

# Interim Report

## Foreword

Thank you to all who took the time to respond to the 2020 National Policy Forum Consultation.

Your insight has enabled the NPF to provide a set of grounding principles to shape our policy for the challenges and opportunities ahead.

The principles outlined in the report are based on the values that bring us together as a Party and lay the foundations for the work we will do together over the next four years. Labour wins when we offer a vision of the future that is optimistic and gives people hope that things can and will change for the better, and these principles reflect this.

From empowering citizens to fighting the climate emergency, rebalancing Britain to supporting the nation's mental health, the principles demonstrate that our Party is rooted in the values that the public share, and outline the kind of change that we know is so needed in our country.

This report could not have been developed without listening to views from across the Labour movement, from our members to affiliates, all of whom play a vital role in developing our policies. But this engagement doesn't stop here – we now want to hear what all parts of our Party think about these principles.

While the world around us is changing fast, the common bonds between us have been strengthened as a result of the challenges we have undergone. By working together, we can rebuild our country and ensure a fairer Britain for all.

Yours,



**Keir Starmer**  
Leader of the Labour Party

# The next steps for the National Policy Forum (NPF)

Thank you to all members, affiliates and stakeholders who took part in the NPF (National Policy Forum) consultation this year, whether you submitted your ideas through Labour Policy Forum or attended one of the online roundtable events.

Social distancing measures meant that consultation activity looked a little different this year. The Consultation was held solely online, with all eight documents hosted on Labour Policy Forum, and eight member policy roundtable events on Zoom in lieu of our usual roadshow of events. This was an opportunity to trial new methods of engagement, and we hope to be able to continue to do this as the work of the NPF evolves over the next few years.

This work will be laid out in more detail in the following report. While it was not possible for this report to be taken to Annual Conference and debated on Conference floor, we hope that it will be of interest to inform and explain the work of the NPF this year.

The report lays out a set of principles that the policy commissions will build upon over the course of the election cycle looking to 2024.

**We want to hear your views on these principles,  
and welcome you to submit them via Labour Policy Forum:**

**[www.policyforum.labour.org.uk/make-a-submission](http://www.policyforum.labour.org.uk/make-a-submission).**

Your comments will be considered by the policy commission and will inform a fuller report covering two years of NPF activity, which will be taken to Conference in September 2021. If passed by delegates it will form part of our policy platform.

Thank you again for your involvement with the National Policy Forum this year. Your insights will help us to shape our policy platform so we can win again and ensure a fairer Britain for all.

## Membership 2020

### HM Opposition

Nick Thomas-Symonds MP\*

### NEC

Alice Perry\*  
Mick Antoniw AM  
Gurinder Singh Josan

### CLPs and Regions

Ann Cryer – *Yorkshire and Humber Region*  
Michael Garvey – *North West Region*  
Simon Lightwood – *Yorkshire and Humber Region*  
Samiya Malik – *Greater London Region*  
Alex Mockridge – *South West Region*  
Mike Payne – *Welsh Policy Forum*  
Dave Watson – *Scottish Labour Party*  
Linda Woodings – *East Midlands Region*

### Affiliates

Siobhan Endean – *Unite*  
Nadine Grandison-Mills – *BAME Labour*  
Emily Rowles – *Usdaw*

### Elected Representatives

Simon Blackburn – *Local Government Association*  
Lord Dave Watts – *House of Lords*

\*Co-convenor

## Overview of the work of the Justice and Home Affairs Policy Commission

This year the Justice and Home Affairs Policy Commission chose Devolution and the Constitution after coronavirus as the topic for its consultation. Even before the Covid-19 outbreak, our constitutional settlement was under strain. Over the last decade, the Tories have weakened the Union by undermining the Devolved Administrations. They have repeatedly attempted to side-line Parliament, attacked the independence of the judiciary, threatened human rights protections, and made justice unaffordable for many. The current crisis has only added further stress, with severe limitations on the functioning of Parliament and the courts, alongside the temporary suspension of many of our individual rights. The UK Government's response to the outbreak has also shown a lack of respect and understanding of Devolved Administrations, as well as demonstrating the lopsided nature of the current settlement. Now the Conservatives' Internal Market Bill threatens to both undermine the cornerstone of our Constitution – the rule of law – and further weaken the stability of the Union by effecting a power grab by Westminster. It is clear that the status quo is unsustainable. Delivering significant change will require building a new long-term political and constitutional consensus. As such, the Commission's work this year has been focused on identifying and examining the principles and values which should inform any programme of reform.

