

Brexit Report 2018



Assessing the Potential Impact of Brexit on the UK and the Southern Region

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Summary

This report considers the overall impact of Brexit on the UK and the South of England. It is based on the content of interviews with Labour MEPs Clare Moody, Richard Corbett, and Theresa Griffin in July 2018, and addresses the chief areas of concern for GMB members as outlined by them. It begins by explaining the role of austerity policies in passing the Brexit vote, and the likely outcome of negotiations at the time of publication. It goes on to assess the impact of Brexit on the Southern economy and its services, on employment and workers' rights, and funding for local enterprise initiatives. It concludes that Brexit in any form will have a negative impact on the Southern region, with a hard or even no-deal Brexit representing worst-case scenarios for the Southern region and the UK as a whole.

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What were the reasons for Brexit?

The United Kingdom has always had an ambivalent relationship with the European Union. While national loyalties are complex and dynamic, overall, citizens of other EU member states are in general more comfortable with the idea of having both a national and complimentary European identity. The same cannot be said of the UK. Polls conducted by the European Commission have consistently found that a large majority of British people do not ever consider themselves as both British and "European". Taken to the political level, this fundamental difference of identity does much to explain the UK's troubled membership of the European Union, and Britain's relationship to the EU has always been contested and fraught with suspicion. In particular, Britain's distinctly strong national identity has sat uneasily with the process of European integration, whereby power over national policy areas have been transferred to EU level.

As early as the 1975 referendum, just two years after the UK's accession to the European Economic Community, politicians from all sides of the political spectrum were campaigning for a British exit, and although considered a fringe movement for the three decades, in 2014 British Euroscepticism became truly mainstream with the electoral success of the UK Independence Party in the European and local elections, leading Conservative Prime Minister, David Cameron to call a referendum on Britain's membership of the EU.

On the 23rd of June, 2016, the United Kingdom by a majority of 51.9% voted to leave the European Union. The Southeast voted narrowly to leave by 51.8%, while London voted strongly in favour of remaining.² Ashford, Canterbury, Dartford, Dover, Maidstone, Medway, Tonbridge and Malling, Sevenoaks, Swale, Shepway and Thanet all voted to leave the EU. Gravesham delivered the biggest Leave majority in Kent of 30.8%, with 35,643 votes to 18,876 for Remain. Tunbridge Wells is the only Kent town to vote for Remain.³

The vote to leave the EU in June 2016 came as a massive shock to both campaigns, and the causal factors of the leave vote have been hotly debated in the two years since the referendum. A breakdown of the referendum results reveals a Britain deeply divided over Brexit, and the extent to which structural factors contributed to the leave vote. According to

¹ http://ec.europa.eu/commfrontoffice/publicopinion/topics/fs5 citizen 40 en.pdf

² https://www.bloomberg.com/graphics/2016-brexit-referendum/

https://www.bbc.co.uk/news/uk-politics-eu-referendum-36596420

YouGov, the strongest predictor of voting intention the referendum was education, followed by age and geography.⁴ Party affiliation on the other hand, was generally not a good predictor.

A district level analysis of the leave vote by Warwick University found that areas with "weak economic fundamentals", i.e. areas with deprivation in terms of education, income and employment were more likely to vote leave. Crucially, it points to austerity as the key driver of the leave vote:

"The results [of the study] suggest that the EU referendum could have resulted in a Remain victory had it not been for a range of austerity-induced welfare reforms. These reforms activated existing economic grievances. Further, auxiliary results suggest that the underlying economic grievances have broader origins than what the current literature on Brexit suggests. Up until 2010, the UK's welfare state evened out growing income differences across the skills divide through transfer payments. This pattern markedly stops from 2010 onwards as austerity started to bite."

How Britain voted

Older people with fewer formal qualifications most likely to have voted Leave

		Remain	Leave
2015 vote	Conservatives	39	61
	Labour	65	35
	Liberal Democrat	68	32
	UKIP	5	95
	Green	80	20
Age	18-24	71	29
	25-49	54	46
	50-64	40	60
	65+	36	64
Education	GCSE or lower	30	70
	A level	50	50
	Higher below degree	48	52
	Degree	68	32

YouGov yougov.com

June 23-24, 2016

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⁴ https://yougov.co.uk/news/2016/06/27/how-britain-voted/

⁵ https://www.cesifo-group.de/DocDL/cesifo1_wp7159.pdf

The working-class voters who swung the referendum in favour of leave had come to attribute the UK's EU membership with the unpopular austerity measures pursued by the government in the wake of the 2009 financial crises. But, given that such policies have their origins with the British government, why then was blame attributed to the EU, especially considering that a number of leave regions were the chief beneficiaries of EU structural funds aimed at alleviating the effects of poverty? The answer lies with a long-established anti-EU narrative pushed by a biased UK media. Theresa Griffen MEP opined in our interview that elements of the British press have been feeding misinformation about the EU to the British public for decades, and over the years consolidated a narrative of the EU as an undemocratic bureaucracy that was an unnecessary drain on British taxpayers, and an ever growing threat to British sovereignty.

