

Chapter B - Championing Policies

Policy Approval by the Electorate

The Jury Team has identified ten legislative Proposals which the political class does not wish to deal with but which are clearly important to the public, as shown in a series of YouGov polls it has commissioned. It will pass legislation on each of these issues. However as it believes in the electorate's ultimate right to decide, these Proposals will all be passed subject to an authorising referendum. The Jury Team has chosen policies which it appears will be passed by such referendums as there is no point in wasting Parliamentary time on policies which the public does not want.

The ten policies set out in this section cover a wide range of issues which appeal across the electorate. The detailed YouGov poll results are shown in Appendix 1 but key findings from the results are as follows (ABC1 is the pollster's definition of the people in administrative/managerial/supervisory households and C2DE in manual and unemployed households):

- 1. Holding a referendum on the status of the UK within the EU:** 59% agree (37% strongly agree and 22% tend to agree) and 31% disagree (13% strongly disagree and 17% tend to disagree). More popular among C2DE at 65% than among ABC1 at 55%.
- 2. Limiting government borrowing to 10% of expenditure:** 47% agree and 19% disagree. Stronger support among C2DE at 50% than among ABC1 at 45%.
- 3. Protecting bank customer deposits from casino banking:** 73% support and only 9% against, with 80% support among the 55+ age group.
- 4. Limiting benefits to 80% of the after tax minimum wage:** 63% in favour and only 15% against with 59% support even among the C2DE who are likely to be most affected.
- 5. Sentencing violent criminals to "army style" punishment:** 78% support with only 11% against and with only 8% of the C2DE against.
- 6. Limiting UK troops in Afghanistan to the NATO average:** Supported by 67% to 14% with particular support among females (71%) and those aged 55+ (75%).
- 7. Requiring private medical insurance for non-EU citizens:** 78% in favour and only 10% against.
- 8. Establishing 10 year residence requirement for UK Citizenship:** 63% agree with the 10 year rule and 81% that any crime in those 10 years should disqualify someone for Citizenship (highest in both cases among the C2DE).
- 9. Allowing state schools to opt out from local authority control:** Approval by 36% to 33% in England and by 31% to 27% in Wales. Main approval is from the C2DE who currently have to put up with the worst schools.
- 10. Requiring stores to allow customers to leave excess packaging:** 67% in favour and only 10% against.

The Failures of Traditional Political Parties

The need for reform of our political system is now seen as urgent by the public. The current political class has failed the country. It is time for a real change, not just an exchange of one group of career politicians for another.

Peter Osborne, the experienced political journalist, says in his book *The Triumph of the Political Class*:

"The techniques of manipulation, deception, smear and institutional capture have taken power away from ordinary voters and placed it in the hands of the Political Class. But this means that democratic politics in Britain no longer does the job most people want it to do. Rather than resolve conflict, it

suppresses it. Rather than inform voters, it deceives them. Rather than place a check on the power of the executive, it celebrates it. This is a fantastically dangerous structure.

Voters put their MPs into Parliament to represent their interests, and to articulate their anger, not to form part of a comfortable club, or to collude with opposition parties"

In an Editorial in November 2008, The Times said:

"Britain has more children leaving school at 16 than any comparable nation. A tiny fraction of crimes are seen all the way through to prosecution. The incapacity benefit bill is still huge. So are the unfunded pension liabilities. There has been a decade-long experiment in the social democratic idea that money and a modicum of efficiency saving will lead to drastic improvement. It has failed to do so and there is now no option other than fundamental reform of the State."

Professor Anthony King, the political scientist, wrote in the Daily Telegraph in December 2008:

"However, the truth is that the deepest divide in British politics today is not between Labour and the Tories; or between Speaker Michael Martin and irate backbench MPs; or between members of Gordon Brown's Cabinet and each other. It is between Britain's whole political class and the great majority of the British people. On the far side of a chasm stand politicians of all parties and their hangers-on. On the near side is almost everyone else.

Part of the answer lies in a crucial fact that almost everyone in Britain is dimly aware of but that has yet to find full expression. It is that our system of government is failing to perform adequately. Governments of both major parties blunder and fail far more often than they used to.

