

17 June 2021

Queen's Speech / legislative update

Purpose of report

For information.

Summary

This report provides a summary of the announcements of relevance to the Safer and Stronger Communities Board in the Queen's Speech on Tuesday 11 May.

Recommendation/s

That the Board note the report and the impact of the Queen's Speech on the future work programme.

Action/s

Officers to ensure that this work is incorporated within the draft 2021-22 work programme.

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17 June 2021

Queen's Speech / legislative update

Background

1. On Tuesday 11 May, the Queen's Speech set out the Government's forward programme of legislation and other activity. This paper includes a summary of the Bills and other announcements of relevance to the Safer and Stronger Communities Board. For ease, these are summarised in the list below:

- 1.1. Building Safety Bill
- 1.2. Police, Crime, Sentencing and Courts Bill
- 1.3. Animal Welfare Bills
- 1.4. Online Safety Bill
- 1.5. Victims Bill
- 1.6. Criminal Justice catch up and recovery plan (including coroners)
- 1.7. Violence Against Women and Girls Strategy
- 1.8. Immigration Plan (including recommendations on modern slavery)
- 1.9. Regulatory Reform
- 1.10. Integrated Review

2. The **appendix** to this paper includes an overview of each of these announcements and our initial response to the announcement, extracted from the LGA's comprehensive 'On the Day Briefing' paper. In the short paper below, we provide a summary of the programme of activity, and the likely implications for our work and that of councils.

3. The Queen's Speech followed the passing of the Domestic Abuse Act at the end of the last Parliament in April. This is a landmark piece of legislation, and a key development for the Board following nearly four years of discussion since the Bill was originally introduced in 2017!

Issues

4. The Queen's Speech included two Bills which the Board has already had some engagement with; the draft Building Safety Bill and Police, Crime, Sentencing and Courts Bill. It also included the Government's Violence Against Women and Girls (VAWG) strategy, which the Board discussed and responded to in January and again following the reopening of the consultation.

5. As the Board are aware, the LGA has been closely involved with work relating to the draft Building Safety Bill and this will continue to be a key priority for us over the course of this Parliament. The Board also heard a presentation on aspects of the Police, Crime, Sentencing and Courts Bill at the last meeting in March. This is a wide ranging Bill, with a number of implications for councils, and we expect this to be a significant area of work as

17 June 2021

the Bill is developed. Also at the last meeting, the Board emphasised its desire for the VAWG to continue to be a key priority area of work.

6. Cllr Caliskan gave evidence to the House of Commons Public Bill Committee for the PCSC Bill on Tuesday 18 May. During the session, Cllr Caliskan emphasised the importance of taking a public health approach to tackling serious violent crime, investing in prevention and early intervention, as well as identifying the risk factors and drivers of youth violence. The session was also an opportunity to highlight the LGA's ask for the Government to extend funding for Violence Reduction Units (VRU) to all areas and commit to funding VRUs for five years. MPs also raised questions about unauthorised encampments, youth custody, Offensive Weapons Homicide Reviews, and the right to protest.
7. We have since followed up the oral evidence session by submitting written evidence to the Committee, which will be published on the Committee website in the coming weeks. The Bill is expected to progress through House of Commons Committee Stage, until 24 June 2021, before moving to Report Stage.
8. A less high profile programme of legislation that was announced, but which will also have significant implications for councils, is the [Action Plan for Animal Welfare](#) and associated legislation. Three Bills are expected, of which the [Animal Welfare \(Kept Animals\) Bill](#) and [Animal Welfare \(Sentience\) Bill](#) have already been introduced to Parliament. The overall plan includes a range of proposals which councils are likely to have a role in enforcing, including in relation to farmed animal welfare, puppy imports, and smuggling, zoo standards, pet microchipping and the advertisement of low welfare elephant experiences.
9. We are concerned at the potential capacity implications for already stretched regulatory services absorbing these additional responsibilities without new resources, with many councils struggling to effectively resource animal welfare activities among their many other responsibilities. The cross-government regulatory services task and finish group is looking at mechanisms for achieving an holistic view of the demands on regulatory services, as well as on measures to increase capacity, and this package of work highlights the importance of the group actually delivering meaningful change.
10. The Queen's Speech also included the Online Harms Bill. The Board has previously contributed to the consultation leading to the development of this Bill, which will place a duty of care on companies to improve the safety of their users online and designate Ofcom as the online safety regulator. The Bill will include harms linked to online radicalisation and the spread of misinformation; the LGA has also supported calls for the Bill to include the financial harm that can arise from growing numbers of fraud cases perpetrated online.

