Introduction from the editors

Last week, the Supreme Court handed down its judgment in R (Miller) v Secretary of State for Exiting the European Union. The judgment is a crucial step in the constitutional battle that we have been engaged in for some time now. The essence of the Brexit issue is that the UK is a sovereign state and its legal system is independent of the EU. The judgment of the Supreme Court handed down on 24 January 2017 by a majority of 8-3, can be seen as the constitutional judgment regarding the legal implications of Article 50.

The majority and the dissent. One needs to appreciate what EU law is and what its influence on UK law is. This is comprehensively addressed in the judgment of Lord Hughes, and was further addressed in the judgment of Lord Diamond, which is included in the judgment itself.

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Ireland, and are not devolved in the case of Wales – see section 30(2) of, and paragraph 7(1) of Schedule 5 to, the Scotland Act 1998; section 108(4) of, and Part 1 of Schedule 7 to, the Government of Wales Act 2006; and section 4(1) of, and paragraph 3 of Schedule 2 to, the NI Act. Accordingly, the devolved legislatures do not have a parallel legislative competence in relation to withdrawal from the European Union.'