The past three decades have given us the BSE debacle; the poll tax; the Child Support Agency; Britain's ignominious expulsion from the European Exchange Rate Mechanism; the Millennium Dome; the massive cost-overruns and the partial or total failure of IT projects across the public sector; the failure to control immigration; the bungled introduction of home information packs (Hips); the abandonment of supercasinos; the fiasco of the cost-ineffective Assets Recovery Agency; the collapse of Metronet; GPs' and dentists' ill-drafted contracts; Northern Rock; the failure of government regulation across the financial sector; the botched marking of last summer's SATS exams; the mishandling of Post Office card accounts; the shambolic arrest of Damian Green, and a great deal else besides."

Frank Field, the Labour MP, wrote in the Guardian in December 2008 that we now need to start preparing for a national Government:

"If the Government fails to survive the economic catastrophe beginning to engulf practically all of us, its inability to finance record-breaking debt is what will probably bring it down. Any such end is likely to come unexpectedly, so we need to start planning what to do.

If the debt can't be sold, it will be impossible for the Government to continue. The only options then will be to print money, with all the dangers for a country of going along with such a policy; or for the political parties to come together - in a national Government - to try to convince the gilt market that the country is serious about bringing under control the gap between projected Government expenditure and its falling tax revenue base.

It is crucial that we begin to plan for this scenario for, once in this totally uncharted territory, we may not then have that long to convince the markets that Britain's political class really means business in trying to get the nation's accounts into some sort of order. If we fail to convince at this point, then the outlook for the country is truly unimaginable."

In a December 2008 article in the Mail on Sunday, Vince Cable, the Liberal Democrat MP and Treasury Spokesman, wrote:

"I believe the public will see the need to 'stick together' and, in particular, will expect the political parties to rise above the usual petty, tribal bickering. There will be calls for a 'government of national unity', to get political adversaries round a table working together rather than pointing fingers at each

other. There must, of course, be vigorous debate and public accountability, as well as unity, but I think the public senses that this is not what they are getting at the moment.

I see the personal and party animosities played out every week at Westminster and wonder if the political classes are capable of grasping the enormity of the crisis we are in and the challenge to us to behave differently. If we do not, the public will become seriously angry. We know from history that such anger can lead to extremes.

It will no longer be acceptable for Ministers and mandarins (or MPs and peers) to have a feather-bedded existence, with large, protected pension pots, like First World War generals enjoying the comforts of a chateau at the rear while their men are fighting in the trenches."

A January 2009 letter to The Times from J. Anderson of London said:

"We have, through our own apathy, allowed our government institutions to become increasingly corrupted by a cosy club of self-centered professionals who are more disconnected than ever from the real lives that most of us want to live.

If Britain wants real leadership in government, by honest and independent-minded individuals, who put the interests of their local constituents and their country above their own and those of their party, then voters need to take collective action at the next election to remove this cross-party crop of political cronies. We need to find a new way forward."

In an Editorial in August 2009, The Financial Times stated:

"Britain looks as ready for change and new ideas as it was after 1979 and in 1997. Margaret Thatcher's Tories and Tony Blair's "modernisers" certainly agglomerated in the centre, but evolved a distinctive ethos: respectively, of shrinking the state and privatising the economy; and using market-friendly means to pursue traditional Labour ends such as social justice. Now, both major parties evince an extremism of the centre. The Tories are repositioning themselves roughly where Blairism was ("progressive ends by conservative means"). Labour, recovering from its fulsome conversion to being "intensely relaxed about people getting filthy rich", is scrabbling.

Neither party is grappling with the challenges facing the UK. The next government will have to balance poverty, for example, against fiscal penury. How will it redimension the state? We need a vision of the future. We are not getting it."

The Neglect of Important Issues

The traditional political parties shy away from the issues which most concern the electorate. As political parties pander to the floating voters to get elected, they find it increasingly difficult to discuss bad news that could upset any part of the population. They therefore have to try to be favourable to all. The search for a stance and image which will lead to a political party being elected, requiring it to move towards the centre, means that all major parties have to have policies which specifically appeal to and do not upset the floating voters.