17 June 2021

11. The Victim's Bill will enshrine in law the 12 key rights in the new Victims Code, including the right to keep victims informed and updated about their case and when an offender is released. We have yet to have discussions with the Government about this legislation, but there are a number of points that will be of interest, including victims' entitlements to support and the need for sustainable long-term funding for this. In previous discussions on the victims' code several years ago, discussions also centred on the breadth of application of the code, recognising the very wide range of offences (such as consumer protection cases) which could potentially come within the definition of being a victim of crime.
12. The criminal justice catch up and recovery plan will include the work of coroners, with proposals to move the coronial system on to the same footing as other courts and tribunals in terms of virtual hearings and streamlined processes for non-contentious cases. We welcomed proposals to rationalise how coroners' work and suggested that the review should also include consideration of whether coroners' courts should be a local or centrally run service.
13. The Government's recently published Immigration Plan included a section on modern slavery, and this was also included within the Queen's Speech. The plan's proposals for modern slavery are to: provide further training for first responder organisations, including councils, which can refer victims of modern slavery to the National Referral Mechanism; prevent fraudulent claims and clarify the basis on which people may be excluded from receiving support from the NRM on public order grounds; create an expectation that all relevant information about an immigration case (including experience of modern slavery) should be provided at the outset; and of most relevance to councils, a commitment for Government to clarify its obligations to victims of modern slavery within UK law as soon as possible.
14. Finally, the Queen's Speech also briefly referenced two other areas of work of relevance to this Board; a programme of regulatory reform and the integrated review.
15. There is scope for councils and the LGA to contribute to regulatory reform, although experience of previous initiatives of this nature suggests a tendency to focus on elusive quick wins rather than the comprehensive reform of outdated frameworks which is harder to implement but could deliver substantial benefits to both businesses and councils as regulators.
16. The Board may recall that the LGA submitted a response to the integrated review last summer. The published review included a commitment to consider strengthening the role and responsibilities of local resilience forums (LRFs) in England, which councils are a

17 June 2021

core part of; we are already engaging with the Government on how the LGA can contribute to this review.

Implications for Wales

17. We will work with colleagues in the WLGA to confirm which elements of the Queen's Speech will apply to Wales in order to establish how we can work together on non-devolved issues.

Financial Implications

18. There are no expected financial implications of the Queen's Speech; responding to the Government's legislative programme forms part of the team's core activity.

Next steps

19. Officers to reflect the Queen's Speech within the forward work plan.

17 June 2021

Appendix: Relevant announcements from the Queen's Speech

Building Safety Bill

The main elements of the Bill are :

- Create the Building Safety Regulator, with a duty on council regulators and fire and rescue authorities to cooperate with it.
- Introduce new duties for those responsible for residential buildings over 18 metres or seven storeys, including stock-holding councils.
- Establishing a new framework to provide national oversight of construction products and strengthen the powers of the Office for Product Safety and Standards in this area.
- Establishing a new homes ombudsman and simplifying the process to log complaints to the Housing Ombudsman for social housing tenants.
- Making provisions for a levy on developers.

LGA view:

- This Bill cannot come soon enough as our broken building safety system needs reforms to be enshrined in tough new legislation. Residents have a right to be safe and to feel safe in their own homes, and the construction industry and those with legal duties now need to step up and deliver the cladding remediation work required.
- The Government has yet to respond to the points raised by the Housing, Communities and Local Government Select Committee's scrutiny of the draft Bill or to provide adequate funding to protect leaseholders. No leaseholder should have to pay the costs of making their home safe. Action should be taken to force developers and product manufacturers to meet the costs they have imposed on the country through decades of failure and prevent wider economic damage that could result if the cladding scandal continues to impact the housing market.
- Social housing providers will also need to be protected from these costs if they are to provide the housing the nation needs and improve the existing housing to the standards Government wants.
- Building safety is not only an issue for buildings over 18 metres which is why a risk-based approach, which considers the vulnerabilities of residents, is required.
- Councils and fire services will have a vital role to play in delivering the new regime. The government needs to ensure this role is fully funded.

