

## The Queen's Speech 2013

Wednesday 8 May 2013

*The Law Society of England and Wales is the independent professional body, established for solicitors in 1825, that works globally to support and represent its 166,000 members, promoting the highest professional standards and the rule of law*

### Key Points

1. The State Opening of Parliament took place today, Wednesday 8 May. It marks the formal start of the parliamentary year and the Queen's Speech sets out the government's agenda for the coming session. The Queen's Speech is delivered by the Queen from the Throne in the House of Lords. Although the Queen reads the speech, it is written by the government. It contains an outline of its policies and proposed legislation for the new parliamentary session.

### Announced Bills

#### *Main announcements*

2. The Queen announced plans for 17 new Bills and two draft Bills to be taken forward in the 2013/14 session of Parliament.
3. Five Bills and one draft Bill of particular note were announced:
  - 3.1. **Immigration Bill** - The Bill would regulate migrants' access to the NHS, increase fines against businesses using illegal labour, require private landlords to check tenants' status, and prevent illegal immigrants from obtaining driving licenses. The right of appeal against deportation would be restricted to court cases raising "the most important immigration issues", and enforcement powers enhanced so that "serious" criminals could be removed from the UK. The Bill would reinforce existing policy on immigration, requiring courts to "properly reflect" public interest
  - 3.2. **Anti-Social Behaviour Crime and Policing Bill** - This wide-ranging Bill would condense existing legislation into six powers, with a new Community Trigger and Community Remedy. It would extend to private property the offence of owning a dangerous dog, as well as enhancing powers against illegal firearms import and export. It would criminalise forced marriage, offer institutional police reforms and enhance extradition and counter-terrorism border security powers. Other measures include providing for the independent inspection of the Serious Fraud Office, alter responses to shoplifting, enhance witness protection and victim support, and establish a "clear innocence" test.
  - 3.3. **Deregulation Bill** - The Bill would be part of the Government's agenda to reduce excessive or unnecessary regulation where primary legislation is required. The Bill will be published in draft for pre-legislative scrutiny. It would reduce or remove burdens on businesses, civil society, public bodies and the taxpayer. It would also facilitate growth and tidy up the statute book by repealing legislation that is no longer of any practical use. The qualifying period for Right to Buy and Right to Acquire would be reduced from five years to three years under the Bill.

- 3.4. **Intellectual Property Bill** - The Bill would implement reforms on the intellectual property framework for design in response to the recommendations of the Hargreaves Review of Intellectual Property and Growth 2011. It would also support businesses in driving economic growth, innovation and encouraging enterprise. Further, the Bill would simplify and strengthen design protection for the UK's design sector and make the Intellectual Property system clearer and more accessible to small and medium-sized businesses. It would implement the Unified Patent Court and introduce a single patent system in almost all EU countries, making it possible for British businesses to protect their inventions across countries in a single application.
- 3.5. **National Insurance Contributions Bill** - The Bill would reduce the costs of employment, support small businesses and expand the fight against abusive tax schemes by extending the General Anti-Abuse Rule (GAAR) to cover National Insurance Contributions (NICs). The Bill would reduce employer NICs bills each year by, from April 2014, entitling every business and charity to a £2,000 Employment Allowance. It also extends the GAAR to NICs, strengthens legislation to prevent the use of intermediaries to avoid employer NICs and removes the presumption for self-employment for limited liability partnership members.
- 3.6. **Draft Consumer Rights Bill** - The Bill would give consumers clearer rights in law, ensure that those rights kept pace with technological advances and provide important new protections for consumers alongside measures to reduce regulation for business. It would give consumers greater confidence when buying products, switching suppliers or making purchase by telephone or internet. The Bill would also update the law to take account of purchases of digital content. It would consolidate eight pieces of legislation on consumer rights in one place, allow easier access to compensation where there have been breaches of consumer or competition law and grant more powers to Trading Standards.

