

My speech on the EU Withdrawal Bill

John Redwood (Wokingham) (Con): I entirely agree with the hon. Member for Vauxhall (Kate Hoey): we have no legal obligation to pay more money, and there is no moral obligation. There is also no diplomatic advantage in offering money; indeed, if the EU gets the idea that we might pay it a bit of money, it will be even more unreasonable, because that would be the way to try to force more money out of us.

What I wish to say in this very important debate is that the Bill should satisfy most remain voters and most leave voters. I understand that it does not satisfy some MPs, who have their political agendas and political games to play, but they should listen to their constituents, and they should think about the mood of the country—the mood of business and those we represent. We have had crocodile tears shed for myself and those of my right hon. and hon. Friends who wanted leave and who are very pleased with leave by those who tell us that we must surely understand that we are not getting the parliamentary democracy we wanted as a result of this piece of legislation. I would like to reassure all colleagues in the House that I am getting exactly the piece of legislation I wanted, and it does restore parliamentary democracy.

What is in the Bill for leave voters is that, once the Bill has gone through and we have left the European Union, the British people will have their elected Parliament making all their laws for them. We will be able to amend any law we do not like any more, and we will be able to improve any law. We were not able to do that.

What we like about the Bill is that it gets rid of the 1972 Act, which was an outrage against democracy, because, as we have heard, it led to 20,000 different laws being visited upon our country, whether the people and Parliament wanted them or not, and whether their Government voted for them or against them—the Government often voted for them reluctantly because they did not want the embarrassment of voting against them and losing. This is a great day for United Kingdom democracy. A piece of legislation is being presented that will give the people and their Parliament control back over their laws.

Ruth George (High Peak) (Lab): Will the right hon. Gentleman give way?

John Redwood: Let me just explain why this is good for remain voters and then I will give way to someone who is probably of that faith. It is good for remain voters because during the campaign a lot of them were not fully convinced either for or against the European Union, but on balance thought we should stay in. They quite often liked some elements of European legislation, standards or requirements. In particular, the Labour party and its supporters liked the employment guarantees that were offered by European employment law, and other parties and interests liked the environmental standards. This Bill guarantees that all the things that remain voters like about European legislation will continue and will be good British law, so they will still have the benefits of them, with the added advantage that we might want to

improve them, as well as full assurances from the Government that we do not wish to repeal them.

Ruth George: I am very surprised that the right hon. Gentleman is saying how delighted he is that so many rights and responsibilities will now come under delegated legislation. I am not sure if he recalls that on 1 September 2012, as a member of the Delegated Legislation Committee on the criminal injuries compensation scheme, he, with all the other Conservative members of the Committee, called for the then Minister to withdraw the measure before them, and that did not happen. A second Committee was set up—

Mr Speaker: Order. Forgive me, but colleagues must have some regard to each other's interests. There are a lot of people wanting to speak. Interventions must be brief; they should not be mini-speeches.

John Redwood: Let us come to the secondary legislation point. First, all statutory instruments are subject to a parliamentary process. I am quite happy that there is parliamentary control. If Ministers seek to abuse the power under the legislation that they are offering to the House, then all the House has to do is to vote down the statutory instrument. If it is a so-called negative resolution instrument, surely the Opposition are up to being able to say, "We intend to debate and vote on this issue." I remember doing that as a shadow Cabinet member. I called in things that the then Government were trying to smuggle through and made sure that there was a debate and a vote. If it is the view of Parliament that Ministers have misbehaved, then they will lose the vote and have to come forward with something else.

That is parliamentary democracy, and I do not understand why my colleagues find it so difficult to understand. Ministers will be bringing forward bits of secondary legislation in areas where they are fairly sure that it is the will of the House that they go through because they are technical, or sensible, or obvious. They will all be in pursuit of the fundamental aim, which is to guarantee all these rights and laws, which are often more admired by Opposition Members than Conservative Members, but which we have all agreed should be transferred lock, stock and barrel, and which in certain cases are protected by pledges in manifestos. For example, my party, as well as the Labour party, has promised to keep all the employment protections and improve on them, because that is something we believe in. We offered that to the British people as part of our manifesto for the last election.

Lady Hermon: The right hon. Gentleman has suggested that those who voted for remain, as I did, should be happy with this Bill because it brings over all EU legislation. Yes and no. On the stroke of midnight on exit day, we lose the general principles of EU law such as proportionality, non-discrimination, and respect for human rights. [Interruption.] No, with respect—the general principles go. Does he agree that we should lose those very sound, good, valuable general principles?

John Redwood: I think that those excellent principles are already reflected in both European law and British law and will therefore be built into our statutes. They will be inherited from European law through this Bill, and they will often inform the judgment of our judges. I am very happy to trust

our Supreme Court rather than the European Court of Justice.

