion that no deal has already been priced into the markets is simply not true. The full consequences have not yet been accounted for.

The human cost of no deal is not just jobs and livelihoods today, which are very important, especially in constituencies such as mine; it will also impact the value of people's pensions and savings in the future. Having touched on pensions, I want to make a point that is relevant to amendment (b), which my right hon. Friend the Secretary of State has said that the Government will accept. Colleagues might recall that I have also sounded the alarm about the plight of UK pensioners living in other EU countries, and especially about the provisions for their healthcare. If the United Kingdom were to leave the EU without a deal, there are at present no provisions in place to ensure that their healthcare would be paid for. Given the size of the contingency fund of taxpayers' money that the Government have had to make available for the risk of a no-deal Brexit, I suggest to my right hon. Friends that some portion of that could be used to bridge the gap for UK citizens in Italy, Germany, France and Spain who are already receiving letters from the authorities

warning them that their healthcare costs will not be covered from 29 March. That is a source of real anxiety and human cost to the people concerned.

Businesses cautiously welcomed the Prime Minister's announcement yesterday, which has the capacity to take away the threat of no deal on 29 March, and the director of the CBI described it as a "glimpse of sanity". She called on the Government to permanently rule out no deal to provide the certainty that business needs. That would de-risk the situation and create the space to secure a pragmatic deal. People often confuse risk with uncertainty, because a binary choice between a deal or no deal with 15 days to go is a high-risk situation, which creates uncertainty. The Prime Minister's pragmatic response yesterday helped to reduce that risk and creates the space to secure a deal.

The contingency planning for no deal has already cost business millions and the taxpayer billions. Pfizer alone has spent £90 million on no-deal preparations, and that money cannot then be invested or directed to the frontline, so jobs will be lost in the end. The Federation of Small Businesses reports that 85% of its members are not ready for no deal and, as somebody mentioned earlier, very small businesses do not have the capacity to prepare for a no-deal scenario in the same way as some larger ones can.

Last night's publication of the Government's assessment of the state of preparedness for no deal did not provide a lot of reassurance on that, so it is time to be pragmatic—the Prime Minister has taken a lead on that—and to deliver an orderly Brexit. We need to come together across parties to try to get a deal over the line. If we cannot do that, we will fail the nation.

If MPs cannot bring themselves to put the national interest first at a time like this, they should consider the risks we face to security, freight delays, air traffic control, visas, food, medicine and energy shortages, healthcare for UK citizens in the EU, scientific research and educational exchange. We have heard more and more about those things, and all that disruption is having and will have an impact on the people whom we represent. As demonstrated on 29 January, there is a clear majority to rule out no deal, and I expect that that majority will increase at the next opportunity. However, we cannot just stand against something; we must urgently build a consensus for a deal that we stand up for in the British national interest.

It is clear that businesses need a deal to deliver frictionless trade and customs co-operation. Are the parties really so far apart on some form of customs partnership? The 2017 Conservative party manifesto mentioned having a special relationship based on a customs arrangement, and the official Opposition are calling for a customs union, so I feel that we are within touching distance if there is a determined effort to reach a consensus.

Lady Hermon

I would be delighted to hear the right hon. Lady encourage those on the Front Bench to confirm that she and her right hon. and hon. Friends will be allowed a free vote in the event that the Prime Minister again does not win the meaningful vote if we have one before the middle of March. Will the Conservative Government allow Conservative Members to have a free vote in the event of a significant decision about taking no deal off the table?

Dame Caroline Spelman

I cannot commit the Government to that, but it is clear to the House that these are not normal political times. I do not envy the job of my party's Chief Whip, which must be one of the most difficult jobs on the planet at the moment. The main parties have difficulty in operating as we normally would, and much of what has been achieved has been achieved by building cross-party

alliances. I think the public feel reassured when they see that happen, leastways my constituents and members of my party have told me that they like to see us working together in the national interest to try to bring about a resolution to this process, because we need it sooner rather than later.

With good will and determination, I believe we can get there and secure the new relationship with Europe for which people voted. I believe we will enjoy trading on preferential terms with our largest market, while being outside the constraints of the EU institutions to which many object today. That is what more than 17 million people voted for, and that reality is now within our grasp.

Whether Brexit is delivered on 29 March or is delayed for a few months—I am no great fan of an extended delay, as delay means uncertainty and will cost businesses money—it is up to us to back a deal that delivers certainty and protects prosperity and work. I therefore urge colleagues from all parties carefully to consider the amendments before the House today. More than that, as the debate continues in this place, we must now work more closely together than ever before to deliver Brexit.

Mr Speaker

Order. The hon. Member for North East Fife (Stephen Gethins), who speaks for the Scottish National party, now has a possibly unrivalled opportunity to demonstrate, by comparison with his Front-Bench colleagues, just how brief he can be.

16:16:00

Stephen Gethins (North East Fife) (SNP)

Thank you, Mr Speaker.

Here we are for yet another debate and yet more votes as the clock ticks towards leaving the European Union on 29 March, and towards a no-deal Brexit and a cliff edge that everyone knows will be disastrous and damaging. From day one, this has been a lesson in gross irresponsibility, particularly from the Government.

Our amendment (k) is simple and straightforward: it would take no deal off the table altogether. The Prime Minister was uncharacteristically clear in her statement yesterday when she said we will have a vote on 13 March to take no deal off the table for the end of March. Our amendment simply goes one step further.

We know from public statements and from what we hear—Ministers will be well aware of this—that even members of the Cabinet and officials are warning of the devastation that no deal would bring. Everybody knows. This is not a negotiating tactic; it is simply a tactic to hold a fracturing Conservative party together. We have a Government in peacetime who we know are preparing for medicine shortages and food shortages, and who we know have discussed martial law and civil unrest. That is deeply disconcerting to everyone, and it underlines why no deal must be taken off the table.

Our amendment is not just something that the Scottish National party is calling for, and I am grateful to colleagues from the Green party, Plaid Cymru and the Liberal Democrats for backing it. I know that colleagues from the Labour party and the Conservative party are calling for it, too, including the right hon. Member for Meriden (Dame Caroline Spelman) in the previous speech. We must take no deal off the table altogether, which is why this is such a simple amendment.

Dame Caroline Spelman

I should have made it clear to the House that, having been reassured by what the Minister said today and by the consistency with which he said it, I will not be pressing my amendment.

Stephen Gethins

I thank the right hon. Lady for that clarification. The amendment standing in my name and that of my colleagues will be pressed to a vote, because we think that as the clock ticks we cannot wait for another two weeks. We have been waiting for “another couple of weeks” or for “another few days” for months and years now. This House needs to take a bit of responsibility for the situation in which we have been left, for which posterity and history will judge us.

On the way that history will judge us, let me talk about the human element of this. I do not want to embarrass the hon. Member for South Leicestershire (Alberto Costa), but I am going to say a few kinds words about him. Three years ago, in Prime Minister’s questions, he asked the Prime Minister not to make him vote against his parents’ interests. We back his amendment about EU citizens, which he has rightly tabled. We back him, and we think he is doing a brave and decent thing. I note the remarks made by former colleagues of his such as Lord Duncan of Springbank about how valuable they thought it was working for him. I hope I have not damaged his future political prospects too much by saying that, but I remark on the decency of what he is trying to do, his own personal situation and the bravery of what he has done today.

What I find incredibly striking is that we have a Government where collective responsibility is breaking down, where a Prime Minister remarks that she does not want a Cabinet full of yes-men because she cannot get collective responsibility and where Ministers have been able to say whatever they like, regardless of what Government policy is, yet you end up sacking a member of Government for agreeing with you. What kind of situation are we in? This is an extraordinary set of circumstances in which the Prime Minister fails to sack Cabinet members for disagreeing with her publicly but sacks a member of the Government whom she has agreed with, whom the Chancellor of the Duchy of Lancaster agreed with at the Dispatch Box, although he is not in his place at the moment, and whom the Home Secretary found himself in agreement with this morning. That is an extraordinary state of affairs. Do not worry; I am sure that the hon. Member for South Leicestershire will return to disagreeing with us on other occasions, but I salute what he has done today and the way in which he has conducted himself, with a common decency that we too rarely see in this Brexit debate.

We get told about “Project Fear”, but it is not that when it is a matter of fact. One in three businesses are planning to relocate some of their operations and one in 10 have done so. The UK is seen as a bad choice for investment. The global chief investment officer at UBS Wealth Management has said:

“The consensus among those investors is that the UK is uninvestable at this point”.

That is not good for anybody. We also have a decline in our public services, where we are seeing a dramatic decline of 87% in the number of applications from European economic area nationals for UK registration, according to the Nursing and Midwifery Council. That is a crucial public service, where EU nationals fill gaps in the workplace to provide it. So much damage is being done by this threat of a no-deal. Our amendment is a simple one and I hope that Members will back it, because it is straightforward and it will help to take this away.

Mr Baron

The hon. Gentleman tends simply to ignore the fact that the British economy is doing well. We have record inward investment, record low unemployment and record manufacturing output, despite all

the so-called “uncertainty”, and the doom and gloom that the SNP predicts. Do not forget that the predictions last time were so badly wrong that the Bank of England had to apologise very publicly for getting it so wrong.

Stephen Gethins

I find that this is the extraordinary thing. The hon. Gentleman knows I have huge respect for him—he and I served on the Foreign Affairs Committee together—but he is telling us that we cannot trust the Government’s figures. Who can we trust any more if we cannot trust his own Government? Who can we trust when we are trying to make a judgment? Who can we trust when we are trying to make judgments about the future? We know that this is having a real impact, and I am going to come on to deal with some of this shortly. We are almost three years on from the EU referendum and I am not even entirely sure why we are doing this at the moment. I have just been reading that, apparently, Poundland is going to be doing burgundy and blue passport covers, and we could all have a choice—they will be a pound a go. Perhaps if the Government decide to buy one for everybody in the UK, we can all have our own choice and it will save us a lot of hassle and be a lot cheaper than crashing out of the European Union.

Let us not lose sight of the gross irresponsibility that has led us to this point. We have a minority Government who are failing to be a minority Government. Other European legislatures manage it, and the Scottish Government manage it. It is not always easy; it is difficult—

Hywel Williams (Arfon) (PC)

And the Welsh Government.

Stephen Gethins

The Welsh Government do it. A minority Government must speak to the other parties and engage with the Opposition. We have a Government who are trying to run the show as if they have a majority of 100; for their information, they do not. They lost their majority at the last general election. We did not lose our majority at the last general election, but the Government did.

Let us not lose sight of where we are. It was the charlatans and chancers who backed vote leave on a blank piece of paper. They did not have the decency, courtesy or democratic accountability to put down what vote leave meant, and the Secretary of State was one of them. That is why we are in the mess that we are in today. It is a mess entirely of the Secretary of State and his colleagues’ own making, and one for which not only they but unfortunately the rest of us are paying the price, too.

Matt Western (Warwick and Leamington) (Lab)

rose—

Anne Marie Morris (Newton Abbot) (Con)

rose—

Stephen Gethins

I have taken some interventions from the Government side, so I shall take one from the Labour Benches.

Matt Western

Does the hon. Gentleman agree that the mess he refers to includes business confidence falling in the last four quarters—3.7% in the last quarter—and consumer confidence at its lowest ever since 2012?

Stephen Gethins

The hon. Gentleman is absolutely right. We are seeing business confidence falling and investment falling. These things are matters of fact.

I will come to some more figures in a moment, but first I wish to talk about the UK's standing in the world. People talk about democracy and the UK's standing. They talk of unelected bureaucrats, but the greatest number of parliamentarians are the unelected ones in the House of Lords. That is not democracy. The European Parliament is elected, the Commission is accountable to that Parliament, and the Council is made up of the 28 elected Governments as well. That is a damn sight more democratic than this place is.

Alison Thewliss (Glasgow Central) (SNP)

My hon. Friend is making a good point about democratic accountability. I have been serving on the Committees for countless financial services statutory instruments that will take powers and give them to the Financial Conduct Authority, the Prudential Regulation Authority and the Treasury, and the Government will not give them to MPs in this House.

Stephen Gethins

It has been extraordinary. As usual, my hon. Friend makes an excellent point about how the Government have tried to take powers away. They have tried to take votes from us and they have tried to take away our ability to hold them to account in a way that they just could not get away with in the European institutions, whether they like it or not.

On the lack of planning and that vote leave on a blank piece of paper, I think Donald Tusk was being restrained when he said that there is a special place in hell for those who backed Brexit without a clue about how to get there. For all those snowflakes who feigned outrage about his remarks, this is a man who fought the communists—he was living under a Soviet vassal state at that point, unlike others—and who stood up for and was arrested for his beliefs, yet when he points out the blindingly obvious, he gets dragged over the coals for it. What outrage. It was faux outrage.

Richard Graham

rose—

Stephen Gethins

I will give way if the hon. Gentleman can possibly justify it.

Richard Graham

I honestly do not think that Slovenia has anything to do with today's discussion of the withdrawal agreement. The amendment proposed by the SNP, which is what the hon. Gentleman should be referring to, talks about this House being

“determined not to leave the European Union without a withdrawal agreement”,

so will he confirm that the SNP will support the Government deal, which will be on the table before 12 March?

Stephen Gethins

It is extraordinary: I have not even mentioned Slovenia yet, but the hon. Gentleman knows the reference I am making. I know he is a decent Member and has served his country well in the diplomatic service, and I know he will have been embarrassed by the Foreign Secretary's recent

remarks. I want to talk about—[Interruption.] I am a Front-Bench speaker. I want to talk about the UK's standing in the world of which we are still a part for the time being.

There are those who are quite content to compare the EU with the USSR and cannot handle these remarks from Donald Tusk. Just at the point when we need friends and influence around the world—as the hon. Member for Gloucester (Richard Graham), who works so hard on these things, knows full well—we are losing them. Let us look at some of the reactions to that. Carl Bildt, the former Swedish Prime Minister, said that Britain used to be a nation

“providing leadership to the world. Now it can't even provide leadership to itself.”

Latvia's ambassador to London said:

“Soviets killed, deported, exiled and imprisoned hundreds of thousands of Latvia's inhabitants after the illegal occupation in 1940, and ruined lives of three generations, while the EU has brought prosperity, equality, growth, and respect.”

I ask Members to please reflect on what our closest friends and allies are telling us. Asked to respond to Hunt's remarks when he compared the EU with the Soviet Union, the European Commission's chief spokesman, said:

“I say respectfully that we would all benefit, in particular foreign affairs ministers, from opening a history book from time to time.”

The Foreign Secretary clearly did not listen. He doubled down when he went to Slovenia and referred to it as a “Soviet vassal state” to which the former Speaker of the Slovenian Parliament said:

“The British foreign minister comes to Slovenia asking us for a favour while arrogantly insulting us.”

