

# [News story: CMA reviews FirstGroup bus undertakings in Bristol](#)

From:

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The CMA is to review long-standing undertakings covering FirstGroup and local authority tendered bus services in the Greater Bristol area.

The undertakings followed the 1989 merger of local bus companies Badgerline and Midland Red West which was investigated by the Monopolies and Mergers Commission (MMC). The MMC ruled that the merger would remove competition for bus services contracted by the former Avon County Council. Local authorities tender for – and subsidise – unprofitable bus services in order to maintain important transport links for residents.

The merged company was therefore required to sign up to a number of restrictions, including a cap on the amount they could receive from the local authority for running a tendered service – and a requirement to return any excess profit from such services.

These undertakings were amended in 1996 following a subsequent bus merger where both operators became part of FirstGroup.

The Competition and Markets Authority (CMA) has now decided to review the undertakings to see if there has been a change in circumstances which justifies their removal or variation.

The CMA is seeking views in particular from local authorities, bus operators and bodies representing bus passengers in the Greater Bristol area. It wants to hear about whether the ability of local authorities to attract competitive bids has changed in the intervening years, whether the growth of other operators has increased competition for tendered bus services and the practical impact of the undertakings.

Responses are invited via the review [case page](#).

The CMA has also today published its [final advice](#) to the secretary of state recommending the removal of remedies in 2 merger cases that followed investigations carried out under the Fair Trading Act.

Today's actions result from the CMA's ongoing programme of work on remedy reviews, initially set out in the CMA's [2015/16 annual plan](#), with the aim of reducing burdens on business by assessing whether past merger and market remedies should be removed or varied when they are no longer necessary. Since its creation in 2014, the CMA has launched 96 remedy reviews, around two-

thirds of which have resulted in the removal of the remedy.

For more information see the [remedies review case page](#).

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## [Press release: Thousands officially pardoned under 'Turing's Law'](#)

From:

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Thousands of gay and bisexual men convicted of now abolished sexual offences have today been posthumously pardoned.

The historic moment comes after the Policing and Crime Bill today (31 January 2017) received Royal Assent – enshrining, in law, pardons for those convicted of consensual same-sex relationships.

The new law, made possible following government intervention, will also see statutory pardons granted to the living. However, this will only apply in cases where offenders have successfully applied through the Home Office's disregard process to have historic convictions removed.

Justice Minister Sam Gyimah said:

This is a truly momentous day. We can never undo the hurt caused, but we have apologised and taken action to right these wrongs.

I am immensely proud that 'Turing's Law' has become a reality under this government.

'Turing's law' has been a longstanding government commitment, in order to build on the case of World War II hero and Enigma codebreaker Alan Turing.

Turing, who committed suicide in 1954 following his conviction for gross indecency, was posthumously pardoned by Her Majesty the Queen in 2013.

### **Notes to editors**

- The new law was made possible through amendments to the Policing and Crime Bill which received Royal Assent today.
- The amendments were first tabled by Lord Sharkey, Lord Cashman and Lord

Lexden with government support.

- As well as posthumously pardoning gay and bisexual men, this law will also provide pardons for the living in cases where convictions have been deleted through the disregard process. This will ensure that due diligence is carried out and prevent people from claiming to be cleared of offences that are still crimes – including sex with a minor and non-consensual sexual activity.
- For example, under the disregard process, the Home Office has rejected several applications where the activity was non-consensual and others where the other party was under 16-years-old.
- An applicant is only eligible for a 'disregard' if the Secretary of State decides that it appears that the other person involved in the conduct which constituted the offence consented to it and was aged 16 or over at the time, and that the conduct would not now constitute the offence of sexual activity in a public lavatory. In other words, the Secretary of State must be satisfied that the conduct is no longer criminal.
- The new law mirrors both the existing disregard process and the new pardon arrangements in Northern Ireland.
- For more information call the MOJ press office on 020 3334 3503 or 020 3334 3529

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## [News story: Policing and Crime Bill receives Royal Assent](#)

The government marked a major milestone in its police reform agenda today (Tuesday, 31 January) as the Policing and Crime Bill received Royal Assent.

The [Policing and Crime Act 2017](#) will enhance the democratic accountability of police forces and fire and rescue services, improve the efficiency and effectiveness of emergency services through closer collaboration, and build public confidence in policing.

It will strengthen the protections for persons under investigation by, or who come into contact with, the police; ensure that the police and other law enforcement agencies have the powers they need to prevent, detect and investigate crime; and further safeguard children and young people from sexual exploitation.

