



Common Sense



Conservative Thinking For a
Post-Liberal Age

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PREFACE

The Common Sense Group stands for authentic conservatism.

With opportunities provided by Brexit, the time for a refreshed national conversation on the defining issues of our time – nationhood, community, migration, the rule of law and public order – is now.

The battle of ideas has been drawn into sharp focus with the emergence of extreme cultural and political groups, Black Lives Matter, Extinction Rebellion, Kill the Bill et al. – subversives fuelled by ignorance and an arrogant determination to erase the past and dictate the future.

Our group, which has grown to around 50 Parliamentarians, meets regularly and, over the last year, has campaigned on issues as wide-ranging as the means by which charities have been misused for left-wing political ends, to championing British heroes.

With Conservatives capturing seats across Britain in areas which had backed Labour for decades, the expectation of our voters is for a government that, at last, might reflect the will of the people, rather than pandering to the peculiar preoccupations of the liberal elite and the distorted priorities of left-wing activists.

This publication draws together the thoughts of some of the Group's members on issues of profound concern to the people we represent.

The business of politics is values – it's about place, purpose and pride. The Battle for Britain has begun, it must be won by those who, inspired by the people's will, stand for the common good in the national interest.

Rt. Hon. Sir John Hayes CBE MP

Chairman, the Common Sense Group

FOREWORD

What does Common Sense have to do with our Common Life together?

Bishop Michael Nazir Ali

***Bishop Michael Nazir-Ali** was the 106th Bishop of Rochester, for 15 years, until 1 September 2009. He is originally from South-West Asia and was the first Diocesan Bishop in the Church of England born abroad. He was appointed in 1994. Before that he was the General Secretary of CMS from 1989-1994 and before that Bishop of Raiwind in Pakistan. He holds both British and Pakistani citizenship and from 1999 was a member of the House of Lords where he was active in a number of areas of national and international concern.*

It was the philosopher Voltaire who said that Common sense was not so common and, alas, this observation is certainly true of our age. It is refreshing, therefore, to find that it is alive and well and resurfacing in our Parliament!

The term has had a long history. At first, it seems to have meant that faculty which coordinated the different perceptions and sensations provided for us by our senses. In due course, it came simply to mean good judgement which is not easily swayed by intellectual or cultural fads and takes a realistic view of ourselves and what is around us. In philosophy, this view was vigorously defended by the analytical philosopher, G. E. Moore, who held that when a philosophical view is in conflict with Common Sense, it is more likely that the view was in error rather than that Common Sense had gone astray. He gave the example of knowing that his hand existed and was his as being more certain than any sceptical attempts to show that such was not the case. Moore's argument can, of course, be legitimately extended to our knowledge of our body as a whole and to the different parts of it and their purpose. It could also be extended to our knowledge of our relationships,

their meaning and purpose and, indeed, to the social structures and institutions which provide coherence and stability to the social order.

One of the issues at stake today is whether ‘reason,’ that is, what appears desirable or beneficial to contemporary opinion formers, is a sufficient guide for social, economic or political decision making or whether something more is required. In our decision making, do we need to take account of a shared history, identity and sense of belonging to local and national communities or do we rely simply on the autonomy of the individual and their desire to live as they choose, freed from restraint and with equal regard for all kinds of lifestyle and behaviour?

Some of the essays in this book wrestle with these questions and attempt an answer in the context of the particular subject they are addressing. We would do well to give attention here to Edmund Burke who resisted the blandishments of the radical Enlightenment and its political expression in the French Revolution. Burke held that to rely on what an intellectual elite, or even the masses, thought ‘reasonable’ at any one time would lead to a tyranny of whatever was fashionable at a given time. How true this is proving in our own ‘woke’ times! Burke rejects contractarian liberalism which imagines hypothetical individuals prior to society, which they establish to protect themselves from external and internal danger. For him, the community is basic and primal, and humans are intrinsically social creatures – a truth we are experiencing in our guts in these days of social isolation and deprivation.

Most importantly, Burke takes an organic and evolutionary – rather than revolutionary – view of social development and argues that the moral and spiritual tradition of a society must play its due role in providing the basis and the guidance for such development. The Church, in particular, should help in the forming of moral consensus on the basis of the Christian Tradition rather than succumbing to libertarian pressure.

Freedom cannot be the minimalist ‘no harm’ to other individuals position but must also take account of vital social institutions, such as the family, and of our responsibilities within that rich fabric of social relations which makes us the persons we are.

Individuals are not the virtuous monads of libertarian imagination. They have inalienable dignity and worth as made in God’s image, but they are also fallen creatures who may need restraint to prevent harm to other individuals or for the sake of the Common Good. For Burke, social order reflects an ordered universe, and both can best be understood as teleological. That is, ordered to purpose and destiny. The language of rights and responsibilities, of mutual obligation, arises from such a moral and spiritual framework rather than being the product of reason alone.

A proportionate combination of reason, a well-formed conscience and networks of healthy relationships are more likely to lead to an enlightened and tolerant society than just the ‘pure reason’ of the day. According to Burke, on the one hand, society needs religion, as the social expression of its spiritual and moral dimension, if it is to conserve the best of its traditions and values. On the other, no religion can be acknowledged as true if it does not attend to its responsibilities in public life. A sense of ultimate accountability to a higher power leads to greater restraint in satisfying our appetites and to greater respect for others. The exercise of authority is itself then seen as a vocation and as accountable. It should be exercised selflessly, sacrificially and honestly.

The use of cumulative tradition and custom in the development of legislation and policy making, at every level, depends on the survival of natural community where such tradition can be conserved and augmented. The Industrial Revolution, the World Wars and the cultural revolutions since the 1960s have caused huge disruptions in natural communities; rural, urban and familial. There is an urgent need now to stabilise and integrate communities. Where

segregation has been brought about by well-meant but mistaken policies of multiculturalism, we need a renewed emphasis on a lingua franca, on the encouragement of integration in schools, on housing, employment and community policies which encourage people coming together rather than keeping them apart. Investment in raising the skills base of those already here rather than constant reliance on immigration and attempts at recruiting and training locally before looking elsewhere will certainly have an effect on further fragmentation and deprivation.

The strengthening of families also will do much for the better performance of children in education and in the reduction of juvenile crime. The provision of and encouragement for proper preparation for marriage and adequate tax incentives for married couples will help more children having both parents at home during crucial stages in their development. We salute single parents who bring up children on their own, but they will often be the first to agree that it is best for two to bring up children. Human children take a very long time to grow up and parents need each other's support during the long years of the nurture of their children. Research shows that mothers and fathers relate differently to their children and such complementarity is beneficial to their all-round personal and social development. The proposals made here about support for families need serious consideration by the government and local authorities.

Natural communities flourish when they feel secure and supported. The role of the police is vital in this area. There is a need now to re-emphasise the traditional values of policing such as making our streets and parks safe, the reduction of crime against households and engagement with the young, especially those who feel disenfranchised and alienated from the mainstream of life. Policing needs to reflect the priorities of the public rather than subscribing uncritically to the 'woke' agenda of 'identity' politics which seeks to divide rather than unite and where more and more groups claim victimhood in order to gain domination in social and political discourse.

The present health crisis has challenged our sense of fundamental freedoms of meeting, of the expression of opinion, of worship, of mobility and work as never before. Such restrictions should never happen again, but it has given us the opportunity to reflect on the origins of our freedoms and what actually sustains them. Rather than having their origins in Rousseau's 'noble savage' or Hobbes' not-so-noble savage and the radical Enlightenment, they are rooted rather in the Judaeo-Christian tradition as expressed in King Alfred's contribution to the emergence of Common Law, the Magna Carta, the Bill of Rights and the progressive repeal of the Test Acts. That is to say, they have evolved over time within a common framework rather than being enforced by a revolutionary idea which was not rooted in history, tradition or the spiritual heritage of a people.

I am hoping that the launch of the Common Sense Group in Parliament will be a *kairos* moment which leads to an affirmation of stable communities and the values and priorities which spring from a common tradition and which need to be related to the contemporary world, with its many questions, issues and challenges. Such a group will indeed be like the householder who brings out of his treasure both what is new and what is old (Matthew 13:52).

Turning the Tide – the Struggle for the Common Good

Rt. Hon. Sir John Hayes CBE MP

Sir John Hayes was first elected for MP as South Holland and the Deepings in 1987 and has been re-elected at six subsequent elections. From 1999, he held a wide variety of Opposition front bench roles, serving in the Shadow Cabinet. John was appointed as Minister of State for Further Education, Skills, and Lifelong Learning in May 2010. In 2012 he was appointed Minister of State for Energy, and in 2013 became Minister of State for the Cabinet Office and Senior Parliamentary Advisor to the Prime Minister, attending Cabinet. He joined the Privy Council in 2013, in 2014 Sir John was appointed Minister of State for Department of Transport. In 2015 he became Minister for Security at the Home Office, returning to Department for Transport in 2016 to 2018. Following his appointment as CBE in 2016, John was made a Knight Bachelor two years later.

In recognition of a distinguished contribution to education, he was granted Fellowship of the Charters Institution for Further Education in 2017, Fellowship of City and Guides of London Institute in 2018 and awarded an honorary doctorate from the University of Bolton in 2019. Sir John became a professor at the University in 2020 commissioned to create a postgraduate course in Government, Opposition, and Parliamentary Studies.

In March 1999, on the cusp of a new millennium, and less than two years after his landslide election victory, Prime Minister Tony Blair addressed the Economic Club of Chicago on the ‘Doctrine of the International Community.’ Blair’s speech was essentially a eulogy for globalisation and a plea for a new world order based on international cooperation. According to Blair, globalisation was not ‘just economic,’ as significantly it was a ‘political and security phenomenon.’ He added that ‘we live in a world where isolationism has ceased to have a reason to exist. By necessity we have to co-operate with each other across nations.’ For Blair, globalisation meant

the need for interdependence was ‘immeasurably greater than in the past.’¹

NATO’s intervention into the civil war in the former Yugoslavia formed the immediate backdrop to Blair’s speech and its apparent success appeared, superficially at least, to justify Tony Blair’s belief in a new doctrine of international community. A year later, intervention in Sierra Leone similarly reinforced Blair’s belief that military intervention was an effective means of dealing with humanitarian crisis, a doctrine that became known as ‘liberal interventionism.’

Yet the first two decades of the 21st century have been shaped by four cataclysmic events that have undermined faith in both globalisation and the effectiveness of the liberal international order. The first of these was the September 11 attacks on the World Trade Centre and the Pentagon, in 2001 and the second the invasion of Iraq by American led forces in 2003, and its bloody aftermath. The third was the international financial crisis of 2007 – 2008, culminating in the failure of Lehman Brothers, drastic government intervention to save the banking system from collapse and global recession. And the fourth event has been the global Coronavirus pandemic, originating in the Wuhan province of China, necessitating unprecedented intervention by national Governments in their economies and societies, including the closing of national borders and resulting in a collapse in international travel and a global recession.

These factors are not alone in defining worldwide fundamental uncertainty. Yet, they represent the four stages by which faith in globalisation, in all its forms, has been destroyed. The dramatic events of 9/11 brought home the realisation that the end of the Cold War had not represented the triumph of liberal values and that the world remained as divided and conflicted as ever. Francis Fukuyama has been unfairly caricatured as

¹ ‘The Doctrine of the International Community,’ Tony Blair, Speech to the Economic Club of Chicago, 24/04/1999.

having declared an immediate ‘End of History’ as the Cold War drew to a close, but his confidence in the inevitable triumph of liberal democracy now looks somewhat misplaced.

Although Tony Blair’s vision of a new world order has not come to pass, he was able to radically reorder the British constitution in accordance with his liberal internationalist worldview. The legacy of his reforms continues to shape our politics. Blair’s constitutional agenda reflected the then fashionable doctrine of ‘multi-level governance.’ According to the theory, actors at different levels of government would increasingly interact across national borders, making the distinction between domestic and international politics increasingly redundant. For Blair, this justified a complete constitutional overhaul. Power was to be decentralised, both to devolved governments in Scotland and Wales and to new regional assemblies in England. The European Convention of Human Rights was incorporated into domestic law, extending the authority of a foreign court over our legal system. And the process of EU integration was to be embraced, including British membership of the new European currency.

New Labour’s constitutional changes have fundamentally changed the way Britain is governed. The incorporation of the European Convention into domestic law by the Human Rights Act (1998) has resulted in a significant rise in the number of cases being brought under Human Rights Law. According to one study, the percentage of cases heard by the Law Lords that could be classified as human rights cases rose from 2 percent in 1997 to 31 percent ten years later.² The increasing political nature of the cases heard by the courts helped to spur Blair and his long-time friend, Lord Falconer, to bring forward plans to fully separate the judiciary from the other two branches of government, effectively abolishing the historic role of Lord Chancellor and removing the highest court of appeal from the

² ‘The Impact of the Human Rights Act on the House of Lords,’ LSE Legal Studies Working Paper No. 8/2009 Sangeeta Shah, University of Nottingham; Thomas M. Poole, London School of Economics.

House of Lords, creating a new Supreme Court, a body clearly based on the American model.

Yet, rather than building a new, progressive idea of the nation, as Tony Blair expressly hoped, his reforms have driven a wedge through British society. The Blair project was always an elitist one, imposed from on high on an unsuspecting public, in the belief that they could be forced to see the world through the same ‘enlightened’ lens. Blair, like other progressives of the time, agreed with radical German philosopher, Jurgen Habermas, that identity could be moulded through constitutional change. Habermas falsely equated Europe with America, believing that a collective European identity could be engendered through the creation of a written constitution and a bill of rights.³ But the people turned out to be less compliant than Blair had anticipated. This was not just true in the UK but across the rest of Europe as well. In 2005, the people of France and the Netherlands rejected a new EU constitution in nation referendums. It turned out that the nations of Europe were not comparable to the thirteen colonies that created the United State of America. Like England, France is an ancient country, and its identity cannot simply be swept away at the whim of a political liberal elite.

The results of the French and Dutch referendums meant that the British people never got a chance to vote on the EU constitution. But there were already indications of the widespread opposition to the new settlement envisaged by Blair. A year earlier, the people of the North East of England voted against the creation of a new regional assembly. The public had no desire to see an extra tier of government imposed on them in an effort to make British governance more closely resemble the European model. So, here at least, the ‘Europe of the Regions’ came to a stuttering halt.

³ Jurgen Habermas, ‘Why Europe needs a Constitution,’ *New Left Review*, 1/10/2001.

The same year – 2004 – saw ten new member states join the EU from central and eastern Europe. Widespread migration from these new countries under the EU principle of free movement was anticipated, prompting all but three member states to impose time-limited restrictions on access to their labour markets. The UK was one of the three countries not to impose restrictions, and by far the biggest economy not to do so. Although British Government officials vastly underestimated the scale of immigration, the open border policy reflected the Government's commitment to 'New Britain,' our national identity reformed to reflect a world of globalisation and internationalism. Rather than the 5,000 to 13,000 migrants the Government anticipated, it is estimated that roughly 130,000 migrants from Central and Eastern Europe entered the UK in the first year alone.⁴

Large scale economic migration from Central and Eastern Europe, along with the euro-zone crisis at the end of the decade, helped fuel the rise of anti-EU feeling in the UK. The public felt increasingly alienated from a political class that seemed unable to understand their needs and priorities. But this alienation has deep roots and cannot be fully explained by recent events. In truth, the liberal establishment have never spoken for the people. An early indication that something was fundamentally wrong was provided by the dramatic fall in voter turnout at the 2001 and 2005 general elections. Turnout fell below 60% for the first time in 2001 and only recovered by a couple of percentage points four years later. Although turnout has increased at subsequent elections, it remains below the 70% mark achieved by every election between 1945 and 1997.

At the time many put the fall in numbers voting down to opinion polls showing Labour well ahead, with consequently little at stake at the ballot box. But to those prepared to look

⁴ International Migration and the United Kingdom Report of the United Kingdom Sopemi Correspondent to the OECD, Prof. John Salt, UCL, 2005

more closely, it was clear that growing political disengagement was the result of the disintegration of the social fabric linking voters to the political class. In an article in the *Guardian* in March 2001, a couple of months before the election, Anthony Heath, a Professor of Sociology at Oxford wrote that the ‘model of the voter that contemporary politicians have adopted is very much an individualistic one and it ignores the role of social processes in maintaining commitment and promoting participation.’ Key to this process were the institutions of working class communities that seemed to have no place in Tony Blair’s ‘New Britain.’ Rather than building a stronger society, the Labour Party was destroying its own foundations. As Heath put it, ‘distancing itself from the traditional working class (and from the trades unions), it is likely that the social bonds linking the party to its traditional supporters were weakened.’⁵

The ultimate expression of the growing divide between the people and the political establishment came with the EU referendum in 2016. When voters took the historic decision to leave the EU, the political establishment was plunged into crisis. Such was the cognitive dissonance engendered by the result that much of the establishment refused to acknowledge it, arguing that either a second referendum was required, or in the case of the disastrous Liberal Democrat campaign of 2019, that the result could be completely ignored and the decision to trigger the Article 50 process simply reversed.

The establishment took the decision so badly because it went against everything they believed. The intellectual underpinnings of what could be described as the ‘Blair Paradigm’ had been kicked away. For a generation or more it had been the height of intellectual fashion to believe in a ‘progressive’ liberal ‘centrist’ majority, keen to embrace the Continental principles of abstract rights and written constitutions, rather than time-honoured traditions of English

⁵ Anthony Heath, ‘Ballot Box Blues,’ *The Guardian*, 28/3/2001

common law. Though this narrative ran counter to the particular character of British history since the Reformation, anyone who questioned the ‘right on’ smartness of ideas like incorporating the European Convention of Human Rights into our law, or, for that matter, joining the European single currency, was dismissed as out-of-date, insular or small minded. The EU referendum and the 2019 general election, where the Conservatives won many seats long held by the Labour Party in the ‘Red Wall’ of the Midlands and the North of England and Wales, demonstrated beyond doubt that the so-called ‘progressive majority’ Blair often talked about simply does not exist.

The result of the 2019 election has turned Brexit into a reality. Yet, leaving the EU alone will not come close wresting power away from a cosseted liberal establishment. Though we are leaving the EU, the architecture of the progressive state built by Blair remains in place. Britain remains tied to a foreign court through the European Convention of Human Rights (ECHR) and its incorporation into domestic law. As the former Supreme Court Judge, Jonathan Sumption notes, the European Convention is an example of a ‘dynamic treaty:’

‘one that does not just say what our domestic law should be, but also provides a supranational mechanism for altering and developing it in the future. This result is to transfer an essentially legislative power to an international body standing outside the constitutional framework of the United Kingdom, in other words outside the collective mechanism by which we consent to the laws which govern us.’⁶

Over the last twenty years the ECHR has greatly expanded its scope – extending the meaning of the Convention well beyond the original intentions of its authors, a process described by Sumption as ‘mission creep.’ As a result, the balance between

⁶ Jonathan Sumption ‘Trials of the State: Law and the decline of politics,’ Profile Books, London, 2019.

the political and judicial has shifted towards the latter. Issues once viewed as a matter of political judgement are now viewed as a matter of rights, and as such, beyond the scope of democratic consideration or reasoned debate. The impact is to further weaken our democratic institutions and encourage a process whereby people see themselves exclusively as individuals with fundamental rights that cannot be compromised, rather than as members of a collective whole; a society where the extension of liberties for some may well be at the detriment of liberty for others.

Similarly, devolution to Scotland and Wales continues to steadily weaken a shared sense of British identity and culture. 44.5% of Scottish voters voted for separation in the 2014 referendum and support for separatism has subsequently grown.

Rather than building a new sense of national identity – the ‘New Britain’ that was at the heart of the Blair project – Blair’s reforms have replaced an inclusive sense of Britishness, a historic source of our nation’s strength, with selfish individualism and the narrow, exclusive identities promoted by Scottish and Welsh separatists. The damage continues to spread, and, without action, Blair’s legacy of constitutional reform will continue its inexorable process of destroying the fabric of British society.

With the failure of the ‘Blair Paradigm,’ liberalism has turned in a yet more destructive direction. On the surface, the progressives of New Labour and the new liberalism of identity politics have little in common. Blair at least believed he was working to build a better society, while ‘identity liberals’ have the explicit objective of pulling our society apart. Yet, Blair was unable to reconcile his social democratic belief in community with his liberal conviction in the primacy of the individual. Gradually progressives, despairing of the public, have turned their back on social democracy, instead embracing an uncompromising liberalism.

As John Grey has written, the key change in progressive politics has been the shift from the idea that society should embrace different identities, to a belief that a ‘single kind of identity—that of the autonomous, self-fashioning individual’ should prevail over all else.⁷ It is this unshakable belief in the pre-eminence of their chosen identity that drives the ‘woke’ warriors of Black Lives Matter, advocates of ‘decolonisation’ and ‘white privilege,’ as well as ‘transgender rights’ and ‘Extinction Rebellion’ extremists.

What typifies these apparently disparate movements is a disturbing collective moral certainty, a belief in the primacy of their cause above all else. Their views are confirmed and reinforced by social media, a place for posing, posturing, positioning, but hardly ever for real discussion. In our brave new world, activist groups vie for attention by shouting ever louder in what can best be described as a competition of victimhood. Each group claims a spurious moral authority founded on their own self-defined sense of oppressed marginalisation by mainstream society.

The idea of the ‘self-fashioning individual’ has its roots in the thinking of John Stuart Mill. Following Mill, identity liberals argue that an individual should be free to do with their life as they chose, to indulge in any ‘experiment of living.’ Mill believed education was the key to greater autonomy, and that the resulting freedom of thought would drive social progress. Yet he failed to realise that the expansion of university education would ultimately create a new class of people, characterised not by freedom of thought, but by its opposite – conformity to a particular, narrow view of the world. While Mill may be forgiven for failing to anticipate such an outcome, it is his snobbish belief in the superiority of the university educated that justifies the contempt with which they regard anyone who fails to fall into line.

⁷ John Grey, ‘The roots of identitarian liberalism,’ *UnHerd*, 27/1/2020.

Yet, where is the basis of the moral superiority claimed by the new ‘woke’ elite? What is perhaps most remarkable about the expansion in university education is how little it has done to enrich our society and culture. People can hardly be said to have become more articulate or more sophisticated in their tastes. The reason for this, as Stanley Baldwin once wryly remarked, is that ‘the intelligent are to the intelligentsia what a gentleman is to a gent.’ Membership of the new elite has nothing to do with intelligence, scholarship or even thought, it is a class identity. Consequently, as John Grey notes, the unthinking superiority of the new woke elite has catalysed the metamorphosis of liberalism from a doctrine of tolerance to one of intolerance:

‘Few of the liberals who direct universities, media organisations and large corporations are distinguished by any sense of the complexities and contradictions of ethics and politics. For many, the human world is composed of simple moral facts. Western colonialism was an unmitigated evil; historic national identities are intrinsically racist; religions are no more than structures of oppression. Anyone who questions these supposed facts is in need of political re-education or summary dismissal.’⁸

The progressive liberalism promoted by Mill has resulted in an arrogant and increasingly remote elite, convinced that anyone who believes in the value of traditional social structures and morality is prejudiced and vulgar. It is ultimately in the interest of the elite to believe the nation to be racist and sexist and it releases them from any sense of obligation to their country.⁹ This conceited view helps to explain why institutions and multinational businesses – from the National Trust to Starbucks – have been so quick to embrace the intolerant woke dogma of Black Lives Matter and

⁸ ‘The rise of post-truth liberalism,’ John Grey, UnHerd, 5/9/2018.

