

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT

BETWEEN:

THE QUEEN
on the application of
GINA MILLER

Claimant

- and -

THE PRIME MINISTER

Defendant

-and-

(1) BARONESS CHAKRABARTI, CBE, PC
(2) THE COUNSEL GENERAL FOR WALES

Interveners

SECOND EXHIBIT TO THE WITNESS STATEMENT OF JONATHAN GUY JONES
DATED 2 SEPTEMBER 2019

This is the exhibit marked "Exhibit JGJ/2" exhibited to the witness statement of Jonathan Guy Jones dated 2 September 2019.

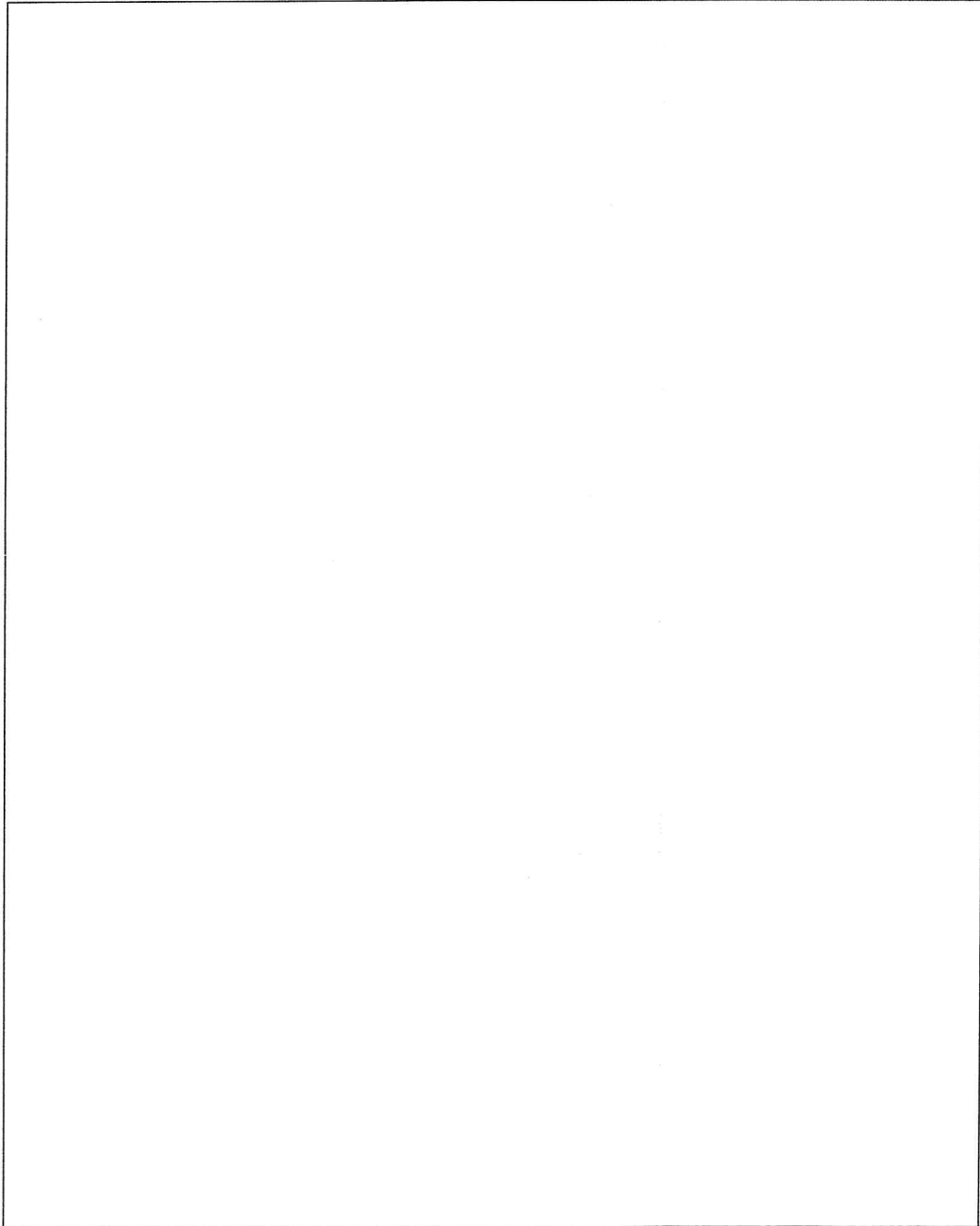
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INFORMATION
ANNOUNCING THE QUEEN'S SPEECH

Timing: TUESDAY 27 AUGUST

Date: 23 August 2019

PRIME MINISTER'S COMMENTS:



From: Nikki Da Costa
Date: 23 August 2019

PRIME MINISTER

cc: Mark Sedwill Ed Lister
Peter Hill Dominic
Stuart Glassborow Cummings

ANNOUNCING THE QUEEN'S SPEECH

SUMMARY

1. You agreed that your PPS should approach the Palace with a request for prorogation to begin within the period Monday 9th September to Thursday 12th September, and for a Queen's Speech on Monday 14th October. [REDACTED] on Tuesday 27 August you have a call with HM The Queen at 6pm. On Wednesday 28 August an Order in Council will be signed to this effect. This briefing sights you on the proposed handling plan.

