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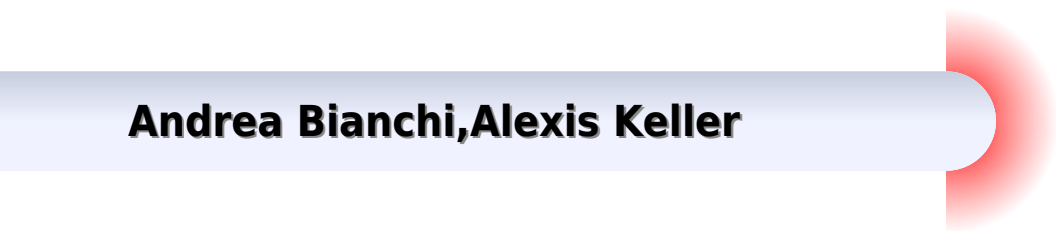
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Further Government  
Response to the Third  
Report from the  
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**Second Report of Session 2005-06**

# Twenty Third Report Of Session 2005 06 Twenty Third Report Of Session 2005 06

**Andrea Bianchi,Alexis Keller**



## **Twenty Third Report Of Session 2005 06 Twenty Third Report Of Session 2005 06:**

*Twenty-third Report of Session 2005-06* Great Britain: Parliament: House of Commons: European Scrutiny Committee, 2006-04-11 Twenty third report of Session 2005 06 Documents considered by the Committee on 29 March 2006 including Promotion of clean road vehicles report together with formal Minutes Twenty-third Report of Session 2005-06 Great Britain: Parliament: Joint Committee on Statutory Instruments, 2006-04-04 Drawing special attention to Public Benefit Corporation Register of Members Amendment Regulations 2006 S I 2006 361 **House of Commons - European Scrutiny Committee: Twenty-Third Report of Session 2013-14 - HC 83-xxi** Great Britain: Parliament: House of Commons: European Scrutiny Committee, 2013-12-04 With correction slip dated December 2013 *Parliaments and the European Court of Human Rights* Alice Donald, Philip Leach, 2016-08-18 The European system of human rights protection faces institutional and political pressures which threaten its very survival These institutional pressures stem from the backlog of applications before the European Court of Human Rights the large number of its judgments that remain unimplemented and the political pressures that arise from sustained attacks on the Court s legitimacy and authority notably from politicians and jurists in the United Kingdom This book addresses the theme which lies at the heart of these pressures the role of national parliaments in the implementation of judgments of the Court It combines theoretical and empirical insights into the role of parliaments in securing domestic compliance with the Court s decisions and provides detailed investigation of five European states with differing records of human rights compliance and parliamentary mobilisation Ukraine Romania the United Kingdom Germany and the Netherlands How far are parliaments engaged in implementation and how far should they be Do parliaments advance or hinder human rights compliance Is it ever justifiable for parliaments to defy judgments of the Court And how significant is the role played by the Parliamentary Assembly of the Council of Europe Drawing on the fields of international law international relations political science and political philosophy the book argues that adverse human rights judgments not only confer obligations on parliamentarians but also create opportunities for them to develop influential interpretations of human rights and enhance their own democratic legitimacy It makes an authoritative contribution to debate about the future of the European and other supranational human rights mechanisms and the broader relationship between democracy human rights and legitimate authority *Improving Poorly Performing Schools in England* Great Britain. Parliament. House of Commons. Committee of Public Accounts, 2006 In 2004 05 approximately 837 million was spent in England on a range of national programmes to help address problems in schools that were failing or at risk of failing to provide an acceptable standard of education for their pupils Following on from a NAO report HC 679 session 2005 06 ISBN 0102936633 published in January 2006 the Committee s report examines the activities of the DfES and Ofsted to identify and deal with poorly performing schools to strengthen school leadership and to develop simpler relationships with schools Findings include that although the number of poorly performing schools has been reducing there are still around 1 500 in