Home Secretary Amber Rudd said:

This act is another major milestone in our far-reaching police reforms over recent years.

The measures in the act give greater protections for the

vulnerable, ensure the police have the necessary powers to keep our communities safe, and overhaul the police complaints and disciplinary systems to increase accountability and improve police integrity.

We have also sought to ensure forces have the right people and skills to cope with the changing nature of crime, improve efficiency and effectiveness of our emergency services through greater collaboration and end the injustice of individuals spending extended periods on pre-charge bail.

I look forward to continuing to work with the police and stakeholders as the measures in the act are implemented.

The act includes provisions which will:

- reform pre-charge bail to put a stop to people remaining on bail for lengthy periods with no independent judicial scrutiny of its continued necessity
- better enable chief officers to make the most efficient and effective use of their workforce by giving them the flexibility to confer a wider range of powers on police staff and volunteers (whilst for the first time specifying a core list of powers that may only be exercised by warranted police officers) and conferring a power on the Home Secretary to specify police ranks in regulations, thereby affording the flexibility to introduce a flatter rank structure
- place a new duty on police, fire and rescue and emergency ambulance services to collaborate where it is in the interests of their efficiency or effectiveness and enable police and crime commissioners (PCCs) to take on responsibility for the governance of fire and rescue services, where a local case is made
- improve the response to those in mental health crisis – including stopping those under 18 from being detained in a police station – and restricting such detention for adults – by reforming police powers under sections 135 and 136 of the [Mental Health Act 1983](#)
- reform the police disciplinary and complaints systems to ensure that the public have confidence in their ability to hold the police to account, and that police officers will uphold the highest standards of integrity
- increase in the maximum sentence for stalking involving fear of violence from five to ten years' imprisonment
- amend the [Police and Criminal Evidence Act 1984 \(PACE\)](#), including to ensure that 17-year-olds who are detained in police custody are treated as children for all purposes, and to facilitate the increased use of video link technology
- amend the firearms acts to better protect the public by closing loopholes that can be exploited by criminals and terrorists, and by issuing statutory guidance to ensure that the robust processes we have in place for assessing suitability to hold a firearms certificate are applied consistently
- confer pardons, subject to conditions, for individuals living or deceased who were convicted of now abolished gay sex offences

- improve protection for victims of forced marriage and give them more confidence to come forward by providing them with lifelong anonymity

Minister for Policing and the Fire Service, Brandon Lewis, said:

Police reform is working and crimes traditionally measured by the survey have fallen by a third since 2010 to a record low.

I am delighted this act has now received Royal Assent and, in close collaboration with police and fire stakeholders, we will work hard to implement the act's provisions to further improve the effectiveness and accountability of our emergency services.

Read [more information on the Policing and Crime Act](#).

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## [Speech: Lord McNally speaks at the Westminster Legal Policy Forum](#)

On March Seventeenth, six weeks on Friday, I stand down as Chairman of the Youth Justice Board for England and Wales.

My political life has been a long and winding road which stretches back some fifty years. But I can honestly say that the last three years have been among the most rewarding and fulfilling of my life.

It has not been an easy time to be the Chair of an arms-length body.

There has been the constant pressure from our parent department, the Ministry of Justice (MoJ), for draconian cuts in our budget, as the MoJ itself has come under the Treasury cosh.

The known hostility of the Cabinet Office to arms-length bodies remains unabated – a hostility sometimes shared by our parent department.

And of course that part of my job description, which calls on me to speak truth to power as an adviser to ministers, always runs the risk of playing Becket to a Secretary of State's Henry the Second if that advice does not fit with a minister's priorities or prejudices.

Today you have asked me about improving health outcomes across the youth justice estate and the opportunities presented by the Taylor Review. So let me start with some encouraging statistics: They (the [Youth Justice statistics: 2015 to 2016](#)) show less than 900 young people under 18 in the secure estate (under-18 young offender institution (YOI), secure training centres (STC), secure children's homes (SCH)) – under thirty of them girls.

These are remarkable achievements which mean that the number of children held in custody has dropped by two thirds in a little over ten years, with an equally significant drop in the number of first time entrants to the criminal justice system.

I am the first to acknowledge that this success has been the work of many hands, including:

- the police
- the magistracy
- social and children's services
- the probation service
- charities
- voluntary and other non- governmental organisations.

But the YJB has been the pathfinder in promoting holistic, cross-disciplinary approaches to the challenges posed by young offenders.

The challenge is to build on that success so that we continue to make progress with a more concentrated cohort of complex, difficult and sometimes dangerous children.