TIMING

2. Tuesday 27 August

BACKGROUND

3. You have a call with HM The Queen at 6pm on Tuesday 27 August to formally request the prorogation of Parliament and a State Opening on 14 October. A suggested speaking note will be provided Tuesday morning.
4. The next day, the Commons Chief Whip, and the Leaders of the Commons and Lords, will go to Balmoral for a meeting of the Privy Council. There an Order in Council will be signed specifying the dates for prorogation and the State Opening. Shortly after that, a call will be arranged with the Cabinet so that you can inform them of your decision, with the press and Parliamentary Party briefed immediately afterwards. The aim is to ensure that your messages land before MPs start to comment.
8. Annex A outlines the proposed running order for Tuesday 27 August and Wednesday 28 August. Annex B is a draft script for the Cabinet Call. Annex C is a draft Dear Colleague which the Chief Whip has seen and approved and upon which the Cabinet C. [REDACTED] In addition various products, such as a factsheet, are being produced for the press and public dissemination.

NIKKI DA COSTA

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ANNEX A: TIMETABLE

Date	Time	What
Tuesday 27 August	18:00	PM-HMQ call <i>No.10 - Balmoral</i>
Wednesday 28 August	08:45	Business Managers travel to Balmoral for Privy Council
	12:15 – 12:45	Privy Council meet - Order in Council <i>Balmoral</i>
	14:45	PM-Cabinet Call → At the same time Eddie Lister will call the DUP and Ruth Davidson
	15:15	PM embargoed clip for broadcast and digital channels <i>Cabinet Room</i>
	15:30	PN issued, clip embargo lifts , DC letter sent and made public; fact sheet on gov.uk
	15:30	Dear Colleague sent to MPs and Peers
	16:00	Digi/social products
Thursday 29 August	Morning round	LHOC on broadcast <i>↳</i>
		No.10 / Whips Office parliamentary handling operation

ANNEX B: DRAFT CABINET CALL NOTE

ITEM 1 – ANNOUNCING A NEW SESSION

30 Mins

Aim: to inform Cabinet that you have spoken with HM The Queen and will bring forward a refreshed and ambitious legislative programme, with a Queen's Speech on Monday 14 October.

Summary

You should say a few words to outline the decision you have taken, and the importance of having a Queen's Speech and a new parliamentary session. A speaking note is below. You should invite comments from the Business Managers, and then invite (limited) questions.

Introductory Points

- | • I said on my first day on the job that the time has come to act, to take decisions, to give strong leadership and to change this country for the better.

- | • In Parliament, there's been too much drift for too long, and a decision on when to end the session postponed numerous times. Bills have been introduced to keep parliament ticking over but all too often MPs and Peers are left with little to do. We've been going for more than 340 sitting days – that hasn't happened since the Civil War.

- | • This cannot continue. I therefore intend to bring forward a new legislative agenda that will take us through our exit from the EU and the months that follow.

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- Yesterday, I spoke with Her Majesty The Queen to inform her of my desire to end the current parliamentary session, following a short period of wash up in the second sitting week in September, before commencing the second session of this Parliament with a Queen's speech on Monday 14 October.
- At the heart of the legislative programme will be the Government's number one legislative priority, if a new deal is forthcoming at EU Council on 17/18 October, to introduce a Withdrawal Agreement Bill and move at pace to secure its passage before 31 October.
- We will put before MPs a proper domestic legislative programme – and between now and early October, I want every member of my Cabinet to be thinking about the measures that will make a difference. Yes, we have a big Brexit legislative programme to get through but that should be no excuse for a lack of ambition on the domestic front.
- This will be a Queen's Speech focused on: strengthening our public services, and especially securing the NHS long term plan; tackling crime and enhancing the integrity of the criminal justice system; protecting our natural environment and animal welfare for the long-term; increasing protections for various groups including tenants, employees, patients, service men and women; improving infrastructure and connectivity across the country; addressing harmful business practices; and finally, driving forward a programme of devolution to empower regional and local authorities.
- I fully recognise that the debate on the Queen's Speech will be an opportunity for Members of Parliament to express their view on this Government's legislative agenda and its approach to, and the result of, the European Council.