At a time of crisis, the greatest crisis that the UK has faced since the second world war, we are led by political pygmies who do not understand the history of those countries that are closest to us, never mind the history of the nations of these islands. They have turned the UK into the political basket case of Europe. There is utter astonishment and bewilderment in Brussels and elsewhere at the UK's decline. There is also astonishment in Scotland at what is going on down here, even by those who, unlike me, backed the Union.

The right hon. Member for Broxtowe (Anna Soubry) was right to raise a point of order last night and I listened to it carefully. I am glad that, because of her work, we got the no-deal papers released, and I thank her for it. It has to be said that the document was pretty flimsy, a very small document. There is much more to the Scottish Government's document. Their analysis, which they were happy to publish a long time ago without having to be forced, has shown that any form of Brexit will be damaging for Scotland's economy. The deal will be damaging to Scotland's economy, which is why we cannot vote for it, but a no-deal Brexit could result in a recession worse than that in 2008, causing Scotland's GDP to fall by up to 7%, and unemployment to rise by around 100,000.

Anna Soubry
rose—

Stephen Gethins

I will give way to the right hon. Lady as I have made reference to her.

Anna Soubry

The point that everybody in this House needs to understand is that, on Privy Council terms, I saw the entirety of the most recent documents that members of this Government's Cabinet and the important sub-Committee had seen. I saw a large number of those documents, the contents of which make it clear, in the words of the Business Secretary, that a no deal would be ruinous. Last night, I attributed those words to the Brexit Secretary who was very keen for me to set the record straight. I would have liked him to have adopted that view, but it was the Business Secretary who described no deal as ruinous. Notwithstanding that clear information, which was available to the most senior members of this Government, they refuse to take no deal off the table. I say gently to the hon. Gentleman that that is the disgrace. The Government know what a no deal would do to this country, and they refuse point blank to take it off the table.

Stephen Gethins

As usual, the right hon. Lady makes a powerful and valid point. As this is the first time I have been able to say this, might I also say that it is nice to hear her speaking so much more closely to me now?

Anna Soubry

You might regret it.

Stephen Gethins

The right hon. Lady is right, I might regret it. As so often, she makes a powerful point. That is why our amendment today—I hope she will support it—is a very simple one that will take no deal off the table. The Cabinet knows how damaging it will be; business knows how damaging it will be. These papers are there. They have been seen, as the right hon. Lady correctly points out. On top of that, the Scottish Government analysis shows that EU structural funds are worth €941 million to Scotland across the EU budget period, and we do not know what happens next. That is almost €1 billion and we do not know what happens.

There are 4,500 EU national staff facing uncertainty in Scottish universities, and I see that daily in my constituency work. A letter from 150 universities says that

“leaving the EU without a deal is one of the biggest threats our universities have ever faced”.

The University of St Andrews, which signed that letter, has been around for more than 600 years, so it has a bit of context; it knows a thing or two.

Do you know what stings? Scotland never voted for this. We were the first to suggest an extension, as common sense. The Scottish Government were the first to propose a compromise, to which the UK Government did not really have the decency to respond. And here we are proposing to reach out and work with the Government to take no deal off the table as well. We did not vote for this process but we have to engage with it, and we have engaged with it. I pay tribute to our friends and colleagues from different parties who have worked with us, because this is the right thing to do.

The Scottish food and drink industry thinks that we will lose £2 billion in sales annually. This does not affect the hedge fund managers or those who have pushed money offshore. It affects the poorest and most vulnerable, as well as small businesses, and it has an impact on unemployment in some of the areas of the United Kingdom that can least afford it.

I hear people saying about the EU as a political union, “Why would you want to be a member of the UK in the EU?” Well, you know what? The EU listens. We are in a partnership of equals in the EU; it cannot force us to do things. We have a Court of Justice, a Parliament and a Council of Ministers—the UK has none of them. The EU is a club for independent, growing and thriving member states. There is no place for independence or a partnership of equals within the United Kingdom.

Our amendment is a simple and straightforward cross-party proposal that rules out no deal all together. Yes, we want to take things out of the hands of the Prime Minister, but we also want her to commit to this because I am sorry to say that, with her twists and turns, it has become increasingly difficult to trust anything the Prime Minister says. Four weeks away from leaving, our amendment seems to be a responsible course of action, as there are so many pieces of legislation still to be passed.

I have raised many points, but I now address the hon. Member for Basildon and Billericay (Mr Baron). We have put £4.2 billion into no-deal preparation. Just think what we could have done with that £4.2 billion at a time of continued Westminster austerity, when our public services are crying out for it and when we should be tackling climate change, poverty and many other challenges. Continuing with no deal is irresponsible, irrational and—I appeal to some of the Tories—very, very expensive. I hope that all Members will join us in backing our cross-party amendment.

Mr Speaker

A five-minute limit on Back-Bench speeches now applies, although I warn colleagues that that limit will probably have to fall; it is not compulsory to speak to the full limit.

16:37:00

Mr John Baron (Basildon and Billericay) (Con)

I will try to abide by your instructions, Mr Speaker; thank you for calling me so early.

It is customary to say what a pleasure it is to follow the previous speaker, but I must suggest to my friend, the hon. Member for North East Fife (Stephen Gethins), that the SNP continually talks down the United Kingdom to such an extent that most people in Scotland do not even listen any more. SNP Members would do well to reflect on this. I gently suggest to the hon. Gentleman that he may be very critical of the UK at the moment—of how the Government conduct themselves and our parliamentary democracy—but we can be proud of the fact that this robust democracy is accommodating a very robust debate. In France, the Government can increase the fuel tax and there are people dead in the streets of Paris. In America, there has not been a Government for months. This is an important debate and there are differences across the House, but we can be proud of our parliamentary democracy in actually accommodating that debate.

Angus Brendan MacNeil

As the hon. Gentleman is busy lecturing Scots and Scotland, I hope he will reflect on this point—that in Scotland today the EU is far more popular among the people, by about 18 percentage points, than the United Kingdom. He should bear that in mind the next time he wants to lecture Scotland.

Mr Baron

I actually think that is quite questionable given the SNP’s recent election results and how badly it is doing—

Joanna Cherry
rose—

Mr Baron

Just wait a minute—sit down. I have taken one intervention. We should look at how badly the SNP is doing in terms of representing the interests of the EU, as it were, with regard to election results.

Let me put the SNP to one side for a second and suggest to my fellow fusilier, the Secretary of State, that, as a leaver, I also accept that there is a need for compromise with regard to the withdrawal agreement. One cannot, after 45 years of integration, move from imperfection to perfection in one bound; there has to be compromise on both sides. That is why, while I have trouble with the transition period—there are many aspects that I do not like—at least it is definite. It is no worse than being in the EU itself—not really. As my right hon. Friend will know, what many Conservative Members have a problem with is the fact that the backstop is indefinite as it is presently constituted. I urge him to ensure that we have a meaningful change to the backstop to address the fact that at the moment we could be locked in an indefinite backstop that only the EU could free us from. No sensible person would enter into a relationship of that sort—it is madness.

When I say “meaningful” change, I mean that it has to have equal standing with the backstop, or the bit that we are changing. The Northern Ireland protocol containing the backstop is an appendix, so there is scope for a further appendix putting this right. It would be face-saving for the EU, if the agreement itself had not been changed. We could put a meaningful appendix into it. I suggest that the Government give that some thought, because it could assuage the concerns of a lot of Conservative Members with regard to the withdrawal agreement. Instead of worrying about where any additional text would go, agreement about the text itself could first be sought. That could be very helpful, because an awful lot of time could be wasted in trying to agree where that text goes before the text itself has been agreed.

That is something for the Secretary of State to think about. I wish him and his team well—genuinely so. I have expressed concern that the Prime Minister’s next steps, as outlined yesterday, may, at the margin, make a good deal less likely because the EU could perhaps hope that Parliament does its work for it by taking no deal off the table and by extending article 50. However, I still wish him well, because it is still within our grasp to achieve a withdrawal agreement that could bring us all together—certainly those of us on the Conservative Benches, and a number of hon. Members on the Opposition Benches—to get this agreement through.

Let me quickly turn to the Labour party’s policy on a second referendum, because that has not been touched on in this debate so far, but it is absolutely scandalous. Labour said that it would respect the wishes of the referendum, and now it is offering a second referendum. In one way, that is good, because it is clear blue water between the Conservative party and the Labour party. However, I would just offer these thoughts to the Labour party with regard to its recent assurances that it is going to offer a second referendum. First, it is a condescending policy—it is saying that people did not understand what they were voting for.

Peter Grant

Two days ago, the hon. Gentleman told this House that the United Kingdom already trades on WTO terms with everybody outside the European Union, and the Prime Minister had to correct him. If somebody who led the campaign to have an EU referendum still does not know about the trade deals that we have as part of the EU, what chance have the other 60 million people in these islands got?

Mr Baron

I am afraid the hon. Gentleman misheard me. I said that we trade with the majority of the world outside the EU on WTO terms—that is a fact—and we trade very profitably with them. That is the issue. While it is clear that most of us would prefer a good deal to no deal, the exaggeration of how bad WTO terms are has to be set in context.

Peter Grant
rose—

Mr Baron

I am sorry, but I am going to finish because I do not think that a third intervention will add anything to my time, to be perfectly honest.

The Labour party policy on a second referendum is condescending because it says that people did not know what they voted for the first time round. The predictions of doom and gloom from the establishment in this country—the Bank of England, the International Monetary Fund, the Government and leaflets through the door—and of 500,000 more people unemployed by December 2016 if we voted leave were so badly wrong that most of those public bodies had to apologise.

The policy is condescending, but it is also contradictory, because it suggests that people might not have understood it last time but will understand it this time. Why would they understand it this time if we do not have faith in them to understand it the first time? Why not then have a third or fourth referendum? Finally, it is dangerous, because we made a clear pledge that we would respect that referendum result. I thank the Labour party for its policy, but it is wrong.

16:45:00

Hilary Benn (Leeds Central) (Lab)

We need to begin by acknowledging that we have made a little bit of progress. Yesterday the Prime Minister finally acknowledged that there is no support in the House of Commons for leaving with no deal. It was interesting that the Chancellor of the Duchy of Lancaster was in most difficulty in his contribution when he was trying to avoid answering questions about how the Government will vote if we get to that point. I will make a prediction to ease his pain: if we do get to that point, I think the Government will vote against us leaving with no deal. How could they do anything other than that given the document released yesterday, which predicts £13 billion of cost to British businesses? For what? To fill in customs declarations, with no benefit to their trade whatsoever. It also predicts rising food prices and delays at the ports. At the moment, French customs officials say, “Go on, go on,” but the moment they put their hands up and say, “Arrêtez”—“Stop”—the chaos will begin.

At the industrial coalition meeting to which the right hon. Member for Meriden (Dame Caroline Spelman) referred, the most striking moment for those of us who were there was when representatives of two major parts of manufacturing industry said simply, “If there’s a no-deal Brexit, it will be catastrophic for us.” The thing I always find it hard to understand is why people who do not run things and make things for a living think they know better about the consequences of a no-deal Brexit than people who do.

The other truth that has finally hit home—I hope the Government understand it—is that it does not matter when we are asked to vote against a no-deal Brexit. We will do it in March, we will do it in June and we will do it in October of whatever year, because the House will not allow that to happen.

If the Prime Minister's deal is defeated when it comes back, there will be an extension to article 50, and the question that has not really been addressed yet is: for what purpose will we use the time? The amendments that probably will not be pressed to a vote today will be very important in the weeks to come, because they will provide us with the means to answer that question.

I think that only three options will face us in those circumstances. The first is to try to reach a consensus on a different kind of Brexit deal. The second is again to extend article 50, to enable us to negotiate the future partnership. The third, if we remain deadlocked, is to take the question back to the British people. None of them will be easy—there are no benefits to the British economy from Brexit. I will turn to each of those options.

The first—Norway plus or Common Market 2.0—would at least minimise the damage to our economy. It would represent a painful compromise for many people, but it would be a much better way forward than the Prime Minister's deal. Do I think that she will ever agree to it? Sadly not, because she has shown herself to be completely inflexible.

The second option, which is really the obvious thing to do, is to go to the EU and say, "Why don't we negotiate the future relationship now and extend article 50 for that purpose?" The House refuses to vote for the Prime Minister's deal because each of us, for different reasons, says that we do not know what the future will look like, and therefore we are not prepared to take this enormous step of leaving the European Union on the basis of a prospectus that is completely vague and uncertain. How do we answer that question? We negotiate the future partnership.

Mr McFadden

On the point about the purpose of an extension, what does my right hon. Friend think of President Macron saying that there is no way the EU would accept an extension without a "clear objective"? In his view, what should that clear objective be?

Hilary Benn

My right hon. Friend is absolutely right. This is a challenge the House will face the moment it has voted for an extension, because I am sure that is what the European Union will say to us.

I am setting out what I think are the three alternatives that would be available to the House at that point. The first requires agreement. I do not think the Prime Minister is prepared to give that; that is what the evidence shows. The second would require the European Union to change its approach to the negotiations completely. It would be the sensible thing to do, but the EU may not agree. The third—the one we will be left with if we cannot agree—will be to go back to the people and ask them what they think.

I simply want to say that I welcome the decision that my right hon. Friend the Leader of the Opposition announced on Monday. It cannot have been an easy decision to make, and I do not at all underestimate the difficulties of holding a second referendum. However, it would in those circumstances answer the question from the European Union about what the extension is for. When it comes to the question in such a referendum, to me it is clear: the only deal that has been negotiated to leave—the Prime Minister's—even though it would have been rejected by Parliament, and the alternative of remain, because there is not an alternative leave on the table. Let me say to those who might want to jump up and say, "What about no deal?": first, if we go back to the referendum of 2016, nobody on the leave side argued for leaving with no deal—nobody; secondly, we know how damaging it would be; and, thirdly, why should an option that was never before the British people in 2016 suddenly appear on a ballot paper in 2019, if we have a referendum?

Mr Grieve

I am sorry to bang on about this, but we are a rule-of-law state and it is an unlawful question to put. If a Government choose to put no deal on a referendum ballot paper, they are in effect saying that they will not respect and have decided as a matter of a policy not to observe their international obligations.

Hilary Benn

The right hon. and learned Gentleman very forcefully makes one of the arguments for why no deal is not an option in every sense of the word.

In conclusion, we are in a marginally better position than we were when we had the last of these debates, because the Government have been forced to face reality. I pay tribute to Ministers who, we are told, in a series of delegations to the Prime Minister, made her realise that she would not be able to defeat the amendments today if she did not make a concession yesterday.

However, we are still in a very perilous position for the country. I have no doubt at all about our ability to prosper, but our future prosperity depends on the decisions that we choose to make. It is not automatic, as the Brexit disaster is proving. That is why I echo the view of others who have said that those who argued for leave bear a very heavy responsibility for the crisis the country is now in. Parliament's job is to make sure that, when that moment comes, if the deal is defeated again, we are ready to make a choice about what we are for. The tragedy of Brexit is that the Government have been completely incapable of making those choices. It is Parliament's responsibility to step up and take those decisions if the Government continue to fail to do so.

