

MRS MAY: MY PART IN HER DOWNFALL

The battle to secure a clean Brexit was won only after the European Research Group secretly obtained a copy of the 1922 Committee rules

By Christopher Howarth

THE VOTE TO REJECT THE CHEQUERS agreement for the third time on 29 March 2019 sealed the fate of Theresa May's government. Her subsequent resignation may seem inevitable, but it was not. No. 10 had a plan to deliver Chequers and, believing that Theresa May's premiership was secure until 12 December 2019, thought they had time to finally force through their deal. They were wrong, but only three people knew they were wrong. I was one of them.

The road from the referendum until we finally left the EU was long and bitter, and strewn with obstacles left behind by the retreating Remain army. One of the biggest was Theresa May. Surrounded by officials and ministers determined to ensure the UK left the EU in name only, her stubborn adherence to her "Chequers Deal" came close to destroying the Conservative Party and the UK's political system. That we have now left the EU, the NI protocol notwithstanding, makes it worth now revisiting how close this cause came to disaster.

This tale is inextricably bound up with the role of the European Research Group (ERG) and in particular its subset "the Spartans" for whom I worked throughout this period [see David Scullion, "The Spartans who Remade Britain," *The Critic*, February 2020].

This story is decades old, indeed as old as the ERG, which was founded during the Maastricht debates in 1993 by Michael Spicer. However, I wish to focus just on one tale of the ERG, because it's one I had a unique view on. That period from 12th December 2018 — when Theresa May won a vote of confidence among Conservative MPs by 200 votes to 117 — through to the series of parliamentary "Meaningful Votes" culminating in 'MV3' on 29 March 2019, up until May actually agreed to resign on 24 May 2019.

THROUGHOUT THIS PERIOD THERE WAS AN intense battle within the Conservative Party, and

among Brexiteers themselves, as to how to deliver Brexit — a battle which those who supported leaving the Single Market and Customs Union seemed destined to lose (and were cawingly told so, not least by many journalists). Meanwhile, from the promising start of the Lancaster House speech, the Brexit story descended into the trench warfare of Chequers.

The "Chequers proposal" first saw the light of day in July 2018, prompting the resignation of the then Foreign Secretary Boris Johnson in the wake of the Brexit Secretary David Davis. This was followed by a period of phoney war as May and supporters of her plan, notably David Lidington and Michael Gove, tried to sell it internally to the Tory Party and externally to the European Union. This culminated in a finalised deal on November 2018, a confidence vote and the first "Meaningful Vote" on the 15 January 2019 when it was defeated by 230 votes in the House of Commons.

Theresa May's defeat on MV1, the largest in British history, would have given most PMs pause, but whether through Remainer belief or simply a severe lack of imagination, she and her supporters ploughed on. It was clear the Tory Party was in paralysis, and outside it Jeremy Corbyn lurked. Within the ERG we viewed the situation with growing alarm. We were clear that the Chequers plan would lead us to become a "vassal state". The Finlandisation of the UK was a situation little better than actual EU membership and in many aspects far, far worse. It would also have been the ideal springboard for a Rejoin campaign in order to regain a seat at the table that was continuing to make our laws.



Theresa May thought her premiership was safe. I was one of three people who knew she was wrong

THE ALARM WAS GENUINE, as, despite the overwhelming rejection of the Chequers deal, No. 10 had reason to be optimistic that they could get their plan through. First, they knew many Conservative MPs would gradually fall into line if enough pressure was exerted. They also owned the negotiation with the EU. Only they could present options to the Commons and with the mandate of the referendum slipping into the past, they felt that presenting Chequers against "No Deal" could deliver their plan.

As a senior special adviser at the time told me, "it may not be possible to deliver a plan based on the support of the Conservative Party, but it may be possible to deliver a plan supported by a majority in the House of Commons." In other words, they'd do it with Labour MPs — the very thing Gavin Barwell, the PM's chief of staff, had said in



2017 Brexit must not be done on the back of. Theresa May and Michael Gove were even prepared to sit down with Jeremy Corbyn to get their deal through.

While this was going on, we had problems of our own in the ERG. Barwell was beginning to offer up the end of May's Premiership as a sweetener to deliver Chequers, and maybe save MPs their seats. Michael Gove's circle, including Dominic Cummings, were beguiling MPs with the idea that we could accept Chequers, leave and then change the deal later. The example of

the Irish Free State leaving the UK was trotted out: accept the Treaty, then gradually break it.

The problem with the logic of "accept the deal, deal with it later" was that it made no sense. It was not even clear Theresa May was signed up to it. Had Tory MPs voted through Chequers at MV3, we would have got Chequers. Chequers would have meant Chequers. Flush with victory May could have stayed on — to deliver Chequers, only standing down before the election in 2022, which was all she had promised in December 2018 to win the no confidence vote.

TO SAVE BREXIT FROM THIS PINCER MOVEMENT, we needed a plan. We had to ensure Chequers was defeated a third time. But only the removal of May, with Chequers unrattified, followed by a new Prime Minister prepared to take a new approach would give the ERG actual Brexit.

Outside Parliament things were not good: having been the vanguard for so long, the ERG was beginning to lose the support of pro-Brexit voices. If those who had previously worked with us were deserting, those who had never been with us were becoming more and more voluble. The "Tory press" was not enthused by our supposed work delivering PM Corbyn. By MV3, the ERG "Spartans" had lost the support of the entire conservative movement and press, save for some *Telegraph* hacks and the doughty Rebecca Ryan and Helen Mayer of #StandUp4Brexit. Our meetings began to be hijacked by people making incoherent pro-Chequers monologues at the direction of others.

