

*THE*  
**Queen's Speech**

**2006**

**REVIEW**



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**O**n behalf of Hill & Knowlton I'm delighted to introduce you to this guide which looks at the 2006 Queens Speech.

As is often the case, the Queen's Speech will mean many things to many people, and as they say, the devil is in the detail. What we have tried to do through this guide is to give you our perspective on what the various elements of the 2007/07 legislative agenda will mean to commercial and non-commercial organisations throughout the UK.

For each area, 12 in all, covering 29 Bills and Draft Bills, one of our highly experienced team members has developed a summary of our insight and analysis which I hope will give you a much clearer understanding of the political rationale behind these Bills, how successful they might be at gaining Royal Assent throughout the coming year, and perhaps more importantly, how they might impact on industry and other stakeholders in the months to come.

Contextually, it has also been important to recognise the significant background politics currently at play in the UK. It is now well known that the current Prime Minister, Tony Blair, will step down from his position during 2007.

Speculation is rife with regards to who might succeed him, but the bookmakers are almost closing their books with regards to the name of Gordon Brown. It is certain though that there will be a leadership election and history shows that such significant events can often become a running, and damaging, distraction for an incumbent Government. Couple this with a slowly but steadily recovering Conservative Party and we have the makings of an interesting political landscape for the year ahead.

I hope you enjoy this guide. As one of the world's leading public relations and public affairs agencies, we are delighted to partner with PA News to bring it to you and I hope you will find it informative and valuable as you plan ahead.

Tim Fallon  
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## Bold and ambitious, or ...?

The introductory notes to this year's Queen's Speech herald Tony Blair's last ever parliamentary programme as 'bold and ambitious'. However, the reality is that such a claim is probably hard to justify, with many commentators going one step further in suggesting that Blair has actually offered a 'ghost' programme.

This year's Queen's Speech must be seen against the backdrop of the handover from Blair to his successor, which looks increasingly like being Chancellor of the Exchequer Gordon Brown. Brown's strong prospects appeared to get a further boost by Blair's apparent endorsement for his bid in the Commons debate that followed the Queen's Speech. Indeed Blair's words of support garnered almost as much atten-



by Rod Cartwright, Director

tion as the contents of the Queen's Speech itself – surely a worrying sign for those hoping for twelve months of progress and achievement from the Government. The handover from Blair to Brown may not be quite as clear cut as it seems though, with some commentators seeing the preponderance of Home Office Bills as an attempt to push Home Secretary John Reid to the centre stage and set him up as a possible rival to Brown...

The programme of 29 proposed new laws ticks, of course, a number of major boxes, such as security, the environment and climate change, pensions reform and border controls. There is however a general sense that the Prime Minister has little or no chance of seeing significant delivery on the Bills set out, reflected in a marked lack of flesh on the bones of many of the proposed Bills. Although Blair and Brown seem to be back on

speaking terms, and will have agreed on the key elements of the programme (e.g. legislation on pensions reform and climate change), there is no guarantee the next Prime Minister will feel obliged to accept the programme as it is currently set out. This may well be combined with increased mischief-making from rebel Labour backbenchers as Blair enters his final few months as Prime Minister, leading to tighter votes and possible defeats.

With Westminster speculation seeing Blair step down in March or April next year, there is a suspicion that Brown will simply pay lip service to this year's programme, his mind having already shifted forward twelve months to his own programme and the real substance that will shape a New Labour administration of the future. At the end of the day, Brown will want to make his mark on the Labour Party just as Tony Blair made his after taking over as party leader in 1994, with many predicting a flurry of initiatives in his first 100 days in office.

Whilst Brown, from a public opinion perspective, can probably not afford to

drop the key aspects of the programme (criminal justice, border and immigration controls, pensions reform etc.) he will undoubtedly want to shift some of the focus back onto core ('Old' Labour?) social issues such as health, education, and the delivery of public services if and when he takes over the top job.

For Blair the Queen's Speech was the last chance to leave his imprint on Government policy, and shape his legacy (which looks increasingly likely to be centred on Iraq). Much of the analysis of the Queen's Speech centred on the sense of 'more of the

same' evidenced by, for example, the proposed criminal justice legislation, an area which continues to be a frustration for Blair; this Queen's Speech sees the rehashing, and even reversal of previous New Labour legislation in this area. This Queen's Speech could also be seen, together with the recent announcement by Blair of five policy review groups, as a further attempt by Blair to tie Gordon Brown into pursuing his vision of New Labour.

The programme looks slightly less bold and ambitious when one considers the reactive nature of certain elements. David Cameron's Conserva-

tives, and to a lesser extent the Liberal Democrats, have pushed the Government into taking a more radical stance in certain areas than it might otherwise have taken. Whether on law and order, where the Government is aiming to paint the Conservatives as soft on crime, or the environment, where Cameron has been making the headlines for months, parliamentary democracy, with robust opposition at its heart, seems to have made a welcome return.

Away from party politics, the Government received a few prods to action in the weeks running up to the Queen's Speech. On climate change, the conclusions of the Stern Review were undoubtedly a wake-up call, and there could not have been a much clearer spur towards further anti-terror legislation than the speech by Dame Eliza Manningham-Buller, the Head of MI5, which revealed that the intelligence services are monitoring 200 Islamic extremist groups in the UK, who are believed to be planning 30 individual terror plots. Whilst the Bills set out will have been on the drawing board for months, both of these undoubtedly acted as last minute nudges on the content of the Queen's Speech.

But does this year's Queen's speech offer any real insight to the future direction of mainstream government policy moving forward? Not really – it should be seen more as an interim, holding programme. We will have to wait until next September for the next clear sense of the Government's direction of travel.

Indeed 2007 promises to be a fascinating and challenging year from a public affairs perspective. After many months of speculation, the Labour Party will elect a new leader, who will also succeed Tony Blair as Prime Minister; their first task will be to impose their brand of New Labour on the party. A considerable test of the Labour Government – regardless of the party's leader – will be the May elections for the Scottish Parliament, Welsh Assembly and many parts of England.

