

Will the Scottish Court's decision lead to Article 50 n...

Published: January 13, 2026, 2:41 am

In the light of the [decision of a Scottish Court](#) on the illegality of Boris Johnson's request to the Queen that Parliament be prorogued [I have tweeted this comment](#):

Article 50 says 'Any Member State may decide to withdraw from the Union in accordance with its own constitutional requirements'.

Right now we're not following our constitutional requirements.

So hasn't Article 50 notice failed?

Or will it if Parliament is not recalled?

It's an open question, but one worth considering, I think.

I will be curious as to the EU's reaction. I suspect it could say we can't leave. It may not want to, but it might ask that the constitutional rules be followed. It may not be able to ignore the precedent to the contrary.