European and External Relations Committee

The EU referendum and its implications for Scotland

Written submission from Helen McAvoy

Following the inquiry launched by the European and External Relations Committee of the Scottish Parliament, I should like to offer the following views:

1. **The referendum was purely advisory in nature** (viz. the 2015 Referendum Act), which means that it is not a democratically-binding decision, is not sacrosanct, has no legal force, and can be challenged in the light of the manifestly negative effects it has already had, and will continue to have, on Scotland’s economy and society. In a democracy, nothing is irreversible, especially given the slim majority achieved in this case. Slogans such as “Brexit means Brexit” and “The people have spoken” are empty and, indeed, meaningless dogma. This was merely a simplistic test of public opinion, and only 37% of the population actually endorsed Brexit. A two-thirds majority should have been imposed for a matter with such phenomenally important and potentially devastating consequences.

2. **Scotland voted to remain**, and this is the goal which must be pursued regardless of what happens in England and Wales. This is the only way to avoid exorbitant costs. Every effort should be made to convince the UK government not to trigger Article 50.

3. Leaving the EU will clearly lead to **economic and even political upheaval** (e.g. the Irish situation), a self-inflicted disaster which must be prevented at all costs. Trade, jobs, services, investment and many other areas will be adversely affected. The future of young people will be bleak in an insular UK.

4. The **UK Parliament** must be given a **vote** before any breakaway could be sanctioned. We live in a parliamentary democracy with **elected representatives** to decide on important matters affecting the country. A legal case is already being launched to reinforce this point, as the government has no mandate to act. A majority of both Houses of Parliament favours remaining in the EU. Parliament cannot abandon its democratic responsibility on a matter within its competence.

5. The vote to leave was **based on a tissue of demagoguery, populist lies and fantasy**. The concocted reasons for leaving were contradictory and paradoxical. This has been admitted by the Brexiteers, who had **no plans to cope with the aftermath**. Such an irrational vote therefore should not be allowed to stand. Can the outcome be challenged in court?

6. A **second referendum** should be held in the light of all that has emerged since the first one. What has been called “**Buyer’s remorse**” appears to have already set in, and people have begun to realise that any separation will be very painful and costly. In any case, the Brexiteers did not expect to win, and had no plans for the aftermath.
7. Any unravelling of our relationship with the EU will be extremely complicated and time-consuming and will inevitably result in more costly bureaucracy as well as constitutional upheaval.

8. Other EU countries will not agree to a velvet divorce: red lines are already being set, and any solution preserving the single market (essential to our survival) will involve budgetary payments and freedom of movement for their citizens and ours. In addition, any agreement under Article 50 would require the approval of the European Parliament and a qualified majority of Member States, some of whom are anxious to avoid the UK inspiring their own anti-EU movements. A trade deal would also involve the agreement of the other 27 national parliaments. The entire process could be blocked.

9. Persuading our EU partners to offer some additional concessions to the UK (a longer qualifying time for welfare payments, an emergency brake on immigration, no eurozone membership requirement, no United States of Europe approach, etc.) might be enough for the government to recommend staying in the EU.

10. It is important, should Brexit be triggered, to ensure that there is differentiation between EU and non-EU citizens in any discussions regarding immigration. The EU cannot be held responsible for immigration from elsewhere in the world (e.g. the Commonwealth), and confusion/confusion should be avoided.

11. The voting age should have been 16.

12. British ex-pats should not have been disenfranchised. Their rights as nationals should have been respected.

13. EU officials and their entire families will be badly hit by this situation. Steps should be taken to reassure them as to their acquired rights, future careers, pensions, and the education of their children.

14. A vast amount of money is now being spend on recruiting new staff to negotiate Brexit. The UK has few officials with the necessary expertise!

15. There are no good alternatives to EU membership. All involve high expenditure and free movement.

16. Brexit would take at least 10 years to fully play out, as innumerable trade and other agreements would have to be unpicked and then renegotiated.

17. The scale of the task is monumental.

18. Many areas would be left unprotected in the process.

19. Scots Law would have to be dealt with separately.

20. Universities will undoubtedly lose potential students and funding.

I am sure many others will express the same sentiments, and I hope that a way will be found to prevent Article 50 ever being triggered.