At the same time, faced with accusations of lacking any real policy detail, a resurgent Conservative Party will reveal much of the in-depth policy that it will use to fight the general election, as its six Policy Commissions issue their findings. While not binding on the party's final policies, the Commissions' reports will help to delineate the battle lines along which the election will be fought. In parallel, the July Spending Review will create the financial backdrop against which the government will be run for the next three years. \*



**The programme looks slightly less bold and ambitious when one considers the reactive nature of certain elements**



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**BILLS** Border and Immigration Bill | Counter Terrorism Bill | Criminal Justice Bill | Fraud (Trials Without Jury) Bill | Offender Management Bill | Organised Crime Bill  
**CARRYOVER BILLS** Corporate Manslaughter and Homicide Bill

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**ANALYSIS**

The political spotlight will be kept firmly – and deliberately – on John Reid’s Home Office agenda following the last Queen’s Speech of the Blair premiership. This is, in and of itself, a big gamble, given how notoriously hard to manage the Home Office has proven to be – not to mention the Department’s history of claiming the political scalps of those who try to rise to the challenge of directing it.



Six of the total 29 bills set out in this year’s Queen’s Speech fall under the remit of the Home Office:

- A new Criminal Justice Bill designed to clamp down on persistent and violent offenders, to ramp up the ongoing fight against anti-social behaviour and to bring clearer definition to the opaque area of criminal sentencing.
- An Offender Management Bill which, reflecting elements of the Government’s key NHS and education reforms, would pave the way for greater involvement from the voluntary and private sectors in the management and rehabilitation of offenders. The Government wants to keep control of the rules of the game, but equally wants to positively encourage service providers



*The focus is a happy marriage between good politics and that which is necessary to protect the public*

from outside the state sector enter the fray of service delivery in this contentious area.

- An Organised Crime Bill that looks to introduce ‘super-ASBOs’ for high end criminals and to enhance the ability of the courts to seize the assets of those convicted of crime. Reflecting the concern that a number of serious criminals are currently slipping through the legal net, the Bill would also create and define new offences relating to the encouragement and incitement of criminal acts.
- A Border & Immigration Bill would give immigration officers new powers in the areas of arrest, deportation and cash seizure. It also aims to improve data and information sharing between immigration officers and Her Majesty’s Revenue & Customs.
- A Fraud (Trials without Jury) Bill will make it possible for a High Court Judge to approve requests for trial without jury, but only within the specific set of circumstances relating to complex fraud cases.
- A Corporate Manslaughter & Corporate Homicide Bill designed to hold companies more firmly to account for compliance with existing health and safety requirements will be re-introduced to Parliament (Ministers ran out of Parliamentary time in last year’s session, and were consequently unable to secure the Bill’s passage into law).

Ministers have also signalled that they may look to introduce a Terrorism Bill following the completion of a policy review currently underway with the involvement of the police services and MI5. Measures under active consideration include clarifying the law on control orders for alleged terrorists (there is much frustration in the Home Office that the courts are concerned about control orders restricting suspects to 18 hours’ of ‘house arrest’ a day), and bringing in regulations governing the use and admissibility of telephone tapping evidence in court.

With the active support of the Prime Minister, and some unease amongst a handful of other Ministers, the Home Office is also looking at again seeking to increase the length of time for which terror suspects can be held in detention without charge. Officials believe that this is highly desirable, if not absolutely necessary, as it would give the police and others more time to undertake time consuming work like following up on false identities and cracking codes used to store information digitally. Compromise solutions are actively being sought.

In addition to this new legislation, the Queen’s Speech made it clear that the Home Office would be pushing ahead with its controversial £6 billion plus plans for an ID card scheme – a scheme that is, at the moment, temporarily on hold whilst Ministers, keen to avoid yet another ‘Government IT

## ANALYSIS CONTINUED

disaster', debate behind the scenes to decide upon the type and scope of the technology on which the scheme should be based.

So what are the political motivations behind the Queen's Speech's focus on crime and security issues? Ministers privately insist that the focus is a happy marriage between good politics and that which is necessary to protect the public.

Both the Brown and the Blair camps claim the tough measures are important both to meet new threats (terrorism and the increasingly sophisticated nature of organised crime) and to 're-balance' the criminal justice system in favour of victims, not criminals. The fact that these measures prove popular with focus groups (especially focus groups of traditional Labour supporters) and, ministers believe, make the Tories look weak on law and order is an added bonus.

The Tory leadership is gambling on a different calculation based largely on David Cameron's attempt to rebrand the party. Whilst on the policy front the Conservatives do genuinely question the effectiveness of legislation – arguing that the real problem is the Government's inability to *enforce* existing laws – on many of the issues there is actually a great deal of common ground between the two parties.

It is the political calculation that is different. The Cameronite strategists are scarred by the memory of the Conservatives playing to the vociferous law and order gallery in their first eight years of opposition. They believe that the party drove many of its more liberally minded supporters to the Lib Dems without picking up a corresponding number of Labour-inclined supporters. Terrified of repeating the mistake, the new leadership feels much more comfortable playing to Surrey Woman than Essex Man.

The truth is that the main difference in the Labour and the Conservative positions is differing calculations on how to appeal to the supporters they need to win the next election. Time will tell who has got their strategy right. \*

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# Re-offender management

## Gerry Sutcliffe outlines key government reforms to the probation service

**T**he government sees probation as a crucial service, vital to public protection. Accordingly, we are investing record sums in the sector. This year we will spend over £900m on it, which in real terms is up by 40 per cent since 2001-02.

In line with this growth in funding, the number of people working in the service has also increased substantially, with the current number standing at around 21,000 compared with 15,000 just five years ago. The vast bulk of this growing body of probation staff are committed, professional and hard-working. I know this to be the case as I have met many of them during my time as minister with particular responsibility for the Criminal Justice System.