A comprehensive study published by the Centre for Media, Communication, and Power at King's College London in 2017 found a strong pro-leave bias across print and television media during the referendum campaign, most strikingly that almost two thirds (65%) of front page leads in the run up to the referendum backed leaving the EU.⁸ It also highlighted how popular pro-leave newspapers and campaigners were effective in linking the UK's economic and social woes with migration. Issues like wage stagnation, increased housing prices, and unemployment were blamed by prominent pro-leave outlets like *The Daily Mail* on migration countries, especially those from the eastern European bloc and potential accession states:

"Leave campaign leaders and the Leave-supporting press, [characterised migration] in almost entirely negative terms. Iain Duncan Smith, Priti Patel, Michael Gove, Boris Johnson, and Nigel Farage all made frequent negative claims about immigration and about the damaging effect of migrants on the UK. These comments, and other negative references to migrants, were covered copiously and prominently in the press. There were more leading front pages about immigration during the campaign than about the economy...Leave campaigners and partisan news outlets strongly protested against accusations that their focus on immigration was prejudiced or intolerant. Yet, based on most definitions, it is hard not to find their claims and coverage discriminatory."

The link between EU rules and a perceived migration crisis proved crucial to the outcome of the referendum, especially among the economically vulnerable. Migration was viewed in

⁶ http://ukandeu.ac.uk/fact-figures/how-important-are-eu-structural-funds-across-the-uk-regions/

⁷ Interview with author

https://www.kcl.ac.uk/sspp/policy-institute/CMCP/UK-media-coverage-of-the-2016-EU-Referendum-campaign.pdf

⁹ Ibid 165

these communities as a causal factor in the degeneration of working-class regions of the country. Leave campaigners effectively argued that the free movement of labour demanded by the single market was undercutting wages, overburdening already at capacity services, and eroding Britain's sovereignty. By leaving the EU, the UK would be able to 'take back control' of its borders, and redirect monies from burdensome EU contributions back into important services like the NHS. However, in the wake of the referendum result, leave campaigners have increasingly distanced themselves from such claims. 10

Levels of Euroscepticism have fluctuated in the UK since its accession to the EU in 1973. 11 However, it experienced a discernible spike after 2010, especially in low-income regions.¹² Several studies have pointed to the role of economic deprivation caused by austerity policies pursued after 2010 in driving the leave vote. 13 Brexit campaigners effectively exploited frustration at establishment politics in deprived communities to push a populist, anti-EU agenda, which was reflected in the surge of UKIP in economically weaker regions of the UK in the 2014 local and European elections.¹⁴

The Brexit referendum provided a further opportunity for neglected voters to voice their anger at establishment politics. A biased media landscape coupled with an ineffective, disorganised remain campaign meant that the real benefits of EU membership to these communities were not heard. It is only in the two years since the referendum that the real consequences of leaving the EU have become starkly clear as the British government triggered Article 50 of the Lisbon Treaty, thereby formally commencing exit negotiations with the EU.

What is the most likely outcome of negotiations?

The final outcome of the negotiations between the UK and the European Union remains uncertain at the time of writing. Discussions have centred around two possible outcomes. The

¹⁰ https://www.theguardian.com/politics/2016/sep/10/brexit-camp-abandons-350-million-pound-nhspledge
11 http://theconversation.com/polling-history-40-years-of-british-views-on-in-or-out-of-

europe-61250

¹² http://blogs.lse.ac.uk/politicsandpolicy/did-austerity-cause-brexit/

¹³ For an in-depth analysis see Thiemo Fetzer's 2018 study:

https://warwick.ac.uk/fac/soc/economics/research/workingpapers/2018/twerp_1170_fetzer.pdf. Colotone and Stannig (2018) https://www.cambridge.org/core/journals/american-political-sciencereview/article/global-competition-and-brexit/C843990101DB9232B654E77130F88398. See also Danny Dorling's 2016 article: https://doi.org/10.1136/bmj.i3697.

¹⁴ https://academic.oup.com/pa/article/69/2/464/1935237

first is a 'soft' Brexit, where the UK leaves the Single Market, but remains within the Customs Union. The alternative, or 'hard' Brexit, would mean leaving both the Single Market and the Customs Union. The following graph from Bruegel.org provides a useful overview of the implications of all possible Brexit scenarios, with full EU and its access rights on the solid green column, and a return to World Trade Organisation (WTO) rules, or a 'no-deal' Brexit on the solid red column. 16

10 EU policies or processes	No Brexit	Soft Brexit		Hybrid		Hard Brexit	
	Full EU membership	EFTA EEA	EFTA Switzerland	Continental partnership	CU with Turkey	FTA with Canada	WTO rules
Single Market (SM) access?	Yes	Yes	Partial	Yes, but	No	No	No
Free labour mobility?	Yes	Yes	Yes	Limited	No	No	No
Part of SM rules?	Yes	Yes	Partial	Yes	No	No	No
Say in SM rulemaking?	Yes	No	No	Partial	No	No	No
Bound by ECJ SM decisions?	Yes	Yes	Partial	Yes	No	No	No
Duty-free access in goods?	Yes	Yes	Yes	Yes	Yes	Yes	No
Market access for services?	Yes	Yes	Partial	Yes	No	Partial	No
Part of EU commercial policy?	Yes	No	No	Yes, Possibly	Yes	No	No
Part of EU agricultural policy?	Yes	No	No	No	No	No	No
Contribution to the EU budget?	Yes	Yes	Yes	Yes	No	No	No