Let me give you some further statistics to put this challenge in context.

Based on admissions to custody from April 2014 to March 2016 it has been established that:

- 61% of these children were not engaged in education
- 45% had substance misuse concerns
- 33% were assessed as a high risk to others
- 33% presented mental health concerns
- 32% presented learning disabilities
- 30% presented physical health concerns

All of these characteristics could and should be effectively addressed within the community and well before a child enters the youth justice system. Instead children in the custodial estate often present two or three of these characteristics at a time. Some 68% are placed in National Offender Management Service (NOMS) run YOIs and, whilst they manage some of the most challenging children, it is the part of the estate which is least child focussed and provides the least progressive regime.

The Taylor Report certainly offers a radical alternative to where we are now. In many ways Charlie gives us a glimpse of the sun-lit uplands we could reach ten years from now. The vision of a secure estate made up of a patchwork of small, local-catchment secure schools, where this residue of difficult, complex and sometimes dangerous young offenders had their needs met by staff skilled and trained to deliver their educational and health and emotional needs, would be as revolutionary in its way as was the creation of the YJB nearly twenty years ago.

So I give an enthusiastic welcome to Charlie Taylor's vision. I also welcome the Government's promise to move ahead immediately with two pilot secure

schools – one in the North and one in the South of England.

However it is what we do now which will determine whether we ever reach Charlie's sunlit uplands. No-where is that more true than in the field of health. We are already seeing the impact of liaison and diversion on first time of entry statistics. 53% of the country is now covered by such services. There is ample evidence to show that lack of early intervention with some of the health and health related problems I mentioned earlier are major factors in children entering in and remaining in the criminal justice system.

Nowhere is this more true than in the field of mental health.

I recently attended a meeting of an All Party Group in Parliament where young people gave accounts of their experience both in care and in the secure estate. One young woman gave an account of a chaotic life in both. At the age of twenty two she had been diagnosed with a psychiatric disorder for which she was now receiving treatment. She said that the diagnosis and treatment had been transformational.

Not only did she look forward with confidence – she was also able to make sense of a childhood which had been disruptive and dysfunctional.

I do not think that is an isolated experience. The truth is that mental health care for young offenders under the age of eighteen (the group who are the direct responsibility of the Youth Justice Board) and those in that age group on the cusp of re-offending is under resourced and poorly directed.

That does not mean that good things are not happening and the YJB is actively engaged with NHS England about the particular needs of the cohort in the secure estate.

But we are only in the foothills of developing an approach to mental health in all parts of the criminal justice system which is civilised and humane. The provision of resources and effective treatment would also be cost effective in addressing some of the root causes of reoffending and make a significant contribution to rehabilitation.

To give some idea of the nature of the task let me draw on a study produced jointly by the Welsh Government and YJB Cymru in 2012. It made an analysis of young people displaying prolific offending behaviour. The investigation found that:

- 48% had witnessed family violence
- 62% had difficulty coming to terms with past events and traumas
- 79% were involved with social services
- 81% were without qualifications
- 95% had substance misuse issues

Those kind of findings come up time and again in research. It means that when a young person first comes before a youth magistrate we may be ten years too late in terms of meaningful intervention.

It is eight years since my House of Lords colleague, Lord Keith Bradley

published his report on mental health in the criminal justice system. His judgement at that time was summed up by the words "Too little, too late". Five years later, in a follow up report his view was that although progress had been made, there was still much to do and we must all try harder to address the fact that too many young people end up in the criminal justice system simply because they don't get the support they need early enough.

We must all be encouraged by the fact that the Prime Minister has put her authority and weight behind the drive to improve mental health care.

For my part I make no bones about the fact that I want to see a portion of the funds devoted to mental health improvements clearly focussed on the needs of children in or on the cusp of the criminal justice system.

I also want to see action now to provide support and training for frontline staff working in our secure estate.

Those who work with young people need high quality training to understand the complexities they are dealing with. They should be trained to recognise mental health needs, learning difficulties, speech, language and communication needs.

They should also be able to recognise the signs when a child, presented as an offender, is also the victim of exploitation and abuse.

The former Chief Executive of the YJB, Lin Hinnigan, got it right when she said "We know when we are getting it right when someone working in our secure estate is asked what they do and they do not reply "I am a prison officer"; but say: "I work with children".

But of course mental health is only part of the youth agenda in response to the needs of the children in our secure estate. Drug and alcohol abuse, poor diet, lack of exercise have a direct impact on the capacity to deal with the pressures of modern life.