The Commission held its first meeting in May, receiving updates from the Shadow Home Secretary, Nick Thomas-Symonds MP, and Shadow Secretary of state for Wales, Nia Griffith MP, as well as considering submissions on a wide range of issues including constitutional reform, access to justice, and devolution. These submissions helped to inform the Commission's decision to focus on Devolution and the Constitution for this year's consultation, which ran online throughout June and July and received hundreds of responses from CLPs, party members, and the public. The Commission discussed and deliberated feedback from the consultation during its June and July meetings, as well as considering expert written evidence from the trade unions Unite and Usdaw, affiliated bodies like the Labour Group at the Local Government Association (LGA), and external stakeholders such as the Law Society and Electoral Reform Society. The Commission also heard oral expert evidence from the Deputy Leader of the Scottish Labour Party, Jackie Baillie MSP, and the Police and Crime Commissioner (PCC) for Northumbria, Kim McGuinness, on strengthening devolution both between nations and at a regional or local level. This year the Commission has also explored new approaches to consulting members, holding its first ever e-roundtable at the beginning of June. This gave members the opportunity to discuss issues raised in the consultation with the Leader of the Scottish Labour Party, Richard Leonard MSP, the Deputy Minister and Chief Whip in the Senedd, Jane Hutt MS, the Shadow Home Secretary, the Shadow Secretary of State for Wales, the Shadow Secretary of State for Northern Ireland, Louise Haigh MP, and Shadow Scotland Minister Chris Elmore MP. Members of the Commission also held regional e-roundtables in the North West and Yorkshire and Humber regions, providing feedback during the July meeting.

## Principles:

1. Fairness and respect
2. Cooperation and common endeavour
3. Effectiveness and efficiency
4. Empowering citizens
5. Accountability and the rule of law
6. Defending democratic norms

## Consultation responses

### Fairness and respect

During the summer, the Shadow Secretary of State for Wales, Nia Griffith MP, updated the Commission on the Government's plans for the UK Internal Market, warning that the way in which the Conservatives had side-lined the Devolved Administrations and treated them with contempt undermined the stability of the Union. It is no wonder that throughout this year's consultation, evidence received emphasised the need to create a fairer devolution settlement with respect between each of the constituent nations of the UK. This theme was raised during a roundtable the Commission held in June.

"Devolution has to include mutual respect between the governing organisations."

### JHA Policy Commission e-roundtable respondent

A more federal structure was identified by a number of respondents as a means to create a fairer system of government. Labour for Devolution suggested federalism could help to create an inbuilt, structural commitment to share prosperity fairly around the nation. While Usdaw also highlighted the opportunities of greater federalism.

“Federalism gives the opportunity to set out the priorities and principles that underpin the country, and to restate them with a unified intention. Federalism is also a recognition of the insight that regional authorities and governments have in the solutions that work best for them.”

#### Usdaw

Respondents also highlighted the need for new processes to ensure a more federal system operates with respect between the four nations. The Deputy Leader of Scottish Labour, Jackie Baillie MSP, told the Commission that as the UK moves towards greater devolution of powers from Westminster, there will be a need for a formal dispute resolution mechanism. She said it is inevitable that different administrations will have disagreements, but there is a need to remove some of the politics from those disputes thereby allowing politicians from different parties working together in the national interest. The Law Society recommended a standing committee between the nations to identify problems and find solutions.

“A four-country standing committee is set up to discuss policy and implementation differences. On specific issues, this would allow for areas of agreement to be identified and lead to co-ordination on these, whilst highlighting areas of difference in implementation and how these can be dealt with.”

