

The Queen's Speech 2019: The Implications for Public Services

October 2019



**The Houses of Parliament where the
Queen's Speech was made on 14th October 2019**

Introduction

The Queen's Speech of 2019 was made on 14th October 2019.

This is an unusual Queen's Speech. The usual purpose of a Queen's Speech is to set out the government's legislative programme for the coming Parliamentary session. However, in this case, the government has no intention of allowing Parliament to sit for a full year because it is planning a general election. The policies outlined in this Queen's speech will not, therefore, be put to Parliament in legislation, but will be put to the electorate in the general election. Following the general election there will be another Queen's speech. Some commentators have described the process as the government using the Queen to launch their election manifesto!

Nonetheless, the Queen's Speech presumably reflects the government's intentions and includes the legislation that they would intend to introduce were they to be re-elected.

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In a background briefing, published alongside the Queen's Speech, Boris Johnson, the Prime Minister, wrote that:

"This Queen's Speech delivers on my promise as Prime Minister to get this amazing country of ours moving again. People are tired of stasis, gridlock and waiting for change. They don't want to wait for improvements in their hospitals. They don't want to wait for their streets to be made safer. They don't want to wait for their schools to have the funding they need to give their children the superb education they deserve. And they don't want to wait any longer to get Brexit done and to answer that clarion call of 17.4 million people in the greatest exercise of democracy in our national history."

This briefing paper summarises the main implications of the Queen's Speech for public services and some of the reactions to it, as well as providing some context and commentary.

Brexit

This Queen's Speech is overshadowed by 'Brexit' which obviously dominates the government's agenda. The main piece of legislation will be the Withdrawal Agreement Bill, to be voted on if the government agrees a 'Brexit' deal with the European Union this week. Other bills will focus on 'access to innovative medicines' and opening up markets to 'create jobs throughout the United Kingdom' following Brexit.

Public Finances

The Queen's Speech announced that:

"My government's new economic plan will be underpinned by a responsible fiscal strategy, investing in economic growth while maintaining the stability of the public finances."

There will be another budget on 6th November 2019, assuming Britain leaves the European Union, as the government plans on 31st October 2019.

Last week, the Institute for Fiscal Studies published an interesting report on the public finances in the light of the government's policies on 'Brexit'. It is entitled 'United Kingdom economic outlook in four Brexit scenarios'. It hit the headlines because of its predictions that 'Brexit' will lead to a significant increase in public sector debt, with the BBC thundering that 'No-deal Brexit would push United Kingdom debt to fifty-year high'.

Key findings include:

- Whether – and if so how and when – the United Kingdom leaves the European Union will be perhaps the key determinant of growth over the next few years.
- Securing a Brexit deal would be better for the economy over the next two to three years than another delay.
- A 'no-deal' Brexit would be economically considerably worse resulting in the economy contracting for two years.
- Revoking 'Brexit' would lead to the best economic outcome.

In the event of a 'No Deal Brexit' the Institute for Fiscal Studies assumes that the United Kingdom government would introduce a reflationary budget that would be designed to increase demand in the economy. This would include:

- The Bank of England cutting the Bank Rate to near zero by the end of 2019 and leaving it there until 2022. It would also restart asset purchases to the tune of £50billion.

- The United Kingdom government would cut taxes and raise spending by around 2% of Gross Domestic Product in the first year. This would see spending well above levels announced in the 2019 Spending Round, and a fiscal loosening in excess of the additional plans Mr Johnson announced in the 2019 Conservative Party leadership election.

The Institute for Fiscal Studies considers that 'fiscal easing efforts' would be increased to raise public consumption and investment. They point out that, in his 2019 Spending Round speech, Chancellor Sajid Javid commented that he had tasked the Treasury with developing a 'comprehensive economic response to support the economy if needed'. That could leave public consumption 2% higher and public investment 6% higher. They consider that almost any United Kingdom government would spend more in any Brexit scenario. But a no-deal case would be likely to see the most support forthcoming.

United Kingdom government debt has ballooned since 2008 and the government is still borrowing more. The report forecasts that government borrowing would increase from the planned £50billion a year to £100billion a year, the equivalent of 4% of Gross Domestic Product and twice the limit on public borrowing that has been set by HM Treasury.

