

# The government's case for the Police, Crime and Sentencing Bill

I thought it would be helpful for constituents to share this explanation of the government's Bill being debated and voted on today:

## Police, Crime, Sentencing and Courts Bill

- The first job of any government is to keep people safe, and we have been committed to cutting crime and reforming our justice system so that it serves the law-abiding majority.
- That is why, through our new Police, Crime, Sentencing and Courts Bill, we are overhauling our justice system to give the police and courts the powers they need to keep our streets safe, while providing greater opportunities for offenders to turn their lives around and better contribute to society.

We are reforming our justice system to make sure criminals spend longer in jail:

- Extending Whole Life Orders for the premeditated murder of a child as well as ending the automatic early release of dangerous criminals – keeping the worst offenders behind bars and off our streets. These measures send a clear message that those who commit the most heinous crimes will spend the rest of their lives behind bars. As well as Whole Life Orders, new powers announced today will halt the automatic early release of offenders convicted of serious violent and sexual offences – ensuring they spend at least two-thirds of their sentence behind bars.
- Introducing life sentences for killer drivers, restoring faith in our justice system that the punishment must fit the crime. Drivers who cause fatal accidents while speeding, racing, using a mobile phone or who are under the influence of drugs or alcohol will now face life sentences, ensuring they feel the full force of the law for their selfish actions that cause the deaths of loved ones on our roads.
- Increasing the maximum penalty for criminal damage of a memorial from three months to 10 years, protecting our memorials from desecration. The desecration of our war memorials is an abhorrent act and offenders will face the full force of the law for their actions.
- Doubling the maximum sentence for assaulting an emergency worker from twelve months to two years. In line with our manifesto commitment, this legislation doubles the maximum sentence for those convicted of assaults on frontline staff including police officers, firefighters and paramedics.
- Extending 'positions of trust' laws to protect teenagers from abuse by sports coaches and religious leaders so that our young people can trust the adults they look to for support. This landmark step to protect our young people sends a clear message that positions of trust must not be abused by

the very people that our young people look up to and seek guidance from.

- Introducing 'Kay's Law' to better protect victims and witnesses in cases of violent and sexual offences. 'Kay's Law' encourages the police to impose strict conditions on bail in high harm cases, introduces new pre-charge bail time periods for suspects and introduces a new duty to seek the views of victims on pre-charge bail conditions. 'Kay's Law' is in memory of Kay Richardson who tragically lost her life at her ex-partner's hands while he was released under investigation, rather than on bail. He committed suicide before he could be convicted.
- Introducing tougher community sentences – ensuring offenders give back to society. The measures will double the amount of time offenders can be subject to curfew restrictions, rising from 12 months to two years.
- Enabling profoundly deaf people to sit on juries – extending participation in our justice system further into our society. Under the new legislation a British Sign Language Interpreter will be allowed to be present in the jury deliberation room.

We are backing the police to cut crime:

- Enshrining the Police Covenant into law – strengthening the support for serving and retired officers and their families. The covenant creates a statutory duty for the Government to do more to support the police, both those currently serving and retired, whilst also placing a focus on physical protection, health and wellbeing, as well as support for families.
- Introducing Serious Violence Reduction Orders to help officers target persistent offenders. SVRO's are court-imposed orders which will apply to individuals previously convicted of carrying a knife or offensive weapon. Police will be able to stop and search those who are subject to an SVRO to check if they are carrying a knife or offensive weapon again.
- Strengthening police powers to tackle non-violent protests that cause significant disruption to the public. The measures in the Bill will allow the police to take a more proactive approach in managing highly disruptive protests and will increase the police's ability to prevent protests causing serious disruption to the public.
- Introducing Homicide Reviews where an offensive weapon was involved to identify lessons to be learnt and reduce violent crime. We are introducing a requirement on the police, local authorities, and local health boards to review the circumstances of homicides involving the use of an offensive weapon. The purpose of the review is to identify the lessons to be learnt from the tragic death and to decide whether further action should be taken.
- Criminalising trespass and strengthening police powers to tackle unauthorised encampments that can cause harm, disruption and distress to our local communities. Under the new legislation police will have the power to seize vehicles and arrest or fine trespassers who intend to reside on private and public land without permission, whilst also ensuring they are not able to

return for at least 12 months. The new criminal offence will carry a maximum sentence of three months in prison, a fine of up to £2,500 or both.

