

# Keir Starmer speech – EU (Notice of Withdrawal) Bill

–CHECK AGAINST DELIVERY–

Keir Starmer, Shadow Secretary of State for Exiting the EU today said:

We have before us a short and relatively simple Bill, but, for the Labour party, this is a very difficult Bill.

We are a fiercely internationalist party. We are a pro-European party. We believe that through our alliances we achieve more together than we do alone. We believe in international co-operation and collaboration. We believe in the international rule of law. These beliefs will never change.

That is why we campaigned to stay in the EU. We recognise that the EU is our major trading partner and that the single market and customs union have benefited UK businesses and our economy for many years.

We recognise more widely the benefits of collaborative working across the EU in fields of research, medicine, technology, education, arts and farming. We also recognise the role that the EU plays in tackling common threats, such as climate change and serious organised crime. We share values and identity with the EU.

But we failed to persuade. We lost the referendum.

Yes, the result was close. Yes, there were lies and half-truths—none worse than the false promise of an extra £350 million a week for the NHS. Yes, technically the referendum is not legally binding. But the result was not technical; it was deeply political, and politically the notion that the referendum was merely a consultation exercise to inform Parliament holds no water.

When I was imploring people up and down the country to vote in the referendum and to vote to remain, I told them that their vote really mattered and that a decision was going to be made. I was not inviting them to express a view.

Although we are fiercely internationalist and fiercely pro-European, we in the Labour party are, above all, democrats.

Had the outcome been to remain, we would have expected the result to be honoured, and that cuts both ways. A decision was made on 23 June last year to leave the EU.

Two thirds of Labour MPs represent constituencies that voted to leave; one third represent constituencies that voted to remain. This is obviously a difficult decision. I wish the result had gone the other way—I campaigned passionately for that—but as democrats we in the Labour party have to accept the result. It follows that the Prime Minister should not be blocked from

starting the article 50 negotiations.

That does not mean, however, that the Prime Minister can do as she likes without restraint from the House—quite the opposite: she is accountable to the House, and that accountability will be vital on the uncertain journey that lies ahead.

She fought to prevent the House from having a vote on the Bill until she was forced to do so by the Supreme Court last week. She resisted Labour's calls for a plan and then a wider White Paper until it became clear that she would lose any battle to force her to do so. Just before Christmas, she was resisting giving the House a vote on the final deal—a position that she has had to adjust.

That is why the amendments tabled by the Labour party are so important.

They are intended to establish a number of key principles that the Government must seek to negotiate during the process, including securing full tariff and impediment-free access to the single market.

They are intended to ensure that there is robust and regular parliamentary scrutiny by requiring the Secretary of State to report to the House at least every two months on progress being made in the negotiations and to provide documents that are being given to the European Parliament.

The amendments would also require the Government to consult regularly the Governments of Wales, Northern Ireland and Scotland throughout the Brexit negotiations. I have recognised on numerous occasions the specific issues and concerns of those living in Scotland, Northern Ireland and Wales, and I support the proposition that they should be absolutely consulted throughout the process and that their interests should be borne in mind.

The amendments would also ensure that this House has the first say, not the last say, on the deal proposed at the end of the article 50 negotiations.

We also support amendments in relation to workplace rights and environmental rights, and we will be making the case that the legal state of EU nationals should be resolved before negotiations take place.

I recognise the Government's position on EU nationals and the work done to try to ensure that there is a reciprocal arrangement, but that has not worked, and now the Prime Minister should act unilaterally to give assurance to EU nationals living in this country. I am sure that all hon. Members will have had, in their surgeries, EU nationals in tears over the uncertainty of their situation. I have seen it at every public meeting I have attended on the topic and at every surgery. I understand the constraints, but we must now act unilaterally to secure their position.

Taken together, the amendments would put real grip and accountability into the process, and the Government should welcome them, not reject them out of hand.

It is important to remember what the Bill does and does not do.

It empowers the Prime Minister to trigger article 50—no more, no less. It is the start of the negotiating process, not the end.

It does not give the Prime Minister a blank cheque—and here I want to make a wider point that has not been made clearly enough so far in any of our debates: no Prime Minister, under article 50 or any other provision, can change domestic law through international negotiations.