The Institute for Fiscal Studies concludes that:

"The government is in practice operating with no effective fiscal rules at present,"

Boris Johnson, the Prime Minister, has said he wants to raise the threshold for the top income tax rate from £50,000 to £80,000 that it is estimated would cost the United Kingdom government £8billion in tax revenues each year.

Paul Johnson, Director of the Institute for Fiscal Studies, said on the release of the report that:

"The government is now adrift without any effective fiscal anchor. Given the extraordinary level of uncertainty and risks facing the economy and public finances, it should not be looking to offer further permanent overall tax giveaways in any forthcoming Budget.

"In the case of a no-deal Brexit, though, it should be implementing carefully targeted and temporary tax cuts and spending increases where it can effectively support the economy."

So, it appears to me that, for public services, a 'No-Deal Brexit' may result in a short-term increase in funding as the government attempts to sustain demand in the economy. However, in the longer-term, reduced growth, higher debt and a need to reduce taxes to align with the United States and the third world would be likely to result in significant reductions in funding for public services that might make the years of 'austerity' look like a time of plenty!

Following the Queen's Speech, the government said that:

"We will maintain a strong fiscal discipline to ensure the sustainability of the public finances, allowing us to invest in growing our economy."

In view of the foregoing, I think this statement lacks credibility!

Devolution

Prior to the Queen's Speech, the Local Government Association had requested an English Devolution Bill that would give councils greater powers and funding to build more homes, secure the infrastructure essential to economic growth, and equip people with the skills they need to succeed.

The Queen's Speech included:

"A white paper will be published to set out my Government's ambitions for unleashing regional potential in England, and to enable decisions that affect local people to be made at a local level."

The government says it is prioritising enhanced devolution, with more metropolitan mayors, greater powers for existing mayors and more control locally of how money is spent or prioritised. Legislation will likely follow a white paper - consultation document - laying out the Prime Minister's intentions.

The government states that it is committed to making further progress in boosting investment and growth across England to level up opportunities in every region. They intend to publish a White Paper setting out their strategy for continued local economic growth and increased productivity across the country, including plans for institutions, spending priorities, local economic plans and local growth funding.

The White Paper will provide further information on the government's offer for enhanced devolution across England, levelling up the powers between Mayoral Combined Authorities and increasing the number of mayors and doing more devolution deals.

With more powers and funds must come more local democratic responsibility and accountability. The government will provide detail in the White Paper on structural and institutional reform in England to support devolution and growth, in step with further funding.

The White Paper will also set out the levelling up agenda that the Prime Minister started in Manchester on 27 July and expanded on for the North in Rotherham at the Northern Powerhouse Summit on 13 September – covering mayors, towns, and the government's commitment to the United Kingdom Shared Prosperity Fund. The government remains committed to revitalised Northern Powerhouse and Midlands Engine strategies.

The Queen's Speech therefore repeats Boris Johnson's statements about devolution but did not go as far as the Local Government Association had requested. Details will not be available until the publication of the white paper.

Responding to the Queen's Speech, Councillor James Jamieson (Conservative, Central Bedfordshire Council), Chairman of the Local Government Association, said that:

"It is encouraging that today's Queen's Speech has signalled a renewed energy in favour of English devolution.

"Taking decisions over how to run local services closer to where people live is key to improving them and saving money. There is clear and significant evidence that outcomes improve and the country gets better value for money when councils have the freedoms and funding to make local decisions.

"With no new devolution deals agreed in two years, councils will look to work with the Government on how to reignite this process. As a first step, any new approach needs to move beyond bespoke deals with individual areas to a package of sustainably-funded devolved powers that is available to all of English local government and can be delivered through flexible governance arrangements. These powers need to be underpinned by statute so they, along with those already devolved through existing deals, cannot be rolled back by a simple change in government's policy.

“This is vital so that all parts of England have the opportunity and certainty to reap the benefits of having greater powers and funding to improve services such as housing, transport, and health and social care.

“With adequate funding and the right powers, councils can help the Government tackle the challenges facing our nation and make a huge difference to their communities by building desperately-needed new homes, creating jobs and school places, providing care for older and disabled people and boosting economic growth.”

