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States of denial: what the search for a UK Bill of Rights tells us about human rights protection today

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STATES OF DENIAL.

WHAT THE SEARCH FOR A UK BILL OF RIGHTS TELLS US ABOUT HUMAN RIGHTS PROTECTION TODAY

Conor Gearty*

[SUMMARY] The drive by the Conservative Party to dismantle human rights protection in the United Kingdom has found a new focus recently in the country's planned withdrawal from the European Union, and (it is said therefore to follow) the removal of the Union's Charter of Fundamental Rights from domestic law. This is not to say that the Party's old enemy the Human Rights Act has been embraced. This Opinion piece assesses the continuing push for a UK bill of rights, a project that is likely, after Brexit, to return to centre stage. The author sees in the plan an indirect move towards the restriction of rights within Britain and in particular the withdrawal of rights protection from unpopular groups. For this reason he argues that the initiative should be resisted, however attractive the notion of a British bill of rights might seem to some to be.

I

My late colleague at LSE Stan Cohen spent much of the last two decades of his life reflecting on how societies can successfully mask from themselves the harm they are doing, 'knowing about atrocities and suffering' while at the same time achieving 'states of denial' about the impact they have – this being the riveting title of his most important work on the topic.[1] With Christine Chinkin and Fred Halliday, Stan founded the centre for the study of human rights at LSE, of which for seven years I had

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[1] *States of Denial. Knowing About Atrocities and Denial* (Cambridge: Polity, 2001).

the honour to be director. Preparing for my interview for the post by swotting up in the usual way on those whom I had to impress, I was struck by how Stan's idea of denial fitted well with the thought I had had then of human rights as 'a visibility project', as a means through which the unseen can make themselves seen, the ignored impose themselves on unwilling eyes with the assertion that they too are just as human as their reluctant watchers. (The agency is important here, making clear the holders of human rights are not mere vehicles for another's display of compassion and/or charity.)

Of course Stan Cohen saw law as a potentially important mechanism of denial:

> "Powerful forms of interpretive denial come from the language of legality itself. Countries with democratic credentials sensitive to their international image now offer legalistic defences, drawn from the accredited human rights discourses. This results in the intricate textual commentaries that circulate between governments and their critics or within legal-diplomatic loops and UN committees. Does the second clause of article 16(b), para 6 apply to all the state parties? Do the minimum standards of prison conditions apply to detention during interrogation? Interesting questions indeed."[2]

We are familiar with such techniques of evasion within domestic legal discourses as well as in the international sphere that Cohen identifies in this extract: "We care deeply about human rights; it's just that there was no breach here – and we have looked at it so very carefully with all our lawyers helping." As Cohen put it "Many such legalistic moves are wonderfully plausible as long as common sense is suspended".[3] Then a key paragraph for this short essay:

[2] Ibid, p. 107.

[3] Ibid, p. 108.

> "The type of legalism that appears to recognise the legitimacy of human rights concerns is more difficult to counter than crude literal denials. The organisation [Amnesty; Liberty; the NGO involved] has to show that behind the intricate legal façade lies another reality … Interpretive denials are not fully-fledged lies; they create an opaque moat between rhetoric and reality."[4]

I believe that the push for a bill of rights for Britain is a move in the direction of this opaque moat, part of the construction of a new rhetoric of rights to mask our increased - and increasingly accepted - rights-abusing inclinations. With law comes legitimacy. Echoing Cohen, to be outwith the protection afforded by any such bill is to be *plausibly* without rights whatever *common sense* might suggest.

As presently envisaged and in today's political climate, a British bill of rights is certain to diminish rights protection in significant ways. The effect of making changes through enactment of substantial legislation of this sort will be both to reflect and deepen further a disturbing shift that is already underway in what we conceive of as human rights, or (now to put all the cards on the table) more accurately who we think should be entitled to them – away from rights rooted in humanity and towards entitlement dependant on national belonging. The hint is in the title, a *British* bill of rights to replace a *Human* Rights Act. Our "real" or as Cohen might put it "common sense" idea of the inevitable universality of human rights entails is already under threat. With a British bill of rights of the sort that is presently being discussed it risks becoming a minority view, first eccentric and marginal , then eventually old-fashioned and quaint, and eventually forgotten. Common sense will have changed.

[4] Ibid.