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It is right that you should have the chance to do so, in a clear and unambiguous manner.

- I also believe it is vitally important that the key votes associated with the Queen's Speech and any deal with the EU – traditionally seen as matters of confidence – fall at a time when parliamentarians are best placed to judge the Government's programme. Parliament would have the opportunity to debate the Government's overall programme, and approach to Brexit, in the run up to EU Council and then vote on this once we know the outcome of the council on 21 and 22 October.
- I am committed to facilitating Parliament's ongoing scrutiny of our withdrawal from the EU and of this government, came to the House the day after I was appointed to deliver a statement, and take questions, will do the same the first sitting day back, and we will put this Government's legislative programme to the test, including our intention to pass a Withdrawal Agreement Bill if a deal is forthcoming.
- I do however want to reiterate to colleagues that these weeks leading up to the European Council on 17/18 October are vitally important for the sake of my negotiations with the EU. Member States are watching what Parliament does with great interest and it is only by showing unity and resolve that we stand a chance of securing a new deal that can be passed by Parliament.

Cabinet Discussion

Once you have outlined what will happen, you should ask Commons Leader to outline the approach to wash-up, and say how he will work with colleagues to finalise the Queen's Speech, before asking the Commons Chief Whip to give comments on

parliamentary handling (he may wish to emphasise the importance of a Queen's Speech and how it facilitates scrutiny of your programme), followed by the Lords Leader. You may then want to ask if there are any questions, before closing the call. In concluding, you may want to guide them through what will now happen: that the press will be notified at the same time a Dear Colleague is sent to MPs and Peers.

ANNEX C: DRAFT DEAR COLLEAGUE

This letter has been seen by the Chief Whip – he is very happy with the wording.

Dear Colleague

I hope that you had an enjoyable and productive summer recess, with the opportunity for some rest ahead of the return of the House. It was good to see many of you for drinks at Downing Street on Monday evening.

I wanted to take this opportunity to update you on the Government's plans for its business in Parliament.

As you know, for some time parliamentary business has been sparse. The current session has lasted more than 340 days and needs to be brought to a close – in the post-Civil War era only the 2010-12 session comes close, at 250 days. Bills have been introduced which, while worthy in their own right, have at times seemed more about filling time in both the Commons and the Lords, while key Brexit legislation has been held back to ensure it could still be considered for carry-over into a second session. This cannot continue. I therefore intend to bring forward a new legislative agenda that will take us through our exit from the EU and the months that follow.

Yesterday, I spoke with Her Majesty The Queen to inform her of my desire to end the current parliamentary session, following a short period of wash up in the second sitting week in September, before commencing the second session of this Parliament with a Queen's speech on Monday 14 October. At the heart of the legislative programme will be the Government's number one legislative priority, if a new deal is forthcoming at EU Council on 17/18 October, to introduce a Withdrawal Agreement Bill and move at pace to secure its passage before 31 October.

I fully recognise that the debate on the Queen's Speech will be an opportunity for Members of Parliament to express their view on this Government's legislative agenda and its approach to, and the result of, the European Council. It is right that you should have the chance to do so, in a clear and unambiguous manner.

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I also believe it is vitally important that the key votes associated with the Queen's Speech and any deal with the EU – traditionally seen as matters of confidence – fall at a time when parliamentarians are best placed to judge the Government's programme. Parliament would have the opportunity to debate the Government's overall programme, and approach to Brexit, in the run up to EU Council and then vote on this once we know the outcome of the council on 21 and 22 October. Should I succeed in agreeing a deal with the EU, Parliament will then have the opportunity to pass the bill required for ratification ahead of 31 October.

Finally, I want to reiterate to colleagues that these weeks leading up to the European Council on 17/18 October are vitally important for the sake of my negotiations with the EU. Member States are watching what Parliament does with great interest and it is only by showing unity and resolve that we stand a chance of securing a new deal that can be passed by Parliament. In the meantime, the Government will take the responsible approach of continuing its preparations for leaving the EU, with or without a deal.

The Leader of the Commons will update the House in the normal fashion with regard to business for the final week. For now, I can confirm that on Monday 9 September the House will debate the motions on the first reports relating to the Northern Ireland (Executive Formation etc) Act 2019 (NIEFA). Following these debates we will begin preparation to end the Parliamentary session ahead of a Queen's Speech.

Business Managers in both Houses will shortly engage with their opposite numbers, and MPs more widely, on plans for passing a deal should one be forthcoming. Decisions will also need to be taken about carrying over some of the bills currently before the House, and we look to work constructively with the Opposition on this front. If agreement cannot be reached we will look to reintroduce the bills soon after, and details on this will be set out in the Queen's speech.