⁹ ‘How race politics liberated the elites,’ Matthew Crawford, UnHerd, 14,12,2020.

transgender rights. It is the same haughty elite who regularly describe people who voted to leave the EU as stupid, bigoted racists, even though they actually often know very little about how the EU works and its impacts on our lives.¹⁰

Conclusion

By leaving the EU we have taken the first step on the journey to a new settlement. We are at last free from the unrelenting ratchet of integration. Britain has freed itself from the remote bureaucracy of Brussels, thus giving us the scope to build something better. But leaving the EU is just the end of the beginning, not the beginning of the end of this process.

What is required is nothing less than a complete reconfiguration the relationship between the individual, society, the economy and the state. This, by necessity, must be both a philosophical and practical project. Philosophical, because ideas matter; until more politicians ground themselves in the philosophical traditions of the past, they cannot hope to muster the intellectual gravitas to make a meaningful contribution to our future.

Practical, because delivering Brexit, vitally important as that is, will not be enough in itself to arrest the startling decline in engagement with and belief in modern politics. Those elected to serve must shoulder their responsibilities by rejecting timidity. To turn the tide – reclaiming power from experts in the ‘dull science’ of economics – our politics must be ambitious, elegiac and significant once more. The gapping chasm between the rhetoric and reality of politics must be filled by policies of genuine substance if we are to restore trust in politics and the efficacy of the state in the interests of the common good.

¹⁰ ‘Remaking One Nation: The Future of Conservatism,’ Nick Timothy, Polity Press, Cambridge, 2020.

Our politics must rise to the challenge presented to us by the British people, who instinctively understand that change is necessary. To fail would let down those who hope for more, whether or not they voted to leave the European Union. The Conservative Party must look to its past, to the Tory tradition of elevating the people; Disraeli's ideal of 'one nation,' if it is to develop a policy platform that can inspire the electorate.

Winning the culture war is vital to such a national rebirth. Some politicians may be reluctant to engage in debates about identity and culture. They regard these issues as matters of individual choice and hanker for the days when the greatest threat we faced was the march of socialism and the creation of an overbearing state. But since the fall of communism the world has altered profoundly. Radical Islam, Black Lives Matter and the Extinction Rebellion are cultural not economic movements which want to disown our collective past and so transform our very way of life and so dictate the future. Politics now is palpably about values not dull, mechanistic economic minutiae.

A country divided into rigid identity groups which refuse to accept the validity of differing points of view would soon become ungovernable. As such the culture warriors are not merely a disruptive nuisance, they represent a profound threat to the values which underpin our civilised social order. We must fight back and proclaim the primacy of our shared values. The battle for Britain has begun, and guided by the common sense of the people, we must triumph for the common good.

What is Wokeism and How Can it be Defeated?

Gareth Bacon MP

***Gareth Bacon** was elected in December 2019 as the Member of Parliament for Orpington. In Parliament he sits on the Public Accounts Committee and the Backbench Business Committee. He was recently appointed to be the Conservative Party Small Business Ambassador for Greater London. Prior to his election to Parliament, Gareth served on the London Assembly for 12 years, the final four years of which were as the representative for Bexley and Bromley. He served as Leader of the GLA Conservative Group and Chairman of the Assembly's Budget and Performance Committee from 2015 to 2020, resigning from both roles upon his election to Parliament.*

In the final 18 months of Boris Johnson's mayoralty Gareth served as Chairman of the London Fire and Emergency Planning Authority, the body which oversaw the London Fire Brigade, and as Chairman of the London Local Resilience Forum which co-ordinates the emergency planning work of London's blue light services, armed forces, local government and key utility providers.

Britain is under attack.

Not in a physical sense, but in a philosophical, ideological and historical sense. Our heritage is under a direct assault – the very sense of what it is to be British has been called into question, institutions have been undermined, the reputation of key figures in our country's history have been traduced.

The rise of the power, reach and influence of social media has been influential in increasing the pace and spread of what is a broadly left wing, anti-British, anti-western and anti-capitalist rhetoric and a domino phenomenon is being witnessed as a succession of national institutions and organisations accept, seemingly without question or critical analysis, the new orthodoxy.

Yet what has become colloquially known as the ‘woke ideology’ has no democratic mandate – there is no official ‘woke’ political party and the left-wing parties espousing elements of the ‘woke’ agenda such as Labour, the Liberal Democrats and the Greens were routed at the general election held in December 2019. So why is it that ‘woke’ perspective has taken such a hold? To answer that question, it will be necessary to examine the nature of the ‘woke’ ideology, what its objectives are and how it spread so quickly. It will then be possible to provide a critique of the ‘woke’ perspective and to offer suggestions for how to defeat it.

Most practical political ideologies provide the bedrock for a call to action that leads to a tangible goal – a basis upon which policy objectives in society can be achieved. The ‘woke’ ideology, such as it is, is fragmented in nature, appears to lack this end-destination and is perhaps more akin to desire for anarchy than to a conventional political ideology. The unifying driving force behind the ‘woke’ perspective is an intense hostility to western civilisation, a desire to push against established cultural norms and an attempt to distort – to the point of perversion – the generally accepted facts upon which a society is founded.

In modern day Britain, this amounts to attacking the historical concept of Britain by reinterpreting British history in a slanted and de-contextualised manner, using modern viewpoints and value judgements. Thus, the British Empire is no longer seen as a modernising, civilising force that spread trade, wealth and the rule of law around the globe – instead, it is a racist, colonialist, oppressive force that invaded sovereign foreign countries, plundered them and enslaved their people *en masse*. Great British heroes, such as Vice-Admiral Horatio Nelson and Sir Winston Churchill, until recently almost universally regarded in a highly favourable light, now have their reputations besmirched. Britain, a small country on the northern edge of the European continent, that led the world in the fields of science,

industry, democracy, trade, law, the arts and much more besides, that stood and fought – for long periods alone – for freedom against European tyranny in the shape of Napoleon and Nazism and successfully opposed Soviet Communism, is reinterpreted in the ‘woke’ perspective solely as a slave owning force for oppression and evil.

The slanted views of the ‘woke’ perspective live very firmly in the past and its preoccupation is with re-writing that past in order to alter the present. The point of doing this is to destroy the accepted sense of Britain, in order to impose a countervailing ideological perspective – by delegitimising the one, it is possible to legitimise the other.

In this sense, the ‘woke’ ideology is pseudo-Marxist in its approach – whereas Marxist economic theory divided the world into economic classes of ‘oppressor’ and ‘oppressed,’ in the ‘woke’ ideological worldview of the identity politics of the cultural and social sphere, the ‘oppressed’ are not the economic proletariat but the combination of minorities or those otherwise disadvantaged by the ‘heteronormative cisgender white patriarchy:’ BAME people, LGBT people, women etc.

The ‘woke’ ideology is deeply divisive. Indeed, it actively seeks to be – it deliberately provokes division and thrives upon it. The adherents of the ‘woke’ ideology obsessively divide the world into hugely simplistic opposing categories – essentially ‘goodies versus baddies’ – a process greatly enhanced by the rise of social media, which is responsible for oversimplification of debate on issues, usually by contrasting opposite extremes in an unbalanced way: where it still survives, debate has been brutalised and nuance has been entirely lost.

Interpretation of existing law has added considerable momentum to the impact of ‘woke’ campaigns. For example, judicial interpretation of the Equality Act 2010 has had the effect of enshrining the notion that if one says one has been offended on grounds of race, religion, sexuality, gender etc.,

then one almost automatically has been. This gives huge power to activists and forces the leaders of organisations to fight endless fires of grievance, stifling freedom, embittering the workplace and sowing division.

Language is a key weapon in the war the ‘woke’ activists are determined to wage, often being used as a means of trapping people and shaming them. Those of a ‘woke’ persuasion are adept at seeking offence everywhere – the use of language is an inviting target and many of our public and private institutions, wittingly or unwittingly, have fallen prey to a desire to appease the ‘woke’ campaigners. For example, words that have been universally understood for millennia, such as ‘man’ and ‘woman’ are now emotionally charged and dangerous: in recent NHS public-information campaigns, women have been called ‘people with a cervix’ to avoid offending transgender activists; recent maternity guidance has suggested replacing ‘breastfeeding’ with ‘chestfeeding’ and some corporations have begun spelling ‘women’ as ‘womxn’ because this new word explicitly includes non-cisgender women and is therefore more inclusive and progressive. When feminists such as Germaine Greer and J. K. Rowling point out that non-cisgender women are men, that people who give birth are women and that the enforcement of trans-rights often mean a loss of rights for women, they are shouted down, abused, no-platformed and threatened with violence.

Often, the moral legitimacy of a ‘woke’ perspective is claimed by its adherents by placing a universally accepted idea at the centre of a web of otherwise unsavoury associated positions. For example, the Black Lives Matter movement claims its moral legitimacy from a statement which no one opposes – the lives of black people do indeed matter, as they do for all people. Behind this universally accepted idea they hide other more controversial ideas such the desirability of the destruction of the conventional family unit, smashing capitalism, defunding the police and an unpleasant strain of anti-Semitism. But by putting a universally accepted idea at the centre, it makes it impossible

to voice opposition to the policies of the movement without being accused of thinking that black lives don't matter. As was witnessed in the summer of 2020, this is often aggressively extended – those who did not make public gestures such as ‘taking the knee’ (which is an implicit promotion of the movement, not the sentiment) were openly branded as racist. This approach has been highly successful for Black Lives Matter, whose logo is prominently displayed at sports stadia around the country, with Premiership footballers, international rugby and international cricket players regularly ‘taking the knee’ before matches.

Linked to this is an explicit campaign of aggressive bullying, intimidation and censorship.

Those of the ‘woke’ persuasion take a quasi-religious view of the world and attribute every misfortune, grievance and perceived injustice to the fact that the wrong minority of people have power over everyone else and must therefore be torn down. They insist that everyone adopt this interpretation and those who don't are regarded as heretical and part of the problem. They have utterly rejected the idea that those on the right of the political spectrum have the right and the ability to challenge those on the left on subjects of culture and human nature. Any attempt to do so is viciously put down – disagreement is not now tolerated and any perceived deviation from the narrow ‘true path’ is ruthlessly crushed. So called ‘no-platforming’ and the rise of the ‘cancel culture’ are particularly sinister examples of this approach.

Social media has been key to the large strides ‘wokeists’ have made in this field. It has been a vital tool in convincing institutional elites of the strength of feeling against them by facilitating a preponderance of petitions, threats and on-line ‘pile-ons’ that have the cumulative effect of guilt tripping, shaming and frightening people into appeasement and submission.

A growing number of British institutions including our national broadcasters, publishers, organisations created to promote and protect British heritage and elements of those who provide our public services have fallen prey to this.

Shamefully, some of those institutions who have previously been at the forefront of national and, indeed, international intellectual development – our universities – have become corrosively complicit in crushing the diversity of thought and intellectual dissent. Student unions, which represent a tiny minority of students (who are, in any case, by definition a transient population) are particularly prominent players in this process, loftily claiming that they are aiming to prevent anybody from airing ideas that groups disagree with or would be offended by. In moves chillingly reminiscent of those last witnessed in the totalitarian dictatorships of the first half of the twentieth century, speakers whose views do not correspond with the prevailing ‘woke’ mindset are disinvited from speaking engagements, reading lists are censored, publishing contracts are cancelled, reputations are trashed and ‘safe-spaces’ are created where nothing but the prevailing view is permitted to be heard.

Disagreement with the ‘woke’ view is labelled ‘offensive’ and, by extension, oppressive. A familiar refrain from those of the ‘woke’ persuasion if their point of view is disagreed with (which is normal in a democracy) is often to claim that those in disagreement with them have ‘invalidated their life experience’ – thus, one hasn’t just disagreed with them, one has oppressed them. For those who defend democracy and freedom, this is a disturbing development because if the assumed right to not be offended is allowed to reign supreme, then freedom of speech, thought and deed are thus denied.

The truth is that this is not about protecting delicate sensibilities from offence – it is about censorship. We can, after all, protect our own sensibilities if we wish to by not going to the speech, watching the film or reading the book – nobody is compelled to

engage. But when people are explicitly or indirectly ‘no-platformed’ those who take such decisions are not protecting themselves, they are denying others the right to hear those people and even, perhaps, to challenge what they say.

This is exceptionally damaging. Throughout history, philosophers have understood that creativity and progress in a society depend on acts of intellectual rebellion, dissent, disagreement and controversy, no matter how uncomfortable. To a very large degree, freedom of speech matters most when it is controversial. Today, however, the cancel culture of the ‘woke’ movement thinks it reasonable and morally justifiable to obliterate the views of people they disagree with, rather than challenge them in open debate.

However, therein lies the key to defeating this corrosive ideology.

Like many totalitarian and undemocratic ideologies, ‘Wokeism’ has a deep-seated intellectual insecurity. At its heart, it is not motivated by positivity. Quite the reverse – its proponents tend to be motivated by darker emotions: hatred, jealousy, malice, insecurity. They are far less numerous than they claim, and their artificially constructed air of moral superiority is based upon an almost total lack of self-awareness.

There is a fundamental dishonesty to their approach – in the name of tolerance they intolerantly crush non-conformity and marginalise, intimidate and brutalise those who disagree with them. ‘Diversity’ means racial, cultural and gender diversity, and certainly not diversity of geography, social class, or opinion, belief or perspective. This is what enables certain members of the Labour Party to viciously attack Conservatives from minority backgrounds such as Sajid Javid, Rishi Sunak, James Cleverly and Kemi Badenoch, accusing them of ‘selling their souls and self-respect to get there’ and claiming that Priti Patel had used her heritage to ‘gaslight’ other minorities.

A truly 'woke' society would be one in which the diversity of how one looks is celebrated, whereas the diversity of how one thinks is ruthlessly crushed. This is a thoroughly unappealing world view and, once the mask is ripped away and the true nature revealed, it will be seen to be repellent.

The way to rip the mask away will require both Government action and courage. Changes in the law will almost certainly be required – for example, definitive amendments to the 2010 Equality Act as will new laws guaranteeing the freedom of speech. Government funded institutions should be required to promote British values, traditions and history. 'Woke' campaigners have long used judicial interpretation as a cover for the suppression of speech and the encouragement of a sense of victimisation and grievance culture. Removing that legal cover and re-stating the importance of democracy and the freedom of speech will be a big step in winning the battle.

The *coup-de-grace* will be delivered in openly and relentlessly debating the negative, divisive and historically ignorant canards of the 'woke' worldview. Conservative values present a far more appealing alternative – values of shared national identity, patriotism, family, faith, duty, freedom under the law, democracy and personal responsibility are as relevant now as they ever have been – Brexit and the Conservative landslide (especially the destruction of the 'Red Wall') of 2019 have emphatically demonstrated this.

The destructive, totalitarian, divisive, negative and anti-democratic 'woke' ideology can be defeated. It just needs us to have the courage to stand up and fight it.

The Conservative Case for Media Reform

James Sunderland MP and David Maddox

James Sunderland was elected to Parliament in December 2019 after 27 years in uniform. His Regular service consisted of continuous Regimental Duty and staff appointments from 2Lt to Col living throughout the UK, Germany and worldwide. His operational record includes tours in Iraq, Bosnia, Africa and the Falklands. James commanded 27 Regiment Royal Logistic Corps in Aldershot from 2014 – 16, the largest and most diverse unit in the Army. He is co-Chair of the All-Party Parliamentary Groups for Veterans, the Armed Forces Covenant and Motorsport, and Vice Chair for several others, including the Overseas Territories, the Falklands, Malaria and Special Educational Needs. In his first term at Westminster, James introduced the Desecration of War Memorials Bill, chaired the Armed Forces Bill Select Committee and joined the Common Sense Group.

David Maddox is political editor of the Sunday Express and leader writer for the Daily Express. He has been in journalism for 21 years in local, regional, Scottish and national titles and is a former Press Gazette UK Journalist of the Year.

The Brave New World realised

For many reasons 2020 was a pivotal year in the history of Britain and the wider world. Of course, there was the outbreak of the Coronavirus pandemic, the finalisation of Brexit and the US election. Though perhaps most of all, it was the year that Conservatives and the people on the right of politics finally recognised that we are in the midst of a culture war, one which could prove to be a life and death struggle for conservatism faced with the Left's attempts to 'cancel' opposing voices. In some ways the Black Lives Matter protests acted as a final confirmation but already radical and extremist movements covering feminism, climate change and transgender rights were already firmly embedded.

While other parts of this book look more closely at the details of the culture war, this chapter explains why the struggle

which conservatism is now engaged in should put significant media reform in Britain right at the top of the political agenda. It is no longer a conversation for dinner parties, student debates or just a subject for angry letters, it is a matter of ensuring that plurality of voices and freedom of speech are maintained in this country against a quasi-Marxist movement on the liberal left to snuff out conservatism.

It has long been a journalistic mantra that freedom of the press is exactly the same as an individual's freedom of the speech. Once you curtail one, you attack the other. This is despite the fact that for a long time now what goes into newspapers or is broadcast on air is far more highly regulated. Nevertheless, a free and pluralistic press is the bedrock of a healthy democracy.

To understand the need for media reform it is worth looking at actual case studies to see what is happening in the UK, not just on a cultural level, but a legal framework one too and asking why they are happening.

Lawyers have advised that a man holding a door open for a woman could be sacked for discrimination.

A man who complimented a female colleague's dress was disciplined for sexual harassment.

An author who expressed concerns about biological men being accepted as women and given access to women's prisons, dressing rooms etc. was sacked by her publisher.

A prominent historian who questioned whether slavery was the same as genocide was sacked.

A group of left-wing protesters who pulled down a statue of a city's benefactor were not prosecuted.

British Police officers 'took the knee' when faced with violent protests over the death of a black man in America.

The Scottish Government plans to bring in a bill which will ban wrong thoughts in the privacy of people's homes and encourage friends and family members to report each other.

Corporations have started insisting that employees take unconscious bias training courses to find out why they are bigots.

A council has banned activists concerned with the right to life from offering advice on alternatives to abortion near an abortion clinic in London.

The UK Government refuses to include language in a new law on maternity leave for senior ministers that identifies a person who is pregnant as a woman.

The above case studies are all true and have happened. They are just a handful of examples in a much wider cultural and legal shift in Britain which shows that freedom of speech is under siege. However, such a change could not happen without the acquiescence of the mainstream media. Enoch Powell once famously described the media as the sea in which politicians sailed and the analogy accurately underlines how mass media coverage shapes the cultural environment in which we all live.

It is worth noting that recent polling evidence now suggests that the general public have woken up to the change in society, especially over freedom of speech. A ComRes poll of 2,000 people commissioned by the actor Laurence Fox in February 2021 showed that 50 per cent agree 'freedom of speech is under threat' while only 24 per cent disagreed. This, Fox argued, directly comes from the assault on traditional and conservative values. It is hard to disagree with his conclusion.

Reshaping Hegemony

The link between the cultural war and mainstream media needs to be understood in the Marxist philosophy that underpins much of the wider thinking of people on the Left of politics, not just Communists. The blind spot for those on the

right is that they have not understood the concept of Hegemony while the left has. Hegemony is the assumptions which underpin society. It is invisible unless you want to look for it.

Not so long ago, Hegemony was God, family, country, the right to life, the biological difference between men and women. But through philosophical tools such as Jacques Derrida's Deconstructionism, these are no longer social assumptions but at best traditional values and at worst toxic ideologies. In their place the Left is trying to impose a new Hegemony based around identity or rather self-identity, victimhood, a year zero approach to history and a belief that what was in the past was wrong and should be condemned. It is reinforced by attempting to cancel out voices who question this worldview, setting up legal frameworks such as hate speech laws to ban alternative views.

It has also infected corporate think in the West with major companies supporting woke causes. We only have to look at the corporate sponsors of Black Lives Matter who poured in millions of US dollars even as America's cities burned. These included Amazon, Microsoft, Gatorade, Airbnb and Unilever.

However, this cultural revolution can only succeed when the dominant voices within society acquiesce to such a worldview and underpin it. This requires domination of the mainstream media, most notably broadcasting and the internet.

The Change of the Media Landscape

For the left to dominate media discourse it requires a suppression of plurality of voices and instead relies on monopolistic giants to set the agenda. This has been made easier by the decline in newspaper circulation since the rise of the internet. In February 2020, Press Gazette, the newspaper industry magazine, reported that in 20 years since 2000 newspaper circulation had plummeted by two thirds with national titles seeing sales drop from 21.2m a day to 7.4m. For example, in January 2000 Britain's leading newspaper the Sun

sold 3.6m copies in January 2020 that was down to 1.3m. In the same period, the agenda setting Sunday Times fell from 1.4m copies to around 645,000. The Mirror dropped from more than 2 million to around 367,000. It is a similar tale for all the national titles which has been further exacerbated by Coronavirus and lockdown.

This does not consider the catastrophic decline of Britain's once vibrant regional and local press. Newspapers which once held local government to account have often disappeared altogether or are desperately struggling to stay viable. In August 2020, Press Gazette reported that 33 local papers had closed since the start of 2019 bringing the total up to 265 since 2005.

While many on the left described newspapers as 'the right-wing media,' they allowed a plurality of voices in the media environment and certainly gave conservatives and others a platform to air their views from columns and news stories to the letters pages. In this way a large newspaper market also acted as an effective counterbalance to the BBC's dominance of broadcasting, but the decline has left them much weaker with no real prospect of recovery in the traditional hardcopy form.

Meanwhile, the phone hacking scandal in 2011 and subsequent Leveson inquiry have proved to be disastrous for newspapers and their ability to report stories. While phone hacking was completely unacceptable it is worth noting that the existing law at the time made those activities illegal. However, it provided the pretext the left needed to neuter the newspapers further using front organisations like Hacked Off made up of victims of the press to drive home the need to limit the freedom of the press.

The newspaper industry did not in the end have to endure the full proposals brought forward by Leveson which would have been terminal for the industry and made it virtually impossible to report anything controversial. In particular, the idea that newspapers would be responsible for legal costs of

complainants even if the court ruled in their favour would have been the end of the industry. However, the replacement for the Press Complaints Commission, the Independent Press Standards Organisation has itself made it much more difficult to operate. An example of this was the Express having to carry an apology to the genocidal terrorist group Boko Haram because of a dispute over whether it was responsible for the murder of Christians in Nigeria.

The First Monolith of Woke

The change in the media landscape was confirmed in the latest News Consumption Report in August 2020. This showed that 75 per cent get their news from the television, 65 per cent from the internet particularly social media and 35 per cent newspapers. The strength of social media was highlighted that Facebook alone matches newspaper with 34 per cent. However, even though it had a six per cent drop, the biggest player in the UK was still the BBC with 56 per cent.

With the newspaper industry weakened it is clear that the primary cultural influencers in the media are the broadcasters and social media giants, both of which are dominated by the liberal left. It is worth looking back to recent history when the changes in the media landscape were just beginning.

In 2007, Paul Dacre, editor of the Daily Mail, the most significant British newspaper editor of the 21st century, wrote a rare article for the Guardian in which he outlined in the starkest terms the threat to British culture and democracy posed by the BBC.

‘It’s my contention that the BBC monolith is distorting Britain’s media market, crushing journalistic pluralism and imposing a monoculture that is inimical to healthy democratic debate.’

His warning was prescient but too early to have any real impact on the public and political consciousness in Britain. After all, at the point in time Britain was more concerned with

the fallout of the Iraq War; we were still only seeing the early green shoots of the climate change movement, the EU referendum was just a pipedream and nine years away from taking place; Black Lives Matter was still six years away from being founded and 13 away from pulling down statues; and the only transgender issue anybody was concerned with was whether Barry Humphries's alter ego Dame Edna Everage was returning to ITV for a new show.

To support Dacre's contention we just need to look at market share. According to Statista, in 2019, 12 years after that article, the BBC had 31 per cent of the television viewer market in the UK, well ahead of its next biggest rival ITV on 23.4 per cent while Sky and Channel 4 were trailing far behind on 10 per cent each.