England that are under performing Improvements in data on secondary school performance has helped to identify schools in decline at an earlier stage so that they can benefit from increased support and similar improvement needs to be done at primary school level The system of shorter Ofsted inspections based on school self evaluation of performance may be appropriate for the majority of schools but some schools are not evaluating themselves effectively and incentives needs to be created to help achieve this School leadership is essential to achieving and maintaining improvements and Ofsted reports need to diagnose any leadership problems in failing schools explicitly Local authorities and other schools are important sources of support for struggling schools and there should be greater opportunities for schools to collaborate and share good practice

*NHS Local Improvement Finance Trusts* Great Britain: Parliament: House of Commons: Committee of Public Accounts,2006-07-04 The Department of Health launched the Local Improvement Finance Trust LIFT in 2000 to address long standing under investment in primary care facilities It is a form of Public Private Partnership with a national joint venture Partnerships in Health that oversees and invests in it The total capital value of the first tranche of buildings was 711 million and the average cost of a building was 5 million 90% of the capital is provided by debt and the properties are owned by the LIFTCo with income being generated by rent payments from tenants such as GPs Primary Care Trust pharmacies and the local authority This report examines whether the programme has been implemented effectively

The South Eastern Passenger Rail Franchise Great Britain: Parliament: House of Commons: Committee of Public Accounts,2006-05-11 In June 2003 the Strategic Rail Authority announced that it would be terminating the Connex South Eastern franchise for passenger rail services in Kent parts of Sussex and South East London the first and so far only instance where a train operating company s franchise has been terminated early Following on from a National Audit Office report HCP 457 session 2005 06 ISBN 0102936498 published in December 2005 the Committee s report examines why the franchise experienced difficulties why the contract was terminated and the impact on the interests of the taxpayer The report sets out a number of conclusions and recommendations on the lessons to be learned in order to reduce the risk of future franchise failures

*The BBC's White City 2 Development* Great Britain: Parliament: House of Commons: Committee of Public Accounts,2006-02-14 The BBC s White City 2 property development in West London comprises three new buildings which were built next to an existing BBC building known as White City 1 White City 2 was financed by Land Securities Trillium under a 30 year partnership deal with the BBC which also covered property services at 48 other BBC locations The cost of construction for White City 2 was 210 million along with 60.9 million for furniture and technical fit out of the buildings The development was completed on time but the Committee of Public Accounts found several aspects of the project constituting risks to value for money The cost of the development also exceeded the amount originally approved by the BBC Governors along with significant variations to the scheme as the project progressed The Committee set out a number of conclusions and recommendations that the whole life costs of projects should be assessed and made available to the BBC Governors the BBC should better integrate design and

construction so reducing the risk of design changes after contracts have begun the license fee money should not be used to subsidise the BBC's commercial subsidiaries and that rent charged for the sublet of buildings should meet the BBC's costs that the BBC should not hold on to property which it does not need or which it cannot use cost effectively the BBC in future should follow public sector good practice in particular in estimating whole life costs of projects monitoring returns to the private sector obtaining refinancing benefits and integrating design and construction

Counter-terrorism policy and human rights Great Britain: Parliament: Joint Committee on Human Rights,2007-12-14 This report examines the Government's intention as part of its counter terrorism measures to increase the pre charge detention limit from 28 to 42 days The Committee believes that there is a clear national consensus that the case for further change has not been made by the Government In the Committee's view a truly consensual approach should lead the Government to accept that it has failed to build the necessary national consensus for this very significant interference with the right to liberty and withdraw the proposal to proceed with it as detailed by the Home Office calls into question the Government's commitment to a consensual approach and raises questions of compatibility with human rights The Committee does not accept that the Government has made the case for extending pre charge detention beyond the current limit of 28 days for the following reasons i it can find no clear evidence of likely need in the near future ii alternatives to extension do enough in combination to protect the public and are much more proportionate iii the proposed parliamentary mechanism would create a serious risk of prejudice to the fair trial of suspects iv the existing judicial safeguards for extensions even up to 28 days are inadequate