The Supreme Court has not always made judgments I like. I did not like one of its judgments quite recently, but we accepted it and lived with it. We are now in a stronger position as a result, as it happens, because we had a nine-month referendum debate in this House after the country had made its decision. I am pleased to say that after a very long and extensive rerun of the referendum—day after day we were talking about the same subject, having been told we never did so—Parliament wisely came to the decision, by an overwhelming majority, that it did have to endorse the decision of the British people and get on with implementing it.

Joanna Cherry: Will the right hon. Gentleman give way?

John Redwood: I am afraid that time is now rather limited.

I am very much in favour of our Parliament making these decisions. The admirable principles we are discussing will often be reflected in British law. They are already reflected in many of the bits of legislation that are the subject of this Bill, and our judges will often be informed by them. If the judges start to use a principle that we do not like very much, it is in the hands of those of us who are in Parliament to issue new guidance to those judges—to say that we are creating more primary legislation to ensure that we have a bit more of this principle and a bit less of that—on our area of disagreement with them. In a democracy, it is most important that we have independent courts, but also that, ultimately, the sovereign people through their elected representatives can move the judges on by proper instruction; in our case, that takes the form of primary legislation.

Much has been made of how we implement whatever agreement we get, if we have an agreement, at the end of the now 19-month process in the run-up to our exit on 29 March. I think people are making heavy weather of this, because the main issue that will eventually be settled—I fear it will be settled much later than the press and Parliament would like—is how we will trade with our former partners on the date on which we depart.

There are two off-the-shelf models, either of which would work. In one, the EU decides, in the end, that it does not want tariffs on all its food products and cars coming into the UK market, and it does not want us creating new barriers against its very successful exports, so it agrees that we should register our existing arrangements as a free trade agreement at the World Trade Organisation. That would be a ready-made free trade agreement.

I do not think that there is time to make a special free trade agreement that is not as good as the one we have at the moment. Either we will have the current arrangements, as modified for WTO purposes, when we are outside the Union, or we will not. If we do not, we will trade on WTO terms when we are on the other side of the EU's customs and tariff arrangements. We know exactly what that looks like, because that is how we trade with the rest of the world at the moment as an EU member.

The EU imposes very high tariff barriers on what would otherwise be cheaper food from the rest of the world, but if it decided on that option, its food

would, of course, be on the wrong side of that barrier as well. We would have to decide how much we wanted to negotiate tariffs down for food from other countries around the world, which may offer us a better deal. It would be quite manageable; food is the only sector that would be badly affected by the tariff proposals under the WTO. More than half our trade would not be tariffable under WTO rules, and services obviously attract no tariffs. I have yet to hear any of the other member states recommend imposing tariffs on their trade with us, or recommend a series of new barriers to get in the way of other aspects of our trade. We will have to wait and see how that develops.

Nicky Morgan: Is my right hon. Friend saying that one of the largest and most basic amounts of its income that any household spends—the part that it spends on food—could be affected by these proposals, but that that is okay?

John Redwood: I am saying that either way, we could get a good deal. If the EU decides that it wants to impose tariffs on its food exports to us, we will be able to take tariffs off food that comes from other parts of the world. Under WTO rules, it is always possible to take tariffs off. We could start getting from the rest of the world food that is cheaper than that which we currently get from the EU, even though it does not attract tariffs. I want to look after customers.

The other thing is that if we just accepted the full WTO tariff rules, we would have about £12 billion of tariffs, and I would recommend that all of that £12 billion be given back to our consumers. They would be no worse off at all, because we would return the money to them. They might even be better off, if we did free trade deals that brought down the price of food from other parts of the world.

My final point to the Government is that there is an issue about how we decide the date of our departure. I think it is clear that our date of departure will be 29 March 2019. It will definitely be so if we do not have an agreement, which is still quite possible, but I think we should aim to make sure that we leave on that date even if we do have an agreement. We still have 19 months left, and that should be the transition for most of the things that need it. That is, surely, what the time is there to achieve. I recommend that we have the argument of substance over that date now, and that it be put in the Bill now. I recommend very strongly that we aim for 29 March 2019, because in one scenario that will be the date of our exit anyway, and in any other scenario it would be highly desirable.

People are always telling me that we need to reduce uncertainty. If we told them not only that all the laws would remain in place—getting rid of any uncertainty about the law—but that the date of our exit would definitely be 29 March 2019, we would have taken a lot of uncertainty out of the system. I think that that would be very welcome. I find that businesses now, on the whole, just want to get on with it. They are very realistic, and they want to know what they are planning for. They have got some of the details, but they want as many details as possible. If we put that firm date in, we would make it easier still, so I would recommend that change to the Government.