16:53:00

Sir William Cash (Stone) (Con)

To reply immediately to the right hon. Member for Leeds Central (Hilary Benn), it is not actually the duty of this House to surrender parliamentary government to government by Parliament. In fact, that is well established in our constitutional arrangements. Furthermore, any attempt by shenanigans to rearrange the procedures to give private Members' Bills an advantage over Government business is itself reprehensible for that very good reason.

I want to turn to another question, which is to do with the issue of control over laws. I think it is very important for every Member of this House to ask themselves whether they would be prepared to tell their constituents that, under article 4 of the withdrawal agreement, we would be expected—in fact, we would be required by an Act of Parliament—to surrender control over our laws. If people have not had the time or perhaps the opportunity to read article 4, may I suggest that they do so? To do otherwise would be utterly and completely irresponsible.

Richard Drax (South Dorset) (Con)

My hon. Friend is making an excellent speech. If we do not have control of our laws, we do not have control of our country. Is that not right?

Sir William Cash

That is completely right. That is what we are here for. We are not here to voice our own opinions or to fragment into factions and then impose views on others by virtue of deals done across the Floor of the House. We are elected on manifesto commitments, and we have an obligation to our constituents to make laws in their interests, not in ours. I therefore suggest that looking at article 4 is

extremely important. I accept that it is said that the article would apply only during the implementation period, but that in itself would put us at the mercy of our competitors.

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

It is worse than that, because it would apply not only during the implementation period but during the whole period of the backstop, which is potentially unlimited. The European Court of Justice would therefore remain—against our manifesto commitment—the supreme arbiter of our laws in that area.

Sir William Cash

I am so glad that my hon. Friend has made that point, because I was about to make it myself and now will not have to. I am as much against the backstop as I am against the article 4 arrangements, for reasons that both of us agree on.

We have to grapple with the fact that article 4 will apply across all the EU treaties, laws and legal positions adopted by the ECJ over recent years. It is inconceivable that the House would hollow itself out in such a manner as to preclude itself from being able to control such things. I am Chairman of the European Scrutiny Committee, and we get these regulations and directives week in, week out. We received one last week that intends to turn the veto procedure—or unanimity rule—over the making of national tax policy into qualified majority voting. If people really think that that is a minor matter, let them think again what effect it would have on their constituents.

Under article 4, our country would be reduced, as I said in my intervention on the Chancellor of the Duchy of Lancaster, to an undemocratic subjugation to the decisions of 27 other member states. In fact, not only that, but as I said, it would put us at the mercy of our competitors. In addition, the article would have the same effect with regard to the question of state aid during the backstop.

I do not think that the businesses that argued so strongly for this transitional period had any idea that this would be the consequence of the withdrawal agreement. That agreement emerged from the Chequers deal, which itself was an overturning of the withdrawal Act that we passed in June 2018 and had been planned long before that Act was given Royal Assent, without any reference to the Cabinet and in defiance of collective Cabinet responsibility.

If we do not control these laws, who will? It will be the 27 member states. In an important book, “Berlin Rules”, by our former ambassador to Germany, Sir Paul Lever, he says that before decisions are taken by European member states, or indeed by the Council of Ministers, they are cleared with Germany. He also says that it is a German Europe. He does not mince his words.

Angus Brendan MacNeil

I wonder if the hon. Gentleman is aware of the utter irony of this situation. He moans and complains and raises grievances about Europe—he has a chip on his shoulder—but the reality for Scotland in the United Kingdom is worse than everything he says. We have a party in charge that we have not voted for in 65 years. The European Union is nowhere near as bad as what he is going on about.

Sir William Cash

I do not concede what the hon. Gentleman says for one very good reason: it is part of the United Kingdom.

That is my first point on control over laws. Article 4 is so offensive because it hollows out this House and hollows out our democracy. On that basis alone, one should not vote for the withdrawal agreement.

As I said in my exchanges with the shadow Secretary of State, I want to know why anyone would want to undermine the repeal of the European Communities Act 1972, which is the law of the land and is contained in section 1 of the European Union (Withdrawal) Act itself. I would also like people to be honest enough—those who wish to rejoin the European Union, including my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve)—to say why on earth anyone would want to rejoin the European Union when it is in complete and total implosion. People are voting with their feet in so many countries, including in Italy.

In a nutshell, the withdrawal agreement is deeply, deeply flawed and we ought to vote against it. I believe that the decision at the moment—as I understand it, it has not been concluded—is that the amendments are going to be withdrawn, but I look forward to hearing from the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper).

Mr Speaker

We are quite extraordinarily grateful to the Chair of the European Scrutiny Committee.

17:01:00

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab)

As I follow the hon. Member for Stone (Sir William Cash), I would just point out to him that I am not convinced other European countries are looking at us with any kind of envy at the moment, given the confusion and chaos we seem to be in. I will want to move amendment (f), and I will also speak to amendments (a), (b) and (c).

We are back here again at our usual fortnightly gathering in which nothing has changed. The only thing that has changed in our family, Mr Speaker, is that Ed is currently halfway up Kilimanjaro with Little Mix, Danny Dyer and Shirley Ballas for Comic Relief. That has cued a whole series of bad jokes about which is harder: climbing an extremely high mountain or trying to get anybody to agree anything on Brexit. I fear his mountain climbing will be considerably shorter than our repeated debates.

I would like to deal with the amendments first before, if I have time, addressing the wider issue. The Government have changed their position on the next steps if there is no deal in place and agreed by the middle of March. That is clearly a result of our cross-party Bill and cross-party pressure. I want to pay tribute in particular to the work of the right hon. Member for West Dorset (Sir Oliver Letwin), the hon. Member for Grantham and Stamford (Nick Boles), the right hon. Member for Meriden (Dame Caroline Spelman), my right hon. Friend the Member for Leeds Central (Hilary Benn) and my hon. Friends the Members for Birmingham, Erdington (Jack Dromey) and for Leicester West (Liz Kendall). It has taken a lot of cross-party work to get this far. Frankly, it should not have taken that, and it should not have taken the threats of resignation by Cabinet Ministers, to get the Government to do something sensible and just put in place parliamentary safeguards to avert the kind of no deal that would be hugely chaotic, that nobody has done preparation for, that would mean a real hit to our manufacturing industry, disadvantaging British manufacturing right around the world, and that would hit medicine supplies and push food prices up in shops—deeply irresponsible circumstances for our constituents.

I still have some questions and need some assurances, however, because we have had votes promised and then pulled, and we have had motions passed and then ignored. I hope that the Brexit Secretary will repeat the reassurances. He will know that I have raised questions about his previous dismissing of motions in saying that legislation took priority, and previously saying that no deal on

29 March was the default option. I heard the Minister for the Cabinet Office say earlier that the default position had now changed and it would no longer be the policy of the Government to pursue no deal on 29 March if there was not a deal in place in time and that, instead, Government policy would now be to respect the decision of the House on whether to pursue no deal or an extension of article 50. I would just like to have that confirmation.

Owen Smith (Pontypridd) (Lab)

My right hon. Friend is making an excellent speech. In addition to that confirmation, which I, too, would like to hear from Ministers today, would she like to hear, as I would, what the Government will do in that vote? Will they vote against no deal or could they—extraordinarily—vote for no deal?

Yvette Cooper

That is hugely important. I will finish these quick points and then come on to that. I would like confirmation, too—like my right hon. Friend the Member for Leeds Central—that the motions will be amendable. There is also the key issue about what happens if there is a disagreement. Let us suppose that there is a disagreement between the EU and the UK, perhaps with one side suggesting three months and one suggesting two months. In those circumstances, we need the reassurance that the Government will not shrug their shoulders and say, “Okay, we didn’t get an agreement. We are now just going to pursue no deal after all,” and that instead they will come back to this House and allow for some process of resolution, if there is a disagreement.

I really urge Ministers to say how the Government would vote. We will keep our Bill in reserve. We hope that, with these assurances, we do not need to press amendment (c). I hope to press amendment (f) and that we can have confirmation and clarity of what the Prime Minister said as part of the motion, but it is also important for the Government to provide clarity about how they would vote. Businesses still do not know exactly whether there is going to be a majority or not. We can give them some assurances about how people have voted in the past, but the thing they really want to hear is what Government would do in those circumstances. Will Government, faced with that choice, really want to say, “We actually want to cause huge problems for medicine supplies for the NHS, huge problems for the short-life radioisotopes that are used for cancer treatment, huge problems for our manufacturing industry and to turn motorways into car parks”? Will the Government really, honestly, want to do that, rather than just saying, “D’you know what? We might need a bit more time.”

Sir William Cash

Let me ask the right hon. Lady a question, as she is taking such a prominent part in this debate. It is the same question that I have put to several people today: would she countenance the idea, on behalf of trade unionists and workers who, for example, worked in the ports and were completely against the ports regulation, that those laws should be made in the Council of Ministers—under the control over laws issue that I just raised—behind closed doors and without a transcript? Effectively, it would be imposed on the United Kingdom without our even being there.

Yvette Cooper

We have to get some form of sensible agreement in place so that people can get on with their lives, and so that people are not threatened with the insecurity of having complete chaos from whatever source, if we end up with no deal.

I also support amendment (a) and, in particular, the proposal for a customs union. I think that, if Ministers were honest about being able to reach out and trying to build some consensus around something, they would recognise that if many of the points that are in amendment (a) were put to a

free vote across the House, they would—I suspect—get a majority and that that would be a consensus way forward.

I also want to deal with my concerns about the tone of the debate. The right hon. Member for Meriden said earlier that she hoped that the tone of the debate was changing and that there would be some spirit of compromise. I look forward to that, but I am worried that I have still, even today, heard comments from Members of this House about the agreement that the Prime Minister came to yesterday, accusing those of us who have been calling for it of being “mutinous”, “plotters”, “saboteurs” and “blackmailers”. I think that this is really inappropriate, divisive and counter-productive. It really does not fit with the kind of debate that we ought to be having about something so important, particularly when, frankly, I think it is hugely patriotic to be trying to make sure that we can stand up for British manufacturing, that the NHS can get its medicines and that British families across the country do not have to pay higher food prices in shops. I say as a final thought that, in the end, wherever we get to in this Brexit process has to have some form of consensus around it, or it will not be sustainable, and that is what we should all keep in mind.

17:09:00

Richard Drax (South Dorset) (Con)

It is a pleasure to follow the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), whom I respect enormously. She always speaks in a measured tone. I take her point about the language and how we have to be very careful in this place about how we address one another. We should also speak outside in measured tones to ensure that we try to get the best deal that we possibly can.

Before I start, I just say that I have been accused, often by my own side, of being a zealot, a right-winger, and all these things. I am not. Let me repeat: I and my hon. Friends are MPs who want the best deal we can get for our country. None of us wants to leave the EU without a deal—not one, contrary to popular opinion. We accept that to leave with a deal is the best option we can possibly get. But we have to ask ourselves, how do we get to that point?

We had a vote in June 2016, and that referendum result was clear. The instruction to everyone in this House was to leave the EU—not half in, half out, a bit here, a bit there. The instruction was clear: to leave the EU. We had two years—two long years—to negotiate a deal, and we are now where we are. I would not be, and never would presume to be, Prime Minister, but had I been—and I do not just speak with hindsight—then when article 50 was invoked I would have instructed my Ministers to prepare for no deal immediately, and to publicise to the public exactly what they were doing, while at the same time trying to strike a deal with the EU.

Sir William Cash

Can my hon. Friend, who is a fellow member of the European Scrutiny Committee, recall that very early on, in March last year, we said in our report that we were deeply concerned that the Government were effectively supplicating the EU, and were agreeing to its own guidelines, and not synchronising the withdrawal arrangements with the future relationship?

Richard Drax

I absolutely agree with my hon. Friend, who is immensely knowledgeable on all these matters.

The House needs to clarify where it stands. I have seen many amendments and I suspect there are more to come, because that is the way that the Government are now playing their hand, for fear of Parliament’s taking control. Do MPs wish to leave the EU, or do they wish to stay in? That is the

question. Some hon. Members are very concerned about no deal, and are tabling amendments in the genuine interests of our country, but for others they are a fig leaf for their wish to remain in the EU. How can we take no deal off the table and let the Prime Minister walk naked to the conference table? How can we do that? It is the last negotiating tool that a Prime Minister has.

We know that the EU always takes it to the last minute. Brinksmanship—that is the name of their game. And let us be honest: do any of us in this House think that we shall strike a fair deal before we leave? I do not think so, because the EU do not want us to go, and they are making it clear that they want to make it as hard as possible for us to leave.

Unfortunately, the behaviour of many in this House is signalling to the EU complete and utter chaos—no sense of purpose, no unity. Imagine if 650 MPs had said, “We are right behind the people of this country, and respect their decision.”

Angus Brendan MacNeil
rose—

Richard Drax

I shall not give way. I only have a very short time and I would like to continue, if I may.

Imagine if that had been the case—if everyone in this House had been backing leaving the EU. I would suggest that negotiations with the EU over the past two years would have gone very differently. Now we are facing what some would describe as a cliff-edge, although I would disagree with that description. As the right hon. Member for Leeds Central (Hilary Benn) asked, will moving exit day to April, May or June change the direction of travel—what we are trying to do? No. And in June there will be more amendments, and more efforts by Members in this place to stop us leaving the EU.

So we have to make up our minds. Are we going to leave with a fair deal? The backstop has been mentioned and, as we know, the backstop could go on indefinitely. We will be out of the EU, but with no one at the table. We will be at the mercy of the EU, we will be subjugated, we will be law takers. This is madness. We need a fair deal, and let us fight for it together. Together, we will get the fair deal. We are divided here, and the EU must be sitting back—the Champagne is out, the Chablis is being drunk, the lobsters have been consumed—and why? Because the EU is looking at the chaos in this place. United we stand: united we will get a fair deal, and we will get out of the EU.

17:15:00

Mr Pat McFadden (Wolverhampton South East) (Lab)

I am pleased to follow the hon. Member for South Dorset (Richard Drax), although I shall take a somewhat different tack. I shall make a couple of points about what the Prime Minister said yesterday about how things would be voted on in March, and about the related amendments on that issue that are on the Order Paper today.

Yesterday, for the first time, the Prime Minister was forced to admit that we do not actually have to leave the EU without a deal on 29 March, unless that is an outcome for which Parliament explicitly votes. That admission could, of course, have come much earlier, and was only dragged out of her by the threat of ministerial resignations, but it was an important admission all the same. She added that any extension must be short and limited, and must not go beyond the end of June, because that would create

“a much sharper cliff edge in a few months’ time.”—[Official Report, 26 February 2019; Vol. 655, c. 167.]

In other words, she told us that if March was a legal deadline, the end of June was a brick wall. However, there is no point in applying for an extension for a couple of months just to carry on the same parliamentary gridlock in which we lurch from one vote to another every fortnight without the fundamental issue ever being decided.