This builds on our record of cutting crime and backing our frontline officers:

- Boosting police funding by £636 million this year, ensuring our frontline officers have everything need to keep us safe. This brings total police funding up to £15.8 billion for 2021-2022, including £400 million to recruit 20,000 new officers by 2023, £914 million for counter-terrorism policing, and £1.1 billion to target national priorities such as reducing serious violence and clamping down on county lines.
- Recruiting 20,000 new police officers, helping to keep our streets safe. We have already recruited 8,771 new officers, and we are on track to recruit 20,000 extra officers by 2023. As part of this year's £636 million police funding settlement, more than £400 million will go towards recruiting additional officers.
- Cutting crime by 9 per cent between March 2019 and March 2020, delivering on our promise to cut crime in our communities. In the year before the pandemic, overall crime fell by 9 per cent – demonstrating that by putting more police on the streets, with increased investment and resources, we are delivering on our promise to cut crime and build back safer.
- Delivering an extra £30 million to help the police enforce coronavirus regulations, helping to protect the NHS and save lives. The £30 million funding will allow police forces to increase patrols in town centres, ensuring that people are complying with the new restrictions, particularly in high-risk areas.
- Dismantling county lines gangs through a £40 million funding boost, keeping our towns and children safe from drug gangs. The £40 million of new money to tackle county lines and drugs supply brings the total invested to £65 million since November 2019. The funding has already seen more than 3,400 people arrested, more than 550 lines closed, more than £9 million street value of drugs and £1.5 million cash seized and more than 770 vulnerable people safeguarded.
- Delivering £148 million of new investment to cut crime and protect communities from the scourge of illegal drugs. This funding represents a comprehensive drive to cut drug-fuelled crime and violence in communities as we build back safer after the pandemic. Our investment includes £28 million for Project ADDER that brings together the police and drug recovery services to target and reduce drug-related offending and drug use.
- Delivering £45 million through the Safer Streets Fund to tackle theft, robberies and burglaries in our towns. This funding delivers proven measures to cut neighbourhood crime including locked gates around alleyways, increased street-lighting and the installation of CCTV. The third round of the Safer Streets Fund is now open and will focus on projects that help women and girls feel safer in our communities.

## Amendments:

- **Pet Theft.** We are deeply concerned by the rise in pet theft, and we are keen to take the right action to tackle this abhorrent and distressing crime. That is why we have launched the cross-Government Pet Theft Taskforce to undertake an end-to-end review of pet theft and consider every aspect from prevention, reporting, enforcement and prosecution. The taskforce will report in the summer and begin work to implement approved policy recommendations in the autumn. This amendment would reduce the sentence available for theft of a pet from seven years down to a maximum of two years. It is our intention to make any necessary changes to this Bill in the Lords, before it returns to the Commons once we have finalised the detail of exactly what is needed, using a range of powers including primary legislation.
- **Minimum sentences for rape.** We recognise that sexual violence is a devastating crime that can have life-long impacts on victims and survivors. The maximum penalty for rape is life imprisonment and it is already the case that rape offenders receive lengthy sentences, with two thirds in 2020 receiving custodial sentences above the seven-year minimum that Labour is proposing. By extending the automatic release point, we are already increasing the time served in custody of the same offenders that the Labour amendment would affect.
- **Voyeurism.** We recognise the importance of ensuring that the law on taking and sharing intimate images is effectively protecting victims and we share concerns about reports of these distressing incidents. That is why we have asked the Law Commission to carry out a detailed review of the law around the taking, making and sharing of intimate images without consent. It is important that we consider the Law Commission's analysis and recommendations before committing to changing legislation in this area.
- **Increasing maximum sentences for assaulting retail workers.** It is completely unacceptable to threaten or assault retail staff, especially when they are working so hard to keep vital services running. That is why we have led work with the retail sector to understand their concerns. Our review identified that victims and employers not reporting offences and wider concerns about police handling of reports was the key issue to address, rather than creating a new specific offence which is already covered in law. We certainly do not rule out an amendment on this issue – if appropriate – in the Lords.
- **Increasing maximum sentences for allowing a child to suffer injury or death.** We can confirm that officials are conducting a review into the law in this area, as the matter is more complex than simply increasing the maximum penalty.
- **Street Harassment.** We recognise the shocking extent of street harassment suffered particularly by women and girls and the strength of feeling in the House concerning the need for a new offence. While there are existing offences available to address sexual harassment, we remain open-minded on how to further address this issue. Tackling sexual harassment is not a matter we can expect the criminal law to solve on its own and our VAWG strategy will be

seeking to drive cultural change through education and awareness raising.