The UK has sought to secure benefits of Single Market access to protect its economy, while ending freedom of movement to curb migration from EU countries. This "cherrypicking" has been roundly rejected by the EU's negotiating team, who view guaranteeing freedom of movement as a cornerstone of the Single Market.¹⁷

The desire to maintain present customs arrangements between the UK and the EU to avoid tariffs and regulatory issues has been further complicated by ongoing conflicts over the status of Northern Ireland. Were the UK to leave the Single Market and the Customs Union, the border with the Republic would fall back to World Trade Organisation regulations along with

brexit/?utm_content=buffer3e83d&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer+(bruegel)

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¹⁵ Both scenarios would see the UK leave the jurisdiction of the European Court of Justice.

 $^{^{16}\} http://bruegel.org/2016/10/beyond-hard-soft-and-no-$

¹⁷ https://www.ft.com/content/aeb53c82-82ac-11e8-96dd-fa565ec55929

the rest of the UK, which would require customs checks at borders, and impose tariffs on goods crossing between the two nations. This would have a catastrophic impact on the economies and political landscape of both Northern Ireland and Irish Republic, and all parties have acknowledged the return to such of a hard border must be avoided to protect the Peace Process. 18 However, the government has been unable to find a way to leave the Single Market and Customs Union while at the same time maintaining the status quo in Northern Ireland. A 'backstop' option, whereby Northern Ireland would remain a part of the Single Market and the Customs Union if no agreement could be reached has been rejected by Parliament, as it would create a border between the UK and Northern Ireland in the Irish Sea. 19 The Irish government has stated it will not accept any Brexit deal that creates a hard border on the island of Ireland, and would veto any deal with this outcome at EU level, and the EU has rejected government proposals for a backstop option for the whole UK.²⁰

The divisions within government over Brexit on the questions of Northern Ireland, freedom of movement, and customs regulations has resulted in an impasse between the EU and the UK that is increasingly unlikely to be overcome by the October deadline for a deal to be struck. This means that the prospect of a 'no-deal' Brexit where the UK crashes out of the EU in 2019 without any agreement is an increasingly likely outcome. This report therefore considers the impact of a 'hard' Brexit on the UK and the South of England, where the UK leaves both the Single Market and Customs Union, as set out by the Prime Minister in her Chequers proposal.

What will be the impact of a hard Brexit on the UK and the South of England?

At present, the UK is highly economically integrated with the EU, and heavily dependent on membership of the Single Market and Customs Union. Intra-EU trade accounts for 47% of the United Kingdom's exports (Germany 11%, France and the Netherlands and Ireland all 6%). In terms of imports, 51% come from EU Member States (Germany 14%, the Netherlands 7% and France 5%).²¹

http://www.europarl.europa.eu/RegData/etudes/BRIE/2017/583116/IPOL_BRI(2017)583116_EN.pdf https://www.bbc.co.uk/news/uk-northern-ireland-44850571

²⁰ https://www.belfasttelegraph.co.uk/news/northern-ireland/no-backstop-no-brexit-deal-irishgovernment-stands-firm-after-commons-vote-37127810.html ²¹ https://europa.eu/european-union/about-eu/countries/member-countries/unitedkingdom_en

Several studies have been undertaken that assess the economic, social, and political impact of Brexit on the UK, and have found that the overall impact of a hard Brexit on the UK economy would be negative. A leaked government impact assessment show that the UK in all Brexit scenarios will see its GDP drop, with the North, the West Midlands, and the Northern Ireland faring the worst, and London and the Southern Region impacted less severely.

Brexit Effects by UK Region

Source: Department for Exiting the European Union/Sky News



To assess the impact of different Brexit scenarios, the Government looked at each region of the UK and estimated how much lower that region's GDP would be in 15 years' time.

All regions of the UK suffer under all Brexit scenarios (when compared with the baseline scenario of staying in the EU).

The Southern Region and its economic relationship with the EU.

There are at present 81,167 GMB members working in the Southern region, with 48,829 working in the public services sector, 3784 working in manufacturing, and 28,531 working in the commercial services sector. Although London and the Southeast will suffer less after the UK leaves the EU, there are still several areas where these regions are particularly exposed to the negative effects of Brexit. In particular, a hard or even no-deal Brexit would have a devastating impact across the region in terms of jobs, services, and workers' rights. The areas of most concern, as outlined by Labour MEPs Clare Moody, Richard Corbett, and Theresa Griffin in interviews in July, 2018, are discussed below.

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²² Statistics provided by the office of GMB Southern's Regional Secretary.

