

# Devolution and the virus

Devolution has provided the devolved administrations of Northern Ireland, Wales and Scotland the opportunity to vary the response to the virus in their areas of the UK. Today I would be interested in your comments on how you think the different administrations have fared, and what if anything devolved power has brought to help us in this crisis.

If we start with the data we see that all four parts of the UK have suffered badly. Each had a bad attack in the spring, and each has seen a further flare up in the late autumn after a summer lull. The Scottish government's slightly tougher approach earlier in the year was designed to eliminate the virus, but it did not do so. Wales taking a modestly tougher approach has ended up with the worst figures for cases and deaths.

Latest figures 17.12.20 from inception of pandemic

Cases by area per 100,000 people

Wales 3633

Northern Ireland 3183

England 2957

Scotland 2000

Certified deaths involving CV 19 per 100,000

Wales 123 (0.123%)

England 115.6 (0.115%)

Scotland 107.4 (0.107%)

Northern Ireland 78.2 (0.078%)

We also see that despite plenty of different rhetoric and some criticism of the UK/English approach by both Scotland and Wales, the policies followed throughout the UK have been remarkably similar. There have been minor differences played up by spinners over the timing and length of some lock down moves, and over the numbers of contacts or hours of opening permitted. These do not seem to have made much difference. The Welsh short circuit breaker was followed by a further surge and more extensive lockdowns. Rural areas seem to fare better than more densely populated urban areas.

There has been no devolved challenge to the general academic and policy framework provided by UK experts, and no attempt to define a very distinctive course to see if a different approach works better. The experts of the devolved administrations seem to have very similar views to the UK national experts.

The First Minister of Scotland has used the crisis to give herself a much greater media exposure on UK as well as Scottish programmes, choosing to front run some of the common working of the UK and devolved governments before the daily UK news conferences which have characterised a lot of this period. She has wanted to argue there is a distinctively Scottish approach which is better, but has found this more difficult to sustain as the Scottish numbers remain high and her country stays in lock downs. Each administration has had its share of embarrassments, with experts and advisers breaking their own rules and now Wales discovering a lot of lost data.

I think the overall results have been disappointing. I would have liked to have seen more collaboration from the devolved governments. Alternatively it would have been good to see more intelligent challenge and experiment with a different way of responding so we could learn from the differing approaches, By nature this is an experimental period faced with a new disease where no-one started with the answers. The main breakthrough that can save all the administrations is the vaccine invention by US companies so far, coupled with the foresight of the UK government to licence it quickly and order it in big quantities. No administration has made Test and Trace work well. None has tried isolation hospitals nor used much extra capacity created by the Nightingales. Let us hope UK science soon lands its own vaccines and treatments. UK scientists and medics are to be congratulated on discovering that steroids can cut the death rate from the disease and on their progress with other treatments.

---

## West Berkshire and Wokingham moved to Tier 3

Berkshire MPs met earlier this week to discuss the possible move of Berkshire into the highest Tier of CV 19 controls. Several of us agreed on a joint approach to the Secretary of State urging him to look at the data in smaller areas than the whole County and to keep in Tier 2 those parts and places where the numbers of cases could justify that. We were also swayed by figures saying the NHS was coping well with spare capacity still available.

These representations did not succeed, so the government has decided to place the whole of Berkshire in Tier3, where Slough has been since the system was first introduced. I will continue to urge the government to improve the scope and generosity of its assistance to small business, as many of them will suffer again from the tougher lock down.

---

## Small Business Saturday

On Saturday 5th December I visited local businesses to see how they were bearing up under the controls and to thank them for the service they have supplied to our local community over the last difficult year. As always small business have shown resolve and flexibility, to tackle the changing rules and provide ways of operating that reduce the risk of people catching the virus.

---

## Devolution, the EU and the future of the UK

At the end of the last century I wrote a book entitled *The Death of Britain?* I argued that Tony Blair's constitutional revolution would damage our democracy and undermine the UK.

I said "Labour's constitutional blueprint is nothing more than a plan for the destruction of UK democracy. It threatens splits within the Kingdom. It threatens transferring far too much out of democratic control. (to independent quangos as well as to the EU) It gives far too much ground to the federal plans on the continent. "

I always thought if we lost the pound, our independent currency, then there would be no point in pretending there was an easy rescue. If we could save the pound, which I set about campaigning to achieve, we could rescue the rest in due course.