The Prime Minister is right about one thing. She was right to say that an extension like that on its own will not take no deal off the table. Unless something else changes, it will just give a bit more road for can-kicking. If we are to have an extension, it must be for a purpose, and that purpose should be clarity about the future relationship between the UK and the EU. We are having a huge argument about the withdrawal agreement when the fundamental choices about the future have not been faced up to, let alone decided.

Mr Jonathan Djanogly (Huntingdon) (Con)

I am generally sympathetic to what the right hon. Gentleman is saying, but I should point out that at the start of the negotiations, it was the EU, and specifically the French, who insisted that we separate the leaving deal from the future deal. They are therefore now being a bit harsh in trying to pull them back together, are they not?

Mr McFadden

I think that it was a mistake to split them in that way, and I think that they need to be brought back together.

The future has been left blank. We know that we are leaving, and we are told that leave means leave, but leave to where, on what basis? Are we going to have a loose relationship that will mean significant economic disruption, especially for our multinational manufacturing supply chains, and different arrangements for Northern Ireland from those in the rest of the UK, or a closer relationship that will mean the UK’s obeying a whole series of rules over which it no longer has a say? That is the essential Brexit choice, and it has been the Brexit choice since day one. It ought to be spelt out clearly to people.

Dr Philippa Whitford (Central Ayrshire) (SNP)

Will the right hon. Gentleman give way?

Mr McFadden

I will not, because others want to speak.

The fact that that is not being done is not because it is in the national interest to keep things vague or to have a blindfold Brexit. It is because facing up to those options would mean exposing the divisions in the Cabinet and the Conservative party on which of them to pursue. It would mean slaying the Brexit unicorns that imply that there are no fundamental choices to be made. We must expose the reality of what the choices really are. Doing that would mean that the Government would have to level with the public before we left—but that is not their plan. Their plan is to get us out before all this becomes clear, on the pretence that if we agree the withdrawal deal, we can somehow move on and talk about other issues. Sometimes we see Brexit portrayed as a project for the people, and criticism of it as a project by the elite, but planning a Brexit where we hide the true reality of what it means until after we have left is the most elitist thing of all, and that is precisely what the Government are planning.

It is an illusion to pretend that vagueness achieves closure. Vagueness does not achieve closure; it just carries on the argument after we have left, and it does so when we have been placed in a much weaker position as a third country. People talk about taking no deal off the table undermining our negotiating position. It does not undermine our negotiating position; it removes a gun held to our own head. What undermines the negotiating position is agreeing to pay a £39 billion divorce settlement without having the foggiest idea of what the future relationship looks like.

If there is to be an extension to the article 50 period, let us use it for a purpose: let us set out properly what leaving means, and let us tell the people clearly once and for all whether we are going for a Canada-type model or a Norway-type model, and let us be candid with the public about the consequences of each option. Clarity would also mean the EU having to be more flexible than it has been until now about the phasing of the discussions; it would have to acknowledge that clarity about the future was in its interests too. This would be a much more honest way of proceeding.

The Prime Minister yesterday, as always, did the absolute minimum to keep the show on the road—to make any extension short and limited so it does not really change anything. But that is not good enough. Having opened the door, there is now an opportunity to do this differently, and we should seize it by making sure that any extension is focused not on a particular timescale but on the key purpose of clarity about the future.

17:21:00

Mr Dominic Grieve (Beaconsfield) (Con)

I agreed entirely with my right hon. Friend the Member for Meriden (Dame Caroline Spelman) when she said the atmosphere of this debate was notably different from that of previous debates, and I am delighted if the system of amendable motions, previously so vociferously attacked, may have made some small contribution to enabling sensible debate to take place, because it is, frankly, doing exactly what I hoped might come out of it: breaking the logjam and enabling this House to look sensibly at problems relating to Brexit and to come to conclusions.

In that spirit I am also delighted that my right hon. Friend the Prime Minister indicated yesterday that she would move on this issue of removing no deal and extending article 50 for that purpose and enabling the House to express its opinion. It is manifestly obvious that a no-deal Brexit would be catastrophic. I do not want to repeat all the things that have been said. The Government's own documentation is there, and on top of that I only have to sit in my constituency surgery to have pharmaceutical companies, of which I have many, coming in and explaining the cost to them of having to anticipate no deal—all of which, I might add, will ultimately be manifested in the takings of the Chancellor of the Exchequer and the lack of those funds to pay for public services.

We are impoverishing ourselves; we are making it harder to deliver a good quality of life for our citizens, and we are doing it with a relentless enthusiasm which at last we have found some common sense to check. I have very little doubt that when this matter comes back we will extend article 50, and I hope very much that the Government will finally adopt a policy of indicating that no deal is completely unacceptable.

But I also agree with the point that has been made that there is no point in extending article 50 if we do not know what to do with that. I do not know if this House is going to be capable of coming to a consensus. As a Member of this House, I accept that if there is a majority in this House for some form of Brexit and we vote for it and it is deliverable, that is doubtless what will happen, whatever my personal views may be. However, I will just say this—and I will repeat it, I suspect, ad nauseam

until this whole sorry saga is over: I only have to look at the emails I get on Brexit from people who want to leave to see that the principle theme is the demand to leave in the form of catastrophic no-deal Brexit.

The reason that I am getting those emails is that people have, in my opinion, been thoroughly misled over a long period by a form of propaganda that believes that the EU is evil. This was rather highlighted by the extraordinary speech of my hon. Friend the Member for South Dorset (Richard Drax), who put forward the stab-in-the-back theory. I am sorry, but these are mad fantasies. They are absolute fantasies about the EU and its relationship with us. So people are writing in and saying that is what we should be doing, but I have to say that we are not going to be doing it.

The fact is that we are likely to be offering an extraordinary halfway house palliative that a large number of Members of the House absolutely know will be less good than remaining in the EU. Maybe that is a burden that we are going to have to carry because of the 2016 referendum result, but speaking personally I find it deeply unacceptable that I should park every aspect of my own opinion and evaluation of these options simply in order to go along with an instruction that is now nearly three years old and seems to be running out of steam in virtually every single one of its characteristics.

That is why I urge my right hon. Friends on the Treasury Bench not to ignore the possibility of consulting the public. If the public want the Prime Minister's deal, which is the only deal we are ever likely to get, then so be it; but if not, they should have the option to express the view that they want to stay. Ultimately, my own opinion is that that would be very much better than anything else we have done.

I am delighted that my hon. Friend the Member for South Leicestershire (Alberto Costa) has been successful with his amendment, and I am happy to have supported him. I should also like to say to my hon. Friend the Member for Stone (Sir William Cash), in conclusion, that he talks about dysfunctional relationships, and some people looking at the two of us would say that our relationship has been dysfunctional for a long time, but we have stayed in the same party, and that is a good reason for our staying in the EU as well.

17:26:00

Hywel Williams (Arfon) (PC)

I wish to speak to amendment (1), which has been tabled in my name and those of my hon. Friends. Yesterday, the Prime Minister had the opportunity to completely rule out no deal once and for all and to put forward a credible plan to break the Brexit deadlock. Instead, we had further options, further steps to take and further hoops to leap through. The House of Commons has already voted against no deal, a month ago. The end of March looms and, irrespective of the convenience of the Prime Minister, we do not have time to waste, so I am pleased to have added my name to the amendments tabled by the Scottish National party and other colleagues.

People outside Westminster are looking at the chaos of Brexit, and whatever they thought of this place previously, they now hold the common view that the House of Commons is fundamentally broken. Trust in Westminster is compromised, and faith in our ability to make decisions that will define our economy and society for generations to come has evaporated. Speaking as a Plaid Cymru MP, I find these attitudes towards government from London unremarkable, but it is something else to hear such appraisals from otherwise staunch supporters of the status quo.

Yesterday's events were of no help, with the leaders of both the major Westminster parties being dragged unwillingly towards the logical conclusion of extending the article 50 period and of getting some clarity so that we can call a people's vote. Our amendment (I) offers part of that solution. It requires the Prime Minister to respect the wishes of the National Assembly for Wales and of the Scottish Parliament, as well as the will of many in this House. It would avoid a no deal by obliging the Prime Minister to request an article 50 extension to the end of 2021, replacing the 21-month transition period with sufficient time to allow the UK as a member state—a rule maker rather than a rule taker—and the EU to develop plans for their future relationship, with the aim of making the contentious Irish backstop redundant, and then putting the whole thing to a public vote.

My understanding is that Brussels is determined to avoid offering us a brief extension. That august organ, the Evening Standard, is making that point this very afternoon. Brussels is determined to avoid offering us a brief extension, because that would lead to the danger of having to revisit the issue again in the summer if—or when—the Government again fail to win Parliament round. Donald Tusk has indicated that the extension we propose would be the optimal period of time, and an EU diplomat said yesterday that the

“21-month extension makes sense as it would cover the multi-financial framework”—

the EU's budget period—

“and make things easier. Provided leaders are not completely down with Brexit fatigue, and a three-month technical extension won't cut it, I would expect a 21-month kick”

of the can.

Hilary Benn

Does the hon. Gentleman agree that a longer article-50 extension might encourage the EU to change its current approach and, since it needs a purpose during the 21 months—if that was the period—recognise that it could turn its attention to negotiating the future partnership?

Hywel Williams

The Chairman of the Exiting the European Union Committee makes a fine point. As they say, it takes two to tango, and an extension might induce a bit of dancing from the EU.

Our Government's disastrous handling of the UK's departure from the EU can be seen clearly in the statement that the Secretary of State for International Trade gave on Monday, and I was here in a thinly attended Chamber to listen to it. He outlined his decisions on trade protections following a flawed consultation on EU trade remedies that was begun over 18 months ago, when conditions, perceptions, knowledge and understanding of Brexit were, to say the least, a little different from today. According to the statement, we are abandoning most existing trade protections on the basis of criteria that have produced some pretty serendipitous results. Without repeating the details, which are available in Hansard, I am sure that the ironing board industry is mightily pleased with the continuing specific protection for that particular industry, while parts of the steel industry may be less happy. Participants in other sectors, particularly small-scale businesses, may be as unaware of Monday's outcome as they were of the initial consultation, because the responses to it were few.

On Monday, a former Secretary of State for Wales praised the statement as

“An excellent statement with a good balance”—[Official Report, 25 February 2019; Vol. 655, c. 54.]

All I can say is that he is much more easily pleased than the people of Wales. Indeed, if the statement impressed the right hon. Member for Wokingham (John Redwood), it was probably not in my nation's best interests, and the same applies to the whole sorry Brexit saga.

Mr Speaker

Order. A four-minute limit now applies to Back-Bench speeches. I call Alberto Costa.

17:32:00

Alberto Costa (South Leicestershire) (Con)

Thank you, Mr Speaker, for selecting my amendment (b). As all Members will probably know, I have been a loyal Conservative Member. I have never rebelled and have scarcely spoken out of turn. I believe and continue to believe that, as Members of various political parties, we are at our best when we stick together and promote the political policies upon which we were elected. However, when an amendment attracts such broad consensus across the House, including from the leaders of every Opposition party and, importantly for me, the support of right hon. and hon. Friends across the Brexit debate on the Government Benches, a sensible Government must accept that reasonable amendment. I am therefore grateful that the Government have acted reasonably in accepting my amendment in full.

My amendment does not deal in goods or services, backstops or borders, but people—living and breathing, skin and bone. That such an amendment is needed is in itself a sad state of affairs. The rights and freedoms of over 1 million UK citizens in the EU and over 3 million EU citizens in the UK should never have been used as a bargaining chip during the negotiations for our withdrawal from the European Union. That such rights were placed on the table in the first place was wrong.

While I welcome the Government's unilateral undertaking, it does not go far enough, and we need to do more. I have backed the Prime Minister's deal and will continue to, but with the spectre of uncertainty hanging over the heads of over 5 million people, it is right that this House has positively coalesced around a good message to send not just to the country and to EU citizens, but to President Donald Tusk and the European Council, which is carefully listening to our proceedings.

The time for ring-fencing these rights was at the outset of the UK's decision to leave the EU, and it is now imperative that the Government do everything they reasonably can to seek consensus from the European Council and get a legal mandate for the European Commission to carve out those rights. The Prime Minister said yesterday that the EU Commission does not have the legal authority. I spoke to Professor Smismans, professor of EU law at Cardiff University, this morning, and he said it is correct that the European Commission has not been mandated to negotiate a separate agreement on citizens' rights, but that the European Council can revise that mandate at any time. There is no legal hurdle at all.

I would like to hear from the Government exactly what measures the Prime Minister will take to ensure that this amendment, which has been adopted by the Government, is complied with. Will she be writing a letter to President Donald Tusk? If so, when will she write it? What other measures can the Government take to ensure that the Council gives that mandate to the Commission to carve out citizens' rights as quickly as possible?

Charlie Elphicke

Does my hon. Friend agree that this should have been sorted out back in 2016? It is quite wrong that we are discussing it now.

Alberto Costa

Yes. As I said earlier, I entirely agree that this matter should have been dealt with at the outset of the United Kingdom's decision to leave the EU.

Dr Whitford

Will the hon. Gentleman give way?

Alberto Costa

I do not have time, but I thank the hon. Lady and all her colleagues for supporting my amendment. It is time we sent a clear message.

There has been some discussion about my position in the Government. There is a convention that a Parliamentary Private Secretary is expected to resign if they table an amendment, which is all I would say on the matter.

Finally, I thank all hon. and right hon. Members on both sides of the House who have graciously and very kindly offered to support my amendment. We can all take pride in informing our constituents and fellow British citizens in the EU that we put citizens' rights at the very front. I thank the campaigning groups the3million, which supports the rights of EU nationals here, and British in Europe, which supports the rights of British nationals in the EU. Citizens' rights is not about party politics. It is about people.

17:37:00

Caroline Lucas (Brighton, Pavilion) (Green)

It is such an honour to follow the hon. Member for South Leicestershire (Alberto Costa). He has handled this issue so well, and he has added so much to the reputation of this place by how he has dealt with his amendment. I thank him, and I am proud to have signed the amendment. He may be right that there is a convention that PPSs resign when they table an amendment that is not in line with the Government's thinking but, given that the Government have accepted the amendment, I suggest that the convention is an ass. He should be back in his post, because he is doing a sterling job.

It seems that yesterday the Prime Minister did just enough to prevent resignations from her ministerial ranks and to keep her sordid show on the road for a few more days, but the vote she promised on 13 March does not take no deal off the table. On the contrary, it leaves no deal on the table for another two weeks. I fail to understand how that deliberately created uncertainty is supposed to help employers and small businesses in my Brighton constituency, or indeed across the country, to make the decisions they need to make.

It is simply incredible that, with just 30 days left on the clock, this Prime Minister is still prepared to entertain the economic and social catastrophe of no deal. Worse still, my constituents will have been horrified to hear her say yesterday that she could

“make a success of a no deal.”—[Official Report, 26 February 2019; Vol. 655, c. 166.]

