

Queen's Speech 2014

Purpose

For information and discussion.

Summary

The Queen's Speech on 4 June set out the government's legislative agenda for the final session of this Parliament, and contained three new bills of relevance to the Safer and Stronger Communities Board. This report sets out the details of these bills.

Recommendation

Members are asked to note the bills in the Queen's Speech relevant to the Board.

Action

Officers to incorporate members' comments and suggestions in the Board's work going forward.

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Background

1. The Queen's Speech was delivered on 4 June, and set out the government's legislative priorities for the final session of this parliament. The main bills of interest to the Board included in the Speech were the Small Business, Enterprise and Employment Bill, the Serious Crime Bill, and the Modern Slavery Bill. The Queen's Speech also contained three 'carry over' bills from the last session including the Deregulation Bill and the Consumer Rights Bill.

Small Business, Enterprise and Employment Bill

2. The intention of this Bill is to 'help make the United Kingdom the most attractive place to start, finance and grow a business'. It will seek to do this by making it easier for small businesses to access finances, provide small businesses with fair access to the £230 billion spent annually on public procurement contracts, increase transparency around who owns and controls UK companies through a register of beneficial ownership, tackle National Minimum Wage abuses, help publicans of tied pubs by introducing a new Statutory Code and an independent adjudicator to deal with disputes, and stop highly paid public sector employees keeping redundancy payments when they come back to the public sector within a short period of time.
3. The bill also aims to ensure that red tape affecting small businesses is regularly reviewed to ensure regulations are either cut or remain effective. In the LGA's response to the Queen's Speech we pointed out that the Board's vision for local regulation, Open for Business, sought to reduce the regulations surrounding businesses by consolidating existing licensing requirements into one single licensing application process. The LGA briefing also highlighted the importance of pubs to communities and supported a ban on the use of restrictive covenants by the larger breweries which means pubs can be sold and then stopped from being re-opened.

Serious Crime Bill

4. The Serious Crime Bill sets out the legislative provisions identified in the Serious and Organised Crime Strategy published in October 2013 as needed to tackle organised crime groups. It strengthens the ability of law enforcement agencies to recover criminal assets from offenders by amending the Proceeds of Crime Act 2002. The bill also creates a new offence of participating in the activities of an organised crime group as the existing conspiracy legislation makes it difficult to prosecute those who assist the activities of organised crime groups such as accountants, lawyers and technical experts who cleanse electronic data. It will also clarify the existing law to make it explicit that cruelty which is likely to cause psychological harm to a child is an offence. The bill additionally extends the extra-territorial reach of offences under the Female Genital Mutilation Act 2003 so they apply to habitual as well as permanent UK residents. Other provisions in the bill amend the legislation related to gang injunctions to update it in light of current gang practice, introduces powers to seize drug-cutting agents and updates computer related legislation on hacking, denial of service attacks and the circulation of computer viruses.

5. The bill was published in the House of Lords on 6 June and enters committee stage at the start of July. The LGA briefing for the Second Reading of the bill concentrated on three areas. Greater clarification was sought on how the offence of participating in the activities of an organised crime group might impact on local authorities. The briefing also suggested following discussions at the Female Genital Mutilation (FGM) Working Group that a new offence of promoting or encouraging FGM is created to make it easier to take action against community or religious leaders who seek to justify the practice. Finally the briefing used the Proceeds of Crime Act provisions to suggest that a greater share of recovered assets should be returned to local areas under the asset recovery incentivisation scheme (ARIS). During the Second Reading debate peers probed the Home Office Minister, Lord Taylor about the impact of the participation offence on councils and social landlords, as well as the distribution of assets from Proceeds of Crime Act actions. Lord Taylor indicated the Home Office would be reviewing ARIS in the autumn. An amendment to the Female Genital Mutilation Act 2003 that would make it an offence to promote and encourage FGM has been drafted and meetings held with peers so it can be tabled at committee stage.

Modern Slavery Bill

6. The Board considered the draft Modern Slavery Bill in January. The draft bill was published in mid-December as part of the government's White Paper on tackling the issue of modern slavery, forced labour and trafficking. The Bill is designed to prevent modern slavery and reduce the future number of victims by:
 - 6.1 Consolidating and simplifying existing slavery and trafficking offences into two offences of trafficking and forced labour, slavery and servitude. It brings together offences in the Sexual Offences Act 2003, the Asylum and Immigration Act 2004 and the Coroners and Justice Act 2009;
 - 6.2 Increasing the maximum sentence for modern slavery offences from 14 years to life imprisonment;
 - 6.3 Introducing Slavery and Trafficking Prevention Orders (STPOs) and Slavery and Trafficking Risk Orders (STROs). The STPOs will be available on conviction for modern slavery offences, while the STROs can be imposed by the courts where an individual has not been convicted but present a serious risk to others. Both orders will allow the court to restrict the activities of those they apply to;
 - 6.4 Establish a new Anti-Slavery Commissioner to galvanise efforts to tackle modern slavery by working with police and crime commissioners, the Crown Prosecution Service and the National Crime Agency; and
 - 6.5 Establish a legal duty to report potential victims of trafficking to the National Crime Agency. This will apply to public bodies identified as 'first responders' and will help victims access support as well as provide greater detail of the number of victims of these offences.
7. The bill was published at the start of June in the House of Commons but has yet to receive its Second Reading. As was noted when the Board discussed the draft bill there is little in the bill of direct relevance to local authorities, with the two provisions that do being the requirement to notify the National Crime Agency if the council has reasonable grounds for suspecting a victim has been trafficked, and the creation of an Anti-Slavery Commissioner. The Commissioner will be able to make recommendations to councils about the exercise of their functions and councils will be under a duty to collaborate with the commissioner.

Next steps

8. The focus for the Board's activity around the bills going forward will initially be on the Serious Crime Bill as this has areas where we wish to effect government policy and introduce a new offence related to FGM. As work progresses on this bill further updates will be brought to the Board.
9. Members are asked to:
 - 9.1. Note the bills in the Queen's Speech relevant to the Board.

Financial Implications

10. There are no financial implications arising from this report.