Meanwhile, the BBC's own figures underline its dominance of radio. For example, it reported that the final quarter of 2019 it had 51 per cent of the radio listenership in Britain, 33.5m people.

Finally, according to the analytics site SimilarWeb, the BBC is the number one news and media site in the UK with 818.7m visits in January 2021.

This market dominance gives the BBC huge amount of power and is underpinned by a tax on each household in the shape of the licence fee bringing in around 3.5 billion, something its media competitors cannot match.

The BBC has tried to reinforce its dominance by crushing private sector initiatives by setting up taxpayer funded rivals. When Talksport was launched, the BBC launched Radio 5 Live, when Sky News was launched the BBC launched its own 24-hour news channel.

The argument to allow the BBC to dominate the British market so much is that it is a trusted news source and, unlike newspapers, is obliged to be impartial which means it gives both sides of an argument and different perspectives. It is not

surprising that the majority of those who make this argument are on the liberal left, although there are many on the right of politics who support it.

The concept of impartiality must be considered one of the two great lies of the present-day media market in Britain. The truth is that impartiality is how the BBC defines it. Its size and strength mean that so-called rivals like Sky News or ITV have to gravitate towards it. The people setting up GB News as a more right-wing news channel have identified ‘white space’ which the current broadcasters completely ignore in terms of what people want and where their beliefs and values lie.

For evidence of a lack of impartiality we only need to hear the broadcast statements of its top presenters like Emily Maitless or read the political Tweets of its star presenters like Gary Lineker. The fact that Lewis Goodall was made policy editor of Newsnight after agitating on Twitter for Remain and being an open supporter of Labour said much about the narrow way the BBC defines impartiality.

The former BBC political editor now Today presenter Nick Robinson gave the game away in 2017 when he said that the BBC had no duty to be balanced about its reporting of the Brexit debate. Indeed, the BBC has a long history of pro-EU coverage. This was highlighted in a 2018 report by the thinktank Civitas which revealed that between 2005 and 2015 only 132 of the 4,275 guests asked to speak on the Today programme about the EU supported Leaving. The issue got worse after the referendum. The Institute of Economic Affairs found that between June 2016 and December 2017 two thirds of the guests on Question Time and Any Questions were Remainers.

Brexit is just one issue. If we move on to the attacks made publicly by BBC figures on air and on social media of Boris Johnson and Donald Trump or the unquestioning coverage of Greta Thunberg and Climate Change or the decision to describe the BLM riots as ‘mostly peaceful’ and ignore cities

and businesses being torched, you get a wider picture of a woke broadcast media.

The pandemic has also been a salutary lesson. Scientists and politicians questioning lockdown strategy have been side-lined or not allowed to be interviewed altogether, and all the broadcasters have seen it as their role to promote the pro-Lockdown message with very little if any questioning.

The problem is not only news. The female Dr Who fiasco to fit the woke agenda is a very obvious case of attempts to manipulate culture. The loss of audience for Dr Who with the last series having the lowest ratings since the 2005 relaunch offers some hope that the British public are not as ready to be indoctrinated as some may fear.

It goes much further. British comedy on BBC and other broadcasters has long since left the days of the great sitcoms and been replaced by panel shows of comedians many of whom have an overtly left-wing agenda. In December 2020 the Campaign for Common Sense (CCS) published findings which showed that in the November before on the main BBC comedy shows on television and radio there were 268 slots of which 74 per cent were given to 99 comedians with publicly pronounced left-leaning, anti-Brexit or 'woke' views while only four slots were given to two comedians with explicitly conservative, pro-Brexit or anti-'woke' views. Some so-called comedy programs such as the Mash Report or Have I Got News for You have become little more than political platforms for overtly left-wing and woke agendas. No such right-wing versions would even be considered.

The one cause for hope is that the public do appear to be aware of what is happening at a certain level and trust in the BBC in particular has plummeted. In February 2021, a Redfield and Wilton survey found that 56 per cent would support and 19 per cent would oppose getting rid of the BBC license fee and having the BBC switch to a private subscription-based model; 55 per cent think the BBC is not impartial and balanced. Among those who hold this view, 60

per cent think there is a need for another news channel to offer a different perspective.

The Second Monolith of Woke

While there are many problems with the BBC and broadcast bias generally, traditional broadcasters are a declining force and not where the real danger lies. If one thing became plain in 2020 it was the power of the internet and social media giants.

As previously noted, in 2019 34 per cent of people in Britain got their news from Facebook alone and this number is growing while also not including social media companies like Twitter.

The interesting aspect of the market is that each of the internet giants are able to act as a monopoly in their own spheres with little or limited competition. Facebook, Instagram and Twitter all have very different models of communication and different purposes. The dominant search engine is Google, the dominant market for buying and selling is Amazon. There is some rivalry on web-based television between Amazon, Netflix and Disney Plus in particular but the three seem to co-exist quite happily and profitably.

Until 2020 the social media giants had existed largely in the terms they had set themselves as platforms for free speech where people of different views could have their say. They even allowed anonymous accounts and quite serious levels of abuse and intimidation. But in 2020 there was a noticeable change. Part of this was due to the rise of unacceptable levels of abuse and threats on social media, particularly Twitter, which led governments to start to question the role of internet companies and demand action. However, it became clear that there was a political agenda too.

The political agenda came to a head in the US election when accusations published by the New York Post about corruption allegations made against Hunter Biden, Joe Biden's son were

blocked by Facebook and Twitter. Prominent figures who repeated the allegations including the White House press secretary found that their accounts were suspended. Then there was the treatment of Donald Trump with Twitter adding notes to his Tweets saying the claims were disputed. It provided a platform to dismiss allegations of voter fraud. Then Twitter used the protest in Washington by Trump supporters which got out of control as a pretext to ban the outgoing US President altogether. This was followed by many other conservative accounts being cancelled. It is worth noting that Twitter still allows the Supreme Leader of Iran and the General Secretary of the Chinese Communist Party to keep their accounts and Tweet.

While the protests in Washington by Trump supporters were unacceptable, many felt that Trump's ban had more to do with political motivations by a social media industry dominated by left-wing liberals. The decision to block the New York Post story was made by a former Democrat aide while vast sums of money went from Facebook's Mark Zuckerberg to pro-Democrat campaign groups and Black Lives Matter.

Of even more concern was the way the big internet companies were accused of manipulating coronavirus coverage. In particular, lockdown sceptics found themselves blocked from social media and platforms like YouTube. It was claimed Google searches would not pick up anti-lockdown material even from leading scientists. While people were unable to socialise normally it meant that they became more dependent on internet services and social media so there was a business objective to support it.

Finally, the one social media company which supported free speech and refused to ban conservative voices was Parler, an alternative to Twitter. However, the internet giants effectively colluded to force it to shut down in the wake of the ban on Trump by not allowing it to use their servers as a platform.

What all this has revealed is that the internet and social media giants act together, share a left-wing liberal agenda and have

actively shut down debate and leading conservative voices. They also wield immense power and are not, as once claimed, platforms for free speech.

What needs to be done?

In some ways, conservatives need to return to a traditional biblical image from the Book of Judges. The image of Samson, betrayed and blinded by his enemies, chained up in the temple of a false religion, somehow still finding his inner strength to grasp the two pillars and pull them down bringing the whole edifice crashing around him and destroying his enemies. Conservatives need to be the Samson of the 21st century understanding that the two pillars holding up the temple of wokeness are the broadcast media and internet giants. The aim must be to create a media market that allows freedom of speech, a plurality of voices but still ensures quality. Here are five proposals to achieve that.

1. Break up the BBC

The Government is in the process of considering decriminalising the licence fee. However, the BBC's size and dominance are far too great, even without taxpayer funding. This means a more radical solution is required. It needs to be broken up to allow more rivals and different providers in the broadcast market including different perspectives. The need for the BBC's control of radio is particularly important for the reasons given above.

2. End the need for impartiality

On 20th June 1987, US President Ronald Reagan vetoed a bill which would have put the Fairness Doctrine in the US into law. In the response to the explosion in cable television in the 1980s, Reagan had one of his former aides Mark Fowler, a communications attorney, in charge of the Federal Communications Commission, a sort of Ofcom for the US. He scrapped the fairness doctrine which a report had found was contrary to free speech among other problems. The Democrats

who controlled both Houses of Congress responded by trying to put it into law only for Reagan to use the veto.

Reagan's actions show the way for conservatives now. The fairness doctrine was the American version of impartiality for broadcasters in the UK. By abolishing it a much wider range of views were able to be broadcast in America and it helped in the rise of Fox News among others.

With the internet and online news programmes causing an explosion in news sources, impartiality is increasingly outdated and restrictive. As has been shown earlier, the way impartiality is defined is also very narrow and biased. Furthermore, if the BBC no longer exists as the sole big player and is replaced by a plethora of broadcasters, then the lack of a monopoly would mean that impartiality is no longer required.

By scrapping impartiality, it would mean that traditional newspapers could follow the Times in creating online radio and television while not losing their political and cultural identities. It would open up the market and give a space for conservative voices.

It is worth noting that the Marxist group Hope Not Hate is already agitating to prevent the launch of a more right-wing news channel with GB News so freeing up potential broadcasters is necessary for conservatives to have a platform.

3. Treat social media as publishers and make them pay

Currently, the UK Government has an online harms bill which will give the social media giants some responsibility for what goes on their platforms but not the obligations of full publishers.

This compromise may have been reasonable two years ago but the change in the way the social media giants acted in 2020 particularly around the banning of Trump and others for political reasons showed that they are acting as publishers. If they are acting as publishers, then social media giants need to

be treated as such. There is a case that this should still be after the fact of contributors putting content online.

Related to this, taxation laws also need to be changed to ensure that social media and large internet businesses pay a much larger share, reflecting their position in the market and incomes.

The UK Government should also look at bringing the same changes initiated in Australia which prevents platforms like Google using people's content for free. The Australian government threatened to bar them from operating unless they paid for content and sure enough the internet giants relented.

4. Repeal hate speech laws

The right to offend people and debate from different perspectives are at the heart of freedom of speech. Hate speech laws on race, gender and other areas have been superficially fully justified. However, the reality is that they are widely interpreted and have been used to try to prevent debate on among other things Brexit, the role of religious groups in terrorism, Christianity, the problems of specific crimes in some ethnic groups and so forth. In Scotland the situation is much worse with its recent Hate Speech Law which effectively bans wrong thought in people's own homes and, in an Orwellian fashion, encourages family members to report each other.

This issue is covered in more detail in another chapter, but the existence of these laws also has a direct impact on the freedom of the press to operate and inform. A typical example is in the treatment of the problem of grooming gangs in some cities. The media has been restricted in talking about Muslim men preying on vulnerable white girls because of issues around hate speech. Instead, we have seen the use of "Asian men" which covers an enormous area and tars groups who do not have the problem. It has also allowed a space for the far right in the form of Tommy Robinson to find a platform and make

him in the eyes of some appear legitimate because he will talk about things that others are trying to cover up.

5. Ensure quality and transparency

In a world where fake news is a genuine concern and there is a plethora of often problematic news sources, it is only fair that the public should have some idea of quality in terms of sources.

For this reason, news sources which have signed up to Ipso or other watchdogs should have a quality stamp which identifies them as following strict guidelines and standards. It is not unlike buying food in Tesco and being offered a choice of lower quality meat or Tesco Finest. Ipso works well because it does not dictate editorial policy but only acts on the factual basis of stories and rules around approaching people. An Ipso trademark should be a guarantee of quality and the private sector needs to use it as such.

Meanwhile, it is also important that people understand the ownership of news sources. So if for example, a TV channel or publication has Chinese, Russian or Iranian ownership it should be made clear perhaps with a watermark.

Conclusion

If these five major reforms are brought in the UK will have a much more diverse and vibrant media market which is far more reflective of the population as a whole. It needs to be private sector and market led but not in the hands of monopolies. It will ensure that conservatives have platforms where they can discuss issues and make their case, but also allow people to understand what genuine news is and what is fake news. If the media market goes unreformed then there is a serious danger that the right will lose the culture war and find itself without a voice.

The Judicial Activists Threatening our Democracy

Rt. Hon Sir Edward Leigh MP and Sally-Ann Hart MP

***Sir Edward Leigh** has been the MP for Gainsborough since 1983. He is a former minister and Chairman of the Public Accounts Committee. He currently serves on the Public Accounts Commission and the Joint Committee on National Security Strategy. He is a member of the Council of Europe and Vice Chairman of the Rules Committee. and a member of the Speakers panel of Chairs. A barrister, he has served on the board of a commercial bank. He was knighted in 2013 and made a member of the Privy Council in 2020. He is an Officier of the Legion d'honneur and a Comandatore of the Star of Italy having chaired both countries APPGs. He is Joint Chairman of the Cornerstone Group of MPs and the National President of the Catholic Union of Great Britain.*

***Sally-Ann Hart** is MP for Hastings and Rye, where she has lived with her family for nearly twenty-five years. Sally-Ann was born and brought up in Northumberland, before going to university in London and qualifying as a lawyer specialising in corporate finance law with a City of London law firm. She took a career break to bring up her children, later becoming a magistrate in Hastings, working in both the Adult Criminal and Family Proceedings Courts, and a District Councillor at Rother representing the ward of Eastern Rother. In Parliament she sits on two current Select Committees – Scottish Affairs and the Speaker's Works of Art Committee. She was also a member of the Future Relationship with the EU Select Committee before it was disbanded earlier this year. In addition to this, Sally-Ann is chair of the All Parliamentary Groups for South East England Councils and Coastal Communities and an officer of the All Parliamentary Groups for Special Educational Needs and Disabilities; Alternative Provision; Hospitality and Tourism; Fisheries; Equitable Life; Almshouses; and Ending Homelessness.*

Fighting the arbitrary and unaccountable exercise of power has been the central theme of Britain's long tradition of constitutional development, but the expansion of judicial power over the past half-century has undermined this important and noble task. Even while a broad consensus exists in favour of greater transparency, accountability, and scrutiny of power and government, judicial activism has provided a convenient and cryptic means of effective law-making in the absence of a democratic mandate.

The 1968 Lords decision in *Conway v Rimmer* concerning certificates of public interest immunity heralded the advent of this expansion in the power of judges. Previous rulings (such as *Duncan v Cammell Laird*) held that Crown privilege meant that public interest immunity certificates should be taken at face value – an interpretation that was not without challenge among jurists.

Conway was a benchmark example of activism in that it overturned precedent, removed clear power from where it had resided (admittedly not without contest), and defined courts and their judges as the ultimate arbiters wherein power resides. This upward trajectory continued, with around 500 applications for judicial review in a typical year of the 1980s – a number that reached 15,000 applications by the 2010s. From 1997 to 2007, over 3,000 new regulatory or criminal offences were added to the UK's statute book, further expanding the power of judges.

Another vehicle for this increase was the evolving application of the European Convention of Human Rights. The original document is a very sensible one, as one might expect given its primary drafter was the Conservative lawyer, MP, and eventual peer, David Maxwell Fyfe. Organised by the Council of Europe, the loose organisation of free and democratic countries in a Europe divided by the Iron Curtain, the Convention was designed as an international agreement delineating the human rights member states were expected to respect.

A European Court of Human Rights (ECHR) was also inaugurated to enforce the Convention in the cases in which Europeans' civil rights were being violated. It was presumed this would be rare, as the Stalinist half of Europe had not signed up to the Convention and the western democracies generally had a strong, if not consistent, record in terms of human rights. Article 46 of the Convention required the United Kingdom to give effect to the rulings of the Court, but it was not even until 1966 that UK citizens were able to bring cases to the Court itself.

Lord Sumption has pointed out the Convention was meant to be a 'charter against despotism' not 'a bill of rights for Europe.' Guido Raimondi, a recent president of the Court, has pointed out the Court would be 'inconceivable untied from democracy.' Yet the power and nature of the Convention has been expanded in two directions.

First, new protocols have been added to the Convention which have changed its fundamental nature – for example in the partial (Protocol 6) and then total (Protocol 13) abolition of the death penalty. Secondly, the Convention and the rulings of the Court were directly incorporated into UK law through the Human Rights Act 1998 (HRA) – itself a result of the addition of Protocol 11.

Thanks to HRA, the European Convention is now not just an international agreement – which the Government of the United Kingdom would have a broad discretion in determining how best to apply – but a matter of direct law. UK courts are bound to follow the rulings of the Strasbourg court, most of whose judges are not from common law systems. There is also a question of whether the Human Rights Act violates the Act of Union which guarantees the continued independent operation of the system of Scots law.

Problematically, judges on the ECHR have adopted a very loose interpretation of the Convention, viewing it as a living document despite the fact that it is a set text agreed by international signatories. The Vienna Convention on the Law

of Treaties (1969) mandates that a treaty (such as the ECHR) be interpreted according to the ordinary meaning of its terms, having due regard for object and purpose.

In his 2013 Sultan Azlan Shah Lecture, Lord Sumption argued that the Strasbourg judges have ‘transformed the Convention from the safeguard against despotism, which was intended by its draftsmen, into a template for many aspects of the domestic legal order.’ Unaccountable to a demos that elected it, the Court (Sumption contends) ‘has become the international flag-bearer for judge-made fundamental law extending well beyond the text which it is charged with applying.’

Sumption cites Article 8 of the Convention, which was drafted with the intention of protecting Europeans against undue state surveillance. Through the Court’s rulings, Article 8 has since been extended to apply to the legal status of children of unmarried parents, immigration and deportation, extradition, criminal sentencing, child abduction, landlord-tenant relations, and many other issues.

The problem here is that the ECHR takes contentious issues which are rightly the subject for public debate, parliamentary scrutiny, the discretion of officials, or democratic consent and removes them from all of the above entirely. Disenfranchisement of convicted criminals, which is the settled political will of the British people, is just one example of where the ECHR has consistently usurped the realm of political debate and declared a case closed regardless.

The UK’s own Supreme Court has unfortunately followed the trend from Strasbourg, most controversially in ruling a prorogation of Parliament invalid. The justices ruled that parliamentary sovereignty needs to be protected from the executive’s power to prorogue Parliament. But while this is a perfectly legitimate political opinion, enforcing it via a judicial ruling overturns centuries of precedent as well as the direct prohibition of judicial questioning of proceedings in Parliament made clear and explicit by Article 9 of the 1689 Bill of Rights.

The Supreme Court's ruling, according to Oxford University legal scholar John Finnis, 'ignores most of the immediately relevant statutory and political constraints and contextualising factors, and illustrates the ineptitude of judicial forays into high politics.' It is a naked power grab, with no substantial legal or juridical justification.

In a political act, the justices of the Supreme Court gambled in order to stop Brexit. The Prime Minister called a general election, put the case to the people, and won a strong majority. Parliamentary democracy won, and the politicised justices lost, but in order to prevent a repeat the case for legislative reform of the Supreme Court is compelling.

Restoring rights, Reclaiming Liberty

Danny Kruger MP

*Danny Kruger was elected MP for Devizes in the December 2019 election. From July-December 2019 he was Political Secretary to Prime Minister Boris Johnson in 10 Downing Street, and formerly the Government's Expert Adviser on Civil Society at the Department for Digital, Culture, Media and Sport. Between 2008 and 2016 he founded and led two charities, the criminal justice project Only Connect and the West London Zone for Children and Young People. He was chief speechwriter to David Cameron MP as leader of the opposition; chief leader writer at the Daily Telegraph; and Director of Studies at the Centre for Policy Studies. He has a D.Phil in history from Oxford University and an MA from Edinburgh University. He is the author of *On Fraternity: Politics beyond Liberty and Equality* (Civitas, 2007).*

The Government has announced a review of the operations of the Human Rights Act (HRA). This is therefore a good moment to examine the theory that lies behind the Act, and the European Convention on Human Rights (ECHR) which it enshrines into English law.

The ECHR, drafted by British lawyers after World War II, is a sonorous retelling of the noble principles of freedom from oppression, designed to protect the peoples of Europe from a resurgence of tyranny. The difficulty is it sits uncomfortably with the – historically successful – English tradition of preventing tyranny.

According to the English tradition ‘human’ rights are misnamed. The rights we really need, and the only ones we really have, derive from something higher and something lower than humankind. They derive from the idea of God, and from the fact of nations: from a Christian conception of law, and from the individual’s membership of a national community under an acknowledged state.

We have lost this idea of rights largely because of a misunderstanding about the nature of liberty, the essential

quality that rights are supposed to protect. As Patrick Deneen has brilliantly explained in *Why Liberalism Failed* (2018), liberty was once understood as freedom from the internal tyrants of appetite and caprice, the debilitating impulses that hinder good conduct and well-being. To be free was to be an independent actor, capable of virtue.

The old idea was that we are born slaves to appetite but can gain some measure of freedom through good education and good institutions. The new idea is that, as Rousseau said, people are ‘born free, but everywhere in chains’ – the chains being the various oppressions of society. And so, in this view liberty is not freedom from caprice, but liberation from human bondage. The job of government, and of culture, is to enable this liberation: to dismantle the structures of oppression and give the widest possible scope to the individual to do what they like. Liberty, then, is not freedom from appetite but freedom to indulge appetite.

Of course, people were and are in human bondage, and ‘virtue’ in a prison or under the heel of a tyrant is rather limited vision of the good life. Rival conceptions of virtue, moreover – of the religious basis of society – have the tendency to trigger vicious conflict. And so, after centuries of religious and political strife, John Locke developed what became the origin of modern rights theory.

Locke believed that God had given people freedom of conscience, or religious belief. His liberalism, which is really a cornerstone of conservatism too, rested on human fallibility: no government, any more than any one of us, can understand everything or get everything right, so we need protections against the effect of others’ errors, and particularly against their efforts to enforce their beliefs on us. The state, too, should be subject to this control: ‘laws not men should rule.’

If Locke’s idea of rights derived from Christian principles, the next phase of rights theory rejected these foundations. The Enlightenment project was an attempt to construct an alternative basis for morality and human order than the one in

the Bible: a rationalist system in which the enemy was not human fallibility but social hierarchy and religion itself. There is ‘neither God nor master,’ said the French revolutionaries in the *Declaration of the Rights of Man*. In their place were rights themselves, soon known as ‘human’ rights to sever the link with God or the nation. Gone was the doctrine of fallibility, the humble liberal-conservative starting point of Locke. In its place was ‘man,’ all-knowing and supreme.

The consequence in France is well known: a tyranny more awful and absolute than the Bourbons, a new religion (a sort of bizarre Deism), and an aggressive nationalism that sought to ‘liberate’ Europe through conquest.

Britain, too, was susceptible to this virus. Locke had invested the first and foundational right – the freedom of religious belief – with the quality of property: something belonging to the individual alone, and thus absolute and inalienable. And so, from an early stage we came to think of rights as the means by which we are set free from external pressure, free from obligations to others; and from there it is a small step to the hypocritical assumption that rights confer obligations on others to satisfy us.

Rather than protections against overweening power, rights have become in Roger Scruton’s words ‘claims against others.’ As Scruton put it, ‘to suppose that there are “natural” and therefore “human” rights which are also claims against others is to make a large and dangerous assumption... To think of human rights in this way is to fill the world with vague and unfulfillable obligations, and therefore with vast and irresolvable conflicts.’¹¹ This is because rights-as-claims unmoor us from the common law tradition of gradual, case-by-case accommodation, the gradual working-out of good relations among neighbours through a long series of settled conflicts. Instead we have a set of Platonic abstractions that

¹¹ Roger Scruton, ‘The State Can’t Set You Free,’ *The Spectator*, October 2004

give lawyers an infinite scope for absolute arguments, and judges (and even Ministers) a terrible power.