4. A further 12 Bills, and one draft Bill were announced:

- 4.1. **Care Bill** – The Care Bill would modernise care and support law by combining existing legislation in a single, clear statute. It would also introduce a duty on local authorities to meet carers' support needs and introduce a new adult safeguarding framework. In addition, the Bill would introduce a cap on the amount of money a person has to contribute to their care costs, create portable care packages, provide a new legal entitlement to a personal budget and clarify how an individual's care would be protected if their care provider went out of business. The Bill follows on from the Draft Care and Support Bill.
- 4.2. **Local Audit and Accountability Bill** – The Bill aims to reduce the number of quangos and save taxpayers' money through the closure of the Audit Commission, the introduction of new arrangements for the audit of local public bodies and increasing local accountability. The Bill would allow local taxpayers to veto excessive council tax rises through the extension of the council tax referendum provision. It would also deliver the Coalition's pledge to protect the independent free press from unfair competition by town hall publications by strengthening the legal status of the Code of Recommended Practice on Local Authority Publicity.
- 4.3. **Mesothelioma Bill** – A Bill is establish a payment scheme to ensure that people with diffuse mesothelioma can receive payments where no liable employer or insurer can be traced. The scheme would be used as a last resort and would be funded by a levy on the UK Employers' Liability market. Payment of the levy would be compulsory for all currently active employers'

liability insurers and anyone diagnosed with mesothelioma from 25 July 2012 would be able to make a claim.

- 4.4. **Pensions Bill** – A Bill to introduce a single-tier pension system, bring forward the increase in the state pension age to 67 and lay the framework for a regular review of the state pension age in light of rising life expectancy. It would also introduce a system for the automatic transfer of small pension pots and reform bereavement benefits. The new single-tier pension would be implemented from April 2016, whilst the rise in the State Pension age would be brought forward to take place between 2026 and 2028.
- 4.5. **Offender Rehabilitation Bill** - The Bill would extend statutory supervision after release to offenders serving short custodial sentences, to total at least 12 months. Supervision would be created for those serving less than 12 months, and extended for those serving 1-2 years. The Bill would also offer greater flexibility to probation providers to tackle reoffending, including requirements to attend drug abuse treatment and testing, and a new rehabilitation activity requirement. Offenders serving sentences in the community would be required to seek permission before moving.
- 4.6. **EU Approvals Bill** - The Bill would authorise the UK to support three EU programmes: The Pericles programme provides exchange, assistance and training to protect the Euro against counterfeiting. Historical archives measures would provide access to European institutions' archives from a single location at the EU Institute in Florence, on paper and digitally.
- 4.7. **Water Bill** - The Bill aims to improve competition and customer choice in the water sector. The legislation is designed to stimulate new investment and innovation in the UK's water infrastructure, and to make the sector more resilient in the face of natural hazards such as floods and droughts. The Water Bill would take measures to address the availability and affordability of flood insurance, and would allow all businesses, charities and public sector organisations to switch their water and sewerage supplier.
- 4.8. **Defence Reform Bill** - A Bill to reform the Defence Equipment and Support (DE&S) organisation, bringing about a fundamental change in the way the Ministry of Defence procures equipment, has also been announced. The reforms would strengthen the arrangements for single source (non-competitive) procurement. The Bill would also take steps to increase the size of the Strategic Reserve force, and the support available to it. A White Paper, to be published in the coming months, "will outline the enhanced experience and support" offered to reservists and "the better relationship, including financial incentives, for employers".
- 4.9. **Gambling (licensing and advertising) Bill** - The Bill aims to "extend the scope of the regulatory regime currently governing remote gambling". The legislation would ensure that gambling is regulated at the point of consumption, meaning overseas operators would be required to hold a UK Gambling Commission Licence. The Bill would simplify the regulation of remote gambling operators, enhancing consumer protections. Overseas based operators would also be required to inform the Gambling Commission about suspicious betting patterns involving UK customers.
- 4.10. **High Speed Rail (Preparation) Bill** - This Bill would authorise expenditure to build a High Speed Rail network from London to Birmingham and Manchester to Leeds. Expenditure covers the construction design, ecological surveys and other preparatory work for the stages

listed above, as well as for future phases. The Government would also be required to report on expenditure. The Bill paves the way for the Hybrid Bill to be brought forward at the end of the year. It would apply to England, Scotland and Wales.

