



**BREXIT IMPACT ASSESSMENTS:**  
DOCUMENTS ON THE IMPLICATIONS OF  
BREXIT FOR THE UK AND THE BEST WAY  
FORWARD

by BEST FOR BRITAIN

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## Foreword

The letter authored by David Lammy MP and Seema Malhotra MP sparked a cross-party uprising that forced the government's hand on one of the most crucial issues in the Brexit process. Unless MPs and citizens know what the impact of Brexit will truly be on the UK, Parliament and people will not be equipped to make the most important choice.

**It is vital that the people of the UK are able to understand the consequences of Brexit, because the biggest decision for the country is yet to come: Parliament will vote on the government's deal next autumn.**

For the government to hide and ignore unfavourable findings for political gain would be an act of unforgivable recklessness.

We have therefore decided to publish our own impact assessments. This volume includes analyses of the effect of 'no deal' on people's everyday lives, on the automotive, aviation and legal services industries, and an analysis of the effects of Brexit on the fight against extreme poverty. We have also included some analysis of the impact of anti-Brexit tactical voting on the 2017 General Election, of what a meaningful vote is and of the revocability of Article 50. These analyses map a way forward which clearly shows that we can revoke Article 50 if the country wants to do so.

We will continue to publish our own impact assessments to make sure citizens and MPs have information on the real impact of Brexit. **We all must make our voice heard when the deal comes to Parliament and push our MPs to do what is best for Britain.**

Eloise Todd, CEO, Best For Britain

## Introduction

As the Brexit clock is ticking and the negotiations between the UK government and the European Union (EU) are making very little progress, the prospect of a cliff-edge Brexit and all the chaos that would come with it has become increasingly likely. This report aims to give a **snapshot of some of the implications that an Extreme Brexit would have for Britons and the UK and outlines what Best For Britain considers the best way forward.**

With the UK government announcing that it is preparing for all eventualities, including a 'no deal'<sup>1</sup> outcome, which would deliver an Extreme Brexit, this first section of this briefing clarifies what this scenario could mean for the UK and its people. **The consequences of 'no deal' would be far-reaching and would impact virtually every aspect of life in Britain.** This note does not intend to be exhaustive; instead it gives examples of some of the severe implications it would have for the country. It first provides an overview of the impact of 'no deal' Brexit on regular people's lives. We then look specifically into the impact of Extreme Brexit on the aviation sector, the automotive sector, the legal services sector, and the fight against poverty in the world's most vulnerable countries.

The second part of this report discusses what really happened in the 2017 General Election, exploring the influence the anti-Brexit vote had on the final outcome. It summarises recent research suggesting that in many constituencies Remain voters supported the party most likely to beat the Conservatives (mostly Labour) and therefore boosted the Labour results.

Lastly, this report argues that Brexit is not a done deal and presents the way in which it can be averted: revoking article 50 and securing a meaningful vote on the final deal, enabling MPs to reject any deals, including 'no deal'.

Theresa May has made much of her mantra that "no deal is better than a bad deal" but paid little attention to what this would actually mean for the UK. **The impact on British people, especially the worst-off, would be devastating and long-lasting. Best For Britain believes that no Brexit is better than a bad Brexit and that the most important decision is yet to come.** People across the UK must be able to rely on their MPs to reject any deal that does not measure up as best for Britain - and if the new deal is not good enough, remaining a member of the European Union must be presented again to the country as one of the options. **No one should have to sign a blank contract.**

## Examples of the implications of Brexit for the UK

## Overview: what would 'no deal' mean for people's daily life?

***More than 4 million people<sup>2</sup>, including around 1 million Britons<sup>3</sup>, could lose their right to reside, work, and access essential services in their country of residence overnight.***

- Without any deal, the status of British citizens living in other EU countries and EU citizens living in the UK would be left in the hands of their host country government.

***UK consumers would be worse off, in particular poor families.***

- If the UK reverts to World Trade Organisations (WTO) tariffs, the price of clothing could rise by 2.4%, the price of vehicles by 5.5%, the price of dairy by 8.1% and the price of meat by 5.8%.
- 3.2 million families could see their annual spending rise by £500 or more. Poorer households are likely to be harder hit.<sup>4</sup>
- Further depreciation of the pound would lead to further inflation. The weaker pound since the EU referendum already led to rising food prices. Grocery inflation was above 3.1% in September 2017, the highest level of food price rises since October 2013.<sup>5</sup>

***British exporters such as farmers and fishermen could no longer sell at competitive prices in the EU.***

- UK farmers exporting to the EU would face tariffs of between 30% and 40% on meat and dairy. Imports of agricultural inputs like fertiliser from the EU would also cost more.
- UK fishermen would have access to their entire 'Total Allowable Catch' and EU member states would no longer have rights to fish in UK waters. However, British fishermen would also face tariffs to export fish and seafood to European countries, their largest export market, making it impossible for them to sell at competitive prices.<sup>6</sup> Grimsby fisherfolk have already asked for a special free trade status for seafood after Brexit.<sup>7</sup>

