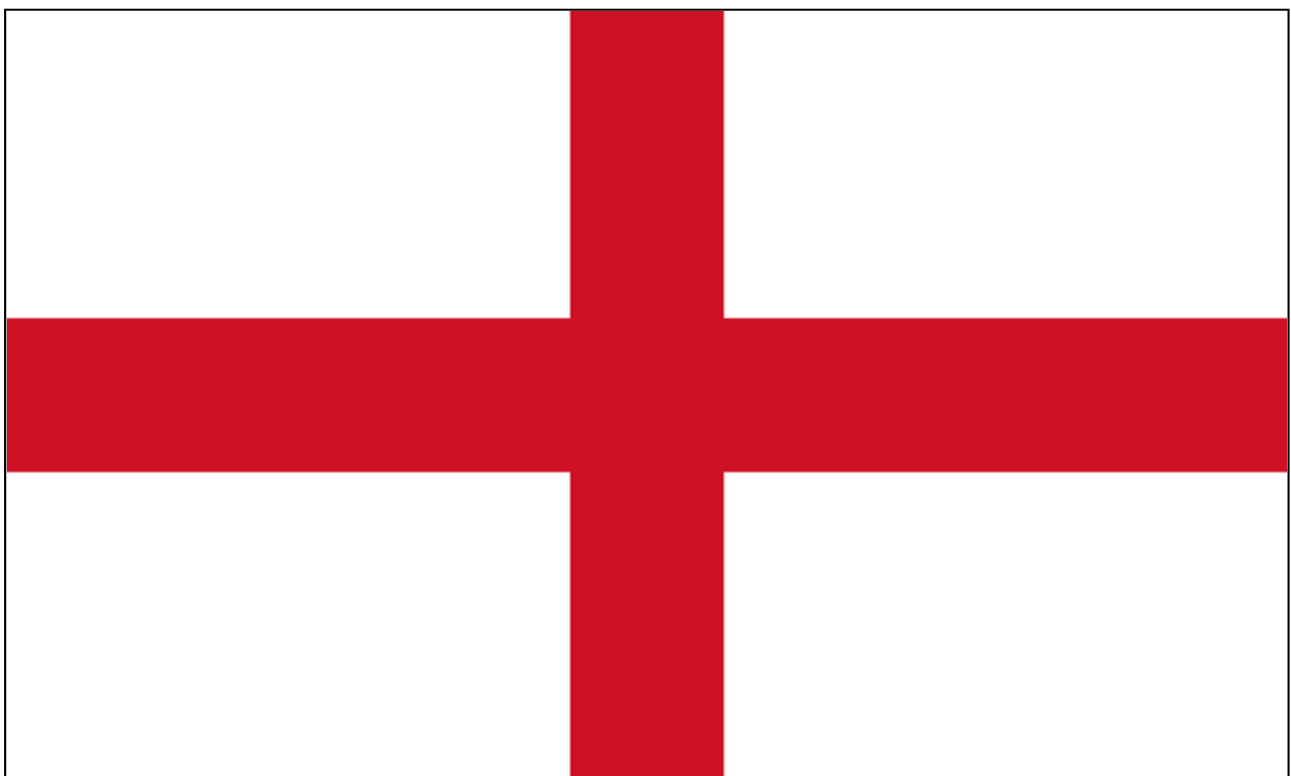


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Campaign for an **E**nglish **P**arliament

Think of England Number 117: July 2021



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Number 117 July 2021

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Campaign for an English Parliament Aims, Principles and Policies.

We campaign for an English Parliament, meaning a parliament for the people of England, for whom England is their chosen or inherited home and who are legally entitled to vote.

We campaign for an English Parliament with powers at least as great as those of Scotland's, i.e. a Parliament and Executive (Government) that can make Acts (primary legislation) on the same domestic issues (e.g. health, welfare & education) that are devolved to the Scottish Parliament.

The CEP works with academics, business groups, trades unions, think tanks and the media to create the conditions whereby UK MPs see that there is no alternative to the re-establishment of the English Parliament.

The CEP is a pressure group. It is not a political party. It does not contest elections.

The CEP is not and will not be affiliated to or formally linked with any political party

Editorial: Tom Harris, former Labour MP for Glasgow, Cathcart, makes the extraordinary assertion that abolishing English votes for English laws returns equal rights to all members of the House of Commons. He does not recognise that since Scottish and Welsh devolution MPs of English constituencies no longer have the right to vote on domestic matters for those regions.



While it is appalling that Michael Gove, born and educated in Scotland, should take it upon himself to propose abolishing EVEL it confirms that, as the CEP said at the time, the EVEL convention did not have the power of an Act of Parliament, which would need to be repealed by another Act of Parliament, and that it could be dropped at any time. Our opinion was dismissed by MPs who told us that Parliamentary Conventions are set in stone. Sadly the CEP has been proved right. EVEL has already been suspended, do not wait for it to be re-established.

The CEP never supported EVEL and the reasons are listed on page 4.

There is to be a rebalancing of representation in the UK. It is a pity both that the Constitution and the Barnett formula are not to be rebalanced. OBON day falls when the children at Scottish schools are on holiday. What does that tell us, that OBON does not apply to Scotland?

If Holyrood laws can strike down UK legislation that would affect England as we are governed by the supranational UK government.