Trade:

The Southern Region's economy is highly dependent on membership of the EU. Its geographical proximity to France means its economy and transport infrastructure has become highly integrated with the mainland Europe and dependent on frictionless trade provided by Single Market and Customs Union access. Around a third of the UK's trade in goods crosses the English Channel in lorries via the Port of Dover and Eurotunnel, serving just-in-time supply chains between the UK, Ireland and the rest of the EU. Exports to the EU account for 49% (£22.3bn) of the South East's total exports, and 46% (£9.4bn) of the South West's. The South East gets 63% (£58.1bn) of its imports from the EU, and the South West 44% (£10.9bn).²³

On the 19th of July, 2018, the European Commission published a Brexit preparedness paper warning businesses of the need to prepare for a no-deal scenario, and outlining what a hard Brexit would mean in real terms. Of particular concern to the Southern Region is the impact of the new customs arrangements between the UK and the EU:

"When the United Kingdom becomes a third country, and in the absence of an agreement providing otherwise, the customs administrations in the EU, i.e., national customs authorities, will have to enforce EU rules for both exports to and imports from the United Kingdom. This means that the formalities that currently apply to trade with non-EU countries will apply, including the submission of customs declarations for goods shipments and the related controls to ensure compliance. Duties and taxes (notably VAT and excises) will have to be accounted for. This is in contrast with the current situation where no such formalities or charges apply at the borders for trade between the United Kingdom and the rest of the EU. Customs formalities have implications in terms of additional documentation and data requirements for businesses, processing and controls for customs, and infrastructure requirements for both, including IT and physical infrastructure to allow appropriate risk based controls."²⁴

The imposition of such barriers to trade would have a significant negative impact on the Southern Region. In particular, its manufacturing base would be affected by any changes to the status quo, as more than a third of the Southern region's manufacturing GDP is exposed to the effects of Brexit. Industries with trans-continental supply chains like the automotive, food and beverages, as well as medical and chemical industries will face major disruption if

²⁴ https://ec.europa.eu/info/sites/info/files/communication-preparing-withdrawal-brexit-preparedness.pdf

²³ Briefing provided by Richard Corbett MEP

there is no-deal on regulations because of increased costs and delays in processing goods at the border. Taking the example of the automotive sector, the Institute for Government think tank described the extent to which costs would rise if the UK left the Customs Union:

"In the automotive sector, finished cars would suffer a 10% tariff in addition to car components' tariffs ranging from 2.5-4.5%. But the automotive sector also depends on intermediate inputs that cross borders many times – and so costs accumulate in the supply chain."

A further area of concern is the regulation of goods crossing borders after the UK and EU standards and frameworks diverge. With no agreement on regulations, exporters from the UK will have to prove their goods meet EU standards, which would involve inspections, especially in highly regulated sectors like the automotive industry and chemical industry. UK exporters would face a significant increase in documentation, and the UK would lose access to EU e-customs systems that streamline trade flows. These significant disruptions will make British manufacturers less competitive, and put half the total exports from textile, chemical, food and beverages at risk, and at least a quarter from other sectors. A 2018 impact study found that Brexit will reduce the average productivity of domestic firms in the UK by up to -2.27% in several key manufacturing sectors such as textiles, chemicals, motor vehicles and electronics.

A number of EU based companies have already started making contingency plans. A survey of supply chain managers conducted by *The Financial Times* found that 63% of EU supply chain managers plan move some of their supply chain out of the UK after Brexit, and 40% of UK manufacturers looking to replace their EU suppliers.²⁸ BMW in Swindon for example, has already begun the process of unpicking its supply chains in anticipation of Brexit.²⁹

Services sector:

The services sector, the region's biggest employer, is also highly exposed, especially if the UK leaves the Customs Union for goods only, as recently set out by Prime Minister Theresa May her Chequers plan. According to the Office of National Statistics, the South East has around 38,000 people employed in the financial sector, and the region would be most directly

^{%20}Frictionless%20Trade%20Web_0.pdf

²⁶ https://www.ft.com/content/e00fbc9e-d438-11e7-a303-9060cb1e5f44

²⁷ https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3168434

²⁸ https://www.ft.com/content/eef9846a-c0bf-11e7-9836-b25f8adaa111

²⁹ https://www.ft.com/content/8f46b0d4-77b6-11e8-8e67-1e1a0846c475

exposed to potential job losses resulting from banks and insurers relocating to EU member states to retain market access.³⁰ According to the City of London Corporation policy chief, Catherine McGuinness, initial service sector job losses may be confined to between 3,500 and 12,000. However, in the event of a no-deal Brexit, these figures would increase to approximately 75,000, with further losses to be expected in the medium to long-term as companies relocate.³¹

Transport:

The leaving of the European Single Aviation Market has the potential to cause severe disruption to services at UK airports as well as job losses in the aviation sector. According to law firm, *Norton Rose Fulbright*:

"Upon Brexit, UK-licensed airlines will cease to be 'Community air carriers' for the purposes of Regulation (EC) No. 1008/2008 on common rules for the operation of air services in the Community and will cease to benefit from the terms of the Multilateral Agreement on the Establishment of a European Common Aviation Area (ECAA). Unless other arrangements are entered into between the UK and the EU, upon Brexit UK-licensed airlines will lose their right to fly to and from the EU and between the remaining EU Member States."

While the UK could re-join the ECAA, by doing so it would be obliged to obey EU aviation laws which are subject to the discretion of the Court of Justice of the EU. This runs against the stated government policy of removing itself from its jurisdiction. As such, a hard or 'no-deal' Brexit without an agreement on aviation rules will see flights grounded at major UK airports, as well as job losses as carriers move basis to remain in within the ECAA.

