

The Rwanda Plan meets political reality

Today a large number of Conservative MPs will be mulling over the legal advice and predictions for Mr Sunak's Rwanda scheme.

Five of the Conservative groups who want to end illegal migration and think the UK Parliament should instruct all courts accordingly will be told this draft bill does not do that. It undermines its endorsement for UK control with permitted appeals to an international court. MPs from the ironically named One Nation group want to embed rights of appeal to all courts including foreign ones more clearly. As always they do not trust our country, its people and Parliament and wish to constrain the government through international treaties and courts.

It is a great pity the PM put so much on this scheme and then turned it into a constitutional struggle over whether we can govern ourselves or not. Having two senior Law Officer Ministers from the One Nation group means legal advice that prevents Parliament instructing the courts to stop the boats in the area of international law where different lawyers take very different views of what is possible.

My advice to him is to concentrate on getting down legal migration more rapidly and by more than his current plans. This would do more to relieve pressure on housing and public spending. It is difficult to see how his compromise bill can get through the Lords as well as the Commons. Meanwhile there are other obvious steps he could take to stop some more small boats.

The policy options on migration

The PM has to consider what to do with the draft Bill in the light of reactions to it and the Parliamentary arithmetic I set out yesterday.

There is no point in amending the bill in the way One Nation and the Opposition want. A weaker bill would lead to more court challenges and delays. Far from Rwanda being a deterrent to migrants they would see such a weaker bill left them more time to get here as the courts generated more uncertainty. Nor are there likely to be enough One Nation rebels to stop the current bill.

He could try to talk those who think the bill is too weak into allowing it a 2nd reading and to spend more time with them to see if amendments can be agreed to meet legitimate worries. He would need sign off from enough rebels to make amendment worthwhile to give him a small majority. It would increase

the chances of the bill working.

He could try to push an unamended bill through. This would be possible if Labour abstain but very difficult if they do not. If the bill then leads to more delays and court challenges he is worse off than not trying to legislate. If the bill works he triumphs.

He could conclude that thanks to the Opposition parties, The Lords and some Conservative rebels he cannot legislate. He would need to develop more ideas to whittle down the number of illegal migrants. These could include increased surveillance in France against illegal boats setting out, more police resource to follow the money, more mystery shopping for the boat trips, exposing the gangs, intercepting the boat purchases and breaking more into the sales and support systems of the travel organisers.

Whatever he does he would be well advised to turn more attention to the easier but larger task of deflating legal migration numbers which are so excessive. Many who want the small boats stopped also want much lower overall migrant numbers. Meeting their wishes on that would help a lot. To do this he and his Chancellor have to win a battle with the OBR and Treasury officials. They need to correct their wrong numbers, and understand just how much all the extra public sector and housing costs for migrants adds to spending and the deficit.

Voting arithmetic on the Rwanda Bill

It is one thing for the Prime Minister to want to stop the small boats. Who sensibly disagrees? It is another to voice the right way to do this, and to gather the votes needed to bring it about. The draft law he has proposed now has to find its way through both the Commons and the Lords.

In the Commons the government has a current majority of 56, meaning it can carry any legislation as long as fewer than 28 Conservative MPs vote with the Opposition, or fewer than 56 abstain.

This Parliament has been characterised by more MPs than usual losing their party whips for actual or alleged misconduct. There are currently 18 Independent MPs though none were elected as that. One is an SNP MP who disagreed with his party whip and wants to be Independent. One is the former Leader of the Labour party, now in policy exile. There are 9 Labour MPs suspended from the whip and 7 Conservatives, with one from Plaid. This may give the government a little more leeway on its majority.