#### Law Society

A number of submissions recommended the Welsh Government's 'Reforming our Union: Shared Governance in the UK', with Andrew from the East Midlands saying it provided a sound basis for securing not only the devolution settlement but democracy in the United Kingdom more generally. Derek from Wales advocated the federalist approach outlined, adding the goal was to enable people to have a greater say locally over the decisions that affect their lives.

#### Cooperation and common endeavour

A popular theme in submissions received over the course of this year was the need for the four nations to work together to improve lives across the UK in a spirit of cooperation and common endeavour.

Submissions demonstrated a desire to see the UK take an active role promoting the rights and security of people and the environment, with greater urgency than has been seen in the past. In most instances, submissions concluded that Britain needs to stand up for these values by taking the lead internationally.

"I think there is a need to build a strong sense of the UK genuinely working together, with all major parts of the UK being recognised and included in relevant discussions."

**Iona, Scotland**

The Commission also heard how such an approach could celebrate and accommodate local differences within a national framework built on common endeavour and mutual respect.

"What unites us as a country is that we understand and celebrate our differences and cherish and build on things we have in common."

**Paul, North West**

The importance of harnessing the spirit of cooperation at a local level was also noted, with the LGA Labour Group highlighting an increase in "mutual aid" groups to support people in their community accessing food and other supplies during the pandemic. While the Labour Party Irish Society emphasised the importance of these principles to the Good Friday Agreement and building an enduring peace in Northern Ireland.

"At its heart, the Good Friday Agreement is about relationships across these islands. Whilst it can be difficult at times, we must summon the courage and skill to find and walk the common ground together. Compromise and cooperation are essential principles to achieving that – we cannot think in terms of 'us' and 'them' or one side winning or losing"

**Labour Party Irish Society**



### **Effectiveness and efficiency**

Many submissions emphasised the importance of ensuring decision-making power is devolved to the most local level possible to ensure policy is designed and implemented in the most effective and efficient way possible.

“Power should be devolved down to the lowest level of decision making as that is where the most understanding lay of local issues/ matters.”

#### **Mid Worcestershire CLP**

The role of local government was repeatedly highlighted as being crucial in this regard.

“An obvious advantage of local government is its closeness to the needs and problems of local communities, and therefore its ability to come up with locally-applicable workable solutions. Another advantage of credible local government is its ability to inspire local loyalties and a sense of belonging. Diverse local communities can identify themselves collectively on a regional or local basis.”

#### **Richard, Greater London**

Evidence from Unite also pointed out that the Covid-19 pandemic had highlighted the importance of local government and its centrality to providing services that knit local areas into communities and improve people's quality of life and local economies has been brought to the fore by the pandemic. Lewisham West and Penge CLP noted the success of local authorities in Ceredigion and Tayside in implementing local track and trace where national privatised initiatives had failed. This corresponds with testimony received from colleagues in local government.

“Local and regional government have shown that their local knowledge is invaluable when it comes to tackling the Covid-19 pandemic – councils are running the test, trace and isolate programme as they know how best to tackle such challenges in their areas, and they've consistently shown themselves to be on the front foot on procuring PPE, supporting local businesses and protecting shielded and other vulnerable residents where the government has otherwise failed or been too slow to act.”

#### **Local Government Association Labour Group**

In her evidence to the Commission, the Deputy Leader of Scottish Labour, Jackie Baillie MSP pointed out that devolution to Edinburgh does not necessarily make a difference to people in the Western Isles. She said the SNP Government had been incredibly centralising in its approach since taking office, and called for a form of “double devolution”, making sure power is exercised at the most local level possible. The Commission also heard how the Conservatives are actively undermining local decision-making. The Police and Crime Commissioner for Northumbria, Kim McGuinness, warned that the Government wanted to make PCCs responsible for delivering Tory targets in policing, which is counter to narrative around local devolution and decision-making, and could mean that PCCs could end up with more powers but less ability to have flexibility locally. Kim said there was an argument for probation to be locally focused and devolved to PCCs as they already have responsibility for preventing crime, but not for preventing reoffending. She felt PCCs were best placed to work with local probation services.