- 'Sex for rent'. 'Sex for rent' is an abhorrent practice and we are committed to protecting vulnerable individuals from harm and exploitation. However, the Sexual Offences Act 2003 already covers many of the offences involved in 'sex for rent' cases and recently the CPS pursued the prosecution of a man for two such alleged offences under the Sexual Offences Act. We are continuing to examine this issue in the context of the development of our VAWG strategy and in the light of the outcome of the current criminal proceedings.

- Sex offenders: change of name. We already have some of the toughest measures in the world to manage sex offenders, and the provisions in the Bill, which have been informed by feedback from the police, will help ensure our system is as robust, adaptable and effective as possible. If a registered sex offender changes their name, the existing law requires them to notify the police within three days. Failure to do so is a criminal offence punishable by a maximum of five years' imprisonment. We are committed to ensuring the current system is working and we intend to undertake a review of the issue to understand the scale of the problem and address any weaknesses.

- New offence of failing to stop or report incidents involving actual or potential serious or fatal injury with 14-year max penalty. We take road safety very seriously and we understand the traumatic effects of drivers failing to stop when a person is caused serious injury or even killed. We know that in a small number of cases, the failure to stop and report may be related to an event which leads to the death or serious injury of another person. But in the vast majority of cases, convictions for failure to stop are against drivers who have failed to stop, after causing minor property damage or low-level personal injury. The proposed amendment would create serious anomalies within the driving offences framework and as a result the Department for Transport are exploring how to address the offence in the wider context of road safety.

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## [The government does wish to stop illegal immigration](#)

The Home Secretary has consistently promised to curb illegal migration into the country and has consistently instructed her department to implement that policy. She has also according to the press made various proposals to officials to bring this about only to have them watered down, undermined or declared illegal by the courts. She has not been saying one thing to us and another in private as some contributors have alleged.

Frustrated by the lack of progress she is now instituting senior management change for the Immigration service and bringing forward stronger legislation

at the same time. It is important that Parliament grants sufficient powers to stop the courts undermining official policy, and effective powers to deter illegals coming to us from safe countries in the EU.

The government is looking at other advanced democratic countries like Australia to see how they have better control over illegal movements.

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## Opposition causes

One of the curious features of opposition to the government in Parliament is the popularity of taking up causes for people who are not UK voters. Many Opposition MPs seem to think that the UK is either guilty of many of the imperfections of the world, or could take action to remedy everything from civil wars to poverty, and from authoritarian excesses by other governments to mean and violent conduct where ever it occurs. They also often seem to think that the EU is always right and the UK should give in to whatever the EU wants or says. They rarely take up causes that will benefit the millions of UK voters who have jobs, pay the taxes and provide food, clothing and housing for their own families. They ignore or play down the great generosity the UK already shows to economic migrants, overseas causes and the relief of tyranny and poverty worldwide through state payments from taxpayers, charitable giving and an active private sector.

Popular causes with them today include pressing for more overseas aid to be spent, with no analysis of what works. They stand up for EU migrants to the UK who have not taken advantage of the substantial time limits to claim a permit to remain settled here, as if the UK had done something wrong. They stand up for economic migrants coming across the Channel illegally. They want the UK government to intervene in the Arab/Israel dispute as if we could resolve that long running schism. They side with the EU over their deliberate disruption of trade between Northern Ireland and GB. When it comes to fighting carbon dioxide they seem to think the UK is the only country that has to do more, urging us to do things the Chinese, the Germans and the other large generators of the gas would not dream of doing. The UK has shut down practically all its coal power stations whilst China is still building more and Germany intends to keep on with hers for many more years. They have a long list of items the UK should not make and supply, recommending bans on various sales to leave those markets open to overseas competitors.