That is why I very much welcome the intention of the Youth Justice Minister, Dr Phillip Lee MP, to promote sport in the secure estate and in the community as a step towards rehabilitation.

I think it is now recognised that the thirty hour education contracts for the secure estate, although well intentioned, did not allow sufficient flexibility. For example sport was treated as "enrichment" an "optional extra" rather than key to a balanced offering.

The YJB has been working with a wide range of sporting organisations and will provide Dr. Lee with a list of our most encouraging contacts.

We are working closely with Sports England and two delivery partners to secure funding for a pilot project for sport in Kent specifically for children in or on the cusp of the criminal justice system.

The YJB is also a founding member of the National Alliance for Sport for the desistance of Crime. The NASDC's vision and purpose is to use sport to help



people of all ages from committing crime. I have also been working closely with the joint Chairs of the All Party Group on Sport, Baroness Tanni Grey-Thompson and Justin Tomlinson MP, as well as Sports Minister Tracey Crouch, so that there is Parliamentary support for any initiatives taken by Phillip Lee.

I believe these sports initiatives could play an important part in both diversion and rehabilitation as part of a broad based health strategy in the secure estate.

I also believe that Charlie Taylor's idea for greater regional autonomy in delivering youth justice would bear fruit in terms of initiatives and ideas. Certainly some of the most interesting innovations in youth justice are to be found in the devolved administrations in Scotland, Wales and Northern Ireland.

I am convinced that, although the central thrust of Charlie Taylor's report was for an education-led revolution in our treatment of young offenders, such a revolution can only succeed if it is matched by a parallel advance in health care.

The system also has to cope with new pressures such as the extent of child sexual exploitation, the impact of social media, the impact of gang cultures, the impact of extremist radicalisation, the over-representation of looked after children and black, Asian and minority ethnic children – all factors which were not there ten years ago or not so clearly understood.

Charlie Taylor has provoked much thought by his report. Now is the time for action, not least in giving the priority it deserves in addressing the challenges of delivering a child focussed youth justice system.

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## **Press release: New interim Chief Executive announced for the Rural Payments Agency**

Paul Caldwell has been announced as the incoming Interim Chief Executive of the Rural Payments Agency following the news that Chief Executive Mark Grimshaw has decided to stand down after more than six years.

Paul Caldwell, who is the Basic Payment Scheme Operational Delivery Director has held a number of senior positions within the RPA since 2001 including becoming the Operations Director in 2010.

Environment Secretary, Andrea Leadsom said:

In the six months that I have worked with Mark I have been grateful for his clear commitment to resolving outstanding BPS issues. Both he and Paul Caldwell have worked hard to achieve a strong recovery from the challenges of the first year of this new system.

The agency remains fully focussed on paying all remaining eligible claims as quickly as possible including those outstanding from 2015.

Clare Moriarty, Defra Permanent Secretary, said:

Mark Grimshaw has achieved a huge amount at the Rural Payments Agency and helped deliver substantial improvements in performance for the benefit of our farmers and rural communities.

Under Mark's leadership, the RPA has come through a significant transformation including the challenge of introducing the Rural Payments online service and the new Basic Payment Scheme.

Paul will ensure that the focus continues to be on delivering remaining payments to all eligible claimants as soon as possible. The RPA has a very experienced leadership team in place who will continue to lead the Agency after Mark's departure and provide continuity for everyone who uses the Agency's services.

Mark Grimshaw, Chief Executive of the RPA, said:

It has been a great privilege to have led the RPA and its exceptional people through some major changes.

Together we created and delivered an ambitious Five Year plan, getting the Agency in the great shape it is today. After six years at the helm I have decided now is the time to stand down and hand over the reins to a new leader to take the organisation through the next phase of its development as part of the Defra Group.

Paul Caldwell, Interim Chief Executive of the RPA, said:

I am proud to have the opportunity to lead the Agency and recognise how important our work is to support our world-leading food and farming industry.

That is why our priority is to ensure that remaining BPS payments are made to all eligible farmers as soon as possible and that we continue to deliver the other 40-plus schemes and services we administer.

## Notes

1. Paul Caldwell has been with the Rural Payments Agency since 2001. Paul has worked in operations, communications and strategy, and was made Operations Director in 2010. He was appointed in late 2016 as the BPS Operational Delivery Director.
2. Paul was previously manager at the British Cattle Movement Service (BCMS) and occupied various roles within the former Ministry of Agriculture, Fisheries and Food (now Defra).