National Health Service

The Queen’s Speech included:

“Measures will be brought forward to support and strengthen the National Health Service, its workforce and resources, enabling it to deliver the highest quality care. New laws will be taken forward to help implement the National Health Service’s Long Term Plan in England, and to establish an independent body to investigate serious healthcare incidents [Health Service Safety Investigations Bill].”

Boris Johnson wrote that:

“I have seen the wonder of our NHS in action at hospitals across the country since I became Prime Minister – and I have been proud to be the midwife to the biggest hospital building programme in a generation, alongside the 20 urgent hospital upgrades I announced on my first day in the job. To complement this investment, we will help implement the long-term plan for the NHS in England, establish the world’s first independent body to investigate serious healthcare incidents and ensure NHS patients can have faster access to innovative medicines.”

Plans to update the Mental Health Act and for an investigations body to improve patient safety were announced.

The Speech set out measures to support the National Health Service including:

- The government will work to implement the National Health Service Long Term Plan in England, building on the National Health Service’s own recommendations to ensure a health service fit for the future.
- Legislation will be taken forward to establish the Health Service Safety Investigations Body. This will be the world’s first such body, charged with independence and powers to investigate incidents that occur during the provision of National Health Service services that have, or may have, implications for the safety of patients.
- A Medicines and Medical Devices Bill will capitalise on opportunities to ensure that the National Health Service and patients can have faster access to innovative medicines, while supporting the growth of the domestic sector.

The Government has committed to a National Health Service multi-year funding settlement that will see a £33.9billion per annum increase in the National Health Service budget by 2023/24. However, this is not ‘new money’ and falls short of what is required to fund the National Health Service adequately or to meet increasing levels of need.

In September 2019 the National Health Service published a set of recommendations for legislation changes that would enable the National Health Service to go faster and further in realising the ambitions set out in the ten-year National Health Service Long Term Plan to improve integration, reduce bureaucracy and promote collaboration. The government welcomes the National Health Service's leadership of this work, and all the input from people across the health and care system. The Government is committed to supporting the National Health Service Long Term Plan. They are considering the National Health Service's recommendations thoroughly and will bring forward detailed proposals shortly. In due course, they will publish draft legislation that will accelerate the Long-Term Plan for the National Health Service, transforming patient care and future-proofing the National Health Service.

Details of the government's proposals for the National Health Service are therefore still awaited and most commentators are agreed that implementing the Long-Term Plan for the National Health Service will require additional resources.

Local Government Finance

Prior to the Queen's Speech the Local Government Association had requested a Local Government Finance Bill. They argued that Councils need next year's Spending Review to provide a long-term sustainable settlement, much needed certainty around funding and extra freedoms and flexibilities. They argued that this Bill should pave the way for local government to keep 100% of business rates and boost local services and set business rate discounts. It should also give councils full control over setting council tax, discounts and banding and provide a legal commitment to ensure councils get annual, rolling multi-year settlements.

The Queen's Speech did not contain any commitment to such a Local Government Finance Bill.

Adult Social Care

Prior to the Queen's Speech, the Local Government Association argued that the Government needed to publish its proposals for the future of adult social care as soon as possible to spark a truly nationwide public debate about the value of social care and how, as a nation, we will pay for it in the years ahead.

The Queen's Speech included:

"My Government will bring forward proposals to reform adult social care in England to ensure dignity in old age. My Ministers will continue work to reform the Mental Health Act to improve respect for, and care of, those receiving treatment."

The Speech set out measures to support Adult Social Care including:

- The government will bring forward substantive proposals to fix the crisis in adult social care, giving people the dignity and security, they deserve.
- The government will continue to work to modernise and reform the Mental Health Act to ensure that people get the support they need, with a much greater say in their care.

This appears to me to be an inadequate response to the request of the Local Government Association, let alone to the crisis that everyone acknowledges is faced by Adult Social Care services.

Education

The Queen's Speech included:

"My Ministers will ensure that all young people have access to an excellent education, unlocking their full potential and preparing them for the world of work."

The government states that they are giving schools a multi-billion-pound boost, meaning that every school has more money for every child. They will also move towards delivering this funding directly to schools, through a single national formula. Presumably this means a further diminution of the role of local authorities in the funding of education.

Housing

Prior to the Queen's Speech, the Local Government Association requested a Housing and Planning Bill that would empower councils to deliver the homes and infrastructure that communities need. This would include streamlining the local plan process, providing greater clarity and certainty in planning to reduce hostile applications, giving councils greater powers to act where housebuilding has stalled, scrapping permitted development rights and devolving Right to Buy so that councils retain all receipts and can set discounts locally.