### **Empowering citizens**

When considering the constitutional changes that may be required after coronavirus, submissions spoke of a need to empower citizens to ensure they are the drivers of any reform. Suggestions included citizens' assemblies, constitutional conventions and commissions; however, a common theme was the need to ensure that people had primary agency over the changes that will affect their lives.

“We need to involve people and communities and have a mature national debate via citizen assemblies or other democratic inclusive means.”

**Aileen, South West**

Greenwich and Woolwich CLP told the Commission that some elements of our Constitution and governance had recently been exposed as unfit for purpose, and suggested setting up a National Constitution and Governance Commission to investigate reform. Other submissions noted the growing popularity in democracies around the world of using such forums to place citizens at the centre of reform.

“Forms of deliberative democracy, especially citizens' assemblies and constitutional conventions, are being used more frequently around the world as a way of providing for citizen input in the policy-making process. These ideas have well and truly entered the mainstream now as an inspiring method for deepening and aiding democratic processes.”

**Electoral Reform Society**

Submissions also highlighted how a citizen-led deliberative body could ensure reforms were made to last, with Coral from Wales telling the Commission it would counter short termism. The importance of not imposing change on people from above was also emphasised.

"A constitutional convention must not be a top down approach or seen as a talking shop for the elite. 'Nothing about us without us' has to be our guiding principle."

**Brighton Pavilion CLP**

### **Accountability and the rule of law**

The rule of law and the ability to hold decision-makers to account are fundamental to the proper functioning of our Constitution and democracy. Yet submissions highlighted how the Conservatives have repeatedly undermined access to justice, the independence of the judiciary and human rights protections. The threat to judicial review was raised in a number of submissions, warning that it was vital to maintain the right of individuals to challenge the lawfulness of government decisions in court.

"We strongly support the right of individuals to judicial review of government decisions, and the courts should retain their power to do checks that government actions are compliant with the law"

**Julia, East**

The Law Society told the Commission that proposals to change the system of judicial review must be developed through consultation and subject to full scrutiny to ensure people do not lose their ability to challenge the executive and wider Government. The independence of the judiciary was also frequently cited, with submissions pointing out that the courts have a fundamental duty to hold the Government to account and members of the judiciary must be free to offer this challenge impartially and without fear of repercussions.

"There is a pressing need for a clearly independent strengthened UK supreme court and continued support for the European Court of Human Rights."

**York CLP**

Evidence received also highlighted that the ability of individuals to access the legal system to uphold and enforce their rights, including by challenging decisions made by public bodies or other authorities, is a crucial element of the rule of law. Submissions made clear that people must not be priced out of the justice system, which means having a robust and sustainable legal aid system so that citizens have access to justice.

"The Labour Party should commit itself to the principal that competent legal representation is a right of all citizens"

**David, South East**

### **Defending democratic norms**

Attempts by the Conservatives at voter suppression and the undermining of democratic norms featured prominently in evidence submitted to the Commission. A common theme was that Labour must stand against any weakening of the ultimate form of accountability in a democracy, people's right to vote.

"The Labour Party must always stand for democratic empowerment."

**Daniel, Greater London**

Submissions demonstrated that plans by the Tories to introduce some form of voter ID were seen as an urgent threat to democratic participation, which the Party must oppose.

"There is an urgent need to stop the Tories' plans for voter suppression with onerous and unnecessary identity requirements for voting which will hit the poorest voters hardest."

**Hove CLP**

The Commission received a wide range of suggestions for increasing democratic participation, from holding elections on a weekend to automatic voter registration.

“We need automatic voter registration so no one is disenfranchised - thousands are prevented from voting because they aren’t registered.”

**Katy, Greater London**

And in particular, submissions emphasised how extending the franchise to 16 and 17 year olds would present an opportunity to encourage more young people to engage directly in our democratic processes.

“I support giving full voting rights to all 16 and 17-year-olds in England, as they already enjoy in Scotland and Wales.”

**Ann, South East**

A number of submissions also called for greater powers of enforcement for the Electoral Commission to ensure electoral law is respected.

“We need a reformed and much strengthened Electoral Commission to regulate the operation of the electoral system, with a clearly defined role, adequate resources, and much stronger powers to punish breaches of the law.”