Make no mistake, a no-deal exit would tear us from every EU law, instrument and agency overnight, and we would have nothing to replace them with. The Government's own assessment of the economic impact of no deal, published yesterday, reinforces just what a catastrophe it would be.

My constituents deserve better than that, as does the country, and it does not have to be this way. There are alternatives to this never-ending game of chicken between the Prime Minister and the various factions of her party. The best, most democratic option is to give the public a final say on their future. In 2016, voters could not and did not express any opinion on the terms on which the UK should leave the EU, because those terms were completely unknown then, not least because they had yet to be negotiated with the EU27. What is certainly the case is that no one was voting for this dangerous, blindfold Brexit now offered by the Prime Minister, one that was rejected by this House on 15 January. The Prime Minister keeps saying that a public vote would fail to “respect” the 2016 referendum result, but that is the same as saying that electing a new Government fails to respect the previous election result. This Government have spent almost three years negotiating what they believe to be the best possible way of implementing the 2016 result and now the people should get a chance to say whether or not they think this Government have done enough. That does not seem to be radical to me.

Finally, I wish to say a few words about the amendment on environmental protection standing in my name. Yesterday, the Prime Minister talked again of ensuring that Brexit would not lead to any lowering of environmental protection standards. That is all very well but we know that such promises of non-regression are entirely worthless without concrete action to ensure that those standards can be effectively enforced. As I and many others have said repeatedly in this House over the past two years, that requires the embedding of environmental principles in UK law, and the establishment of an independent and adequately resourced environmental body or bodies across the UK, to replace the roles of the European Commission and European Court of Justice in terms of oversight of and, crucially, compliance with environmental law. So my amendment notes that the Environment Secretary’s

“proposals for an Office for Environmental Protection in England need to be significantly strengthened to guarantee its independence from Government, include climate change within its remit and provide it with the necessary powers to ensure the monitoring, reporting, oversight and enforcement of environmental law”.

17:41:00

Anne Marie Morris (Newton Abbot) (Con)

I am a little frustrated, because all the mood music today has been very negative and I think we have forgotten that 52% of the people voted for Brexit. Why did they do it? It is clear that they wanted sovereignty over their laws and the economic opportunity that Brexit would allow. We seem to have forgotten that we are in deficit with the EU and in surplus with the rest of the world, and that is what this is all about.

We are now struggling to negotiate this withdrawal agreement, which seems to be totally trapped in negativity and in terms of finding any real solution. I take my hat off to those on both the leave and remain side who have endeavoured to find a way through this with the Malthouse compromise, but from everything I have seen that simply is not being listened to—I wish to goodness that it were. I am looking carefully at what is being said about the options, because if we cannot agree a deal, we have to accept that we have to look at no deal. So many people have said today that that is unacceptable, but I say to them that when they read the paperwork and the reports, they should remember that there are always two sides to every argument. I ask them to look to see whether or not they have a balanced view, even when looking at the Government paper which has been referred to today.

Of all the possible options that will deliver certainty—we know what no deal means—this is the only one that would deliver sovereignty and give us back our economic freedom. It also puts us in a much better place to negotiate a good deal after 29 March, and we must not forget that. The Government's paper is not all doom and gloom about it; it says that 85% of the preparation that needs to be done has been done. It also says that the reason that no more has been done is because of a failure to communicate to businesses—that is absolutely right. I serve on the Public Accounts Committee and we have heard from every Department about how prepared they are. We hear what the challenge is; the one thing they are not able to do and allowed to do is talk to the people who really matter—the people who are going to have to implement this. We should be encouraging the Government to get this right, because it will put us in a better place to do a better deal.

No-deal will enable us to negotiate deals with other countries and to deal with the EU, as I said. We should not dismiss GATT, which has been referred to before. The assumption is being made that the EU will not allow us to exercise article XXIV of GATT—the General Agreement on Tariffs and Trade—to get zero tariffs, a view with which I simply do not agree. For me, no deal should be seen as an opportunity, not a threat.

Equally, I am not happy with the concept of an extension. I cannot see how we can achieve more in three months than we have already tried to achieve. My fear is that at the end of this process we will find ourselves not with the three choices about which the Prime Minister talks, but with a straight choice between no deal and our right to withdraw our notification under article 50. I noted carefully that for the first time without any need, the Prime Minister mentioned that after she said we would be having the three votes. She said that if it comes to it, she would not support our retracting article 50, but she said before that no deal is better than a bad deal and she has retracted that, and she said that there would be no extension but has retracted that. Let us hope to goodness that she keeps her promise, because otherwise it would undermine democracy and the referendum result.

17:45:00

Tom Brake (Carshalton and Wallington) (LD)

I rise to speak briefly, first in support of amendment (i), the Liberal Democrat amendment, which would have established a Brexit redundancy fund. According to the UK Trade Policy Observatory, something like 750,000 people could lose their jobs in a no-deal scenario. That is linked to what the Government's own report said about a potential 9% drop in GDP. The idea behind a Brexit redundancy fund would be to provide training and advice to people who had lost their jobs as a result of Brexit, or a no-deal Brexit in particular. Of course, some people have already lost their jobs as a result of Brexit uncertainty. It is clear that the Government have some money available for this purpose, because as I understand it the Prime Minister has been seeking to secure £1.6 billion, quite a lot of which is apparently to be spent in constituencies such as Bassetlaw. I am sure that has nothing to do with Brexit, but it is clearly strange that certain constituencies with leave-voting Labour Members are apparently going to receive a substantial portion of the money. The Government should set up a Brexit redundancy fund, and I welcome the support from Members from other parties for the amendment.

Secondly, I wish to draw attention to amendment (h), which would have allowed for the Government to embark on the preparations necessary for a public vote. I suspect that sometime soon we will reach the point at which that will become necessary, because the Prime Minister will have run out of other options and will feel that a people's vote is the best way to get her deal in front of the public, alongside the option of staying in the European Union. I think she will get there eventually.

I welcome amendment (k) from the SNP, with support from other parties, which does what it says on the tin. In other words, it says very clearly, “We’re not going to leave without a deal, whatever the circumstances.” There would be broad and clear majority support for that in this House.

I also welcome amendment (e) on environmental standards, which was tabled by the hon. Member for Brighton, Pavilion (Caroline Lucas) but has not been selected for a vote. The EU has led on environmental standards and many of us are worried that if we leave, it will no longer play that role, which I am afraid is not one that I expect Ministers to pick up with any great degree of enthusiasm.

I was happy to support amendment (b). We need some clarity not only for EU citizens in the UK but for UK citizens in the EU. In France, for instance, people who are trying to secure the equivalent of settled status may be facing a charge of €100 or €150 per person per year, over a five-year period, to secure their status. That is clearly something on which we should be campaigning.

No deal would clearly be a catastrophe. There are examples in the Government’s own report about the hit to GDP. One third of critical projects are off track. SMEs have made virtually no preparations for a no-deal scenario. Indeed, to make matters worse, the Department for International Trade has apparently decided to stop briefing businesses on free trade agreements because apparently there have been leaks. As I understand it, the biggest leaks tend to come from the Department for Business, Energy and Industrial Strategy, so perhaps that needs to be looked into.

It is clear that the Government need to seek an extension to article 50, and the clear purpose for that would be to secure a people’s vote.

17:49:00

Mr Jonathan Djanogly (Huntingdon) (Con)

On 29 January, I abstained on the amendment tabled by my hon. Friend the Member for Altrincham and Sale West (Sir Graham Brady) partly because I did not understand it conceptually, but also because I did not see how it was acceptable for a Government to have their own policy and agreement to an international treaty amended by way of a Back-Bench amendment. In the meantime, on the same date, I was pleased to see the amendment tabled by my right hon. Friend the Member for Meriden (Dame Caroline Spelman) pass. Although it was not legally binding, it was important to put on record the unacceptability to the House of a no deal. I suspect that, without a Whip, the majority would have been very much more significant.

By 14 February, when this matter came back for debate, I voted for the Government motion, which essentially supported both the Brady and the Spelman amendments. I was sorry to see it defeated. The point here was not that I had suddenly succumbed to the wonders of the Brady position, but rather that I understood that some level of compromise was needed to give the Prime Minister a stable base on which to negotiate.

Of course many Members, myself included, are very concerned at further attempts to kick the can down the road yet again. The problem is that we have now run out of road and decisions will have to be taken. I am actually pretty open-minded on the terms of the deal for our withdrawal from the EU, although I shall certainly have more defined views on what our future relationship should be. To that extent, I would like to see time set aside for indicative votes to be held to debate our future relationship with the EU. We must now look forward to our future with the EU as a partner rather than just look back at how we get out of it. The key mistake we made on leaving was to start negotiations without an agreed position, which made us very easy prey for the EU negotiators. I will

advocate Norway plus, and others may have different proposals, but the inaction cannot happen again as we head towards the next round of negotiations on a future deal.

However, my immediate concern is that we do not leave the EU without a deal and that we provide the breathing space that business so badly needs. To fall off the cliff would be to invite scarcity, lower living standards, lost employment and lower investment in the UK, and I share the concern of many MPs that the people will punish us for that. When I say “us” I mean all of us —not just the governing party, but the Opposition, who will be seen not to have acted in the national interest.

I certainly welcome the Prime Minister’s promise yesterday to allow a vote to extend article 50 in the event that the meaningful vote and then a no-deal resolution are rejected. The Government will need to elaborate on whether they will whip to oppose no deal and also to support any article 50 extension. The Minister seemed just a bit uneasy about answering that key question earlier today. Also, will the House determine the length of the extension, and if the EU makes a counter-proposal on the extension period, will the Government bring that period to the House for debate? The answer is seemingly yes from what the Minister said earlier, but I think that we will need further elaboration.

I am also still very concerned about the ongoing delays in bringing forward the meaningful vote, which I will support, with all its damaging delay implications for business. Let me be clear: I have no interest in delaying Brexit day, but nothing could be worse than leaving without a deal.

I was saddened to see the Prime Minister and the Leader of the Opposition failing to engage immediately after heavily losing the first meaningful vote, which I supported. That was the wrong approach, and I think that the Prime Minister knows that we will sort this matter out only when she engages with all Members of this House who are prepared to take a sensible approach to negotiating with the EU. I was pleased to hear the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) confirm today that Labour is prepared to talk.

Since the votes on 29 January, I have seen nothing coming from the EU to suggest that it is prepared to reopen the terms of the withdrawal agreement—quite the opposite. That is not to say that we should not continue to engage with the EU. Indeed, it may be the case that we can agree some kind of ancillary document—perhaps a binding one—that provides a roadmap towards ending the need for the backstop.

Mr Speaker

We are extremely grateful to the hon. Gentleman.

17:53:00

Catherine West (Hornsey and Wood Green) (Lab)

This House has witnessed months and months of obfuscation and delay by the Government. At best, that has illustrated the sheer incompetence of their handling of the Brexit negotiations, and at worst, it has demonstrated a wilful attempt to force MPs to choose between two wholly unacceptable outcomes. However, the Prime Minister’s statement yesterday was a step in the right direction, allowing MPs a vote on delaying the UK’s departure from the EU, or ruling out a no-deal Brexit if we reject her deal next month, demonstrating a positive shift in direction. It was the first time that we had had a concession on the Government’s famous red lines. It was an overdue but welcome recognition of the role that Parliament should play in determining the future relationship between the UK and the EU.

Yesterday during the Prime Minister's statement, I asked her whether she could tell me how much Brexit is costing. Of course, she could not, which I was rather surprised by. The cost to the public purse of £500 million a week is an absolute slap in the face to those who voted to leave on the basis of a £350 million lie on the side of a bus. There is also the cost of the £39 billion divorce bill.

The cost that we will all pay in jobs as companies shift, leave or take their operations to European cities will be immense. The right hon. Member for Meriden (Dame Caroline Spelman) and my hon. Friend the Member for Birmingham, Erdington (Jack Dromey) held an excellent series of meetings, where we heard at first hand about the impact of businesses moving abroad and the effect on the workforce. I fear that the steady stream of jobs moving across the channel will become a torrent if we do not grip this crisis.

There will be a cost to small and medium-sized businesses as supply chains are disrupted. For factory workers, their zero-hours contracts could become zero contracts. Then there is the cost to consumers as they face the prospect of new charges appearing for their goods, and other increased costs, including for insurance and mobile phone roaming charges. For our young people, their ability to travel freely—to live, study and work abroad at the drop of a hat—will now be inflicted with a whole lot more bureaucracy and planning.

There is also the cost to our environment. I was pleased to put my name to amendment (e), which lays out best practice for the environment, because we are at risk of leaving the gold standard for the environment set by the EU. Does everyone remember when beaches were too dirty to swim at? Well, now they are clean, and parks that were too dirty to play in now have a green flag. It all originates with key areas of excellence in the European Union's environmental protections.

I was pleased to hear my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) saying that the current border arrangements between the Republic of Ireland and Northern Ireland are a physical manifestation of the peace settlement, which was so hard fought for over centuries, culminating in 1998. What a terrific achievement of the then Labour Government, and what an obligation on each of us in this House to uphold that important agreement.

The European Union project is grounded in that common cause for peace, recognising that by pooling our efforts we will not weaken the UK's standing in the world but rather embolden it. As we marked the centenary of the Armistice of the great war last November, we remembered the horrors of the 20th century. Those horrors could come again; this world is so unpredictable. Now is not the time to be stepping back from our European friends and neighbours, and splintering over borders and customs. No—we should be stepping up and joining together to tackle the issues that face us.

17:57:00

Priti Patel (Witham) (Con)

I begin by paying tribute to my hon. Friend the Member for South Leicestershire (Alberto Costa) for his amendment (b). He spoke with great distinction and clarity, demonstrating that this House can be united on such an issue as Brexit. It is challenging, but he has demonstrated great principle and a considered approach in the way in which he has been able to unify us and bring so many of us together.

Those of us in this House who promised to honour the vote in the referendum back in 2016—in fact, that is most of us—and who went on to stand on our respective manifestos seeking to honour that result then voted to trigger article 50 and to leave the EU on 29 March this year. We must now

ask ourselves how this situation—not just the debates in this House, but the way in which the negotiations have been taking place and have been handled—looks to the 17.4 million who voted to leave, and to those who voted to remain, when it comes to respecting the result of the referendum.

It is inevitable that I am going to say that the negotiations have not been handled in the most structured way. The Government have missed opportunities to change their approach, and it is fair to say that the warning signs have been there for a considerable amount of time—through the proposals that became the Chequers agreement and then the withdrawal agreement, which in my view were not right for this country. However, the point is that we know that the deal as it stands now is not acceptable to many, and there is more work to do. The right response would be for the Government to carry on listening and to pursue a better deal. At the same time, we are now hearing much more about the whole push for a second referendum that would seek to deny the British people the rights and freedoms that they voted for back in 2016. Voting for delay without even specifying what would be achieved by it is not the right approach at all, and it saddens me that we are now in that position.

