

## REVIEW OF 2020

### HIGHLIGHTS

- Successful transition into the new COVID-19 compliance landscape, holding 8 webinars with distinguished panels
- Growth in the profile of the society, publishing papers on the contemporary policy issues of 2020, e.g., the pros and cons of the Centralised Contact Tracing App, English Votes for English Laws, and Access to Justice in the 2020s
- Growth of our reputation and position as a critical friend of the government on policy issues including critique of the Internal Markets Bill

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2020 was a busy year for the Society. It has seen the publication of ten papers on a range of important topics. We also held eight webinars, each featuring a distinguished panel, which members have enjoyed being able to attend in the absence of in person events. We thought members might like to be reminded what we have been up to and, for those who want to catch up on any item or event, links to papers and webinars are attached below.

Two things strike us reviewing our activity over the past twelve months.

The first is how prolific the Society has been on a range of issues. After several years of parliamentary gridlock where comparatively little substantial policy was taken forward, the 2019 General Election and the resulting Conservative majority led to a burst of new activity. The Society has more than kept pace. Even as the Covid-19 has dominated the headlines we have published papers and held events on topics ranging across access to justice, housing and constitutional reform, in addition to examining the Coronavirus Act 2020 and the Government's legislative response to the pandemic.

The second is how prescient this research has been at times. The concerns we raised in April about the gap between laws passed and guidance published have been hugely controversial in the months that followed. Concerns over the rule of law have only increased, both in relation to the Rule of Law and the (now withdrawn) provisions in the Internal Market Bill relating to international law.

This goes to show that the Society's role as a critical friend to the government and the wider Party has never been more important, and so we wanted to take the opportunity to thank all those who have published or otherwise contributed to research, and everyone who has attended or participated in our events. We look forward to continuing into 2021.

2021 will present new challenges. We shall commission new research. We have some papers in the pipeline and continue to react to unfolding events.



24 February 2020

### **No place for Oral Hearings in the appointment of Supreme Court Judges**

Our last 'in person' panel discussion for some time.

Lord Sandhurst QC, Oliver Sells MP and Anthony Speaight QC discussed their recent papers [PDF], arguing against the introduction of oral hearings before new Justices are appointed to the Supreme Court. It was not recorded.

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3 March 2020

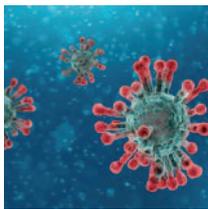
### **Access to justice in the 2020s**

Paper by Lord Sandhurst QC [PDF] which reviewed funding for civil and family proceedings and made detailed recommendations for a joined up approach to Legal Aid, Funding and Procedural Reform in the Civil and Family Courts for the new Conservative Government.

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In April and May, we had a burst of activity triggered by the Pandemic and the government's legislative response followed by the ill-fated attempt to introduce a contact tracing App which stored private information on central server.

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4, 16 & 30 April 2020

### **Pardonable in the heat of crisis – but we must urgently return to the rule of law.**

Paper by Lord Sandhurst QC and Anthony Speaight QC [PDF].

### **Pardonable in the heat of a crisis – building a solid foundation for action**

Paper by Benet Brandreth QC and Lord Sandhurst QC [PDF].

The papers were critical of the legislation introduced, and the inaccurate guidance published by ministers and called for a new legislative approach. They formed the basis for a challenging webinar...

### **Coronavirus – has the Rule of Law been overlooked?**

The panel of speakers included distinguished academics from outside the Society: Lord Sandhurst QC, Benet Brandreth QC, Ronan Cormacain, Dr Andrew Blick, Rachel Jones, Robert Craig [VIDEO].

Following this activity, Lord Sandhurst QC was invited and gave oral evidence to the Constitution Committee of the House of Lords on 18 November.

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6 & 13 May 2020

### **Contact Tracing – what Government must do to achieve take-up and secure privacy**

Paper by Lord Sandhurst QC, Benet Brandreth QC and Simon Murray (PDF).

