

That article 50 letter

Yesterday the various amendments proposed to the Leaving the EU Bill were voted down. Labour decided not to press one of their main one to a vote because the government offered assurances that Parliament will get to vote on the final deal, to be held before the European Parliament votes on it. That vote will be about whether to accept the new Agreement or to leave without one.

During the exchanges the fundamental question of whether sending the Article 50 is irrevocable or not came up. I argued it is. The Treaty makes no provision to withdraw the letter or to cancel exit two years later, which is automatic with or without a deal. The Treaty says if you start to leave and change your mind you need to reapply for membership. You do not simply keep or reinstate the membership you proposed to quit.

I reminded the Commons that both the Attorney General and the Remain lawyer in the Supreme Court case argued that the notice to leave is irrevocable. In finding against the government on one count the Supreme court had to rely on the irrevocability of the process. It is only because the change of leaving becomes inevitable when the letter is sent could the Court say Parliament therefore had to pass an Act and could not just do it by debate and vote. Predictably the Remain side who were so keen to use this argument to win in court now have changed their mind and say it may not be!

I will post the exchanges later today.