Law can do this: progressives are used to applauding its power as a force for social improvement. These days we must beware of its potential in the other direction, its capacity in reflecting a political move towards reaction and regression to drive that process faster and deeper, to pull intolerance and racism further in from the side-lines and place them centre stage.

II

These are large and aggressive claims about the direction in which a British bill of rights will take us, and they need now to be justified. No bill of rights carries automatically these implications, casts these dark shadows around itself. In fact no bill of rights necessarily does anything in itself at all, speaks in any specific way about this or that. There is no essentialist core to what a "bill of rights" is, one that is separable from the circumstances of its enactment and its enforcement. As Lord Steyn once famously reminded us, "In law, context is everything"[5]. That context has changed around what a bill of rights in the UK is imagined to be, gone through various iterations in the past, and it is in relation to where we are now that the critical remarks here need and can be defended.

So how did we get to the point that it is claimed we have reached today? We already, of course, have a bill of rights, part of the settlement of 1688-89 and celebrated even by Mrs Thatcher who in the Summer of 1988 led Parliament in a motion to "beg leave to express to Your Majesty our great pleasure in celebrating the tercentenary of these historic events of 1688 and 1689 that established those constitutional freedoms under the law which Your Majesty's Parliament and people have continued to enjoy for three hundred years."[6] This was the time when a bill of rights connoted an

[5] *R (Daly) v Secretary of State for the Home* Department [2001] U.K.H.L. 26, [2001] 1 A.C. 532 at [28] *per* Lord Steyn.

[6] House of Commons Debates, 7 July 1988 col 1233: https://www.margaretthatcher.org/document/107286 [Accessed 25 July, 2018].

intervention to secure legislative sovereignty against over-weening executive power. (Perhaps we need something similar today, as the courts battle on behalf of the legislature to resist executive demands on Brexit?[7]) Nine years before Mrs Thatcher made these remarks, "[h]idden within Margaret Thatcher's 1979 election manifesto" had been a promise of all-party discussions on a bill of rights but once in power "this commitment [had been] air brushed away."[8] In those late 1970s, the idea had been a reaction to the collectivism of the Labour administrations of Harold Wilson and James Callaghan, when the idea of a bill of rights was conceived by Tory strategists as a way of impeding the socialist progress made possible by the "elective dictatorship"[9] facilitated by the UK's constitution which so infuriated Tories at the time- until they got to exercise it themselves.

It was probably for the same reason that Labour's National Executive Committee refused to allow Labour's first proposal to incorporate the European Convention on Human Rights, in 1976, to be adopted as Party policy.[10] Things changed for Labour during the long period of Tory rule under first Mrs Thatcher herself and then John Major, such that by the mid-1990s the Labour leadership (first

[7] *R (Millar) v Secretary of State for Exiting the European Union* [2017] U.K.S.C. 5.

[8] F. Klug, "A Bill of Rights: What For?" in C. Bryant MP (ed.), *Towards a New Constitutional Settlement* (London: The Smith Institute, 2007), ch. 15. The text is accessible at http://www.lse.ac.uk/humanRights/aboutUs/articlesAndTranscripts/FK_SmithInstitute_07.pdf with the quote in the text at p 2 [Accessed 25 July, 2018]. The same author's *A Magna Carta for Humanity: Homing in on Human Rights* (London: Routledge, 2015) contains an excellent account of the whole debate on a bill of rights.

[9] The phrase was that of Lord Hailsham, used as the title of his Dimbleby lecture broadcast on BBC television on 14 October 1976: https://www.bbc.co.uk/programmes/p00fr9gh/broadcasts [Accessed 25 July 2018].

[10] A Charter of Human Rights, 1976: Klug fn 8 above para. 11. See the debate on Lord Wade's bill in the House of Lords: House of Lords Debates, 25 March 1976 vol 369 columns 775-817: https://api.parliament.uk/historic-hansard/lords/1976/mar/25/bill-of-rights-bill-hl [Accessed 25 July, 2018]. The fear of liberal interference with socialist policy took shape as a critique of the potential but inevitable involvement of the judiciary in the interpretation of such a bill.