***Traveling to British top holiday destinations in Europe would no longer be accessible to many.***

- From September 2016 to August 2017, UK residents visited Europe 57.6 million times.<sup>8</sup>
- Unlike trade, there is no WTO-like safety blanket for aviation and 'no deal' would unleash legal, regulatory and operational chaos. In the words of the UK Chancellor, it is not inconceivable that there will be "no air traffic moving between the UK and the EU".<sup>9</sup>
- Under EU rules, any EU airline is able to fly between any two points in the EU<sup>10</sup> and agreements with non-EU countries allow EU airlines to fly to many destinations in the world, contributing to fares dropping by 40% since 1990 and the advent of budget airlines.<sup>11</sup> Ryanair announced that, without a deal, flights would be cancelled. Easyjet is opening offices in Austria.<sup>12</sup>
- British travellers to EU countries would lose emergency health coverage that comes with the European Health Insurance Cards (EHIC).
- Roaming charges in the EU were abolished.<sup>13</sup> This would cease to apply to the UK.
- Currently Britons can drive freely within the EU with their UK driving license. Britons would have to apply for international driving permits to their holiday destinations.
- There will be no more passports for pets enabling families to travel freely with their pets to Europe. Around 250,000 British cats and dogs travel to the EU every year.<sup>14</sup>

*The NHS staff crisis would deepen and many people could lose their family doctor.*

- Approximately, 1 in 20 social and health workers in the UK are from EU countries.<sup>15</sup>
- According to NHS Digital, around 9,832 EU staff left the NHS in the 12 months following the EU referendum, including 3,885 nurses and 1,794 doctors.<sup>16</sup> 40% of EU doctors are considering leaving and a further 25% are unsure about whether to stay.<sup>17</sup>
- The Royal College of General Practitioners warned that Brexit could lead to more than 3 million patients across the UK losing their family doctor.<sup>18</sup>

*UK patients could lose access to modern drugs, life-saving cancer treatments and medical imaging.*

- Leaving Euratom with 'no deal' would mean the transportation of nuclear material to Britain would cease.<sup>19</sup> This would put UK patients at risk of losing access to vital nuclear isotopes used in cancer treatments and medical imaging.
- The UK would suddenly cease to be a member of the European Medicines Agency (currently based in London but set to move to Amsterdam after Brexit). In addition to its nearly 900 jobs leaving the UK, this could mean patients losing access to modern medicines.<sup>20</sup>



## What would 'no deal' Brexit mean for the UK automotive industry?

This briefing aims to show the implications of 'no deal' Brexit, or Extreme Brexit, for the car industry. It looks at our current terms and what a 'no deal' Brexit could mean for the industry.

- The UK automotive industry relies on the frictionless and tariff-free European Single Market and Customs Union to operate.
- The industry accounts for 12% of the total UK export of goods and employs 814,000 people.<sup>21</sup>
- In the event of 'no deal', tariffs could increase the cost of imported cars by £1,500 on average.<sup>22</sup>
- The industry is already feeling the Brexit effect. Investment in Britain's automotive industry has fallen by 75% in two years.<sup>23</sup>
- Ford is considering ceasing operations in the UK. This places 13,000 jobs at risk across the UK, 2,100 of which are in Bridgend making Ford one of the biggest employers in the area.<sup>24</sup>
- The iconic British car manufacturer, Aston Martin, has announced that if the government fails to secure a deal it may have to stop producing cars in the UK, putting 3,000 jobs at risk globally.<sup>25</sup>

### *What is the importance of the automotive industry to the UK economy?*

- Annually it generates a £71.6 billion turnover and adds £18.9 billion to the UK economy.<sup>26</sup>
- 1.72 million cars produced in the UK in 2016, record high since 1999.<sup>27</sup>
- 80% of cars produced in the UK are exported, 50% of which are exported to the EU.<sup>28</sup>
- Employs 169,000 people directly and 814,000 in the broader automotive sector.<sup>29</sup>

### *How does it currently work?*

The automotive industry is a prime example of the strong interdependent trade relationship between the UK and the EU, facilitated by the European Single Market and Customs Union. Production and distribution costs are slashed by no tariffs, no checks, no customs and frictionless borders. Additionally, within the EU, the UK influences EU regulatory policy, allowing the UK automotive industry to help shape the policies that govern them. Freedom of movement of goods, people and services is critical, allowing not only cars and parts to be imported and exported for free but also for the hiring of the best of the best from across Europe.