The ECHR recognises the problem with absolute claims: that they clash. Article 17 of the Convention explicitly prohibits people from using one of the rights it confers to undermine another. This is, of course, precisely the problem that runs through the Convention and its application domestically. The HRA attempts to remedy the problem in ways that are deeply concerning for liberty and the supremacy of Parliament, including:

- the ‘power to take remedial action’ under Section 10 of the HRA, by which a Minister may amend legislation by order if it is thought incompatible with the ECHR;
- the power of the courts under Section 3 to ‘change the meaning of enacted legislation’ to make it Convention-compliant - in other words, to interpret laws in a way which is inconsistent with Parliament’s intention in passing them; and
- the misuse of the ‘margin of appreciation’ (the discretion allowed to nation states by Strasbourg) to give courts, rather than Parliament, the responsibility to balance conflicting rights and so make law.

A ‘British Bill of Rights,’ as proposed by some Conservatives in recent years to replace the HRA, at least has better words in the title. Yet the danger is that unless a Bill of Rights does the same job as the HRA, that is incorporate the ECHR into British law, we will be worse off than before because we will be subject to a court in Strasbourg.

Perhaps more useful in the first instance would be to work with fellow signatories to the ECHR to review aspects of the Convention, such as the power to deport foreign criminals.

More profoundly, however, we need a conversation about rights in the English legal tradition.

We need to go beyond Locke, back to the foundations of the English law, and to the proper doctrine of liberty. Deneen again: ‘we did not become free by fighting oppression, but by conquering ourselves; then by taming the environment, forming a community and creating rules to live by.’

These rules, in the form they ultimately come down to us in these islands, were first properly codified by Ethelbert, the 6th century Saxon King of Kent who was the first British ruler to convert to Christianity. He enshrined biblical principles into the laws of his kingdom and laid the foundation for King Alfred’s Law Code three centuries later. To these kings the secular space was a feature of Christian society, not its antithesis; the liberties of the individual have their origins in the dignity conferred on human beings by the God of the Bible. This core principle inspired Magna Carta and all the jurists of England down to William Blackstone. Like a steeple in a flooded valley this principle still stands, just, over the waves that broke across Europe in 1789.

How to recover? We do not need an aggressive reassertion of Christianity, a new Ethelbert to enforce the true faith on a heathen nation. Instead we simply need to recover the idea of rights as what the philosopher Nicholas Wolterstorff, quoted by David McIlroy, calls ‘normative social relationships.’¹² Rights exist in real relations between real people. They are not individual possessions with the absolute and inalienable status

¹² David McIlroy, ‘The problem of human rights,’ The Kirby Laing Institute for Christian Ethics, Ethics in Brief, Spring 2014

of property, but a mutual recognition of the obligations we owe each other.

This conception of rights must be rooted in the existence of a community – a real community, not the abstraction of ‘humankind.’ A real community entails reciprocal duties, situated in institutions that can enforce them and mediated by the conventions of people who know each other and share a common culture. This is the nation. We derive our rights from our citizenship (or more properly, our subjectship).

As the end of the Covid-19 crisis approaches, and the lifting of the restrictions it necessitated, a review of the powers of the state and the liberties of the subject could not be timelier. Many jurists, notably Lord Sumption, have raised very understandable concerns about the reach of the state under a series of laws and regulations brought in by government in the last year. Lord Sumption argues the state ‘has taken effective legal control, enforced by the policy, over the personal lives of the entire population.’ He makes a series of criticisms of the Government, but his real concern is that the public, Parliament, and most commentators were remarkably complaisant about the loss of liberty we have seen.

‘This is how freedom dies,’ says Sumption. ‘When societies lose their liberty, it is not usually because some despot has crushed it under his boot. It is because people voluntarily surrendered their liberty out of fear of some external threat... the fault is not just in our government. It is in ourselves.’¹³ Whether Sumption is right or not about the pandemic response, he is right about this. We need to get our own ideas right, and then be prepared to defend them. The HRA review is a good place to start.

¹³ Lord Sumption, ‘Government by decree: Covid-19 and the Constitution,’ Cambridge Freshfields Annual Law Lecture, 27 October 2020.

In Immigration Policy – Numbers Matter

Lord Peter Lilley and Marco Longhi MP

***Peter Lilley** was a Hertfordshire MP from 1983 until 2017 and was made a peer in 2018. He served in the Cabinets of Margaret Thatcher and John Major as Secretary of State for Trade and Industry, then for Social Security. From 1997 he was Shadow Chancellor then Deputy Leader of the Conservative Party responsible for policy renewal. He has published on a wide range of issues including the economics of immigration: “Too Much of a Good Thing? – controlling immigration” published by the CPS.*

***Marco Longhi** is the Member of Parliament for Dudley North. He has had the privilege of being the new Member of Parliament for Dudley North, the first time ever that the constituency has returned a Conservative. With roots firmly set in the West Midlands, a local Black Country businessman and Councillor for 20 years, Marco is extremely keen that his constituency’s voice is heard not just in Parliament but in the corridors of Whitehall, where for too long decisions have been made by people whose priorities are London/South East centric. Marco was recently the Mayor of Walsall where he supported a local mental health charity and local businesses to create more jobs for local people. As the Mayor he chaired the Armed Forces Covenant and has always had a strong interest and respect for all the forces. Marco is a passionate Brexiteer and believes that Parliament should determine Britain’s laws.*

In immigration policy – numbers matter.

That is common sense. In one of the most densely populated countries in Europe, suffering from an intensifying housing crisis, only those in ivory towers can pretend numbers don’t matter.

It is political sense. Although the most important factor in the referendum was taking back control of our laws, taking control of our borders was next most important. People did not

vote to replace unlimited immigration from the EU by uncapped inflows from the whole world.

And it is economic sense. Mass immigration not only depresses the incomes of the lowest paid by around 5% as the Migration Advisory Committee¹⁴ estimates, but – as explained below – it undermines the two main drivers of long-term growth of everyone’s living standards.

Our concern is that current policy will open the UK to vastly *increased* immigration. A ‘points based system’ sounded like a way to reduce numbers. But both the skill and salary requirements have been reduced; the need to advertise jobs in the UK removed; and students will be allowed to stay on for two years competing with UK graduates for scarce entry level jobs. The potential inflow will be politically explosive unless these measures are amended or complemented by a numerical cap as in Australia and Canada.

Unfortunately, an unholy alliance between a virtue signalling intelligentsia and short-termist business leaders has prevented serious debate about immigration policy. Anyone putting common sense arguments or economic reasons for reducing numbers is silenced by accusations of ‘racism’ or excluded from the main-stream broadcast media.

No one disputes that Britain has a crippling housing crisis. Yet how often is it mentioned that net migration accounts for 78% of new households – equivalent to some 60% of all new dwellings built annually? The very people who say that even to mention this fact is to ‘blame the immigrants’ are usually Lib Dems who simultaneously oppose every new housing development locally and every restriction on migration nationally.

There is also no dispute that the UK has a chronic productivity problem. Average incomes can only grow as fast as

¹⁴ *EEA migration in the UK – Final Report*, Migration Advisory Committee, Sept 2018

productivity – output per person. Two things enable people to produce more goods and services: improved skills and increased investment per head. Yet how often is it mentioned that mass immigration systematically undermines the incentive to upskill and invest while reducing the capital stock per person?

To utter such a statement is heresy. It has become an article of faith that all immigration, particularly skilled immigration, makes us better off. It is endorsed by businesses wanting cheap skilled labour, while reluctant to undertake training – not to mention elites enjoying cheap services while feeling morally superior.

The negative impact of mass immigration is not just theory. Far fewer Brits have technical and vocational qualifications than in our major competitors. British employers were reluctant to train staff and invest as much as their competitors long before mass migration. But it has worsened since Blair opened our borders first to more non-EU labour, then all East Europeans. Training time per worker halved between 1997 and 2012. And in the six years after allowing in East Europeans, business funding for training fell 15 per cent.¹⁵

To reverse this trend our immigration policy must change our current priorities. The first option for many businesses is to recruit (cheap) skills from abroad and only train our own citizens if this option is not available. Government policy should be to reverse this. We should train British people if possible and only import skills where that is not feasible – and the bar for setting this criterion should be high. Wherever the Migration Advisory Committee find a need for importing specific skills the government should be required to plan action to train up British people in those skills.

Of course, some immigration will be essential even longer term. There are categories of skills which Brits could not acquire from their employer or college - above all ‘company-

¹⁵ *The Road to Somewhere*, David Goodhart - p163

specific skills.’ Successful companies develop their own systems of production, accounting, marketing etc. When they set up in the UK they need to send staff, at least temporarily, to implement these processes.

Tighter immigration controls designed to encourage upskilling British employees and increase investment will be met with squeals from business groups, who employ several spurious arguments.

Firstly, they say it is not economic to train British workers. When the Brexit Select Committee visited the North East it was greeted by the local councils, CBI, IoD, etc. whose main concern about Brexit was that they might no longer be able to recruit skills from the EU.

Sadly, Nissan, the largest local employer, was not present to shame them by recalling that when they set up in the 1980s there were no skilled car workers in the North East. Being Japanese, it never occurred to them to recruit from abroad. They trained local people, who were eager to learn. Now Nissan's 7,000 British employees are among the most productive car workers in the world. Had the priorities of the CBI etc. prevailed there would be 7,000 East Europeans in that plant and those Geordies would be flipping hamburgers.

Secondly, employers claim ‘there are shortages.’ Blair claimed that we needed more immigrants to fill 600,000 vacancies. Four million immigrants later there were still 600,000 vacancies – because immigrants consume the same value of goods and services as they produce, creating demand for as much labour as they provide.

Moreover, in a free market, shortages only exist where pay is held below the market clearing level. If we limit immigration where there is a domestic shortage of skills, pay would rise somewhat, increasing incentives to train, acquire skills and invest: precisely what is needed.

Thirdly, we are told that British people refuse to learn the

skills we need. The NHS card is invariably played: ‘we need foreign nurses and doctors because too few Britons are willing to do these jobs.’ This is untrue. In 2019 over 23,000 of the 53,000 British applicants for nursing courses were turned away, according to the Nursing Labour Market Review.¹⁶

Universities can take unlimited numbers for all courses from Art to Zoology — except nursing and medicine where places remain rationed (despite the switch from bursaries to loans). The NHS finds it cheaper to recruit from abroad (often from poor countries where they are desperately needed) than train more domestic applicants. Yet the Migration Advisory Committee concluded ‘There is no good reason why the supply of nurses cannot be sourced domestically.’¹⁷

Fourth, estimates of the economic impact of migration usually ignore the impact on the capital stock per person. Both our productivity and our quality of life depend on the amount of capital invested in our factories, offices, roads, hospitals, schools, houses etc. According to our national accounts that investment amounts to £150,000 per head. To equip the 4.7 million (net) immigrants since 2000 with a similar capital stock would cost £700 billion – investment we have failed to make.

Hence the housing crisis, congested infrastructure, crowded hospitals and lack of school places, all of which are visible. Hence also the inadequate investment (for the enlarged workforce) in plant, machinery, software etc, which shows up only in the productivity figures. We should not blame migrants for this but those who, for profit or political correctness, ignore simple economic truths and hard economic facts.

Nobody denies that there are benefits of some immigration, but it is a lubricant not a fuel. Like oil in your car, a certain

¹⁶ UK *Nursing Labour Market Review 2019* Royal College of Nursing

¹⁷ *Review of Nursing Migration* Migration Advisory Committee March 2016

amount is necessary to oil the wheels of the economy. But adding more oil will not make your car go faster – nor will mass migration accelerate productivity growth.

Alongside policies to reduce legal immigration it is essential to tackle illegal immigration. Estimates put the number of illegal immigrants already here between 800k and 1.2 million.

The Government must enforce existing laws and obtain from Parliament the powers to deal with this problem. British subjects understandably resent that they have to obey the law while laws against illegal immigration are either not enforced or circumvented by lawyers cynically exploiting legal loopholes. Voters are well aware that illegal migrants contribute little in tax but still use public services – a fact highlighted by the offer of COVID vaccine to those here illegally ‘free and no questions asked.’ Moreover, so long as everyone knows that once in Europe (or the UK) you are here to stay, the inexorable flow of economic migrants will continue. Conversely, once illegal immigrants are speedily returned, the message will get back that it is not worth the cost or the risk.

An eighty-seat majority government has no excuse for not tackling one of the key tasks for which the electorate gave them that majority.

Taking Politics Out of Policing

Chris Loder MP and Tom Hunt MP

Chris Loder was newly elected MP in 2019, where he succeeded Sir Oliver Letwin as the Conservative MP for West Dorset.

39, West Dorset is Chris' home where he was born in Sherborne. A fourth-generation farmers' son, he was brought up on his family's beef farm. A non-graduate, Chris left school at 18 to work for the railway where he started his 20 year career on the frontline as a train guard and then progressed to middle and senior management, including for c2c, Chiltern Railways, Deutsche Bahn and South West Trains. He was formerly Chairman of the Institution of Railway Operators and a Director of the Chartered Institute of Logistics and Transport. His policy interests are in transport, fairness for rural communities, farming and policing.

Tom Hunt was elected to Parliament in the 2019 general election to represent Ipswich. He was born and raised in Ely and throughout his early career was heavily involved in East Anglian politics. He studied Politics and Modern History at the University of Manchester before taking a Master's degree at the University of Oxford. Tom's number one reason for getting involved in politics in the first place was to advocate for pupils with Special Educational Needs and he is currently a member of the Education Select Committee. He has been vocal at a local and national level about the need to be much tougher on crime and antisocial behaviour, including clamping down on social media use in prisons, tightening up the law on pet theft, and ending the early release of serious offenders.

‘The basic mission for which the police exist is to prevent crime and disorder.’

‘The ability of the police to perform their duties is dependent upon public approval of police actions.’

‘Police seek and preserve public favour not by catering to the public opinion but by constantly demonstrating absolute impartial service to the law.’

Principles 1, 2 & 5 of Sir Robert Peel's 9 Principles of Policing

One of the core responsibilities of governing is to maintain law and order. Ensuring that people are safe and secure in their homes, protected from the actions of criminals, and seeing justice served when crimes do occur is one of the hallmarks of a democratic society in which the streets are safe and people can go about their business without fear. Therefore, it is vital that we address issues that the police face and give them our full support in solving such problems. In this chapter, we discuss how the ever-decreasing standards of what constitutes hate speech could have lasting ramifications, and what the politicisation of some parts of the police force could mean for us all.

The role of the police is fundamentally to uphold the law and prevent and solve crime. This is what the public expect, and it is what thousands of police officers across our country dedicate themselves to every day, often running towards danger when others would run away.

Over recent years however, there has been a creeping role of the force in policing public discourse. This new role has chilling implications for freedom of speech and detracts from the police's capacity to prevent and solve crime, which is what we believe the vast majority of police officers want to spend their time doing. When we criticise policing in this chapter, it is worth noting that we are not concerned with individual officers themselves – all of whom have our firm backing – but with the legal framework within which they must operate.

The Government's plans to recruit 20,000 additional police officers are welcome, but if we want more crimes prevented and solved, then this must go hand-in-hand with policy to ensure the police's priorities are the public's priorities, and that the energy and resources of our police forces are directed solely against criminals, and not members of the law-abiding public exercising their rights to free speech.

At the heart of this issue is the police's recording of 'non-crime' hate incidents, of which there were nearly 120,000 recorded between 2014 and 2019. As by definition these incidents do not

constitute a crime. All it takes for such incidents to be logged against a name is the perception by the ‘victim’ – or anyone else – that the action was motivated by hostility or prejudice towards race, religion, sexual orientation, disability or transgender identity, irrespective of whether there is any evidence to identify the ostensive hatred.

Despite these incidents being ‘non-crimes,’ and even non-evidenced, they are often not without consequence for those accused. They are formally recorded by many police forces and can show up during DBS checks when applying for work, thus ruining careers. And in certain cases, they have led to intrusive police investigations of those who have said or written something which falls below today’s ‘woke’ standards of political correctness. In the widely-reported Harry Miller case in 2019, Mr Miller had a police officer visit his place of work to ‘check his thinking’ and suggest he may face prosecution after a Twitter user complained he had made a transphobic remark.

We agree with the Judge, Mr Justice Julian Knowles, who ruled on the police investigation of Harry Miller that ‘the effect of the police turning up at his place of work because of his political opinions must not be underestimated.’ He pointed out that in this country we have never had a Cheka, a Gestapo or a Stasi. We believe that such police action brings us uncomfortably close to these historical examples of invidious secret policing.

We appreciate the move to recording non-crime hate incidents may have been motivated by the good intention of collecting intelligence about where future crimes may occur. However, as the Harry Miller case demonstrates, the system has been abused and mobilised by some as a weapon to try to silence political opponents. Even though the judge in Harry Miller’s case ruled that there was not ‘the slightest risk’ he would commit a criminal offence by continuing to tweet. His tweet in question is still recorded as a non-crime hate incident.

The attempt to use non-crime hate incidents as a political weapon has been experienced by one Common Sense Group

member when he was reported for an article he wrote on tackling crime and anti-social behaviour in his constituency, including the need to be open about how some crimes may be being committed disproportionately by individuals from certain communities. This was recorded by the police as a non-crime hate incident.

In this case, a local political activist had encouraged their followers to report him to the police.

It is unsettling that attempts can be made to silence a sitting MP in such a way for being ready to confront an issue affecting the constituency he represents. But perhaps what is yet more worrying is the reality that most people targeted in this way won't have the platform, the media coverage or the legal wherewithal to defend themselves.

It is disturbing that the police are being strong-armed into acting as the private police for political ideologues. This simply cannot happen. They are not the army of the most outraged in society, and that it is certainly not what our brave police officers signed up for.

Furthermore, despite the good intentions behind recording non-crime hate incidents following the MacPherson Report, we believe the original intention that they should be used to collect intelligence about where future crimes may occur, has been overtaken. And in fact, the recording of ever more non-crime hate incidents has increasingly become an end unto itself, losing sight of the line between an incident which may lead to a crime and people simply exercising their freedom of speech.

Part of this is evident in the way actual hate crimes and non-crime hate incidents are routinely – and in some cases, we believe, intentionally – conflated. In the case of the member of our group, for example, it subsequently came to light that the local council had produced a slide on hate crime which included a screen grab of our member's aforementioned article recorded as a non-crime hate incident.

This conflation does a disservice to those who are the victims of real hate crimes. Hate crimes are a despicable form of offence and they're not treated with the seriousness they deserve when they're tied together with non-crimes. The inclusion of non-evidenced, and often bogus, non-crime hate incidents in statistics can also lead to unsubstantiated reports of 'rises in hate,' which artificially inflate the perception of prejudice thus unnecessarily dividing communities and creating suspicion of one another without a proper evidence base.

As the *Policing Hate*¹⁸ report published by Civitas explains, there is no evidence that hate crime is increasing. The Home Office itself admits that increases in police-recorded hate crime are the result of improvements in recording and changes in what constitutes a hate crime. 'In contrast, the Crime Survey for England and Wales shows a long-term decline in hate crime, with a 38 per cent fall during the decade from 2008 to 2018.'¹⁹

The recent investigation of Darren Grimes by the Metropolitan Police for an interview with David Starkey, which he then broadcasted, also highlights the disturbing blurring of the lines between crime, non-crime, and freedom of speech. In Darren Grimes' formal complaint against the Metropolitan Police, it is noted that although the Investigating Officer was investigating an allegation of stirring up racial hatred, in an email to Grimes the officer instead refers to a comment 'which has caused offence' in the interview, and says 'it also raised a considerable amount of concern with members of the public and those in more of a prominent position in society.' In communications with Grimes, the Investigating Officer also made reference to the context in which the interview was broadcast, suggesting that 'racial tensions were high with the Black Lives Matter

¹⁸ Civitas (2020), *Policing Hate*;

<http://www.civitas.org.uk/content/files/Policing-Hate.pdf>

¹⁹ <https://www.spiked-online.com/2020/12/15/the-law-commissions-hate-crime-proposals-must-be-rejected/>

movement protesting. Their aim was to address the issues of race in modern society and called for reform.’

Instead of deferring to the law, in this case the Investigating Officer appears to be building an investigation based on political outrage and assumptions about the current political climate, including those based on a movement with highly controversial elements and goals in the form of Black Lives Matter.

The Darren Grimes case has deeply concerning implications for the freedom of the press. It should also be noted that Grimes didn’t even make the comments alleged to stir up racial hatred, but simply participated in the interview. Nevertheless, freedom of expression and belief should never be a matter for the police, and we should be on guard against those who would seek to use our police forces for political ends.

Sadly, it would appear that the Law Commission has become an enthusiastic proponent of the type of chilling hate policing featured in the above cases. Rather than taking stock and rolling back some of the most egregious conflicts with freedom of speech, the Law Commission is seeking, as per its Consultation Paper of 23rd September 2020, to expand the ways in which the State can regulate what we can and cannot say.

Among other things, the Law Commission proposes to ‘extend the application of aggravated offences, stirring up hatred, and football chanting offences’ to a wider class of characteristics not previously covered. They want to add sex or gender to the protected characteristics and to establish criteria for adding further characteristics such as age. Such a change makes no coherent sense and merely constitutes the endless division of the population into unhelpful identity groups.

Another worrying feature of the Law Commission’s consultation paper is their suggestion to remove the ‘dwelling’ exemption in the law on hate crimes which protects the right for people to speak their mind inside their homes. The original offence of using words or behaviour intended to likely incite

racial hatred in a public place has been expanded but currently still retains the exception: ‘where words or behaviour are used or written material displayed within a dwelling, provided that they cannot be seen or heard outside.’ To change this would be to invite the state into our homes to censor our private speech and regulate what families discuss. Crossing such a boundary is anathema to our very understanding of the British home and would represent an unprecedented undermining of free speech. And yet this is the direction in which the Law Commission increasingly tends. The SNP’s proposed Hate Crime Bill that suggests a number of similar legislative changes caused such overwhelming opposition that the Scottish Government was quite rightly forced to change its approach.

The focus on non-crime hate incidents and the policing of online speech is contributing to a loss of faith in policing in this country. Coupled with noticeable instances in the last year which have demonstrated that the UK is weak on damage to public and private property and other public order offences, there is a growing sense that we are spending ‘far too much time policing tweets, and not enough time policing streets,’ as Darren Grimes has put it.

Riots in the summer of 2020 in the wake of BLM agitation saw not only the toppling of a statue in Bristol while the police stood back, but more importantly, the desecration of some of our most important national monuments, including the graffitiing of heroes such as Churchill, and of the Cenotaph, the central memorial to our fallen soldiers. Dealing feebly with cases like these does a disservice to the public, the majority of whom are outraged by these acts, and signals to vandals and rioters that they can treat our streets as a playground with impunity. When our memorials are vandalised, they should not be boxed up to protect them from vandals; the vandals should be punished.

The disruption caused by Extinction Rebellion (XR) since 2018 (which has brought London to a standstill numerous times) has damaged our economy and effected the lives of millions of ordinary members of the public while they are attempting to go

about their daily business. In October and November 2018, over 6,000 people were responsible for blocking the five main bridges over the River Thames for hours, bringing the city to a halt. Large numbers of these environmental activists glued themselves to the gates of Downing Street and outside other important buildings.

These protests were escalated in 2019 which saw multiple days of rolling blockades of the most important streets in London and across the country. Once again activists glued themselves to important buildings and routes of access, including even climbing onto and gluing themselves to the tube during rush hour while people were attempting to get to their jobs.

These types of protests develop quickly, and once blocks are established, they are incredibly difficult to remove. The police need to have the requisite support, including legislation, to more effectively deal with modern protests such as these.