Corporation Tax Great Britain: Parliament: House of Commons: Committee of Public Accounts,2006-06-29 Companies resident or conducting business in the UK are liable to pay corporation tax on their profits and since 1999 corporation tax is a self assessed tax Companies are required to submit tax returns each year along with any tax due and these tax returns are then checked for non compliance In 2004 05 HM Revenue and Customs collected about 33 billion in corporation tax and it expects receipts to increase to 42 billion in 2005 06 Following on from a National Audit Office report HC 678 session 2005 06 ISBN 0102936641 published in January 2006 the Committee's report examines the management of Corporation Tax and sets out a number of conclusions and recommendations Given an estimated 40 per cent error rate in tax returns the Department should improve its targeting of enquiries into tax returns for non compliance and its use of risk assessment techniques in order to increase the tax yield Plans to restructure the local area office network should help reduce local variations in performance and improve efficiency in enquiry work All companies will be required to file their tax returns electronically by 2010 and this system should realise a number of benefits including greater convenience for companies and a reduction in Department's costs and errors in keying in data

**Inland Revenue Standard Report** Great Britain: Parliament: House of Commons: Committee of Public Accounts,2006-04-25 In 2004 05 HM Revenue and Customs paid 15.8 billion of Tax Credits The Department recalculates each award annually and has identified that for 2003 04 it overpaid some 2.2 billion to 1.9 million

families It believes that 2004 05 will see a similar level of overpayment This is partly due to the nature of the scheme where awards are provisionally based on previous income whilst the final award is based on actual income However the level of overpayment has been higher than was initial estimated and repayments have caused distress to some families This report looks at measures being taken to reduce overpayments claimant error and fraud and the settlement with EDS over problems with the computer system The Committee attaches great importance to this subject and wish to return to it in the future

Counterterrorism: Democracy's Challenge Andrea Bianchi,Alexis Keller,2008-07-30 Terrorist violence is no novelty in human history and while government reactions to it have varied over time some lessons can be learnt from the past Indeed the debate on when and how a state should use emergency powers that limit individual freedoms is nearly as old as the history of political thought After reviewing some history of state responses to terrorist violence and their efficacy this book sets out to assess the effects of contemporary counterterrorism law and policies on democratic states In particular it considers the interaction between national and international law in shaping and implementing anti terror measures and the difficult role of the judiciary in striking a balance between security concerns and fundamental rights It also examines the strains this has caused on some democracies especially a blurring in the separation of powers between the legislative executive and judicial branches of government giving reason to enquire afresh whether new paradigms are needed Finally the issue of whether the doctrine of constitutionalism can provide an appropriate frame of analysis to encapsulate current developments in international law in response to terrorism is broached By drawing on the expertise of historians political scientists and lawyers this book promotes transdisciplinary dialogue recognising that counterterrorism is an issue at the intersection of law and politics that has profound implications for democratic institutions and practices Working with the Voluntary Sector Great Britain: Parliament: House of Commons: Committee of Public Accounts,2006-03-02 The term third sector describes a range of voluntary and community sector organisations including small local community groups registered charities foundations trusts and co operatives Following on from the NAO report HCP 75 session 2005 06 ISBN 0102933243 published in June 2005 the Committees report examines the progress made by central government departments and other funders to improve the way they work with the third sector to achieve value for money in the provision of public services Findings include that voluntary sector funding represents less than one per cent of central government spending and only limited progress has been made to increase the sectors involvement in delivering government programmes Voluntary sector organisations are often subject to greater scrutiny and monitoring than private sector providers and fairer funding practices need to be applied by departments The Public Service Agreement target to achieve a five per cent increase in voluntary sector participation in public service delivery by 2006 is likely to be met but the Home Office and the Treasury need to set revised targets beyond 2006 to provide a real incentive to departments to increase their engagement with the sector