- 4.11. **HS2 Hybrid Bill** - The Bill provides the Government with the legal powers to acquire, or temporarily take possession of, the land needed to construct and operate the High Speed 2 railway. Upon becoming an Act, the Bill would also provide deemed planning permission to the Government to deliver the scheme. Planning details would still need to be examined on a site-by-site basis with the local planning authority. Most provisions would apply to England, but some measures would cover Scotland and Wales.
- 4.12. **Northern Ireland Bill** - The Bill aims to improve the operation of politics and institutions in Northern Ireland (NI) by increasing transparency in funding to political parties and preventing Assembly Members (MLAs) sitting concurrently in the House of Commons or in the Dáil Éireann. The legislation would also move the Assembly to five year terms and determine its future size. The potential devolution of the NI Civil Service, NI Human Rights Commission and district electoral areas functions, and improvements to the administration of elections in NI are also proposed.
- 4.13. **Draft Wales Bill** - The Bill would change the elections to the National Assembly of Wales in a number of ways. Firstly, the Assembly would move from four to five year fixed terms, reducing potential clashes with Westminster elections. Secondly, candidates would be allowed to stand in both a constituency and on a regional list. Finally, Assembly Members would not be able to concurrently sit as Westminster MPs.

## Carry-Over Bills

5. Five bills are to be carried-over in the House of Commons from the 2012-13 session to the 2013-14 session. If a carry-over motion is agreed a Bill will resume progress in the new session without having to start from the beginning. The following Bills will be carried-over to the 2013-14 session:
  - 5.1. **[Children and Families Bill](#)** – The Bill which makes changes to the family justice system, reforms adoption, amends special needs provision requirements and extends flexible working will continue during the 2013/14 session. It is currently completing its Commons Committee Stage (and has yet to pass through the Lords). Details of the Society's work with respect to the Children and Families Bill can be found [here](#).
  - 5.2. **[Energy Bill](#)** – The Bill, which provides for reform of the electricity market with the aim of increasing the quantity of renewable energy produced, has completed its Commons stages, but will undergo its Lords stages in the 2013/14 session.
  - 5.3. **[Financial Services \(Banking Reform\) Bill](#)** – The Bill to provide for the restructuring of the banking sector is currently undergoing its Commons Committee stage and will continue its parliamentary passage (including its Lords stages) in the 2013/14 session. More information about the Society's work on the Banking Reform can be read [here](#).
  - 5.4. **[Marriage \(Same Sex Couples\) Bill](#)** – The Bill which provides for equal marriage is currently in the Commons, and will undergo its Lords stages in 2013/14.
  - 5.5. **[Finance \(No. 2\) Bill](#)** – The annual Finance Bill will complete its passage through the Commons in the next session. More information on the Society's work can be read [here](#).

## Other announcements

6. A further twelve policy-areas were highlighted in the speech, largely reiterating ongoing policy work (hyperlinks will take you through to the official Government press release):
- 6.1. [The Economy and Benefits](#)- a re-emphasis of the Government's commitment to deficit reduction and details of measures (mostly announced in the Budget in March) to support economic growth.
  - 6.2. [Childcare](#) – additional information about Government plans to provide financial support to working parents to help with childcare costs.
  - 6.3. [The National Curriculum](#) – details of the Government's ongoing reforms to the school curriculum.
  - 6.4. [Exams](#) – further information about the Department for Education's reforms to the schools exams system aimed at raising standards.
  - 6.5. [Teachers' Pay](#) – information about plans for flexible pay.
  - 6.6. [Traineeships and Apprenticeships](#) - details of Government proposals to expand apprenticeships and training opportunities for school leavers.
  - 6.7. [Mortgages/ Help to Buy](#) – a re-statement of plans announced at the Budget in March to help people to buy their own home via Government loans and financial backing.
  - 6.8. [Proposals on the investigation of crime in cyberspace](#) – The Communications Data Bill was not announced, but this announcement keeps it on the table including stressing that “legislation may be necessary” to “ensure that law enforcement agencies have the powers they need to protect the public”.
  - 6.9. [Scotland within the United Kingdom](#) – setting out details of the Government's preparatory work ahead of the Scottish referendum on independence in 2014.
  - 6.10. [Foreign Affairs – Overseas territories](#) – Emphasising the Government's commitment to the people of the Falklands and Gibraltar.
  - 6.11. [Public Estimates](#) – information about the process by which Parliament approves public spending.
  - 6.12. [Stafford Hospitals](#) – details of the Government's legislative response to the report into institutional failings at Stafford NHS Trust.

### For further information please contact:

Richard Heinrich (Government and Parliamentary Affairs Unit)

T: 020 7316 5527 / M: 07794 335509

E: [Richard.Heinrich@lawsociety.org.uk](mailto:Richard.Heinrich@lawsociety.org.uk)