I remember one in IDS's office degenerating into a heated argument on the merits of Chequers between Helen Mayer, and Oliver Lewis and Ed Oldfield of the — and forgive the parsing, it's necessary — continuity Gove-wing Vote Leave factionlet "Change Britain". It became difficult to know who to trust. WhatsApp groups leaked like a tapped Chinese wifi network.

My role at the ERG became complicated with motions, amendments and votes coming thick and fast and the MPs dispersing to rival camps. We continued to meet as a small inner group in Jacob Rees-Mogg's office to plan strategy, as well as meetings of a wider group of senior MPs and a yet larger "plenary" group of MPs and Peers prior to important votes.

It became clear during these meetings there were now two rival strategies. Because of this Mark Francois decided to form an inner core to muster the votes against Chequers. We put out feelers to the Labour Whips and backbenchers and heard something Tory Whips had not. Labour MPs tempted to rebel against Corbyn, and help get Chequers over the line, would not rescue May unless they knew their efforts would succeed. "Why risk Trot fury for nothing?" one asked.

NO. 10 WERE NOT IDLE WHILE ALL THIS WAS GOING ON. As well as seeking Labour votes, they sought to win over the ten-DUP MPs. One of their tactics was to tell Tories the DUP were about to agree to Chequers, while simultaneously telling the DUP the Spartans were about to fold. This was a clever tactic: if both sides were convinced their allies had capitulated, they

might withdraw from the battlefield. With this in mind, I invited Sammy Wilson, then the DUP's Brexit spokesman, to our large meetings of MPs so he could see for himself that there was still a strong redoubt of resistance. However, one of these meetings nearly ended in disaster.

As the MPs and Peers assembled in the large Commons Committee room we normally used, I kept — as was my habit — a tally on who was coming in. I noticed we had an unusual number of Government members. As the meeting went on it was clear there was an orchestrated campaign to drown out the Spartans.

One newcomer, the late Cheryl Gillan, introduced herself as a lifelong Eurosceptic and delivered a monologue on Party unity and the need to vote for Chequers, others followed. I looked around and noticed Sammy was looking more and more agitated. When he made his short remarks confirming the DUP remained opposed to Chequers the room was febrile. I realised we had a problem.

To me it was mildly amusing that No. 10 had sent along a claque to disrupt our meeting — nearly everyone who had attended before knew exactly what was going on. The problem was that to Sammy, who would not have known who was still intending to vote against, it looked like we had collapsed. I sent an urgent message to Mark Francois explaining the problem: "please talk to Sammy". As the meeting came to a close I kept Sammy in conversation and thankfully Mark came over. "Don't worry about them," Mark said, "we have the numbers."

UNLIKE MOST PUNDITS (AND, BIZARRELY, NO. 10) we knew we could win MV3. But to break the cycle we needed to convert that into a new No. 10. What stood in the way were the leadership rules. Mrs May's victory in the leadership contest of December 2018 gave her a year's grace. I disagreed. Starting to research the rules, a striking fact became obvious quite early on. There were no publicly available rules of the 1922 Committee! They

were discussed, reported on, people believed they knew what they meant but there was no actual copy.

I asked some ERG MPs on the 1922 executive to request a copy from Sir Graham Brady, but they were rebuffed. The publicly available Conservative Party Constitution provided for a National Convention, called by local Chairmen, that

could decide on a leader. Chairmen of local Associations were approached and the team at StandUp4Brexit and Dinah Glover did an amazing job. But it was clear that time was not on our side.

At this point, a rather obvious fact occurred to me. The leadership rules were written under the auspices of the '22 Committee and the last two Chairmen were regular attendees of our meetings — Lords Spicer (Michael Spicer) and Hamilton of Epsom (Archie Hamilton).

I had known Lord Spicer for many years from my first main job in politics attempting to form a new group in the European Parliament — what became the ECR. He had maintained a paternal interest in helping the ERG. But unfortunately, he was very ill, quite how ill I did not realise.

I spoke to him and we managed to find a copy of the rules, the only copy in existence outside Sir Graham Brady's desk. I guarded it closely. It was dynamite. It was clear from the top of the first page that the famous "12 month period/no 2nd election" guarantee was moonshine. The '22 executive could change the rules in an afternoon to give us another leadership election. I now knew what I assume only No. 10 and Sir Graham did: if we defeated May in any MV3, we could get rid of her as leader.

It was obvious that this could not be an ERG campaign. Nor could the rules emerge from nowhere. After discussing it with Lord Spicer, we decided on an article in the *Telegraph* calling on the '22 executive to act. I duly drafted an article and went to speak to Lord Spicer, who was now confined to a room in the Cromwell Road Hospital. He was delighted to be a part of it and told his nurse, to my embarrassment and the nurse's confusion, that I was "here to save the country!" We had a plan. Two former '22 Chairmen would write in the *Telegraph* that the Executive had the power and the imperative to act.

THIS WAS PUBLISHED ON 13 APRIL 2019 and history was set. The '22 Executive went from being split on the desire to act, but not knowing they could act, to having clear authority from the last two Chairmen — who had written the rules — that they both could and, indeed, should call a new confidence vote.

News of this development was greeted with shock in Downing Street. Legal threats were made, but went nowhere. Sir Graham had to deliver the bad news. Theresa May had to resign. The rest is history. Sadly, Lord Spicer died during the 2019 election campaign, but he lived to see the effects of his last act in politics. Helping to remove a sitting PM is not something you do lightly and not something a Party is likely to thank you for, but I have no regrets. ©

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The rules were dynamite: the famous "no contest within a year" guarantee was moonshine



"Do I have your consent to wake you from death with a kiss?"

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