

11.57 am - 05.09.19

Lord Howell of Guildford (Con)

My Lords, this Bill will of course go through, but any idea that it will solve all our problems can be dismissed here and now. We have already heard of some of the dilemmas ahead and they will be not only for my party and the Government but for the Labour Party, as the morning newspapers and broadcasts make clear. There are some difficult questions for Labour to resolve, which it has not yet done.

In the light of this difficulty for all the parties, there is, possibly, a way out that begins to have some light in it for remainers and remoaners, leavers and believers—in fact, for all of us. That could occur on or around 17 October, with the possibility, at present dismissed by almost everybody, of an amended withdrawal agreement with—using the words of Monsieur Macron, Angela Merkel and, although perhaps not the Taoiseach himself, many people in the Republic of Ireland—the “unnecessary” backstop modified or removed.

The noble Lord, Lord Newby, eloquently and again and again, says there is no hint of alternatives. There are massive alternatives that have been worked out with huge authority by a vast range of people—by consulting border operations throughout the world, by taking examples everywhere, by drawing back into the history of the Northern Ireland border in immense detail, by analysing precisely the kind of traffic going across every day and by taking into account that we remain, with the Republic, in the common travel area and outside Schengen. These details exist. It suits everybody involved at the moment to say that there are no details. It suits Monsieur Barnier to say that there is no hint of an alternative. He is quite wrong. He is bound to say it for the moment, but there are massive volumes containing immense detail, which could provide the alternative to the backstop. The date is 17 October.

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Lord Krebs (CB)

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One is very interested to hear about this massive detail. I may be mistaken but I read in the paper that, when the Prime Minister met Chancellor Merkel a few weeks ago, it was agreed that he would produce his alternative plan within 30 days. One wondered why he needed 30 days if the plan already existed. Perhaps the noble Lord could tell us—if he knows—whether Mr Johnson has revealed this cunning plan to Chancellor Merkel and whether she has accepted that it is an appropriate alternative to the backstop.

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Lord Howell of Guildford

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My Lords, the word “reveal” is a misnomer. The full reports of the alternative arrangements group exist. The summaries exist. All the background material is available for anyone to read. To what extent it has been pressed by government negotiators in Brussels—Mr Frost and others—I do not know. You do not need to reveal something that has already been published. These things have been worked out and are available. I am not saying that anyone will agree to them, and it pays people at the moment to pretend they do not exist or have not been revealed. They have and they are there.

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Lord Patten of Barnes (Con)

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Perhaps I can encourage my noble friend to help the House on one point. Can he name anywhere in the world where different customs unions share a border, without the sort of hard border which is of concern to everyone? Just name any one. The United States and Canada: no. Switzerland and France: no. Where are there two countries with different customs unions side by side that do not have a hard border?

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Lord Howell of Guildford

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I think Members of this House and others have visited the Norway-Sweden border.

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Noble Lords

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No.

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Lord Howell of Guildford

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My noble friend is enormously experienced in these matters, particularly in Northern Ireland. He, above all, knows that the Northern Ireland/Republic of Ireland situation is unique. There is nothing like it in the rest of the world. I was involved with Mr Whitelaw in trying to reinforce the military side of the border to stop the Provos coming up from Dundalk. We tried, but it did not work because there are a thousand other outlets. Even if people wanted to recreate a visible border, it would not work. My noble friend knows perfectly well that the Irish situation is unique and that there are, therefore, opportunities for unique solutions. I am not saying that it will be admitted. I do not expect even my noble friend to admit that anything I am saying at the moment is correct. The facts, the documents and the expertise on many other frontiers are there. I do not have all the details in front of me at this moment to quote in the debate. They are there for reading and I am sure he has read them.

That was my first point. There is a way out if we are careful and sensible and deal with the matter in a mature way. I am not that hopeful it will happen, given all the interruptions, but there we are.

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Lord Liddle (Lab)

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I am sorry to correct the noble Lord, for whom I have the greatest respect. When I was a member of your Lordships' EU Select Committee, we took evidence from the border people in Norway and Sweden. To the best of my recollection, the conclusion was that they were very proud of the smoothness of their arrangements, but that every lorry was delayed by at least 10 minutes at that border.

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Lord Howell of Guildford

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I do not want to continue with this, but if the noble Lord—for whom I have great respect as well—cares to read the alternative arrangements report, he will see that the detailed analyses of what goes on at various borders are examined by experts. The evidence is there. There are pages of it. He will see exactly which bits could apply to the border in Northern Ireland and which do not.

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Lord Adonis (Lab)

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I have read that report and none of the proposals is credible, which is the reason Her Majesty's Government have not published those proposals as their own.

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Lord Howell of Guildford

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I simply repeat: the alternative arrangements documents are there and go into considerable detail. They can be dismissed or agreed to, depending on your state of mind, but they are a way out. I now want to say something on a different area. Are there any other interruptions before we leave this? There is one more.

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Baroness Altmann (Con)

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I have enormous respect for my noble friend and what he has been trying to achieve in this House. If we are honest, the hard border and any mitigations are trying only to make a hard border slightly less hard. The only way, if we leave the customs union and single market, to solve the problem in Ireland is to have a border down the Irish Sea and cut off Northern Ireland. Is that what the Conservative and Unionist Party wishes to do?

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Lord Howell of Guildford

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That statement—“the only way”—again reveals the Manichean approach. There are already controls on livestock and weapons down the Irish Sea. They already exist. There are controls all around the invisible border to Northern Ireland, so this constant either/or is misleading us and guiding us away from sensible compromise solutions, which a calmer atmosphere would soon reveal and resolve.

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Lord Framlingham (Con)

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I am afraid the arguments today are already becoming as circular as ever. Is the truth not that remainers will not accept the position, just as leavers have their views too? What my noble friend is saying is absolutely true: those who really understand it know there are ways of doing this, but the baying leavers will not accept it. I urge my noble friend to save his breath and move on to something else.

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Lord Howell of Guildford

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I thank my noble friend for that encouragement. I turn now to a matter addressed to my own party, which will possibly produce more agreement opposite. The so-called Cummings purge is a major political blunder. These blunders happen at the end of a sequence of earlier blunders. You can watch how earlier mistakes and errors, blunder after blunder, lead to a point where, suddenly, there seems no choice and the new folly is committed. The new folly of my party is to reduce its membership by 21 and exclude two ex-Chancellors, an ex-Deputy Prime Minister and my dear friend Sir Nicholas Soames. I just hope it will pass. I hope Rory Stewart's view that this will pass is right, and that they are restored to the party. This is again part of the Manichean tone in which matters are presented, when everything is either right or wrong, in black and white.

Delay of the Bill will solve nothing, although it seems a way out. In another three months, we will be back to exactly where we were before. The referendum so beloved of the Lib Dems, even if we get it through, will not solve anything either. An election is bound to come sometime, but I say to my noble friends that, whether it comes or not, normal times will never return. We are living in a completely different digital age, in which populism is in power. Both parties—mine and the great Labour Party—will have to reunite and change on entirely different terms. Neither can build on the basis of the old dogmas. If that is the one lesson that emerges from this unhappy situation, let us at least take account of it.