The fact is, the Prime Minister undertook to go back to Brussels to reopen the withdrawal agreement, and on 29 January this House voted and showed what sort of deal can command a majority in the House of Commons. No deal is not the outcome that we are all aiming for. We want a deal that can actually speak to the challenges associated with the backstop. All the other choices could mean that we end up going back on the verdict of the British public, backtracking on our promises and undermining democracy. The various arguments have been made about letting down our country. We will end up with irretrievable ramifications, not just for our political parties but for our democracy and our country. None of us wants to see that.

In the coming weeks we have an opportunity, and the Government have an opportunity, to secure a better deal and bring back a withdrawal agreement that has legally binding changes so that the UK can leave the backstop and, importantly, deliver the Brexit that the British people were promised.

18:01:00

Owen Smith (Pontypridd) (Lab)

Yesterday, in sharp distinction to the “Groundhog Day” debates and statements from the Prime Minister that we have had previously, we had two really important concessions and changes in policy from the Government. One was the admission, at last, that the sovereignty of this House is important and that we cannot simply fall out of the EU through no deal and go on to WTO terms without this House having a say. That was always true, but the Prime Minister was forced to concede it yesterday. The second crucial concession was that it is not holy writ that we leave on 29 March and there may be a longer period. Those are both important concessions.

As colleagues of mine have said today, if we do get to the point, as I expect, of no deal being voted down by this House and there being a vote in favour of an extension of article 50, we need to make sure that that extension is used for a purpose and not for more of the ludicrous merry-go-round that we have had in recent months. In that context, I pay tribute to colleagues across the House—in particular, to Conservative Front Benchers who stood up for their values and refused to allow this place to be railroaded by the Prime Minister and driven to the edge of no deal.

However, the truth is that no deal is only marginally worse than the deal that is on offer. Indeed, one could argue quite rightly, as some in the ERG would, that in respect of the sovereignty arguments, the Prime Minister’s deal on offer right now is, in some regards, worse than no deal, however catastrophic that would be for the economy of our country. It is an absolute badge of shame for the

Prime Minister that she has been dragged kicking and screaming to this point as we have lost jobs at Nissan, Honda, Ford and so many other companies across our country.

Yet my real concern is that the most likely outcome is still that the armchair generals of the ERG who loll languidly on their Benches are going to get their way—that they are going to get the Prime Minister to the point where Brexit goes through. They will ultimately, I think, be successful—the victors in this Russian roulette game that they have been playing for so long. There are those of us on the Opposition Benches and on the Conservative Benches who still understand and believe that Brexit is ultimately deeply destructive for our country, not just for our economy but for our values—for what we believe in, and not just in a Labour party that is overtly internationalist, outward-looking and tolerant, and understands that we need to be all those things to succeed in the 21st century and for the benefit of the wider culture of our society. It is not only me and other Opposition Members who are deeply worried by the rise in right-wing extremism in our country fuelled and delivered by Brexit. Unfortunately, those things will only be compounded if we exit, whether it is the Prime Minister's or the ERG's version of Brexit.

Sir William Cash

I think the hon. Gentleman is rather exaggerating, if I may say so. Is not the truth, as I wrote even in 1990, that if we take away the right of the people to decide their own destiny, they will end up moving to the far right?

Owen Smith

We have seen a 100% increase in violent racist attacks since the Brexit vote—that is the truth. Brexit is exacerbating underlying problems in our society. It is a racist, xenophobic, right-wing, reactionary project, and we in the Labour party should be fighting against it with every sinew of our being.

I will use my last minute to plead with people in this House and across the country that if they believe, as I do, that Brexit will damage not only our economy but the values that underpin our society—the good values of Britain—then they need to start saying so. There is a narrow window of opportunity to contest this before some form of Brexit, whether the Prime Minister's or the ERG's, goes through. It may well go through by the end of this month.

There is an opportunity to speak and march against Brexit in London on 23 March. People the length and breadth of Britain should join us for that and make their voice heard. We should still contest Brexit. There is still an opportunity to beat it and allow Britain to pull itself back from the brink. It is not anti-democratic to give the people one further say. It would be the democratic thing to do, and I will urge people to do that until I can urge them no more.

18:06:00

Jeremy Lefroy (Stafford) (Con)

It is an honour to follow the hon. Member for Pontypridd (Owen Smith), although I slightly disagree with him, because I know people who have campaigned and argued over many decades to leave the European Union, such as my hon. Friend the Member for Stone (Sir William Cash), who do so for honourable motives of freedom and control over laws. I happen to disagree with my hon. Friend quite passionately about that, but he is almost as left-wing as I am on many economic matters. We should be careful about the way in which we describe the motives of people on one side or the other.

I congratulate my right hon. Friend the Member for Meriden (Dame Caroline Spelman) and the hon. Member for Birmingham, Erdington (Jack Dromey) on the work they have done to reach across the House. That work to bring us together is so important. Nobody will be satisfied with everything; that is an impossibility. However, we can come much closer together, and for the sake of the nation, that is vital.

I agree with the hon. Member for North East Fife (Stephen Gethins) that the way in which we talk about our relationship with our European friends and neighbours is extremely important. Most of them are very sad about this. They are not rubbing their hands with glee that we are leaving. They still want us to stay; I have heard that from so many people. They viewed us as a sensible, pragmatic country that helps the European cause, and they regret us leaving. It is therefore vital that as we leave—and I believe we must leave; that was the vote—we must maintain those close relationships and perhaps even get closer, because we will have to conduct them bilaterally and not through the means of the European Union.

I am against this business of leaving no deal on the table. The negotiations have gone far beyond that. This is not some game of chicken. This has to be a mature, grown-up relationship between parties that will remain close even if we are a bit more separate than we have been in the past. Let us do this in a mature way.

I would say to my great friend, my hon. Friend the Member for Stone—he should be the right hon. Member for Stone—that I gently take issue with what he said about article 4 of the withdrawal agreement. All these matters take time to disentangle. We will leave the European Union, but it will not be a clean break. Some areas of the withdrawal agreement will go on applying for up to eight years when it comes to citizens' rights. It is vital that, just as when we entered the European Union it took quite a long time for us to come together on the various issues of policy, so as we leave, some issues will be hangovers for a period. We should not confuse that with being subject to the European Union. We should say that those are areas where we will continue to co-operate as we gradually move apart.

My final point is that we need to come together. I believe that today has been the beginning of that—the tone of the debate and the speeches has been very good—and we must continue to do that as we move forward.

Mr Speaker

Order. A further nine right hon. and hon. Members are seeking to catch my eye, and I am keen to accommodate them. I would simply say that interventions are perfectly orderly, but they are at this stage unhelpful to those waiting to speak. People can do the arithmetic for themselves. There is only half an hour or so to go before the Front-Bench winding-up speeches.

18:10:00

Anna Soubry (Broxtowe) (Ind)

It is an absolute pleasure to follow the hon. Member for Stafford (Jeremy Lefroy). How much I agreed with everything that he said.

The situation is really quite disgraceful. It is a disgrace, and when history records what has happened over the last two and a half years, it will not falter to put the blame where I am afraid it has to be put. It will not fail to observe that one of the most striking features of the last two and a half years, among too many right hon. and hon. Members in this place, has been a breath-taking lack of courage and honesty. When I say that I mean honesty about the situation we found ourselves

in after the EU referendum, honesty about the choices we face and honesty with the electorate about the consequences of the choices we face.

As I think everybody in this place knows, I was one of the people who, with members of then other political parties—I am not actually in a political party at the moment; that does not really matter—we founded, and I am proud of the fact that we worked cross-party, something called the People's Vote. It came after a great deal of thought and consideration. As far as I am concerned, it is not designed to thwart or frustrate Brexit; I get tired of some of the words that are used in such a disparaging and very silly way. It was a genuine desire to find a solution to the unholy mess that we had our got ourselves into, and I still believe that the only way through this mess and through this crisis is by taking it back to the British people.

I take very grave exception to hon. Members on the Conservative Benches, who really should know better, saying that in saying we want a people's vote we are saying that people were stupid, did not know better and did not understand back in 2016. Let us be very clear about why so many of us who believe in a people's vote, and it is a growing number, take that view in the face of the death threats, the threats to our safety, the threat of deselection—not now in my happy case—and so on. The reason we say it is that it is right that people are entitled to change their minds. It is right that young people—denied a vote by virtue of their age in 2016, but now obviously of the age when they can vote—should have a say about their future, given that they more than anyone will bear the burden of Brexit. But there is this: now we know what Brexit looks like, and we did not—any of us—know what we meant when we put to the Great British people the option of leave.

I do take grave exception to something else: the fact that this Government—a Conservative Government—have still refused to take no deal off the table. I take grave exception to that not only because there is no mandate for it and it was not promised at all—in fact, the opposite was promised by leave campaigners, who promised us a deal before we even left the European Union—but because this Government know the facts about the huge danger that it poses to the economy and the future prosperity of all the people of this country, and faced with those facts in black and white, as I saw yesterday, they still refuse to take it off the table. That is my priority—making sure that no deal is not an option—and that is why I will be supporting amendment (a).

06:14:00

Richard Graham (Gloucester) (Con)

Following the long-running British soap, “Carry On Brexit”, is testing for everyone. However, tonight things have changed, in ways that I do not think the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) quite realised. He said that nothing will change, and that this will not work. In fact, a lot has changed, and I believe that it can work. Let me explain why.

The outstanding issue between the Government and the EU is restricted to an insurance policy for the Northern Ireland border that both sides have said they would not wish to trigger. It cannot be beyond the wit of the UK's and EU's diplomatic skills to resolve this issue. When the Exiting the European Union Committee was in Brussels a month ago, I summarised a way through that amounts to a legally binding annexe with a backstop review clause, ensuring that we cannot be locked into the customs union indefinitely against our will. That led to revised advice from the Attorney General and triggered support from the Democratic Unionist party of Northern Ireland and from the European Research Group on this side of the House.

There was no objection to that in Brussels but simply a question about whether such changes would pass in the House of Commons. None of us will know that until the votes are counted, but such

changes should—I believe would—be the catalyst for success, urged on by a recognition of what would happen should Parliament not approve the withdrawal agreement Bill and then vote, under the Prime Minister’s commitment, to proceed without a deal. There can be no doubt about the result of that.

We may not have the support of all my colleagues, judging from the speeches of my hon. Friends the Members for Stone (Sir William Cash) and for South Dorset (Richard Drax), but paradise is not for this world. What matters today, therefore, are the amendments proposed. I believe the Letwin-Cooper and Spelman-Dromey amendments will not be moved, and the Costa amendment has been accepted. As a signatory to amendment (b), tabled by my hon. Friend the Member for South Leicestershire (Alberto Costa), I know that the EU has the same difficulty in agreeing to the same commitment to the rights of UK citizens in the EU as we have to EU nationals here, because it does not have the authority to do so over the 27 member states’ sovereignty. However, the European Parliament’s Brexit co-ordinator, Guy Verhofstadt, has clearly said that the European Parliament will not accept uneven citizens’ rights when it considers the withdrawal agreement Bill and will therefore oblige the European Union to ensure reciprocity. I am therefore pleased that the Government have accepted the spirit and direction of this Conservative-led amendment.

That leaves us with amendment (k), tabled by the right hon. Member for Ross, Skye and Lochaber (Ian Blackford), which has been made redundant by the Government’s commitment to a vote on no deal if the withdrawal agreement is not approved, and amendment (a), tabled by the Leader of the Opposition. The right hon. and learned Member for Holborn and St Pancras’ explanation of amendment (a) was, in my view, weak. None of his points referred directly to citizens’ rights, money and Northern Ireland—the three ingredients of the withdrawal agreement. Everything that he mentioned is sketched out in the political declaration and will be negotiated in detail during the transition period, as he knows. I therefore cannot see any reason why Labour Members, elected on a similar manifesto to Government Members, should not support the Government on the withdrawal agreement Bill.

My message is clear: the Government and the European Union must resolve the backstop issue, to relieve and reduce the already increased uncertainty of citizens and businesses across Europe, as soon as possible. Having done so, Labour should continue to talk with the Government, because the differences between our manifesto, which seeks a customs arrangement, and theirs, which calls for a customs partnership, should surely not be insurmountable. Everyone—especially those who have emailed me to suggest that no deal is no problem—should read the Government’s recently released analysis. It would be a problem. We must support the Bill.

18:18:00

Mr David Lammy (Tottenham) (Lab)

I have not met a Member who supports no deal who has experienced real poverty—the scarcity that, in previous eras, was so common: the destitution that families endured in workhouses in Victorian England, the deprivation in the east end that led to the birth of the Salvation Army. There may be a few left now who experienced forced rationing during the second world war.

However, having grown up in the shadow of the Broadwater Farm estate in Tottenham in the 1970s, I know what it feels like to get home and find the cupboards empty; the indignity of living pay cheque to pay cheque; the melancholy of not being able to spend time with family at weekends because they work three jobs, as my mother did.

Maria Caulfield (Lewes) (Con)

Will the right hon. Gentleman give way?

Mr Lammy

I will not, because of the time available.

If we do not stop a no-deal Brexit, a whole generation of families will be impoverished. “Project Fear” will become project reality. The Government’s own assessments, forced out last night, estimate that no deal will make our economy up to 9% weaker over 15 years. Food prices will rise and customs checks will cost British businesses £13 billion per year. This will make the 2008 recession seem like a blip. Hundreds of businesses and thousands more jobs will leave the country. The Governor of the Bank of England has warned that house prices will crash by up to a third. Sainsbury’s, Asda and Co-op told us that no deal will leave our shelves empty. The Health Secretary could not rule out medicine shortages causing early deaths. Britons living in Europe will lose their rights overnight. We will fall out of the EU’s crime-fighting agencies and lose the European arrest warrant. No-deal Brexit is a dereliction of the first duty of a Government, which is to keep the public safe, so I suggest to the Government that they should say tonight that they would vote against that no deal.

Crashing out of the EU without a deal would be the single greatest failure of this Government and of any Government in modern British history: a failure of leave campaigners to deliver the utopia they sold to voters in 2016; a failure of Parliament to stand up for our constituents; and, most of all, a failure of the Prime Minister to put the country before her party and her narrow self-interest. By refusing to rule it out herself, she is deliberately causing confusion, pain and panic. The Prime Minister has made a Faustian pact with the hard-right mob in her party who want to dismantle the EU’s social protections at any cost.

Brexit is a con by multi-millionaires to convince the poor that the metropolitan middle class has screwed them, knowing full well that the financial crisis is the fault of their own gambling on the markets and that Brexit is a chance to double down on it again. The Brexiteers have enough capital to profit out of this disaster, so I will call them out. The hon. Member for North East Somerset (Mr Rees-Mogg) has already moved two investment funds to Ireland. The right hon. Member for Wokingham (John Redwood) has campaigned for a hard Brexit while advising investors to pull their money out of the UK. Lord Lawson of Blaby has applied for French residency, Nigel Farage has got German passports for his children, and Sir James Dyson has moved his company headquarters to Singapore. Mr Speaker, leave really did mean leave for these men.