John Smith and then of course Tony Blair) felt not only compelled but were also content to embrace the proposal for a new bill of rights as an early item on any new Labour administration's agenda.[11] This new bill of rights was in practice always going to take the shape of the European Convention on Human Rights because, firstly, this obviated the need for any drafting quarrels (exposing no doubt residual Labour concerns about impeding the socialist dream) and, secondly, it was what leading judges were in favour of, thus draining the proposal of any (electorally dangerous) potential radicalism.[12] Just as when Labour had agreed the right of individual petition to the Strasbourg court in 1966, here was a Party of the Left using rights law to declare itself less scary to power than its public commitments might otherwise have suggested and than its opponents might have asserted.

Why did the Human Rights Act not close down the debate about a bill of rights for Britain? Of course there were and are those for whom it is and always will be a limited document, covering not very much at all, a half loaf in need of urgent expansion. But it is not these radical human rights aggrandisers who have been making the critical running: the Human Rights Act has hardly been thrown out of kilter by dissatisfied human rights absolutists. As with so much else in our politics the running has been made by the Right. So what have these more conservative opponents of human rights been exercised about? Of course some have been concerned about the record of the Strasbourg court, the problem of "rights inflation", the tendentious application of the principle of consensus, and much else of a similarly technical nature: Sir Noel Malcolm's excellent critical short monograph, *Human rights and political wrongs*, published by Policy Exchange in 2017, falls into this category.[13] Malcolm's new bill of rights would deal only with "real, essential rights"[14] and there are

[11] *Bringing Rights Home* (Labour Party, 1996).

[12] For example T. Bingham, "The ECHR: Time to Incorporate" (1993) 109 *Law Quarterly Review* 390.

[13] N. Malcolm, *Human Rights and Political Wrongs. A New Approach to Human Rights Law* (London: Policy Exchange, 2017): available at https://policyexchange.org.uk/wp-content/uploads/2017/12/Human-Rights-and-Political-Wrongs.pdf [Accessed 27 July, 2018].

proposals in the political arena that, it is true, take a similarly academic approach to the subject. But it is not what fires the public debate, this sort of scholastic engagement with a recherché legal specialism. Nor is it any move that is proposed in the exactly opposite direction, towards a dramatically embellished document. Efforts to come up with a set of new and better rights are fairly derisory from those driving this process: after all none of them is remotely interested in the commitment to social justice that lies behind the Left's flirtation with a bill of rights. Bits and pieces of the old common law are added here and there in their occasional drafts but in the main it is more of the same sort of thing, civil liberties, due process and so on. No, what makes this subject political box office is not what the rights cover nor any supposed defects in their drafting or interpretation but – as earlier intimated – whom these rights reach.

III

The shape of today's bill of rights initiative has as its main design the limiting of the rights in any such document to only a portion of those within the country to whom at present, under the Human Rights Act, these rights are available. The issue is with reach not content, the universality of the rights contained in the Act rather than with their substance. Now the portion of those in the UK who will be able still to avail of these rights under any such new regime may well be large but it will remain a portion nonetheless. Basic rights will be for some – but not others. That is the point of this bill of rights debate, at least so far as those with the power to deliver it are concerned. Other, more innocent proponents of a wider, better bill may have right on their side but they have no power to deliver what they want and so all that their destructive critique of the status quo does is play into the hands of those who do.

[14] Ibid, p. 140.

To understand how we can possibly commit to a bill of rights which is partial in its application while still believing that we remain committed to human rights, as protagonists all still largely say and think they do (at least for now), another of Stan Cohen's mechanisms of denial floats to the surface, the timeless one between the "deserving" and "undeserving" or as Cohen put it "some victims [of rights violations] are seen as more deserving than others" so "[c]ombining equity with social justice means that deserving victims should be helped more than underserving victims".[15] Cohen has in mind individual situations but the point applies just as well to the larger, legislative canvass. Once protagonists of our new bill of rights has persuaded us of this distinction, turning the partisan arguments of the highly political into legislative truth will not be that difficult: some of us "deserve" our human rights while others of us do not.

So who is it that the Human Rights Act protects that the proponents of a brand new UK bill of rights would seek, *sub silentio* on the whole, to exclude? Naturally of course it is foreigners, or to give them the names by which they were initially camouflaged, suspected terrorists and asylum seekers. But it is also bad people, in particular prisoners. The early running was made by the prime minister responsible for the Human Rights Act itself, Tony Blair, inveighing about "barmy" court rulings such as the at-that-time recent one which had protected from deportation Afghanis who had secured entry to the UK via a plane hijack. Reacting to this and other decisions, Blair called on his Home Secretary John Reid to seek to achieve a better balance between liberty and security so far as human rights law was concerned and also to develop proposals to tighten the law on probation after one notorious case where a released prisoner had murdered a forty-year-old woman, with probation staff having "been so 'distracted' by the prisoner's human-rights claims that they lost sight of their duty to protect the public."[16]

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[15] Fn 1 above, p. 71.