That can only be done in this Parliament. If she seeks to change our immigration laws, she will have to do so in this Parliament in primary legislation. If she seeks to change our tax laws, she will have to do so in this Parliament in primary legislation. If she seeks to change our employment laws, our consumer protection laws or our environmental laws, she will have to do so in this Parliament in primary legislation. If she seeks to change our current arrangements in Northern Ireland, Scotland or Wales, she will have to do so in Parliament in primary legislation.

When the Secretary of State last week said there would be many votes on many pieces of legislation in the next few years, he was not wrong. In each of those votes, at every twist and turn, Labour will argue that jobs, the economy and living standards must come first. We will argue that all the workers' rights, consumer rights and environmental protections derived from EU law should be fully protected—no qualifications, limitations or sunset clauses.

More broadly, Labour will be arguing for a strong, collaborative future relationship with the EU. In her Lancaster House speech, the Prime Minister said that she does not

“seek to hold on to bits of membership as we leave”.

That is short-sighted, as we are now finding in relation to Euratom. Why would we want to be outside the European Aviation Safety Agency, which certifies aircraft before they are allowed to fly?

Why would we want to be outside the European Medicines Agency, which ensures that all medicines in the EU market are safe and effective? Why would we want to be outside Europol and Eurojust, which are agencies that work closely together in the prevention and detection of serious crime and terrorism? The same goes for the European Environment Agency and Euratom.

We challenge the Prime Minister on these fronts and ask that consideration be given to finding ways to ensure that we stay where we can within those agencies, for the obvious benefits that they bring, and we will absolutely challenge any suggestion that the Prime Minister has any authority whatsoever to rip up our economic and social model and turn the UK into a tax-haven economy.

I come back to the vote on this Bill.

It is a limited vote: a vote to allow the Prime Minister to start the article 50 process. It is not a vote on the outcome, nor is it a vote on wider issues, which will fall to be voted on separately, but it is a vote to start

the process.

I know that there are some colleagues on the Benches behind me who do not feel able to support the Bill. I respect their views, just as I respect the views of constituents who feel the same way.

I also understand and recognise the anxiety of so many in the 48% who voted to remain about their future, their values and their identity. They did not vote themselves out of their own future, and their views matter as much now as they did on 23 June last year.

I hope that the respectful approach that I have tried to adopt to colleagues and to the anxiety among the 48% is reflected across the House and that we will see a good deal less of the gloating from those who campaigned to leave than we have seen in the past.

It is our duty to accept and respect the outcome of the referendum, but we remain a European country, with a shared history and shared values.

It is also our duty to fight for a new relationship with our EU partners that reflects our values, our commitment to internationalism and our commitment to an open and tolerant society.

Above all, it is our duty to ensure an outcome that is not just for the 52% or for the 48%, but for the 100%.

That we will do.

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## [Ruth attacks SNP's 'bully pulpit' on Brexit](#)

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- Ruth attacks SNP's 'bully pulpit' on Brexit

31 Jan 2017



The SNP will be attacked over its "bully pulpit" approach to Brexit in a keynote speech tonight.

Addressing the David Hume Institute in Edinburgh, Scottish Conservative leader Ruth Davidson will say the nationalists' behaviour "doesn't speak of a party confident of its case".

She will point to polls showing plunging support for a second independence

referendum, and reports suggesting the SNP may be poised to ditch its long-term stance of keeping a separate Scotland in the EU.

Ahead of the Holyrood budget debate later this week, she will also stress that the Scottish Conservatives will not support any budget that makes Scotland the highest-taxed part of the UK.

**Scottish Conservative leader Ruth Davidson will say:**

“In recent weeks, the SNP appears to have decided to double-down on its attempt to push for a second referendum.

“Now it’s not just about Brexit. Now, Mike Russell takes to the airwaves to declare that we need a referendum to escape what he describes as an ‘insular’ and ‘inward-looking’ Britain.

“Indeed, if reports this week are to be believed, for the SNP hierarchy it is no longer about staying within the EU at all.

“Instead, SNP sources are now proposing that an independent Scotland should exist in a no-man’s land, half-way between the UK and the EU, but part of neither.

“It’s a position concocted purely to try and win back the many thousands of SNP supporters who voted to leave the EU.

“And now, with support for a referendum falling off a cliff, the SNP is no longer saying the people should have the right to decide.

“Nicola Sturgeon says a referendum is something we all ‘must confront’.

“In other words, having failed to persuade people of the necessity of another referendum, the SNP is now hoping to soften us up by telling us we’ll just have to accept it.