Alastair Darling, Chancellor of the Exchequer, said in January 2010:

"It is blindingly obvious you cannot win elections if you cannot capture the middle ground".

As A. Millar wrote in the Brussels Journal ("The Voice of Conservatism in Europe") in January 2010:

"If Labour won't tackle rising crime, uncontrolled immigration, the EU (which makes 75 percent of Britain's laws), then the opposition must. Cameron doesn't get that. Consequently his party goes up and down in the polls depending on what the country thinks of the Labour government, not what it thinks of the Conservatives. And in December, with the elections looming, his party was at its lowest point in the polls since May. People will vote Conservative only in the hope that it means getting Labour out, not the Conservatives in, because most suspect that a Cameron government will be little better than the Blair or Brown government. The tone of Cameron's latest speech – with its repetition of "we

can't go on like this," and lack of content – seems to suggest that he recognises this, but, like the public, lacks faith in himself."

Mary Riddell wrote in the Daily Telegraph in January 2010:

"Ken Clarke, musing on why the Tories had failed to seal the deal with voters, said in his Sunday Telegraph interview that "the public don't want political heroes any more". With Obama worship curdled by reality, the vogue is for workaday leaders such as Kevin Rudd and Angela Merkel.

If the trend is changing, Mr Cameron has not noticed. Labour ministers have been startled by Mr Cameron's New Year campaign, spearheaded by vague promises on the NHS — identified by Lord Ashcroft as the policy area that will win or lose the election. "We can't believe it's all so thin," says a No 10 aide."

Henry Porter wrote on The Guardian website in January 2010:

"The battle lines were drawn in the general election campaign this week, with the usual exchanges on the health service, tax and spending cuts, no doubt because these issues are the ones people care about. But 2010 also brings the chance to vote on the equally vital issues of liberty and rights, the future of Britain's free society and the gross extension of state power under Labour.

This is a critical moment, perhaps the most important year for liberty and rights in a century or so and on 6 May – the most likely date for the election – we will be voting on our future, as well as the past 13 years, in which the unwritten constitution, liberties and parliament have been constantly undermined in favour of executive power and an overmighty centralised state.

Who will best defend individual liberty and rights and provide the best dissection of the Labour programmes that eroded the concept of innocence and criminalised the public with the creation of hundreds of new offences?"

A January 2010 Editorial in The Independent stated:

"The long general election campaign has begun – and the heart sinks at the narrowness of the battleground being staked out by Labour and the Conservatives. What these early skirmishes indicate is that the prospects of an honest, mature debate on Britain's future in the run-up to polling day are remote.

Politics has, of course, always been about branding and exaggeration to some extent. It will be naive to expect politicians to make their case in the manner of balanced academics. And this is especially true in an election campaign.

Other important questions about Britain's future also seem unlikely to be addressed by Labour or the Tories in this campaign. Our dependence on the financial services sector to drive economic growth has been brutally exposed by the present recession. Yet neither party, for all their outrage over bankers' bonuses, is willing to talk in detail about long-term alternatives to the City of London for national economic expansion.

And then there is Britain's role in the wider world. Some 9,000 British troops are, at present, involved in a strategically significant and dangerous military commitment in Afghanistan. Labour and the Tories are wholly aligned on the necessity of this mission. The unfortunate likely result is that Afghanistan and the global struggle against Islamist terrorism will barely be touched upon in this campaign.

Whoever wins the general election will have to confront these wider issues. But neither the Tories nor Labour seems willing to debate them over the coming months. That needs to change. General election campaigns are vital moments in our national democratic life. When they come around, we need to talk about the things that matter."

The Short-Term Focus of the Current Political System

Governments based on traditional political parties inevitably choose the soft options to woo the floating voters, whether in relation to infrastructure, pensions, education, health or other areas. These can take the form for instance of government having excessive borrowing in order to appeal to the electorate but

with the inevitable cost being borne by future generations. Similarly environmental issues need to be tackled appropriately now as otherwise they leave a legacy for the children and grandchildren of those who cause the problems. Likewise investment in education will always be under pressure but ignorance is usually even more costly to a society in the longer term.