The Queen's Speech did not contain any commitment to such a Housing and Planning Bill.

However, to make sure residents are safe in their homes, the government will take forward legislative measures that put in place new and modernised regulatory regimes for building safety and construction products. They will also ensure that residents have a stronger voice in the system.

Prior to the Queen's Speech, the Local Government Association requested a Building Safety Bill that would implement the Hackitt Review recommendations and enshrine a tough new building safety system into law. This Bill would place new duties on building owners alongside a regulatory regime with effective sanctions and tougher product safety and assurance standards.

The announcement is not surprising. The creation of a new regulator has been part of the government's plans for post-Grenfell reform for some time. This is all part of moves to implement the findings of Dame Judith Hackitt's review of building safety. Theresa May's government had planned to introduce legislation in 2020 so the Queen's Speech has confirmed that Boris Johnson has not abandoned the plans. However, it has not provided any more detail than was available already.

Kate Henderson, Chief Executive of the National Housing Federation, said that:

"Today's building safety proposals from the Government are very welcome – fixing the broken regulatory system must be a top priority for ministers. However, ensuring that every building is safe requires more than a new regulator. The Government also has to make sure that funding is available to meet the cost of essential safety works where the regulatory system has failed. They also must provide clarity and coordination on how these works are to be carried out. This would enable housing associations to complete them as quickly as possible, and continue their other important work building new social housing."

"The Budget on 6 November is the Government's opportunity to make sure that this money is in place, as well as much-needed funding for new social housing."

It is universally accepted that Britain is facing a housing crisis. The lack of reference to the housing crisis and the lack of any new proposals to tackle the housing crisis are significant omissions from this Queen's Speech.

Transport and Roads

Prior to the Queen's Speech, the Local Government Association requested a Transport and Roads Bill that would give councils oversight of local transport systems by providing automatic access to franchising powers to all areas. This would also include fully funding the concessionary fares scheme and handing control over all the Bus Service Operators' Grant to councils so that public subsidies can be better targeted. It would also introduce an extension to the ban on pavement parking and the power to enforce moving traffic violations to all areas of England and give councils a portion of existing fuel duty to reinvest on local roads to help tackle the local roads repair backlog. While there were some proposals related to transport, the Queen's Speech did not contain any proposals along these lines.

Police and Justice

The Queen's Speech included:

"My Government is committed to addressing violent crime, and to strengthening public confidence in the criminal justice system. New sentencing laws will see that the most serious offenders spend longer in custody to reflect better the severity of their crimes [Sentencing Bill]. Measures will be introduced to improve the justice system's response to foreign national offenders [Foreign National Offenders Bill]. My Government will work to improve safety and security in prisons and to strengthen the rehabilitation of offenders. Proposals will be brought forward to ensure that victims receive the support they need and the justice they deserve. Laws will be introduced to ensure that the parole system recognises the pain to victims and their families caused by offenders refusing to disclose information relating to their crimes [Prisoners (Disclosure of Information About Victims) Bill]."

"A new duty will be placed on public sector bodies, ensuring they work together to address serious violence [Serious Violence Bill]. Police officers will be provided with the protections they need to keep the population safe [Police Protections Bill]. They will also be awarded the power to arrest individuals who are wanted by trusted international partners [Extradition (Provisional Arrest) Bill]."

Boris Johnson wrote that:

"We (must) make our neighbourhoods safer. People are rightly horrified by the spate of violent crime plaguing our streets, including the sickening rise in knife-related homicides. One of the very first steps I took as Prime Minister was to announce the recruiting of 20,000 new police officers. In this Queen's Speech we will give the police the protections they need as they go about their jobs, and we will ensure tough sentences for the most serious offenders so that the punishment fits the crime. And we will also do more to redress the balance in the criminal justice system so that we do everything we can to support and protect the rights of victims of crime."

At the Conservative Party conference, Justice Secretary Robert Buckland pledged to increase the time served in prison for those found guilty of the most serious violent and sexual offences. This is included in the Queen's Speech alongside proposals to offer more support to those affected by serious crime.