Everything they want us to do in these fields cost more money. They tell us we collectively are not paying enough tax, and want to put business taxes up. That would mean higher prices for us all to pay the bills and less business and investment here to pay tax. They also want to tax the more successful people more, assuming they will all stay to pay and will all put as much investment and effort in as before. Is it any wonder a lot of UK voters seeing and hearing this decide not to encourage more of it by voting for such

perverse policies?

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## China seeks some of Mao's past

Some time ago before lockdowns I met a group of 6th form Chinese students in a local school who wanted to ask me about UK democracy and politics. They spoke good English and asked good questions to reveal some of the disputes and cross currents in our national debate. Towards the end of the class session I said it was now my turn to ask a few questions to learn something about China. They agreed. My first question was to ask them to say what they thought of the legacy of Chairman Mao.

None of them wanted to answer and they all looked very worried about the mentioning of the name of the founder and first government leader of their ruling party. So I rephrased the question, in case the problem was my implying they might have their own views of a contentious topic. I asked them to tell me what was the official party or leadership view or line on the Mao years. I assumed they would have been primed as they were abroad as ambassadors for their country to learn more of the western system. There was still a reluctance to say anything and a refusal to endorse possible lines I proposed.

It meant I did learn something. It meant I was reminded why I dislike authoritarian systems where people are terrified to have a view, and where even the establishment cannot always supply a clear line. This is all suddenly very relevant because President Xi has just made China's last hundred years of history a central issue which includes a crucial role for Mao in the first 55 years of communism. President Xi showed that he respects the legacy of Mao by visiting sites connected to that leader and above all by wearing a well tailored version of a Mao jacket to address his party and nation. His words were carefully crafted, pointing to the struggles of early communism where he sided by implication with Mao against the internal and external forces that opposed a communist vision of One China. He avoided directly mentioning Mao and any reference to the more contentious Great Leap Forward and Cultural revolution that Mao unleashed. He also deployed the reformists language of Deng who followed Mao, praising the achievement of creating "a moderately prosperous society in all respects" and using the phrase "socialism with Chinese characteristics". He did however go further by reminding China that its progress is based on Marxism.

The use of Mao was presumably designed to reinforce Xi status as the unchallenged supreme leader who will get more than the customary ten year period in office of his predecessors. The ceremony was designed to reinforce the message of one people, one party, one nation, with strong references to the need to fully integrate Hong Kong and Macao, to tackle Taiwan and to see off any overseas threat to the One China vision. The anniversary celebration

came over as a very defensive event lacking in flair and innovation. There were of course no jokes and no licensed criticisms or interesting reflections on China past in Xi's speech. The fly pasts produced well organised formations but the placing had been sorted out well away from the audience and cameras. The pilots merely had to fly on a constant pre set course at a constant speed to stay together. There were to be no spectacular aerobatics or changing of shapes with the audience in view. The Politburo and other powerful supporters nervously sought to clap and look impressed at the right moments. The President looked relieved when the planes flew and the guns went off in good order without incident. The message of the speech was China now has to become "a great modern socialist country in all respects", a task for the next 100 years. There was also the usual threats over Taiwan and the need to integrate and control One China more.

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## My speech during the debate on Official Development Assistance and the British Council

I support the Government's estimate and I look forward to its passage. I also back the Government's judgment at this very difficult time, when so many economies, including our own, have been badly damaged by responses to the pandemic. But I also understand the mood of the House and I understand that a number of my hon. and right hon. Friends whom I respect have misgivings about all this. I would just like to make a few remarks in the spirit of trying to build some bridges between the Government and their critics, who have been very wide-ranging in this debate.

The first point I make is that I do not trust the figures. I think that the Government understate just how much we already do and how much we already spend. We are much more cautious about what we regard as aid expenditure than some other countries we are compared against, even though we usually spend more than they do as a percentage.

Let us take, for example, an area that colleagues have already mentioned. This country has received a very large number of economic migrants and asylum seekers in recent years. In the year to March 2020, the last for which we have official figures, 715,000 people came to live in our country, and many of them came from poor countries that have qualified for overseas aid. We do not fully account, in the way that one might, for the first-year set-up costs—the housing, the public service provision, the top-up benefits and the other assistance that people are rightfully given when they come to live with us and we wish them to live to a reasonable standard. Surely, helping people who wish to come here because they find their own countries so disadvantageous is a very important part of our overseas aid.