Planning designated tree lined streets does not compensate for concreting over England.

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Campaigning for England:

Scottish MPs could vote down English laws in Michael Gove's attempt to save Union

Patrick Maguire, Red Box Editor | Oliver Wright, Policy Editor | Kieran Andrews, Scottish Political Editor: June 16 2021, 12:01am, The Times

The Times has learnt that Michael Gove, the Cabinet Office minister, has brought forward proposals to abolish English Votes for English Laws (Evel), the Commons procedure introduced after the Scottish independence referendum.

Scottish MPs will be given the right to vote down English legislation in a major constitutional reform being considered by the government to rejuvenate the Union.

Under the plans, which were put to cabinet ministers last week, the requirement that bills, amendments and clauses of legislation affecting England alone be approved by a majority of English MPs would be abolished to make parliament work "for every part of the UK and every party in the UK". The mechanism, which was suspended in April last year, has long been criticised by the SNP and Scottish Conservatives for creating "two tiers" of MPs. The change would give SNP MPs, and in some cases their Welsh and Northern Irish counterparts, the right to vote on English legislation in areas devolved to their own parliaments, such as justice, schools and the NHS.

Senior Tories fear that it could undermine the legitimacy of any government elected without a majority of English seats and impose a barrier to a Scottish MP becoming prime minister again, a criticism raised by nationalists when Evel was introduced. The proposed repeal has nonetheless been formally opposed by two cabinet ministers who fear that it would leave future Tory governments vulnerable to English laws imposed against its will.

In a sign of divisions within government over the potential impact of the change on English MPs, Thérèse Coffey, the work and pensions secretary, and Gavin Williamson, the education secretary, both objected to Gove's proposals when ministers were consulted.

Acknowledging the nationalist criticism that the mechanism had reduced the power and prestige of Scottish MPs, a Whitehall source said: "Abolishing Evel would reaffirm the fundamental constitutional principle that we are one United Kingdom, with a sovereign parliament comprising members elected on a basis of equality, representing every community in the land, able to make laws for the whole kingdom."

In 1977 Tam Dalyell, then the Labour MP for West Lothian and an opponent of devolution, raised the discrepancy by which Scottish, Welsh, and Northern Irish MPs could swing votes affecting England alone — without English MPs having the same right on Scottish issues.

It became known as the West Lothian question, and was asked more frequently after 1999, when MPs from the nations retained the right to vote on English matters, while English MPs had no devolved assembly of their own and could not vote on policies devolved to Holyrood, Cardiff Bay and Stormont. After the 2014 independence referendum, David Cameron proposed Evel.

When Evel was introduced, Nicola Sturgeon complained that many English laws had a significant impact in Scotland, particularly given the Barnett formula, which allocates funding to Holyrood based on spending in England.

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<https://www.telegraph.co.uk/news/2021/06/16/good-riddance-english-votes-english-laws/>

### Good riddance to English votes for English laws

Tom Harris 16 June 2021 (former Labour MP for Glasgow Cathcart, Ed.)

Rather than acknowledge and try to ameliorate the tensions and divisions that had been exposed and heightened by the 2014 referendum, David Cameron decided to throw a hand grenade into the arena. Scottish MPs would, in future, be prevented from voting on English-only issues in the Commons. The days of equal rights for all members were at an end. Scotland's representatives were being demoted to second-class status by a tin-eared prime minister.

As Cameron explained "English votes for English laws", I knew the game was up for me and my Scottish Labour colleagues and I spent the rest of the day in a deep depression. There was never a need for English votes for English laws, and it's gratifying to read reports that ministers now intend to amend parliamentary standing orders to remove its stain from the constitution permanently. Fifty-nine Scottish MPs were never in any position to veto legislation that was supported by even a tiny majority of English MPs. If a Bill or amendment fell (or was carried) against the wishes of the government, it was only because a considerable number of English MPs voted the same way, but somehow Scots were blamed for agreeing with them. And such events were so incredibly rare that it was hardly worth changing centuries of practice to ad-



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dress it. As MPs, we had to listen to Alex Salmond's MPs (as they then were) bang on about how principled they were because they refused to vote on English legislation. This brave stand never prevented them from voting on all manner of English-only topics if it suited their political agenda – and quite right too! And as Scotland's main party, the SNP have been among the biggest critics of English votes for English laws, insisting that in being prevented from voting on certain English-only issues, they are unable to exercise their democratic rights to influence votes that will affect the Scottish budget.

There remains, of course, the West Lothian Question (a phrase coined, incidentally, not by Tam Dalyell, the then West Lothian MP who raised the constitutionally tricky conundrum presented by devolution, but by Enoch Powell). How can it be fair that a Scottish MP can vote on matters like health and education as it affects England, yet English MPs have no similar right to vote on those matters in Scotland?

### **CEP's objections to English Votes for English Laws: EVEL fails to address the English Question for the following reasons:**

1. It is a procedural device, without the force of legislation, which can be reversed at any time.
2. The votes of English MPs can still be overturned as seen when English voting for extended Sunday trading was overturned by the votes of Scottish MPs in the Westminster Parliament.
3. It does not restrict the ability of a government at Westminster to appoint Ministers for English affairs from other countries of the UK
4. English laws are still proposed by a British Government and revised and scrutinised by a House of Lords, containing members from across the UK, whereas the laws passed by the devolved administrations are not subject to scrutiny by either the Commons or the Upper House.
5. There is no administration devoted to English affairs and membership of select committees for English matters include members from the rest of the UK, including nationalists, who can influence decisions on policy for England
6. It does not address the lack of representation of England per se either within the UK or internationally as in the British/Irish council.