The question we may now wish to ask is, why? Why is it the case that protests such as these cause such disruption, yet are allowed to continue almost unchecked? Why are the police spending time creating extensive databases on who has said what, and when? Why are they adding these to people's records, even when no crime has been committed? The answer, it seems, lies in the growing woke culture of modern times which has its roots in ideas of the progressive left. The problem with it is that, despite good intentions, Wokeism has wide-ranging consequences for policing; from the narrowing of the Overton Window²⁰ resulting in a much looser definition of hate speech,

²⁰ The Overton Window is a concept named after American policy analyst, Joseph P. Overton. Its basic idea is that, at any given time, there is an understanding of what is and is not acceptable to say or propose to the mainstream population within a society: things that are acceptable fall within the Overton Window. Overton theorised that a policy's success depends on whether it falls within the window – if it does not, it is likely to be considered socially unacceptable and cannot be viable.

as discussed above, to the eventual politicisation of some parts of the police which we will now come to discuss.

On Thursday 4th June 2020, Chief Constable of Kent Police Alan Pughsley ‘took the knee’ at a Black Lives Matter protest in Gravesend. He became the first high-ranking British police officer to do so, and his actions were met with disgust and applause in almost equal measure. This event was not an independent gesture made by a socially-minded police officer, but rather the product of a culmination of events that can be traced back centuries on either side of the Atlantic. His action symbolises an increasingly left-leaning politicisation of some parts of the police which, beginning in the middle management of the force, has visibly trickled down to influence frontline officers. We will now move to discuss how this politicisation within certain parts of the police force has manifested itself in Britain, and why it is vital we maintain and enshrine in law the independence of the police force from political influences. Once again, we stress that what underlies this argument is a deep respect for Her Majesty’s Police on the part of the authors. This chapter intends to outline a growing issue and concern for the police, rather than criticise any member of the police force, and to describe a problem so that it might be better addressed, explored and debated.

The Coronavirus pandemic has had collateral effects across all aspects of society, but perhaps one of the least expected is its effect on policing. The pandemic unleashed social tensions that had been bubbling under the surface for a while amidst the new world of restrictions on personal freedoms and economic decline, resulting in a spate of protests across the country. These tensions came to fore during the summer of 2020, particularly after the death of George Floyd in Minneapolis in May, who died following his arrest. The pre-existing fear of being branded racist among the bureaucratic echelons of the police intensified with the acute resurgence of Black Lives Matter in the US and UK. This has led – often unintentionally - to political actions by

police officers that fall outside the bounds of the Constabulary's apolitical role.

Within the political sphere however, one side is certain that the police exist as an independent force, removed from politics for objectively upholding of laws and protecting the law-abiding public. The other side claim to believe the same, but their words often speak of a need for the police to demonstrate their allegiance to the people by constantly reasserting the value of 'tolerance;' they decry any use of force as 'brutality,' they condemn well-intentioned means of crime prevention as 'racist,' and they condone calls to defund the police. The trickle-down consequences of this ideological conflict are becoming unnerving; the inevitable result of the lack of cohesive support from society is a police force that does all it can to gain the trust of the public, too often resulting in them symbolically and voluntarily handing their powers of authority to the loudest cries.

As a result of the conflicting – and sometimes unfair feedback – the police receive from opposing ideologies, some gradually submit to the political values of the side which would make life most difficult in the event of non-compliance. Perhaps this sounds nicely worded to skirt around a point, but it is generally accepted that in recent years the 'side' which makes the most noise, and which is very willing to cause problems for its detractors, is the far-left.²¹ We have seen this manifest itself clearly in 2020 through police allowing groups such as Extinction Rebellion²² to ignore restrictions under the

²¹ The far-right can be equally as militant as the far-left, but the views of the far-right are (quite rightly) not socially acceptable and are held only by a minority of people who are not nearly so vocal as the far-left in mainstream public discourse.

²² Despite claims that they are politically neutral, common sense would tell anyone that they are not a conservative organisation. Civil disobedience is hardly a tactic used by the moderate right, nor is their belief that 'conventional approaches of voting, lobbying, petitions and protest have failed' shared by conservatives. Their

Coronavirus Act, whilst protests by other groups have been dispersed on the grounds that social-distancing measures were not being followed. We have seen it through forces not challenging the activities of Black Lives Matter,²³ and officers performatively showing their support for the movement in an attempt to divert the wrath of protesters away from themselves.

Extinction Rebellion and the Black Lives Matter have become central organisations in modern ‘woke’ culture, and what this has to do with British policing is multifaceted but nonetheless clearly felt. Simply put, ‘woke’ culture has manoeuvred some forces into tacit submission. In the face of people who claim to occupy the moral high ground, there is no argument to be had, and disagreement with them equates to racism or intolerance in the far-left mind. For example, there is an underlying fear of arguing against people like British activist Sasha Johnson – whose Take the Initiative Party reportedly represents both black people and the working class – who has publicly proposed radical policies such as a ‘race offenders register’ similar to a sex offenders register, and who has tweeted that white people will not be the equals of black people, but their slaves.²⁴ These

wish ‘to place power in the hands of citizens’ certainly echoes more of ‘seizing the means of production’ than it does of representative democracy, a concept they reject out of hand believing instead that ‘the electoral system has proved incapable’ on the topic of climate change. All quotes in this footnote are from Extinction Rebellion’s UK website, <https://extinctionrebellion.uk/>

²³ It is vital to understand the difference between the idea that black lives matter (which they do) and the Black Lives Matter movement (BLM) which is an inherently far-left movement. Co-founder Parris Cullors told Jared Ball of the Real News Network that ‘the first thing, I think, is that we actually do have an ideological frame. [...] We are trained Marxists. We are super-versed on, sort of, ideological theories.’ This interview can be found on YouTube.

²⁴ ‘Self-styled ‘Black Panther of Oxford’ behind BLM-inspired political party calls for ‘Holocaust-style’ reparations for all black people and a sex offenders-style ‘race offence register’ as she brands Labour MPs David Lammy and Diane Abbott ‘tokenistic,’ Daily Mail, 29th December 2020;

are statements which would shock many, but the fear of the ‘racism’ accusation is enough to silence most dissenting voices. It is prudent to be very clear about whom we are talking when arguing that ‘the police’ appear to be frightened of the brand of racism. We are not talking about the frontline police officers – the bobbies on the beat if there still is such a thing – who are the men and women we see in uniform on our streets who do the patrols, arrests and uphold of the law. Nor are we talking about the top brass, distinguished officers in leadership roles whose careers of dedicated service have put them in charge of their respective forces. Instead, we mean the middle management – the HR, the media team, those responsible for the public perception of the police ‘brand.’ It is here where the language of the MacPherson Report, in which the Metropolitan Police was found to be institutionally racist,²⁵ strikes the most terrorising blows.

The words ‘institutional racism’ are so terrifying because they attack the very foundation of policing by consent. In the same way that democratic governments govern by consent, police forces police by consent, and the point at which they lose that is when they either fall or become an oppressive force. Neither option is acceptable, and therefore the consent must somehow be maintained, arguably at all costs. In 2020, that has meant submission to hyper-political-correctness in a desperate attempt to thwart any criticism thrown in the direction of policing as an institution before it filters into the *zeitgeist* as widespread mistrust. This has been revealed by the tacit condoning of certain groups such as in the case of Superintendent Andy

<https://www.dailymail.co.uk/news/article-9085623/Leader-Black-Lives-Matter-inspired-political-party-calls-race-offenders-register.html>

²⁵ ‘We hope and believe that the average police officer and average member of the public will accept that we do not suggest that all police officers are racist and will both understand and accept the distinction we draw between overt individual racism and the pernicious and persistent institutional racism which we have described.’ – The MacPherson Report (1999) 6.46 p. 52

Bennett of Avon and Somerset Police defending, in an interview, his decision not to intervene while a statue of slave trader Edward Colston was toppled by BLM protesters whilst he took the knee.

The kneeling gesture assumed by Alan Pughsley of Kent Police originates with an American NFL player who had spent two weeks sitting during pre-game national anthems before deciding that kneeling was a more appropriate choice. Although thousands of miles from one another and despite having never met, these two men are connected by the culture of growing mistrust in the police. As the Star-Spangled Banner played across the San Francisco 49ers' Bay Area stadium on 1st September 2016, the black, 28-year-old, multi-millionaire, prized NFL quarterback Colin Kaepernick placed his right knee by the side-line to protest that young black American males were in danger in a country that was rigged to restrict their success. The irony of this was lost on many. Kneeling was supposed to subvert that which is considered appropriate conduct in Title 36, Section 301, of the United States Code while the national anthem is played: 'persons present should face the flag and stand at attention with their right hand over the heart.'²⁶ Teammate Eric Reid, who joined the kneeling Kaepernick, explained that the posture reminded him of 'a flag flown at half-mast to mark a tragedy.'²⁷ In the context of the death of George Floyd, one might question whether it is still appropriate to assume the gesture that killed him.

Why Reid and Kaepernick believed that the flag and anthem no longer warranted their respect has its origins years before. 2013 saw the first use of the #blacklivesmatter hashtag following the acquittal of George Zimmerman, a Hispanic-American man

²⁶ United States Code, Title 36, Section 301 – National Anthem; <https://www.law.cornell.edu/uscode/text/36/301>

²⁷ Eric Reid, New York Times, 25th August 2017; <https://www.nytimes.com/2017/09/25/opinion/colin-kaepernick-football-protests.html>

charged with second-degree murder and manslaughter for the fatal shooting of Trayvon Martin, a black American teenager, in February 2012. Just the fact that the racial identities of these two men were mentioned in the previous sentence hints as to how Zimmerman's motives were interpreted. Zimmerman had reported Martin to the police as 'suspicious' despite Martin doing nothing more than going to a corner shop at night, the two had an altercation, and Martin was fatally shot in the chest with Zimmerman claiming self-defence. As to the perpetrator's motives, these can be known only to him, yet out of the awful death of a 17-year-old boy by a man who, at the very least, made a horrible error of judgement, came a storm that would eventually encompass police brutality, racial profiling, and the belief in widespread institutional racism in the United States.

The reason that this storm has taken such a hold in modern American society – and later, British society – is because police brutality, racial profiling and institutional racism had all been genuine grievances in America's past which undoubtedly do continue to some extent in the modern day. The pre-existing belief underlying that, in 2012, it was not safe to be a black person in America came from the fact that before the civil rights movement of the 1960s, it often *wasn't* safe to be a black person in America. Jim Crow laws were the legacy of slavery after it was abolished in the US through the Thirteenth Amendment in 1865. These laws made it constitutional to segregate between races, to pass laws that disenfranchised non-whites ensuring they could not vote and making them ineligible to serve on juries or stand for office, to ban interracial marriages, and led to untold numbers of innocent people killed by lynching – all of which are very similar to Apartheid in South Africa. It is because of claims that a situation as bad as this still exists in various hidden forms in the United States and the Western world that Alan Pughsley of Kent Police put a knee on the grass in front of the bandstand in Gravesend in 2020. If Kaepernick was the instigation, then Pughsley was the product of how even the most tacit accusation of racism can transcend borders and filter through the ranks until society becomes saturated.

Pughsley's actions demonstrate what is true of almost all 'woke' discourse in the modern political age: all claims of perceived injustice stem, somewhere down the line, from real injustice. Slavery was, and is, inhumane, as were the Jim Crow laws and segregation. The ensuing Civil Rights movement was a tremendous achievement in righting those wrongs. However, once those very real laws were abolished, there was left a vacuum which needed to be filled with more things to fix. As a result, although racism certainly does still exist, the real racism expanded to encompass perceived racism too. Then, once the people were sufficiently educated about perceived racism, the fight turned to microaggressions, to the redefining of white supremacy to 'a descriptive and useful term to capture the all-encompassing centrality and assumed superiority of people defined and perceived as white and the practices based on this assumption',²⁸ and to accusations of institutions holding back people of colour through unconscious bias and unintended racism. The reason that these things have power in the modern age is because they all stem from a place of legitimacy, however anachronistic.

The same can be seen in almost all of the key 'woke' topics currently up for discussion. Homosexuality was illegal and gay men and women were persecuted – now people put pronouns in their email signatures. Women were denied the vote and the right to own property – now abortion is celebrated. Education was an option for the privileged few – now positive discrimination masquerades as 'blind applications' supposedly to avoid unconscious bias by hiding pieces of personal information and educational history.

The question, then, is why 'woke' has culture led to an American crisis of confidence in the British police when the UK has never had corresponding segregation laws, and why has it

²⁸ White Fragility: Why It's So Hard for White People to Talk About Racism, Robin DiAngelo (2019 : Penguin Random House), p. 28

been left to British police bureaucrats to make the policy which politicises the force? The answer to this lies in the way policing has changed in Britain even in the last fifty years. A common romanticisation of the British bobby can be found quite easily, and the ideal paints the picture of the rural copper cycling along country lanes in a black uniform and hard hat, armed only with a truncheon. He waves to those he passes because he knows them and their families, and they know him. When there is an issue, the people are at least acquainted with the man who will knock at their door with a notebook to record their grievances. His arrests are mainly of petty thieves and vandals, and much of his day is spent helping members of the community. This is an image that is perhaps close to the realities of rural policing in the early 20th century, but it no longer represents policing as it is today in the 21st. If one were to ask around, it is likely that very few people would be able to name the officers who patrol their local area, let alone be able to identify 'their' local bobby. Britain is more urbanised, more multi-cultural, more individualist than it has arguably ever been and while all of these things have their own huge advantages, the disadvantage is the steady decline of localism as a norm. London has a population close to nine million, many of whom live in flats and high-rises. From both a funding and personnel perspective it would be nigh-on impossible for police officers to have a close relationship with their communities while also fulfilling their role of preventing crime and upholding the law.

The force is then faced with a question of priorities which is quite rightly answered in favour of upholding the law. It means that, unfortunately, community relationship building done by officers on the front line must, by necessity, be deprioritised accordingly. Yet building trust remains important and the vacuum left by lack of time and resources is filled by bureaucrats tasked with gaining trust by engineering the 'brand' of the police and saying all the right words in press releases. This, as well-intentioned as it may be, is simply by no means as effective as the positive human contact that hardworking and dedicated police officers haven't the means to enact. It means

that almost all interaction that police officers have with members of their community is fated to be as part of their enforcement roles: arrests, crowd control, riot policing, custody, stop and search. For the member of the public on the receiving end, this is bound to be negative contact. Strategic decisions, such as about frequent changes in stop and search policy, are not made by police officers on the beat with experience of these communities, but by middle management who see only statistics. For communities who only interact with police officers when they are taking their friends and family away from them, the press release from a force's public relations team announcing that police officers are working closely with community wardens to help protect everyone means absolutely nothing.²⁹

This major hit to confidence in the police – which is essentially the entire reason that the middle management are so willing to concede to any criticism – is not the fault of the officers on the front line or at the top who continue to do their level best by their communities. As noted, they are unable due to lack of time and resources to spend any meaningful time chatting with the public on the street or helping elderly people cross the road. The inability to do such things as this means that there is little personal evidence to stand up against criticisms levelled at the police in the media or by those who feel aggrieved. For example, a young person who is unnecessarily stopped and searched, and feels offended that such a thing happened to them, may tell a journalist who knows that negative stories sell more papers and so writes a piece about endemic racial profiling in the police's stop and search policy. If there is no countering story from someone who had recently been helped by a police officer that they trusted, one side of the story begins

²⁹ 'Met officers working with community wardens to keep Southwark citizens safe,' Metropolitan Police press release, 29th December 2020; <https://news.met.police.uk/news/met-officers-working-with-community-wardens-to-keep-southwark-citizens-safe-418307>

to prevail and thus it appears that solely negative events are occurring. This goes back to the point above that few in society know the officers that serve their communities and thus it becomes difficult to humanise the police force. With little personal interaction on the part of an individual with officers of the law, the public have no reason to believe reports are untrue and thus trust begins to be chipped away.

Of course, this is somewhat of an oversimplification; it can be assumed that the majority of people have a level of understanding that there is a difference between individual police officers and the institution that is 'the police,' but over time with limited personal experience it is easy to see how the general public becomes further and further removed from the people who keep them safe. As with everything, the truth is often obscured by perception and it is with perception that the police are currently battling.

So how and why has this manifested itself in the United Kingdom? The reality is that we do have an excellent police force made up of dedicated individuals, the vast majority of whom entered policing for all the right reasons and who work consistently to do the right thing by the people they serve. Our police officers are highly trained, supported by world-class intelligence agencies and, in comparison to many other countries around the world, are known to be non-aggressive and fair-handed in their dealing with criminals and civilians alike. As a whole, our justice system is considered one of the very best in the world. And yet, the police have become the institution most easy to criticise; that is why we are seeing quasi-political statements and actions from police, such as Alan Pughsley taking the knee.

An institution easy to criticise is an institution that tries all it can to rebut that criticism. When it is left to the middle management to build and maintain trust, and by extension consent, this can only be done remotely through press releases, compulsory training for officers so that PR can prove the efforts

being made, and the development of the brand which is all based only on perceptions versus realities. These actions are tremendously superficial and convince no one. Informing efforts from afar can only be done via attempting to gauge a sense of public feeling and, as with everything, it is usually the voices of minority opinions that are the loudest which is then conflated with ‘most widespread.’ The opinions of the majority are considered just that – of the majority, not requiring discussion, and thus rarely heard. The majority opinion that the police are there to prevent crime and enforce the law is taken for granted and therefore gets buried under the shouting demands that actually, what the police should be spending their time on is social justice awareness and diversity training. Therefore, the head of PR at force headquarters reacts to that by which they are most lambasted: namely, the false idea that people don’t trust the police because the police are institutionally racist, and therefore all possible measures must be taken to somehow demonstrate that this is not the case.

The problem is that these measures can only ever be performative. Taking the knee for a photo to show demonstrators that it’s ‘not all police,’ or turning a blind eye to certain protests while dispersing others are not measures that genuinely change hearts and minds. Protesting is an issue that has become most apparent during the Coronavirus pandemic, a period during which the police have more tools at their disposal to disperse protests – through the Coronavirus Act – than they usually do. The threshold to be met in order to hold a legal protest is higher under the public health regulations than in normal times, so it follows that fewer protests should take place. Yet quite the opposite happened: the pandemic essentially enclosed people in their own homes and the social tensions that exist always at a low level bubbled over in the form of intensive and protracted protests.

Protests hold a special status under the Coronavirus Act which means that they can still legally take place during the pandemic and this status is indeed necessary to ensure the rights protected

by the European Convention on Human Rights. The issue relevant to our argument is not that protests have taken place, but rather that some seem to have been allowed when others have not, despite all being required to meet the same standard. This is despite suggestions that such large-scale protests from groups such as XR have arguably increased the risk of Covid-19 community transmission. As we have already mentioned, Extinction Rebellion staged demonstrations relentlessly over the summer of 2020 and, while the group may well plan for peaceful protest, their tactics are intentionally disruptive to the community. They have blocked roads, blockaded printing presses, locked themselves to railings, and instituted the practice of ‘going floppy’³⁰ when arrested. For their disruptive practices, the Metropolitan Police did impose conditions on Extinction Rebellion’s ‘Lightship Greta’ being marched into central London on the grounds that ‘the procession may result in serious disruption to the life of the community.’³¹ However, reading the imposition document one gets the sense that only disruption above XR’s usual level was enough to provoke police action, even if the baseline level is high regardless. The document states that it does not indicate whether the gathering had been authorised under the Coronavirus Act, and it is clear that while many XR protesters do tend to wear masks this is nothing but a superficial demonstration of adherence to the public health regulations which are undermined by otherwise close contact between demonstrators.

The organisers of the London Extinction Rebellion protests may well have submitted risk assessments, the protestors may indeed have been wearing masks, but it is clear from the many images that can be found online that protestors sitting in the

³⁰ This practice constitutes going completely limp, and thus becoming heavy, when police attempt to remove a protester from the scene. When this occurs, removing a person requires far more officers than it would to arrest someone normally.

³¹ Notice Under Section 12(3) Public Order Act 1986, <https://news.met.police.uk/documents/xr-conditions-september-4-99619>

roads are not socially-distanced, nor are those who have locked themselves together in an attempt to stop police from removing them. While the Metropolitan Police reports that they arrested 681 Extinction Rebellion protestors – seemingly suggestive of large-scale disorder – the protests continued to happen over a protracted period. Anti-lockdown protests, on the other hand, were dispersed far more quickly than Extinction Rebellion protests, such as those on Trafalgar Square on 26th September and 24th October 2020. For the September protest, an extensive risk assessment³² for mitigating COVID-19 infection risk was submitted to the Metropolitan Police which was unfortunately undermined by demonstrators at these events blatantly not following social-distancing or mask-wearing measures, resulting in their dispersal. Protestors at XR protests seem only to have got away with the same violations by breaking the rules more discreetly, and any risk assessments for their events have not been released to the public.

The truth of the matter is that the blowback the Met could have faced for banning highly disruptive and non-socially distanced Extinction Rebellion marches was much more severe than for dispersing lockdown protests. The police (and indeed everybody else) know that the kind of person who attends an XR rally is far more likely to vocally claim their moral high ground, and the media far more likely to suggest the police have done wrong, than someone who attends a protest by a less prominent group. This is one of the aspects of woke culture which is very difficult to prove and yet is widely understood to be true – and that is the issue with which police are forced to contend.

When the police are faced with situations which common sense screams are disruptive, undignified and risking public order, yet those organising the situations argue on technicalities that the police have no power to stop them, very little can be done.

³² Covid 19 Version 3 Risk Assessment for Trafalgar Square Political Rally – 26.09.2020, Metropolitan Police

When this is coupled with a loud minority who feel they have the moral high ground to go after the police if any action is taken, it results in force bureaucrats who are unwilling to deliberately put themselves in the line of woke fire. This is precisely how politicisation happens. It means that some forces often feel forced into navigating the political tightrope that should be the responsibility of Government and politicians. It has little to do with any real political belief and is instead the result of trying to avoid being lambasted by any political side. Since, as said, all of Wokeism stems from a place of legitimacy somewhere down the line, it is very difficult to suggest that its demonstrations shouldn't occur, especially since they are often coupled with the argument that it is necessary to be disruptive when the topic is so important. Of course, the issue often lies with who the topic is important *to* and very rarely what it *is*. This means that well-intentioned 'Wokeism' actually detracts from fighting crime, creating situations in which some police forces are wary of provoking upset, and thus become inadvertently less rigorous in upholding the law.

This is precisely what was also seen with the BLM protests that caused officers to take the knee publicly and make unnecessary open statements on their condemnation of racism. BLM demonstrators often openly argue that since the issue is so severe, any and all action is justified to stop racism and police brutality and anyone who gets in their way must surely be disagreeing with the cause, rather than disagreeing with the way it is being demonstrated. This traps the police, who become the targets if they attempt to uphold the law as the demonstrators and far-left media claim that they are upholding intolerance instead. Since it is entirely human to do what is necessary to keep oneself and one's friends and colleagues out of danger, it becomes much simpler to just capitulate than to further stimulate the ire of large, and potentially dangerous, crowds. Paradoxically, political statements are made to avoid looking political and this achieves nothing but the creation of divisions.

It is absolutely vital that we create an environment where the police feel supported in acting apolitically, because any political action is simply a symptom of lack of support. Front line police officers are not supported in their actions by the police bureaucrats who go out of their way to convince the public that forces are tolerant and fair, which consolidates the left-wing argument that the police have not been tolerant and fair in the past. Fear of conduct investigations means officers are wary of acting according to their instincts, and there are too many people willing to file reports in an effort to discredit arresting officers in order to take the heat off their own wrongdoing. The bureaucrats allow unnecessary investigations to go ahead so that they can claim all relevant steps have been taken before bowing down to the ideologies attacking them to the detriment of their own frontline force. What we are left with is a police force that fears upsetting anyone which, in a role that involves arrests and stopping people from doing what they feel like doing at any given moment, can never be avoided completely.