Decisions made by politicians with their eye constantly on their electoral prospects now lead to the party leaders offering continual verbal bribes to the electorate in the same way as Roman emperors used to try to stay in power by offering "bread and circuses" to their citizens. In practice party leaders appeal for the popular vote by offering competitive bribes to the electorate, often using the electorate's own money, especially in relation to state benefits. For instance it is now clear that the economic growth of the last 15 years has been built on too much debt. However because they needed to compete in the minds of voters to say that they could improve living standards, no major party proposed any measures to restrict banks and building societies from providing loans and other credit instruments, such as 125% mortgages, which clearly could not be sustainable.

This Policy Document sets out fairly and clearly the key policies of the Jury Team. There are of course many other aspects of life which it could address. However the Jury Team believes that the well researched Proposals in this document will bring about a significant improvement to the country both for its people and for its political system. Anatole Kaletsky wrote in The Times in August 2008 to warn about more extensive "manifestos" which pretend they have a blueprint for the next five years:

"Manifestos are rarely worth the paper they are written on. This is not just because politicians are dishonest but because unexpected events intervene. Dealing with the unexpected is a much more important function of government than implementing manifestos."

The Need to Consult the Electorate

The Jury Team will put all of the Policies in Sections B and C of this Policy Statement to a referendum. Its reason for wanting to have a referendum to authorise possibly controversial policies is that we need to ensure that citizens feel a connection with the process of running the country in an increasingly complex world. They will only have this if they believe that their opinion is listened to. The low membership of political parties and declining turnout at elections shows voters' distaste for the existing way of doing politics. While the vast majority of the electorate remains interested in national and local issues, most people in the UK feel that they do not have a say in how the country is run. Three fifths of the public can no longer find any real difference between the main political parties. Political debate is seen as hollowed out.

It is therefore important that there is a proper and coherent way for the people to adjust the laws which are made by expressing their view on particular issues between elections. This also limits the power of the Government. In 1910 in the House of Commons, supporting a referendum about Irish Home Rule, Alfred Balfour, a former Conservative Prime Minister, said:

"The referendum, at all events, has this enormous advantage that it does isolate one problem from the complex questions connected with keeping a Government in office, and with other measures which it wants to carry out and with other questions of foreign and domestic policy. It asks the country not 'do you say that this or that body of men should hold the reins of office?' but, 'do you approve of this or that way of dealing with a great question in which you are interested?'"

Theodore Roosevelt said:

"The majority of plain people will, day in and day out, make fewer mistakes in governing themselves than another smaller body of men will make in trying to govern them."

The Economist magazine clearly endorsed this in 1993 when it stated:

"As the old differences of wealth, education and social condition blur, it will be increasingly hard to go on persuading people that most of them are fit only to put a tick on the ballot paper every few years, and that the handful of men and women they thereby send to Parliament must be left to take all the other decisions"

In his speech to the Campaign for Freedom of Information's Annual Awards ceremony in March 1996, Tony Blair said:

"The crucial question is does the Government regard people's involvement in politics as being restricted to periodic elections? Or, does it regard itself as in some sense in a genuine partnership with people? And the Government's attitude to what it is prepared to tell people and the knowledge it will share with them says a great deal about where it stands on that matter. My argument is that if a Government is genuine about wanting a partnership with the people who it is governing, then the act of Government itself must be seen in some sense as a shared responsibility and the Government has to empower the people and give them a say in how that politics is conducted."

In a December 2008 debate in the House of Lords, the Conservative peer Lord Norton of Louth, Chair of the Lords Constitution Select Committee from 2001-04, stated:

"There has been a phenomenal growth in the number of interest groups over the past 40 years. We need to be in a position to engage both with those who come together to form particular groups and those individuals who believe that politics, and what Parliament does, is not for them."

