

# WHAT WILL BE IN THE QUEEN'S SPEECH? THE WHITEHOUSE CONSULTANCY'S EXPECTATIONS

## INTRODUCTION

Her Majesty The Queen will preside over the State Opening of Parliament on Wednesday 4<sup>th</sup> June, when she will set out the Government's legislative agenda and priorities for the coming months.

The stakes are huge for all the political parties, with this State Opening being the last before the General Election in May 2015 - and



while it will not determine the manifestoes of the parties, it will help determine the battles still to come, the achievements the Coalition Parties might claim ahead of the election, and the defeats the Opposition will seek to inflict. It will also help determine the nature of the last 12 months of coalition between the Conservatives and Liberal Democrats.

What is likely to be in the Queen's Speech? As usual, the Speech will include Bills continuing from the previous parliamentary session, as well as Bills foreshadowed. This briefing will focus on the foreshadowed (or speculated) Bills. Foreshadowed Bills are drawn from statements or press speculation indicating that a particular issue could be the subject of future legislation.

So far speculation has been limited and more information will become available in the following weeks as we approach the date of the Speech. But this is what we expect to see.

- Pensions and annuities
- Infrastructure Bill
- Bill to reduce youth offending and create secure colleges
- Company law proposals
- Tax-free childcare
- Tackling Organised Crime
- Communications Bill
- Changes to child neglect laws
- Security Industry Regulation
- Data sharing
- Zero hours contracts and payments to small firms

### PENSIONS AND ANNUITIES

This measure was announced in this year's Budget, with George Osborne announcing the introduction of legislation to make annuities non-obligatory and offer increased access to pensioners to their pension pots. A special fund to offer advice to people on how to best manage their fund will also be implemented. It is worth noting that this fund (£20million) is only to build on already existing infrastructure and will not fund the advice session for each individual. This will be funded by the providers.

Meanwhile, there has been concern from the pensions sector that moves in the 2014 Budget to remove the obligation for pensioners to buy an annuity could derail life assurers' plans to invest up to £25 billion in infrastructure. The *Financial Times* has [reported](#) that, while still keen to invest in infrastructure, Aviva and Scottish Widows would not give firm backing to the scheme.

Pensions Minister Steve Webb has indicated that the following issues, such as pensions reform, tax relief, guidance and guarantee, could be included in the Queen's Speech in an evidence session to the Work and Pensions Select Committee -although he could not pre-empt the Speech.

### INFRASTRUCTURE BILL



An Infrastructure Bill is expected to be included, which would aim to speed up infrastructure projects by further removing some planning restrictions for large infrastructure projects and reducing pre-application consultations, thus making it easier to change a project already in progress. The draft Bill will also make it easier for companies to begin fracking on private land and transform the Highways Agency to give it the same power as Network Rail.

Questions still remain over the slow progress on projects included in previous infrastructure plans. However, in a recent speech Prime Minister David Cameron stated that around 200 projects are due for completion this year. Of the £36 billion of new projects due to begin this year, £10 billion of this investment has come from joint public and private investment, £5 billion from public investment and £21 billion from private investment.

### BILL TO REDUCE YOUTH OFFENDING AND CREATE SECURE COLLEGES

In January, Justice Secretary Chris Grayling announced that the Government intends to replace secure training centres for young offenders with larger and more educational "secure colleges", which he said would cut both costs and reoffending. The legislation will introduce a new form of youth detention accommodation, with a pathfinder "Secure

College” planned to open in the East Midlands in 2017 and, if proven successful, will provide a blueprint for a network of “Secure Colleges” across England and Wales to replace most existing youth custodial provision.

In the Ministry of Justice’s (MoJ) response to its consultation on *Transforming Youth Custody*, the MoJ set out that the “Secure College” will be purpose-built and designed around a fully-equipped educational facility, with modern living blocks to accommodate young offenders. Every young person will have an Individual Learning Plan that they will be expected to achieve while in custody and which will continue after release in the community. This plan will ensure that upon leaving custody the local Youth Offending Team can continue the programme of work started in the “Secure College”. Building work for the Secure College will begin in 2015 and it will open in 2017. It will house up to 320 young offenders aged 12-17.

The Bill may also legislate to enact the MoJ’s pledge to improve education provision in Youth Offender Institutions (YOI) by launching a competition for new contracts that will seek to double the number of hours young people in YOIs spend in education each week. The new contracts will come into effect in late 2014 and will be overseen by the Youth Justice Board. At the moment, young offenders receive an average of 12 hours a week contracted education, though it ranges from five to 15 hours across the YOI estate. Under the proposals, the MoJ intends for YOJ staff to receive further training, developed in conjunction with a wide range of organisations including the National Children’s Bureau, to enhance their understanding of child protection and safeguarding, adolescent development, emotional and mental wellbeing, and speech, language and communication issues.

