Queen’s Speech 2014
Speculation and commentary briefing

By DeHavilland’s Editorial Team

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Introduction

Background

The State Opening of Parliament will take place on **Wednesday 4 June 2014**. It was delayed from 3 June to accommodate a G7 summit in Brussels.

On this day, the Queen will unveil the Coalition Government’s legislative programme for the last session of Parliament before next year’s general election.

The 2014-15 parliamentary session will be shorter than previous ones, owing to the delayed date of the Queen’s Speech (which usually takes place in May). This was caused by the European and local elections, and, towards the end of the session, the dissolution of Parliament for the general election next year.

Given that the upcoming Queen’s Speech will be the last before the general election, many commentators expect the final legislative programme to be lacking in content. In March 2014, *Financial Times* Political Editor George Parker *predicted* that the speech would be “largely uncontroversial”.

Meanwhile, Labour has adopted the term “zombie Government” to describe the apparent lack of legislative activity by the Coalition. The *Daily Telegraph* went as far as to say that the Government had effectively handed control of the House to the Opposition because Ministers had run out of laws to pass.

Policy-making in the final year before the election could pose a challenge for both Coalition parties. In a report *published* on 7 May 2014, the Institute of Government found that the policy-making process had become increasingly characterised by Coalition parties excluding each other in policy discussions within some government departments. Working in this climate, and with the need to differentiate ahead the polling day, efforts by the Conservatives and Liberal Democrats to devise a fulsome legislative agenda could prove challenging.

In this briefing, DeHavilland examines the speculation and assess what could be in the Queen’s Speech on 4 June.
Bills from 2013-14 session

Legislation subject to carry-over motions

The following Government Bills brought forward in the 2013-14 parliamentary session will be carried over into the 2014-15 session:

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<td>Consumer Rights Bill</td>
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<td>Criminal Justice and Courts Bill</td>
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<td>Deregulation Bill</td>
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<td>Finance (No.2) Bill</td>
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<td>High Speed Rail (London - West Midlands) Bill</td>
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<td>Wales Bill</td>
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All of the Government Bills listed above and are subject to carry-over motions, meaning that they will resume their progress through Parliament at the start of the next session. As a formality, they will be re-announced as part of the Queen’s Speech, despite having already been introduced to Parliament.

Nearing the completion of the passage of the House of Commons at the end of the 2013-14 session means that the Bills will likely begin the 2014-15 session in the House of Lords.

The exception to this will be the High Speed Rail (London - West Midlands) Bill in two important respects.

Firstly as a Hybrid Bill, following its Second Reading on Monday 28 April 2014, the legislation was committed to a special Select Committee of the House to hear petitions. This Committee will sit throughout the 2014-15 session and even possibly beyond.

Secondly, the Government does not expect the legislation to become law before the next general election in May 2015. As a consequence, the Bill has been the subject of a carry-over motion that will allow it to continue beyond the election, into the following Parliament.
Legislation trailed or foreshadowed

Legislation in the following policy areas has either been speculated about or trailed in the media, or already subject to pre-legislative scrutiny. Additionally, in some cases, the Government has already confirmed its intention to introduce relevant legislation.

Child neglect

The Daily Mail has reported that changes to child neglect legislation would be announced in the forthcoming Queen’s Speech, specifically making “emotional cruelty” a criminal offence for the first time.

Dubbed a “Cinderella Law”, the expected Bill could see parents who deprive their children of love and kindness imprisoned for up to ten years.

The campaign, driven by Conservative MP Robert Buckland and the charity Action for Children, has argued for a new legal definition of child maltreatment to reflect the range of harm that children could be subjected to, according to the Daily Telegraph.

Meanwhile, on 27 April the Sunday Times reported that a crackdown on child abuse was to be included in the Queen’s Speech. Sanctions would be imposed on people who downloaded manuals on grooming. The paper reported that the law could be in force before the next general election and could be in the form of an amendment to the Obscene Publications Act 1959.