However, despite all the extra money, the extra staff and professionalism of those involved, there are two key issues that cannot, and must not, be ignored.

First, re-offending rates now stand at just under 60 per cent, which means in the clear majority of cases we are simply recycling people through the system. This is unacceptable.

Second, as a result of cases like that of Naomi Bryant, public concern over standards in probation, and the level of protection being afforded the public, is probably greater than at any time before. As a government we have a duty to address these matters. That is non-negotiable.

It cannot be denied that the probation service has made significant progress in meeting its output targets in recent years, and this has provided us with a solid foundation. But the high rate of re-offending shows that performance in the service is still not good enough.

Because of this we have decided to introduce legislation, outlined in the Queen's Speech, to drive up standards in probation.

Our aim is to open up the service so that the particular skills and expertise of the voluntary and private sectors can be utilised wherever appropriate, to ensure that we have the best probation service possible – and not one that is hidebound by historic provision.

We want to allow all of those who have the right skills and expertise to be able to make a contribution to the management of offenders, whichever sector they come from.

Many of us know that voluntary organisations, such as Mencap, Scope and the RNIB, have a lot to offer as service providers for people with learning or physical disabilities. And we believe it is vital to allow those third sector organisations, who specialise in work

with offenders or the problems offenders face, to have a greater chance to make a contribution to the effective and safe management of offenders.

After all, it is a frequently forgotten fact that the probation service grew out of the voluntary sector.

Unfortunately, some opponents of our plans claim that they amount to privatisation. This is wrong. The public sector probation service is already centre-stage in our work with offenders and will continue to be so.

To make our intentions absolutely crystal clear, we have issued the following six guarantees:

- The guiding principle for our proposals is to ensure that the highest quality services can be delivered, in order to best protect the public.
- Probation will continue to be valued as a profession, reinforced by rigorous national standards and training.
- The National Offender Management Service (NOMS) will support probation boards to become part of a network of viable public sector trusts, working alongside providers from the voluntary and private sectors to deliver high-quality services.
- As long as it is meeting the demanding and transparent standards set by NOMS, the public sector trust for each area will be awarded the contract to run offender-management services in the first instance.
- Where a new provider is asked to run probation services in a particular area, staff who transfer to it will have their terms and conditions protected by law.
- New providers will have to take account of the two-tier workforce regulations, which means they have to recruit new staff on terms and conditions which are, overall, no less favourable than those of employees transferred from the public sector.

Our aim is to support probation boards to become part of a network of viable, successful public sector trusts, working in partnership with providers from the private and third sectors to deliver high-quality services for the benefit of offenders, the courts and the public.

It is our belief that this new approach will help reduce re-offending and ensure greater public protection – with the result that law-abiding members of our society will feel substantially safer. \*

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**BILLS** Child Support Bill | Pensions Bill |

**CARRYOVER BILLS** Welfare Reform Bill

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**ANALYSIS**

While there were no surprises when it came to the three Department for Work and Pensions Bills announced in the Queen's Speech, the policy area is nevertheless seen as one of the key planks of this year's legislative agenda.

Away from legislation, DWP is the lead department for driving through the Government's City Strategies – a core New Labour initiative conceived as an holistic approach to tackling barriers to work and improving local access to, and ownership of, public services. This, along with piloting welfare reform through the Commons, means that the DWP will be at the centre of any Labour government agenda.

Returning to the Queen's Speech, the new Pensions Bill will undoubtedly take centre stage. The Bill picks up from where the Turner Report left off, and aims to provide for the long-term reform of the pensions system.

Measures will include the state pension age rising in stages to 68 by the year 2046, a restoration of the link between pensions and earnings from about 2012, a cut in the number of years it will take to build a full state pension and the creation of a nation-



**DWP is at the centre of an ambitious reconfiguration of the British welfare state**

al delivery authority to help design a successful personal accounts system.

The second DWP bill, on Child Support, is prompted by Sir David Henshaw's nuts and bolts review of the CSA. This Bill aims for a complete redesign of the UK's chronically-troubled system of child support. The Child Support Agency (CSA) is scrapped and replaced with a new body, more streamlined and focused.

The new organisation will aim to discriminate in favour of parents in pressing need, and will have stronger enforcement powers – such as suspending passports and imposing curfews – to help deal with parents who repeatedly fail to pay. The details of the reform have yet to crystallise and the Bill will not be presented until the Government has published and consulted on a White Paper on the issue.

When one considers that the third and final bill is the aforementioned Welfare Reform Bill, carried over from the last session, it is clear that the DWP is at the centre of an ambitious reconfiguration of the British welfare state. Whereas elsewhere many commentators are asking how much of this year's Queen's Speech will actually reach the statute books, in this area of policy at least there is consensus, and a real desire to ensure that it is Labour ideas that structure the development of UK social policy for the foreseeable future. On

pensions, for example, reaction to the Government's approach to what is an extremely thorny problem has been generally positive. The problem of pensions needs addressing and it appears that the Government's approach of holding a measured national debate on what to do has worked. That the Bill is the product of a Brown/Blair agreement makes its passage all the more likely.

Although, the Pensions and Child Support Bills are likely to receive cross-party support, the emotive nature of the issues at stake and the powerful temptation to make political capital out of them imply that there will be no absence of controversy. The Child Support Agency elicits its passionate views – and headlines – while on pensions, there are still significant unresolved issues and groups have become well-versed at making their voices heard. The same can of course be said of the Welfare Reform Bill, likely to elicit any number of 'more Tory than the Tories' sound bites from the left and 'roadblock to reform' jibes from the right.

