

Equities Research

## Political Commentary

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# 72 Shopping Days to a No Deal Brexit: The Mexican stand-off continues

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The British Government's defeat in the Meaningful Vote by 230 votes (with 202 in favour and 432 against) is the biggest defeat suffered by a Government since records began and is at the very top end of where expectations were set ahead of the vote.

MPs will now debate a motion of no confidence in the Government which – with both the DUP and the European Research Group confirming that they will support the Government – will undoubtedly be defeated.

The next real staging post will, most probably, be next week when, thanks to Speaker John Bercow's ruling last week, the Government has to table a motion in the House by Monday. Note that it doesn't need to be a new plan, or a new negotiating strategy. Rather, the motion could simply seek the support of the House to continue the negotiations and – crucially – it will not necessarily be voted on.

The complicating factor in analysing 'where next from here?' is the impossibility in predicting what John Bercow will do. Some say he will continue to rewrite the Parliamentary rule book. Others suggest that the notion of a "Parliamentary coup" was exaggerated, and simply an attempt by No.10 to frighten Conservative MPs into supporting the Withdrawal Agreement.

It is worth remembering that motions tabled by the Opposition or back-benchers cannot overturn statute law. And even if the Speaker adjusted the rules to allow a Private Members' Bill to propose changes to the negotiating strategy or a second referendum, it would still require a Money resolution tabled by the Government for it to become law.

The only outcome that is currently on the statute book is for Britain to leave with No Deal on the 29<sup>th</sup> March, so this remains a real possibility, and possibly the most likely outcome.

Some commentators are suggesting that the Government's defeat was so large that the EU will conclude that there is no point in offering any further concessions because nothing will satisfy Parliament. I disagree with this, because I am picking up a greater desire from the governments of various Member States to avoid a No Deal Brexit.

What I expect to happen is for the EU to shift its position and offer to add a legally binding protocol to the Withdrawal Agreement setting a time limit on the backstop. The Danish protocol to the Maastricht Treaty, agreed in the wake of its initial referendum defeat, provides a precedent for this outcome.

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If a legally binding protocol is proposed, this might be enough to bring the DUP onside, which could well reduce the Conservative rebellion from the 118 it was last night, to something more like 20-25. At this level, the Meaningful vote could pass through the House. (Although

the legislation to put the Withdrawal Agreement on the statute books would still be a lengthy process and could well be scuppered by the sheer number of knife-edge votes.)

What are the other possibilities? I doubt there will be an early election. Theresa May was burned badly by the 2017 general election, so I can't see her making this mistake again. And very few Conservative MPs want to risk their seats in an early election. (The Conservative Party has a six-point lead in the latest YouGov poll, but voters traditionally don't back divided parties.)

As for a second referendum, I don't think there are the numbers in Parliament to pass the necessary legislation. Corbyn is lukewarm on the idea, and it would splinter the Conservative Party.

The ball is now very much in the court of the European Union. A No Deal Brexit would have significant implications for the Irish border, which has become the totemic issue of the Brexit negotiations. Last night's vote has therefore ratcheted up the pressure on Germany (heading towards a technical recession) and Ireland (which remains heavily reliant on the UK economy).

If the EU proposes a legally binding protocol to the Withdrawal Agreement on the backstop, I can see a new Meaningful Vote passing. If it doesn't, the stage is set for a No Deal Brexit. The Mexican stand-off continues.

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