If we cannot ensure that frontline officers are protected and supported by their own, we will continue to see political statements made by officers who fear retribution in the court of public opinion. The police must be accountable only to the Government and Parliament, and there is no room in a society that values law and order for certain views to dictate how the police uphold the law, and certainly no room for a middle management so willing to throw their own under the bus in order to build a brand. We are doomed to damage the public's faith in the police if the force is allowed to become political, because the only possible result is that neither side will feel that the police represent them or will protect them. Consent, which is absolutely vital, will be lost. We must do all that we can to protect the independence and apolitical role of the police, allowing them to uphold the law without fear of retribution, and challenge it wherever we find anything to the contrary. Wokeism has no place in this structure, and without resounding support from every level of the police and a willingness to

protect frontline officers from attrition by opinion, the shrieking minority will always win to the detriment of us all.

A just, fair, and committed police force, such that we have in the United Kingdom, is something we must never take for granted, and we must always protect it. There are many countries around the world which could only dream of the high standards of policing that we enjoy. We must not use legislation to tie the hands of police, forcing them to investigate our speech instead of focusing on serious crimes, and we must ensure that they have the backing of all of us to allow them to continue – apolitically – upholding the law.

Recommendations

Hate Crime

The use of non-crime hate incidents as a tool to target political opponents has been facilitated in large part by the College of Policing's Hate Crime Operational Guidance (HCOG). This national guidance for police forces: a) contributes to the conflation of non-crime hate incidents with hate crimes, including by referring to complainants as victims despite no conviction taking place; b) states that a complainant/victim does not have to justify or provide evidence for the purposes of reporting a non-crime hate incident; c) facilitates the creeping role of the police in policing public discourse by defining 'hate' to include 'dislike,' 'resentment' and 'unfriendliness,' and by expanding the list of protected characteristics beyond those in legislation; d) ties the police's hands to pursue public priorities by making the recording of hate crimes mandatory with no option for the police to dismiss a claim; e) increases the appeal to some of using reports for non-crime hate incidents as a political weapon by advising officers to make direct contact with the person reported.

The College of Policing guidance does ask officers to bear in mind that 'there may be an overlap between a perceived non-crime hate incident and the legitimate exercise of rights and

freedoms conferred by the Human Rights Act 1998.’ However, telling police officers to simply be aware of free speech is not useful and puts officers in a difficult and ambiguous position. As long as complainants are referred to as ‘victims,’ and so long as the recording of hate incidents is mandatory while complainants are not required to provide evidence, it will be impossible for officers to do their job properly in pursuing the public interest.

The HCOG in its current form must be jettisoned and the College of Policing must be subject to far greater public scrutiny.

Nevertheless, changing the police guidance does not go far enough. The Crown Prosecution Service (CPS) is bringing cases with these facts to the courts time and again to try people for actual hate crimes. No doubt this is because the law is still unclear in this area. When the law on ‘broadcasting’ was set out in Section 22 of the Public Order Act, it is almost certain that Mrs Thatcher’s government did not have in mind that the offence of stirring up hatred in this way would apply to people making crude jokes on Twitter. However, as media changes and our perception of the public sphere is altered it seems that the CPS has approached these cases overzealously.

One significant problem is that the CPS is actively encouraged to find and flag cases which might be identified as homophobic or racist, for example. The guidance issued by the CPS states that ‘It is best practice to flag as soon as possible in order to ensure the correct support is made available to the victim and facilitate a proactive investigation of the evidence.’ The definitions they have agreed with the National Police Chiefs’ Council to identify incidents or crimes involving an ‘element of hostility’ on the grounds of a protected characteristic is as follows:

‘Any incident/criminal offence which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice based on a person’s [insert characteristic].’

These incidents/crimes are focussed on perception and the CPS, in its drive to impress the public, is reinforcing belief from the off rather than first seeking to prove the case. Of course, the CPS does have to be able to provide evidence of such hostility to pursue a trial, however 'It is not CPS policy to remove a flag in the absence of sufficient evidence to support a sentence uplift.' They once again reaffirm that the reason for this is to 'reflect the commitment to treat hate crime seriously and to support the victim's perception and also to encourage community confidence in reporting all such offending.' As such the recording of hate incidents are a self-fulfilling prophecy. In desperately hoping to be seen by the public to be taking hate crime seriously, the police and the CPS have repositioned their role to be the reinforcers of public perception rather than the investigators of truth. It seems very strange for the goal of law enforcement to be to 'support the victim's [the complainant's] perception.'

Investigations and the recording of crimes should at all times be evidence led. To this end, we once again recommend that the police and the CPS drop the misleading term 'victim' for those who have been unable to prove hostility as a result of a protected characteristic, as well as ceasing to record non-crime perceived 'hate incidents' altogether.

It should be reaffirmed we do not have a political police force in this country. And that the police must uphold the law. It does not aid public perception of impartiality for the police to be seen to be responding differently according to different types of fashionable outrage. Clearly the sentiment expressed by the officer in the Darren Grimes case, in which he was warned for talking about sensitive issues of the day such as BLM, is inappropriate. A firm restatement of the police force's political impartiality would aid officers by reminding them of their duty to protect the public and apply the law. This is also not helped by the police force actively subscribing to political organisations. One such example is the thousands of pounds spent each year on Stonewall subscriptions and rainbow badges across the country. The Metropolitan Police have spent around

£12,500 on Stonewall since 2017 and Leicestershire police have spent around £10,000 between 2010 and 2019. This is the case across the country, and yet ironically one of the forces most involved with Stonewall was asked not to attend a Gay Pride event by organisers affiliated with BLM. While this is all no doubt conducted in good faith, being aligned with political organisations blurs the boundary between policing and activism, unfairly sending mixed messages to officers about their role. Affiliations such as these should be discouraged, and political impartiality reaffirmed.

Public Order

In order to ensure that the police have all the support they need to deal firmly with protests which get out of hand and turn violent, we propose that the law should be changed.

The current Public Order Act 1986 is over 30 years old now and is overdue for revision. It does not give police the right powers, nor is there sufficient deterrent from continuing serious disruption.

Sections 12 and 14 of the Public Order Act 1986 (dealing with public processions and assemblies respectively) provide that where the senior police officer deems, having regard to time, place and circumstance in which a public procession or assembly is held, that it may result in serious public disorder 'he may give directions imposing on the persons organising or taking part... such conditions' that he regards are necessary to prevent such disorder. However, the conditions that can be imposed when dealing with processions as opposed to assemblies are inconsistent. Police officers can set the place and the maximum duration and number of persons attending an assembly to avoid disorder, whereas for a procession they have a much wider scope to deal with protests by doing what is deemed necessary to prevent disorder. It is our view that the inconsistency in the conditions available to the police for dealing with protests be rectified and expanded such that they are able to have much more control should the protests deteriorate into intimidation and criminal damage.

Furthermore, the Public Order Act 1986 should be amended to lower the threshold from ‘serious’ before conditions can be imposed. This threshold for disruption is set too high and does not appreciate that the situation on the ground can deteriorate rapidly. An amendment of the wording of the Act to redefine the threshold in terms of proportionality of disruption would allow the police to act more quickly to prevent disproportionate disruption to the life of the community.

Public nuisance, currently dealt with in common law, should be a statutory offence as recommended by the Law Commission in June 2015. It should cover any conduct which endangers the life, health, property or comfort of a section of the public, or obstructs them in the exercise of their rights. This would be particularly helpful to the police in scenarios where they have previously had to rely on arrest for ‘Breach of the Peace’ – a common law power that is not a crime, not recordable, and once the breach has ceased and there is no immediate likelihood of it occurring, then the prisoner must be released.

We also believe that an offence should be created for ‘deploying lock-ons.’ The significant disruption caused by ‘lock-ons’ during protests by XR in particular, and the difficulty of removing them safely and swiftly, brought London to a standstill in 2019 and early 2020. The offence should encompass lock-ons, including the use of glue or other methods of attaching oneself or an item to something, with a view to impeding the police or prolonging a protest.

Furthermore, the law on protest organisers’ responsibilities should be tightened in line with how it applies for event management. Protest organisers should be mandated to provide a protest plan as event organisers now have to, where their plan is approved by the police.

Our police forces do want to protect our streets and prevent the disruption caused to the public by protests which get out of control and at times turn violent. It is only right that the officers who put their lives on the line every day to protect the public are given the instruments necessary to ensure that they can do

their jobs safely and efficiently. The recommendations made above will enable them to do that.

Reasserting the central role of the police in keeping our streets safe will restore the confidence of the public and will benefit police officers by reminding them of why they are doing the job. The police should not be made to waste their time mediating petty arguments between adults on Twitter or Facebook, unless there is real threat of danger involved. Rather, the government should seek to put more police on the streets while giving them the powers that they need to effectively and safely maintain order in 2021. This will require changes to the guidance on hate crimes, the abandonment of a policy to record all accusations of hate against a person's name, and amendments to the dated Public Order Act 1986 which would allow police to deal swiftly with disorder, disruption and vandalism.

Blurring the Lines Between State and Independent Education

Andrew Lewer MBE MP

Andrew Lewer is the Member of Parliament for Northampton South. He is the only serving MP who has also been an MEP and a Council Leader, having led Derbyshire County Council 2009-13 and been MEP for the East Midlands 2014-17. He serves on the Housing, Communities and Local Government Select Committee of the Commons and is Chairman of seven All Party Parliamentary Groups, including those for Publishing and for Independent Education. As an MEP he was the European Conservative and Reformists (ECR) Group Co-ordinator for both the Culture and Education and the Regional Development Committees. He served for nine years as a Governor of the University of Derby. Andrew has been Deputy Chairman and then Vice-President of the Local Government Association since 2011 and is an honorary Alderman of the county of Derbyshire. He received his MBE in 2014.

An Ed Miliband reference at the beginning of an article by a Conservative MP about independent schools may seem unconventional, but what he said as Labour Leader about the ‘squeezed middle’ resonated with the electorate and highlights a challenge for the Conservative Party that continues to this day. As a party of low tax, it is – to say the least – problematic that we have the highest sustained tax burden as a percentage of GDP for seventy years at 34.2%. This after eleven years of Conservative led Government and where Conservative led Governments have been in power for nearly 2/3rds of the time since 1951.

The squeezed middle manifests itself in other ways than just tax, such as in planning. Here ostensibly welcome requirements for affordable housing on new developments adds costs onto the full market price for the rest of the houses, with those who were just about able to afford one therefore priced out.

Without support from Government (and certainly for those schools lacking historic endowments) the potential for the ‘squeezed middle’ problem occurs again when it comes to independent school bursaries. The life-changing opportunities for children from low income backgrounds provided via bursaries is, of course, welcome. Every independent school I know is proud to offer them. However, the risk is run of fees rising to cover bursaries with pressure then put upon those who have worked hard to just about manage to afford to pay them: Often forsaking foreign holidays and new cars or taking on second or even third jobs to be able to do so. Of course, many schools are expert at fund-raising to cover bursaries, rather than using a levy on fees, and there are some deeply inspiring examples of this in John Claughton’s book, *Transforming Young Lives: Fundraising for Bursaries*. I have no doubt that most independent schools would continue to fund-raise for bursaries, even if Government support was forthcoming. Therefore, still more numerous opportunities would be able to be provided. At the moment, though, in the words of Barnaby Lenon, Chairman of the Independent Schools Council: ‘... parents are in effect paying three times – they pay for their own child, then they pay through their school fees for a bursary child, and then through income tax they pay for someone else’s child to go to a state school.’

Presently, the Department for Education seems to regard as anathema the idea that if an independent school provides a full bursary to a child then the state should also put in the c.£6,200 it saves by not having to put that child through a state school. That attitude from Government should be worked on and changed, because co-funding bursaries is a good idea and has worked in the past. (Even a contribution from the state of a lesser amount than £6,200 would be a start and at that stage would be saving the state money, rather than merely not costing it more). Such a scheme would in effect be doing what Direct Grant Schools were doing from 1945 to 1976 and Assisted Places did from 1980 to 1997.

The concept is sometimes dismissed as ‘vouchers’ as if that was dismissal enough. But what is wrong with ‘vouchers?’ Or, to use different language, the empowerment of parents and the enhancement of school choice by giving every parent the right to decide to which (inspected and appropriate) school the money available for their child’s education goes to? Untested and risky? Would only happen in some unregulated free-for-all society on the fringes of western life? Not so! The Dutch have run their school system this way since, wait for it, 1917! There, something like 70% of schools are independent and the country’s fine PISA scores (the international measurement of quality of learning) attest to its success. Sweden, Denmark, and Flemish Belgium also operate in a similar way and indeed the OECD themselves report that: ‘... school choice is an increasingly common feature of OECD education systems.’

What about those children ‘left behind?’ How is a Government supported bursary system fair to them? Because well run independent schools raise educational achievement even for those not attending them: by providing a comparator, by taking pupil place pressure off the state school system and by allowing for the development of mutually beneficial state / independent school partnerships. (90% of Independent Schools Council and 99% of Headmaster’s Conference (HMC) schools are part of such partnerships and numerous research exercises demonstrate the benefits to all those involved).

As making progress on Government co-funded bursaries may prove to be a ‘slow burn’ – let alone ‘going Dutch’ – where else might further progress be made in independent schools working with Government to achieve positive outcomes not only for the children already being educated by them but into wider society?

Boarding school places for certain looked after, and on the edge of being looked after, children (‘looked after’ children are those formerly referred to as being ‘in care’) can provide life-changing opportunities. Local authorities should be given

more freedom to explore this option further, with the high cost and low outcomes of more predictable and unadventurous ways of trying to ‘look after the looked after’ as the counterpoint. As a former County Council Leader, I do not under-estimate the challenges around looked after children, the good intentions of the vast majority of those working in Children’s Services or the need to choose carefully who to offer this opportunity to: but when it works, it can work spectacularly well. The testimonies of some of those who have had the experience that can be seen in the publications of the national exemplar in this field, Royal SpringBoard – <https://www.royalspringboard.org.uk> – a charity which undoubtedly has the appetite to expand the work they do. The Department for Education has started to make some positive moves in this direction with the recently announced expansion of its co-funding work with Royal SpringBoard and local authorities to cover some day school placements too, but further and faster – and decentralised - progress can and should be made.

Throughout the COVID crisis independent schools have demonstrated their value to wider society by making their facilities available for a whole range of support services, including providing dormitories for NHS staff, making masks and visors, donating laptops and with mentoring support for partner state schools. This last type of work – those in independent education, teachers and pupils, mentoring and supporting the learning development of children from other schools - has the potential to not only continue as schools return, but to become part of the fabric woven into the nation’s educational tapestry. We all know the mental health problems and educational attainment shortfalls that will result from the COVID crisis and the resulting absence from a structured school environment. We know these problems will fall disproportionately upon those young people who need that structure more than anyone else and have the most to lose. To help tackle this, the Government has announced its National Tutoring and Get Help with Technology programmes, but so

far not sought to engage the independent sectors as fully as it should. Independent schools are eager, desperate almost, to do more in this area and to help with possibly the most meaningful kind of 'levelling up' there can be. This has not been seized upon as eagerly as I believe it should have been by the state sector. Whether that is ideological in some quarters – unions and educational theorists – or bureaucratic in others – the rather distant nature of Regional School Commissioners and the Department for Education in Whitehall – matters less than the need for it to be overcome. The Schools Together Group - which is currently developing into the new School Partnerships Alliance (SPA) - is an ideal vehicle for this; it just needs the Department for Education to embrace the offer.

The independent school network in our country is an asset. It is an asset that is valued by others certainly but one which we should value more ourselves. (The large number of private schools now owned by the Chinese attests to how valued an asset it is, but this creates very serious problems of its own: home grown support could help fend off these challenging acquisitions.) A blurring of the lines between state and independent education provision. A democratisation of access to excellence. A recognition that aspiration exists across all income levels. All these help us provide a bright future for our children. All could - and should - come through support and enthusiasm for what a broader independent sector could provide and thus not at the expense of 'the squeezed middle.'

Importance of Apprenticeships and Technical Education

Joy Morrissey MP

Joy Morrissey was elected the Member of Parliament for Beaconsfield during the 2019 general election. Early in 2020 Joy was appointed as Parliamentary Private Secretary to the Foreign, Commonwealth and Development Office. In addition, Joy is a UK delegate to the Council of Europe. Since her election Joy has focused on raising the profile of Beaconsfield in Parliament and ensuring that the constituency gets the attention it deserves from the Government in London. For the first time in 22 years, Joy has set up a permanent constituency office for the MP, keeping her work closer to her constituents.

Education has long been recognised as one of the most important areas of Government policy. Budgets have increased significantly in recent decades and there has been a strong drive to open up education and make it as accessible as possible. For many years this was concentrated on increasing the number of students going to university, with all of the support and opportunity that entails. However, more recently, there has been a much-needed drive to recognise and promote apprenticeships and technical education.

We all know that the Covid-19 pandemic has had a significant and damaging impact on our ability to provide education over the last year. There has been a great deal of variance in the provision different schools have been able to provide, leading many to fear a broadening of the attainment gap and many years of work ahead to ensure our children are back on the path of getting the best education we can provide. The starting point for this must be to get our schools back open as soon as we possibly can.

As we get our education system back into gear, coming out of the pandemic, later this year, we have a real opportunity to take a careful look at how we build back better in the

education system. This seems like a perfect time, as we realign after this disruption, to look at really promoting and integrating apprenticeships and technical education into the core pathways for educating our children. Making these options more widely available and critically, treating them in full parity with the option of a university education.

Apprenticeships in particular are the strongest pathway to secure employment after school. The mixture of academic and on the job learning provides an insight into work life and the skills needed for a job in a way that can only be done after education if pursuing the university route. This kind of early integration into the workplace makes for a much easier transition from education to work and can really give a head start to young people who are keen to engage with their work. It has been really fantastic to see the expansion of apprenticeships over the last decade, but this is a moment where we could put rocket boosters under the program and focus on apprenticeships as a levelling up opportunity for young people.

As the economy of the future takes shape, there is more and more scope for jobs based on specialist technical knowledge. A strong programme of technical education will be vital to developing our economy and building in the capacity to engage with other economies across the world. It is essential that we build in this capacity at an early stage, integrating it as a strong pillar of our education system. Both specialist experiential and technical knowledge will be key to building an outward looking global Britain.

There is an inherent and easily recognisable value in these skills, which will give people great appeal to potential employers at home and abroad. This is so important if we want to make sure that jobs of the future are well paid. If we can provide our young people with this education and training early on then they will be able to enter the employment market with desirable skills. That should help us build an economy of

well-paid jobs based on employees with skills that employers need and want, immediately on their entering the job market.

Perhaps even more significantly than anything else, we have the opportunity to help create a generation of good, meaningful jobs. The feeling that what we do for a living is meaningful and impactful seems to be, more and more, a factor of consideration. Taking the skills learned of a technical education or apprenticeship and tempering it with experience can lead to the feeling of a job well done that can keep people coming to work with a smile on their face, even in challenging circumstances.

As we chart our course out of the Covid-19 storm, there are many considerations and decisions we will have to make, not all of which will be easy. As we assess the damage, we will need to decide what kind of a country we want to rebuild. We must decide if we reprioritise and refocus our efforts as we build back all areas of our lives. We have a singular opportunity within education to recast the learning that is imparted to our children, to make those decisions about what our future will look like and to open up our education system to new, dynamic, skills focussed pathways. Apprenticeships and technical education courses can and should be a part of this effort. These are the tools we can use to fill demand in our economy as it develops and create the good, meaningful and well-paid jobs that we would all want for future generations.

'Immigration and the Working Class'

Nick Fletcher MP

Nick Fletcher was born in Doncaster and attended his local comprehensive and then became an apprentice at 16. In 1994, two years after completing a Higher National Certificate in electrical engineering, he established his own business and, for 30 years, worked to ensure it became a successful medium-sized company. Having long wanted to change his area for the better, he was honoured to be elected as the first Conservative MP for Don Valley and enthusiastically works to ensure that his constituents have a strong voice in Parliament. Fletcher is a practising Christian and lives with his wife and two children in Don Valley.

Like every Member of Parliament, in the winter of 2019, I was out canvassing in one of the many towns that make up my constituency in Don Valley. These trips were often marked by a sense of disbelief and outrage about two things: Jeremy Corbyn's leadership of the Labour party and the failure of Parliament to honour the referendum result and get Brexit done. Both of these issues are telling. They illuminate what was, and is, in the mind of the average working class northern voter.

The first is that far-left politicians like Jeremy Corbyn who make up much of the Labour Party leadership are totally at odds with their traditional base. These left-wing politicians are seen, quite rightly, as despising the history and culture of the United Kingdom, and I am afraid to say that the Labour Party's silence over the desecration of our national monuments last year only proved this. Based in their north London boroughs, the 'left' of today live entirely separate lives to the ordinary working man and woman.

They are people of nowhere, who see themselves as citizens of the world, rather than belonging to a town, county or country. However, their internationalist agenda fails to recognise the importance of place, culture, and community to working class people in Don Valley and across the UK. It is for this reason,

amongst many others, that I believe Jeremy Corbyn was so universally despised in the old 'Red Wall.'

The second issue, Brexit, even better illuminated the disconnect between the working class and the left today. When one looks into this issue, it is no wonder that the red wall fell so spectacularly. Of course, people voted for Brexit for many different reasons. Yet I am in no doubt that immigration, and the vast explosion of it after 2004, made our vote to leave the European Union an inevitability.

While promoted by those on the left, the effects of mass immigration are most acutely felt by the working class. It is their streets in which the community disappears, almost overnight. It is their neighbours who suddenly change from families of four to six men living in a multi-occupancy house. It is their jobs which are threatened and their wages which are suppressed by cheap labour from abroad. Yet any mention of these concerns is dismissed as 'racist' by individuals living in their ivory towers.

Again, I most vividly saw this on the campaign trail, when a constituent of mine told me how his neighbourhood used to be filled with ordinary families and his six-year-old daughter once played with his neighbour's children. Yet after his direct neighbours left and a landlord bought the house next to him, the house's new occupants were several men from Eastern Europe who spoke no English. He was naturally concerned because he could see his community being withered away before his eyes, and his daughter no longer had friends on her street to play with. Yet he also felt it necessary to exclaim 'I'm not racist though, Nick.' This is what decades of the left's rhetoric have done. It has made those who have legitimate concerns scared of being tarnished with words which could cost them friends, a career and a future.

The enormous damage to social cohesion that mass migration has on working class communities has another primary

psychological effect – that is the feeling of a loss of control. When individuals have seen their communities go through huge social change within such a short period of time, they feel as if they live in a country where the Government has lost control. This is why the vote Leave slogan, ‘take back control’ had such resonance in 2016. Of course, this country has always rightly welcomed migrants throughout its history; from then 17th century Huguenots, to the Czech and Polish veterans who helped defend this country during the Second World War, and to the Indian refugees fleeing from Uganda in the 1970s. Yet in all of these instances, individuals knew that the number of individuals coming into the country would be limited and so social integration would be possible and social bonds would remain intact.

Despite media portrayals, working class communities do not have a hostility to foreigners. Far from it. What working class communities do want, however, is a return to stability and knowledge that their Government has control over the numbers of people coming into the country. After all, as stated already, it is their community and built environment which witnesses the effects of mass immigration most acutely. It is of the utmost importance, therefore, that their voices on this issue are heard.

This desire for certainty and control is why I believe that what the Government should strive for is an immigration cap of 100,000. Of course, this could be adjusted should there be a vital industry which requires more skilled workers, yet the principle of control would remain the constant. While we must continue to be an outward-looking country that seeks to do business worldwide, this must not have a detrimental impact on those with the least in society.