The endless delays over Brexit have shown how Labour's devolution settlement can be used to disunite our response to the policy and seek to overturn it. The impact of devolution on our exit teems with ironies and contradictions. The Republic of Ireland and the EU are seeking to force a compromise that keeps Northern Ireland partially in the EU's orbit of their single market, worrying Unionists in Ulster about creeping EU control. Meanwhile Scotland with the SNP in a majority at Edinburgh say they want the Northern Irish arrangements for themselves. The EU must privately worry about the strength of the SNP, as the EU sides with Spain in seeking to resist an independence movement in Catalonia when there is read across from the one to the other.

The Conservative party opposed devolution in Scotland and Wales, and was on the losing side in the referendums that created it. The party has always accepted the result, did not try to delay or derail devolution going through and has faithfully pursued it ever since. If we revisit the arguments that underlay the referendum it is unfortunate that the Conservatives were right about one fundamental issue. Labour always claimed if they granted Scotland a bit of devolution and it would end the nationalist movement. Instead it ended

Labour's dominance as a political force in Scotland. Conservatives argued it would give the nationalists a platform, and they would use the politics of grievance to seek to increase devolved powers, always circling the true objective of independence.

This week devolution has been yet again the subject of SNP interventions, seeking to claim that despite the transfer of more powers to the Scottish Parliament from the ones we repatriate from the EU, Scotland does not get enough power over single market matters in the UK as of course trade policy for example is a reserved matter for the Union.

Brexit has made even more obvious the unfairness of lopsided devolution to England. England voted decisively to leave but has had no voice at the table when the devolved administrations meet Union Ministers to decide how to proceed. We need to look again at the issue of voice for England. Meanwhile both major parties in the Commons have to get better at countering the politics of grievance from the SNP, who seek to turn every debate about our future into recriminations over what Scotland is allowed to do.

I am proud of the decision of the UK Parliament to grant Scotland a referendum to settle the issue of Scottish attachment to the UK for another generation. It contrasts well with the anti democratic approach of Spain and the EU to the demands for a referendum on Catalan independence. It would be good if MPs meant what they said when they say they will implement the results of a referendum on such important matters.

---

## [Taxation and the UK single market](#)

#### My speech during the debate on the Taxation (Post-transition Period) Bill, 15 December 2020

I rise to support what may be an amendment that we are going to vote on or may be a probing amendment from my hon. Friend the Member for Stone (Sir William Cash), because I think there has been a deliberate misunderstanding by the EU and its friends over what Brexit is about and what we need to do in order to achieve a proper Brexit. A proper Brexit is taking back control; it is recreating the sovereignty of the people of the United Kingdom through their Parliament.

My hon. Friend has a distinguished career in this place trying to rebuild that sovereignty and watching, year after year, more and more of our powers taken away by successive treaties, by successive directives and regulations, many of them automatic ones over which the UK had little or no influence, and by court judgments which, again, we had precious little ability to shape. He is right that, as we come to legislate for our new arrangements as a sovereign country from 1 January next year, we need to make quite sure that we have back under the control of people and Parliament all those powers that we need to regulate, to govern and to take wise decisions on behalf of the United Kingdom.

I am very worried about some elements of the withdrawal agreement. I was told, as we were all told, that nothing was agreed until everything was agreed, and that that meant the future relationship as well as the withdrawal agreement. The EU decided for its own convenience to sequence things and say, "You have to sign the withdrawal agreement first and then the future relationship agreement will follow." A bit of flesh was put on the bones of the future relationship in the so-called political declaration, which one would have thought there was a lot of moral pressure to go along with even if it was not as strictly legally binding as they hoped the withdrawal agreement would be. I now think there has been a lot of bad faith, because, according to both sides, the central feature of the future relationship was always going to be a free trade agreement, and where is the free trade agreement?

We now discover that the EU wishes to take all sorts of other powers away from us as the price for the free trade agreement, which we have already overpaid for in the withdrawal agreement and which one would have thought, in good faith, the EU would now grant. It is very much in its interests—even more than it is in our interests—given the huge imbalance in trade, and above all in the trade that would attract tariffs if we had no free trade agreement: the trade in food. That is really what we are talking about: are there going to be tariffs on food or not?