[16] "Revealed: Blair Attack on Human Rights Law" *Observer* (14 May, 2006): https://www.theguardian.com/politics/2006/may/14/humanrights.ukcrime [Accessed 25 July, 2018]

Indeed around this time, combining two categories of the undeserving in one, a Home Secretary had lost his job over a supposed failure adequately to manage the deportation of foreign prisoners.[17] With hindsight we can see here the beginnings of the populist turn that has so transformed our political culture in recent years. But in the mid-2000s it was largely seen off at least so far as successive Labour governments were concerned. The plan to rewrite human rights law was dropped and the House of Lords decision declaring the overt discrimination against foreigners in the post-11 September terrorism laws to be a breach of human rights was dutifully implemented.[18] When in 2006 the new Conservative leader of the opposition renewed his Party's opposition to the Human Rights Act, naturally under cover of the proposal for a new and better bill of rights,[19] Labour attempted a vague emulation of the policy but the Party's heart was not in it.[20]

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[17] "Clarke is fired in Cabinet Purge" *BBC News* (5 May, 2006): http://news.bbc.co.uk/1/hi/uk_politics/4975938.stm [Accessed 25 July, 2018]

[18] "Reid humbled by U-Turn on Human Rights" *Telegraph* (21 July, 2006): https://www.telegraph.co.uk/news/1524451/Reid-humbled-by-U-turn-on-human-rights.html [Accessed 25 July, 2018]

[19] Mr Cameron's Conference speech included the following on human rights: "I believe that yes, the British people need a clear definition of their rights in this complex world. But I also believe we need a legal framework for those rights that does not hamper the fight against terrorism. That is why we will abolish the Human Rights Act and put a new British bill of rights in its place." The full text of the speech is at https://www.theguardian.com/politics/2006/oct/04/conservatives2006.conservatives [Accessed 25 July, 2018].

[20] "Brown: We Need a Bill of Rights as well as Human Rights Act" *Guardian* (25 October, 2007): https://www.theguardian.com/politics/2007/oct/25/humanrights.constitution [Accessed 25 July, 2018]. See generally L. Maer, "Background to Proposals for a British Bill of Rights and Duties Standard Note: SN/PC/04559" Parliament and Constitution Centre Alexander Horne, Home Affairs Section: www.researchbriefings.files.parliament.uk/documents/SN04559/SN04559.pdf [Accessed 25 July, 2018].

That Tory initiative of 2006 was an early indication of what was to come.[21] Today's story begins in 2010. The then Conservative leader David Cameron had a visceral dislike of the European Convention on Human Rights in general and the European Court of Human Rights in particular, derived we can only assume from his time as a special adviser to Michael Howard in the Home Office, during which period cases like *Chahal* [22]and *McCann*[23] had created fury on the newly emerging populist Right. Time and time again during this period speeches and Party documents moved from technical critique of the Human Rights Act to boasts about how their proposals would deprive bad people – mainly foreigners – of rights protection.[24] Conservative intentions with regard to human rights were of course initially hampered when they entered government by their ongoing dependence for power on their coalition partners, the Liberal Democrats. They finally shook of the Liberal Democrats in 2015 and so were able if they so wished to forge ahead with the realisation of their plans for a new bill of rights.

[21] For a wide-ranging review focusing on Tory attitudes to the Strasbourg court see H. Fenwick and R. Masterman, "The Conservative Project to 'Break the Link Between British Courts and Strasbourg': Rhetoric or Reality?" (2018) 80 (6) M.L.R. 1111. See also the earlier S. Greer and R. Slowe, "The Conservatives' Proposals for a British Bill of Rights: Mired in Muddle, Misconception and Misrepresentation?" [2015] (4) E.H.R.L.R. 272. Not all Conservatives share the Party's mainstream hostility: D. Grieve, "Is the European Convention Working?" [2015] (6) E.H.R.L.R. 584; and more generally, D Grieve, "Can a Bill of Rights Do Better than the Human Rights Act?" [2016] (2) P.L. 223 [The Harry Street Lecture, 2015].