### *Implications of 'no deal' Brexit*

Leaving the EU without a deal would have a devastating impact on the UK car industry. Car manufacturers are very much aware of it, with 80% of big, medium and small sized car manufacturers wanting to stay in the EU, and only 10% backing leave.<sup>30</sup> 'No deal' would mean the end of free trade between the UK and the EU and falling back onto the unfavourable WTO rules. Under these rules Britain would have no preferential access to trade with the EU, with countries like Pakistan, Rwanda and Yemen trading on better terms with the EU than the UK.<sup>31</sup> WTO rules would introduce tariffs, customs charges, friction-filled borders and remove our integrated global supply system. All of which would hit the car industry hard. The automotive

industry relies on exporting goods for sale and importing parts for manufacturing, which often pass through several countries before they get to the UK. Under WTO rules, a customary 10% tariff would apply to all our car exports and a 4% tariff on car parts.<sup>32</sup> With the average car being made up of 30,000 different parts and 41% of parts being imported, a 4% tariff would cause the cost of production to rise quickly.<sup>33</sup> Analysis conducted by Society of Motor Manufacturers and Traders (SMMT) suggests tariffs on cars alone could add at least £2.7 billion annually to imports and £1.8 billion to exports.<sup>34</sup>

'No deal' would also hamper the UK's ability to trade cars globally since the EU negotiates all Free Trade Agreements (FTA) for the EU28 collectively. By virtue of its EU membership, the UK benefits from 68 FTAs which on exit day would no longer apply. The Vehicle Certification Agency (VCA)'s approval, allowing UK-produced cars to be sold across the EU, would also no longer be valid.<sup>35</sup> Currently, all cars produced in the UK are tested and certified by the VCA.

Finally, leaving the EU without a deal, or crashing out, would also end freedom of movement between the UK and the EU. This would prevent the automotive industry from retaining their competitive hiring practices. With freedom of movement, UK car companies can give equal opportunities to skilled workers from 28 different countries. Currently, 10% of UK automotive industry employees are from the EU27. The end of freedom of movement between the UK and the EU would cause a skills gap crisis for the sector. This is already being seen with 5,000 jobs presently vacant.<sup>36</sup>

### ***Effects already being felt***

Pound depreciation because of Brexit and the knock on effects of inflation have killed consumer purchasing power. The car industry is already suffering the direct effects of this with a seven-month market slump and the lowest sales for four years.<sup>37</sup> Foreign investment in the car industry has also taken a hit due to lack of confidence and uncertainty. The first six months of 2017 saw foreign investment reduced by £322 million pounds, in comparison to £1.66 billion invested in 2016 and £2.5 billion in 2015.<sup>38</sup>

Due to uncertainty, lack of progress with the negotiations and the high costs of 'no deal', car companies are already making contingency plans. Ford, the global automotive company, has already warned operations may have to stop in the UK if 'the UK is not competitive' after Brexit.<sup>39</sup> Key manufacturing sites like Ford Bridgend have already seen the 2,100 workers seek strike action over investment cuts and fears about the plant's future.<sup>40</sup> Ford has taken a huge hit since the referendum, with losses of \$86 million in 2017 in comparison to profits of \$138 million in 2016, which they say are "nearly completely explained by Brexit effects."<sup>41</sup> The most recent automotive company to speak out saying they may have to stop producing cars in the UK was Aston Martin, who currently manufactures all their cars in the UK. This would put 2,500 jobs at risk in the UK and harm a UK luxury car industry worth £3.6 billion.<sup>42</sup>

**'No deal' Brexit will significantly harm the UK's key automotive industry. Big car companies are already threatening to leave the UK and jobs are at risk. This is not best for Britain.**

## What 'no deal' Brexit would mean for UK aviation

This briefing aims to show the implications of 'no deal' Brexit, or Extreme Brexit, for aviation. It looks at our current terms with the EU and what a 'no deal' Brexit could mean for the industry.

UK aviation stands to be one of the biggest losers of 'no deal' Brexit : higher prices, restricted travel and possibly flights grounded.

- EU rules are simple: any EU airline is able to fly between any two points in the EU. Agreements with non-EU countries allow EU airlines to fly to many destinations in the world.
- This has contributed to fares dropping by 40% since 1990. In the case of 'no deal', UK customers would likely see ticket prices surging again.
- EU rules have facilitated the advent of budget airlines making travelling much more accessible to people with a smaller budget.<sup>43</sup> Ryanair announced that, in the case of 'no deal', flights would be cancelled.<sup>44</sup> Easyjet has already announced that they are opening offices in Austria.<sup>45</sup>
- It could take a decade to create a sufficient UK equivalent to the agency that regulates safety and environmental protection in civil aviation in Europe.
- Theoretically this could mean that in March 2019 planes will be grounded.