The Government has taken its time, but these Bills set out a path to what amounts to a very different country. Now comes the hard bit. \*

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**BILLS** Exchanges and Clearing Houses Bill | Stastical Reform Bill  
**CARRYOVER BILLS** Parliamentary Supply Estimates Bill

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## ANALYSIS

With Gordon Brown remaining firmly out of the spotlight in the final Queen's Speech of the Blair administration, the Chancellor has allowed himself one key policy to claim as his own – namely, ensuring the independence of national statistics. By pushing through the Statistics and Registration Service Bill in the next Parliament, Brown will be stamping his authority on a neat piece of legislation intended to make statistics produced in Government less open to political manipulation.

This Bill has been a long time in the making, finally fulfilling the Labour Party's 1997 manifesto pledge to deliver "an independent National Statistical Service". The Government introduced the non-statutory Framework for National Statistics in 2000. A written consultation, *Independence for Statistics*, was launched in March this year and the Treasury Sub-Committee inquiry into the Government's proposals reported on 26 July 2006.

This process has culminated in the Statistics and Registration Service Bill, to be introduced in a parliamentary session which is as likely to see the Bill reach the statute book as it is to see the accession of Brown to the premiership.

The Bill will allow for the creation of a new independent Board, with key Board appointments made

through open and fair competition. The Board would be established as a non-Ministerial department with special funding arrangements outside the normal Spending Review process and would, as far as possible, replace the role of Ministers in holding the National Statistician to account.

The Board would have a statutory responsibility to assess and approve all National Statistics against a code of practice and would have responsibility for overseeing the Retail Prices Index measure of inflation (RPI) with a limited safeguard based on the judgment of the Governor of the Bank of England. Interestingly, it would also be required to monitor and report on areas of concern about quality and comprehensiveness of *all* official statistics – not just National Statistics.

The second, more modest piece of legislation to come out of the Treasury is the Exchanges and Clearing Houses Bill. This standalone Bill aims to safeguard the UK's proportionate risk-based approach to regulating wholesale financial markets.

The Bill confers special powers on the Financial Services Authority to effectively protect the London



Brown will be stamping his authority on a neat piece of legislation ...

Stock Exchange, which is the target of takeover bids from Australia's Macquarie Bank, Nasdaq, Deutsche Boerse AG and Euronext NV, and from heavy overseas regulation such as the US Sarbanes-Oxley Act.

The Government has been keen to stress that the new powers will not make foreign ownership of UK exchanges and clearing houses any easier or more difficult than at present. The Exchanges and Clearing Houses Bill is being pushed through at speed, completing all of its stages in the House of Commons on 28 November.

The two Treasury Bills can hardly claim to represent Brown's agenda for the coming year, but this doesn't come as any great surprise. Gordon's focus is clearly on the last stretch of the road to Number 10 and a time when he can finally preside over his own all-embracing Government programme. \*

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**BILLS** Consumers, Estate Agents and Redress Bill | Climate Change Bill  
**DRAFT BILLS** Local Better Regulation Office Bill

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**ANALYSIS**

The Queen's Speech heralded two 'core' DTI Bills in the form of the Consumer Redress and Estate Agents Bill and the draft Local Better Regulation Office Bill. Both Bills address loose ends for Tony Blair, strengthening consumer power and improving regulation. The elephant in the room, however, is energy.

Although a summary of Alistair Darling's track record as Secretary of State would have to include promoting innovation, trade and inward investment and addressing climate change, none of these are possible without first securing UK access to reliable and affordable energy. It is the clear and present need to facilitate investment in new infrastructure for, and alternative sources of, energy that is behind both the non-DTI Climate Change and Planning Reform Bills.

**Tying up loose ends**

The Consumer Redress and Estate Agents Bill aims to strengthen the UK's framework for competition and consumer empowerment and support by 2008. This, combined with the EU Unfair Commercial Practices Directive, will introduce the most wide-ranging reform of consumer



protection for many years. In practical terms the National Consumer Council, Energywatch and Postwatch will be merged; estate agents and energy, postal and (subject to further consultation) water suppliers and service providers will be required to belong to redress schemes; and individuals will have the same cancellation and 'cooling-off' rights in relation to solicited visit sales as they have in relation to sales from unsolicited visits.

This 'consumers first' approach is balanced by the creation of the independent Local Better Regulation Office envisioned by the draft Local Better Regulation Bill. The Office would aim to encourage local entrepreneurship and existing businesses through the provision of advice to businesses on compliance with trading standards and health regulations. Put in context, the Bill would appear to represent a grassroots counterpart to the national programme targeting innovation.

**It's all about dynamism, stupid**

Although not mentioned in the Queen's Speech, innovation (or more clearly, Science and Innovation) is a DTI priority, both as a Budget beneficiary and as a formal ministerial role. It is generally accepted that innovation is central to the UK's long-term economic sustainability. It is for this reason that spending on R&D as a share of national income is to in-

crease from 1.8 per cent to 2.5 per cent by 2014, while the DTI is mainstreaming the promotion of technology and innovation across its policies and spending programmes. This can be seen in 'Trade' as much as in 'Industry'. UK Trade and Investment (UKTI), the joint DTI and FCO body, concentrates on securing investment from emerging economies and promoting the City, yes, but it is R&D-intensive companies that are targeted both for inward investment and as potential exporters.

**Will the last person to...**

Returning finally to energy, its central importance was recently underlined by responsibility for policy moving to the Secretary of State. A number of consultations and initiatives have already been launched with more expected and an (other) Energy White Paper is expected in spring 2007. Efficiency and 'renewables' will be the principle areas for climate change-focussed policy, with the key aims for the DTI more generally being to facilitate investment in core areas of gas and energy, to increase the UK's access to secure energy supplies, and to push for a common European Energy Policy. \*



**Innovation is central to the UK's long term economic stability**

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BILLS Climate Change Bill

ANALYSIS

So, the Government has included a Climate Change Bill in the Queen's speech and environmental groups have cried "Victory" and allowed the dogs of war to take a nap. Not for long I suspect.

Whilst a long term target of reducing carbon emissions by 60 per cent by 2050 is a step in the right direction, the green lobby really wants annually binding targets. And why not, when the Government admits that it will miss its pledge to reduce CO<sub>2</sub> emissions by 20 per cent by 2010?