### **Covid in Scotland: Greater Manchester travel ban is 'unenforceable'**

Kieran Andrews, Scottish Political Editor | Sarah Ward: Wednesday June 23 2021, The Times

A travel ban between Scotland and parts of Greater Manchester is "impossible" for officers in the north-west of England to enforce, the region's deputy mayor has said.

Beverley Hughes, who is responsible for policing and crime, said Stephen Watson, the chief constable of Greater Manchester police, told politicians he has "no remit" to enforce the law brought in last week by Scottish ministers.

Burnham said one hotel had lost 200 nights of room bookings and a family due to scatter the ashes of a loved one in Scotland have had to postpone their trip.

John Swinney, the Scottish deputy first minister, yesterday said that Holyrood will not compensate people and businesses from Manchester for a loss of deposits or earnings.



### **One Nation song in discord but Boris Johnson sings its praises**

Nicola Woolcock, Education Editor | Ben Ellery | George Grylls: Thursday June 24 2021, The Times

St John's CE primary in Bradford helps to launch One Britain One Nation, which No 10 said was about "equality, kindness and pride". The catchy song about British values that has united the nation in mockery has at least one fan: Boris Johnson. The prime minister's spokesman confirmed that the One Britain One Nation song had been played at No 10.

His spokesman said: "The prime minister supports schools promoting [ . . . ] tolerance and respect. We endorse One Britain One Nation's aims to help children learn about equality, kindness and pride."

He added: "The education department has not asked people to sing songs or promote any specific materials for One Britain One Nation (OBON) day". Gavin Williamson, however, had done so, it emerged after prompting in the Commons from Philip Davies. On Monday Davies said: "OBON day is on Friday, will the secretary of state encourage all the schools to take part in OBON day on Friday?"

Williamson replied: "I'd very much like to highlight this amazing project. It's so incredibly important that schools do take part in it. We've already asked schools to be able to participate in this and we're very happy from the dispatch box to reiterate that endorsement of this project."

MPs including Robbie Moore, have backed the One Britain One Nation event to get schoolchildren to sing on OBON Day Friday, June 25th.

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## Current English Affairs:

### Rebalancing of representation towards London and the south of England.

Chris Smyth, Whitehall Editor: Tuesday June 08 2021, 12.01am, The Times

Under detailed proposals from the Boundary Commission for England the North East, North West and Black Country all lose two seats each, while London gains two, the South East gains seven and the South West three, More than 90 per cent of seats would see some changes in the plans. In the latest proposals, due to take effect in late 2023 England as a whole is gaining ten seats, taking its total to 543, while Wales loses eight, taking it to 32 and Scotland drops two to 57.

MPs saw the proposals yesterday and they and voters can have their say over the summer before a revised set of plans is consulted on again next year. Tim Bowden, secretary to the Boundary Commission for England, said the plans were “just the commission’s initial thoughts” but he added: “Each constituency we recommend is required by law to contain between 69,724 and 77,062 electors, meaning there will be significant change to current boundaries.” Many of the new seats cross county boundaries, something that has been a source of friction in previous proposals. Bowden said it was “local knowledge that helps us to shape constituencies that best reflect your local area”.

The logic of the changes is very simple. The population moves and grows and Westminster seats must adapt to ensure that every vote is worth roughly the same. But there is a fundamental tension between what seems a simple democratic principle and the equally strong desire to ensure that each constituency represents a coherent community, rather than lines drawn on a map by bureaucrats.

The latest review, due to take effect in 2023, has abandoned the attempt to get rid of 50 MPs, which should boost its chances of success. However for Boris Johnson’s government, built on a resounding majority in “red wall” constituencies in the post-industrial parts of the north of England and West Midlands, a review which takes seats away from precisely these areas is hardly an enticing prospect.

The law says that final changes must be agreed in the next two years so that they can be in place for a general election which must come before the end of 2024.

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Magistrates’ courts are ‘in a state of disarray’

Catherine Baksi: Thursday June 10 2021, 12.01am, The Times

Fears are mounting that a bureaucratic efficiency drive coupled with rising numbers of defendants who are unrepresented by lawyers is leading to miscarriages of justice in magistrates’ courts.

“Our magistrates’ courts are in a state of disarray and the risk of miscarriages of justice has never been higher,” says Naima Sakande, the women’s justice advocate at Appeal, a charity law firm. Wrongful convictions and disproportionate fines, Sakande adds, “can cost people jobs, income and housing, not to mention being subjected to the mental toll of defending yourself, unarmed, against an unjust prosecution”.

All criminal cases in England and Wales start in the magistrates’ court and about 95 per cent conclude there. Hundreds of thousands of people are convicted at the courts each year by a single district judge or tribunal of up to three lay magistrates. It allows a single magistrate sitting with a legal adviser to deal with adults charged with a range of non-imprisonable offences. Introduced in 2015, the system was designed to deal with high volumes of offences that are administrative in nature, such as road traffic cases and the non-payment of the television licence fee.

