

“Obstructionism dressed up as idleness” – Jacob on the Rejoinder Civil Service

EU Laws (REUL) Part Four : Jacob Rees-Mogg’s comments on “*our alien legal code*”

“The REUL Bill offers the opportunity to change fundamentally the way Britain is governed and do so for the better.”

In a busy week in the lead up to the coronation of His Majesty King Charles III, Brexit Facts4EU.Org and CIBUK.Org ran a series of three reports on the EU laws which continue to regulate us all, almost seven years since we voted to “take back control”.

We contacted several MPs for their comments on our series. Below we present the edited highlights of comments sent to us by the Rt Hon Jacob Rees-Mogg, MP for North East Somerset and the former Minister in charge of ridding us of this “***alien legal code***”

Still ruled by EU laws – summary

[Part One : What is “Retained EU law” and why does it matter to us all?](#)

Part Two : Just how many EU laws do we still have and what are they?

Part Three : We don’t believe the official figures are

accurate or meaningful – and here's why

Part Four : The Government's Remainer retreat and what MPs think of this (This report)

The comments of a former Secretary of State who knows all about EU laws

The Rt Hon Jacob Rees-Mogg has been MP for North East Somerset since 2010. In February 2022, Boris Johnson appointed him Minister of State for Brexit Opportunities and Government Efficiency. In September 2022, after that department was abolished under Liz Truss's premiership, he was made Secretary of State for Business, Energy and Industrial Strategy.

In these roles he had direct interest in seeing the Retained EU Law (Revocation and Reform) Bill make it to the statute book, having been the Secretary of State at the time the Bill was printed.

Summary



Comments on Retained EU laws, from the Rt Hon Jacob Rees-Mogg MP

Below are the highlights of what Mr Rees-Mogg sent us, drawn from a longer piece he penned for *The Daily Telegraph* in January.

We start with his statements to the House of Commons where we quote verbatim from Hansard.

In the House of Commons : *"The Bill is of fundamental constitutional importance because it removes the supremacy of EU law... so the law made and voted for by people in this country will be the supreme law. That is surely right."*



Question from the Rt Hon John Redwood MP : *"Does he not find it an odd paradox, or contradiction, that many Opposition Members come to this place apparently to form laws but do not believe we can ever make a law that is good, and we need to rely on EU law in so many areas where I think we can actually do better?"*

Response : *"I am grateful to my right hon. Friend, who is wise, as always. But it is even odder than that, because there is this very strange view that laws that came in without any scrutiny at all – regulations of the EU that became our law automatically – cannot be removed without primary legislation. That is just bizarre."*

*"The laws with which we are dealing came in under section 2(2) of the European Communities Act. **Either they came in with minimum scrutiny but could not be amended or changed, or they came in with no scrutiny at all.**"*

Further comments sent to us by the Rt Hon Jacob Rees-Mogg MP

"Some 4,000 EU laws lie mouldering on the statute book, passed without Parliamentary scrutiny and sometimes against the wishes of HM Government. 1,400 of them are so obscure that they had to be dug out of the National Archives.

"This was the practical effect of membership of the European Union, unelected and unaccountable, whose laws spewed forth from Brussels and which had, at most, a cursory debate in the Commons, but could be neither amended nor blocked.

"The Retained EU Law Bill (REUL), which as a minister I was involved in preparing, is designed to release us from this burden. It would require that all these laws, which intrude across British business and personal life, are either repealed or are turned into UK law. The Bill prevents them being extended, which would allow over-zealous bureaucrats to use a deregulatory measure to regulate by sleight of hand. Suffice to say that this is a task that any competent government department ought to be able to manage smoothly.

*"All the old files explaining these rules will be available: the purpose of each should be perfectly clear. For those laws that were really necessary, transposing them into UK law will add clarity to the statute book by **removing a separate and alien legal code**. Yet we are told that the Government now hesitates, advised by civil servants that many hundreds of new*

colleagues would be needed.

"The implication is that our Rolls-Royce departments are incapable of going through the law books with a highlighter pen. **This is obstructionism dressed up as idleness.** Civil servants are more than capable of the task, which ought to already be under way.

"These laws and regulations were imposed by an EU system that does not function and is in the process of making Europe poorer, not to mention making the rest of the world poorer too. **Its burdensome, anti-competitive, innovation-destroying rules serve only to keep sluggish incumbent corporations out of the insolvency courts.**"

"Because the opportunity of Brexit allows us our freedoms, it is of the utmost importance that the United Kingdom diverges from this EU model. And since we must lift the burdens of excessive regulation and unleash the competition on which innovation and wealth depend, protected industries that charge consumers high prices are bound to be displeased by these changes and can be expected to lobby furiously against them.