David Milliband's position is clear; annual targets are "silly", since the Government cannot control, for example, fluctuations in energy use due to climatic variation. He proposes five year targets and annual reporting to Parliament. Friends of the Earth support Government action so far but will continue to press for annual targets, however "silly". Whether FoE can count on the support of the 400 or so MPs who have signed up to their campaign is another matter. At the time of writing, Tory leader and former eco-lobby poster-boy David Cameron stands accused of quietly dropping his cast-iron pledge to commit the Tories to binding annual targets.

The debate around targets is perhaps a red herring, overlooking one crucial question – whatever the targets, how will they be met? As Chris Huhne said after the Queen's Speech: "If targets alone solved problems, this

would be the best-governed country in the world."

Alas, while two thirds of the population support carbon-reducing restrictions on behaviour and purchasing in principle, the reality differs. In a recent Financial Times poll, less than half those polled supported an environmental charge on air travel. And although 25 per cent were prepared to pay up to a week's salary to help eliminate the threat of global warming, 33 per cent would not. Tough environment talk makes good headlines, but concrete action may cost votes.

The Carbon Commission proposed in the Climate Change Bill will help devise the necessary policies. In the meantime, can we expect anything other than more political hot air?

There's road pricing. But the Government is only proposing a draft bill that, if it progresses, will grant politically brave local authorities further powers to introduce pilot schemes. Ken Livingstone succeeded in London – indeed politicians of all persuasions from as far afield as Japan and Edinburgh have come to see how he did it. But Mr Livingstone, as I am sure he would agree, is a special case, somewhat inured to the political



winds that inevitably sway most local authorities.

And other green taxes? After the Stern Report, David Milliband's plans for swingeing taxation of everything from fuel to air travel were leaked to a Sunday paper. Since then ... a deafening silence. Others within Labour criticise the regressive nature of green taxes. The Tories will not support them without corresponding tax cuts. Even the Lib Dems promise cuts alongside their green taxes. On and on the debate goes, where it stops Gordon only knows. "Sources close to the Chancellor" say he thinks green taxes are largely irrelevant.

That leaves planning? Planning features in the Queen's speech, and arguably the proposals will ease the construction of "clean" nuclear plants. Unfortunately, this also applies to road bridges, airports, motorways and out of town supermarkets. We await the Government's planning and micro-generation consultation with anticipation.

Did the Queen's Speech herald gigantic strides forward for environmental policy? Unfortunately not...baby steps, indications of future action, but not the giant strides required to avoid cataclysm. \*



Sources close to the Chancellor' say he thinks green taxes are largely irrelevant

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**BILLS** Further Education and Training Bill

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**ANALYSIS**

The 2006 Queen's Speech is no different from previous speeches in conveying the Government's annual commitment towards raising standards in education and increasing levels of spending across the sector. However, this year's speech is significant in that the sole bill devoted to educational reform, the Further Education and Training Bill, takes a heavy steer from the Treasury. It is within this bill that the drive to improve educational standards is explicitly linked with a need to increase the UK's overall productivity levels.



**The sole bill devoted to education reform ... takes a heavy steer from the Treasury**

Within the primary sector, the Government has chosen to play it safe. In place of reform, there is, instead, a continued commitment by Government to give power and choice back to both parents and teachers and the delivery of a personalised education system relating to each child's individual needs. Local authorities are given, albeit ambiguously, an enhanced strategic role to facilitate this choice as "champions of pupils and parent". Mr Johnson has also been wise in building on a popular legacy left by TV chef, Jamie Oliver, through his department's commitment to improving nutritional standards in schools across the UK. All of

these policies fit neatly within the Government's mantra of driving standards and increasing choice.

However, it is across secondary and further education that we see the full impact of the Treasury's hand in shaping the sector. The newly appointed Education Secretary has been unreserved in acting on, at the first opportunity, the interim findings of the Treasury-led Leitch Review into Skills in the UK. Over a third of adults of working age in the UK are identified by the review as lacking a basic school-leaving qualification.

The review is one of many from the Treasury that has coerced better partnerships between educational sectors and businesses. It demands that the Government act with urgency to address the overall UK skills shortage. It warns that as "UK productivity continues to trail many international comparators and poor skills continue to have a direct effect on social inequality" Whilst the Government will continue to fulfil its commitment to improving A-Level standards, the Review has requested that the Government think more broadly and commit itself to improving standards within the vocational sector in order to deliver the optimum skills mix and drive the UK economy forward.

The sole bill devoted to educational reform in this year's Queen's Speech, The Further Education and Training Bill, is a direct product of the Leitch Review's interim findings and the Gov-

ernment's White Paper, "Further Education, Raising Skills, Improving Life Chances" (published in March 2006). Its purpose, to reform the system of further education system and, to ensure that students can develop sector specific skills that fundamentally suit the needs of the UK economy. The Bill is primarily focused on the reform of the Learning and Skills Council (LSC). In an attempt to improve efficiency, it removes all local LSCs and replaces them with 9 Regional Councils. It also places a duty on LSC's to increase the amount of choice and learning opportunities available to students.

Furthermore, teaching standards will be improved through the creation of a FE leadership board with the power to regulate the qualification of all college principals.

For some time, the Further Education sector has demanded that the Government recognise the full value of vocational training – an area it believes has been universally overlooked by governments for decades. The Education and Training Bill is the Government's first solid commitment to addressing this oversight and places Further Education colleges at very heart of the UK national skills strategy. \*

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**BILLS** Greater London Authority Bill | Local Government Bill | Planning Reform Bill

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ANALYSIS

Ruth Kelly's DCLG leads on three Bills, each of which arguably looks to shift decision-making powers both DOWN towards local councils and their communities, in a nod to local democratic accountability, and UP towards London-wide, regional or national decision-making in the interests of taking the strategic view.