Zac Goldsmith, a Conservative candidate, wrote in The Sunday Times in September 2008:

"In the sense that we, the people, still have the right to remove our government once every few years, Britain is a democracy. But I believe the time has come to acknowledge that our current form of democracy is too crude and inadequate to serve properly a sophisticated 21st-century society. People are switching off, not out of apathy but from a conviction that their voice is not being listened to. 'They're all the same' is a commonly heard lament - and people are increasingly resorting to voting for fringe parties such as the BNP, whose policies and agendas will be disastrous for Britain. Yet there is a solution: a simple mechanism that, if made an integral part of the democratic process, could both improve the quality of decision-making at national and local levels and restore the public's faith in politics. That mechanism is the referendum."

The wording of a referendum is clearly important. This will be the responsibility of the Electoral Commission under the Political Parties, Elections and Referendums Act 2000 (PPERA). This so far only requires the Government to consult the Electoral Commission on the wording of the question but could easily be strengthened to give the Electoral Commission the right to agree the question. The PERA also provides a suitable structure for other issues relating to referendums such as expenses. Referendums will be held annually at the time of the local authority elections, normally May. There are various formulae to ensure that sufficient members of the electorate are in favour of a referendum before it is passed. For Government referendums it is proposed that a referendum question will only be deemed to be passed if there is a turnout of at least 50% with at least 50% of those voting being in favour of it.

In choosing its 10 policies the Jury Team also looked at other potential areas such as *"Legalise cannabis and other "soft" drugs and allow them to be sold and taxed in the same way as alcohol and tobacco"* and *"Put an additional levy on electricity bills to pay an incentive to electricity providers for investing in wind farms and other low carbon ways of producing electricity"* but these were rejected by the electorate in a YouGov poll by 28% to 58% and by 21% to 57% respectively and would therefore be unlikely to be passed in a referendum.

1. Clarifying with a referendum the status of the United Kingdom in the European Union.

Political questions do not have an externally validated right answer: by definition they can be a matter of legitimate disagreement. However, as in a battle, it is eventually necessary to have a clear direction agreed as the shambles of constantly changing attitudes is normally even worse than whatever positive decision is made. The inevitable result of confusion is that the long term is sacrificed to short term political expediency.

The constant policy turns by the UK about Europe have meant that neither have our best people sought election to the European Parliament nor, unlike with France or Germany, has our Government machine ensured that our most able officials are seconded to Brussels and given every help in securing senior positions in the EU management structures. This ambivalence has also meant that business and representative bodies have not built up as strong links with the EU as have other countries which tend to have far more active lobbying groups in Brussels.

The Lisbon Treaty in Article 50 provides for the first time explicitly in European law that a country may leave the European Union: *"1. Any Member State may decide to withdraw from the Union in accordance with its own constitutional requirements."* The Article provides for a two year transition period during which any new arrangements will be negotiated.

Examples of being outside the EU but maintaining trading links are provided by Norway and Switzerland, Europe's two richest countries, which are both proportionally more dependent than the UK on trade with the EU. They have signed a series of bilateral agreements with the EU which, in the case of Switzerland, include Free movement of people, Air traffic, Road traffic, Agriculture, Technical trade barriers, Public procurement, Science, Security and asylum and Cooperation in fraud pursuits

Both the Labour and Conservative parties shy away from any suggestion of a referendum on EU membership because they know that it will open up serious divisions within their respective parties. In contrast the Liberal Democrats and UKIP are united in wanting to have a referendum on this EU question even though they seek an opposite result. In the 2009 EU elections the Liberal Democrats and UKIP together obtained 29% of the vote and 33% of the seats.

83% of people in the UK (and 75% across the EU) wanted to hold a referendum on the Lisbon Treaty which they believed had been promised to them in the 2005 Labour Manifesto in relation to the new EU Constitution. This was also in the context that there had been referendums in a number of other EU countries with notably the Irish being required by their constitution to have a referendum.