Of greatest concern is the number of people convicted behind closed doors in “secret” hearings under the so-called single justice process, without being present and often without even knowing that they have been charged. Figures revealed by Chris Philp, a junior justice minister, showed that nearly 400,000 people had been prosecuted in England and Wales under the procedure between January and September 2020, for offences including battery, common assault, breaches of lockdown regulations and failing to ensure a child’s attendance at school. Defendants are alerted by post and asked to submit a plea in the same way, but Ministry of Justice figures show that more than 70 per cent of those prosecuted do not send in any plea and are convicted and fined.

A letter to Robert Buckland QC, the justice secretary, from Fair Trials, Big Brother Watch, Transform Justice, the Howard League for Penal Reform and Appeal says: “These charges and prosecutions are being brought without sufficient oversight, without any meaningful review process, and are resulting in guilty pleas and convictions for offences people have not committed, in a process they may also not be aware of.” More widely, Rhona Friedman, a criminal defence solicitor at Commons Legal, a London law firm, says, defendants are expected to enter a plea the first time they come to court, without seeing any evidence or witness statements, and based only on a “notoriously unreliable” summary written by a police



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officer. If defendants do not enter a plea, she says, they are told that they risk losing the full credit for pleading guilty at the earliest opportunity.

Before 2010 there were 323 magistrates' courts in England and Wales, but since then more than half have closed, leaving victims, defendants and witnesses having to travel more than 50 miles to get to their nearest court. Magistrates — whose numbers have fallen from more than 30,000 in 2006 to 13,500 now — also face long journeys to court. Mark Beattie, the deputy chairman of the Magistrates Association, says that in some rural areas they have to drive two hours each way to get to court. He also warns that 50 per cent of those on the bench will retire in the next ten years.

Last week Baroness Hale of Richmond, the former president of the Supreme Court, called for mobile caravan courts where a judge and magistrates would tour towns and villages to “restore local justice”.

Ex-vicar's legal threat casts doubt on smart motorways

Graeme Paton: Monday June 14 2021, 12.01am, The Times
Highways England has paused plans for the M62 across the Pennines, which is due to cost up to £392 million as Mark Coleman, from Rochdale, Greater Manchester, challenged the company's decision to press ahead with the scheme without carrying out a full environmental impact assessment.



Almost all smart motorways are built using permitted development, which means that Highways England does not need planning permission or to carry out a legal environmental impact assessment. Only one smart motorway, on the M4 between London and Reading, has needed planning permission, because it required extra land.

Critics said it was feared that the system has allowed the government to develop smart motorways without subjecting them to proper scrutiny. This includes their impact on the environment, which is regarded as increasingly critical if the UK is to meet its legal commitments to cut carbon dioxide emissions to net zero by 2050. Transport Action Network, the environmental campaign group, suggests that 7.9 million tonnes of carbon dioxide would be produced over the next 60 years as a direct result of seven smart motorway schemes being developed between 2020 and 2025. These emissions would be in addition to those expected on the motorways if the work were not carried out, it said. The work on the M62, between Rochdale and Brighouse, West Yorkshire, is expected to produce 1.3 million tonnes of carbon dioxide, the group claimed. The rise is caused by the traffic generated when the hard shoulder is converted into a normal vehicle lane.

Councils handed power to fine drivers £70 for traffic offences

Graeme Paton, Transport Correspondent: Friday June 18 2021, 12.01am, The Times

For the first time, drivers outside London will face fines for “moving traffic offences”. Critics fear that cash-strapped councils could use the new rules as a way to raise revenue.

The Department for Transport confirmed that the introduction of the powers from December must be publicised by councils in advance with guidelines to ensure that motorists are not unfairly targeted.

Almost 300 councils in England, which already have responsibility for enforcing parking offences, will be able to apply for the powers. London and Cardiff are the only cities in England and Wales to hold such powers. Elsewhere the responsibility rests solely with police forces. It is feared that a cut in traffic officers has left the rules largely unenforced.

Baroness Vere of Norbiton, the transport minister, said that the change would allow councils to prioritise cycling, reduce congestion and improve air quality. Motoring groups warned that drivers could be hit by a huge number of fines. Research published by the RAC last year showed that drivers in London and Cardiff were collectively fined £58 million in a year for moving traffic offences. A single yellow box junction in Fulham, west London, for example, drew fines of about £1.7 million a year.

“Drivers who blatantly ignore signage or highway rules should expect penalties but there are instances which are not always clear-cut. Large yellow box junctions can be particularly problematic to get across without stopping. “So it's important common sense is applied rather than instantly issuing penalties to drivers. The first thing councils should do is review the road layout at these junctions.”

The government has pledged to change the Traffic Management Act 2004 to allow councils in England to apply for the wider powers. The reforms, to be finalised by late summer, will set out fines and the need for a proper appeals process. They will give councils powers to enforce at least ten offences, including ignoring weight restrictions on roads.

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Councils currently enforce only parking offences and driving in bus lanes. Typically motorists are fined £70 for these offences, rising to £130 in London. It is understood that the same levels will apply in December.