### **The Covid 19 App – does it threaten privacy rights?**

Again, we brought in outside experts in the field which resulted in informed and stimulating webinar discussion [VIDEO]. Speakers were Professor Lillian Edwards, Dr Michael Veale, Joe Roberts, Lord Sandhurst QC, Benet Brandreth QC.

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### **Annual General Meeting 2020**

The formal webinar session was followed by a discussion with the Attorney General, Suella Braverman QC MP.

22 June 2020

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### **Virtual Social**

A successful social event by webinar for members with Conservative Party Co-Chair, Amanda Milling MP.

8 July 2020

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### **Access to justice in the 2020s**

A panel of experts discussed issues raised by Lord Sandhurst's Paper published in March [PDF].

Speakers were Alex Chalk, MP, Minister for Legal Aid, Sir James Munby (lately President of the Family Division), Sir Rupert Jackson (author of the Review of Civil Litigation Costs), Andrea Coomber (Director of Justice) and Lord Sandhurst QC [VIDEO].

16 September 2020

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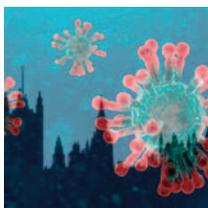
24 September 2020

### **International Law, the Withdrawal Agreement and the UK's Reputation**

A joint webinar with the Conservative Group for Europe (CGE), with Sir Bob Neill MP and former Solicitor-General Rt Hon The Lord Garnier PC QC discussing the government's introduction of the Internal Markets Bill 2020, with its (now withdrawn) proposal to include powers to depart from the Withdrawal Agreement.

(Held under Chatham House rules and as such not recorded)

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### **Westminster Parliament's Response to COVID-19 and a comparison with New Zealand, Australia and Canada**

Paper by Louis Flood, who works in the House of Commons as assistant to Chris Heaton Harris MP and was the Society's Lyell Scholar [PDF].

26 September &  
17 November 2020

This was discussed at a webinar on 17 November with William Wragg MP, Chair of the Public Administration and Constitutional Affairs Select Committee

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26 September 2020

### **Reforming the Supreme Court**

Jonathan Fisher QC's paper [PDF] responded to a document published by Policy Exchange entitled *Reforming the Supreme Court*.



14 October 2020

### **Democracy, the Courts and the Separation of Powers**

Pamela Thomas Memorial Lecture 2020 was given by Professor Adam Tomkins MSP, Shadow Cabinet Secretary for Strategy in the Scottish Parliament and one of the UK's leading voices on constitutional issues [VIDEO]



21 October 2020

### **Equality Act 2010: a proposed amendment in respect of its treatment of religion**

Paper by Dr James Peter Gould, who outlines the applicable equality law and the tensions that have arisen and then turns to the dispute surrounding available protection for religious freedom. He draws upon leading equality law cases to substantiate a potential amendment to the 2010 Act to ensure a different balance [PDF].



11 November 2020

### **English Votes for English Laws ('EVEL')**

A timely paper by Louis Flood on an important but little understood aspect of parliamentary practice. The experience of devolution and its impact on Parliament has been to raise sensitive issues about the future of the Union and how best to represent English interests within the UK Parliament at Westminster. These matters are subject to sharper interrogation as we have left the EU and the consequential return of many competencies to the devolved administrations and Westminster. Louis addresses the West Lothian question, explains the workings of 'EVEL', identifies criticisms, and proposes improvements [PDF].



25 November &  
9 December 2020

### **New opportunities = new homes?**

Simon Randall CBE, Vice-Chairman of the Society has written a well-informed and at times radical document derived from his deep insight into the public and private sectors. Among other ideas, it proposes new schemes for low-cost home ownership, portable discounts for current tenants, reforms to the funding and governance of Housing Associations and more institutional investment in rented housing through REITs [PDF].

The follow-up webinar discussed issues raised by the paper with experts in Housing. Speakers were Simon Randall, Lord Young of Cookham, Bob Blackman MP, Judith Barnes and Sarah Bool [VIDEO].

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