Central to the governments Brexit platform has been the maintenance of "frictionless" processing of goods at borders and ensuring no slowdowns on UK corridors. However, as it stands, the UK will leave the customs union, and under such circumstances the EU will impose a new range of regulatory checks for goods going to and from the UK. Increased friction in the form of customs checks will cause gridlock on motorways across the Southern region. Under government contingency a stretch of the M20 in Kent will be used as a temporary lorry park should Brexit result in queues forming at Channel ports.³³ However, this would do little to relieve potentially catastrophic delays on Southern motorways. A 2017 simulation study by

³⁰ http://blogs.sussex.ac.uk/uktpo/files/2017/06/3907 UKTPO policy se perspective WEB.pdf

³¹ http://www.cityam.com/289659/brexit-latest-there-no-brexodus-first-but-without-access

³² http://www.nortonrosefulbright.com/knowledge/publications/136984/impact-of-brexit-on-the-transport-sector

³³ https://www.theguardian.com/politics/2018/may/21/m20-lorry-park-counter-brexit-traffic-jams-channel-dover

Imperial College London assessed the impact such checks would have on key corridors in the South East in terms of queue length, travel time, and disruption to local traffic, and found that:

"...even one or two minutes of extra check times at the borders are accompanied by a dramatic increase of congestion on the motorways as well as local streets, with queues extending up to 30 miles from Dover/Eurotunnel towards Maidstone and travel time approaching 5 hours in peak times." ³⁴

Leading British shipping companies have also expressed serious concerns about the impact of a hard Brexit on the shipping and haulage industry. In June this year, *Star Cargo PLC*, a Hertfordshire based company with an annual turnover of £83 million and several warehouses in the Southern region, outlined in written evidence to the government's transport committee its serious misgivings about Brexit and its potential negative impact on the road transport industry:

"The overall negative impact on the European Road Transport industry could be enormous...We see few 'opportunities' being created in the near future, other than possibly a reduction in foreign transport companies coming to the UK, which may at some stage result in a boost for British owned and operated companies. In turn, this may have a much needed inflationary effect on transport prices. However, at the same time, this same problem may have a devastating effect on those International Road Transport Operators whose livelihood depends on providing transport services to both Exporters and Importers...The immediate problems facing both Exporters and Importers relate to the final agreement on the Customs Union and what form this will take, and the impact and costs...The challenges outweigh the opportunities if there no seamless and greatly simplified process by which to both sell goods to the EU and buy from the EU." 35

Given that the government has insisted that the UK will leave the jurisdiction of the EU's Custom's Union, and that the EU has roundly rejected the government's Chequers proposals to maintain a frictionless customs arrangement in its stead, it appears likely that Brexit will have a deleterious impact on the British transport industry and those it employs unless compromise is found on the outstanding customs issue by the October negotiating deadline.

Medicine:

Increased waiting times at UK borders will have a knock on effect on the procurement of medicines and other chemicals required to operate medical devices. Shared regulations between the UK and the EU have reduced waiting times for access to medicines, and

³⁴ https://www.imperial.ac.uk/news/186530/how-imperials-findings-post-brexit-borders-caught/

³⁵ http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/transport-committee/freight-and-brexit/written/84590.pdf

regulatory divergence as well as delays in processing medical supplies after Brexit will slow down access to treatments.

Patients could face disruption to the supply of their medicines when the UK leaves the EU. In an interview with *The Pharmaceutical Journal*, Medical and Healthcare Products and Regulatory Agency Chair, Sir Michael Rawlins warned that insulin supplies would be severely disrupted in the event of a no-deal Brexit:

"Here's just one example why [a deal must be reached]: we make no insulin in the UK. We import every drop of it. You can't transport insulin around ordinarily because it must be temperature-controlled. And there are 3.5 million people [with diabetes, some of whom] rely on insulin, not least the prime minister ...Disruption to the supply chain is one of the ways that patients could be seriously disadvantaged. It could be a reality if we don't get our act together. We can't suddenly start manufacturing insulin — it's got to be sorted, no question." ³⁶

An NHS study also warns that unless a deal is reached, medicines and medical technologies could be delayed or even become unavailable to patients. In an example, it warns that warns that thousands of prostate cancer patients in the UK could be affected if Brexit negotiations fail to find a solution for future cooperation between the UK and the EU on regulation and trade of medicines and medical devices. This prostate cancer medicine, made in a highly sophisticated process in the UK and used in 80 countries including all of Europe, is one of many medicines that risks supply disruption from a "no-deal" scenario. The future of research into new medicines and medical technologies could also be affected; around 750 UK-led clinical trials including multiple EU member states are also at risk if there is no agreement is reached.³⁷

Workers' Rights:

Brexit represents a significant threat to workers' rights. In the decades since the UK's accession, the EU has introduced a number of important laws and conventions that protect workers against exploitation, and these have been adopted into UK law. They are summarised below.³⁸

³⁶ https://www.pharmaceutical-journal.com/news-and-analysis/news/millions-of-patients-could-be-affected-by-no-deal-brexit-medicines-shortages-says-mhra-chief/20205240.article?firstPass=false
³⁷ http://www.nhsconfed.org/resources/2018/01/brexit-impact-patient-medecines-medical-technologies

³⁸ A comprehensive list can be found in GMB's *Law at Work 2018*.