Police, Crime, Sentencing and Courts Bill

The main elements of the Bill are:

- Introducing tougher sentences for offences such as rape, manslaughter and wounding with intent to cause Grievous Bodily Harm by ending the automatic release at the halfway point for serious sexual and violent offenders sentenced to a standard determinate sentence of between 4 and 7 years. This will bring their release point in line with serious violent and

17 June 2021

sexual offenders sentenced to seven years or more, following the secondary legislation we introduced in April last year.

- Increasing the maximum prison sentence for assaulting an emergency worker from 12 months to two years and creating a statutory requirement for the Home Secretary to report annually on progress made against the Police Covenant.
- Strengthening community sentences to cut crime by providing appropriate punishment addressing drivers of offending.
- Placing a duty on local authorities, the police, criminal justice agencies, health and fire and rescue services to work together to prevent and reduce serious violence, and the introduction of Serious Violence Reduction Orders. These will be used to prevent serious violence by equipping the police with new powers to stop and search those convicted of knife and offensive weapons offences.
- Reforming pre-charge bail so that bail conditions, such as prohibiting contact, are used more effectively to better protect victims and witnesses.
- Extending the scope of offences in the Sexual Offences Act 2003 relating to the abuse of positions of trust legislation to capture additional roles, such as sport coaches and religious leaders.
- Balancing the rights of protesters with the rights of others to go about their business unhindered, by enabling the police to better manage highly disruptive protests.
- A new criminal offence to target trespassers using vehicles to reside on land who are causing significant damage or significant disruption to local communities. Creating the necessary basis in legislation for the providers of Secure Schools to operate this new form of youth custodial institution that is designed to place education at the heart of youth custody in order to cut crime.

LGA view

- The Police, Crime, Sentencing and Courts (PCSC) Bill covers a broad range of community safety issues and seeks to introduce measures which aim to have an impact on victims of crime, those who perpetrate crimes, and wider community safety.
- Councils will continue to play their important role, alongside the police and other partners, in protecting our communities and ensuring they are safe places to live.
- We would like to see further formal consultation on several measures in the Bill, particularly the Offensive Weapons Homicide Reviews, imposing conditions on public protests, and the youth justice measures.
- The Bill seeks to place a new statutory duty on local authorities and wider partners to collaborate and plan to prevent and reduce serious violence. We support taking a public health approach to tackling serious violent crime and emphasise the importance of investing in early intervention and prevention measures. Any new duties in the Bill must be fully funded. We are also calling on the Government to extend funding and support for Violence Reduction Units (VRUs) to all areas.
- Effectively tackling unauthorised encampments will require a multi-agency response and the resources to support this. It is important the Government moves quickly to bring forward the

17 June 2021

good practice guidance it has committed to publish as this will support councils in dealing with unauthorised encampments.

- It will be important for this Bill to complement the measures outlined in the Domestic Abuse Act, the forthcoming Violence Against Women and Girls (VAWG) Strategy, the Draft Victim's Bill, as well as wider legislation and guidance, to ensure that simultaneous changes to the local government community safety landscape are considered collectively and carefully.

Animal Welfare Plan and Legislation

The main elements of the plan and legislation are:

- Deliver on the Government's commitment to the highest standards of animal welfare by creating an Action Plan for Animal Welfare and legislation.
- Recognise animal sentience in law through the Animal Welfare (Sentience) Bill.
- Increase protections for pets, sporting animals, and farm animals by ending the export of live animals for slaughter, banning the keeping of primates as pets, improving standards in zoos and cracking down on puppy smuggling, and enhancing conservation through a Kept Animals Bill.
- Ban the import of hunting trophies from endangered animals abroad and end the advertising for sale of low welfare experiences abroad through an Animals Abroad Bill, as well as considering steps to limit the trade and sale of foie gras.
- Introduce mandatory cat microchipping and review current microchip databases.

LGA view

- We support the objective of increasing animal welfare standards and eradicating cruel practices both domestically and internationally. However, the Government should balance the need to educate consumers alongside the need for enforcement, particularly in terms of poor welfare overseas, and it must ensure councils can practicably take action in response to new regulations.
- The elements outlined in the announcement are likely to mean a significant amount of additional work for councils' regulatory services which are already under significant pressure. New responsibilities will need adequate resourcing in order to deliver the Government's ambitions.
- The cross-government regulatory services task and finish group is already considering the challenges facing local regulatory services. These new responsibilities around animal welfare demonstrate the importance of the group's work to secure sustainable funding for regulatory services and a long term cross-government view of the demands being placed on them.