Moving Traffic Offences:

- Driving the wrong way on a one-way street.
- Entering and stopping in a yellow box junction.
- Using a route restricted to certain vehicles (eg, access only).
- Failing to give way to oncoming vehicles.
- Performing a prohibited turn.
- Failing to comply with a no-entry restriction.
- Breaching a ban on certain types of vehicle (eg, weight restrictions).
- Entering a restricted pedestrian zone.
- Waiting in a pedestrian zone.



Councils rake in £1m a week from drivers after bus lane fines double

Graeme Paton, Transport Correspondent: Tuesday June 29 2021, 1.02am, The Times

Councils made a surplus of £56.8 million from bus lanes in the year to the end of March 2020, according to data from the Ministry of Housing, Communities and Local Government. It was down on a year earlier when £59.2 million was collected. The total in 2019-20 is likely to have been affected by the start of the pandemic when traffic levels plummeted, but the figures cannot be easily compared with previous years because of changes in the way data was recorded in London. Separate figures obtained directly from councils through Freedom of Information laws suggest that they collected £30 million in 2014, which would mean fines have doubled in six years. Typically fines stand at £130 in London and £50 or £60 outside the capital, although charges are halved for early payment.

The motoring group AA said there was a concern that the number of fines would soar further when local councils outside London are given new powers to penalise drivers for a range of other traffic offences in December. They currently rest with the police.

Jack Cousens, AA head of roads policy, said: "First-time warnings should become standard for all first-time bus lane and moving traffic offences, and numbers of fines should be logged per location to identify hot-spots and why so many motorists were fined for making mistakes at particular yellow-box junctions, bus lanes or other restricted road layouts because they were unfamiliar with the layout of some roads."

A separate analysis from the AA indicates that the money spent by councils in England on the maintenance of roads will drop this year. The Local Government Association denied that councils profited from bus lane fines. It said that all surplus income had to be spent on road improvements and local services including fixing potholes and supporting bus travel.

Planning reform won't brick over countryside, worried Tories told

Henry Zeffman: Monday June 21 2021, 12.01am, The Times

While a planning bill has not yet been published, it is widely expected to follow the approach of a white paper published last year by Robert Jenrick, the housing secretary. The plans are likely to make it more difficult for existing homeowners to block new developments, with the country split up into zones marked either for growth or protection. In growth areas, homes, hospitals, schools, shops and offices would get automatic planning approval.

Robert Buckland, the justice secretary said "Our policy very often was, frankly, mischaracterised," he said. "At no time has this proposal been about suddenly indiscriminately bricking over the countryside."

Government sources made clear their determination to press ahead with the reforms, insisting that a focus on beautiful design and tree-lined streets would ultimately lead to greater local engagement in the process than at present, not less. "The core point of these reforms is that we have a duty to build more homes for the next generation," a source said. "There aren't many MPs who disagree with that and we all want to make sure they are built in the right way."

Ministers, the source said, "will continue to make the case for why we need to reform the planning system, with local people at the heart of the process".

Vulnerable looked-after children being betrayed by local authorities

Matthew Oakley: Friday June 25 2021, 12.01am, The Times

What is the first duty of the state? At an international level, it's the defence of the realm and national se-

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curity. But domestically, it's the care and protection of the most vulnerable, starting with children. Sadly, the state is a bad parent. Looked-after children, some of the most vulnerable members of our society, are too often overlooked and provided with poor and underfunded services.

The Social Market Foundation has been working with the Hadley Trust to investigate the state of foster care in England.

Children go into foster care because their families can't or won't provide them with adequate care. Local authorities are under a legal obligation to ensure that their area has sufficient carers to foster children in need of a placement. Yet many councils are failing in this legal duty. Worse, some say they're not even trying.

Overall there are 56,500 children being fostered in England. On the basis of recent trends, we calculate that by the end of this decade it will be almost 77,000, a rise of almost a third. Yet councils are not doing this forecasting themselves, and therefore cannot be planning to provide the fostering capacity to meet that increasing need. It is no surprise that councils have been failing to increase the number of foster care places in line with need and that 20 per cent of fostering families stop providing foster care each year. Councils might argue that this is down to funding and the fact they're being asked to do an impossibly difficult job. Ministers might argue that it's down to councils to find the money in their budgets and follow statutory guidance. Vulnerable children aren't interested in that. Ultimately, all sides need to act. Our ambition should be simple: that the life outcomes of a child needing foster care are as good as any other child's. The recently launched independent review of children's social care should set out that ambition. That will take a step change in funding and thinking. The first step is to ensure that we understand the problem and can plan for the future: the department for education and local authorities must work together to create a new national strategy for ensuring the foster care system has effective capacity.



Governing England:

Holyrood laws could strike down Westminster legislation, Supreme Court told

Jess Glass: Tuesday June 29 2021, 1.02am, The Times

Two proposed laws passed by Holyrood could give Scottish courts powers to strike down legislation from the UK parliament, the Supreme Court has been told. The UK's highest court is hearing a challenge to two bills passed by the Scottish parliament to incorporate international treaties into Scottish law.

In March Holyrood unanimously passed the United Nations Convention on the Rights of the Child (UNCRC) (Incorporation) (Scotland) Bill, which would require public authorities to respect children and young people's rights. It also would let children and their representatives go to the courts to enforce their rights, and allow courts to strike down legislation that was incompatible with the UNCRC.

"The UNCRC bill is concerned with furthering children's rights in Scotland" James Mure QC, representing the lord advocate for Scotland, said.