Let me say this directly to those who told us that Brexit was about taking back control. You do not have control when you are living in destitution. You do not have control when you cannot find work. You do not have control when your rights are sold off and dismantled for profit. There is no dignity in poverty, only shame. So shame on the ERG for what they are doing to this country. Shame on the Prime Minister for failing to say “no. And shame on anyone who would vote to make this country poorer. We should take no deal off the table.

18:22:00

Lee Rowley (North East Derbyshire) (Con)

Eighty-four days ago I last spoke in this Chamber on Brexit and since that time nothing has fundamentally changed: the EU remains as intransigent as ever and people in this place are seeking to frustrate the will of the people, as was so eloquently outlined by the right hon. Member for Tottenham (Mr Lammy). As the son of a milkman and the grandson of miners, I will take no lessons from him.

I and people like me who voted to leave still believe in leave. All the while, the people out there—the 17.4 million people out there—are bewildered by what goes on in this place and by what is happening. I can tell you what has changed in this place in the past 84 days: we have lost our nerve, if we ever had it in the first place. The hyperbole has gone up and the hysteria has gone up, but all the while people out there do not understand what we are doing.

What should have changed in this place in the past 84 days is that we should have got real and recognised that what has happened is only hamstringing our ability to get a deal from the European Union right now. What also should have changed in the past 84 days was that the Government should have actually tried to negotiate in a meaningful way, and taken something like the Malthouse compromise and pushed it through in a way that I am not convinced they are yet doing. We have to realise something in this place, and I hate to break it to you all, but it is not about you—[Interruption.] You outsourced this decision in 2016 to the people and you are now trying to in-source, erroneously, the implementation, and it is not working. You do not understand the democratic deficit that is coming out and that I see in my constituency, and I am sure hon. Members—[Interruption.]

Mr Speaker

Order. The hon. Gentleman must be heard. I know that he is using the word “you”—he is using it as a rhetorical device. I do not take offence at that, but he must be heard.

Lee Rowley

Hon. Members do not understand the democratic deficit that is coming out and that is completely obvious in places like my constituency and elsewhere. This is not about us. We have a decision to make. I am happy to compromise. I will compromise on money and on timelines—if I have to—and with such things as the Malthouse compromise, but I will not take false choices and false options, which it seems are about to be presented to us.

We have a clear decision to make. If a good deal is put to this place in a few weeks’ time, I will vote for it, and vote for it happily. However, this place has already said that the deal that came here last time was a bad one. If that deal comes back and it is not materially changed I will vote against it, because it will not work for our country in the long term. I will vote against taking no deal off the table because that would hamstring our ability to negotiate, and I will vote against an extension of article 50, because there is no reason to extend it when we do not know why we are asking for that extension. We have a choice to make. The people out there are watching and they are tired of and bewildered by the games that are being played in here. We have to leave on 29 March, and I hope that people will wise up in the next few days and weeks to make sure that happens.

Mr Speaker

Order. After the next speaker, the hon. Member for Perth and North Perthshire (Pete Wishart), the time limit on Back-Bench speeches will go down to three minutes in a bid to accommodate everybody, but he luxuriates in the lather of four.

18:26:00

Pete Wishart (Perth and North Perthshire) (SNP)

I know that it is traditional in this House to say, “It is a pleasure to follow the hon. Gentleman,” but may I say that it is not a pleasure at all? I represent probably everything that he does not, and I will tell him something: I loathe Brexit—I truly, utterly loathe it. I hate the economically disastrous, isolating ugliness of the whole project. I particularly loathe the fact that the Government are

prepared to take my beautiful, consensual, inclusive nation out of the European Union against its national collective will.

Just when we thought that this overwhelming, chaotic cluelessness could not get any worse, we have this week. I am trying to figure out what has happened this week. I hear all the warm remarks that somehow there is a bit of progress and that we are actually a few steps forward. My sense of what we have actually done is this: we are still going to leave, but just not on the day that we thought. We might have a no-deal Brexit, but it is very unlikely that no deal might extend to the 29th. We have not got a clue on what sort of basis the Government want to leave. They are hoping in vain that somehow the European Union will grant some sort of concession on the backstop. We have already heard from the French that they are not prepared to have an extension unless it is for a purpose. This is all for absolutely nothing. Their Brexit is breaking the country. It is now starting to break the UK political parties, and it is well on its way to consuming this Government, too.

This is perhaps the greatest post-war political disaster in our politics. It will be remembered as the single greatest failure of any British Government, and let us remember that it is exclusively a Tory Brexit, almost laughingly designed to try to resolve the differences about Europe in the Government's own party. Not only has it further divided their rotten party, but it has divided a nation and taken it to the brink. It is they that initiated, designed and administered it. It will define them for decades to come. This chaos will be their legacy.

The Government have driven us along this Brexit road with all the guile of Wile E. Coyote with an Acme rocket strapped to his back. Now the road is running out and that final boulder is about to come crashing down on their head, yet they say that I have to support their Brexit. They say that if I do not support it, I risk a no-deal Brexit and all the chaos that will bring. I will never support their Brexit. I will never accept my country getting taken out against its will. I will not support anything that makes my constituents poorer. I will not support the end of freedom of movement, which will decimate businesses in my constituency and stop population growth in my country. I will never, ever accept the fact that the rights that I enjoyed to live, to work, to love across a continent will be denied to future generations of young people. I will never, ever accept that. We have tabled an amendment to revoke the whole ugly business. This madness must end. We have had our chance. I know that our amendment (g) cannot be debated because it has been signed by only 12 Members, but I bet that if it were put to the public just now, it would be about the most popular option in this country, just to end this madness.

However, Scotland has a way out. We can get off the sinking ship. At some point, the question will have to be put to the Scottish people: do you want to be part of this doomed Brexit deal, or do you want to be an independent nation, making its own way in the world? Imagine if all we could aspire to as a nation was Brexit Britain. Scotland deserves much better than that, and when Scotland gets that opportunity and that chance, Scotland will take advantage of it, and we will be that independent nation—an independent nation within the European Union.

Mr Speaker

Three-minute limit. I call Joanna Cherry.

18:26:00

Joanna Cherry (Edinburgh South West) (SNP)

I rise to support amendment (k), in the name of my right hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford).

The distinguished political journalist Robert Peston has pointed out that the amendment rules out a no-deal Brexit completely, not just on 29 March but in perpetuity, and should therefore be supported by all Opposition Members, including the Labour party, and many Conservative Members. I am delighted that the amendment has the support of Plaid Cymru, and of the hon. Member for Brighton, Pavilion (Caroline Lucas), of the Liberal Democrats, of the Independent Group, and of the Labour party and, I understand, some Members on the Government side. I think it shows that there is a majority in this House to rule out no deal completely.

Given that the Government's own Business Secretary has said that no deal would be ruinous, given what the right hon. Member for Broxtowe (Anna Soubry) has said about the documents that she has viewed in some detail, and given what the hon. Member for Stafford (Jeremy Lefroy) said about this not being a game of chicken, supporting the amendment is a no-brainer. I entreat hon. Members across the House to put aside any reservations about the Scottish National party. They may not agree with all our programme. That is fine; that is their right. But there is a majority across this House to rule out no deal, and I ask hon. Members, particularly on the Government Benches, to live up to what they have said across the media and to have the gumption to support this now cross-party amendment, albeit led by the SNP, to rule out no deal completely.

It is simply not true that no deal cannot be ruled out completely. Why would any country want to shoot itself in the foot in that way? It is ruinous, as the Government have said. We can rule out no deal. The reason we can rule out no deal is that even if the European Union did not give us an extension, we have the means to revoke article 50, thanks to the case that I and others took to the European Court of Justice. I declare my interest in respect of the Good Law Project in that regard.

I entreat hon. Members: today, rather than this being yet another talking shop because certain amendments have been pulled, this is an opportunity to rule out no deal in perpetuity. Those on the Opposition Benches are supporting the amendment. I know that some hon. Members on the Government Benches have said that they will support it. I hope that more will do so, because we can defeat the Government's madness on this tonight.

18:33:00

Jack Dromey (Birmingham, Erdington) (Lab)

With 31 days to go, yesterday saw us take the first step back in this House from the precipice towards which we were heading. Had we plunged over the precipice into a no-deal Britain, our country would have been the poorer for a generation. At the next stages, there can be no backsliding on the commitments that have been given, both yesterday and today. The progress made follows sustained cross-party campaigning, exemplified by the excellent leadership of the right hon. Member for Meriden (Dame Caroline Spelman).

In bringing home the consequences of a no-deal Brexit, we have built a powerful business coalition, and their voice could not be clearer. Only yesterday they met here, against the background of already painful consequences being felt, including in our factories, such as Jaguar Land Rover, where thousands of jobs have gone.

The CBI said that it had seen the fastest drop in services since 2008. Barclays was moving £190 million of investment to Dublin. Billions were being spent on contingency planning. The TUC talked of a devastating impact: already thousands—tens of thousands—of workers were losing their jobs. The chief executive of Virgin said that the company had invested £30 billion, and had brought in American investment in particular, but now the growing uncertainty was leading to investment

decisions being taken against Britain. The Food and Drink Federation said that an eighth of its members felt that no deal could threaten their viability.

The National Farmers Union spoke out. From plough to plate, there were grave concerns about the consequences of a no-deal Brexit. Ford said that vehicles were already in transit, but that it did not know what the tariffs would be when they landed. A major health and safety company that was to make a 1,000-strong investment in Northern Ireland has now pulled back from that investment. The ceramics industry is panic-stricken at hard Brexiteers' notion of zero tariffs, fearing the impact that it would have on their businesses. The Investment Association talked of the shift of investment to Asia in particular. A major engineering company said that a £35 million regional headquarters had been shelved.

I could go on, but all I can say in the time available to me is that if we have taken a step back from the brink—and we have—there is no majority in the House, and never will be, for a hard Brexit, a no-deal Brexit. It is therefore crucial for us to come together during the next stages, across parties, as we have done, to frustrate a no-deal Brexit and to agree a new settlement for our country that can command the confidence of the country, and will be in the best interests of the country. We stand ready to undertake that great enterprise, and I hope that all Members will do likewise.

18:36:00

Peter Grant (Glenrothes) (SNP)

It is easy to ask what has changed since the last debate, and the one before that, and the one before that. I was tempted to talk only about what has changed, because I could quite easily fit “nothing” into four minutes. However, something important has changed. The clock has changed. Cliff-edge day is getting nearer and nearer. The Prime Minister insists that this is not a deliberate, cynical and criminally reckless ploy to run down the clock and blackmail us into voting for a rotten deal as the only alternative to no deal at all. I do not believe that, and I doubt that many other Members in the Chamber do either.

I have been accused tonight of not understanding democratic deficits. I have visited the Dutch Parliament, and I know that Dutch Members of Parliament are able to vote every time a Minister goes to the European Council to tell the Minister how to vote. We are not able to do that. I serve in a Parliament nearly three quarters of whose Members are appointed by patronage and favour, not by democratic mandate. I know about democratic deficits. I have never been alive at a time when my country has voted for a Conservative Government, but Conservative Governments have ruled over me, and misruled over me, for more than half my life. No one in this place is going to tell me, or five and a half million of my fellow Scots, that we do not understand what a democratic deficit means.

I must point out to the hon. Member for Gloucester (Richard Graham)—although I do not know whether he is still in the Chamber—that our amendment is not redundant. The Prime Minister has not promised to give us a chance to take no deal off the table. She has offered to give us a chance to take it off the table on 29 March. I want it off the table on 30 March, 31 March, and every day from then till kingdom come. It is not acceptable that the Prime Minister has refused to confirm that that will happen if the House rejects no deal for a second time. We have already rejected it, and it is still on the table. How is that for a democratic deficit?

We have seen so many principles of good government thrown out of the window by a Government who now seem almost to be playing the game that winning a vote is all that matters. It does not matter what is in the vote. It does not matter if they win a vote to take us over a cliff edge, as long

as they win it. My hon. Friend the Member for Central Ayrshire (Dr Whitford)—who I do not think is in the Chamber now—brilliantly described the choice that we are being offered: she said that the Prime Minister’s deal takes us over the cliff edge, but with luck we might have time to knit ourselves a parachute on the way down, before we hit the ground.

This is not a good enough choice. Those who want to force Parliament into such a non-choice are not being democratic. They are seeking to frustrate the clearly expressed will of the House. The House does not want to be forced to choose between a rotten deal and no deal. Some of us have another choice before us. Scotland will never accept the xenophobic, isolationist and divisive future that the Government are trying to force us into. Scotland has an alternative future, and that future will be claimed by the people of Scotland before very long.

18:39:00

Diana Johnson (Kingston upon Hull North) (Lab)

One thing I have noticed in the whole debate about Brexit is that small groups with very loud voices tend to dominate, and this afternoon I had a message from a constituent who said:

“Where did it say ‘leave with a deal’ on the referendum paper; it never did—did it?”

There are small groups who think no deal is the way forward but the vast majority of my constituents, many of them among those who voted to leave in 2016, want to leave with a deal that delivers on the promises made in 2016.

I certainly believe it is reckless to leave with no deal, and what the hon. Member for Stafford (Jeremy Lefroy) said about the negotiations now having gone too far and that no deal should be taken off the table is absolutely right. I welcome the fact that we will have the opportunity to stop a no deal crash-out of the EU in the next few weeks, although very late in the day.

I want to speak briefly to amendment (a). I am pleased that it has been tabled by my Front-Bench team and selected. It is credible; it is a sensible way forward. Of course it opens up the political declaration, but we know that the EU is open to that. It is such a shame, and I feel really let down by the Prime Minister, that over the last two years she has not felt able to act in the national interest and reach out across this House. She has decided on those red lines, it seems, all by herself, agreed with no one but herself. There has been no real attempt to work cross-party.

It could have been so different, and I do think it could have strengthened her hand in her negotiations with the EU if she had had Parliament backing her when she went into those discussions. I also think it would have stopped her suffering the biggest ever defeat in parliamentary history, which happened last month.

Amendment (a) is the best chance to deliver on the promises made to my constituents and everyone else’s constituents in 2016: to protect jobs and trade, and, as an MP representing a university seat, to protect some of our excellent educational schemes such as Erasmus, and also to protect the security of this nation and, finally, the dynamic alignment of rights and protections—which must be, of course, something we all support. So I am pleased that amendment (a) will be voted on this evening and I encourage everybody to get behind it.

18:42:00

Matthew Pennycook (Greenwich and Woolwich) (Lab)

There have been a number of excellent contributions to today's debate from across the House, and while time prevents me from mentioning each of them I do want to single out a number of hon. and right hon. Friends, including my right hon. Friends the Members for Wolverhampton South East (Mr McFadden), for Leeds Central (Hilary Benn) and for Normanton, Pontefract and Castleford (Yvette Cooper) and my hon. Friends the Members for Birmingham, Erdington (Jack Dromey), for Hornsey and Wood Green (Catherine West) and for Pontypridd (Owen Smith), as well as the right hon. Member for Meriden (Dame Caroline Spelman), the right hon. and learned Member for Beaconsfield (Mr Grieve) and the hon. Member for South Leicestershire (Alberto Costa), who made a particularly passionate contribution.