However during the debate on the Lisbon Treaty in the House of Commons in 2007, the Conservative MP, Ken Clarke, a former Chancellor and now a member of David Cameron's Shadow Cabinet, said: *"It worries me that members of the political ruling class of this country have now lost their self-confidence and their ability to rely on their legitimacy as Parliamentarians to such an extent that no one among them dares defy the media, the hard-line Eurosceptics or any other people who demand a referendum."*

The first web response to this was posted by "AlanofEngland" who said: *"Well, Mr Clarke, as the song goes 'the times they are a changing'. I note the use of referenda by this Government when it suited them, we all know what they are. I see how referenda are used so well in Switzerland, and I don't think they are awash with corrupt politicians, as we are. We now need this tool to balance the lies of our elite political class."*

"Andrew Hemsted" posted the comment: *"Ken should think that in the past we had more faith in our elected representatives to be more independent and less like career politicians to actually listen to what the public want. At present we seem to be drifting towards a culture where our MPs have no idea how the rest of the country thinks and feels, hence us wanting a referendum."*

Legislation would be enacted to repeal the 1972 European Communities Act as amended. If authorised by a referendum then the UK would leave the EU in line with Article 50 but would negotiate the strongest possible trading links with the EU.

2. Limiting the amount of borrowing the government can set out in its Budget each year to no more than 10% of its total expenditure.

The Chancellor's (pre-election) Report in December 2009 stated that in 2009-10 the government expected to spend £675.7 billion, an increase of £47.9 billion, 7.6%, on the £627.8 billion spent in 2008-9. The major areas of expenditure are Social Security and Services (£219 bn), Health (£119 bn), Education (£88 bn), Defence (£38 bn), Public Order (£36 bn), Housing (£30 bn), Debt Interest (£30 bn), Transport (£23 bn), Industry/Agriculture (£21 bn) and Other (£72 bn).

However tax and other receipts by the government in 2009-10 are forecast at only £498.1 billion which is 6.1% below the £532.4 billion received in 2008-9. The revenue is from income tax (£140 bn), social security (£95 bn), VAT (£67 bn), excise duties (£44 bn), corporation tax (£34 bn), council tax (£25 bn), business rates (£24 bn) and Other (£68 bn).

As a result in 2009-10, the government will have to borrow £177.6 billion (£675.7 bn less £498.1 bn). This represents 26.3% of the government's expenditure: over a quarter of all government expenditure is being paid for by borrowing. This is an unsustainable rate which could lead to the UK's credit rating being reduced from the current top AAA level. This will increase interest rates and seriously weaken the economy as has recently happened with both Greece and Ireland. In January 2010, Bill Gross, managing director at Pimco, the world's biggest bond house, advised against buying UK gilts because they were "resting on a bed of nitro-glycerine". Even more importantly, the cost of current state spending will be paid for by our children/grandchildren who will be saddled with this huge debt.

Despite this, the government is budgeting that net borrowing next year (2010-11) will again be 25% of expenditure as shown in the top part of the table below. The Pre-Budget forecast shows it in subsequent years to be £140 bn in 2011-2 and £117 bn in 2012-3 when cumulative debt will reach 75.4 % of GNP, up from 44.0% in April 2009. None of the traditional parties have set out any details of how they will actually even get the borrowing reduced to these levels. It can only be achieved either by increases in taxes or reductions in expenditure and the current system is too dominated by party political thinking and trying to win elections rather deciding what is best for the country.

<u>£ billion</u>	<u>2008-9</u>	<u>2009-10</u>	<u>2010-1</u>	<u>2011-2</u>	<u>2012-3</u>
Receipts	532.4	498.1	530.0	576.0	617.0
Expenditure	627.8	675.7	707.0	716.0	734.0
Net Borrowing	95.4	177.6	177.0	140.0	117.0
% Expenditure	15.2%	26.3%	25.0%	19.6%	15.9%
<i>Expenditure Reduction</i>				2.5%	6.6%
Receipts	532.4	498.1	530.0	576.0	617.0
Reduced Expenditure	627.8	675.7	707.0	698.1	685.6
Net Borrowing	95.4	177.6	177.0	122.1	68.6
%	15.2%	26.3%	25.0%	17.5%	10.0%

The Jury Team Policy requires the government to present a Budget in all years from 2012-3 with borrowing as no more than 10% of government expenditure (roughly equivalent to 4% of the country's GNP) with a staging post of 17.5% in 2011-2. The electorate seems to prefer most of the reduction in the deficit to come from reducing public expenditure rather than from raising taxes. This can be achieved by cutting expenditure by 2.5% in 2011-2 and by 6.6% in 2012-3 from the currently forecast levels. 2012-3 expenditure will still be 9% higher than in 2008-9. The Jury Team will ask the electorate, especially employees of public organisations, to suggest through a website where waste can be cut while maintaining or improving services. No element of government costs should be immune. Savings would also result from leaving the EU, controlling housing benefit, reducing troops in Afghanistan and medical insurance for visa holders.