“It is the language of the bully pulpit. The attacks on the UK are grave distortions.

“It doesn’t speak of a party confident of its case. It smacks of desperation – and I urge the SNP to take a different path.

“Or to put it another way – when you’re in a hole, stop digging.”

**And on the Scottish Government’s budget, Ruth will add:**

“We will have no choice but to oppose this week’s budget, unless the SNP agrees to examine its tax proposals once again.

“We will do so because we believe that taxes here should not be higher than in the rest of the UK – and, where affordable, should be lower.

“That would boost growth and add to the Scottish Government’s coffers.”

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You can read the full text of Ruth's speech [here](#).

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## [News story: Opening statement on Second Reading of EU \(Notification of Withdrawal\) Bill](#)

Mr Speaker, I beg to move that the Bill be read a second time.

This Bill responds directly to the Supreme Court Judgment of 24 January and seeks to honour the commitment the Government gave to respect the outcome of the referendum held on 23 June last year.

It is not a Bill about whether the UK should leave the EU, or indeed how it should do so. It is simply about Parliament empowering the Government to implement a decision already made, a point of no return already passed. We asked the people of the UK if they wanted to leave the European Union; they decided they did.

So at the core of this Bill lies a very simple question: do we trust the people or not?

The democratic mandate is clear: the electorate voted for a Government to give them a referendum; Parliament then voted to hold that referendum; the people voted in that referendum and we are now honouring the result of that referendum, as we said we would.

So this is the most straightforward possible Bill necessary to enact the referendum result and respect the Supreme Court's judgment. Indeed, the House of Commons has already overwhelmingly passed a motion to support the triggering of Article 50 by 31 March. We will respect the will of the people and implement their decision by 31 March.

Sub-section 1 of clause 1 simply confers on the Prime Minister the power to notify, under Article 50 of the Treaty on European Union, the United Kingdom's intention to withdraw from the European Union.

Sub-section 2 of clause 1 is included to make it clear that the power to trigger Article 50 may be conferred on the Prime Minister regardless of any restrictions in other legislation, including in particular the European Communities Act of 1972.

Together these clear and succinct powers will allow the Prime Minister to begin the process of withdrawal from the European Union, respecting the

decision of the Supreme Court. And this is just the beginning, the beginning of a process to ensure that the decision made by the people last June is honoured.

I would like to draw Hon. Members' attention to the Explanatory Notes of the Bill, which set out the application of the Bill to Euratom. The Bill also gives the Prime Minister the power to start the process to leave Euratom.

The Bill also makes clear that in invoking Article 50, we will be leaving Euratom, the agency established by treaty to ensure cooperation on nuclear matters, as well as leaving the European Union. This is because, although Euratom was established in a treaty separate to European Union agreements and treaties, it uses the same institutions as the European Union including the Court of Justice. That is why the 2008 EU Amendment Act makes clear that, in UK law, membership of the European Union includes Euratom. And it is why Article 50 applies to both the European Union and Euratom.

Our aims are clear – we will maintain the closest possible nuclear cooperation with the European Union. That relationship could take a number of different forms and will be of course subject to negotiation, which will start after we have notified.

The Prime Minister has set out a bold and ambitious vision for the UK, outlining our key negotiating objectives as we move to establish a comprehensive new partnership with the European Union. This will be a partnership that is in the best interests of the whole of the United Kingdom, and we will continue to work with the Devolved Administrations to make sure that the voices of Scotland, Wales and Northern Ireland continue to be heard throughout the negotiation process.

I made a statement to this House on the 17 January about the negotiations ahead of us, and I do not propose to repeat it, save to say that our aim is to take this opportunity for the United Kingdom to emerge from this period of change stronger, fairer, more united and more outward-looking than ever before.

I also set out our 12 objectives for those negotiations. They are:

- to deliver certainty and clarity where we can
- to take control of our own laws
- to protect and strengthen the Union
- to maintain the Common Travel Area with the Republic of Ireland
- to control immigration
- to protect the rights of EU nationals in the UK and UK nationals in the European Union
- to protect workers' rights
- to allow free trade with European markets
- to forge new trade deals with other countries
- to boost science and innovation
- to protect and enhance cooperation over crime, terrorism and security and to make our exit smooth and orderly

In due course, the Government will be publishing our plan for exit in a White Paper in this House and the other place.