### *What is the importance of aviation to the UK economy?*

- It contributes £60 billion to the economy annually, mostly through flights to and from Europe.<sup>46</sup>
- It employs nearly a million people.<sup>47</sup>
- It carries more than 250 million passengers annually, 135 million of which travel to the EU27.<sup>48</sup>

### *How does it currently work?*

Currently the UK is part of the European Common Aviation Area (ECAA), deemed by many as 'the world's most liberal skies regime'<sup>49</sup>, and of the European Aviation Safety Agency (EASA), which regulates safety and environmental protection in civil aviation in Europe. Under these rules, any airline owned by an EU national, which is fit and regulatory abiding, can fly anywhere in the EU, as frequently as it likes and charge as much as it likes.<sup>50</sup> Regarding travel to non-EU countries, the UK currently benefits from EU agreements with these countries. For example the EU-USA Open Skies Agreement allows any American or EU airline to fly to and from the EU and America. These agreements currently represent the UK's flying privileges in 44 countries and 85% of UK air travel.<sup>51</sup>

European integration of the aviation sector put an end to strict rules on routes, prices and passenger allowances. In the last two decades, flight routes within the EU have increased by 303%<sup>52</sup> and fares are down by 40%.<sup>53</sup> The advent of budget airlines made travelling more affordable and accessible.<sup>54</sup>

### ***Implications of 'no deal' Brexit***

'No deal' would be disastrous for the industry and for consumers. With plane schedules written roughly a year ahead of time, there would be ambiguity as early as March 2018 about when flights would stop running and whether airlines could still sell advance tickets.<sup>55</sup> Ryanair announced that they would "start moving aircraft away from September 2018".<sup>56</sup> In the words of Philip Hammond, the UK Chancellor, it is not inconceivable that in March 2019 there will be "no air traffic moving between the UK and the European Union".<sup>57</sup>

Leaving the EASA would unleash legal, regulatory and operational chaos as the UK currently has no domestic body to replace it. The Civil Aviation Authority (CAA), which oversees civil aviation in the UK, would be the most likely candidate to take over but is currently not equipped to do so. Transforming the CAA into EASA-like institution would require mass restructuring and increased staff numbers, all of which would require time (up to a decade<sup>58</sup>) and a large cash injection.<sup>59</sup>

Losing access to the ECCA would significantly affect air travel. Unlike in the case of trade, there is no WTO-like safety-blanket for aviation. Until a deal is struck with EU countries, the UK would have to take a piecemeal approach to ensure that UK aviation can continue to function. The UK would have to rely on the International Civil Aviation Authority's 'Nine Freedoms of the Air'<sup>60</sup> which were established in 1944.<sup>61</sup> In the event of 'no deal' we may lose four of these. For example, as per freedom four 'fly from a foreign country and land in the home country', if you want to fly from Manchester to Milan you will have to use an Italian airline.<sup>62</sup> Since EU agreements with non-EU countries will also cease to apply, the UK would have to strike numerous new bilateral agreements. These agreements would likely be more rigid than what the UK is used to.<sup>63</sup> In the first instance the UK could fall back onto outdated bilateral agreements predating the ECCA. In the case of flying to the USA, the UK could fall back onto the Bermuda Agreements I & II from the 1940s and 1970s. However, these routes are very restrictive, so restrictive that you can only fly from London airports.<sup>64</sup>

**In Conclusion, in the words of the General Secretary of the British Airline Pilots' Association (BALPA), "the entire UK aviation sector which employs nearly a million people and carries more than 250 million passengers per annum would be devastated by a Brexit 'no deal'."**<sup>65</sup>

## What would 'no deal' Brexit mean for the UK Legal Services Industry?

This briefing aims to show the implications of 'no deal' Brexit, for UK legal services. It looks at our current terms with the EU and what a no deal Brexit could mean for the industry.

UK Legal services would be heavily impacted by a 'no deal' Brexit, characterised by uncertainty around legal rulings and a sharp drop in business.

- EU rules are simple: any qualified lawyer from an EU member state can work in any other member state with little restriction.<sup>66</sup>
- With their ability to practice across borders without restrictions and the dominance of English Law in commercial contracts, English lawyers are in high demand. Under a no deal scenario, UK lawyers would not be able to work as freely in the EU and the UK would lose significant business.
- Rulings in one country are currently recognised by courts in other EU member countries. Because of fears that this reciprocity of jurisdiction would be lost, foreign businesses are already being discouraged from naming English courts in their commercial contracts, and the UK is likely to lose a large part of its appeal as a forum.<sup>67</sup>

### *What is the importance of the legal services sector to the UK economy?*

- It contributes £25.7bn to the economy<sup>68</sup>, generating 1.6% of UK GDP and a net export surplus of £3.1bn in 2013.<sup>69</sup>
- It employs 370,000 people.<sup>70</sup>
- It is one of the fastest growing sectors of the UK economy, growing 8% in 2015.<sup>71</sup>

### *How does it currently work?*

The UK has had considerable influence shaping EU directives that govern legal services.<sup>72</sup> Two EU regulations, known as 'Rome I' and 'Rome II', manage issues relating to which jurisdiction's laws govern disputes and agreements from ordinary commercial disputes to intellectual property and competition law.<sup>73</sup> The 'Brussels Recast' ensures that rulings in one European country are automatically recognised by the courts of another. Without this provision, a judgement made by a UK court would be unenforceable in another EU country.<sup>74</sup>

