



## GENERAL ELECTION 2010

### Summary of key points of interest to the Bar in the manifestos

This note summarises the key points in the manifestos of the three main political parties which may be of interest to the Bar. Reference is also made briefly to the Plaid Cymru manifesto and that of UKIP.

It is intended that this should be non-partisan and the Bar Council as an organisation is not aligning itself to any particular political party.

Further information, together with copies of the Bar Council's *Manifesto for Justice* ([please click here](#)), can be obtained from:

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**The Conservative Manifesto 2010**  
*Invitation to join the Government of Britain*  
[www.conservatives.com/Manifesto](http://www.conservatives.com/Manifesto)

The main points:

#### *Cutting the deficit*

- £12bn in savings by freezing ICT projects and cost reductions from major suppliers, plus a further £6bn of departmental spending cuts; there is an acknowledgement of the need to identify the key drivers of departmental spending

### *National Citizen Service*

- Introduce new National Citizen Service. The initial flagship project will provide a programme for 16 year olds to give them a chance to develop the skills needed to be active and responsible citizens. Launched by veteran actor Michael Caine.
- The civil service will be renamed a 'civic service'; civil servants will be expected to 'participate in social action'
- There will be an annual Big Society Day and a Big Society Bank to support all this

### *'Fight back against crime'*

- Rebuild confidence in the justice system to better support victims
- Introduce a series of early intervention measures such as grounding orders to allow the police to use instant sanctions to deal with anti-social behaviour without criminalising young people
- Anyone convicted of a knife crime will face a prison sentence
- Ensure victims and their families are better informed about the progress of criminal proceedings
- Greater Parliamentary scrutiny of sentencing guidance
- Give householders greater legal protection if they have to defend themselves against intruders in their home
- Use a Victims' Fund to help deliver up to 15 new rape crisis centres
- Reduce pressure on the prison population through extending the early deportation of foreign national prisoners
- Introduce system where courts can specify minimum and maximum sentences for certain offenders

### *Legal Aid*

- Carry out a fundamental review of legal aid to make it work more efficiently and look at ways to bring in more alternative sources of funding.

### *Family*

- Carry out a review of family law in order to increase the use of mediation when couples ... break up.

### *Civil Liberties*

- Scrap ID cards, the National Identity Register and the Contactpoint database

- Replace the Human Rights Act with a UK Bill of Rights
- Review and reform libel laws to protect freedom of speech, reduce costs and discourage libel tourism
- Strengthen the powers of the Information Commissioner to penalise any public body found guilty of mismanaging data
- Cut back on intrusive powers of entry into homes
- Curtail the surveillance powers that allow some councils to use anti-terrorism laws to spy on people making trivial mistakes or minor breaches of the law
- Requiring Privacy Impact Assessments of any proposal that involves data collection or sharing
- Ensure proper Parliamentary scrutiny of any new powers of data sharing
- DNA database will only be used to store information about those guilty of committing crimes

## *EU*

- Never allow Britain to slide into a federal Europe
- British people to have a say on any transfer of powers to the EU
- Amend the 1972 European Communities Act so that any proposed future Treaty that transferred areas of power or competencies would be subject to a referendum
- Never take the UK into the Euro
- Introduce a United Kingdom sovereignty Bill to make clear that ultimate authority
- Not allow the UK to participate in the establishment of a European Public Prosecutor's Office or permit its jurisdiction over the UK
- Change the 1972 Act so that an Act of Parliament would be required before any 'ratchet clause' could be used. Any use of a major 'ratchet clause' which amounted to the transfer of an area of power to the EU would be subject to a referendum
- Conservative Government would negotiate for three specific guarantees:
  - Charter of Fundamental Rights
  - Criminal Justice
  - Social and Employment Legislation

## *Other changes in Parliament*

- Examine the case for giving Select Committees the power to prevent increases in quango budgets
- A Backbench business committee to give the House of Commons more control over its timetable

- Allow more time for MPs to scrutinise law effectively
- Any petition that secures 100,000 signatures will secure a debate in Parliament; the petition with the most signatures in a session will enable members of the public to table a Bill
- A new Public Reading Stage for Bills to enable the public to comment online

## **The Labour Party Manifesto 2010**

*A future fair for all*

<http://www2.labour.org.uk/manifesto-splash>

Main points of interest to the Bar:

### ***Crime and Immigration***

- Youth Conditional Cautions will focus on rehabilitation and reparation
- Introduce a preventative element for all ASBOs for under 16s.
- Expand joint working between police and the probation service to supervise prolific young offenders after they get out of prison
- Continue to support Restorative Justice to increase satisfaction for victims and the police, and will bring in a Restorative Justice Act to ensure it is available wherever victims approve it.
- Will continue to drive up prosecution rates regarding violence against women
- When someone suffers repeated anti-social behaviour , and the police, council, courts and other agencies fail to act, there must be stronger forms of redress – will legislate to give people financial support to pursue legal injunctions, with the costs met by the agency that let them down
- Continue to make use of CCTV and DNA technology to tackle crime
- Will ensure the most serious offenders are added to the DNA database no matter when or where they were convicted, and retain for six years those arrested but not convicted
- New biometric ID scheme which already covers foreign nationals will be offered to an increasing number of British citizens but will not be compulsory
- Ensure a total of 96,000 prison places by 2014
- Offenders not sentenced to prison will have to undertake Community Payback
- Asset confiscation will be the standard principle in sentencing
- Put the victim first in the Criminal Justice System – creating a new National Victims Service to guarantee all victims of crime and anti-social

behaviour seven days a week cover and a named, dedicated worker offering one-to-one support through the trial and beyond.