**Ministry of Defence** Great Britain: Parliament: House of Commons: Committee of Public Accounts,2006-06-27 Following

on from the NAO report HCP 595 I session 2005 06 ISBN 0102936250 published in November 2005 the Committee's report examines the recommendations made to improve the MoD's procurement of defence equipment focusing on time cost and performance data for 30 defence projects in the year ended March 2005 This covers the 20 largest projects where the main investment decision has been taken and the 10 largest projects still in the assessment stage The Committee's report focuses on three main issues options for enhancing programme and project management of defence acquisition the impact of older projects on overall acquisition performance and value for money from the Defence Industrial Strategy Findings include i the MoD has reduced the forecast costs of its top 19 projects by some 700 million but these cuts were needed to bring the Defence Equipment Plan under control rather than the result of better project management ii some of the latest capability cuts are short term expediciencies which may result in an erosion of core defence capability or in higher costs throughout the life of individual projects and iii despite previous assurances that it had restructured many of its older projects to address past failures the MoD still attributes much of its historic poor performance to so called toxic legacy projects which continue to accumulate considerable time and cost overruns and it is now time that such projects were put on a firm footing with realistic performance time and cost estimates against which the MoD and industry can be judged

**Consular Services to British Nationals** Great Britain: Parliament: House of Commons: Committee of Public Accounts, 2006-04-20 The Foreign and Commonwealth Office the Department provides a wide range of consular services from over 200 Embassies High Commissions and Consulates Posts worldwide On the basis of a report by the Comptroller and Auditor General HC 594 session 2005 06 ISBN 010293617X the Committee examined three main issues their progress in influencing British nationals travelling overseas developing consular services as a responsive service and reacting to consular crises The Department has made some significant innovations such as working with operators like EasyJet and publishing the Rough Guide to Safer Travel to increase its influence on those travelling overseas But consular staff are increasingly called to help the irresponsible minority whose problems may have been avoided by greater awareness and planning before travelling or by sensible behaviour once abroad The Department used its existing powers to charge for consular services in just 323 out of 84 000 assistance cases In 2001 the Department procured a casework management system at a cost to date of 3.3 million but this has not been successfully embedded across the organisation and has not produced the management information the Department needs to manage its consular business effectively Issuing passports at over 100 Posts is inefficient and exposes the Department to increasing risks from fraudulent applications The Department has improved its crisis management capabilities since 2001 although there has been slow progress in updating and testing emergency plans at Posts The Indian Ocean Tsunami presented an extreme challenge for consular services their call centres were overwhelmed and they were unable to assist British nationals as quickly as they would have wished

Tackling the Complexity of the Benefits System Great Britain: Parliament: House of Commons: Committee of Public Accounts, 2006-04-27 The complexity of the benefit

system is a key factor affecting the performance of the Department for Work and Pensions Although this complexity is often necessary in order to administer the system cost effectively and protect public funds against abuse it can also result in high levels of error by staff confusion for customers and help create a climate where fraud can more easily take place The Committee's report finds that although the DWP has taken steps to address this problem for example in the design of Pension Credit simplifying claim processes for several benefits and better sharing of information with local authorities these are rather piecemeal developments and it is difficult to tell whether the system as a whole has become more or less complex as there is currently no objective way of measuring it Some of the steps taken to simplify processes for customers are a way of managing complexity rather than eliminating it Managing complexity requires well trained staff supported by accessible guidance and assistance and efficient information technology systems and the DWP should also improve its written communications with customers