Alister Jack, the Scottish secretary, previously raised concerns that the legislation could put legal duties on to UK ministers, which would be outside the scope of Holyrood's power, and referred it to the Supreme Court for guidance. The European Charter of Local Self-Government (Incorporation) (Scotland) Bill, also passed unanimously by MSPs, was referred over similar concerns.

Yesterday Sir James Eadie QC, for the attorney-general and the advocate-general for Scotland, told the court the case concerned "whether the Scottish parliament has the legislative competence to subject acts of the UK parliament with the need to comply with the UNCRC and to assign to the Scottish courts powers to strike down, rewrite or declare incompatible provisions of the acts of the sovereign UK parliament".

The Welsh government is also involved in the case and will make oral submissions today. The case is expected to end today with judgment reserved until a later date.

UK Statutory Instruments

The Proceeds of Crime Act 2002 (Administrative Forfeiture Notices) (England and Wales and Northern Ireland) (Amendment) Regulations 2021 No. 639

The Plant Health (Fees) (Forestry) (England) (Amendment) Regulations 2021 No. 660

The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2021 No. 665: Amendments to regulation 3

4. In regulation 3 (persons subject to immigration control who are eligible for an allocation of housing accommodation)—

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(a) at the end of paragraph (i), omit “and”;

(b) at the end of paragraph (j), insert—
“and

(k) Class K – a person (P)—

(i) who has limited leave to enter or remain in the United Kingdom by virtue of Appendix Hong Kong British National (Overseas) of the Immigration Rules(1);

(ii) whose leave to enter or remain is not subject to a condition requiring P

to maintain and accommodate P, and any person dependent upon P, without recourse to public funds; and

(iii) who is habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland.”.

The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) (Amendment) Regulations 2021 No. 711

The Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2021 No. 746



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### Committees: UK Parliament :

**14 June 2021:** The Transport Committee (with an SNP Member) questions engineers, transport planners and other experts about the decisions which shaped the rollout of smart motorways, particularly all-lane running, and the progress that has been made since the Transport Committee last reported in 2016.

The Committee will scrutinise the strategic and economic case for smart motorways and whether they relieve congestion or induce traffic. MPs will explore whether the safety risks outweigh the benefits of these motorways and hear how smart motorways in England compare to those in other countries.

**14 June 2021:** The Justice Committee (with an SNP Member) questions Director of Public Prosecutions, Max Hill QC, on Tuesday 15 June in a session focusing on key challenges faced by the Crown Prosecution service including the continued fall in successful rape prosecutions, issues raised by the backlog of cases before the courts and the fallout from the recent collapse of the latest Hillsborough trial.

Covid-19 has placed significant strain on the court system. By December 2020, caseloads were 43% higher than pre-Covid levels in the Crown Court and 43% higher in the Magistrates’ Court. Measures have been introduced to address the backlog and overcome the challenges of social distancing, including the introduction of virtual and Nightingale courtrooms, and an Interim Charging Protocol to prioritise cases. However, the number of live cases waiting to be heard before the Crown Court continues to rise. The session will examine progress in tackling the backlog in cases and the impact of current measures to address it. The Committee will also consider what further measures could be instituted to help improve the pace at which cases move through the court system.

The backlog has consequences for justice, including in the prosecution of RASSO (Rape and Serious Sexual Offences) cases. In 2020, fewer than one in 60 rape cases reported to the police last year resulted in a suspect being charged. In that year there were 1,074 convictions for rape, only just over a third of the number of convictions in 2016-17 (2,991). The past five years have also seen a steep increase in the proportion of victims dropping out during prosecutions, rising from 25% in 2015-2016 to 43% in the year 2020.

In July last year, the Crown Prosecution Service published its Rape and Serious Sexual Offences Strategy (RASSO) 2025, setting out its approach to improve the response of the criminal justice system. The Committee will question the Director of Public Prosecutions on the causes of the decrease in successful prosecutions for rape. It will look at the impact that the RASSO 2025 strategy has had so far, as well as broader issues relating to disclosure and victim retention rates.

The Committee will also question Mr Hill on the collapse of the trial of two South Yorkshire Police officers and the force’s former solicitor following a ruling that there was insufficient evidence and no case to answer in the latest and last of a line of Hillsborough cases.

### England's hero: Bill Collins

A humble baker who used his loaf to create the Chorleywood bread process, transforming mass production of this staple food

Monday April 05 2021, 12.01am, The Times

Bill Collins, baker, was born on July 21, 1931. He died on March 3, 2021, aged 89

Thomas (Bill) Hylton Collins was born in Bootle, Liverpool, in 1931.

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Bill Collins was described as quiet, unassuming and meticulous, a deeply religious man who called his home the Manna House, gave a secular twist to the biblical story of feeding a crowd with five loaves and two fishes by mass producing loaves of bread for millions of people. He revolutionised bread-making in Britain, shaping the future of one of our staple foods.



Collins developed the mechanical system known as the Chorleywood bread process. This mimicked the making of bread by hand, but speeded it up and standardised the quality of the product. The Chorleywood process was the first system of its kind and is still used around the world. It led to the mass production of more types of bread such as granary and wholemeal, and gave an unexpected fillip to British agriculture, which was then able to supply most of the grain.

