

Scottish Court Rules Suspension of UK Parliament ‘Unlawful’

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UK Prime Minister Boris Johnson faces another obstacle in the way of his path to a No Deal Brexit as it was ruled on Wednesday that his five week long suspension of parliament, condoned by the Queen herself, was ‘unlawful’. The case was brought to the Court of Session in Edinburgh by seventy MPs led by the Scottish National Party’s Joanna Cherry, who argued that the Prime Minister was attempting to prevent parliament from holding the government to account over Brexit.

The three judges unanimously agreed with this statement, ruling that Boris Johnson was motivated by the “improper purpose of stymieing Parliament”, and furthermore, that he had effectively misled the Queen by advising her to suspend Parliament. They added:

‘The Court will accordingly make an Order declaring that the prime minister’s advice to HM the Queen and the prorogation which followed thereon was unlawful and is thus null and of no effect.’

There were unprecedented scenes on Monday night as parliament was officially prorogued until the 14th October, much to the vehemence of opposition politicians, who sat well into the night protesting the action. Labour politicians sang socialist anthem ‘The Red Flag’ as Scottish Nationalists blared out ‘Flower of Scotland’ in defiance of the ruling to shut down parliament for several weeks, at such a critical time in the Brexit negotiations. Several MPs, brandishing placards which read ‘SILENCED’ also tried to stop Speaker of the House, John Bercow, who has announced his plan to step down from his role on 31st October, from leaving the Commons.

The Scottish judges’ decision casts huge doubt on the legitimacy of the prorogation, with MP Joanna Cherry now calling for politicians to return to Westminster. However the government stands by its decision, claiming that there is nothing unusual in requesting such a suspension, and suggesting that the real motivation was in order to hold a Queen’s speech, whereby the Johnson cabinet could outline its domestic agenda for the year ahead. Subsequently the government plans to challenge the outcome of the Scottish court in the highest court in the UK – the Supreme Court in London – next week.

The ruling also now raises questions for the Queen and how well she was advised when requested by Johnson to give permission to suspend parliament. It is now being asked whether the Palace should have pushed Downing Street further as to why such a prorogation was necessary, especially given the contentious nature of Brexit. It also puts her role as monarch under scrutiny, as if she herself has no discretion regarding such decisions, then what is her real purpose? If the Supreme Court does indeed rule in favour of the

Scottish Court's decision then it will only drag the Queen further into the Brexit discussion as she will likely be forced to rethink her position.

Calls are now being made for Boris Johnson's resignation, by none other than former Attorney General Dominic Grieve, on the basis of Wednesday's verdict. For a UK Prime Minister to have been accused by a court of misleading the Queen herself really is unprecedented. But then Boris Johnson it seems, is no ordinary politician. And he heads a gang of hard-core Brexiteers who in the opinion of many opposition politicians, believe they are above the law and will stop at nothing to see Britain leave the EU on October 31st. As Johnson heads towards crashing out of Europe, like a bull in a china shop, he is leaving nothing but destruction and mayhem in his path. And yet, he presses on regardless. It's not clear whether, even given a Supreme Court decision that parliament was prorogued unlawfully, that he would pay heed to this verdict.

The Prime Minister's honesty was questioned again on Wednesday evening as documents were released confirming the chaos which awaits the UK given a No Deal Brexit. This was in response to a law rushed through parliament by opposition MPs on Monday evening, before it was shut down. Previously having played down the consequences of a No Deal scenario, government ministers will now be forced to admit that their previous statements regarding the leaked Operation Yellowhammer documents being out of date, were not true. The outlook for No Deal Britain is bleak, with the report indicating that there would be severe disruption to food and medical supplies, delays at ports and public disorder. To put it in context, any of these issues in normal circumstances would be considered a national emergency; therefore to downplay them in order to push through Brexit is being seen by many as wholly irresponsible.

The European Parliament for its part said on Thursday it is open to a Brexit extension if asked. It seems the lack of progress on this matter is wholly down to inertia on the UK side, and all the evidence suggests this is because Johnson knows a No Deal Brexit is the most likely scenario. It seems this government is simply not prepared to risk another deal being rejected by parliament, leading to further delays. But this hard-headed approach comes with its own risks. Johnson is playing with fire; having already been accused of misleading the Queen and illegally proroguing parliament. The accusations could not be more serious. The best option he has now, if he is to save what is left of his withering reputation, is to indeed get some kind of deal with the EU that can be presented to the British people. But whether the PM will have the sense to do that is another question...

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