

The Repeal Bill Shows the UK Is 'Taking Back Control' – but Not for the People

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We're 'taking back control'. At least, that was the argument among those who supported the UK's decision to exit the European Union. During the referendum campaign, these three simple words became the rallying call of the Vote Leave camp. There's no question that Brexit will mark a sizeable shift in power relations. But who is really seizing power – the British people, or the British Government?

In case you were in any doubt, the Repeal Bill – published on 13 July – spells it out. If passed in its current form, this Bill would give the Government more power to change laws at whim than any other piece of legislation in modern British history.

The Bill repeals the 1972 European Communities Act which took Britain into the EU. It also 'downloads' all existing EU legislation into domestic law, with the aim of securing a smooth transition. Once enshrined in the statute books, ministers will have the power to 'amend, repeal and improve' the laws as they see fit, with minimal parliamentary scrutiny. They even have the ability to sidestep Parliament altogether in 'urgent cases'. After all, they say, exceptional measures are needed if we're going to have our house in order by Brexit Day (expected to be around March 2019).

These vast powers – often compared to those held by Henry VIII in the 16th century – are particularly worrisome given the government ministers that will hold them. It has become clear that, so far, many have failed to appreciate the monumental complexity of Brexit. This is evident in their decision to pull the UK out of EURATOM, the European nuclear regulator. Leaving the EURATOM Treaty without ensuring there is a proper replacement to its safety and regulatory provisions is dangerous. For some, it's a matter of life and death. Yet having failed to conduct a formal Impact Assessment and nestling the announcement among the footnotes of the Article 50 Act, some ministers were blissfully unaware of the issue. This is both negligent and deeply concerning.

It's time to ask ourselves some big questions. Firstly, does the Government have the authority to make these kinds of far-reaching decisions? The Conservative Party couldn't even scrape together a majority at last month's general election. It's hardly the sort of mandate necessary to make unilateral decisions that will affect the future of the country for generations.

Moreover, what has happened to our democratic checks and balances? It took court action by an ordinary citizen to ensure that the UK Parliament had a vote on the Bill triggering Article 50. The fact that the Government 'conceded' to give MPs a vote on the final deal is seen as a victory for Parliamentarians. Yet, the UK's devolved powers consider that the Repeal Bill will curtail their legislative rights. The call for a modern, written Constitution is growing.

Meanwhile, the Labour Party continues to bask in the glory of its performance at the general election rather than providing proper, robust opposition. The popularity of Jeremy Corbyn has so far eclipsed the fact that, in many ways, Labour's stance mirrors the Government's own when it comes to Brexit. Labour has pledged to end free movement, and been deliberately hazy on whether it supports leaving or remaining in the Single Market and the Customs Union. The Labour leadership insisted on a three-line whip (the strongest form of



Party discipline) to vote through the Article 50 Bill, even when all Labour's attempts to amend it had failed. It is clear that we can't trust the Labour Party to hold the Government to account – particularly now that Government wields new, sharp policy-making tools.

Finally, it's worth asking whose interests the Government will be representing. As she triggered Article 50, the Prime Minister promised to speak for the 'young and old, rich and poor, city town and country, and all the villages and hamlets in between'. So why can our Minister for Exiting the EU not recall even a single woman on the UK's negotiating team? This isn't the inclusive Brexit we were promised, or that some people voted for last June. This is the elite reasserting control, on a scale unseen in our lifetimes. We should all be worried.