Proposals include:

- A Sentencing Bill to change the automatic release point from halfway to two-thirds for adult offenders serving sentences of four years or more for serious violence or sexual offences.
- Legislation to deal more effectively with foreign national offenders, increasing the maximum penalty for those who return to the United Kingdom in breach of a deportation order.
- Accelerating government plans to enshrine in law the support victims are entitled to; the government will consult on a new Victims' Law and publish a revised Victims' Code early in 2020.
- New legislation will require the Parole Board to consider an offender's failure to disclose certain information about their crime - a version of Helen's Law.
- A Serious Violence Bill will place a duty on public bodies across different sectors to work together and share data and information to identify and tackle early factors that can lead to crime and put in place plans to prevent and reduce serious violence.
- A Police Protections Bill will support the police, establishing a Police Covenant that recognises their bravery, commitment and sacrifice.
- The government will legislate to empower police officers to immediately arrest someone they know is wanted for a serious crime committed in a trusted country, without having to apply to a court for a warrant first.

Home Secretary Priti Patel had already said that the government would bring in sentences that would make people 'think twice' before assaulting a police officer. A new 'police covenant' - a promise recognising the service and sacrifice of officers - to be enshrined in law – is also proposed. There will be a focus on foreign criminals, with Priti Patel saying that:

"We have been a soft touch on foreign criminals for too long,"

This represents a reversal of the Conservatives' policy under Theresa May, David Gauke and Rory Stewart, where the emphasis was on reducing short-term sentences and prison populations.

The extra demands imposed on the justice system follow a period during which the Ministry of Justice, which oversees the courts and prisons, has suffered deeper budget cuts – 40% since 2010 – than any other Whitehall department. Reductions in the number of judicial sitting days to make short-term savings have added to frustrations among lawyers.

A pledge to give police powers to arrest fugitives based on an Interpol red notice without having to apply for a warrant will set a new precedent. Critics have warned some countries will abuse the system by targeting political opponents.

Frances Crook, Chief Executive of the Howard League for Penal Reform, is critical of the government's approach, saying that:

"It is the politics of the lynch mob ... this is about making people spend more time in prison, which will affect thousands of men and will probably put staff in danger by taking hope away from people. We already know that prisoners are in appalling conditions, with a lot of violence, injury and suicides. A lot of it is directed at staff. It's very irresponsible... Desperate and weak governments always try to curry favour by stirring up hate, increasing punishment is a race to the bottom of politics, particularly as it flies in the face of evidence and won't protect victims."

Electoral Registration

Prior to the Queen's Speech, the Local Government Association requested an Electoral Bill that would provide a new electoral offence of intimidatory behaviour and provide guidance for the general public on what is reasonable protest and comment to improve civility in public life.

However, the government is proposing an 'Electoral Integrity Bill' that would take a different approach to that requested by the Local Government Association. Their bill would make showing ID such as driving licences or passports at the ballot box a requirement. The bill would also place restrictions on proxy voting. Critics of the measures maintain that they are not necessary to tackle limited amounts of election fraud and that they will have the effect of disenfranchising many voters. The more cynical critics maintain that this would be to the electoral advantage of the government.

Darren Hughes, the Chief Executive of the Electoral Reform Society, said that:

"When millions of people lack photo ID, these mooted plans risk raising the drawbridge to huge numbers of marginalised voters – including many elderly and BAME (Black, Asian and minority ethnic) voters.

"The government have sat on their hands in the face of the actual threats to electoral integrity: anonymous 'dark ads', dodgy donations and disinformation. Instead of taking on the real issues, they are using a sledgehammer to crack a nut.

"Make no mistake, these plans will leave tens of thousands of legitimate voters voiceless. Ministers should focus on combating the real threats to our democracy, rather than suppressing voters' rights.

"This gamble with our democracy will strike many voters as US-style gerrymandering, with Britain's tradition of trust at the ballot box abolished in one swoop. Ministers must think again."

The Electoral Reform Society estimates that photo ID for voting would cost up to £20million to enforce per election. According to Electoral Commission figures, more than 700 people were denied a vote in trials in ten council wards during May's local elections. Figures showed of the 1,968 people who were initially refused a ballot paper for not having the necessary ID, 740 did not return, indicating they were denied a vote. That suggested the number of people denied a vote outnumbered the scale of alleged voter fraud in the whole United Kingdom last year by a factor of almost 100. It added that polling by the Electoral Commission showed electoral fraud was far down voters' list of worries about elections.