**Stephen, East**

Finally, the Commission received a number of submissions around electoral reform and changes to both Houses of Parliament. Given the variety of potential reforms that have been set out, and the fact that there are strongly-held opinions on all sides of the debate, the Commission believes a citizen-led, deliberatively body, such as a constitutional convention, is the best forum for these kinds of issues to be considered.

## Concluding remarks from the co-convenors, Nick Thomas-Symonds MP and Alice Perry

This has been an extremely challenging year for everyone and the Commission would like to thank everyone for their time and effort in submitting evidence over the course of the consultation, whether in-person, at a members' e-roundtable event, through CLPs, or individual written submissions. The consultation has shown the scale of concern there is at the threat the current Tory Government poses to devolution and the wider constitutional settlement, based both on their previous record and stated future intentions.

Devolution requires governments across the UK to work in partnership. If they cannot work together then it is the people they are meant to represent who end up suffering the most. This has been evident in the UK Government's dismissive approach to the Devolved Administrations over the response to the Covid-19 pandemic, but also in the way it has sidelined Edinburgh, Cardiff, and Belfast throughout the process of leaving the EU. The evidence the Commission received this year made clear that a fairer, federal approach to devolution, with proper dispute resolution mechanisms, would strengthen the Union by ensuring the four governments can work together on a basis of respect.

A fairer approach to devolution would also help to foster the spirit of cooperation and common endeavour that many submissions identified as being crucial to empowering the Devolved Administrations to play the role their electorates might expect in shaping UK strategies. The Commission heard a wide range of testimony on how the Conservatives have undermined efforts to foster the cooperative relationships that maximise the benefits of devolution and the potential of the whole of the UK. Nevertheless, in communities across the country during this pandemic we have seen that spirit of cooperation play out in the way people have rallied around those who are vulnerable or in need of help. After coronavirus, it is vital that the example set by ordinary people and local communities is followed by those who would seek to lead the country.

Labour created devolution so that decisions could be made closer to people. However, it is still the case that Britain is a heavily centralised state when compared to most other similar countries. And while the Conservatives often claim to support devolving power through policies such as metro mayors and city/regional deals, throughout the consultation evidence suggested that resources did not match Government rhetoric, hampering true local decision-making. The value of rooting decision-making at as local a level as possible was repeatedly emphasised in evidence to the Commissions as the most effective and efficient way of designing and implementing policy, but also as way to put real power in the hands of people.

A sentiment repeated throughout the consultation was that in order for constitutional reform to be effective in improving people's lives, it is imperative that the process of designing and implementing any changes places ordinary citizens at the centre of deliberations. The Commission was pointed to successful models from other democracies around the world and submissions highlighted the variety of options for engaging and empowering the public in constitutional reform. However, a common thread running through all submissions was importance of ensuring changes are not imposed from

above, but built from the ground up following a deliberative process that listens to and acts upon the concerns of citizens.

Our constitution cannot function properly if those who wield power and authority can disregard the concerns and wellbeing of ordinary citizens. And yet the Commission heard many examples of how the rule of law and systems of accountability were being eroded under this Conservative Government. Openly pledging to break international law is only the latest in a long line of scandalous attempts by the Tories to circumvent the checks and balances designed to hold governments in their place as servants of the people.

The most effective way to hold a government to account is to vote them out of office. Consultation responses warned of the cynical attempts by the Tories to suppress voter turnout by bringing in requirements to show photographic identification at polling stations. Nevertheless, the Commission was also pleased to see so many practical and thoughtful ideas for enhancing democratic engagement, not least extending the franchise to 16 and 17 years old in England as has already been done in Scotland and Wales.

After coronavirus there can be no doubt about the scale of the challenge, our country must recover from a once-in-a-century catastrophe while, at the same time, the Government seems determined to tear the Union apart and rip up the traditions and institutions that have protected our freedoms and rights for centuries. However, the principles and values identified during this consultation form the foundations for a strong programme of democratic renewal, with all four nations working together to improve the lives of everyone across the UK.