Working conditions

- o TUPE rights, protecting workers in transfer of employment between contractors
- o Collective redundancy rights
- o Guaranteed rights and working conditions for posted workers
- o Protection for temporary agency workers
- o Part-time workers' rights
- o Fixed-term workers' rights
- o Right for workers in a multinational to establish a European Works Council
- Right to information and consultation
- o Obligation for workers to be informed of employment terms and conditions
- o Protection of employees in event of employer insolvency

Health and Safety

- Working time Right to a maximum 48-hour working week, minimum rest periods, 4
 weeks paid annual leave, extra protection for night work
- Occupational health and safety protections and minimum requirements
- Protections for pregnant workers and those who have recently given birth or are breastfeeding
- o Protection of under 18s at work
- o Minimum workplace health and safety requirements for
 - work equipment
 - personal protective equipment
 - display screen equipment
 - health/safety signs
 - manual handling of loads
 - temporary or mobile construction sites
 - working at height
 - surface and underground mineral-extracting industries
 - equipment and protective systems in potentially explosive atmospheres
 - work and medical treatment on fishing vessels
 - risk of exposure to chemical, biological and physical agents (vibrations, noise, electromagnetic, radiation), carcinogens, mutagens, and asbestos

Prevention from injuries caused by medical sharps

Gender equality

- Equal pay for men and women for work of equal value
- Equal treatment and opportunities for men and women in access to employment and occupation
- o Equal treatment of men and women in statutory and occupational social security schemes
- Equal treatment between men and women in the access of goods and services
- o Four months parental leave for each parent
- o Burdon of proof in cases of sexual discrimination
- o Rights, support and protection for victims of crime and their families

Non-discrimination

- o Equal treatment on the grounds of racial and ethnic origin
- o Equal treatment in employment and occupation
- Guaranteed reserved public procurement contracts for supported employment for the disabled and disadvantaged, and guaranteed accessibility for all

Treaty on the Functioning of the EU

- Anti-discrimination legislation as regards sexual orientation
- Improvement of living and working conditions
- Social market economy
- o Role of social partners and of social dialogue
- Right to work in any EU Member State without discrimination on the ground of nationality.

What will happen to these laws and regulations after Brexit has been a major point of contention at Westminster. Although the Great Repeal Bill will incorporate all existing EU law into domestic law immediately after Brexit, there is nothing to stop the government amending it once it has passed into law, and this represents a threat to workers' rights. Henry VIII clauses allow the government to amend Bills that have become law without consulting Parliament or the Lords, and some government ministers have stated their desire to repeal a number of the above protections. In a paper published by conservative think tank, the Centre for Policy Studies, current Brexit secretary, Dominic Rabb MP called for a number of the

above listed regulations including the Working Time Directive to be scrapped in order to make the UK more competitive.³⁹ All of the interviewed Labour MEPs have expressed fears that after Brexit, the current government would take the opportunity to reduce protections on workers once out of the jurisdiction of the European Court of Justice. Richard Corbett MEP has said that Brexit represents a catalyst for a "race to the bottom" where economic arguments will be used to justify the scrapping of a number of key EU protections.⁴⁰

Living Standards, Wages and Employment

Post Brexit Britain will also suffer a fall in wages in tandem with falling GDP as a result of leaving to the Single Market and Customs Union, as well as a falloff in foreign direct investment as firms leave the British market. According to a leaked government impact assessment, the South East of England will see its GDP fall by -1.5% after a soft Brexit to as much as -7.5% in the event of a hard Brexit and a return to WTO mitigated rules. The South West will fare slightly less badly, with GDP contracting by between -1% and -5%. The negative economic impact of Brexit will inevitably have a knock on effect on wages and employment. Indeed, a recent economic impact study predicts the UK will experience sizeable losses in welfare, foreign trade, production, wages and capital remuneration. A 2016 study found that:

"the negative impact of Brexit on trade will have a knock on effect on welfare and living standards. Brexit's supposed benefits—such as lower immigration, better regulations, and more trade deals with non-EU countries— would do little or nothing to offset these losses."

Table 1. The Static Effects of Brexit on U.K. Living Standards^a

	Soft Brexit ^b	Hard Brexit
Trade effects	-1.37	-2.92
Fiscal benefits	0.09	0.31
Total welfare change	-1.28	-2.61
Unilateral liberalization ^d	0.30	0.32
Total welfare change	-0.98	-2.29

Source: Dhingra and others (2016a).

 $^{39}\ https://www.independent.co.uk/news/uk/politics/dominic-raab-brexit-eu-workers-rights-uk-talks-brexit-secretary-a8438706.html$

⁴⁰ Interview with author

⁴¹ https://news.sky.com/story/hit-to-northern-ireland-and-north-east-england-gdp-revealed-in-new-brexit-impact-papers-leak-11240254

⁴² https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3168434

The study expects that wages and capital remuneration can be expected to fall by between - 2.83% and -3.34 post Brexit.⁴³ At risk across the UK are at risk are half a million jobs in administrative and support services, almost 275,000 jobs in wholesale trade (except motor vehicles), and 172,000 in legal and accounting services.⁴⁴ Potential job losses in this area should be a cause of serious concern, given that 28,531 people – more than a third of GMB's Southern membership – work in the commercial services sector.