The policy is framed in terms of the Budget to be presented to Parliament each Spring. This will have to show the borrowing required to finance government expenditure as below the percentage limit set by the Proposal. If there is a major change in the country's circumstances during the year then the borrowing might increase above the prescribed limit in practice but the government will have to make plans to bring the cumulative borrowing back under control by the next Budget or will have to seek referendum approval for the change.

3. Preventing banks that are benefiting from government guarantees from using depositors' funds to support their own market trading.

A sound banking system is as necessary to a modern economy as is the supply of water or electricity. There must be a functioning payment system, the ability for people to deposit their money and be assured that it is safe and a process for individuals and organisations to borrow that money for worthwhile projects.

In the United States the Glass-Steagall Act was enacted in 1933 after the Great Crash to separate commercial banking from investment banking. The Act was repealed in 1999 (following a \$200 million lobby by Wall Street firms following Citibank's otherwise disallowed purchase of Travelers Insurance) despite a prescient 1987 report by the Congressional Budget Office:

- 1. Conflicts of interest characterize the granting of credit - lending - and the use of credit - investing - by the same entity, which led to abuses that originally produced the Act.*
- 2. Depository institutions possess enormous financial power, by virtue of their control of other people's money; its extent must be limited to ensure soundness and competition in the market for funds, whether loans or investments.*
- 3. Securities activities can be risky, leading to enormous losses. Such losses could threaten the integrity of deposits. In turn, the Government insures deposits and could be required to pay large sums if depository institutions were to collapse as the result of securities losses.*
- 4. Depository institutions are supposed to be managed to limit risk. Their managers thus may not be conditioned to operate prudently in more speculative securities businesses.*

Former Citibank Chairman John S. Reed has apologised for the merger with Travelers and recanted his advocacy of the repeal of Glass-Steagall. In January 2010, President Obama said: *"We should no longer allow banks to stray too far from their central mission of serving their customers. When banks benefit from the safety net that taxpayers provide, which includes lower cost capital, it is not appropriate for them to turn around and use that cheap money to trade for profit. Banks will no longer be allowed to own, invest or sponsor hedge funds, private equity funds or proprietary trading operations for their own profit unrelated to serving their customers. If financial firms want to trade for profit, that's something they're free to do. Indeed, doing so responsibly is a good thing for the markets and the economy. But these firms should not be allowed to run hedge funds and private equities funds while running a bank backed by the American people."*

The Bank of England Governor, Mervyn King, said in October 2009: *"In other industries we separate those functions that are utility in nature, and are regulated, from those that can safely be left to the discipline of the market."* In response to President Obama's proposals, Lord Turner, Chairman of the Financial Services Authority, said in January 2010: *"The crucial phrase is there should be limits to proprietary trading unrelated to customer service. I absolutely agree with that and the crucial question is how we operationalise that. There need to be processes of market-making, but it needs to be in support of customer service."*

In the UK there was no equivalent of the Glass-Steagall Act as traditionally commercial and investment banks were separately owned. However in the last 25 years commercial banks bought investment businesses as well as other commercial banks (e.g. NatWest/Midland/TSB/Bank of Scotland), so reducing competition.