Communications

In the strategy paper ‘Connectivity, Content and Consumers Britain’s digital platform for growth’, published in July 2013, the Government set out plans for a Communications Bill to legislate in a number of areas, including:

- Legislating for better use of spectrum by allowing Ofcom to run incentive auctions for its release and facilitating dynamic spectrum access to allow it to be flexibly reallocated for other uses
- Clarifying and strengthening the rules for regulating On-Demand TV and video to ensure that material rated ‘18’ was put behind access controls. A loophole in the Criminal Justice and Immigration Act 2008 would be closed, making it a criminal offence to possess pornography depicting rape
- Giving Ofcom the duty to ensure a consistent and effective experience for consumers switching between different product bundles
- Facilitating the easier development of infrastructure by amending the Electronic Communications Code to allow easier deployment of broadband. The Law Commission has also reviewed the Code and the Government is considering its report and will legislate if needed.

However, Ministers have ruled out the need for radical root and branch legislation, fearing that it would hinder the sector.

On 22 April, Policy Exchange Head of Communications Nick Faith tweeted that Bills on infrastructure and digital growth would feature in the Queen’s Speech.
Company Law

Business Secretary Vince Cable has spoken about proposals that would reform the law governing companies in the UK.

Firstly, legislation covering the disqualification of company directors will be enhanced. This will include allowing the Government to intervene and ask a court to award compensation against a disqualified director. Disqualification law would also be change to include a duty to factor in a wider range of issues when deciding whether to disqualify an individual. Finally, overseas directors convicted of a commercial offence could be prevented from being a director of a UK company.

Secondly, Dr Cable wishes to legislate to improve the transparency of ownership around companies.

Reforms would include a central registry of information on companies’ controllers and ownerships at Companies House. This would hold information on individuals with a share of more than 25 per cent, voting rights or could influence how a company is run. Information would need to be supplied at least annually.

Bearer shares would also be abolished because of their potential for abuse. Companies would no longer be able to issue them and existing holders would be required to exchange them for registered shares.

The use of corporate directors would also be limited, the exception being made for lower risk examples.

Finally, directors holding multiple ownerships would be made aware of their statutory duties through the Government contacting them. However, Ministers will not press ahead with plans for a separate register.

Both measures have been trailed for inclusion in the Queen’s Speech.

On 19 April, the Independent reported that legislation concerned with “rogue and reckless” company directors would be brought forward. Two days later, on 21 April, the Belfast Telegraph wrote that measures requiring publicly declared ownership would be brought forward as part of an effort to crack down on tax evasion and money laundering.

In an appearance before the Business, Innovation and Skills Committee on 29 April, the Business Secretary said that reforms to fiduciary duty were being considered in order to encourage long term investment in businesses. The measures were being considered in the wake of questions over the role of so-called priority investors in the privatisation of Royal Mail.

Data sharing

A consultation on legislation allowing government departments to share information on individuals who owe debt to public bodies was launched in September 2013 by the Law Commission. It closed on 16 December.

Infrastructure

Plans for an Infrastructure Bill were trailed in advance of announcements by Prime Minister David Cameron and Chancellor George Osborne intended to defend the Coalition Government’s record in the area.

The Financial Times reported that the Bill, to be included in the Queen’s Speech, would allow companies to run shale gas pipelines under private land without breaching trespass laws.
Other provisions in the legislation would include offering new freedoms to the Highways Agency to help fast-track the building of major roads, as well as further planning reforms to speed up major developments. The paper predicted that the Infrastructure Bill would provoke a backlash from conservation groups, because it reflected the Government’s pro-fracking stance.

On 6 May, the paper quoted a YouGov poll that three-quarters of the British public opposed the Government’s plans to allow fracking companies to drill under residential areas without permission. Only 13 per cent supported the idea.

**Modern slavery**

In December 2013, the Government published a [Draft Modern Slavery Bill](#), which was intended to address concerns about human trafficking.