On 17 January, the Prime Minister also made it clear that this House and the other place will have a vote on the deal the Government negotiates with the EU before it comes into force. Ahead of that, Parliament will have a key role in scrutinising and shaping the decisions made, through debate in both Houses, plus the work of select committees, including the Brexit Select Committee whose chairman is actually in the chamber today.

Government ministers will continue to provide regular updates to Parliament. Further, since our proposal is to shift the 'acquis' – the body of EU law – into UK law at the point this country leaves the EU, it will be for Parliament to determine any changes to our domestic legislation in the national interest.

But as the Prime Minister said, to disclose all the details as we negotiate is not in the best interests of this country. Indeed, I have said all along that we will lay out as much detail of our strategy as possible subject to the caveat that it does not damage our negotiating position. This approach has been endorsed by this House a number of times.

I turn now to the reasoned amendment tabled by the Member for Moray (Angus Robertson).

As I have already said, this Bill simply seeks to deliver the outcome of the Referendum, a decision that the people of the UK have already made. They will view any attempt to halt its progress dimly.

The Supreme Court's judgment last week made clear that foreign affairs are reserved to the UK Government. The devolved legislatures do not have a veto on the UK's decision to withdraw from the European Union. But that doesn't mean we haven't paid a great deal of attention to them.

We have consistently engaged with the Devolved Administrations through the Joint Ministerial Committee (EU Negotiation) and the Joint Ministerial Committee (Plenary), the second of which met yesterday in Cardiff and was attended by the First Ministers of all of the Devolved Administrations.

As well as that there have been bilateral meetings with those Devolved Administrations independent to those hearings, and 79 official level meetings to discuss the interests of each of the Devolved Administrations.

The Prime Minister has committed to bring forward a White Paper setting out the Government's plan, and I confirm this will be published in the near future.

Guaranteeing UK citizens' rights in the EU, and EU citizens' rights in the UK, is one of the objectives set out by the Prime Minister. We have been and remain ready to reach such a deal now if other countries agree.

Finally, there has been continual parliamentary scrutiny of the Government on this process. I have made five oral statements in the House of Commons and



there have been more than 10 debates – including four in Government time – and over 30 Select Committee inquiries. We will of course continue to support Parliament in its scrutiny role as we reach the negotiating stage.

We have been clear that there must be no attempts to remain inside the European Union, no attempts to rejoin it through the back door, and no second referendum. The country voted to leave the European Union, and it is the duty of the Government to make sure we do just that.

Finally, we remain committed to the timetable the Prime Minister has set to trigger Article 50 by no later than the 31 March. While we will provide plenty of time for debate and scrutiny of this Bill, it is equally vital that Honourable and Rt Honourable Members move swiftly to adopt this legislation in keeping with the Prime Minister's timetable for triggering Article 50 by the end of March – a timetable that this House voted in favour of in December and that is providing certainty both at home and in the Europe Union.

I conclude by saying this: the eyes of the nation are on this chamber as we consider this Bill. For many years, there has been a creeping sense in the country – and not just this country – that politicians say one thing, and do another.

We voted to give the people the chance to determine our future in a referendum, now we must honour our side of the agreement: to vote to deliver on the result.

So really we are considering that very simple question: do we trust the people or not? For generations, my party has done so. Now that question is before every member of this House.

This Bill provides the power for the Prime Minister to begin that process and honour the decision made by the people of the United Kingdom on 23 June last year, and I commend it to the House. Trust the people.

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## [News story: A New Chapter for Welsh devolution](#)

From:

First published:

31 January 2017

A new chapter in Welsh devolution was launched today as the Wales Bill received Royal Assent.

A new chapter in Welsh devolution was launched today (Tuesday January 31st) as the Wales Bill received Royal Assent.

**Alun Cairns, Secretary of State for Wales, said:**

The Wales Act 2017 delivers what I've always intended – a clearer, stronger and fairer devolution settlement for Wales based on a reserved powers model.

The provisions in this Act will make a real difference to the lives of everyone living in Wales. The powers being devolved to the National Assembly and Welsh Ministers have a real purpose and will enable them to decide the speed limits on Welsh roads; whether fracking should take place in Wales and how new gaming machines should be licensed.

With more powers, comes more responsibility. The new Welsh rates of income tax will make the Welsh Government more accountable to the people of Wales for the money they spend and doubling capital borrowing to £1bn will help the Welsh Government to invest in infrastructure.