[22] *Chahal v United Kingdom* (1996) 23 E.H.R.R. 413.

[23] *McCann v United Kingdom* (1996) 21 E.H.R.R. 97.

[24] C. A. Gearty, *On Fantasy Island. Britain, Europe, and Human Rights* (Oxford: Oxford University Press, 2016), ch. 1.

To make it even easier they had to hand by then a draft drawn up by one of their own strong supporters Martin Howe QC, one of the many voices to contribute to the report of the commission on a bill of rights that had been set up during the Conservative/Liberal coalition.[25] That Commission agreed on very little with the majority subscribing to the most bland and vague sets of assurances about the need to have the Convention rights at the "core" of any new bill of rights[26] and for such a document to be "written in language which reflected the distinctive history and heritage of the countries within the United Kingdom."[27] Martin Howe's contribution was altogether more incisive.

Article 26 of his draft Bill, headed "Application of the Bill of Rights as regards persons" was as follows:

> "1. The rights and freedoms in this Bill of Rights shall be enjoyed by individuals who are citizens of the United Kingdom.
>
> 2. Citizens of other Member States of the European Union shall be entitled to those rights to the extent provided for by or under the Treaty on European Union or the Treaty on the Functioning of the European Union.
>
> 3. Non-citizens shall be entitled to the rights and freedoms in the Bill of Rights save for those set out in Articles [....]; and nothing in this Bill of Rights shall prevent restrictions being placed on the political activities of non-citizens."

Howe's view was that that while "the core and central rights in the Bill should be enjoyed by citizens and non-citizens alike … it may be desirable carefully to consider whether some of the rights which

[25] See Commission on a Bill of Rights. The Choice Before Us (December, 2012): http://webarchive.nationalarchives.gov.uk/20130206065653/https://www.justice.gov.uk/downloads/about/cbr/uk-bill-rights-vol-1.pdf [Accessed 25 July, 2018]

[26] Ibid, para. 12.11.

[27] Ibid, Overview para. 86.

are more civic in nature ought to extend to non-citizens."[28] The Commission dissentients Helena Kennedy and Phillipe Sands regarded his approach as "deeply retrograde and inconsistent with a fundamental principle, namely that rights should be secured for all persons within the United Kingdom without discrimination."[29] But if the plan for a bill of rights gets properly off the ground, it will be bound to develop ideas such as these since that will (in the absence of trail-blazing additions to rights) be the whole point of the exercise. Howe is not to be faulted for his honesty or the clarity of his vision of the future extent of rights-protection.

IV

If this view of what will happen is thought alarmist, let us consider the political context in which any such proposal for a UK bill of rights would be likely to gain traction. The initial hostility to the Human Rights Act may have been rooted in dislike of certain kinds of foreigners and bad people – asylum seekers and terrorists, prisoners as well – but it quickly got dragged into the Conservative Party's civil war on Europe. The notorious *Hirst* decision in 2005[30] was the route in for fresh critique of the European Court of Human Rights at a time when Eurosceptics like David Davis – a key player in making *Hirst* centre stage - could not have imagined themselves taking on their true enemy – Brussels – and so were content to settle for smaller Strasbourg fry. How times change. That war in the Tory party has of course now been conclusively won by the UKIP faction and as they ham-fistedly and chaotically "take back control" they find themselves for now with no energy to continue

[28] Ibid, p. 214.

[29] Ibid, p. 228.

[30] *Hirst v United Kingdom (No. 2)* (2005) 42 E.H.R.R. 849.

hostilities with what was after all always for them only a proxy enemy. The *Hirst* line of cases is being implemented, and ministers have put the bill of rights on the back-burner. [31]

But when the dust settles on Brexit what then? The decline in Britain's status and prosperity will already have become evident even to the most fervent little Englanders. The UKIP faction will remain in control of the Conservative Party. An election will have to be fought and won, the carcass of British sovereignty still judged worth fighting for by those who have done so much to destroy its living essence. The search will be on for the scapegoats necessary to blind the electorate to the reality of the country's impotence. The EU will remain the default enemy even after Brexit. So too might well the millions of Irish who remain in Brexit Britain, blamed for Irish intransigence in not obeying its former colonial master on the European question, and the foreigners – as essential as ever to keeping England's show on the road – will have resolutely refused to leave. The bill of rights proposal will return, its protagonists now more open than ever about their desire to limit it to citizens. The Council of Europe will be the new European institution that it will be essential to leave, so as to enable a "taking back control" of our liberties and rights. And while the European Court of Human Rights could live with a lot of changes in the name of subsidiarity it will not be able to tolerate the explicit removal of rights from non-citizens. We have seen exactly this play out in the Summer furore over the Home Secretary Sajid Javid's enthusiasm for facilitating the trial and possible execution of two men who have recently been deprived of their UK citizenship.[32] The usual