### *Terrorism and Organised Crime*

- Will continue to give the police the tools they need to fight terrorism while giving Parliament and the courts oversight to ensure these powers are not overused.
- Strengthen the SOCA

### *Legal Aid*

- The manifesto features the oxymoronic: “To help protect frontline services, we will find greater savings in legal aid and the courts system - increasing the use of ‘virtual courts’, which move from arrest, to trial, to sentencing in hours rather than weeks or months”.

### *Freedom of speech*

- To encourage freedom of speech and access to information, the party will bring forward new legislation on libel to protect the right of defendants to speak freely.

### *Citizenship*

- Improve citizenship education in schools so that young people are better prepared for their democratic responsibilities
- A report will be commissioned on how best to achieve this so that we can raise standards in citizenship education, before providing a free vote in Parliament on reducing the voting age to 16, for which we will make government time available.

### *Written Constitution*

- Legislate for fixed term Parliaments and set up an All Party Commission to chart a course to the Written Constitution.
- Referenda on the same date for moving to the Alternative Vote system for the House of Commons and to a democratic and accountable Second Chamber.

### *Social mobility*

- Universities must continue to raise their game in outreach to state schools, widening participation and boosting social mobility.

## **Liberal Democrat Manifesto 2010**

*Change that works for you, building a fairer Britain*

[http://www.libdems.org.uk/our\\_manifesto.aspx](http://www.libdems.org.uk/our_manifesto.aspx)

Main points of interest to the Bar are:

### *Europe*

- Keep Britain part of international crime fighting measures such as the European Arrest Warrant, European Policy Office, Eurojust, and the European Criminal Records Information System, while ensuring high standards of justice

### *Crime*

- Move the focus to positive activities to help young people avoid a life of crime
- Turn the National Policing Improvement Agency into a National Crime Reduction Agency to test policing and sentencing procedures and spread best practice across the criminal justice system
- Champion restorative justice programmes such as NJPs which make offenders confront their behaviour
- Reform prisons, including reducing the number of short sentences

### *Constitution*

- Introduce a written constitution
- Strengthen the Data Protection Act and the Office of the Information Commissioner, extending FOI legislation to private companies delivering monopoly public services such as network rail
- Fixed-term Parliaments, and a fully elected, smaller Second Chamber

### *Civil liberties*

- Introduce a Freedom Bill - regulation of CCTV, stop councils from spying on people, stop unfair extradition to the US, defend trial by jury, stop children being fingerprinted at school without their parent's permission
- Restore the right to protest by reforming the Public Order Act to safeguard non-violent protest
- Protect free speech through reform of the English and Welsh libel laws
- Scrap ID cards
- Halt the increase in new offences by Government departments
- Remove innocent people from DNA databases

- Ensure everyone has the same protections under law by protecting the Human Rights Act
- Scrap intrusive ContactPoint database
- Scrap control orders
- Reduce the maximum period of pre-charge detention to 14 days
- Make it easier to prosecute and convict terrorists by allowing intercept evidence in court and by making greater use of post-charge questioning
- Meeting the Government's obligations towards the Equitable Life policyholders who have suffered loss

### **Plaid Cymru 2010 Westminster Manifesto**

#### *Think Different Think Plaid*

Plaid Cymru have produced a top-line Westminster manifesto (<http://www.plaidcymru.org/content.php?nID=44;catID=7;pubID=264;lID=1>), which includes the following short section on justice:

#### **“Justice as Fairness**

We will continue to demand control over our crime and justice system in its entirety, including the police force and youth justice, so that Wales can fully tackle the complex problem of individual and community safety and rehabilitation. Instead of investing in unnecessary ‘Titan’ prisons, we call for the building of juvenile and women’s prisons and we fully support a prison in north Wales despite the Labour government in Westminster’s decision to drop plans for a site. **We will also continue to campaign for bilingual juries and a separate legal jurisdiction for Wales.** Plaid Cymru will continue to fight for civil liberties and will oppose any further attempts by a future Westminster government to curtail free speech.

We will continue to oppose legislation to make possible secret inquests, Internet monitoring, wasteful ID cards, the national DNA identity register and longer pre-charge periods of detention for suspects.”

### **UKIP Manifesto April 2010**

#### *Empowering the People*

The United Kingdom Independence Party has launched its short manifesto (<http://www.ukip.org/media/pdf/UKIPManifesto2010.pdf> ), which includes the following about the justice system:

“UKIP will ensure the British people have a government with the will to punish those who threaten and harm them. We believe victims’ rights are more important than the rights and comfort of criminals. It is time to implement forthright law and order policies and to adopt zero tolerance on crime. UKIP will:

- Scrap the misconceived Human Rights Act. This will make Britain safer by removing obstacles that prevent the deportation of dangerous Imams, terror suspects and criminals to countries where they are wanted for trial. This policy is in line with the UK’s current prisoner exchange and extradition treaties. UKIP will also halt European moves to give prisoners the vote
- Double prison places through better use of existing prisons and a substantial programme of new prison building. UKIP will also end the scandal of early releases and weak sentencing. This will cost approximately £2bn pa in contrast to the cost of crime, estimated by the Home Office at £45bn pa
- Rebalance the law to protect residents who seek to defend their own homes, families or property against intruders
- Withdraw from the European Arrest Warrant scheme which allows innocent British citizens to be summarily extradited, even on offences that do not exist in the UK. We will reintroduce the need to prove the case for extradition before British judges based on prima facie evidence. UKIP strongly opposes plans for a new European Public Prosecutor
- Allow binding national referenda on controversial public law and order issues that are outside party politics. The public must have the final say
- Introduce ‘Boot Camps’ for young offenders to stop them spiralling into a life of crime
- Abolish the politically correct and under-performing Crown Prosecution Service, returning to local police prosecutions”

*April 2010*