The small boats Rwanda Bill will be difficult for the government to whip. One group of Conservative MPs is annoyed that it does override some Human Rights legislation and gives stronger instructions to courts. Another group of Conservative MPs thinks the Bill needs to be tougher to rule out any legal

challenge to the policy to ensure success. The attitude of Labour becomes an important consideration in working out what might happen. If 198 Labour MPs all oppose the Bill, with the other Opposition parties also likely to, then the government does need to reduce the number of rebels to under 28. If Labour abstain then the government can afford 126 rebels before losing.

There are 98 Commons Ministers who have to vote the government line. The last list of Parliamentary Private Secretaries to Ministers showed 41 in post. We are awaiting an updated list which may be longer. They too have to vote with the government. So to win a vote the government needs to persuade just 84 backbench Conservatives to support if Labour abstains, but 181 if Labour opposes.

The One Nation Group that wants a weaker Bill puts out it has 103 supporters. This is greatly overstated. I do not believe anything like 103 Conservative MPs will vote against the Bill because it is too strong. The likely effective rebel voting strength of One Nation is below the 28 vote threshold to overturn the majority. It also is the case that a disproportionate number of the One Nation group are Ministers so they could not vote against even if they wanted to. Of course if they staged a number of resignations to vote against that could destabilise the government badly. That seems very unlikely as they have a strong position within the government and seem to like being Ministers .

There are considerably more Conservative MPs than 28 who want a stronger bill than the government version . Whether they will allow 2nd reading of this bill and seek amendments remains to be seen. Some will think a quite strong bill worth a try. Others will think it futile to enact another bill that just gets bogged down in courts again.

The Lords has its majority of peers who always want to do down the UK and who support every international criticism and attack on us. There are plenty of peers who put the wishes of lawyers acting for illegal migrants above the wishes and needs of legally settled UK workers and taxpayers. Getting any bill that toughens our law against illegal small boat operators and their paying passengers through the Lords requires good majorities in the Commons and plenty of political will by the government.

Tomorrow I will write about the PM's policy options.

[**The John Redwood Interview – Getting us back on track – Facts4EU**](#)

The John Redwood Interview – Getting us back on track

Sir John summarises the economic benefits of Brexit and what can now be

seized, given political will. 10 minutes of **Brexit gold** for those who love the idea of a fully independent, prosperous UK.

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With thanks and credit to Facts4EU.

[The government needs to work out the costs of providing for migrants](#)

Now the government wants to control legal migration it needs to calculate the costs of new legal migrants into low paid jobs to taxpayers. The government now we are out of the EU can make legal migration any amount it likes, from the 750,000 it was at its peak to zero. Every legal migrant needs a permit from government. Government allows large numbers of low paid workers and students to come.

The Treasury wrongly thinks this boosts our financial position. It is true it adds to GDP but it also adds substantially to public spending and may reduce GDP per capita. The Treasury/OBR model once again is misleading and encourages bad policy.

As I have argued before every migrant needs housing, healthcare, utility capacity, roadspace and other public services. My forecast of £250,000 for the capital set up costs and early years free services still stands. Ministers should get an up to date government figure and feed it into OBR models.

Students pay more to the universities which makes sense for their costs. It does not necessarily work for the state if they bring dependants who qualify for free public services and subsidised housing.

Government also needs to take account of associated costs and problems. 750,000 extra people need a lot of housing. Even where they can afford their own it places considerable upwards pressure on rents which in turn increases general housing benefit costs. It makes it more difficult for those already legally settled here to obtain and afford a home of their own. More pressure on the NHS makes it difficult to get waiting lists down. Inviting in more staff for the NHS also creates more demand for NHS staff.

UK communities are full of people who warmly welcome refugees, invited Ukrainians into their homes after the invasion and accept the need for some economic migrants. Many people also think 650,000 a year is far too many, creating strains on public services, housing, infrastructure and community abilities to welcome and adapt.

President Biden expelled more than 1 million illegal migrants from the Mexican border last year. France is sending illegals back to Italy. Various EU countries are considering ways of cutting migration. The EU is working on a system of quotas and requirements for member states to take their share of the many entering the EU.