Greater London Authority Bill

It is hard to believe that same Prime Minister who was prepared to scour the streets of Westminster looking for anyone to stand in the way of Ken Livingstone's ambitions to become Mayor, and who went on to churlishly expel him from the Labour Party, is now, in his final months, seeking to bequeath greatly enhanced powers to the London Mayor. But Labour's prodigal son has earned grudging respect over the last six years and the GLA has won fulsome praise from the government for successfully introducing congestion charging, improving bus services and playing a crucial role in winning the London 2012 Olympic bid.

With the GLA having proved itself fit for extra responsibility, the Bill will empower the office of the Mayor (and to the London Assembly) to "support the delivery of better public services in London" and to enhance the Mayor's leadership of London in "driving forward its economic growth to meet future challenges" – including building new homes, and taking a strategic

approach to planning and staging the Olympic Games.

The Bill's key elements include:

- new powers and responsibilities for the Mayor in relation to housing strategy, waste planning, health inequalities, and cultural policy;
- powers for the Mayor to intervene and direct changes to Local Development Schemes;
- a requirement for the GLA adopt Climate Change and Energy strategies.

Mayor Livingstone has warmly welcomed what he sees as "a major devolution" of powers from central government to city-wide authority. However, as many London boroughs have been swift to point out, the consolidation of power into the hands of the London Mayor contradicts Government's ambitions to devolve powers further down, to local councils and the communities they represent (see Local Government Bill below).

The GLA Bill will therefore put the London Mayor even more frequently at loggerheads with local councils, increasing numbers of which are now controlled by the Conservatives. With Councils resentful of the Mayor's new



powers to challenge and overthrow their decisions, the Mayor – backed up by this new Act – will relish the fight.

Local Government Bill

This legislation would "provide for the reform of local government" and, like the GLA Bill, prepare local government for "new challenges".

Specifically, the Local Government Bill will seek to:

- enhance the powers of Council Leaders and Ward Councillors through new decision-making arrangements; give communities a stronger voice and councillors greater powers to respond to concerns; provide enhanced powers for local Overview and Scrutiny Committees;
- cut red-tape through a streamlined performance framework
- consolidate local government inspection through the creation of a single inspectorate;
- mandate local authorities and named partners to work together to deliver the Local Area Agreement;
- increase flexibility in removing, or creating, tiers of government, by allowing councils in shire counties to seek unitary status, or by devolving the right to set up parishes to local government. \*



The GLA Bill will put the London Mayor even more frequently at loggerheads with local councils

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**BILLS** Mental Health Bill

**DRAFT BILLS** Tissues and Embryo Authority (Rate) Bill

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ANALYSIS

This year's Queen's Speech contained very little health-care legislation.

That is not to say it will not be another year of significant change for the health service. The Department of Health is committed to the modernisation agenda despite increasing opposition, but many of the reforms do not require primary legislation anyway. Events on the wider political stage will also have an important influence over the next twelve months – there will be a new Prime Minister in post, the results of the Comprehensive Spending Review will be announced and a newly invigorated Conservative Party will attempt to keep the pressure on with an NHS Independence Bill.

The Queen's Speech contained one healthcare bill and one draft bill, both of which focus on very specific issues:

**Mental Health**

The Government has been trying to introduce new mental health legislation for several years in an effort to balance concerns about public safety with the human rights of patients. However, it has faced persistent objections from both patient groups and healthcare professionals who



MIND has described the Bill as a 'wasted opportunity'

feared the changes being proposed were too draconian. It is now trying again with a new Mental Health Bill designed "to help ensure that people with serious mental health problems receive the treatment they need to protect them and others from harm."

The bill includes proposals for Supervised Community Treatment for patients discharged from compulsory treatment in hospital; a new definition of mental disorder and a new treatment test; and the introduction of safeguards for patients who are deprived of their liberty but are not protected by the Mental Health Act. It was introduced into the House of Lords almost immediately – a sign perhaps that the Department of Health is expecting another energetic and protracted debate.

This seems very likely given the comments that have already been made. Both the Royal College of Psychiatrists and the BMA have expressed concerns about the bill, and particularly that any compulsory treatment should have a clear clinical purpose. Patient care groups are equally unhappy. MIND has described the bill as "a wasted opportunity" and Rethink has already organised a campaign to oppose the bill including a parliamentary lobby on 28 November.

**Tissues & Embryo Authority**

The Government undertook a consultation last year on possible changes to the law regarding human reproduc-

tive technologies. The review was intended to ensure the law remains up to date in response to technological developments and changing public attitudes. This was in addition to the issues covered by the Human Tissue Act in 2004.

The Department of Health has now announced it plans to publish detailed policy proposals and a draft bill next year for pre-legislative scrutiny. Broadly speaking, the Government believes the existing legislation provides a solid basis for the future. It has also made it clear it does not intend to remove the ban on human reproductive cloning or to reverse the new rules concerning donor anonymity.

However, some changes are planned, including the creation of a new Regulatory Authority for Tissues & Embryos (RATE) to replace both the Human Fertilisation and Embryology Authority and the Human Tissue Authority. RATE would act as the regulator for the purpose of the EU Blood, and Tissues and Cells Directives and would be a single source of authoritative guidance on all issues relating to the use of human tissue. \*

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**BILLS** Legal Services Bill | Tribunals, Courts and Enforcement Bill

ANALYSIS

There was an element of predictability for the Department for Constitutional Affairs (DCA) in this year's Queen's speech. It was gifted with two bills, both of which have followed the well trodden path of independent review, to white paper, to draft bill, and now finally, to full legislation.

The Government is also set to continue with its programme of House of Lords reform, and will hold a free vote on the composition of the House of Lords, nearly a decade after the 1997 Labour manifesto committed the incoming Government to ending the hereditary principle.

The Legal Services Bill, not mentioned in the speech itself but nevertheless part of the Government's legislative programme, is designed to reform the way legal services are regulated and delivered, in light of criticism that the legal regulatory framework was "outdated, inflexible, over-complex and insufficiently accountable or transparent".