This truly marks the coming of age of Welsh devolution. I will be working closely with the National Assembly and the Welsh Government in the coming months on plans to bring the new Welsh devolution settlement into force.

**The Wales Act 2017:**

- Introduces a new reserved powers model of devolution for Wales. The National Assembly will be able to legislate on anything not reserved to the UK Parliament.
  - Devolves powers to the National Assembly and Welsh Government in areas including consenting for new energy projects, fracking, sewerage, teachers' pay, licensing gaming machines in new premises, speed limits, pedestrian crossings and traffic signs.
  - Provides a comprehensive package of water and sewerage devolution.
  - Opens the door for the Welsh Rates of Income Tax to come on stream.
  - Enables the National Assembly to change its name and take control of its own affairs.
  - Devolves control of National Assembly elections and local government elections in Wales.
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# Press release: Record numbers of working people bringing employment disputes

- Since the introduction of Employment Tribunal fees, record numbers have brought forward disputes
- Thousands more to benefit from extended scheme to waive fees for lowest paid
- Government committed to making sure people from all backgrounds can access justice

More than 92,000 people brought forward workplace disputes last year – the highest number since employment tribunal fees were introduced.

A government review, published today (31 January 2017), has found that the introduction of tribunal fees, as well as free mediation services, have dramatically changed how workplace disputes are resolved.

Since fees were introduced in 2013, a record number of people have sought to resolve disputes either through tribunals or conciliation.

Ministers are committed to making sure people from all backgrounds can access justice, and have today published proposals to expand the 'Help with Fees' scheme which waives fees for the lowest paid.

That would see the monthly threshold for full fee remission increase from £1,085 to £1,250 – broadly the equivalent of someone earning the National Living Wage. There are additional allowances for people living as couples and those with children.

Justice Minister Sir Oliver Heald said:

It is right that those who can afford to should contribute to the cost of Employment Tribunals.

Under our reforms, record numbers are bringing forward disputes in tribunals or through the ACAS conciliation service.

Costs should not prevent anyone bringing claims, so we are extending our Help with Fees Scheme and will introduce a Green Paper on further legal support measures.

The Prison and Courts Bill will also bring more people online, making it even simpler and easier to access justice.

Under the extended Help with Fees scheme, more people would not pay a fee and others would contribute less than under current arrangements. The extended

scheme would benefit the disabled, women, BAME individuals, and the young, who all feature disproportionately among low income groups.

We have also decided to exempt from fees a small number of proceedings related to payments made from the National Insurance Fund, as in most cases the applicant is unable to conciliate or recover fees.

While many have chosen not to bring employment tribunal claims, the review found nothing to suggest they have been prevented from doing so, and that higher numbers turning to ACAS is a “positive outcome”. It also found:

- in 2015/16 there were more than 92,000 workplace disputes notified to Acas – the highest number since Employment Tribunal fees were introduced
- tribunal users are contributing up to £9 million a year in fee income, in line with expectations

The review found evidence that some have found fees off-putting – even if affordable or if they may have qualified for fee waivers.

Our consultation, launched today alongside the review, seeks to raise awareness of the Help with Fees scheme, and highlight how thousands more would qualify for help.

The government is investing more than £700 million to modernise courts and tribunals, and over £270 million more in the criminal justice system.

Ministers will bring forward further plans to improve legal support in a Green Paper by early 2018, while the Prison and Courts Bill, due to be published shortly, will make it simpler to access justice and enable thousands more people to bring cases online.

## **Notes to editors**

- Fees were introduced for proceedings in the Employment Tribunals and the Employment Appeal Tribunal in July 2013.
- The review has undertaken a detailed, thorough analysis of the evidence. We have concluded that fees have been generally successful in meeting the original objectives.
- Employment Tribunals are at the forefront of our vision for a modernised, reformed justice system. Specific proposals for employment tribunal reform were recently set out in a consultation, published by the Department for Business, Energy and Industrial Strategy on 5 December. The government will bring forward our plans in due course.
- The review into employment tribunal fees has today been published here – <https://www.gov.uk/government/consultations/review-of-the-introduction-of-fees-in-the-employment-tribunals>.
- The consultation document, which runs until 14 March 2017, has also been published.
- For more information call the MOJ press office on 020 3334 3503 or 020

3334 3529.