We, the United Kingdom, run a colossal £20 billion trade deficit with the EU on food. We have to impose pretty high tariffs on food from the rest of the world—that makes absolutely no sense where we could not grow any of it ourselves; it may have some benefit for some of our farmers some of the time—but we are not allowed to put any similar tariffs on EU-sourced produce where we could produce it ourselves. The EU system is to try to use tariffs to buttress domestic production, but it has not worked for the United Kingdom; it has worked the other way. The tariffs have been taken off in order to benefit the Dutch, Spanish, French or Irish suppliers of our market with food at zero tariffs. The EU already has rather more interest in tariff withdrawal than we do, because we could have a range of tariffs that would probably achieve the aims both of cutting food prices by having a lower average tariff and of having a bit more protection on the things that we really could make and grow for ourselves here, which we are not allowed to protect against continental products at the moment.

I therefore think that the Bill could be improved by reminding the EU that we will not be pushed around and we will not suffer too much bad faith from those original negotiations or from the withdrawal agreement itself. I think it was a very imperfect agreement. It is pretty ambiguous in places; it is imprecise in places. I have never felt that anything the Government have done, or thought of doing, was in any way illegal. Lawyers could make a perfectly good case under the withdrawal agreement treaty terms themselves, and anyway, we have the protection of my hon. Friend's section 38, which made it very clear that this Parliament's acceptance of the withdrawal agreement was conditional. Why else would anyone have put section 38 in the withdrawal agreement Act unless they were making a point?

**Sir William Cash (Stone) (Con):** Does my right hon. Friend appreciate that it was the Prime Minister who, after an eight-hour meeting I had in No. 10 that day—17 October 2019—insisted that section 38 was necessary and appropriate? If we go back to the previous Administration, just imagine where we would be when we consider the Chequers arrangements, and then imagine what it would have been like if we had not decided to vote against that dreadful withdrawal agreement in its original shape. There were provisions that needed to be rectified, and section 38 provides the mechanism that enables us to do that.

**John Redwood:** Indeed. I think my hon. Friend has confirmed that under the previous Prime Minister, when those of us who could not vote for her agreement said that we needed a sovereignty escape clause, we were told that that would not be permissible because it would not be effective implementation of the agreement; which was then reassuring to us, not liking the withdrawal agreement very much and realising that it was a provisional agreement and would be completed only were there to be a satisfactory outcome to the total range of talks. It was a totally artificial constraint that the EU invented that it had to be sequenced, when up until that point everybody had always rightly said that nothing was agreed until everything was agreed. I would like to hear from the Minister a little more explanation on the detail of the Bill. As I understand it, the Northern Ireland protocol would apply only to goods that are passing from Great Britain to Northern Ireland and then on to the Republic of Ireland, or the reverse—goods coming from the Republic to Northern Ireland and then passing on to Great Britain. Am I right in thinking that that is a very small proportion of the total trade? In what ways will the Government ensure that it is properly defined, so that we do not catch up most goods in those more elaborate procedures? The bulk of the trade will be GB to Northern Ireland and back, or Republic of Ireland to Northern Ireland and back, and it should not in any way be caught up in any of these proposals. I am not sure that we do have a de minimis way of dealing with the so-called things at risk. It is not clear how the system will work for items at risk where we agree that they are at risk—and I hope it is a UK decision about what is a risk, not some other kind of decision with EU inspectors. It would be helpful to me and the wider community interested in this debate to know how a business would proceed if it had such a good at risk, to whom it would answer, and what decisions would be made about such a good in Excise, because it sounds a rather complicated and difficult arrangement, both for the business concerned and for those who are trying to enforce. I am trying to tease out from the Minister, in pursuit of the interests of my hon. Friend the Member for Stone and myself on sovereignty, whether we are really in control if the trade has started off from GB and is going to Northern Ireland. What kind of external intervention can the EU or the Republic of Ireland engineer—how is that fair, and how will it be determined? I think that is what we are most worried about in this piece of legislation, and we would be more reassured if there were the override that my hon. Friend proposes. I should be grateful for some explanation.