Draft Online Safety Bill

The main elements of the Bill are to:

17 June 2021

- Place a duty of care on companies to improve the safety of their users online. This will require them to tackle illegal content on their services and to protect children from harmful content and activity online. They must seriously consider the risks their services pose to users and take action to protect them.
- Require major platforms to set out clearly in their terms and conditions what legal content is unacceptable on their platform and enforce these consistently and transparently.
- Requiring platforms to have effective and accessible user reporting and redress mechanisms to report concerns about harmful content, and challenge infringement of rights (such as wrongful takedown).
- Designating Ofcom as the independent online safety regulator and giving it a suite of robust enforcement powers to uphold the regulation. This will include very large fines of up to £18 million or 10 per cent of annual global turnover - whichever is greater - as well as business disruption measures. The Government expects Ofcom to prioritise enforcement action where children's safety has been compromised.
- Boosting public resilience to disinformation through media literacy and supporting research on misinformation and disinformation.

LGA view

- Abuse online or offline should not be tolerated. We look forward to working with government to build a thriving digital economy that is trusted by and protects everyone in the UK while ensuring users' rights, including freedom of expression.
- Appointing Ofcom as an online safety regulator is a step in the right direction. We hope it will go some way to reducing online harms, including of children and vulnerable adults.
- We are concerned about the increasing spread of mis- and disinformation, and incidents of intimidation and abuse of elected representatives. Both pose significant threats to local democracy, as well as public health and community safety, and we welcome measures to tackle these issues.
- We are pleased that the Bill requires platforms to take responsibility for what is on their website and those who use it. In addition, we support calls for the Bill to include consideration of financial harms through scams, as well as other types of harm.
- Councils' trading standards teams play a vital role in tackling fraud, including online, and additional funding would allow councils to support the Government's ambitions to tackle a greater number of online scam cases. In addition, it is vital that online platforms take responsibility for fraudulent activity taking place on their sites.

Draft Victims Bill

The main elements of the Bill are:

- Enshrining the 12 key rights in the new Victims' Code into law. Those key rights include being:
 - Kept informed at key stages of the case.
 - Provided with regular updates on the progress of their case.

17 June 2021

- Referred to organisations supporting victims of crime.
- Given the opportunity to make a Victim Personal Statement and be informed how it was used in court.
- Informed when an offender is released, where eligible under the Victim Contact Scheme.

LGA view

- We welcome the Government's commitment to enshrine victims' rights into law, as this will help to ensure victims are more consistently supported and thereby enable them to deal with and recover from the impacts of crime. The proposals should also improve victims' experiences within the criminal justice process.
- It will be important for the Bill to recognise that 'victims of crime' will apply to a broad range of crimes – including those where the victim is also a perpetrator, such as in cases of child criminal exploitation – and there will be different prosecuting authorities involved in these cases. Listening to and engaging with victims of crime, and understanding more about their lived experience, will be vital in helping to achieve meaningful change and reform. We are also keen to work with the Government to ensure child victims of crime receive suitable support.
- The LGA has long called for greater investment in domestic abuse community-based support services, as well as early intervention and prevention services, and perpetrator programmes. It is therefore positive to see the Government has committed to consult on the provision of community-based domestic abuse services and will set expectations for the standard and availability of victim support for victims of domestic abuse and sexual violence.
- Current funding for victim support services is short-term and piecemeal. This does not allow for long-term strategic planning, nor provide any consistency for much-needed specialist support services and the victims that need to access these services. There needs to be greater collaboration across Government departments on this important issue, as well as comprehensive, multi-year funding provided to commissioners.
- To accompany this Bill, we would also like to see a greater focus on tackling perpetrators of crime, and a clear ministerial lead focusing on this important issue. There needs to be an integrated approach to identifying and responding to perpetrators, to help change their behaviour and address the risks posed by them.
- This new Victims' Bill should align and complement the provisions outlined in the Domestic Abuse Act, the Police Crime, Sentencing and Courts Bill, the forthcoming Domestic Abuse Strategy, and the forthcoming Violence Against Women and Girls Strategy, as well as wider guidance and legislation.

Criminal Justice Catch-up and Recovery Plan

The main elements of the Plan are:

- To put the running of the coronial system on the same footing as other courts and tribunals, with efficiency increased through virtual hearings, the holding of inquests without a hearing

17 June 2021

in non-contentious cases, discontinuing investigations where the cause of death is natural without first requiring a post mortem, and allowing coroner areas to merge across local authority boundaries.