Collins joined the British Baking Industries Research Association in Chorleywood, Hertfordshire, in 1956. Two years later he was asked to undertake a study into bread-making.

Working with George Elton, director-general of the research body, and Norman Chamberlain, Collins concentrated on using liquid pre-ferments or brews, which contain not only flour, water and yeast, but also additives, and were allowed to ferment for some time before being combined with fresh dough. He then introduced continuous high-speed mixing using a partial vacuum. Halfway through the mixing process air was extracted, which speeded up the development of the dough and produced the small, uniform cells with fine walls that is the hallmark of most bread on supermarket shelves.

The new technology was introduced in industrial bakeries in the summer of 1961 and immediately had a profound impact. Imperfections were removed and the size and structure of bread was harmonised.

Loaves lasted longer because of new ingredients such as fats and emulsifiers as well as improvements in the development of dough. Small adjustments to the vacuum pressure created the conditions for bakers to produce different types of bread.

Bakeries that in the 1960s had been banned from working at night because they were close to residential areas could now develop a continuous baking system and cut waste — and costs. They could also use far more British wheat because Canadian wheat, with higher yields of gluten-forming protein essential to bread-making, was no longer vital to the process. British wheat, which had lower yields, could do the job. He was awarded the Queen's Jubilee Medal in 1978.

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### English history: Fireballs terrified 17th-century Norfolk

Paul Simons: Thursday July 02 2020, 12.01am, The Times

There was an outbreak of terrifying weather incidents in Norfolk 355 years ago. On July 2, 1665 the rector Richard Hobbs was preaching at the parish church in the village of Erpingham when a thunderstorm broke out. A “great grey ball” struck the church tower, passed down and burst through the church “upon which the church was as if it [had] been all of a fire . . . in a great smoke and stink”, reported the broadsheet *Newes*.

“Mr Hobbs being in the pulpit, saw men fall some one way, and some another, in such manner that he thought they had been all struck dead.

“There was a great and hideous outcry in the church, and in the confusion there was one man found stark dead and many others lamed, who yet continue so. One woman who sat in the porch is so weak as 'tis thought she will not live. It did raze and tear the Church wall in two places on the inside.”

At Blickling, near by, another fireball appears to have blasted into the gallery room of the politician Sir John Hobart. “He was so near, that his arm and thigh were numbed about an hour after.”

Four days previously Norwich had been hit by another thunderstorm. “There break a most terrible clap of thunder just over Norwich that shook the whole city,” reported the *Intelligencer* news sheet. A fireball during the storm struck the home of the author and polymath Sir Thomas Browne, shattering a window at the top of the house and sending roof tiles flying into the street below. The fireball appears to have split. One part fell to the ground and punched “a hole as big as a foot-ball” through a wall 1ft thick into the kitchen. “The balls that flew were not like fire in the flame, but the coal; people said it was like the sun,” described Sir Thomas in his autobiography. “It burnt nothing, nor any thing it touched smelt of fire.”

These strange incidents may all have been violent forms of ball lightning, a mysterious and rare phenomenon created during intense thunderstorms.

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Fig. 2. — Le globes de feu dans la salle.

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### English Culture: St Swithin's Day

Paul Simons: The Times

Will St Swithin's Day seal the fate of our summer?

Legend has it that if it rains on July 15th it will rain for 40 days straight

'St Swithin's Day if thou be fair/ For 40 days it will remain;/ St Swithin's Day if thou bring rain/ For 40 days it will remain.'

St Swithin's legendary forecast is supposed to give us an idea of what the rest of summer will bring.

Little is known about St Swithin other than that he was a 9th-century bishop of Winchester. As for his forecast, it's probably no coincidence that similar 40-day summer predictions were widespread in northern Europe. But can St Swithin's forecast be relied on?

One investigation in the 1690s was made by William Emes, rector of Ash in Surrey, who kept a weather diary. In 1691 he recorded the saint's day was wet and "of ye 40 dayes it rained more or less 25 dayes" in what was a thoroughly miserable summer. The next year the saint's day was fair, but sadly the folklore forecast was a huge letdown as Emes noted, "in ye 40 dayes following it rained more or less 24 dayes". In fact, since records began, not a single 40-day drought has occurred anywhere in the UK during the summer, and there has been not one instance at any time of the year of 40 consecutive days of rainfall. St Swithin's forecast was probably never meant to be taken literally, but only to give a suggestion of the weather to expect in the second half of summer.

Swithun (or Swithin; Old English: *Swīþhūn*; Latin: *Swithunus*; died 863 AD) was an Anglo-Saxon bishop of Winchester and subsequently patron saint of Winchester Cathedral. According to tradition, if it rains on Saint Swithun's bridge (Winchester) on his feast day (15 July) it will continue for forty days. The name was originally spelt Swithhun (Old English: "strong bear-cub").

St Swithun was Bishop of Winchester from his consecration on 30 October 852 until his death on 2 July 863.

Swithun shown in the Benedictional of St. Æthelwold, Winchester, 10th century. British Library, London. St Swithun's memorial shrine in the retrochoir of Winchester Cathedral where the saint's relics were originally kept.

Swithun is regarded as one of the saints to whom one should pray in the event of drought.