Reducing Brain Damage Great Britain: Parliament: House of Commons: Committee of Public Accounts, 2006-07-11 Strokes are one of the top three causes of death in England and a leading cause of adult disability There are 110 000 strokes each year in England with a quarter occurring to people under 65 years Some 300 000 people in England are living with moderate to severe disabilities as a result of a stroke As the NAO report on this subject pointed out HCP 452 session 05 06 NAO ISBN 010293570X it costs the economy in total about 7 billion a year with the direct cost to the NHS about 2.8 billion This Committee of Public Accounts report takes evidence from the Department of Health and sets out a number of recommendations The cost of stroke in both economic and human terms could be reduced by reorganizing existing services more effectively Brain scans of many stroke patients are being delayed everyone who suffers a stroke should be scanned as soon as possible after arrival in hospital and should not wait more than 24 hours Stroke patients should spend longer in hospital on a stroke unit this could reduce the number of deaths There needs to be an increase in the number of consultants who have training in dealing with strokes as well as therapists and other specialist staff with expertise in stroke care across the primary and secondary healthcare sectors The Department of Health should improve provision of information to stroke survivors and carers so they are made more aware of the support services available The Department should run an awareness campaign to improve public knowledge about strokes

A Safer Place for Patients Great Britain: Parliament: House of Commons: Committee of Public Accounts, Edward Leigh, 2006-07-06 Everyday the NHS successfully treats over 1 million people However there are risks and treatments can go wrong A report by the Chief Medical Officer in 2000 An organisation with a memory ISBN 0113224419 estimated that one in ten patients admitted to hospital were unintentionally harmed and that a blame culture and lack of a national system for sharing experience were key barriers to reducing the number of patient safety incidents In Government's response included plans timetables and targets to promote patient safety and the establishment of the National Patient Safety Agency This report finds that insufficient progress has been made In particular there is a question mark over the National Patient Safety Agency because of cost over runs and

delays in its National Reporting and Learning System and the limited feedback it has so far provided to trusts      **Crown Prosecution Service** Great Britain. Parliament. House of Commons. Committee of Public Accounts, 2006 Following on from a NAO report HCP 798 session 2005 06 ISBN 0102936978 published in February 2006 the Committee's report concludes that the handling of cases in magistrates courts has in recent years become complex and protracted to the extent that it no longer amounts to summary justice 55 per cent of the 173 million cost of delay in the magistrates courts is attributable to the defence but the police and the Crown Prosecution Service CPS account for another 14 per cent 24 million each The CPS needs to review its organisational structure revise its system for preparing for magistrates court cases by adopting current best practice and address the cultural resistance within the organisation to more modern working practices      **Parliaments and Human Rights** Murray Hunt, Hayley J Hooper, Paul Yowell, 2015-04-30 In many countries today there is a growing and genuinely held concern that the institutional arrangements for the protection of human rights suffer from a democratic deficit Yet at the same time there appears to be a new consensus that human rights require legal protection and that all branches of the state have a shared responsibility for upholding and realising those legally protected rights This volume of essays tries to understand this paradox by considering how parliaments have sought to discharge their responsibility to protect human rights Contributors seek to take stock of the extent to which national and sub national parliaments have developed legislative review for human rights compatibility and the effect of international initiatives to increase the role of parliaments in relation to human rights They also consider the relationship between legislative review and judicial review for human rights compatibility and whether courts could do more to incentivise better democratic deliberation about human rights Enhancing the role of parliaments in the protection and realisation of human rights emerges as an idea whose time has come but the volume makes clear that there is a great deal more to do in all parliaments to develop the institutional structures processes and mechanisms necessary to put human rights at the centre of their function of making law and holding the government to account The sense of democratic deficit is unlikely to dissipate unless parliaments empower themselves by exercising the considerable powers and responsibilities they already have to interpret and apply human rights law and courts in turn pay closer attention to that reasoned consideration I believe that this book will be of enormous value to all of those interested in human rights in modern legislatures and the relationship between the two As this is absolutely fundamental to the character and credibility of democracy academic insight of this sort is especially welcome This is an area where I expect there to be an ever expanding community of interest From the Foreword by the Rt Hon John Bercow MP Speaker of the House of Commons

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