We are also too cautious about all the expenditure we make through the Ministry of Defence. Why were we in Afghanistan? Afghanistan is one of the main recipients of our aid, and in recent years we have been spending considerable sums of money on support through our military and the advice we offer. Those things should also be taken into account to get a realistic picture of just how much the Government are spending on necessary assistance abroad.

The second issue that has been raised in the debate is that colleagues fear a loss of influence. I would like to reassure them that surely this year, of all years, is when we have seen a major advance in British influence. We have just taken our full seat with a vote on the World Trade Organisation, and we are busily signing off a number of trade agreements around the world that we could not have done in previous years.

The Prime Minister has just very successfully chaired the G7 and has helped to bring together the seven most powerful western democracies in terms of economic strength to reach important agreements to improve the world outlook. We have COP26 coming up, when I trust that British chairmanship will be astute and helpful in order to agree something that many Governments in the world talk a lot about, though not all of them do as much as we do to try and see things through. We are very much the second most important member of NATO in terms of contribution after the United States of America, and we are a force within NATO to make sure that it is used for the good, as a force for peace.

On the 0.7% target, I make no secret of the fact that I do not like targets like that. I did not feel at the time it went through that there was any point in trying to persuade Parliament because Parliament was very hooked on such a target. The difficulty with a target like that is, as we have seen, that national income can change quite rapidly in ways that people did not predict—if something like a pandemic strikes, in particular—and it is not always possible, when we get the recovery, to build up the spending as quickly as the GNI, and it would be silly to have to spend money when we do not have really good projects.

Nor do I like the idea of Governments passing legislation to bind themselves. It seems to me completely pointless. What matters is the word of the Government. If circumstances change, they may have to change, and all the time that the Government control a majority, the fact that it is in legislation does not make any difference. The Government still have to decide whether to keep their word or whether force majeure or force of circumstance requires some temporary or permanent change.

In this debate, I think lots of colleagues have all decided to duplicate and replicate one another's speeches by saying how much they dislike any kind of cut in our immediate aid programme. I would like to have heard, from all those who are understandably enthusiastic about the good that aid could do, rather more discussion of what works best when we have limited money—as we always will, whether the limit is 0.5% or 0.7% of our GDP—so that we can do the most good with it. We have had several years of 0.7% but we still have the same list of main countries needing aid, so we know that this is not a

simple fix, that we are one of many and that we need to work with other partners around the world. We need to harness the private sector and the charitable sector; it does not all have to come from British taxpayers.

When we are looking at progress, we first need to establish a peace. Quite a lot of the countries that need a lot of aid still do not have a peace; they have a civil war going on. That means that any particular projects may just be damaged or wasted because of the lack of that fundamental condition. It is best if there is a decent Government who can deliver and who are not corrupt. To what extent are we allowed to try to influence Governments in the right direction, because we do not wish to become a neo-colonial power?

We need to harness the private sector more so that the money that our taxpayers and other advanced countries' taxpayers put in is multiplied several times by getting that investment in the water systems, the communications systems or the food systems that are needed, which should come more from commercial work. Above all, I think our message should be that trade is often more effective as a means of promoting economic growth and prosperity than aid. We, above all, should believe that, now that we are leading advocates of freer trade around the world and back there in the WTO. Is it not much better that we help to offer contracts to people who can organise economic activity, which creates better-paid jobs and things to do, rather than just having one-off amounts of aid to ease the particular problems of not having a decent economy?

This year, above all, surely is the year when Britain can be truly proud of its achievements in this area, because, thanks to our scientists, the NHS and the Government, we are giving to the world the cheapest vaccine, the one non-profit vaccine—often a free vaccine, because our taxpayers are standing behind that offer. This surely sums up the generosity of spirit of the British people, and the success of the British economy and our world influence: that it will be a British vaccine that is so often deployed, and that it was a British vaccine at the heart of the Prime Minister's successful negotiations at the G7 to get other rich countries to get on with the task of vaccinating the world.