We find ourselves here again debating much the same issues because we are in an impasse, yet there was little in the Prime Minister's statement yesterday, or the thoughtful opening speech from the Minister for the Cabinet Office, to suggest that that impasse will be broken any time soon. I think it unlikely but it is of course not inconceivable that the Prime Minister will secure changes to the backstop, yet if she does they will almost certainly be minor, if not entirely cosmetic. They will certainly not be changes of the magnitude necessary to satisfy the very clear instruction set out in the amendment in the name of the hon. Member for Altrincham and Sale West (Sir Graham Brady), supported by the Government, that the Northern Ireland backstop be

“replaced with alternative arrangements”.

That highlights the fact that that amendment was merely a sticking plaster which hid all manner of sins in an effort to generate a temporary sense of unity among the warring factions in the Conservative party.

Now it may be that some of the less cavalier members of the European Research Group have realised what a hostage to fortune the Brady amendment was: perhaps they are now looking for a way to climb down; perhaps they are no longer insisting that the backstop be replaced in its entirety and are prepared to consider the type of reassurances that for so long they dismissed. But I would be amazed if they would satisfy both the DUP and all of the ideologues in the ERG. As such, the fundamental issues have not changed and the Government's present strategy is likely to continue to fail. What is shameful is that the Prime Minister is fully aware of the risks she is taking yet is ploughing on regardless in an attempt to force this House to blink and accept her flawed deal. Is it any wonder that businesses and individuals across the country, many of whom are already feeling the impact of the Prime Minister's gamble, reacted with alarm at her entirely self-serving and purposefully reckless decision to once again delay a second meaningful vote?

It has long been obvious to many of us on this side of the House that the UK will inevitably have to seek an extension to the article 50 process and postpone exit day beyond 29 March—my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) has said so repeatedly from the Dispatch Box—yet the Prime Minister has insisted repeatedly that the UK will leave the EU on 29 March, no matter what. Yesterday, she was forced to concede that an extension might be necessary after all, and, as the Minister for the Cabinet Office made clear in his opening remarks, we will now have a vote on a binding motion on 14 March if the House rejects the Prime Minister's revised deal and again rejects a no-deal exit. This is the right thing for the Government to have done, and we will support amendment (f), tabled by my right hon. Friend the Member for Normanton, Pontefract and Castleford, if she decides to press it to a vote, to bind the Government to those commitments.

We on this side of the House will support any and all efforts to prevent a damaging no-deal departure from the EU, including supporting amendment (k), tabled by the Scottish National party.

Providing for a means to reduce the time pressure in the article 50 process does not ensure that a no-deal exit is ruled out categorically as an option, but it is a crucial first step in preventing a no-deal exit from happening, either inadvertently or as a matter of intent. However, as my right hon. Friend the Member for Wolverhampton South East and my hon. Friend the Member for Pontypridd stated in their powerful contributions, the EU will agree to an extension only if it is for a purpose, and that purpose cannot be more of the strategy that the Prime Minister has adhered to in the 43 days since 15 January. That is why it is almost inevitable that this House will have to explore credible alternatives to the Prime Minister's deal that might be capable of commanding a majority in this House.

We have set out our alternative in amendment (a), and we know that it is a credible alternative because the EU has said as much, privately and publicly. As my right hon. and learned Friend the Member for Holborn and St Pancras exposed forensically in his opening remarks, it is very different from the political declaration that the Government have currently negotiated. Importantly, amendment (a) would enshrine our new negotiating mandate in primary legislation so that no Government or Prime Minister could renege on it. We will continue to urge Ministers to abandon the pretence and move seriously to engage with our proposal, but we will also put it to the House this evening and ask Parliament to assist us in ensuring that it is the basis for a revised agreement.

I want to end my remarks, as my right hon. and learned Friend ended his, by underlining the commitment made by the Leader of the Opposition on Monday. If amendment (a) is defeated this evening, Labour will then move to propose or support future public vote amendments in Parliament that offer the British people a choice between a credible leave option endorsed by this House and the option of staying in the EU. As my right hon. and learned Friend made clear, we will do that because we have to, in order to prevent a damaging Tory Brexit of the kind that the Prime Minister is proposing and to avert a disastrous no-deal exit.

18:48:00

The Secretary of State for Exiting the European Union (Stephen Barclay)

The Government's focus is on securing a deal and passing a meaningful vote by 12 March. The Prime Minister has now spoken to the leaders of all 27 EU member states to set out the UK's position. The Attorney General, the Chancellor of the Duchy of Lancaster and I have been engaged in discussions with the EU to make progress, and both teams are continuing their work. We have agreed to review progress with the EU again over the coming days.

Alberto Costa

I have two questions for my right hon. Friend. Given that the Government have accepted my amendment in full, will he confirm at the Dispatch Box whether the Prime Minister will be writing to President Tusk and the European Council requesting that the European Council give legal authority to the EU Commission to seek to enter into discussions with the UK to carve out the citizens' rights deal? If so, when?

Stephen Barclay

I am grateful to my hon. Friend for raising that point. Many Members from across the House spoke in support of him during the debate, and I am happy to confirm that we will write to the EU institutions in the coming days. The reality is that we have a shared goal of protecting citizens' rights, and the Government do not oppose my hon. Friend's amendment for that reason, but the issue is more about what the European side is willing to do, because the EU has previously said that it is a bilateral matter for member states, rather than something within the EU Commission's mandate.

Turning to amendment (c) in the name of my right hon. Friend the Member for Meriden (Dame Caroline Spelman), she kindly referred to my remarks in the media this morning, and those of the Prime Minister, that the will of the House will be respected in respect of a vote on whether to leave with no deal should the meaningful vote on 12 March not be passed. I am grateful to her for indicating, in the light of the assurances that we have provided, that she does not intend to press the amendment to a vote.

Moving on to amendment (f) in the name of the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), I can confirm that the Government will accept it. It is no longer necessary, because we have made clear commitments to hold a second meaningful vote on 12 March and another vote on leaving without a deal. The Chairman of the Exiting the European Union Committee asked whether those motions would be amendable, and that was addressed by my right hon. Friend the Chancellor of the Duchy of Lancaster. As the Chairman of the Committee well knows, it is for you, Mr Speaker, to decide whether a motion is amendable, but the Government are happy to give a commitment subject to that decision. I do not want to pre-empt what the motion will say, but we expect that a substantive motion would be amendable, which I hope reassures him.

Going back to amendment (c), the right hon. Member for Normanton, Pontefract and Castleford and the hon. Member for Pontypridd (Owen Smith) asked me to confirm the Government's position on the record and to reiterate the position set out by the Prime Minister, who said:

“First, we will hold a second meaningful vote by Tuesday 12 March at the latest. Secondly, if the Government have not won a meaningful vote by Tuesday 12 March, then they will, in addition to their obligations to table a neutral, amendable motion under section 13 of the European Union (Withdrawal) Act 2018, table a motion to be voted on by Wednesday 13 March, at the latest, asking this House if it supports leaving the EU without a withdrawal agreement and a framework for a future relationship on 29 March. So the United Kingdom will only leave without a deal on 29 March if there is explicit consent in this House for that outcome.

Thirdly, if the House, having rejected leaving with the deal negotiated with the EU, then rejects leaving on 29 March without a withdrawal agreement and future framework, the Government will, on 14 March, bring forward a motion on whether Parliament wants to seek a short, limited extension to article 50, and, if the House votes for an extension, seek to agree that extension approved by the House with the EU and bring forward the necessary legislation to change the exit date commensurate with that extension. These commitments all fit the timescale set out in the private Member's Bill in the name of the right hon. Member for Normanton, Pontefract and Castleford.”—[Official Report, 26 February 2019; Vol. 655, c. 166-167.]

Those commitments were made by my right hon. Friend the Prime Minister, and the Government will stick by them. While I do not normally like to read text out verbatim, I hope that that provides the right hon. Member for Normanton, Pontefract and Castleford with the clarification that she was seeking.

Yvette Cooper

There are some reports online that the Leader of the House may have said something different and that there might be circumstances in which we could leave with no deal even if the House had voted against that. Is the Brexit Secretary aware of that?

Stephen Barclay

As the right hon. Lady knows, I have been sat in the Chamber for the vast majority of the debate, so I do not know about any such comments. The reason why I was so explicit in what I set out and in repeating what the Prime Minister said—and indeed why my right hon. Friend the Chancellor of the Duchy of Lancaster was so clear in what he said—is that that is the Government position, and I hope that the right hon. Lady will take things in that spirit. Obviously, I do not know what other comments have been made, but I am happy to confirm the Prime Minister's comments at the Dispatch Box.

In introducing amendment (a), in the name of the Leader of the Opposition, the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) said that nothing has changed over the past two weeks, notwithstanding that several Members, including the right hon. Members for Leeds Central and for Birkenhead (Frank Field), contradicted him. The latter said he thinks there has been a change, but I think the right hon. and learned Gentleman was being too modest, because over the past two weeks something material has changed: the position of the Leader of the Opposition. Two weeks ago we thought he was honouring the referendum and honouring his manifesto commitment, whereas we now learn that he is committed to a second referendum.

The Leader of the Opposition started out with six tests, and he now wants five commitments. His five commitments relate to the political declaration, but he uses them to justify not voting for the withdrawal agreement, even though that withdrawal agreement includes protecting citizens' rights, honouring our international obligations and protecting the Northern Ireland border, all of which he calls for. Indeed, he says he wants to be part of the single market but, at the same time, he wants not to be part of state aid rules or freedom of movement, which shows all the consistency we are familiar with from the Leader of the Opposition.

Amendment (k) expresses the SNP's discontent with no deal, regardless of whether we extend article 50. I do not think we need a vote in this House to understand that the SNP is discontented—we can probably take that as read.

My right hon. Friend the Member for North Shropshire (Mr Paterson) raised the issue of alternative arrangements, and I am happy to confirm that the UK and the EU have agreed to consider a joint work stream to develop alternative arrangements to ensure no hard border on the island of Ireland. We will also be setting up domestic structures to take advice from external experts, from businesses that trade with the EU and beyond, and from colleagues across the House. That will be supported by civil service resources and £20 million of Government funding. The work will be done in parallel, without prejudice to the ongoing negotiations.

Mr Baron

The Secretary of State knows we wish him well with these negotiations, but can he confirm that, when it comes to addressing the concerns of Conservative Members and some Opposition Members about the backstop, what is achieved will not only be meaningful but have a cast-iron guarantee of legal force?

Stephen Barclay

My hon. Friend has exquisite timing, as I was just about to namecheck him. In addition to referring to the fact that we need to address the indefinite nature of the backstop, he spoke of the need for compromise. He reflected one of the themes of today's debate, which is that, among those who voted remain and among those who voted leave, there is consensus in this House on recognising the importance of securing a deal. The best way to mitigate the risk of no deal is to have a deal. Indeed, as the Prime Minister frequently says at this Dispatch Box, the only way to avoid a no deal is either to revoke Brexit entirely, a betrayal of the votes of 17.4 million people, or to secure a deal.

We have listened to Members across the House, and we have listened to their concerns about no deal. We have clearly said to Members across the House that there will be a vote in this place on the issue of no deal. However, in securing a deal, which is our priority, we will protect the rights of EU citizens, along with the wishes of my hon. Friend the Member for South Leicestershire (Alberto Costa), not only in the EU but in the UK, and we will do so in a way that delivers Brexit and delivers on the biggest vote in our country's history. That is why I commend the approach set out in the motion.

Amendment proposed: (a), leave out from “House” to end and add:

“instructs Ministers

(a) to negotiate with the EU for changes to the Political Declaration to secure:

- i. a permanent and comprehensive customs union with the EU;
- ii. close alignment with the single market underpinned by shared institutions and obligations;
- iii. dynamic alignment on rights and protections;
- iv. commitments on participation in EU agencies and funding programmes, including in areas such as the environment, education, and industrial regulation; and
- v. unambiguous agreement on the detail of future security arrangements, including access to the European Arrest Warrant and vital shared databases; and

(b) to introduce primary legislation to give statutory effect to this negotiating mandate.”—(Jeremy Corbyn.)

Division 345

27/02/2019 18:59:00

The House divided:

Ayes: 240

Noes: 323

Question accordingly negatived.

The Speaker put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Order, this day).

Amendment proposed: (k), in line 1, leave out from “House” to end and add—

“is determined not to leave the European Union without a withdrawal agreement and future framework under any circumstances, and regardless of any exit date.”—(Ian Blackford.)

Question put, That the amendment be made.

Division 346

27/02/2019 19:15:00

The House divided:

Ayes: 288

Noes: 324

Question accordingly negatived.

Mr Speaker

We come now to amendment (c) in the name of the right hon. Member for Meriden (Dame Caroline Spelman).

Dame Caroline Spelman

Not moved.

Amendment made: (b), at end, add

“; and requires the Prime Minister to seek at the earliest opportunity a joint UK-EU commitment to adopt part two of the Withdrawal Agreement on Citizens’ Rights and ensure its implementation prior to the UK’s exiting the European Union, whatever the outcome of negotiations on other aspects of the Withdrawal Agreement.”—(Alberto Costa.)

Amendment proposed: (f), at end, add

“; and further notes in particular the commitment of the Prime Minister made in this House to hold a second meaningful vote by 12 March and if the House, having rejected leaving with the deal negotiated with the EU, then rejects leaving on 29 March without a withdrawal agreement and future framework, the Government will, on 14 March, bring forward a motion on whether Parliament wants to seek a short limited extension to Article 50, and if the House votes for an extension, seek to agree that extension approved by the House with the EU, and bring forward the necessary legislation to change the exit date commensurate with that extension.”.—(Yvette Cooper.)

Question put, That the amendment be made.

Division 347

27/02/2019 19:29:00

The House divided:

Ayes: 502

Noes: 20

Question accordingly agreed to.

Main Question, as amended, put and agreed to.

Resolved,

That this House notes the Prime Minister's statement on Leaving the European Union of 26 February 2019; and further notes that discussions between the UK and the EU are ongoing; and requires the Prime Minister to seek at the earliest opportunity a joint UK-EU commitment to adopt part two of the Withdrawal Agreement on Citizens' Rights and ensure its implementation prior to the UK's exiting the European Union, whatever the outcome of negotiations on other aspects of the Withdrawal Agreement; and further notes in particular the commitment of the Prime Minister made in this House to hold a second meaningful vote by 12 March and if the House, having rejected leaving with the deal negotiated with the EU, then rejects leaving on 29 March without a withdrawal agreement and future framework, the Government will, on 14 March, bring forward a motion on whether Parliament wants to seek a short limited extension to Article 50, and if the House votes for an extension, seek to agree that extension approved by the House with the EU, and bring forward the necessary legislation to change the exit date commensurate with that extension.