The Draft Bill was subject to scrutiny by a Joint Committee of both Houses and it reported on 8 April 2014.

During Home Office Questions on 10 March 2014, in response to a question from Conservative MP Stewart Jackson, Conservative Modern Slavery and Organised Crime Minister Karen Bradley confirmed that a Modern Slavery Bill would be brought forward in the 2014-15 parliamentary session.

**Payments to small firms**

Legislation would be brought forward in the Queen’s Speech to allow small businesses to secure faster payments from larger firms, reported the [Sunday Times](#).

Fairer payment legislation had been tipped for inclusion by the website [Construction Manager](#). At present, public sector bodies are required to pay their direct suppliers within 30 days. Any new legislation would extend their obligation to the supply chain.

**Pensions**

In his 2014 Budget statement, Chancellor George Osborne announced that the Government would legislate to remove all remain tax restrictions on how pensioners accessed their pension pots.

Mr Osborne declared that these reforms would give pensioners complete freedom to do as they wanted with their pots, free from caps and draw-down limits.

A new guarantee, underpinned in statute, would also be introduced so every retiree on a defined contribution scheme would be offered free, impartial, face-to-face advice on how to maximise their pension choices.

The Chancellor also revealed that tax changes meant pensioners would only be taxed at marginal rates when taking the proportion of their pension fund above the quarter, tax-free allowance, as opposed to a 55 per cent rate.

Workplace Savings and Benefits reported that Liberal Democrat Pensions Minister Steve Webb had suggested that a provision for Collective Defined Contribution pension schemes could be included in the legislation and consulted upon as part of a Pensions Bill 2014.
Pub companies

The Government ran a consultation on proposals to establish a statutory code and an independent adjudicator for the pubs sector from 22 April 2013 to 14 June 2013. The responses were published on 13 December 2013.

Between the closing date of the consultation and the publication of responses, the Business, Innovation and Skills Committee published a report calling for a Bill establishing a statutory code to be brought forward at the earliest opportunity.

Questioned by Liberal Democrat MP Greg Mulholland on 10 April 2014, Leader of the House Andrew Lansley said the Government was still considering responses to consultation, and he did not wish to pre-empt the contents of the Queen’s Speech.

Recall of MPs

One of the last untouched cornerstones of the Coalition Government’s plans for political and constitutional reform was the commitment to introduce the power for constituents to recall their MPs.

Following the publication of a Draft Bill on the subject and pre-legislative scrutiny by the Political and Constitutional Reform Committee earlier in the Parliament, the Government has stated that it would bring forward the legislation when parliamentary time allowed.

A written answer to Labour MP Robert Fello from Conservative Cities and Constitution Minister Greg Clark in November 2013 reaffirmed that any Bill would be brought forward before the end of the current Parliament.

This commitment was reiterated to Liberal Democrat MP Sir Andrew Stunell and Conservative MP Peter Bone by Leader of the House Andrew Lansley on 8 April 2014.

However, conflicting press reports have muddied the waters about the likelihood of legislation making it into the Queen’s Speech. On 13 February, the Independent reported that David Cameron had “walked away” from plans to bring forward recall powers. Just weeks later, the Spectator reported a U-turn by David Cameron and George Osborne, who were now demanding the inclusion of a Recall Bill in the Queen’s Speech.

Writing on 3 May, Shadow Deputy Leader of the House Thomas Docherty wrote that a Recall Bill was now expected to be included in the Queen’s Speech.

Despite pressure from individuals, such as Conservative MP Zac Goldsmith, to put forward a more robust version of recall, if the Government were to proceed it would be with plans to involve a parliamentary committee in the final decision process.

Regulation of health and social care professionals

On 2 April 2014, the Law Commission published a draft Bill covering the regulation of health and social care professionals.