There are various other directives that permit lawyers to provide services and practise within the EU and provide for cross-border recognition of qualifications. UK lawyers have benefited significantly from freedom of movement that enables lawyers with EU/EEA nationality to establish and advise clients in other member states, without immigration controls or prior authorisations, and with cross-border recognition of qualifications.<sup>75</sup> The critical mass of experience and expertise of UK lawyers, as well as access to the EU market and litigation advantages of the UK courts has helped to establish the UK as a global leader.<sup>76</sup> As a result of its ability to practise across borders without restrictions and reciprocity of jurisdiction, English common law is the most popular system in the world, being applicable in 30% of the world's 320 legal jurisdictions.<sup>77</sup>

### ***Implications of a no deal Brexit***

The initial impact of the decision to leave the EU has in some ways been positive for the UK legal industry, with huge increases already seen in demand for lawyers as UK and international clients scramble to understand the impact of Brexit for their businesses, as well as establishing and interpreting laws that would allow the UK to function independently.<sup>78</sup> Some firms have appointed 'Heads of Brexit', whilst others have set up 24-hour hotlines for customers with queries.<sup>79</sup> The legal chaos of a 'no deal' Brexit would probably exacerbate this uncertainty.

However, as the dust starts to settle, the picture will quickly start to change. With no deal, and hence restricted access to the single market and no reciprocity of jurisdiction, the UK is likely to lose its appeal as a global legal leader.<sup>80</sup> Without an agreement on reciprocity of jurisdiction, there would be a decline in the use of English law, and as Brexit impacts other areas of the UK economy (such as financial services, which accounts for 44% of deals amongst the Top 50 City law firms) businesses are likely to look to other jurisdictions for their legal services.<sup>81</sup> Indeed, this has already started to occur; there is anecdotal evidence that foreign businesses are being discouraged from naming UK courts in their contracts<sup>82</sup>, many companies are starting to register their lawyers in Ireland, and some firms are considering opening offices within EU jurisdiction and reducing the size of their UK offering.<sup>83</sup> For example, Amsterdam is opening an English law court styled by English qualified lawyers.

A 'no deal' Brexit would also result in the loss of free movement of UK legal services. The ability to represent local clients in cases with EU connections would be lost, with British lawyers unable to practise or represent clients in the EU. The Chair of the Bar Council claimed that "*without free movement of lawyers, nothing else of much importance will be salvaged*".<sup>84</sup>

**To maintain stability and efficiency in the legal services sector, industry leaders have called for the government to commit to keeping existing provisions as much as possible.<sup>85</sup> With a 'no deal' Brexit, the legal services industry would face significant disruption and consequent loss of business to our competitors.**

## Brexit's impact on the fight against extreme poverty

This briefing aims to show the implications of 'no deal' Brexit, or Extreme Brexit, for the quality and quantity of UK's development cooperation.

- Brexit will significantly impact the quantity and quality of UK overseas aid.
- The 12% devaluation of the pound between the EU Referendum and the end of 2016 is equivalent to a loss of US\$2.15 billion in the value of UK aid.
- Poor economic performance coupled with a weak pound means the commitment to spend 0.7% of national income on aid is worth less money.
- UK aid is likely to be shifted away from fighting poverty to focus more on national interests such as securing post-Brexit trade deals and security.

### *Quantity of UK aid*

**0.7% worth less** - The Prime Minister confirmed that Britain will maintain its commitment to spend 0.7% of Gross National Income (GNI) on overseas aid. However, the post-Brexit economic slowdown will have an impact on how much this commitment is worth. The Office for Budget Responsibility (OBR) predicts that the economy will slow rapidly, as the UK increasingly heads towards an Extreme Brexit. In November 2017, OBR has downgraded its UK GDP growth forecasts to just 1.5% in 2017, 1.4% in 2018 and only 1.3% in 2019 and 2020.<sup>86</sup> By 2030, the UK GDP could be 5.1% smaller than with continued EU membership, or even 7.7% smaller under a more pessimistic scenario.<sup>87</sup> If the UK GNI<sup>88</sup> had been 5.1% smaller in 2016, UK aid would have been £682 million less. If it had been 7.7% smaller, it would have been £1.03 billion less.