There are in excess of forty churches dedicated to St Swithun, which can be found throughout the south of England, especially in Hampshire –



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### English Produce: Globe Artichokes

The **globe artichoke** (*Cynara cardunculus* var. *scolymus*), is a variety of a species of thistle cultivated as a food. The edible portion of the plant consists of the flower buds before the flowers come into bloom. The budding artichoke flower-head is a cluster of many budding small flowers (an inflorescence), together with many bracts, on an edible base. Once the buds bloom, the structure changes to a coarse, barely edible form. Both wild forms and cultivated varieties (cultivars) exist. The edible portions of the buds consist primarily of the fleshy lower portions of the involucre bracts and the base, known as the heart; the mass of immature florets in the center of the bud is called the choke or beard. These are inedible in older, larger flowers.



The English word artichoke was borrowed in the sixteenth century from the northern Italian word *articiocco* (the standard modern Italian being *carciofo*). The Italian term was itself borrowed either from Spanish *alcachofa* (today usually *alcachofa*) or directly from the source of the Spanish word—medieval Andalusí Arabic (*al-kharshūfa*, including the Arabic definite article *al*). Forms found in English have included *hartichoak*, corresponding to *heart* and *choke*, provoking elaborate explanations about the power of the vegetable to choke its eaters or to take over a garden, choking out other plants.

The artichoke is a domesticated variety of the wild cardoon (*Cynara cardunculus*), which is native to the Mediterranean area. There was debate over whether the artichoke was a food among the ancient Greeks and Romans, or whether that cultivar was developed later, with Classical sources referring instead to the wild cardoon. The cardoon is mentioned as a garden plant in the 8th century BC by Homer and Hesiod. Pliny the Elder mentioned growing of 'carduus' in Carthage and Cordoba. In North Africa, where it is still found in the wild state, the seeds of artichokes, probably cultivated, were found during the excavation of Roman-period Mons Claudianus in Egypt. Varieties of artichokes were cultivated

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in Sicily beginning in the classical period of the ancient Greeks; the Greeks calling them *kaktos*. The Romans called the vegetable *carduus* (hence the name *cardoon*). Further improvement in the cultivated form appears to have taken place in the medieval period in Muslim Spain. Le Roy Ladurie, in his book *Les Paysans de Languedoc*, has documented the spread of artichoke cultivation in Italy and southern France in the late 15th and early 16th centuries, when the artichoke appeared as a new arrival with a new name, which may be taken to indicate an arrival of an improved cultivated variety:

The blossom of the thistle, improved by the Arabs, passed from Naples to Florence in 1466, carried by Filippo Strozzi. Towards 1480 it is noticed in Venice, as a curiosity. But very soon veers towards the northwest ... Artichoke beds are mentioned in Avignon by the notaries from 1532 onward; from the principal towns they spread into the hinterlands. Globe artichokes grow well in the UK as long as they get enough warmth, and British-grown examples are becoming more widely available. Some growers offer them on a pick-your-own basis - try Secretts at Hurst Farm in Godalming, Surrey (01483 520500, secretts.co.uk) or Rectory Farm at Stanton St John, Oxford (01865 351677). Go to [pickyourown.org](http://pickyourown.org) to see if artichokes are grown at any farm near you. You can order British-grown globe artichokes from [ethicalfoods.co.uk](http://ethicalfoods.co.uk) - Gros de Leon are currently available.

They are also grown by Riverford Farm in Devon. They are also grown in Cornwall,

### Recipe: Garlic Roasted Globe Artichokes

<https://www.abelandcole.co.uk/recipes/garlic-roasted-globe-artichokes>

Roasting halved globe artichokes gives you the best of both steamed and fried artichokes – you get really tender heart in the centre and crispy leaves.

35mins, 2-4 people

#### Ingredients

2 medium-large globe artichokes, or 4 small ones

4 rosemary sprigs

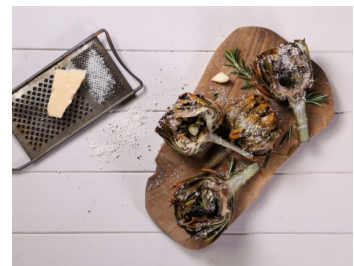
1 tbsp olive oil

A grating of fresh Parmesan, to serve (optional)

1 lemon

4 garlic cloves

Sea salt and freshly ground pepper



#### Method

1. Preheat your oven to 200°C/Fan 180°C/Gas 6.

2. Use a bread knife to slice the top 3cm (i.e. all the spiky tips) off the globe artichokes. Trim 1cm from the stem and run a veg peeler along the rest of the stem to remove the outer layer.

3. Halve the artichoke horizontally. Use a teaspoon to scoop out the fuzzy choke in the centre of each half.

4. Squeeze a good bit of lemon juice over the cut-side. Dust with salt and pepper and drizzle with half of the olive oil.

5. Peel the garlic cloves and tuck one into the centre of each artichoke half. Top with a sprig of rosemary and place on a roasting tray, cut side down – so the garlic and rosemary should be tucked under the artichokes with the leafy sides facing up.

6. Drizzle the remaining oil over. Roast 30 mins or till tender in the centre and crispy on the outside.

7. Finishing with a grating of Parmesan, if you like, dusted over the tender side once flipped. To eat, simply cut out the heart and eat all the fleshy meat from the base of the leaves, and any crispy leaves that aren't too fibrous.

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