

## **View From Westminster...August 2019**

Theresa May took the decision to hire, as her Chief of Staff, the man who lost Croydon for the Conservatives at the 2017 General Election. Boris Johnson decided to replace him with the chap who masterminded an against-the-odds victory for leave at the referendum. Politics was always going to get more confrontational and controversial and, in taking the decision to prorogue parliament, Boris has pushed the prorogation nuclear button early.

The process of prorogation begins with Jacob Rees-Mogg, or the Minister for the 19<sup>th</sup> century, as he is affectionately known. It is somehow appropriate that a man who embraces his Dickensian persona has played a central role in what is a wonderful piece of attempted constitutional tomfoolery. In this instance his job was to lead a delegation of privy councillors to Balmoral so they could interrupt the Queen's staycation and formally advise her to prorogue parliament. The Queen, mindful of what happened the last time a monarch stuck their oar into politics a few centuries ago (they basically lost more than just an oar), did the decent thing and accepted.

Jacob returned to Westminster wafting around his prorogue paperwork that gave Downing Street authority to send away the House, at the time of its choosing, between Monday 9<sup>th</sup> and Thursday 12<sup>th</sup> September. A quick look on Twitter however revealed that it's not peace in our time. The date range is interesting, and it does present potential rebels with options (more on that later).

Announced alongside the news that prorogation was upon us was the lobbyist dream-shattering revelation that the Comprehensive Spending Review had been brought forward to Wednesday 4<sup>th</sup> September. So, if the bids for cash were not already in, then it's too late!

Why is all of this happening? Well, Downing Street has both a domestic and supranational agenda to push. Domestically, it is believed that triggering remain parliamentarians into exaggerated responses (talk of a coup is just that) is an excellent way of shoring up the leave vote. Peterborough and Brecon suggest far too many are still flirting with Farage and such overtures must be prevented if Boris is to emerge victorious in the inevitable general election. The bigger game of course is the need to persuade Brussels that Parliament is in no position to prevent Brexit. And there's no better way of doing that than to send Parliament packing. The EU would then need to decide if it is willing to compromise, as Boris wants, or drag everyone off to the land of WTO tariffs. Given this is just the withdrawal agreement, I bet you all cannot wait for the free trade discussions!

What options do the rebels have? They could table a motion of no confidence in the Prime Minister; the problem with that is (1) there's probably not a majority in favour of Mr Corbyn to replace him, (2) Mr Corbyn isn't keen on either Harriet Harman or Ken Clarke getting the gig, (3) Team Boris has pledged to seek an election on a 2/3 vote, something that puts Labour in a terrible position, and (4) after 14 days under the Fixed Term Parliament Act, we head to the polls if nothing is resolved – giving Boris a free reign to sort Brexit, as we'd be in an election period and there would be no MPs.

They could seek to amend a motion scheduled to discuss power sharing in Northern Ireland, but this is difficult under House of Commons rules for reasons so boring I shan't explain them here.

The most likely scenario is they table what's called an S024 debate. I'll try and keep this straightforward. Basically, an S024 debate is an emergency one which interrupts all other business before the House. If the request is expressed in non-neutral terms, then it is amendable. That amendment could see rebels try to take control of the parliamentary timetable again to request the PM seeks an extension to A50. It is a route likely to fail as the Lords would filibuster it to prorogation day, but this could leave us in the position where the will of the elected house has been thwarted by that of the unelected one. It might also require standing orders concerning who gets to spend public money, to be suspended.

Did somebody say constitutional crisis....?