Environment

The Queen's Speech included:

"For the first time, environmental principles will be enshrined in law (to) protect and improve the environment for future generations"

A bill aimed at setting binding targets on air pollution and cutting plastic use will be introduced. It is intended to improve air and water quality, tackle plastic pollution and restore habitats so plants and wildlife 'can thrive'. The Animal Welfare Bill will also return, including banning imports on trophy hunting.

However, climate emergency campaigners consider that this is an inadequate response to the climate crisis.

Infrastructure

The Queen's Speech included:

"To ensure that the benefits of a prospering economy reach every corner of the United Kingdom, my Ministers will bring forward a National Infrastructure Strategy. This will set out a long-term vision to improve the nation's digital, transport and energy infrastructure."

Carried-over bills

There are four pieces of legislation that are in the Queen's Speech because they were 'carried over' from the last parliamentary session. These include a bill supporting the delivery of the Commonwealth Games in Birmingham in 2022, one for the next stage of the HS2 rail link and another aimed at helping victims of domestic abuse.

The proposals on the domestic abuse bill have been broadly welcomed, with a proposal to allow victims to testify via video-link rather than in person. Campaigners have been urging the government to deliver on its long-delayed pledge on banning the cross-examination in court of victims of abuse by perpetrators in domestic abuse cases.

Implications for Scotland

The Scottish Government has said that there must be early and close inter-governmental engagement on the impact on Scotland of Bills in the Queen's Speech. However, until there is more assurance that the United Kingdom Government respects the views of the Scottish Parliament, the Scottish Government will not bring forward any parliamentary consent motions for provisions related to Brexit.

This position has been taken as the United Kingdom Government has made it clear that it is prepared to ignore the views of the Scottish Parliament on provisions or Bills related to exiting the European Union - even though Holyrood's consent is required under the rules of the current system of government. The United Kingdom Parliament does not normally legislate regarding devolved matters in Scotland without the consent of the Scottish Parliament, which is expressed through Legislative Consent Motions. Commenting on the Queen's Speech, Constitutional Relations Secretary Michael Russell said that:

"Throughout the Brexit process, the United Kingdom Government has paid little regard to the views of either the Scottish Parliament or the Scottish people. Brexit remains a crisis: there is no concluded Withdrawal Agreement and the United Kingdom Government is refusing to rule out a disastrous 'no deal' Brexit. In these circumstances, the United Kingdom Government cannot maintain that their plan is to pass a Withdrawal Agreement Bill – should one be approved – before 31st October. If the United Kingdom Government attempts to force such important legislation through in the short time available, it will show a disregard for the scrutiny functions of both the United Kingdom Parliament and Scottish Parliament."

"With regard to other Bills, it remains vital that the Scottish Parliament scrutinise any Brexit-related provisions. Therefore, the Scottish Government will continue to lodge legislative consent memorandums setting out its views on the substance of any such provision."

What Happens Next?

The House of Commons is expected to debate the measures outlined in the speech for up to five days and will then hold a vote – that the government could lose. Boris Johnson has lost seven votes in Parliament since becoming Prime Minister in July and won none. However, under the Fixed-term Parliaments Act, losing a vote on a Queen's speech is no longer formally a no-confidence vote and would not necessarily result in the fall of the government.

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Conclusions

This is an unusual Queen's Speech in that:

- It isn't really about the government's planned legislative programme because the government lacks a majority in the House of Commons and because of the expectation that the next general election is imminent. It is really about the government setting out its stall for that election especially by highlighting policies that are likely to be popular with its core voters.
- Everything is overshadowed by 'Brexit'. It is not possible for the government (or any government) to devise long-term policies for any public services while the outcome of the 'Brexit' question is unclear and, whatever happens on 31st October 2019, the outcome of the 'Brexit' question will continue to be unclear for some time.
- Where the government is saying something significant about public services (for example on Devolution and the National Health Service), what it is saying is rather vague and dependent on future policy statements. The Queen's Speech also makes very little reference to how new policies could be funded, while the government's financial position continues to be weak.

The government has published a 130-page background briefing on the Queen's Speech. [To view or download a copy, please click here.](#)

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