

# With one bound the UK will be free – or will it?

*Dick Barton – Special Agent* was a popular BBC radio thriller serial in the late 1940s. It often featured the line “With one bound Dick was free!” No matter how dangerous Dick’s dilemma, he would always escape by the easiest – and usually most contrived – method.

Some supporters of withdrawal still favour a similar approach to leaving the EU – repealing the European Communities Act of 1972. With one bound, the UK would be free – no need to bother with Article 50 of the Lisbon Treaty – the EU’s prescribed method for withdrawal. However, in international law, states cannot use changes in their own internal constitutional arrangements or indeed existing constitutional arrangements as reasons to abrogate a treaty unless they were specified at the time of making the treaty.

Therefore, while such an approach may seem appealing, it would be a gung-ho, John-Bull-in-a-china-shop sort of thing to do, leaving us with all manner of problems. It would not help at all in the very necessary negotiations which will have to accompany leaving the EU in an orderly manner with a seamless continuation of mutually beneficial trade. It would be exactly the sort of “leap in the dark” with which Sir Stuart Rose is trying to scare people. It would immediately put the UK in the wrong in the eyes of the international community. It would be an initial declaration of bad faith – not the right foot to get off on.

It would also have a great many side effects which would be disadvantageous. For instance, all our food safety laws originate in an EU Regulation, not an Act of Parliament and they would be gone in an instant – a great hazard to domestic public health, placing our own considerable food exports to

the EU in regulatory limbo so they would lose their access to the Single Market. Each delivery would have to be detained at the port of entry until it had been thoroughly tested before being released.

It is a proposal which would help the Europhiles greatly and show every businessman in the country what clots were running the Leave campaign. They will be praying for people to suggest it loudly.

A couple of years ago I wrote an article suggesting a way in which reasonable safeguards against any EU trickery might be built in to the process whilst observing the normal rules of civilised international conduct. In fact I am far more worried about our own officials, very comfortable in their EU servitude, than I am about the EU Commission. As Lord Tebbit remarked "It's called the Foreign Office because it works for foreigners".

The Independence Movement will not be the negotiators of the post-referendum settlement. Unless the Fixed Term Parliament Act is repealed, the task will fall to a government enjoying a majority in the present Parliament. Given that Mr Cameron has insisted that no preparations should be made for a referendum vote to leave, it will necessary for that government to establish wide public confidence in the expertise and *bona fides* of the independence negotiating team. Leave.eu is already urging commitment to steps in this direction.

Otherwise there would be no public confidence that the Europhile majorities in Lords and Commons would press for a settlement, fully respecting a vote to leave.