## COMPANY LAW PROPOSALS



The Business Secretary has [announced](#) enhancements to the director’s disqualification regime, which currently mostly rises in cases of insolvency. Under the new proposed rules:

- The Government could intervene to ask the Courts to award compensation against a disqualified director in favour of the victims; judges will be required to take into account a broader range of matters when considering disqualification, such as previous business failures, the nature of any losses, overseas conduct and breaches of specific laws;
- Barring overseas directors convicted for an offence relating to a commercial matter overseas to be directors in the UK

In addition, measures to increase ownership transparency of a company will be introduced:

- A registry of companies' ultimate controllers, as well as shareholders with more than 25% of shares or voting rights in a company, held by Companies House and updated every 12 months
- Abolition of bearer shares, which will be exchanged for registered ones
- Limiting use of cases where a whole company is a director (corporate directors). Lower risk examples will be exempt and a discussion with the business world will be held.
- Making sure that front directors are fully aware of their statutory duties when they start.

### TAX-FREE CHILDCARE

Following a consultation in August 2013 on how to design and operate a new scheme for subsidising parents' childcare costs, the Government announced last March that it would introduce legislation to implement this scheme in the beginning of the fourth session of Parliament. Under the scheme, eligible families will be entitled to receive 20% of their yearly childcare costs, up to a maximum of £10,000 for each child: i.e. support worth up to £2,000 per child each year. *The Independent* has [reported](#) that the scheme will be run by Atos.



### TACKLING ORGANISED CRIME

*The Daily Telegraph* reported in February that the Government is planning to introduce a new offence of directing organised crime as part of a "range of measures to combat organised crime".

*The Sunday Times* has further reported that this Bill would include measures modelled on America's anti-mafia laws, which will enable prosecutors to jail for up to five years lawyers, accountants and other professionals who help the leaders of organised crime groups.

### COMMUNICATIONS BILL

The Department for Culture, Media and Sport has said that there would be a Communications Bill introduced before the end of this Parliament. The Bill is likely to regulate issues such as:

- Making better use of spectrum
- Catch-up TV and video-on-demand
- Switching
- Making infrastructure deployment easier

A clause to make extreme pornography depicting rape a criminal offence is also expected to be introduced.



There have also been reports in the [Sunday Telegraph](#) of a possible “crackdown on child abuse” to be unveiled in the Queen’s Speech, including sanctions on people who download manuals on grooming. This measure could be introduced as an amendment to the Obscene Publications Act 1959. The Prime Minister has stated that: “It’s completely unacceptable that there’s a loophole in the law which allows paedophiles to write and distribute these disgusting documents. I want to ensure we do everything we can to protect children – and that’s why I’m making them illegal.”

#### CHANGES TO CHILD NEGLECT LAWS

There has been speculation by the [Daily Telegraph](#) and the [BBC](#) on plans to make “emotional cruelty” a crime for the first time. However, it is unlikely that this will be part of a separate Bill, with the most likely scenario that it is instead added to an existing Bill as an amendment.

#### SECURITY INDUSTRY REGULATION

Following a consultation in September 2013, the Home Office confirmed its intentions to introduce a new regulatory regime for the private security industry, going beyond the existing focus on licensing. The proposals envisage that the industry regulator would license private security businesses, which will, in turn, be responsible for conducting checks on individuals. A new regulator to replace the Security Industry Authority is also expected. Elements of these proposals could be put in place through existing legislation, while others (e.g. the new regulator) would require the introduction of primary legislation.

#### DATA SHARING

It has been reported by [Civil Service World](#) that legislation will be put in place to make the exchange of information on people who owe debt to public bodies easier. Cabinet Office Minister Francis Maude has been quoted saying that this legislation could probably be in this Parliament.

#### ZERO HOURS CONTRACTS AND PAYMENTS TO SMALL FIRMS

There has been a report in the [Sunday Times](#) that the Government could take measures to match Labour’s proposal on exclusivity, which would see companies barred from not allowing employees to take on work elsewhere when they are on a zero hours contract, as well as to help small businesses secure faster payments from larger firms.

### FOR FURTHER INFORMATION

If you would like further information about the Queen's Speech and what upcoming legislation might mean for your business, charity, association or organisation, please do not hesitate to contact us.

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