The study also found that overall welfare levels will drop across the UK by between -0.98% and -2.29% in the event of a hard Brexit even when potential fiscal benefits of leaving the EU are factored in (Table 1).

Impact of reduced EU migration

EU rules dictate that access to the Single Market is contingent upon free movement of labour, and although the government has stated its desire to maintain aspects of market membership, thus far, it has been unable to find compromise with the EU over the labour issue. Much uncertainty surrounds how the government intends to deal with the presence of EU nationals working in the UK at present, although as of August 22nd 2018, the government remains committed to ending freedom of movement of labour, with some potential exceptions for students and skilled workers. What is clear is that this uncertainty surrounding their status coupled with an increasingly hostile environment towards EU nationals since 2016 has resulted in a significant number of these workers leaving the country, as we all as a fall in job applications from EEA and EU countries. This has serious implications for the provision of services in the UK.

The falloff in migration from EU countries has serious implications for the provision of key services in the UK, putting a strain on the NHS and social care, and the Southern region is particularly exposed in this regard. A recent House of Commons Library paper found that after the London area, Surrey, Kent, and Sussex have the highest number of EU citizens working in the NHS (8.1%). Across the UK more widely, there are at present 84,000 EEA citizens working in social care. Since Brexit, the number of EU employees working in the NHS has fallen, and the number of those applying for positions in low and high skilled areas

⁴⁴ From briefing provided by Richard Corbett MEP.

⁴³ ibid

⁴⁵ https://www.personneltoday.com/hr/government-confirms-end-to-freedom-of-movement-with-potential-exceptions/

⁴⁶ https://www.canterburyjournal.co.uk/brexit-threatens-dire-effect-on-health-and-social-care/

has dropped in tandem. For example, 3,982 nurses and staff from the EEA left the UK between 2017 and 2018.⁴⁷ At present there are around 38,000 vacancies for nurses in the NHS, and this problem will be exacerbated if this trend continues.⁴⁸

A study of the impact of Brexit on social care in Kent and Medway found that Kent's aging demographic will place an increased strain on the NHS, and the inability to recruit or hold on to both low and high-skilled EEA workers will have a serious impact on the provision of care in the mid to long term. Given that Kent's demographic problems are not unique, it is reasonable to assume that these same issues will be of significant concern to the Southern region and the UK as a whole after Brexit.⁴⁹

Numerous studies have found that economic migration as a whole has had a positive impact on the UK economy, with immigrants contributing substantially more in taxes to the UK than they receive from the welfare system. That said migration has often been blamed for the wage stagnation in the UK since 2010, and as previously discussed, much was made of the role of economic migration from eastern and south Eastern Europe during the Brexit referendum debates. After the Eastern Enlargement of the EU in 2004, the number of migrants from these countries increased, and it was argued by pro-leave campaigners that these migrants were pushing down wages.

While studies have found little evidence that migration has had an impact on wages, there have indeed been a number of cases in the UK where migrant labour has been exploited to avoid paying workers their fair share.⁵¹ In 2016 GMB and UNITE protested and fought legal battles against construction companies that had used spurious umbrella companies to exploit non UK workers. It was found that migrants were on rates of pay as low as £7 per hour, far lower than the £16.64 per hour which is the applicable rate through direct employment and utilising UK collective agreements.⁵² It must be stressed however, that these practices were illegal under EU law, and the 2018 amendment to the EU's Posted Workers directive was put

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⁴⁷ From briefing provided by Richard Corbett MEP.

⁴⁸ https://inews.co.uk/news/health/nhs-trusts-hospitals-temporary-nursing-staff/

⁴⁹ https://www.canterbury.ac.uk/social-and-applied-sciences/psychology-politics-and-sociology/cefeus/docs/CEFEUS-Health-and-Social-Care-report-Mar-2018.pdf

http://www.ucl.ac.uk/news/news-articles/1114/051114-economic-impact-EU-immigration, see also https://www.economicshelp.org/blog/6399/economics/impact-of-immigration-on-uk-economy/

⁵¹ Gala.gre.ac.uk/15630/ see also http://www.ucl.ac.uk/news/news-articles/1114/051114-economic-impact-EU-immigration

⁵² GMB press release dated Thursday, February 25, 2016

in place to copper-fasten legal protections for posted workers against such kinds of exploitation, guaranteeing equal pay for equal work for all workers.⁵³

As previously discussed, union rights and working regulations are threatened post-Brexit, and in a scenario where regulations and unions are weakened, it would be easier for these kinds of unscrupulous employers to continue exploiting migrants to undercut wages, leading to further stagnation.

