

Why the Withdrawal Agreement is bad for the UK

I have been asked to spell out more details on the features of the WA other than the Irish backstop which make it a bad deal.

The first point is it contradicts the Conservative Manifesto and 2017 government policy of negotiating the Withdrawal issues and the future partnership together. You must stick to this to get leverage from concessions made on Withdrawal to benefits in the future partnership. Nothing should be agreed until everything is agreed. It is why we have got a bad Withdrawal Agreement, and are being set up to get a bad future partnership as well.

The second is the provision to pay them very large sums of money, stretching for many years into the future. No sensible person would sign an agreement which allows one side to send bill after bill for years after we have left, claiming we owe them money under many general heads set out in the Withdrawal Agreement. The Treasury estimate of £39bn is likely to be far too low. Some of the future liabilities stretch forward a hundred years, relating to payments to people not yet born who might come here before the end of the transition period. Paying to belong until 2020 opens up more future commitments under the 2019-20 budget, with liabilities until 2028. The settlement on the European Investment Bank is mean to the UK. Every conceivable future liability for the EU is recorded with as much liability as possible attaching to the UK under various clauses.

The third is the institutional architecture for the Agreement. Until we do leave the UK faces the full panoply of existing and additional EU law enforced by the EU's own court. The UK in transition will have no veto over big new advances in EU controls, and no ability to form qualified minority blocking groups to stop an unfavourable law passing under qualified majority provisions. The EU would be at liberty to legislate in ways that harmed our economic interests and helped theirs and we would have to comply. We would even not be able to prevent the imposition of new taxes on us.

Disputes over the money or over the laws fall to be resolved by a joint committee. In the event of there being no resolution, an independent Arbitration panel decides the matter. However, if at issue is the interpretation of EU law – which is likely in most cases – that is settled by the European Court of Justice who instruct the Arbitration Panel what to say! Who ever thought the UK should accept such a one sided arrangement?

The fourth is the State Aids provisions and applicability of Competition law. This will give the EU the right to authorise state aids to attract business away from the UK, with the right to block us doing the same back.

The fifth is the continuing influence the EU will have over our welfare and benefits system.

There are many other features of this Agreement which are one sided, as it is a thorough piece of work by the EU determined to take as much of our money as possible for as long as possible, and keen to keep as much legal control over us as possible.

The Agreement does not even live up to its name and billing. It is meant to just be about the past and so called withdrawal costs and issues, yet a big chunk of it including the Irish backstop, protected trade names and other issues is about the future trading arrangements and partnership. The UK negotiators should have pointed this out and insisted on dealing with all the future issues at the same time, as the government promised to do in 2016-17.

Public meeting at Three Mile Cross

I would like to thank Hilary Pollock for organising a well attended public meeting in my constituency to review progress on Brexit. We talked for a couple of hours and covered the main topics including, trade the border, democracy, the Withdrawal Agreement and the current Parliamentary situation. There is a video of my speech which I will seek to make available this week.

The Conservative Manifesto got it right in 2017, so the government should stick to it

I supported the Manifesto of 2017, as amended by the Prime Minister during the campaign. She rightly dropped the social care measures but kept the rest. On the EU the Manifesto made a lot of sense. It said

“As we leave the EU we will no longer be members of the single market or customs union

“We believe it is necessary to agree the terms of our future partnership alongside our withdrawal, reaching agreement on both within the 2 years allowed by Article 50 of the Treaty of European Union.

“We will not bring the EU Charter of Fundamental Rights into UK law.

“We continue to believe that No deal is better than a bad deal for the UK.”

It also confirmed that we will take back “control of our laws” and “We will control immigration”. “We will pursue free trade with European markets, and secure new free trade agreements with other countries”

It is difficult to see how an MP who supported this Manifesto can support the current Withdrawal Agreement. All MPs should remember the words of the government leaflet to all households before the referendum:

“This is your decision. We will implement what you decide”

A lack of ambition for Brexit

Listening to government Ministers presenting plans to ensure a smooth exit without signing the Withdrawal Agreement, I am struck by the lack of ambition and enthusiasm for Brexit. It is all presented in terms of damage limitation. Their wish is to ensure continuity. They exaggerate the worries and see none of the opportunities.

I am all in favour of Day One continuity of law, and voted for that in the EU Withdrawal Act. That should now all be behind us. There is no need for Parliament to make heavy weather of the Statutory Instrument changes, which are technical and not designed to change any policy or remove any legal protection. By now we should be debating the opportunities that running our own government and choosing our own laws can bring.

Lets take the case of medicines. The UK has a strong position in the global pharmaceutical sector. It accepted a European regulatory system whilst we were in the EU, but has quite enough critical mass in medicines to be able to run our own well respected system as we used to. If we became a prime global regulator other countries would wish to use our system, and we could drive world standards forward. There is money to be earned out of being a centre of excellence for regulation and for research and production.

Lets look at the opportunity to rebuild our fishing industry, as long as we become an independent coastal state this year before more damage is done to our fishing grounds by a common policy which allows too many industrial trawlers from abroad to take fish from our seas.

Lets propose changes to tariffs and agricultural support that nurtures a larger home industry in temperate food, as we used to have before we joined the Common Agricultural Policy. There are too many food miles from the continent for products we could more easily grow for ourselves.

Lets look at how we could improve the data rules and regulations to foster more tech based new businesses in a variety of sectors.

Above all, lets spend some time debating how we wish to spend all the money we will save once we have left. This economy needs a boost from lower tax rates and from more being spent on some core public services. Brexit gives us the chance to do just that.

UK citizens and terrorist organisations

I attended the Home Secretary's statement about UK citizens seeking to return from Syria and other terrorist hotspots earlier this week. He made clear the government's displeasure that some UK citizens had left the UK to support or actively participate in terrorist movements. He reminded them that they chose to go to countries or territories where the UK warned they would have no Embassy or Consular support and where the UK state could not help them if they got into trouble.

He reminded us that he has powers to cancel a UK citizen's passport and citizenship if they are dual nationals who have joined terrorist organisations or murderous activities. If a person is only a UK national he cannot make them stateless, but if they wish to return to the UK they will face investigation and prosecution for crimes they may have committed during their period in support of terrorists. He can also impose restrictions on their passport and travel plans.

I asked him to tell me how the UK authorities will investigate and prosecute. So far it is a small proportion of returners from Syria that have been prosecuted. He agreed that it is not easy gathering evidence and sifting the truthfulness of claims about what people may have done in a Syrian warzone. Given the mood in the Commons he was keen to say he would be investigating and seeking evidence, and could also legislate further where a sensible redefinition of the terrorist crime could help bring people to justice.

It is difficult to see how after the event the UK can satisfy itself about all the actions of citizens who deliberately put themselves in harms way and were probably on the side of a banned terrorist group that has threatened the UK as well as occupying parts of Syria. The government is working with allies we are told to try to collect more evidence as the conflict takes place, but this is still difficult where the UK is not involved on the ground in the war.

What do you think can and should be done? The UK state has every right to protect us from returners who have learned the crafts of terrorism and have ill intent towards us. It also needs to be fair to returners who were not terrorists and who may not harbour any evil towards us.