It will ensure independent regulation of the legal profession and greater competition in the legal services market, by creating an independent Legal Services Board to oversee the designated legal regulatory bodies and simplify the current regulatory arrangements, and obliging these bodies to separate their representative and regulatory functions. The bill will also create an Office for Legal Complaints to act as a single,

independent redress service, and increase competition and choice by enabling new business structures which allow lawyers and non-lawyers to work on an equal footing.

The Legal Services Bill was born out of the 2004 Clementi review of legal services, which led to the Future of Legal Services white paper in 2005, and then a draft bill in May this year. The full bill will take into account the recommendations of the Joint Committee on the Draft Legal Services Bill, which raised concerns over what it termed the "potential damage" the bill might cause to the independence of the legal profession, specifically over the proposed role of the Lord Chancellor in the appointment of the chairman and members of the LSB.

The Tribunals, Courts and Enforcement Bill was introduced to Parliament the day after the Queen's speech, and stemmed from Sir Andrew Leggatt's review of tribunals in 2001 (with several consultation papers, two white papers and a draft bill in between), which found that tribunals were too often "old fashioned" and "daunting to users". The lack of an overarching framework for tribunals, which deal with



A free vote on the composition of the Lords, a decade after the 1997 manifesto commitment

anything from benefits, tax and immigration, to employment disputes, set the Government on the long road to legislation, culminating in a bill designed to create a simplified statutory framework for tribunals, "to provide coherence and enable future reform".

The bill will unify the tribunals judiciary under a new judicial office, the Senior President of Tribunals, and re-examines the existing criteria for eligibility for appointment to judicial office in order to enable a wider range of applicants to put themselves forward. In addition, it will unify the law relating to enforcement by seizure and sale of goods. The bill also contains a number of elements designed to help tackle social exclusion and over-indebtedness, including package of measures to help those who are willing and able to pay off their debts over time and a new personal insolvency procedure for those in debt.

So while there were no great surprises for the DCA this year, it must be satisfied that it can now continue with its programme of long term reform. \*

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**BILLS** Concessionary Bus Travel Bill  
**CARRYOVER BILLS** Crossrail Bill

**DRAFT BILLS** Local Better Regulation Office

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ANALYSIS

Nestling deep in a Queen's speech dominated by security, justice, pensions and climate change were three Bills in an area that has rather fallen out of the limelight since the Prescott days at DETR – transport.

Carried forward from the last session – and from the last Parliament – the hybrid Crossrail Bill will potentially help to maintain the momentum of a campaign known to be at the very top of Ken Livingstone's agenda. But with London 2012 cost over-runs grabbing the headlines, financing issues will continue to be a defining feature of the Crossrail debate.

In parallel, the Concessionary Bus Travel Bill – and related measures planned under the Draft Road Transport Bill – should be interpreted as a further attempt to reintegrate and reinvigorate the deregulated bus market outside London, particularly in the areas of ticketing and concessionary travel.

However, beyond measures on the reform of PTAs and PTE in the Draft Road Transport Bill, it is the planned legislation on road pricing that has, unsurprisingly, generated the greatest interest. The proposed measures will update existing powers on road



There is little in these three pieces of legislation that is actually new or radical

pricing pilots, while looking at ways of ensuring that any localised schemes are properly interoperable.

Standing back, there is little in these three pieces of legislation that is actually new or radical. Many of the bus measures simply take to the next level existing work in the area of ticketing integration and quality partnerships, while PTA/PTE reform will formalise existing interaction.

Indeed, the road pricing measures merely mark the culmination of a stream of policy dating back to the 1998 Transport White Paper and running through the 10-Year Transport Plan of 2000, the Transport Act of the same year, the 2003 *Managing our Roads* consultation (and the feasibility studies that followed it) and Douglas Alexander's announcements in June 2005.

In reality, the proposed road pricing legislation does little more than to give further legislative shape to existing policy and to inject new momentum into this area. The ultimate test will come down to political will. After all, the Transport Act 2000 contained extensive powers for local authorities to introduce localised road pricing and workplace parking levies.

These powers have lain largely dormant while local governments waited to see how Ken Livingstone's congestion charge fared, and to receive a clearer steer from Whitehall that Ministers were willing to provide central direction.

The announcement on 6<sup>th</sup> November of further funding for pilot schemes across nine areas suggested a thawing of local authority sentiment in this potentially contentious area. But, the extent to which these proposals translate into action hinges on the willingness of local politicians to take the political risks involved and of central government to knit localised activity together on an inter-urban basis. Choices of turn-key technologies and the ability to make real parallel improvements to public transport will also be crucial in determining the real world outcomes of these debates.

The close relationship between Douglas Alexander at DfT and David Milliband at DEFRA, together with the seismic media and political tremor created by the Stern Review, perhaps provide hints as to central government's stomach for this particular fight. However, with road pricing easily portrayed as a further stealth tax and the Eddington review potentially offering up an alternative, more traditional investment-led model, the ultimate outcome and timetable in this fascinating area is far from certain. \*

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**BILLS** Digital Switchover (Disclosure of Information) Bill

**DRAFT BILLS** Protection of Cultural Property During Armed Conflict Bill

ANALYSIS

A quiet Queen's Speech for Tessa Jowell, with just one Bill: the Digital Switchover (Disclosure of Information) Bill.

For the uninitiated, the current, often fuzzy, analogue television signal will be switched off in phases between 2008 and 2012. Its digital replacement offers better picture quality, more interactive services, and potentially far more channels thanks to more efficient use of bandwidth.

For most of us, though, digital television is already here. According to the government's latest figures, published at [www.digitaltelevision.gov.uk](http://www.digitaltelevision.gov.uk), almost three quarters of households now receive digital TV via terrestrial aerial (Freeview), satellite dish (Sky) or cable (NTL/Telewest).

So why the need for a Bill? And what's this about Disclosure of Information?