In the policy paper ‘Enabling Excellence: Autonomy and Accountability for Health and Social Care Staff’, published in 2011, the Department of Health acknowledged that the current legislative frameworks for all
the health and social care regulators was "expensive, complex and require continuous government intervention to keep them up to date."

Writing in the Guardian on 7 April, Nursing and Midwifery Council Jackie Smith urged the Government to take the legislation forward in the final Queen’s Speech of the Parliament. She believed that failing to do so would mean all healthcare profession regulators would be stuck with outdated and inflexible frameworks that did not protect the public in the most effective and efficient way.

On 6 May, Labour MP Rosie Cooper tabled written questions asking if the Government would take forward the legislation in the Queen’s Speech.

**Security industry regulation**

A new regulatory regime for the private security industry has been confirmed by the [Home Office](https://www.gov.uk). The reforms would expand the emphasis of the current regime to cover the regulation of security service businesses, as well as individuals working within the sector.

The industry regulator would license firms working the industry and businesses would be required to carry out checks on individuals. A successor regulator to the Security Industry Authority would also be established.

Primary legislation would be required to establish a new regulator and implement its power to impose financial sanctions.

**Serious crime**

The [Sunday Times](https://www.theguardian.com) reported that a Serious Crime Bill, based on US mafia laws, would be brought forward in the Queen’s Speech. This would enable prosecutors to sentence lawyers, accountants and other professionals assisting in large scale criminal operations for up to five years in prison.

Reports on government plans to introduce a range of measures to crack down on organised crime were also reported on in February 2014 by the [Daily Telegraph](https://www.dailymail.co.uk).

**Tax-free childcare**

Last August, the Government published a consultation on the design and operation of a scheme for subsidising the cost of childcare.

Under the scheme, eligible families would be entitled to 20 per cent discount on their annual childcare costs, up to a limit of £10,000 per child.

Following the publication of the [Government’s response](https://www.education.gov.uk) to the consultation in March 2014, Ministers confirmed that primary legislation to take forward the changes would be introduced at the start of the 2014-15 session and secondary legislation soon after.

**Wild animals in circuses**

A draft Bill making it an offence for any circus operator to use a wild animal during a performance or exhibition in a travelling circus was [examined](https://www.parliament.uk) by the Environment, Food and Rural Affairs Committee in 2013. The Government responded to that inquiry in October 2013.
Zero-hours contracts

In a bid to crackdown on public pressure over zero-hours contracts, the Government reportedly plans to bring forward legislation on address their use.

The *Sunday Times* reported that the Government would match a pledge put forward by Labour to abolish exclusivity clauses, whereby workers were bound to some firms, preventing them from working elsewhere.

Ministers, including Business Secretary *Vince Cable*, had previously ruled out such a move.
Legislation unlikely to be included

**EU referendum**

Demand for legislation committing the UK to hold a referendum on its membership of the European Union was debated in the run-up to the previous Queen’s Speech.

However, it was excluded due to opposition from the Liberal Democrats.

Instead, Downing Street sought to steer the legislation through Parliament in the form of a Private Members’ Bill. Taken up by Conservative MP James Wharton, the legislation made it through to the House of Lords, where it was effectively killed off by Labour and Liberal Democrat peers on 31 January 2014.

On 4 March 2014, the *Spectator* reported that David Cameron and George Osborne had pushed for the inclusion of an EU Referendum Bill in the forthcoming Queen’s Speech. Such a move was intended to pre-empt backbench demand in the wake of this month’s European elections.

As Conservative European Scrutiny Committee Chair Bill Cash commented on Twitter in May 2014, demand for the Bill was still present among Conservative MPs.

**Fox hunting ban**

On 22 April 2014, the *Times (E)* reported that the Government had abandoned plans for a vote on overturning the ban on fox hunting. The Coalition Agreement had contained a commitment for a free vote on the Hunting Act.

However, the paper reported that Downing Street had undertaken a U-turn and that there was no plans for a hunting ban vote in the next Queen’s Speech.