[31] The details are at Ministry of Justice, *Responding to Human Rights Judgments. Report to the Joint Committee on Human Rights on the Government's Response to Human Rights Judgments 2016-17* (Cm 9535, December 2017), pp. 27-28.

[32] "Sajid Javid tells US: We Won't Block Death Penalty for ISIS 'Beatles'" *Telegraph* (23 July, 2018): https://www.telegraph.co.uk/news/2018/07/22/uk-drops-death-penalty-guantanamo-opposition-opens-door-execution/ [pay wall] [Accessed 26 July, 2018] At the time of writing the Government appears to be backtracking on its promise of cooperation with the US authorities in the cases under consideration:

Brexiteer activists led the charge via the usual papers with Strasbourg and the Human Rights Act being their main targets. And, reflecting the theme of this paper, the complaint was not about human rights protection *per se* but about its unwarranted extension to these nasty (truly non-British) people.[33] It may be that an EU withdrawal agreement will insist on the continued oversight of UK law by the Strasbourg court but this will not save the Human Rights Act of course and will also certainly not stop obsessive Brexiteers arguing that such commitments should, post Brexit, be ignored.

The proponents of a new bill of rights for Britain do not necessarily know what they are advocating: as we have seen with Brexit, ambition combined with stupidity leads to an intentional neglect of detail, which can then be devastating when camouflaged by a mode of expression and confidence of demeanour that misleads gullible listeners with its appearance of intelligence. The UK Labour Party provides little cause for hope: Labour's chances of winning any post-Brexit election under an aging and pro-Brexit leader trying only to repeat his great success of 2017 in not losing too badly are surely not as high as they ought to be. There is scope for optimism, however, in the vigour of Scotland's engagement with human rights, in what is likely to be a rebellion against the DUP in Northern Ireland when the nature of the Brexit settlement comes more clearly into view, and even (though

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https://www.independent.co.uk/news/uk/politics/isis-jihadis-beatles-death-penalty-home-office-suspend-sajid-javid-a8465641.html [Accessed 27 July, 2018]

[33] N. Timothy, "Britain Cannot Serve Justice to Returning Jihadists Until We Tear Up Our Human Rights Laws" *Telegraph* (July 26, 2018): https://www.telegraph.co.uk/news/2018/07/26/britain-cannot-serve-justice-returning-jihadists-tear-human/ [pay wall] [Accessed 27 July, 2018]

this would run against the grain of generations of judicial conservatism) in the willingness of the courts to engage in the fabrication of some kind of tradition of common law rights.[34]

The direction of travel towards a meaner and nastier Britain with its chauvinist Bill of Right has to be resisted – the Human Rights Act with its respect for parliamentary sovereignty and equality of esteem must be our last stand, against (to borrow a term from the government's description of post-Brexit Britain) an Armageddon[35] in which a new kind of apartheid is created, with a rights-abiding society on one side of the line and the chaos of state-supported oppression (of the supposedly "undeserving") on the other. If Stan Cohen were somehow sentient in some sort of afterlife he would be turning around with fascinated horror at the extent to which his sociological insights are being vindicated.

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30 July 2018

[34] *Jackson v Attorney General* [2005] U.K.H.L. 56, [2006] 1 A.C. 262. See J. E. K. Murkens, "Judicious Review: The Constitutional Practice of the UK Supreme Court" (2018) 77 (2) C.L.J. 349; M. Elliott, "Beyond the European Convention: Human Rights and the Common Law" (2015) 68 C.L.P. 85.

[35] "Revealed: Plans for Doomsday Brexit" *Sunday Times* 3 June 2018: https://www.thetimes.co.uk/article/revealed-plans-for-doomsday-no-deal-brexit-02mld2jg2 [pay wall]. [Accessed 27 July 2018.]