**Reduced value of UK aid** - The devaluation of the pound has reduced the value of UK aid. Between the EU Referendum and the end of 2016, the pound devalued by 11.96%. UK aid totalled \$18.01 billion in 2016.<sup>89</sup> As a result of the pound devaluation, by the end of 2016 UK aid had declined in value by 11.96%, amounting to a loss of \$2.15 billion. The weaker pound has also reduced the value of remittances sent from the UK. The countries most dependent on UK remittances include Least Developed Countries such as Uganda, Kenya, Mauritius, South Africa, Nigeria, India, etc.<sup>90</sup>



Effective exchange rate index, Sterling (Jan 2005 = 100)

Source: Bank of England



### *Quality of UK aid*

#### **Shifting of ODA allocations away from poverty eradication**

- **Using aid to secure trade deals** - In January 2017, the government published its new Economic Development Strategy.<sup>91</sup> The strategy puts a strong emphasis on encouraging trade and furthering national interests while encouraging economic growth in developing countries. Given the need to re-focus its foreign and trade policy away from the EU, the UK is very likely to use its aid to help secure post-Brexit trade deals. Priti Patel first floated this idea a year ago. She suggested aid could be a tool to win allies in the WTO. In October 2017, she said again that aid could be used for "*prosperity Britain post-Brexit, on trade and economic development.*"<sup>92</sup>
- **Reallocation of UK aid to other national priorities such as security** - There has been a growing conflation of UK aid policy with national security interests. The cross-government Conflict, Stability and Security Fund saw its total budget significantly rise in recent years.<sup>93</sup> Priti Patel has also been pushing the OECD's Development Assistance Committee to re-open the negotiations on the aid definition to include more security and military spending.<sup>94</sup> It was also recently revealed that she considered sending aid money to the Israeli army to support humanitarian operations in the Golan Heights.<sup>95</sup> This has led to her resignation.
- **Further ODA may be shifted away from DFID to other departments**, that are less transparent and have less focus on poverty alleviation. A quarter of the aid budget (£3.5 billion) was spent by other departments than DFID in 2016. There has been increased use of cross-government funds, such as the Prosperity Fund, and the Conflict, Stability and Security Fund.

**Aid effectiveness** - The EU is one of the most effective multilateral agencies, partly thanks to economies of scale and fewer fragmented demands on recipient governments. EU bodies have received high ratings in the UK Multilateral Aid Reviews.<sup>96</sup> UK aid money could be spent through less effective multilateral organisations, or will be spent bilaterally, reducing efficiency and increasing the burden on aid recipients.

**Global reach** - The EU operates in 150 countries around the world. EU aid will be less aligned to UK development priorities and the UK will no longer benefit from the extensive reach of the EU globally. The EU is present in all 43 fragile states, while DFID has projects in only 11.





# What happened in the 2017 General Election

## The impact of the anti-Brexit tactical vote in 2017

Summary of Dr Abigail Lebrecht report by Best for Britain

New research<sup>97</sup> points to how grassroots Brexit-related voting may have had a significant impact on the 2017 general election. A constituency-by-constituency analysis suggests that, while a significant number of leave voters appear to have switched to the Conservatives, many Remain voters supported the party in their constituency most likely to beat the Conservatives (mostly Labour). These new findings suggest that the Conservatives will struggle to win an election by relying solely on supporters of Brexit, while Labour could get closer to win a majority if it does more to attract anti-Brexit voters who are still backing the Conservatives.

In recent YouGov polls<sup>98</sup>, 'other' is now more popular than Theresa May and Jeremy Corbyn as the UK's prime minister of choice. Yet only four months ago, both the Conservatives and Labour polled more votes than ever before. Has political feeling drastically changed in the UK since the election or was the election result not as straightforward as it appeared? An answer can be found in research released by Best for Britain which shows the possible impact Brexit-related voting had on the election and the lingering impact of the referendum on the British electoral landscape.<sup>99</sup>

### ***The impact of grassroots Brexit-related voting in the 2017 general elections.***

The British Electoral Study (BES)<sup>100</sup> reported in August that 1 in 3 voters were most concerned about Brexit when voting and the Best for Britain model finds that around 30% of voters appeared to vote in line with their referendum vote.

Looking at the 2015 result and the referendum result in each constituency, this research identifies a Brexit-related vote for both Remain and Leave voters. Significant numbers of leave voters appear to have switched to the Conservatives, but a constituency-by-constituency analysis suggests that many Remain voters supported the party in their constituency most likely to beat the Conservatives.

For example, in Bristol North West (Lab: +16.2%; Con: -2.1%; LD: -1.0%; Lab gain from Con), which had a strong Remain vote in the referendum (61.1%) and where Labour won with a relatively small majority in 2017 (2017 Lab majority: 4,761; 2015 Con majority: 4,944), the evidence points to tactical voters for Labour, as well as Remain voters leaving the Conservatives, being likely to have delivered the seat for Labour. In contrast, in seats where there was another more pro-Remain party, Labour's vote increased much less than the national average (e.g. Oxford West & Abingdon: LD: +14.8%; Con: -3.3%; Lab: -0.1%; LD gain from Con; 2017 LD majority: 816; 2015 Con majority: 9,582; Remain votes: 61.8%).

