

## How a Second Brexit Referendum Would Work: the Question, When It Will Happen And Who Would Win

2019-01-15 19:49:41.825 GMT

By Harry Yorke, Political Correspondent

(Telegraph) -- What now? The meaningful vote has taken place, with Parliament rejecting Theresa May's vision for Brexit. Now a growing number of ministers around the Cabinet table are coming to the same conclusion: a second referendum may now be required.

Whilst talk of a second poll has until now remained confined to backroom discussions, the decision to delay the meaningful vote in December emboldened its proponents, who now believe that another plebiscite may be the only way out of the current deadlock.

Following the Prime Minister's delay late last year, a group of ministers led by David Lidington, Mrs May's de facto deputy, and Philip Hammond, the Chancellor of the Exchequer, were said to be pushing for a softer Norway-style Brexit or, failing that, a second vote which would include on the ballot paper the option to remain in the European Union.

Gavin Barwell, the Prime Minister's chief of staff, is also reported to have described a second referendum as the "only way forward", whilst Amber Rudd, the Work and Pensions Secretary, has said that "no options should be off the table" should the deal be rejected.

However, while advocates of a second vote insist that it offers the simplest route out of the current crisis, confusion abounds over how it would work, its support among MPs, and whether it could it be considered legitimate.

What would be on the ballot paper?

Whilst the original Brexit referendum was based on a simple, binary choice of Remain or Leave, it is now implausible that a second poll could rerun the same question. For starters, there are no longer two options on the table.

After 18 months of negotiation with Brussels, Mrs May brought back to Westminster a 585-page withdrawal agreement and a political declaration setting out the blueprints for a future trade relationship between the UK and the EU.

That deal, however, proved unacceptable to more than 100 Conservative MPs, who voted against it when it was brought before Parliament on Tuesday evening.

Of those, there are thought to be between 50 and 80 Eurosceptics who believe that their version of Brexit can only be delivered through no deal, taking the UK out of the customs union, the Single Market and ending the jurisdiction of the European Court of Justice.

Polling taken by YouGov at the end of 2018 has also shown that no deal is now the preferred outcome of the majority of Leave voters.

To break the impasse, Mrs May could seek a fresh public mandate based on the option of leaving with her deal or no deal, as has been floated by several of her allies in recent weeks.

If she were to secure backing from voters, it seems inevitable that MPs would have to bend to their will.

But that seems inconceivable given the current parliamentary arithmetic, which is heavily stacked against no deal, and it would likely be rejected by MPs, who would need to approve legislation in order for it to go ahead.

In that scenario, the Government may be forced to put forward a three-way question, requiring voters to express a preference between Remain, Leave with Mrs May's deal, or Leave with no deal.

This version was first mapped out by Justine Greening, the former education secretary, six months ago. But it's shortcomings are obvious, not least because it would split the Leave vote into two camps whilst handing Remain a huge advantage.

To prevent this from happening, a second, alternative format proposes two separate questions: to Leave or Remain; and if Leave were to win, a stated second preference on whether to Leave under May's deal or no deal.

How long would it take?

Passing legislation necessary to bring about another referendum would likely take several months, as well as requiring ministers to amend or rewrite laws related to the UK's withdrawal from the European Union.

An additional campaign period, potentially spanning more than a

month, would also be required in the run up to the vote, meaning the outcome may not be known before the 29 March 2019, the date the UK formally leaves the EU.

It would therefore be necessary to extend or revoke Article 50, the process by which the UK is leaving. This can now be done unilaterally, following a ruling by the European Court of Justice last week.

But in order to do that the Government would likely have to pass new legislation, although government lawyers are believed to be exploring whether it could be reversed using the royal prerogative.

Who would win?

Ever since Mrs May unveiled her Chequers proposal in July, the polls have all shifted towards Remain.

Whilst Brexiteers continue to invest all of their energy railing against the Prime Minister's deal, the campaign for a so-called 'People's Vote' has been gaining momentum.

According to a recent YouGov poll, which ranks Remain, May's deal, and no deal in order of first preferences on a constituency by constituency basis, staying in the European Union now commands a lead in 600 of 632 constituencies surveyed.

But when the various options are polled in a head-to-head scenario, known as the Condorcet method, the results are very different.

They are as follows:

Whilst these various scenarios all indicate a shift towards Remain, the results are by no means decisive.

It is also worth remembering that Remain enjoyed a comfortable lead in the polls throughout the 2016 referendum and into polling day.

-0- Jan/15/2019 19:49 GMT