## Submissions

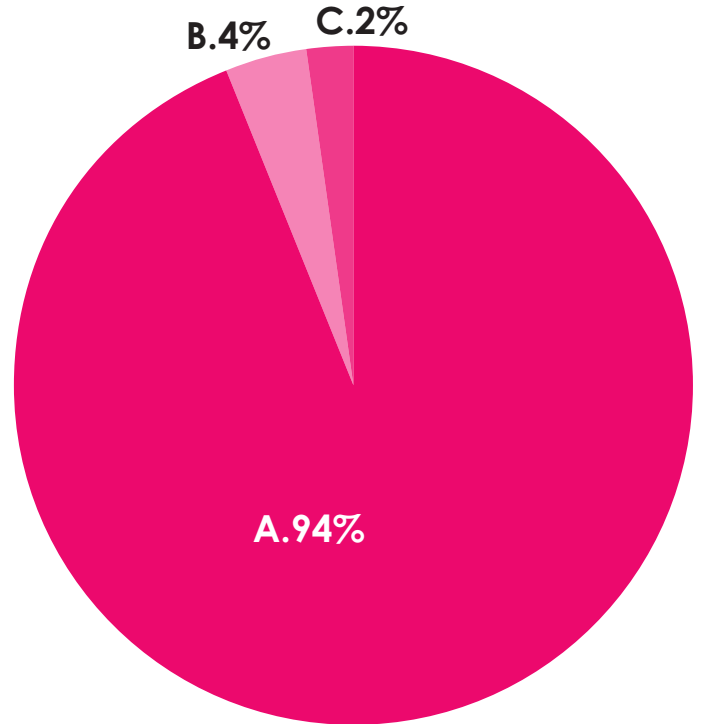
In 2020 the Justice and Home Affairs Policy Commission received and considered submissions on the following topics:

- A**  
Abortion  
Access to Work  
Adult education  
Armed Forces  
Arms trade  
Asylum
- B**  
BAME  
Banks  
Brexit  
Business rates  
Businesses
- C**  
Child poverty  
Citizenship  
City regions  
Climate change  
Commonwealth  
Community ownership  
Cooperatives  
Coronavirus  
Corporation tax  
Council Tax  
Crime  
Customs union  
Cyber security
- D**  
Data Protection  
Devolution  
Digital  
Disability equality  
Discrimination  
Diversity  
Domestic violence  
Drugs
- E**  
Electoral reform  
Emergency Services  
England  
Environment  
Equality  
Europe  
European Union
- F**  
Fire service  
Food  
Food poverty  
Foreign policy  
Fracking  
Funding
- G**  
Gender pay gap  
Gender violence  
Global health  
Green New Deal
- H**  
Health and safety  
Higher Education  
Homelessness  
House of Lords  
Human rights
- I**  
Immigration  
Income tax  
International development
- J**  
Justice
- L**  
Land Tax  
Legal aid  
Local economies  
Local Government
- M**  
Mental health
- N**  
National Education Service  
National Living Wage  
National Social Care Service  
Nationalisation  
Northern Ireland
- P**  
Parliamentary reform  
Parole & Probation  
Personal Independence Payments  
Policing  
Poverty  
Prisons  
Private education  
Privatisation  
Public services
- R**  
Race equality  
Refugees  
Regional development  
Rehabilitation  
Religion  
Road Safety  
Rural communities
- S**  
Scotland  
Sentencing  
Single market  
Small business  
Social Care  
Social media  
Sport
- T**  
Tax  
Technology and science  
Testing  
The Constitution  
The economy  
The media  
Trade agreements  
Trade Unions  
Trading standards  
Transparency  
Transport  
Travel & Tourism
- U**  
United States of America  
Universal basic income  
Universal Credit
- V**  
Visas  
Voter engagement  
Voting Age
- W**  
Wages  
Wales  
Women's rights  
Worker's rights  
Young offenders
- Z**  
Zero-hour contracts



## Breakdown of who sent in submissions

- A.** Individuals – 94%
- B.** Local Parties – 4%
- C.** Organisations – 2%



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## Breakdown of how submissions were received

- A.** Labour Policy Forum – 93%
- B.** Email – 7%