While UKIP voters joining the Conservatives was expected and well documented before the election, the organic flow of Remain voters to whoever the main challenger of the Conservatives was in their constituency as a stand against the Conservative Brexit has been underreported up until this point. With the evidence from our previous studies, the BES<sup>101</sup> and Ipsos Mori<sup>102</sup> post-election polls, we can conjecture with some confidence that the grassroots



anti-Brexit vote may have not only denied Theresa May her majority but is also likely to have boosted the Labour Party's successful campaign.

### ***What conclusions can be drawn?***

#### *Conservatives*

This research suggests that the Conservatives will struggle to win an election by relying solely on supporters of Brexit. Despite successfully appealing for the votes of previous UKIP supporters and other Leave voters, the grassroots anti-Brexit vote is likely to have denied the Conservatives their majority.

#### *Labour*

These new findings suggest that many voters may have picked Labour as the anti-Brexit vehicle in 2017. These voters are likely to have lent Labour their vote and not made a long-term commitment (yet). This suggests that by appealing to Remain voters Labour will likely be able to maintain and extend their gains made in 2017. According to Ipsos Mori<sup>103</sup>, Labour has the votes of 54% of Remain voters to hold onto in the next election. Meanwhile the Tories have 26% of Remain voters still to lose.

## The Way Forward

## Brexit is not a done deal: Article 50 is revocable

The UK's triggering of Article 50 of the EU Lisbon Treaty in March 2017 started a two-year process after which Britain should leave the EU. However, prior to 29 March 2019 Article 50 is revocable and Brexit is not inevitable. No Brexit is an option for the country.

- The current government has stated that there is no way back from triggering Article 50.
- That reflects Conservative government *policy*, not legal fact or political reality.
- Article 50 does not prevent Britain from withdrawing its request to leave the EU.
- Legally, the letter from the UK government has only triggered the process, and Parliament will need to vote on the final deal.
- Politically, signals from EU leaders have made it clear that they would not stand in the way if the UK revoked Article 50 before March 2019.
- Lord Kerr<sup>104</sup>, author of Article 50, says that we can change our mind at any time before March 2019. The UK still has a choice on Brexit.
- The Government has a *policy* of not intending to revoke Article 50, but legally and politically, nothing should stop the withdrawal of Article 50 if that is what's best for Britain.

### **What is the government saying?**

The Government's policy has been that Article 50 is a one-way ticket.

- Prime Minister Theresa May said "*there can be no turning back*" from triggering Article 50.<sup>105</sup>
- As a spokesperson for the Department for Exiting the European Union said "*Government lawyers also made clear in legal proceedings before the High Court that, as a matter of firm policy, notification of withdrawal will not be withdrawn.*"<sup>106</sup>
- Former Justice Secretary Liz Truss said, "*my understanding is that it is irrevocable.*"<sup>107</sup> However the government distanced themselves from that claim in February 2017.<sup>108</sup>
- Secretary of State for Exiting the European Union, David Davis said "*is it irrevocable? I don't know.*"<sup>109</sup>

### **What does the law say?**

Legally, nothing prevents the UK from withdrawing their Article 50 notice before the end of the two-year period.

- As long as the UK hasn't formally left (currently in March 2019), there is nothing in Article 50 indicating that the UK cannot change its mind. The text says that a state has left after the two-year negotiating period only. If it wants to re-join, it will need to apply like any third country and go through the whole membership process.<sup>110</sup>
- Article 50 provides for notification by a member state only of its "*intention*" to leave, not its decision. Legally, the word "*intention*" cannot be interpreted as a final and irreversible decision. You may withdraw an intention, change it, or transform it into a decision.<sup>111</sup>

- Lord Kerr, said that Article 50 is revocable. He told the BBC: *"It is not irrevocable. You can change your mind while the process is going on."*<sup>112</sup>
- The House of Lords received legal advice saying that Article 50 was reversible.<sup>113</sup>
- Some believe that Article 50 is only revocable if all other EU member states agree, but this is a minority view; and even those who think this largely agree that the politics is more important than the legal position.
- The Vienna Convention on the Law of Treaties provides that a notification of intention to withdraw from a treaty *"may be revoked at any time before it takes effect."*<sup>114</sup>

### ***What is the EU saying?***

Many EU leaders say that Article 50 is revocable:

- When asked, in a joint press conference with Theresa May, whether the UK could withdraw its Article 50 notification during the two years, Emmanuel Macron said *"until negotiations come to an end there is always a chance to reopen the door."*<sup>115</sup>
- When asked the same question, European Council President Donald Tusk said, *"Formally, legally, yes."*<sup>116</sup>
- President of the European Parliament said in April 2017, before the UK general election, *"If the UK, after the election, wants to withdraw [Article 50], then the procedure is very clear... If the UK wanted to stay, everybody would be in favour. I would be very happy."*<sup>117</sup>
- Former German Finance Minister, Wolfgang Schäuble, concurs stating, *"the British government has said we will stay with the Brexit... but if they wanted to change their decision, of course they would find open doors."*<sup>118</sup>

**If the people want it, the UK can stop the Brexit process at any point before March 2019.**

## Parliament must have a meaningful vote on the final Brexit deal

The EU (Withdrawal) Bill must be amended to guarantee Parliament gets a meaningful vote on the final Brexit deal. MPs must support Amendment 7 to clause 9, to make exiting the EU *“subject to the prior enactment of a statute by Parliament approving the final terms of withdrawal of the United Kingdom from the European Union.”*<sup>119</sup>

A meaningful vote on Brexit must:

- be on the final deal;
- happen before the UK leaves the EU;
- allow Parliament to reject all possible deals, including ‘no deal’, and enable it to reject more than one kind of deal.