The duty to ensure this is on us Conservatives. We must preserve the social order and cohesion of communities and guarantee that such communities can continue to thrive – even in the age of globalisation. While we will always need skilled migration, this Conservative Government must guarantee that

the working class's legitimate concerns over immigration will help shape its migration policy. It must be made known to the ordinary working man and woman that their neighbourhoods and communities will not be treated as dumping grounds for anyone and everyone who wishes to come to the United Kingdom. It is also of the utmost importance that those who do come will do so in numbers which allow them to integrate. We can no longer accept the idea that immigration will inevitably create a situation whereby two different communities emerge that have their backs turned against each other.

In October last year, I spoke at the Westminster Hall debate regarding migration. During this debate, I highlighted that polling from September 2019 revealed that a mere 13 per cent of the public trust MPs to tell the truth on immigration. This is an appalling statistic, but following over a decade of mass migration, one cannot blame the public for having such an opinion. If we as Conservatives wish to restore trust between the public and our political system and maintain the 2019 electoral alliance between our party and working class communities, we must do all we can to ensure that mass migration is brought to an end, and the working class yet again feel that their Government truly has control.

Population Growth, Immigration, and “the Levelling Up” Agenda

Lord Horam of Grimsargh and Lord Hodgson of Astley Abbotts

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For the past 20 years the population of the UK has grown at an unprecedented rate. The average increase has been running at just under 1,200 a day – made up of 300 a day from the natural increase (excess of births over deaths) and 900 a day from net migration. And this is a country which is already heavily populated by European standards: England is four times as densely peopled as France.

The growth has slowed down recently because of Brexit and COVID, and the outlook for 2021 is obviously uncertain but the Office of National Statistics still predicts that the population of the UK, which reached 66.8 million in 2019, will be 72 million by 2041 – an additional 5.2 million people.

Rapid population growth affects virtually every aspect of our lives and our society. Too often it is only examined in economic terms, and even then, only by the crudest of measures (Gross Domestic Product) and assumed to be unarguably good for us all.

This is far too simplistic an approach. Total GDP is not a good yardstick for measuring overall happiness. It fails to take account of the adverse impact of rapid population growth on many of the features of life that are most important to us – decent housing, open spaces, unspoilt countryside, low pollution, good quality food, ample water supplies, ecological stability, social cohesion – to mention just some.

The impact of a further 5.2 million people on all these aspects of our daily lives is potentially very great. It is hard to imagine but 5.2 million people is more than twice the present population of Greater Manchester. This is not just the City of Manchester but all the surrounding boroughs, such as Bolton, Wigan, Oldham, Trafford etc.

This is a staggering number of people to add to our existing population. It has been estimated that to provide houses for this number would require us to tarmac over an area the size of Bedfordshire. All the algorithms in the world cannot evade this unarguable fact – more people mean more houses and more development. All algorithms do is push the problem round the plate.

‘A giant suburbia’

It is already clear that these developments will be fiercely fought and will be intensely unpopular, most of all among

some of our core supporters in the shires. It is simply not good enough to label such people as Nimbies - usually from the safe spaces of Whitehall or Camden. These people resent seeing their towns, villages and communities changed irrevocably and submerged in a sea of urban sprawl. As Boris Johnson said in an article in the Daily Telegraph in 2007: ‘do we want the South East of Britain...to resemble a giant suburbia.’

There will be further major consequences. The Environment Agency expects us to have a water shortage by the mid 2030s. Our food self-sufficiency is declining at a time when world food demand is rising rapidly, and the effort to boost our domestic food production is seriously degrading our soils.

The pressure on land has accentuated species loss. The number of farmland birds has declined by 75 per cent over the last 40 years. Similar trends are apparent in other species especially pollinators who play a crucial part in the production of two thirds of the food that we eat. A State of Nature Report has described the UK as one of the ‘most nature-depleted’ countries in the world. What price do we put on our children being able to hear a bird sing in the wild?

And then there is the impact of rapid demographic change on our society – our settled population of every creed and colour. A reduced sense of ‘belonging’ and a feeling of being ‘crowded out’ and marginalised are increasingly noted.

Mass immigration has caused severe disruption in many working class districts. The Labour and trade union activist Paul Embery describes in his book ‘Despised – Why the Modern Left Loathes the Working Class’ the effect on his home town of Dagenham. Huge population growth, fuelled by immigration, has led to great pressure on local services such as GP surgeries and schools and much disorientation in a previously settled community.

Economic damage

Despite these clear disadvantages to rapid population growth powered by immigration, support for immigration comes from business interests, such as the UK's Confederation of British Industry and the economic departments of Government such as the Treasury. Business likes to draw in well qualified and invariably cheaper foreign labour and the Treasury measures the extra income tax that they generate but rarely measure the extra costs of infrastructure spending (hospitals, schools, roads etc) that must inevitably follow. Both argue that this is good for business and therefore for the economy, and that Britain needs an open economy to thrive.

Britain does need an open economy and a certain amount of immigration – inter-company transfers, talented entrepreneurs, skills in short supply – is inevitable, has always happened and is indeed good for the economy. The problem comes with the large-scale immigration which the Blair Labour Government sanctioned. That has some bad economic consequences which overall mean that the immigration levels experienced for the last two decades have damaged the economy and will continue to do so if not better controlled.

The skills agenda

One of the biggest consequences is that giving businesses total freedom to import skills reduces their incentive to invest in the skills of the domestic workforce. This is a real problem in the UK. The education of the non-academic has never received the attention which has been showered on the university sector, and as a result we have a work force which does not always have the skills which a modern economy needs.

British employers often argue that British people are reluctant to embrace these skills, but as former Trade Secretary Lord Lilley has pointed out the Nissan factory in Sunderland belies this. There were no workers with car manufacturing skills when Nissan chose the North East of England for a new factory, but it trained local workers (and in some cases improved their general education) and it is now the most

efficient car factory in Europe.

Lower skills mean lower productivity, which in turn means lower economic growth. It is no surprise that the large-scale immigration of the last years has coincided with stagnant productivity – a problem not experienced by our rivals. In simple economic terms productivity is a function of labour and capital. Immigrants do not bring capital and therefore the capital/labour ration is reduced, which lowers growth. The higher the population growth, the lower is a country's ability to maintain assets per capita, unless you raise savings, which reduces consumption.

Growing inequality

Large scale immigration has also had an effect on wages. It is difficult to quantify this, but undoubtedly low or unskilled workers have lost out in recent years – and most experts who have examined this agree that immigration has been a factor. With ever higher rewards at the top end of the scale, both in public services and in commerce, this has exacerbated inequality. This has produced not only individual unfairness, but vast regional disparities. Within Europe Britain has both the richest and the poorest regions, with many areas feeling that they have just been left behind.

The economy may be bigger, as a result of unchecked immigration, but for many people the standard of living is lower. This has caused, and is causing, huge political resentment. In addition, in 2020 the COVID-19 pandemic struck. This has changed the employment situation dramatically for the worse, and for that reason as well as the others spelt out above, the policy needs reviewing.

Exiting the European Union means that the Government can control all aspects of immigration, and the present Government set out its plans for immigration in outline at the beginning of 2020; these were presented to Parliament in October 2020. They are a step forward, in that they end free

movement of people between the EU and Britain, but some adjustments are needed if the challenges outlined above are to be addressed.

Policy adjustment

At the time of writing, three changes should be made to the existing policy.

Firstly, all jobs should be advertised only in the UK. The Government is proposing to drop this to save paperwork for businesses. It is important to send a message of intent to business and the message should be that their first obligation, before looking abroad, is to endeavour to fill vacancies by hiring and training British workers as Nissan did. This is a crucial part of the Government's 'levelling up' agenda, and business and government need to work together here.

Secondly, the rules allow employers to bring in new young workers from abroad provided that they earn more than £20,480 p.a. This is called the 'New Entrant' route. It enables young foreign workers to compete directly with British school leavers and university students looking for jobs, at a time when the prospects for them are dire. This new entrant route should be suspended until the employment position is much better.

Thirdly, a cap should be placed on the number of skilled workers allowed into the country. At the moment there is no cap proposed under the new rules, which means that business interests, not the Government, are in control. As they say in Australia, on which the British system is modelled: 'No cap, No control.' A cap should be imposed at a generous figure which allows British business plenty of latitude and yet keeps immigration numbers under control.

The results, good or bad, of rapid population growth and immigration are multifaceted. Yet no part of government is charged with analysing and reacting to them.

One way forward would be to create an Office of Demographic Change – an independent body established along the lines of the Office for Budget Responsibility – tasked with undertaking a comprehensive transparent analysis of all aspects of demographic growth. This would reassure people that their concerns are being addressed, and so narrow the mistrust that has begun to disfigure public life in recent years.

None of these views should come as any surprise to our political leaders. Some 60 per cent of the population believe that the UK is overcrowded, over 70 per cent think that this problem should be addressed, and a clear and large majority have for many years wanted large scale immigration reduced. In discussing this with Government Ministers they indicated that they were monitoring the situation closely and would order a review if policy objectives are not fulfilled. We need a system which keeps Britain open for business, aides the development of domestic skills as part of the levelling up agenda, and brings population growth to a reasonable rate. Really – it is only common sense.

Social Conservatism – Turning the Red Wall Blue for Years to Come

Alexander Stafford MP

Alexander Stafford is the Conservative MP for Rother Valley. His election in December 2019 marked the first time the seat had been won by a non-Labour candidate since the constituency's creation in 1918. In Parliament, he champions the green recovery, having previously worked for WWF and Shell. As a member of the BEIS Select Committee, chair of the ESG APPG, vice-chair of the Hydrogen APPG, and vice-chair of the Critical Minerals APPG, he is a leading voice for the role of hydrogen, green finance, ESG, and critical minerals in Britain's drive to reach net zero and to level up left behind communities across the country.

We, as the Common Sense Group, believe that the Conservative Party has the opportunity to adopt a political philosophy which will keep the North and the Midlands blue for decades to come. A blue tide swept across the former 'Red Wall' in December 2019, fuelled by a desire for traditional British values, for economic renewal, and for an end to the out-of-touch North London and Brussels liberal elites running our country at the expense of the population. Our task now is to repay the faith that voters placed in us by levelling up across the nation. Fairness should be restored to the system, making hard work pay, and control restored to our neglected communities. We are keen to impress that this revival of social conservatism sets us apart from previous governments and offers a real, transformative alternative to the tired, old brand of politics that the electorate rejected a year ago.

The mainstream media often attributes our victory to the Red Wall constituents' desire to leave the European Union. Of course, this cannot be underestimated. The Conservative Party backed the will of the people in a way that the Labour Party simply did not. It is true that we want to take back control of our borders, money, and fisheries. We do want to sign

international trade deals with whomever we please; and we do want to repatriate law-making to Britain and free ourselves from the European Court of Justice. These aspirations certainly are in line with those of the people of our constituencies. However, we argue that Brexit is an indication of the need for a values debate – a constant erosion of the Red Wall’s culture and way of life. The vote was a clear mandate to leave the European Union but also to reject uncontested globalisation and the attitudes of distant metropolitan elites.

Similarly, the media diagnoses Jeremy Corbyn’s leadership as a key factor in our seismic election triumph, with traditional areas in the North and the Midlands regarding the Labour leader as dangerous and subversive. Indeed, there is no doubt that Jeremy Corbyn was unpatriotic, incompetent, and uninspiring. He is an avowed socialist, a critic of Israel, and a suspected friend of unsavoury groups at home and abroad. The people of the Red Wall rightly identified him as a threat to the British way of life.

However, Jeremy Corbyn was not an exception but the rule. He was a manifestation of an irreversible shift in Labour from the party of traditional communities of Britain’s coalfields, steelworks, and shipyards to the party of the privileged middle class, champagne socialists, and those with a ‘woke’ agenda. A change of leader does not necessarily mean a change in direction, and Sir Keir Starmer is more of the same. Despite his posturing as a man who can reconcile Labour’s working class roots with its cosmopolitan leftist voters, the two are diametrically opposed. When he knelt for Black Lives Matter, he made it clear that he will not risk upsetting the great majority of his current MPs by gambling on a return to traditional values in poorer communities. Under Starmer, Labour is more out of touch than ever.

Embracing the traditional values that Labour has abandoned goes to the heart of our new brand of social conservatism. As we engage with our constituents, we hear the same priorities for

voters called for over and over again. We must provide strong support for families and family life. Family as an institution is at best ignored, and at worst derided in modern society. We must control our borders so that we can protect our public services and our streets. We must give our full backing to law enforcement, and crack down on dangerous criminals. We must ensure that our armed forces have the equipment and training they need whilst serving, and the support they require once they return to civilian life, including protection from vexatious litigation. We must respect and promote British institutions such as the royal family, who have become targets of increasing hostility in left-wing circles. This social conservatism was the linchpin of our success in the 2019 election.

The tide of discontent with the state of politics had been gathering pace for some time. A ‘death by a thousand cuts’ effect has been felt by our constituents, as they witnessed spiralling crime, uncontested immigration, and untenable pressure on hospitals and schools. They rejected these effects. Our communities may be left behind economically, as evidenced by London’s insatiable absorption of investment and capital, but we are certainly not left behind when it comes to talent, work ethic, and enthusiasm for traditional values. Voters in the Red Wall linked the moral decline in urban areas with a lack of emphasis on these British values and to corrosive political correctness.

Even once proud institutions like the BBC have fallen victim to the excesses of the left. We are not anti-establishment, to the contrary, we are the defenders of the armed forces and the royal family. Rather, we oppose the left-wing agenda being adopted by our public services and the attack on our proud history and all that this entails. Our traditional views do not make us regressive or old-fashioned; we favour a proud, outward-looking Britain which is once again sovereign, and can take its place of leadership in the world.

Economically, the interesting ‘Mind the values gap³³’ report indicates that voters in the Red Wall may not have become more right-wing fiscally. How, then, can we satisfy these former Labour voters on economic issues, whilst delivering the social conservatism that they desire? Of course, we must invest heavily in our regions. The North and the Midlands have been ignored for too long, and it is this Government’s levelling up agenda which promises to bring prosperity to every corner of our United Kingdom. However, the answer is more nuanced than this, and lies in sound economic management and notions of fairness. We want to make it easier for people to realise their career aspirations and to keep more of the money that they earn.

There is a recognition in our communities of the importance of responsible management of the economy. The burden of repaying unchecked borrowing always falls on hardworking individuals, and they worry about the impact of this on their children. The Labour Party under Blair and Brown presided over a disastrous period of uncostered borrowing which voters have not forgotten. Such concerns tie in with the feeling that some people are abusing the welfare system at the expense of the taxpayer. We represent largely working class communities; good people who get up early and graft, perhaps owning small businesses. They pay their taxes and support our local economies. Their watchword is fairness, and they believe that everyone should have a fair chance at succeeding. The Labour Party does not believe in this and is viewed as a soft touch that doles out benefits willy-nilly to those who do not deserve them. Our constituents oppose funding such a system.

In contrast, the Conservative Party is the party of hard work and fairness. We have set out to make work pay, with the introduction of Universal Credit and the subsequent precipitous drop in claimants abusing the system. We recognise that work is the path to prosperity; our constituents want to see us raising

³³ <https://ukandeu.ac.uk/wp-content/uploads/2020/06/Mind-the-values-gap.pdf>

everyone up rather than pulling everyone down. It is here that we see a synthesis between our economics and our social conservatism. At the root of both, lies a commitment to equal opportunity and to fairness. If we can ensure that we do invest considerably in local areas, and commit to supporting working people, it will be sufficient to combat the quixotic public expenditure promised by successive Labour leaderships. Labour's promises of ever larger hand-outs will be firmly rejected by our constituents who deplore the costs of such fiscal recklessness. Traditional values that will make voters stay – not vanity projects such as motorway bypasses.

Once the Brexit transition period is over, the Conservative Party will be at a crossroads. We must double down on the social conservatism that voters in our constituencies expect of us. We must avoid losing our way or governing only for the Home Counties elite. Instead, by opposing unpatriotic political correctness, conserving British institutions, and reversing the diminution of our country's stature and history, we can end the culture war, and in doing so defend British values and our way of life. We must invest in our neglected areas, promote hard work and support families. We must guard against profligacy with taxpayers' money. Most importantly, we must ensure that the sovereignty regained from Brussels is used to empower our local communities and improve people's lives. If we remain true to the voters who put us in power, and stand by social conservatism, the Conservative Party will be the cornerstone of the Blue Wall for many years to come.

A Common Sense Model for Poverty

Robin Millar MP/AS

Robin Millar has been solving problems since he picked up the Rubik's cube as a child. He worked as an engineer before addressing the challenges of poverty and health inequalities as a management consultant. He is now helping North Wales, his home, recover and rebuild from the pandemic as the Member of Parliament for Aberconwy.

About 150 years ago a line was drawn by the London School Board. An innovative and ambitious institution, in 1871 it introduced a bylaw for mandatory schooling for 5 – 13 years olds, almost a decade ahead of similar national legislation. By 1890, overwhelmed by the demands of educating more than 350,000 children, it introduced a means test to identify which children qualified for educational support.

Today, the concept of a poverty 'line' is well established. Absolute poverty is 'a condition characterised by severe deprivation of basic human needs, including food, safe drinking water, sanitation facilities, health, shelter, education, and information. It depends not only on income, but also on access to services.' The International Poverty Line reflects a global absolute minimum income³⁴ required to meet these most basic needs.

Measuring poverty

The commonly used measure of poverty in the UK is a relative measure. Scottish economist and philosopher Adam Smith³⁵ argued for such a relative poverty in which 'not only the commodities which are indispensably necessary for the support of life, but whatever the custom of the country renders

³⁴ In October 2015 the IPL was set at \$1.90/day by the World Bank

³⁵ Adam Smith (1776) "An Inquiry into the Nature and Causes of the Wealth of Nations"

it indecent for creditable people, even of the lowest order, to be without.’

By this measure, set at 60% of median income, around 14 million³⁶ people in the UK were living in poverty in 2018/19. This number has remained largely unchanged since the turn of the century. Even more concerning however, is the fact that over the last 20 years, the number of people in a deep or persistent poverty has increased from 2.8 million to 4.5 million.³⁷

This number will certainly rise because of the COVID-19 pandemic. Since March 2020, the number of people claiming unemployment-related benefits has increased by 1.5 million,³⁸ but this is not uniform. Coastal communities like my own in north Wales, and economies dominated by tourism and travel, were hit first, hardest and longest by a series of lockdowns on business and travel. Today, they retain the highest numbers of new and persisting benefit claimants.

A good question to ask

Against this background, it seems an opportune moment to ask if this modelling of poverty still the right one? Does it help government despatch its duty of helping the weakest, poorest and most vulnerable in society? The old saying goes ‘We measure what we value,’ but the risk we face is that, over time, this may become ‘we value what we measure.’ Has a self-reinforcing framing of the problem narrowed our understanding of poverty, slowly closing the door on a section of our society, limiting our ability to respond and the effectiveness of our approach? Is there a better way?

Three built in flaws

³⁶ Reference?

³⁷ Measuring Poverty 2020, Social Metrics Commission

³⁸ ONS, CLA01: Claimant Count, 13 October 2020

There are several key limitations inherent within the concept of a poverty line drawn upon a financial scale.

A single dimension

The first is the problem of a single dimension or measure. In the UK, the notes in our pockets carry a statement ‘I promise to pay the bearer on demand the sum of...’ The value lies in confidence that the underwriter, the Bank of England, will honour that promise. Money, at its core, is an obligation and not one that is given lightly. It is worked for, protected, collected, invested and traded, mostly, with careful consideration, for an ever-growing range of goods and services.

But there are limits. A lack of money is measurable – but not so easily characterised or described. The authentic voice of poverty may be laden with misery, loneliness, poor health, addictions, lack of ambition, pain and more. Importantly, these are things not easily captured in a one-dimensional measure, even if it is a widely traded currency of exchange with which assistance may be sought.

A single dimension also becomes a single lens. And in the case of examining poverty, policy discussions now include housing poverty, in-work poverty, child poverty, period poverty, fuel poverty and more. These adaptations are added as we try to respond to different problems in society. There are many limitations with this, but one central observation: there is a real risk of distortion if we must only use a single lens.

A further limitation of a single dimension is the degree of insight it offers. Measures applied to a problem are intended to yield information that is useful. This might be to establish scale, cost or other quantity. They may also be qualitative – identifying the nature, cause or manifestation of a problem. Crucially they can be ‘lead’ or ‘lag,’ giving an idea of either the development of the problem or progress and effectiveness of a solution.

A single dimension cannot hope to capture all of these essential data and a simple question demonstrates this problem: does more money eradicate poverty? A one-dimensional, relative measure, such as median income, simply moves the line – it is agnostic on the solution, the cause or the progress. Every policy is a best approximation to the problem it tries to solve, but is this model too simplistic?

Thresholds

This also points to a second problem: thresholds.

The original poverty line was a doorway or threshold of entry into education. The social researcher Benjamin Rowntree in his three York Studies established a threshold ‘necessary to enable families... to secure the necessities of a healthy life,’ which considered fuel, rent, clothing, nutrition and other items.

After WWII the Beveridge Report gave birth to the modern welfare state and his five giants of post-war poverty – slums and mass unemployment – were tackled head on by the state. A cornucopia of benefits was developed and expanded rapidly over the following years. This ‘cradle to grave’ approach to welfare, reinforced by successive governments was revolutionary for Britain and a monumental undertaking which has influenced approaches around the world.

But where does government draw the line for access to these benefits? This is the inevitable question. Apart from all the other considerations raised above, one stands out: affordability. This is understandable, but carries its own weaknesses – a conditional morality in which action and the application of principles of justice, fairness and goodness are constrained by means and ability.

A one-dimensional scale perhaps carries an implicit assumption that the scale is linear and progress up or down the

scale is marked by equal steps, which can be negotiated with the same degree of effort. But is that the case? Is it as easy to progress off the bottom of that scale as it is to move on from the middle or to the top of the scale? Indeed, where are the bottom, middle and top? If the scale is a measure of money, then will the same amount of money make the same amount of difference to someone at the top, middle and bottom of the scale? Both in theory and in practice, this is just not the case.

These philosophical problems have practical real-world expression. For those in poverty, in particular those just above a threshold, their life and circumstance are not significantly different from those just below the threshold. A single unit of currency can move someone from above a threshold to below it – but it will not alter a life.

To civil servants and Treasury mandarins, in particular there is a problem of administration. For example, a decision to increase the state pension, will shift the median income slightly. At the stroke of a pen, children will have been moved into poverty as household income has dropped below a new elevated median income threshold. But has their circumstance changed? And will a government being judged on its performance in tackling poverty be tempted to focus on those closest to the threshold in order to have the biggest impact on the maximum number for the least cost? What then of those who are in the deepest poverty, furthest from help and an ‘accepted’ threshold of being in poverty

These observations highlight the impersonal nature of a threshold – to consider it personally would be to attribute cruelty or favouritism to decision making. But this also carries consequence – an impersonal decision diminishes the individual and undermines perceptions of justice and fairness. A decision without basis in merit or endeavour, leaves only disengagement or patronage. Efforts are encouraged towards gaming the system, not improving circumstance.

Ownership

This then points to a third problem: the assertion of a measure, or model imputes ownership and responsibility for outcomes.

Poverty and destitution have only in recent decades become deemed to be the responsibility of the state – a condition separate from effectiveness but intricately bound up now in politics. Previously it sat with the family, then community and the patronage of the rich (often business owners) and the church.

