

Brexit court action given permission to proceed at Court of Session

A legal petition to stop the Prime Minister forcing through a no-deal Brexit by suspending Parliament has been granted permission to proceed.

Given the urgency of the situation, an initial hearing to determine further procedure is due to be held at the Court of Session tomorrow, Tuesday 13 August 2019, at 9.00am before Lord Doherty.

The legal challenge is backed by a cross-party group of members of the House of Commons and the House of Lords, from Scotland, Wales and England, supported by the Good Law Project.

The group will be asking the Court to declare that the Prime Minister can't advise the Queen to suspend Parliament to stop it voting on No Deal. If the Court so declares then Boris Johnson will not be able to suspend Parliament for that purpose without Parliament's permission.

Petitioner Ian Murray, Labour MP for Edinburgh South, said: "When Boris Johnson unveiled his vacuous slogan 'taking back control', voters weren't told that this could mean shutting down Parliament.

"The Prime Minister's undemocratic proposal to hold Westminster in contempt simply can't go unchallenged.

"On behalf of voters across the UK, this cross-party legal challenge aims to prevent him riding roughshod over British democracy.

“A no-deal Brexit would be catastrophic for Scotland and the UK, and voters deserve a final say on whether they want to keep the best deal we have and remain in the EU.”

Jolyon Maugham QC, director of the Good Law Project, said: “A man with no mandate seeks to cancel Parliament for fear it will stop him inflicting on an unwilling public an outcome they did not vote for and do not want.

“That’s certainly not democracy and I expect our courts to say it’s not the law.”