The government has verbally promised a meaningful vote on the final deal and stated that it will happen before we leave the EU. However, the Government’s ‘take it or leave it’ approach does not amount to a meaningful vote. As negotiations continue to stall and ‘no deal’ or a “virtual no deal” become a more likely outcome, it is increasingly clear that a truly meaningful vote needs to be enshrined in legislation. ‘No deal’ or a virtual ‘no deal’ would mean an extreme form of Brexit being delivered at huge cost to the UK, its services and its people’s prospects, especially the poorest and those living outside the South East.

### *What constitutes a ‘meaningful vote’?*

- A meaningful vote must be on the final deal. A vote solely on a transitional deal, the divorce settlement and a loose sketch of the final deal would not be meaningful. Parliament must have the full Brexit picture.
- Parliament must have the option to reject any deal, including ‘no deal’, and be able to reject more than one deal. *Take it or leave it Brexit* directly conflicts with having a meaningful vote. If parliament can’t force the government to renegotiate they have no option but to accept the deal, since ‘no deal’ would mean Extreme Brexit and would be worse than a ‘bad deal’.
- To be meaningful, the vote must take place at least 6 months before the UK actually leaves the EU (currently March 29th, 2019). Therefore, under the current timeline, a meaningful vote must be by October 2018, allowing enough time for the European Parliament and the necessary members states to approve it.<sup>120</sup>
- All options must remain on the table including ‘no Brexit’ for a vote to be meaningful. There must be a choice between Brexit and exploring a different deal with the EU. All attempts to enshrine Brexit in legislation should be avoided.

### *Why is parliament entitled to a meaningful vote?*

Without a vote, allowing Parliament to reject all deals, Parliament cannot fulfil its sovereign duties. One of the main promises of the Leave campaign was to keep Parliament sovereign. Parliament should therefore have the final say on how or if we leave the EU.

### **What the government is currently offering?**

Parliament has been promised a meaningful vote by government. In February 2017, David Jones MP, a Minister for the Department for Exiting the EU said:

*"we intend that the vote will cover not only the withdrawal arrangements but also the future relationship with the European Union. I can confirm that the Government will bring forward a motion on the final agreement, to be approved by both Houses of Parliament before it is concluded. We expect and intend that this will happen before the European Parliament debates and votes on the final agreement."*<sup>121</sup>

However, what David Jones offered amounts to a take it or leave it Brexit:

*"it will be a meaningful vote. As I have said, it will be the choice between leaving the European Union with a negotiated deal or not."*<sup>122</sup>

In October 2017, the government placed a meaningful vote into question when David Davis MP responded to a question by Seema Malhotra MP about the meaningful vote process by saying:

*"It's no secret that the way the union makes its decisions tends to be at the 59th minute of the 11th hour of the last day. That's precisely what I would expect to happen here..."*<sup>123</sup>

When Malhotra asked if the vote could come after the UK formally exited the EU (under the current article 50 process timeline), he said: *"Yes, it could be. It can't come before we have the deal."*<sup>124</sup> These statements suggests that Davis is prepared for the negotiations to continue past the Article 50 deadline, meaning our membership to the EU would lapse, with no turning back, before Parliament can vote on a deal.

**MPs must vote for Amendment 7 to make sure Parliament is sovereign and has all options on the table when the final deal comes to the vote.**



## Endnotes

- <sup>1</sup> 'No deal' brexit means the UK leaving the EU with no agreement, or virtually no agreement, reached during the negotiations taking place under Article 50 of the Lisbon Treaty of the EU. By 'no deal', Best for Britain implies complete 'no deal' - the UK and the EU failing reach any agreement - as well as virtual 'no deal' - a few piecemeal agreements reached in some key areas but no overall deal.
- <sup>2</sup> Approximately 3.6 million EU citizens were living in the UK in 2016. Office for National Statistics (ONS), 'Population of the UK by country of birth and nationality: 2016', <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/bulletins/ukpopulationbycountryofbirthandnationality/2016#of-the-uk-population-1-in-7-were-born-abroad-and-1-in-11-had-non-british-nationality>.
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- <sup>10</sup> The UK in a changing Europe, 'Cost of 'no deal'', op. cit.
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