

Floundering – and not just over fishing!

Slowly but surely, the degree to which the Government and the Department for Exiting the European Union are floundering in their Brexit plans is becoming more apparent.

A week ago, Alistair Carmichael, the MP for Orkney and Shetland, finally received an answer to a written question about fishing. Here is the question and the answer:-

Question:

To ask the Secretary of State for Environment, Food and Rural Affairs, what legal identity is planned to be in place to prevent EU vessels operating inside the Orkney and Shetland 12 nautical mile zone during the proposed 21-month implementation period after EU treaties and the derogation for exclusive use of the Orkney and Shetland 12 nautical mile zone cease to apply to the UK. (140647)

Tabled on: 02 May 2018

Answer: (George Eustice)

The implementation period agreed between the UK and EU was endorsed by the European Council on 22nd March.

Under the agreement, current fisheries rules and enforcement arrangements will continue to apply. This includes provisions relating to access to waters within the UK's 6-12 nautical mile zone.

Access to fish in UK waters after the implementation period will be a matter for negotiation. Access will be on our terms, under our control and for the benefit of UK fishermen.

You will notice that the answer completely fails to address the question. It says that current conditions will apply, but

does not mention the legal basis. There is a good reason for this – there isn't one!

It's not just fisheries issues which are exposing the hole which DExEU and the Government are digging. On 23rd May, Robin Walker and Suella Braverman appeared before the Commons select Committee. You can watch the full session on Parliamentary TV. Some particular highlights include Mr Walker's awkwardness when questioned on customs arrangement. More importantly, there was much flannelling around the subject of the legal basis of any future treaty. Pat McFadden MP asked four times about whether Parliament will be expected to vote on the financial arrangements before a legally-binding treaty is finalised – in other words, that MPs were being expected to vote for the package "in good faith".

The scale of the mess surrounding the negotiations is being exposed more and more by the day. A report in *The Times* suggests that Mrs May is seeking an extension of the transitional period until 2023. This comes a day after EU sources dismissed the government's "backstop" plans for the Irish Border. Mrs May insisted that the proposal would be time-limited, but one Brussels source said: "It will apply for as long as there is no credible alternative. It can't be time limited or it's not a backstop."

The government is going round in circles. The totally disastrous position facing our fishing industry if Mrs May persists with her current plans were laid bare over a month ago. We remain hopeful that this will not happen because these plans are being proved more untenable by the day. It may take a crisis to bring about a change of direction, but so flawed are the current plans that the crisis may not be long in coming.