

# Court of Session decision leads to calls for parliament to be recalled

The Court of Session decided unanimously today that the current suspension of parliament in Westminster is unlawful.



We spoke to both Joanna Cherry QC MP who is the lead petitioner in the case brought by 70 + politicians to have the prorogation declared unlawful which was first heard in Scotland the week before last. Although the court did not grant an interim interdict to delay prorogation they did move the hearing forward by two days to allow the decision to be made more expeditiously.

Meantime in London calls are being made for the Prime Minister

to recall MPs.

Liberal Democrats Scottish Affairs spokesperson Jamie Stone MP said: "A proper functioning democracy depends on the proper rule of law. I am not above it, no one is above it – least of all Boris Johnson. This is a truly shocking state of affairs.

"Today the court has agreed with us that proroguing Parliament to force through a no-deal Brexit is unacceptable.

"At this crucial time MPs should be sitting and holding the Conservative Government to account but Boris Johnson has decided to silence us until 14 October.

"Now that this has been deemed unlawful Parliament must be recalled immediately and MPs allowed to debate this judgement and decide what happens next."

The leader of the SNP at Westminster has written to the Prime Minister demanding he recall Parliament immediately. The text follows :

*Dear Prime Minister*

*Following today's judgement in Scotland's Court of Session that your advice to HM the Queen and the prorogation of Parliament is "unlawful" and that the prorogation is thus "null and of no effect" it is absolutely imperative that you now act to recall Parliament.*

*Every day that Parliament remains suspended, you and the UK Government are shutting down democracy. The UK Government and your office of Prime Minister are not above the law. We must all abide by the rule of law.*

*Parliament has urgent business to discuss this week including the yellowhammer documents you are due to provide to the House this evening and to fail to recall parliament would be, as the courts have stated, to "stymie parliamentary scrutiny of the executive".*

*If Parliament continues to be frustrated, the message from 10 Downing Street to people across the UK – is that the government is above the law and that the Prime Minister can unilaterally decide our futures. That is an extremely dangerous situation.*

*I note that the UK Government intends to appeal the case next week, but that does not provide any reason for you to obstruct the right of Parliament to sit from today until the outcome of that hearing and to make our own decisions on whether or not to observe the conference recess.*

*As Prime Minister you owe people across these countries a full response and explanation for your actions. The best way to deliver that explanation is to recall Parliament immediately.*

*I look forward to your response.*

*Yours sincerely*

*Ian Blackford MP*

*Cc: John Bercow, The Speaker*

*Jeremy Corbyn, Leader of the Labour Party*

*Jo Swinson, Leader of the Liberal Democrats*

*Liz Saville Roberts, Westminster Leader of Plaid Cymru*

*Caroline Lucas, Westminster Leader of the Green Party*

*Anna Soubry, Change UK*