- By ensuring the coroners' jurisdiction is in line with other courts and tribunals, delays in progressing cases will be reduced and will therefore reduce the distress of bereaved families.

LGA view

- Councils are keen to ensure that coronial inquests minimise the distress to bereaved families, and welcome measures that allow coroners' courts to operate more effectively by working in the same way as other courts and tribunals.
- The ability to rationalise coroner areas will assist councils in making coroners' services operate more efficiently. Government should fully fund the costs associated with these proposals as councils may need to invest in new technology and systems to deliver these new ways of working.
- As part of the plan, the Government should also review whether coroners' courts should continue to be a locally managed service, or whether it would be better for the coronial service to be run, managed and funded by central government.

Violence Against Women and Girls (VAWG) Strategy

The main elements of the Strategy are to:

- Tackle crime and this includes tackling violence against women and girls.
- Take action to toughen sentences, protect the public and improve support for victims and investing in support for victims.
- Publish a new VAWG Strategy and increase the ability to tackle emerging crime types such as 'upskirting' and revenge porn.
- Conduct an end-to-end review of the criminal justice response to rape, due this summer, looking at how every stage of the criminal justice system handles rape cases, from police report to the final outcome at court.
- Also to publish a Domestic Abuse Strategy focusing on prevention, accompanied by £25 million of investment which will more than double the amount being spent on programmes to work with perpetrators.

LGA view

- Councils are determined to help tackle Violence against Women and Girls (VAWG), working alongside the police and criminal justice services, Police and Crime Commissioners (PCCs), health and education services, the voluntary and community sector and wider support services, to help ensure women and girls are protected from all forms of abuse.
- It is right the Government's VAWG strategy (2021 – 2024) should focus on all forms of violence against women and girls, including rape and sexual violence, domestic abuse, forced marriage, so called 'honour-based' abuse, female genital mutilation (and other

17 June 2021

culturally specific forms of abuse), stalking, sharing of personal intimate images without consent and online harassment, which have devastating consequences.

- We welcome the new strategy's ambition to drive forward improvements in the effort to target perpetrators; to respond to the changing nature of these crimes; and, to place victims and survivors at the heart of the approach. It is particularly important that the Government's strategy captures the lived experience of those affected by VAWG, to help improve the response to these crimes. We also welcome the Government's commitment to carrying out an end-to-end Rape Review.
- Increased investment in the Safer Streets Fund is positive, but it will not, on its own, address systemic VAWG issues. There needs to be a comprehensive and long-term approach focused on achieving culture change and preventing VAWG issues arising in the first place, spanning across education, health, housing, families, and communities through to policing and criminal justice measures.
- This approach must be accompanied by comprehensive, multi-year funding made available to local commissioners to allow for long-term strategic planning and delivery of VAWG services. This should include Government funding the National Female Genital Mutilation (FGM) Centre. There also needs to be greater co-ordination across Government departments, to make this a cross-departmental work-stream that focuses on both support for victims and tackling and preventing perpetrators' violent or abusive behaviour.

New Plan for Immigration Legislation

The main elements are to:

- Clarify government's role in both tackling trafficking networks and supporting victims of modern slavery.

LGA view

- Modern slavery is a heinous crime and councils want to play their part in both working to eradicate it and supporting victims to recover but need the resources to enable them to do so.

Regulatory reform

The Prime Minister has established a Better Regulation Cabinet Committee, chaired by the Chancellor, to ensure the Government is driving an ambitious programme of regulatory reform that enables and supports growth and innovation.

LGA view

- COVID-19 has highlighted the important and versatile role of councils' frontline regulatory services teams in protecting the public and supporting businesses.

17 June 2021

- It will be important to ensure any short-term regulatory easements introduced in relation to the pandemic are fully consulted on before they are made permanent, and that councils are not impacted financially by them.
- The LGA and councils have previously put forward a series of proposals for streamlining and improving our outdated licensing frameworks. We would welcome the opportunity to take forward these proposals with Government as part of this programme of work.

Integrated Review

The Government will implement the Integrated Review of Security, Defence, Development and Foreign Policy.

LGA view

- The Government's commitment to taking forward its recent Integrated Review is positive. It will include looking at the role of Local Resilience Forums (LRFs) in preparing for and responding to emergencies.
- It will be important for the review to take into account the learning from councils' and LRFs' experiences of responding to the pandemic, as well as considering the steps necessary to taking a whole society approach to building resilience.