In September 2005, the government promised a 'help scheme', funded by the TV License fee, to ensure that no-one will be left behind by the digital switchover. The scheme provides assistance (for a small fee) with the installation of the necessary digital TV equipment- in most cases, a Freeview box. Following the recommendations of an Ofcom expert panel, the scheme specifically targets those who may have difficulty switching to digital television – the over-75s, the blind or partially-sighted, and those with significant disabilities.

Within these target groups, the scheme also provides for free equipment for the poorest eligible households – those receiving Income Support, Jobseekers' Allowance and Pension Credit. Which is where this Bill comes in.

Essentially, the Bill provides for information-sharing between the DCMS Digital TV help scheme and the MoD and DWP, to enable DCMS to check whether those claiming free digital TV equipment are, in fact, eligible. So if you think you can plead poverty and disability to avoid spending £25 on a Freeview box, they'll catch you.

A brief word about the draft Protection of Cultural Property during Armed Conflict Bill, not specifically mentioned in the Queen's Speech but referenced in the background notes. It's easy to criticise this Bill as a knee-jerk reaction to allegations of misconduct in Iraq. The reality is far more benign. The Bill, the culmination of a consultation process launched by then Culture Secretary David Lammy in 2004, will complete the UK's accession to the 1954 Hague Convention on Cultural Property – better late than never, you might say. \*



If you think you can avoid spending £25 on a Freeview box, they'll catch you

USEFUL LINKS

Government Departments and Sponsored Bodies

- [www.digitaltelevision.gov.uk](http://www.digitaltelevision.gov.uk)
- [www.communicationsact.gov.uk](http://www.communicationsact.gov.uk)
- [www.digitallogo.co.uk](http://www.digitallogo.co.uk)
- [www.digitaluk.co.uk](http://www.digitaluk.co.uk)
- [www.ofcom.org.uk](http://www.ofcom.org.uk)

Broadcasters

- [www.bbc.co.uk](http://www.bbc.co.uk)
- [www.itv.com](http://www.itv.com)
- [www.channel4.com](http://www.channel4.com)
- [www.five.tv](http://www.five.tv)
- [www.s4c.co.uk](http://www.s4c.co.uk)
- [www.teletext.com](http://www.teletext.com)
- [www.freeview.co.uk](http://www.freeview.co.uk)
- [www.sky.com](http://www.sky.com)
- [www.homechoice.co.uk](http://www.homechoice.co.uk)
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**BILLS** Justice and Security (Northern Ireland) Bill | Northern Ireland Bill

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**ANALYSIS**

Northern Ireland has long been a source of frustration and significant political struggle for the Prime Minister and his Cabinet Colleagues.

Devolved Government has been suspended in Northern Ireland since 14th October 2002 due to a breakdown of power sharing between Sinn Fein, the UDP, the SDLP and other political groups that made up the Northern Irish Assembly. Since that time, and whilst the government's attention might have been seen to be focused on resolving conflicts in other parts of the world, much work has been done behind the scenes in Northern Ireland to try and bring about a more sustainable peace process.

The Provisional IRA's (PIRA) historic decommissioning programme of July 2005, and subsequent Independent Monitoring Commission (IMC) reports have all indicated that withdrawal from armed conflict and entry into the political dialogue seems to be being embraced by PIRA.

Against such a positive backdrop, and after many months of discussions led by the British Prime Minister, Tony Blair and the Irish Taoiseach,



**Much work has been done behind the scenes to bring about a more sustainable peace process**

Bertie Ahern, the Northern Ireland (St Andrew's Agreement) Bill has been introduced as part of the 2006/07 legislative programme.

The Bill is an enabling one, and would provide for the restoration of the Northern Ireland Assembly and its associated devolved institutions. In addition though it would see:

- The creation of a new Transitional Assembly to operate until the full restoration of the Northern Ireland Assembly;
- Introduction of amendments to the Northern Ireland Act 1998, specifically in relation to the Good Friday agreement and the appointments of First and deputy First Ministers;
- The introduction of strategies to tackle social and cultural issues such as poverty and social exclusion, and promotion of Irish and Ulster Scots language;
- Amendments to the Education (Northern Ireland) Order 2006 so that the prohibition of academic selection does not come into effect until devolution is restored.

As part of this overall package of reform within Northern Ireland the Government also introduced the Justice and Security (Northern Ireland) Bill. The Government describes this Bill as one that aims to reflect the progress within Northern Ireland towards 'normalisation'.

In essence this is a Bill that aims to soften some of the more aggressive and traditional areas of legislation, and reflects the growing confidence in a lasting peace process. For example:

- A reduction in the role of the armed forces in Northern Ireland to the point whereby they are solely there to support the police force;
- An extension of the remit of the Security Industry Authority, bringing about uniformity with England, Wales and Scotland;
- And extension of the powers of the Northern Ireland Human Rights Commission (NIHRC), thus allowing them greater access to information about criminal investigations and greater access to places of detention. In addition, and following discussions at St Andrews, the Government repeated its commitment and announced its intention to extend to the Commission an additional power to rely upon the European Convention on Human Rights when bringing judicial proceedings. \*

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## OUR TEAM

As you might expect from an agency of Hill & Knowlton's standing, our public affairs team is drawn from across government, parliament, the major political parties, Downing Street, NGOs, PR agencies and the political media. This equips us with extensive first-hand knowledge and experience of the diverse range of influences on the formation of policy in the 21st Century.

However, what we believe marks out Hill & Knowlton people is their passion for what they do, an absolute obsession with delivering results that actually matter to clients, and a constant hunger for providing real political and business insights. Robust and challenging, but also fun and occasionally irreverent, it is this combination that makes H&K that little bit different.

The team has worked with clients across the policy spectrum – from healthcare, food & drink, transport and ICT to the environment, planning, sport and agriculture & rural affairs – from competition policy, the media, energy and financial & professional services to public sector procurement, defence and education & skills. \*

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