EU funding and other programmes

Since joining the EU, the UK has been the beneficiary of significant EU investment. In particular less developed regions of the UK have benefitted from access to European Structural Investment Funds (ESIs). These are:

- The European Regional

 Development Fund (ERDF), which

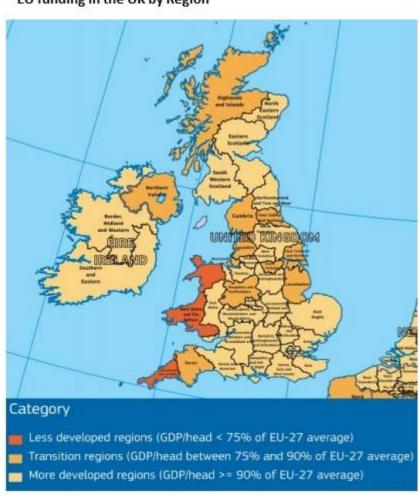
 promotes economic and social

 cohesion within the EU through the

 reduction of imbalances between

 regions or social groups;
- The European Social Fund (ESF), which promotes the EU's employment objectives by providing financial assistance for vocational training, retraining and job creation schemes;

EU funding in the UK by Region



 $^{^{53}\} https://www.relocatemagazine.com/news/immigration-meps-adopt-legislation-to-reinforce-the-rights-of-posted-workers$

- <u>The European Maritime and Fisheries Fund (EMFF)</u>, the specific fund for the structural reforms of the fisheries sector; and
- <u>the European Agricultural Fund for Rural Development (EAFRD)</u>, which contributes to the structural reform of the agricultural sector and to the development of rural areas.

These ESIs have been set up to support sustainable economic development and reduce regional wealth disparities, and different levels of funding are distributed depending on a region's GDP per person, which is weighed against the EU average. The EU identifies three types:

- Less developed regions, whose GDP per person is less than 75% of the EU average.
- Transition regions, whose GDP per person is between 75% and 90% of the EU average.
- More developed regions, whose GDP per person is above 90% of the EU average. 54

By the government's own estimation, based on the current ESIF programme, England and the devolved administrations in the UK had been set to receive a total of €10.5 billion (£8.4 billion) from the EU Structural and Investment Funds allocations for the period 2014-20.⁵⁵ The Southern region is broadly considered a "more developed region" and as such is less dependent on these structural funds. That said, local authorities and public/private Local Enterprise Partnerships (LEPs) have been major beneficiaries of grants supporting local enterprises and projects that have delivered growth and jobs. The South East Local Enterprise Partnership (SELEP), which covers East Sussex, Essex, Kent, Medway, Southend and Thurrock was allocated £160 million of structural funds from the EU for the 2014 − 2020 funding period. Between 2007 and 2013, Kent County Council received £30 million EU funding to support of around seventy projects across a wide range of areas including economic development, support to business and trade, education and training, improving public services, tourism and environmental protection. Of a target of £100 million, £62.62 million of European funding had been secured for the 2014-2020 funding period.⁵⁶ Other beneficiaries of substantial EU funding were the Coast to Capital LEP covering Croydon,

55 https://www.local.gov.uk/beyond-brexit-future-funding-currently-sourced-eu-lga-discussion-document

⁵⁴ https://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-7847

 $^{^{56}}$ https://cds.sevenoaks.gov.uk/documents/s32939/06%20Brexit%20Committee%20Report%20January%202018.pdf?J=1

East Surrey, Gatwick Diamond, Brighton & Hove, Lewes and West Sussex (£56m),⁵⁷ Enterprise M3 LEP, encompassing the M3 corridor (£44.5),⁵⁸ and Dorset LEP (£42m).⁵⁹

Other EU programmes include the European Globalisation Adjustment Fund (EGF), which provides support to people losing their jobs as a result of major structural changes in world trade patterns due to globalisation, e.g. when a large company shuts down or production is moved outside the EU, or as a result of the global economic and financial crisis. 60 The UK is also the second biggest recipient of funding from the EU's Horizon 2020 programme, which supports scientific and economic innovation through providing funding and sharing the best European expertise.⁶¹

The government has stated in its White Paper that it hopes to create a number of "cooperative accords "that enable the UK and the EU to work together in areas ranging from science and innovation to development and international action." It adds culture and education; defence research and capability development and space to these accords.⁶² However, if there is a hard or no-deal Brexit, the UK will no longer be able to access these programmes or funding streams after 2020. While the government has stated that the EU has guaranteed this funding up until the end of the current funding period in 2020 questions remain over how the significant funding gap will be filled post-Brexit, especially given the inevitable economic contractions that will occur in at least the short to medium-term. A Brexit Impact Report published by Sevenoaks District Council expressed concerns that many of its programmes, projects, and grants would suffer funding losses or be wrapped up altogether after 2020.⁶³

https://cds.sevenoaks.gov.uk/documents/s32939/06%20Brexit%20Committee%20Report%20January %202018.pdf?J=1

⁵⁷ http://www.coast2capital.org.uk/funding-and-grants/

⁵⁸ https://www.enterprisem3.org.uk/european-structural-and-investment-funds-esif

⁵⁹ http://dorsetlep.co.uk/funding/eu-funding/

⁶⁰ http://ec.europa.eu/social/main.jsp?catId=326&langId=en

⁶¹ https://www.europeanpolicysolutions.com/uk-brexit-white-paper-and-eu-funding-programmes/

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