"Yet policies that are pro-consumer and reduce prices ought to be welcomed in an era in which the spectre of inflation has returned. No one is talking about a Wild West without consumer and health protections – of which the UK was incidentally a pioneer long before the EU, the Sale of Goods Act 1893 being an early example.

"Reducing regulatory burdens across the economy is fundamental to our future prosperity."

"The inheritance of the EU regulatory system is now an urgent problem across our economy..."

"So many regulations are admired as worthy without consideration of the economic consequences. Surely one of the lessons of the Covid lockdowns is that a greater analysis of

the costs ought to have been done. This logic should be applied more generally.



Progress update on our BREXIT Documentary – the positive case for the UK

Fighting back for a free, traditional & independent United Kingdom and [how can you make a difference](#) – don't miss it!

*“Perhaps it is not surprising that **those who still resent the result of the referendum do not want the burdens of over-regulation to be lifted.** It is pointless to try to understand all the Remainers’ ultramontane and sacred mysteries, but some clearly want to see us tied into the EU in the hope that, even if the UK is not a member, we can shadow its rules and embrace its inefficiency, or the Hilaire Belloc principle of “always keep a-hold of nurse for fear of finding something worse”, the mantra of managers of decline throughout the ages. Some refuse to acknowledge the connection between prosperity and a free and self-governing democratic system.*

“In a perversion of logic, a lordly Times columnist has even called the REUL Bill undemocratic. Laws that came in without scrutiny or consent but were pushed through under the European Communities Act must therefore be kept, possibly because the House of Lords, that most democratic of bodies, does not like it.

*“A referendum result said that the UK wanted to take back control of our money, laws and borders. A general election result comprehensively confirmed that decision. But most of the work has not been done. **Payments to the EU continue, the borders remain leaky and the laws have not yet been repatriated.***

*“The REUL Bill provides the greatest possible impetus for completing this task. It establishes a mechanism for the removal and reform of these regulations with far greater scrutiny than they received when originally introduced. Legislators in both houses will be able to exercise fully the sovereignty of Parliament in areas **where they were once entirely subordinate to the European Commission.***

“A repeal and reform of huge swathes of financial services regulation would make the City more competitive and dynamic now it is outside the EU, to the benefit of the UK. It is European regulations and decades of case law which have helped to jam up planning and development, whether by the Habitats Directive or the European Court’s 2018 ruling which has barred planning permission for hundreds of thousands of homes while the UK suffers an acute shortage of housing.

“If we are to learn a single lesson from the pandemic it is that top-down, box-ticking and process-driven bureaucracy is the way to ruin.... And if it were not for Boris Johnson’s determination to blow away the risk averse process to vaccine procurement – for which he was widely attacked at the time – we would not have recovered from the pandemic as quickly as we did. Were it not for the rapid repeal of many unnecessary EU regulations around HGV licences, the lorry driver shortage of 2021 would not have been eased in time for Christmas, while labour shortages continue to plague the Western world.

*“The successes of Brexit are already legion. **The REUL Bill offers the opportunity to change fundamentally the way Britain is governed and do so for the better.*** But there is a risk of

this being lost now, at this late moment. What type of defeatism is it that would have a Bill passed by the democratically elected House emasculated by Europhile peers?

“What type of idleness is it that besets senior civil servants, allegedly working from home, who are murmuring that this is all too difficult? What type of government would it be that fails to deliver on its cornerstone promise?”

Observations

We are grateful to Mr Rees-Mogg for the above. He makes a great many important points and drives home the imperative of freeing up the United Kingdom from laws drafted by a foreign power, over which Parliament had little or no say or scrutiny.

He is candid about the obstructionism he experienced from civil servants in attempting to repeal or amend these laws. Once again, the problem is not Brexit but rather is Remainerism. It is essential that the Government now acts with alacrity – something it seems unwilling to do. It is now incumbent on the Prime Minister to show true leadership on this issue, if we are to start to see more of the Brexit benefits we were promised. If he fails to do this, it will be yet one more nail in the coffin of his Party's chances at the next general election.

CIBUK thanks its Affiliated Organisation, Brexit Facts4EU.Org for their research and permission to republish this article.

The Brexit Facts4EU.Org article can be found [here](#).

Main image : montage © Facts4EU.Org 2023