We are nearly eight decades on from Beveridge's report and while the reduction in poverty has been remarkable, it has come at a price. One result of ever-increasing state intervention after WWII has been an ever-increasing dependence on the State to 'fix' all issues. This has probably reached its zenith in the Government's all-encompassing response to the COVID-19 pandemic.

State intervention has also distorted markets of care, setting parts of the community against each other – or dragooning community groups into acting like pseudo public sector bodies.

An even bigger problem

However, a further problem, the biggest of all remains: poverty is still with us.

Despite all the good achieved by the welfare state, despite the growth of our economy, despite the billions – trillions – invested and the best efforts of successive governments, poverty grows unchecked. Perhaps an inevitable consequence of an inadequate measure.

The reality is that many poor children go on to become poor adults. Years of varying attempts by different colour governments to boost family income has not decreased child poverty. Frank Field has done extensive work in this area

arguing in his 2010 Foundation Years report that increasing family income isn't the silver bullet that we've been led to believe. In reality, the things that improve the life outcomes for disadvantaged children matter most in the early years and include a loving, nurturing relationship with their parent/carer, good maternal mental health, and opportunities for learning and development. These are tasks beyond the reach and therefore the responsibility of the State – only parents/carers can perform these.

In many cases poverty appears to be modelled. Behaviours, such as worklessness/ benefits dependence or single parenthood, can become ingrained within families and communities over time and associated behaviour is modelled for successive generations. This could be the end of an economy – a local factory or mine – or something as simple as disinterest in a child's education. Both can negatively impact life outcomes and reduce the chances of a child in the community moving out of poverty.

Interestingly (and reassuringly), Chinese children from poor families in England suffer no disadvantage in life outcomes. Being part of an ethnically Chinese family is sufficient to outweigh all the other disadvantages of being poor – this is likely to do with parental aspirations and attitudes. Thus, if parental attitude is the crux of the solution, or of the problem, it becomes clear that increased benefits will not help, and quite possibly exacerbate its difficulties. No policy to address poverty will work unless it involves and supports parents to raise aspirations and place importance on education and working hard.

Also worthy of note is the Marmot Review, which was published in 2010 and highlighted the shocking health inequalities between the poorest and most affluent. It showed that people living in the poorest neighbourhoods will on average die seven years earlier than those in the richest. Marmot's recommended approach to addressing these health

inequalities mirrored some of Frank Field's thinking and centred on creating the conditions for people to take control of their own lives with renewed emphasis on the role of local government, the voluntary and the private sector. In short, the baked-in limitations of a poverty line measure have had inevitable consequence. A simple, but outdated model has been stretched to its limits. It has managed poverty but offers little or no insight into the causes of poverty. It is detached from the lived experience of poverty and is struggling to cope with new challenges in a changing society. Furthermore, it has diluted personal and societal engagement, transferred ownership to the state and is consuming ever increasing resources.

Many communities are increasingly suffering the ill effects of old foes: health inequalities, educational failure, and welfare dependence. Compounding this further is the rising tide of other issues, growing in prevalence; poor mental health, new addictions, isolation and loneliness. Even the longevity secured by medical advances has failed to translate into longer lives that are also of better quality for the majority.

These problems risk engulfing our institutions and tearing apart the social fabric of our communities – every bit as much as the COVID-19 pandemic risked overwhelming our hospitals. Poverty is still very much an issue for this country.

Understanding poverty

Clearly if we are to make progress with the problem of poverty, we need to understand it better: we need an entirely different model.

Three classical discourses have dominated much of the thinking about poverty over the last century.

One attributes social exclusion and impoverishment to character traits. An argument for a 'moral underclass' of citizens driven by short term and impulsive behaviours with

no thought – or capacity to consider – the future. This model is surprisingly persistent. Do we not all want to think that good things happen to good people? Our objection is also informative – a response not to the absence of a law but rather a sense that a law that should exist is being broken.

A second discourse focuses on inequalities and favours a redistribution of power and wealth to the poor via taxation and other government interventions. The work of Beveridge and the development of the welfare state over nearly eight decades flows from this.

A third, seeks to secure a social inclusion for all and an equality of opportunity, primarily through education and employment. The work of Field, Marmot and others on social mobility reference this. Interestingly, although striking in their difference, all three discourses start with the assumption of a lack or deficit: *'To over-simplify... no money... no work... [or] no morals.'*³⁹

An environmental deficit creates a societal obligation and a moral duty follows. The default response has been to provide more money in the form of benefits – a redistribution of wealth by the state, through taxation, from the wealthy to the wanting. But while the welfare system provides a much-needed safety net for individuals and families at their lowest ebb, or for those who simply can't work due to ill health or disability, it has proved to have unintended consequences. The generosity of support provided for those who needed has been given, but created a barrier or disincentive to a return to work for those who were fit and able.

Recent developments

In the early 2000s, a shift occurred. What is the authentic voice of the poor saying about the reality of poverty? From first-hand accounts of those trapped in poverty and extensive

³⁹ Ruth Levitas, 2005.

interviews with those helping (and succeeding) in finding a way out, five pathways to poverty were identified – family breakdown, education failure, worklessness, addiction and debt (an echo of Beveridge’s five giants). Through a balance of academic research and practical politics state level interventions were developed based on proven community level solutions. One key response, Universal Credit (UC) emerged as a result. Supportive, yet less-dependence creating. It provides the essential support to an individual at their time of need, but without removing incentive to work. IT coped with the massive surge of applicants.

Interestingly, this pragmatic approach had identified something the three discourses also recognised: paid work is an important factor in tackling poverty and the personal accountability and ‘agency’ that comes with it. More recently in 2018 the Social Metrics Commission⁴⁰ published a new metric, reasserting that ‘living in poverty is about not having the resources to meet your needs.’ The metric sets aside notions of relative and absolute poverty to consider individuals circumstances (if that is possible, as data is gathered at inconsistent levels across the UK). It includes a wider range of resources such as liquid savings. It also considers specific living costs – especially housing, childcare and disability – and the experience of poverty, recognising that life is very different close to the poverty line or far below it. Finally, it recognises that a range of factors can cause and result from poverty, including health, education, relationships and especially, family.

A new model

These recent responses suggest a helpful direction of travel in charting new thinking. Poverty represents a complex interplay of different factors. The ‘poverty line’ approach, as much as it provides insight, cannot encompass this complexity. Solutions

⁴⁰ <https://bit.ly/3r7GthT>

which focus on income merely plaster over the challenge, rather than addressing the root cause.

A new model for considering poverty is set out below. Crucially it is multi-dimensional, includes qualitative and quantitative domains and re-focusses ownership on the individual.

Definition of prosperity and poverty

Consider the person who is prospering: they are safe, at peace, loved by those around, productive in what they do, living a purposeful life. Contrast the person in poverty: homeless, voiceless, friendless, feeling worthless and hopeless.

Five dimensions

These definitions are underpinned by a model comprising five perspectives – security, identity, community, productivity and destiny – which are core elements required for human thriving. These concepts are agnostic of station, culture or circumstance.

Each of these perspectives can be articulated as a personal question. Am I safe? Who am I? Who cares about me? What do I do? What happens next? The sympathy with the greatest questions of life is clear, befitting a model with universal application.

These questions create an accessibility – perhaps even an ownership and sense of responsibility – and susceptibility to agency, action and consequence. They will be familiar to every person, family, community, and grass root support networks and organisations that are an essential part of a strong community.

Taken together these perspectives offer rounded and compelling definitions of personal sufficiency and lack.

Security

Survival (am I safe?) is primal, and safety a necessary foundation for all that follows. Consider the extreme of someone who is destitute, living on the streets with no permanent shelter of any kind. In this situation, the person is vulnerable to many risks that would cause significant distress and prevent any focus outside of the immediate need for a home. And further along the spectrum, is someone who may have a physical residence, but it's not fit for purpose – or under threat due to debt. Or they are living with the threat of violence or abuse and have nowhere within that house to be safe.

Safety extends to other basic needs including healthcare, a legal framework and safe streets with quiet enjoyment of peaceful endeavour.

Identity

Everyone knows themselves (who am I?) in terms of their nationality, ethnic background, affiliations, character and values. These may be learned or revealed over time and through trial – often the product of a search for meaning and a powerful urge to belong.

This internal reference point or anchor is key to relationships, and understanding, and associations – themselves essential to belonging.

Another aspect of identity is external validation – being represented and listened to. Being heard and recognised feeds worth. However, when unheard, people can feel increasingly worthless and ignored.

Community

We all need to be nurtured and shown love (who cares for me?) and support as we grow. Relationships – principally learned through family, that 'first community.' Compromise, negotiation, functioning collaboration, cooperation, and complementing are all essential to achievement and

development. Loneliness is increasing as a modern scourge – in old age, it has been shown to shorten life expectancy by the equivalent of smoking fifteen cigarettes a day.

Family breakdown and family instability is a key contributing factor to poverty. The outcomes for children from such situations are stark (particularly children in care), and demonstrate the importance of strong, stable families. Much like the physical need for shelter, the love and support of a loving family provides a strong foundation upon which a child can explore and develop in safety.

Involvement in gangs as a way of replacing family and community ('Dying to Belong') reflects a cycle of pain, abuse and damage often repeating over multiple generations making it a way of life and increasing the chances of the individuals facing poverty.

Productivity

Work is perhaps better understood as agency. A collaboration with others that is intentional with an end in sight. It has wider definition than economic endeavour, but it carries purpose and meaning and direction.

There is unanimity now that work is the best way out of poverty – and trouble. Work is not only positive from an economic perspective, but it is good for ensuring a person has a sense of purpose and focus and feels socially connected. A role in life is important for mental health and overall wellbeing and provides a strong example to the next generation.

For many, a lack of work can be temporary and once they find new employment they recover and move out of poverty, but for others being out of work is a long-term situation caused by other issues (educational failure, addiction etc.) or even a way of life.

Destiny

The proverb states ‘Without a vision the people will perish.’ A person without hope will not look beyond their short-term interests – potentially damaging, but there is no alternative. Hope understood as consequence, motivates action.

Aspirations are often set much lower within more disadvantaged communities. In the absence of adequate role models or encouraging mentors, people can incorrectly assume that certain goals or aims are unrealistic for them, and therefore not even try.

The state response to each of these can be seen to be well intentioned, but partial. It can provide houses but not homes, healthcare not health. It can provide jobs, not purpose. It can offer opportunity, not hope. It can provide care, but not love.

Three next steps

Firstly, this is a model that needs populating, testing and development. It is offered here in that spirit, as a response and a complement to the shortcomings of existing approaches. It needs the hands of many to shape and implement it. That work has already started – building communities, health inequalities and more – is recorded elsewhere.⁴¹ But it needs testing and application.

Secondly, we must move from relief and reaction to prevention.

This is not to reject what we have learned and done, but rather the demands are growing too great, too fast; we cannot keep charging our maintenance to future generations. Frank Field and Andrew Forsey (‘Revisiting Beveridge,’ 2020) make the point well:

⁴¹ A Shared Responsibility

'While welfare should have as its main aim the relief of poverty, it must aim also to help people lift themselves free from poverty and, indeed, to prevent them becoming poor in the first place.'

Thirdly, we need to reconsider the social contract between state, individual and mediating groups.

Government can't solve poverty on its own. It can provide the essential resources to those in need during challenging times, the necessary fiscal incentives for positive life decisions and enable the right support for vulnerable families, but responsibility then lies with individuals and communities to play their part.

It has been demonstrated time and time again that local communities are better placed than the State to provide bespoke support to individuals and families in need. It is entirely appropriate for the State to delegate responsibilities to better placed, more able organisations, and such delegation is a sign of good governance.

These relationships are reciprocal in nature and underpinned by goodwill and positive intent. They are covenants, not contracts. Strengthen our communities and we will make headway in the fight against poverty and build a stronger country. Families – the 'first community' – are at the nexus of this the key to breaking generational cycles of behaviour and attitude.

Of primary importance is addressing the current dependency on the State. To do this, we need to reinvigorate the centuries old social contract between the individual and the State.

As part of this contract, the State provides the essential resources for those in need (e.g. benefits for those unable to work, healthcare to all those who are ill, schools etc.), but in return, the individual must use these resources in a positive

way and seek to play a useful role in their family, community and workplace. By way of example, this means individuals taking responsibility for their base health (i.e. eating well, exercising etc.), going to work when fit and able, paying their taxes, getting their children to school on time and helping them with their homework, and all the other things that can only be done from the home.

These changes, simply stated, but coming after years of increasing dependence on the State, will take time and effort. But we are now at another pivotal ‘post-war’ moment – a springboard for this next iteration of our United Kingdom.

Family Matters – the Case for Strengthening Families

Fiona Bruce MP and David Burrowes

Fiona Bruce has been Member of Parliament for the Congleton constituency since 2010. She practised as a Solicitor before entering Parliament, founding a community law firm in Cheshire where she lives with her husband Richard; they have two grown up sons. Fiona currently serves as the Prime Minister's Special Envoy for Freedom of Religion or Belief.

David Burrowes, former MP for Enfield Southgate, was Executive Director of the Strengthening Families Manifesto. He is a practising solicitor, Chairman of the Equity Release Council, Parliamentary Director of CCF and adviser to the PM's Special Envoy for Freedom of Religion or Belief.

Making the case for strengthening families is not the preserve of Conservatives, but it is essential to a conservative view of society. If the Government truly wants to 'level up' communities, it must make this case.

If we want to tackle future poverty and improve outcomes for children growing up in poorer areas, we have to take family policy seriously. Recent research has highlighted the collateral impact of COVID-19, we need to look beyond schools for the answer. We have to look to the home, where most children spend the vast majority of their time, and where family circumstances so greatly impact life chances.

Survey data from the Office for National Statistics (ONS) suggests the period of lockdown has had a 'negative impact' on family relationships for about 1 in 4 adults. The Department of Education's 'Children in Need' review found that 1.6 million children have been recorded as needing a social worker in the past six years and just 17% of these children go on to pass maths

and English GCSEs. The Department for Work and Pensions (DWP) has calculated that an extra adult in the household raises the chances an individual has of leaving poverty by around 25%. On average, couple families with children have a 1 in 4 chance of living in poverty, compared to lone parents where this figure is more than half.

A Strong Society needs Strong Families

These are not our words but the words of our manifesto, which continued ‘We will improve the Troubled Families programme and champion Family Hubs to serve vulnerable families with the intensive, integrated support they need to care for children – from the early years and throughout their lives’ (p.14 Conservative Party Manifesto 2019).

It is worth reminding ourselves why the Government has the strength of families at the heart of its programme for Government. It is a recognition that building a stronger society starts with the family. Families are the basic building block of society. If you fall on hard times or become seriously ill, your family is often the first port of call. Our families teach us our values, shape our identity and nurture our sense of responsibility to society. On the other hand, family breakdown exacerbates child poverty, puts a strain on housing provision and makes state provision for the elderly completely unsustainable. Families have a crucial role to play that goes beyond parental care for children. Care for older generations, as well as care for the vulnerable in our communities depends on the strength of families. We have seen all too vividly and cruelly the impact of Coronavirus on care for the extended family.

This is why family breakdown is so serious, socially, culturally and economically. We know from last year’s World Family Map conducted by the Institute for Family Studies, that the UK has one of the highest percentages of lone parents in Europe. The Centre for Social Justice has also highlighted that over a million children have no meaningful contact with their fathers,

and almost half of 15-year-olds do not live with both parents. The financial costs exceed £51 billion. The personal costs borne by each individual affected are unquantifiable, and far greater.

It is, of course, the young who pay the highest price for this disintegration of family life, with children from fractured families being twice as likely to develop behavioural problems, suffer from depression, turn to drugs or alcohol, or perform worse at school. There is also an increased chance of their living in income poverty in the future.

But it is not just children who suffer from family collapse. Divorce and separation have led to increasing estrangement between parents and their offspring, and growing loneliness among older people, such that around a quarter of a million people aged over 75 spend Christmas Day alone – even before COVID-19 restrictions.

Family breakdown is an epidemic that is causing widespread misery and impeding the life chances of millions of young people. It is a national emergency which should have the same level of concern and attention as climate change. It should warrant the reshaping of Government departments and Committees, and the attention of a Co-ordinating Cabinet Committee to pull together across Government and agencies the expertise and authority to champion families. A new generation should not be condemned to suffer the destructive effects of family breakdown.

It is within the family unit that we first learn about obligation, sacrifice, loyalty, and compassion and yes to talk the language of the left – solidarity. The family is where the common good is paramount. Outside Westminster Village, the public get it. In polling last year conducted by the Centre for Social Justice, 72% of adults believe that family breakdown is a serious problem in Britain, while 69% think it important for children to grow up living with both parents, and 64% agree that fatherlessness is a serious problem.

It is notable that these high percentages are also reflected by individuals who have themselves been impacted by family breakdown. Whilst politicians worry about moralising or stigmatising, vulnerable children are missing out on support that a happy family provides.

Championing Family to level up Communities

This Government is rightly focussing on the communities that have been left behind. It should be of no surprise that at the source of these communities' dislocation, loss of belonging, and rise in rates of both poverty and crime, is family breakdown. Many families break apart, and there are thousands of children in care, not to mention an even larger proportion of isolated adults, especially the elderly. But the experience of family breakdown is highly unequal in our society.

But working class families bear the brunt of family breakdown; they are more prone to break up than wealthier middle class families. The CSJ polling shows that a significantly greater proportion of adults from blue-collar and semi-skilled labour (27%) say they have experienced family breakdown when compared to other social groups. Their poll found 87% of mothers with children under the age of five from higher income groups were married, compared to just 24% of those in lower income groups.

A greater degree of financial security inevitably allows for more investment in the well-being of offspring and better insulates couples against pressures that often drive poorer parents apart. And all of this becomes self-perpetuating: family breakdown is a driver of poverty, whilst children raised in strong families are themselves more likely to enjoy family stability later in life.

In the Spending Review, the Chancellor has prioritised scarce resources to 'drive growth and regeneration in places in need,' with funds needing to meet the policy objective to 'Support the most disadvantaged and vulnerable to maximise

opportunity and reduce dependency, supported by high quality local services.’ We believe support to strengthen families must be central in providing the social infrastructure necessary to build back better.

Championing Family across Government

Government needs to champion the family. We must ensure that family is central to the way that Government thinks – in every department in Whitehall. Family policy does not fit neatly into a single department, and its role in tackling big societal issues such as crime, welfare dependency or social mobility will require a coordinated approach across Government. So with a Cabinet lead and Office for Family Policy, every department should develop a Family Strategy, clearly setting out what their objectives are in a single Departmental Plan, or at least include family policy in their Departmental Business Plans.

The Family Impact Assessment (AKA the ‘Family Test’) needs to be on a statutory footing, to ensure that all domestic policies will be properly examined for their impact on the family.

Finally, the Welfare Reform & Work Act 2016 should be amended to mandate the Government to make an annual statement on the progress they are making in strengthening families.

Championing Family Hubs

The commitment to Family Hubs is about strengthening families and local communities. It meets the financial challenges required to sustain Children’s Centres and other community facilities by working in partnership with the public, private and voluntary sectors, and providing integrated services for families with 0 to 19 year olds – and beyond.

Family Hubs are one-stop shops in local communities – though this can be backed up by virtual support – offering integrated support and specialist help to parents, couples and children.

This can include relationships counselling and mental health services, child care, early years health care, employment support, addiction advice, debt counselling, and more – supplementing, not supplanting vital public services and working in conjunction with charities and local businesses. Family Hubs bring together statutory and voluntary approaches to family breakdown, intergenerational poverty and poor outcomes for children.

The roll out of Family Hubs is the key priority of our manifesto pledge to help vulnerable families. A lack of readily accessible early support for families with children aged from between under one to nineteen years, who experience difficulties in their parenting, couple relationships and poor mental health threatens to undermine efforts to narrow the education attainment gap. It also fuels crises in social care services, which are faced with unremittingly high numbers of children who are ‘in need,’ on child protection plans, and coming into care.

Family Hubs developing across the UK, (such as in Newcastle, Rochdale, Doncaster, Westminster, Chelmsford and the Isle of Wight), are key to tackling social justice, which the Prime Minister has identified as his mission. The recent announcement of plans to establish a National Centre for Family Hubs is very encouraging. The quicker we identify best practice and enable Members of Parliament to champion this and promote Family Hubs in their local communities, the better. Better for: identifying families with complex needs as early as possible, no matter which service they come into contact with, better for preventing family breakdown, better for preventing children from going into care and from entering the criminal justice system, better for helping parents to gain employment and providing access to first-line mental health support to reduce referrals to higher level, more costly interventions.

Family Hubs can be used to co-locate services which involve families, like mediation and relationship counselling services for struggling or separating couples, rather than the present

conveyor belt to separation and Family Court proceedings to determine child contact and residency. Further, Local Government could locate birth registration in Family Hubs. This would provide an opportunity for early intervention relationship and parenting support at an important time for couple relationships.

Marriage Registration could also take place in Family Hubs. This could assist in signposting couples to local marriage preparation courses. We would go further and encourage local innovation to incentivise attendance at accredited marriage preparation courses through discounted weddings/registration fees.

Championing Family in Tax and Benefits System

Britain has the highest effective marginal tax rates (EMTR) on low to modest income single earner families anywhere in the developed world. A single earner couple on an average wage with two children, on tax credits and housing benefit can face an EMTR of 94%, taking home just 6 pence in the pound from every additional pound earned. Under Universal Credit this falls to 80%. The same couple on tax credits alone still faces an EMTR of 73%. This means they would only take home 27 pence from every additional pound earned. Under Universal Credit the EMTR will actually increase to 76% meaning that they only take home 24 pence in the pound, from every additional pound earned. We need to make work pay for low income families.

The UK's form of independent taxation is very individualistic and does not recognise family responsibility in any way. The consequence of this is that UK families are first taxed more than comparable. Organisation for Economic Co-operation and Development (OECD) families on average and are then compensated more than comparable OECD families on average through generous benefits. This has the effect of placing crippling EMTRs on these families, trapping them on low incomes because any increase in wage will result in the

Treasury taking large sums in the form of both income tax and the withdrawal of the generous benefits. The solution to this very serious problem is to make our tax system account for family responsibilities so that low income families are taxed less in the first instance and then need to be compensated less in the second through offsetting benefits.

The re-introduction of the Marriage Tax Allowance (MTA) was welcome, but is presently too little and risks being seen as tokenistic. Given the present fiscal challenge, the option of increasing its value is probably not realistic. A better proposal would be to target it by limiting eligibility to basic rate taxpayers with pre-school children. This would help make the option of marriage more accessible to poorer households where marriage rates are lowest, and where the presence of the positive public policy benefits of marriage (which are independent of income) for both children (especially during their crucial early years) and adults would be particularly helpful for strengthening family life. This would significantly reduce the very high effective marginal tax rates placed on many families within this bracket, helping them aspire to greater things and become stronger. It would be particularly important for families with preschool children, where it is harder for both parents to work in the context of a tax system where single earner couples face a significant tax disadvantage compared with a family in which the same amount of income is split between two working parents.

Greater attention should be given to proper take up of the MTA, which is estimated to be c.£85.1 million over 3 years. Particularly for low income families in receipt of universal credit, we recommend that their entitlement to the MTA should be automatic. Any remainder underspend of MTA could be ring-fenced to scale up relationship support or to extend the successful DWP's Reducing Parental Conflict programme.

The Government should ensure family responsibility is supported in the benefits system. The Government currently

spends £16 billion on child benefit and childcare support. We support the CSJ's policy recommendation that people who access online tax-free childcare payments could do so through an online 'Family Hub' with digital relationship and parenting support included as a pre-condition of receipt.

Let us avoid the trap of previous Governments where families remained everyone's concern but nobody's responsibility. Let us take up our responsibility as a one nation Government to fulfil our manifesto commitment to strengthen families and strengthen society.