In January 2010, the New Statesman magazine said: *"Though different in form, the UK's Big Bang of 1986 had a similar effect, allowing banks to engage in securities trading. Between them, these reforms created organisations that were ridden with basic conflicts of interest while being "too big to fail" - or perhaps, as some prefer to put it, "too big to succeed". Commercial banks have the capital, whereas investment banks have the brains and the aggression. The combination is potent and intoxicating. It is also dangerous, because players sometimes take the wrong gambles."*

This Jury Team Proposal will allow banks still to undertake trading on behalf of their customers but only to trade on their own account in order to make a market (up to 10% of their capital as with Glass-Steagall). This will only affect UK banks which either have a government guarantee of their loans or who belong to the government scheme to protect deposits. These could either divest their UK commercial banking business or agree to its being financially ring-fenced. It should release other international banks based in the City of London and elsewhere in the UK from some of the very heavy regulation which is now otherwise proposed for them.

4. Limiting the total amount that an able-bodied working-age claimant with no children can receive in tax credits and social security, including housing benefit, to 80% of the after tax minimum wage.

In 2010-11, the cost of central government social security and tax credits are forecast at £197.1 billion (bn), up 14% on 2008-9, plus a further £22.0 bn for other social spending. £153.9 bn of this is spent through the Department of Work and Pensions (DWP), of which £2.8 bn is directed at children, £98.9 bn at people above working age and £52.1 bn at people of working age. Of that £52.1 bn, £17.8 bn relates to unemployment, £16.6 bn to housing, £14.2 bn to invalidity/incapacity/sickness, £2.2 bn to maternity and £1.3 bn to other benefits.

The welfare state was implemented by the Labour government in 1946 based on the recommendations of the 1942 Beveridge Report. This cautioned: *"The state in organising security should not stifle incentive, opportunity, responsibility; in establishing a national minimum it should leave room and encouragement for voluntary action by each individual to provide more than that minimum for himself and his family."* and consequently: *"Social insurance should aim at guaranteeing the minimum income required for subsistence"*. Weekly 1946 unemployment pay was set at £2, 50% of the minimum 48 hour wage for farm workers.

Over the last 65 years social security has vastly increased to be by far the largest part of government expenditure. However the decisions about how the money is spent are taken not by government but by individuals who choose to spend the received money on food, drink, clothes, entertainment or any other item.

For many of those of working age social security has become a trap. They are sensible if they decide not to work because the additional income from working is negligible, or even negative. They may even have to move house if they get a job. The Centre for Social Justice, set up by Iain Duncan Smith, has concluded: *"This emerging underclass lives in communities consistently defined by five characteristics, which become the pathways to poverty: family breakdown; educational failure; drug and alcohol addiction; severe personal indebtedness; and economic dependency – caused by intergenerational worklessness. The number of people of working age on out-of-work benefits remained stubbornly high at approximately 5.4 million."* The Centre concluded: *"The biggest barrier to those entering work for the first time was the benefit system itself."*

In Australia the rate of payment for a single unemployed adult (including Rent Assistance) is \$284 per week, (£160). This is linked to the minimum wage and currently runs at about 75% of the Federal Minimum Wage after tax. In the UK, Jobseeker's Allowance is currently £64.30 for a single person over 25 but with housing benefit and other payments the total amount received can be substantially above the level of the minimum wage. The total cost this year of housing benefit (all ages) will be £19.6 bn (4.4 million recipients, average £86 per week) plus a further £4.6 bn on council tax benefit (5.4 million recipients, average £16 per week). A recent example of housing benefit is a family in Brent which receives £2,875 per week. These benefits are administered by local authorities who, as they are reimbursed by government, may not try to economise. Local authorities are currently required to house people in their own area but could be allowed to house people up to 5 miles from their boundary, a reasonable commute. In December 2008, James Purnell, then the Secretary of State for the DWP said: *"People on housing benefit should not be getting levels of support that will be out of reach of their working peers."* but they still do.

Benefits can therefore easily provide more than the income of someone on the minimum wage working for 40 hours per week. The Jury Team believes that there needs to be a total cap on payments to ensure that Beveridge's objective of *"incentive, opportunity, responsibility"* is maintained. The current adult minimum wage is £5.80 per hour for workers aged 22 years and older (£5.81 for farm workers) which for 40 hours is £232 per week. After tax and social security payments this is reduced to a net income of £197.07. The Family Spending Report from the Office of National Statistics gives detailed information about the cost of living. This shows in Table 3.4E that the weekly expenditure of the lowest 20% of "One adult non-retired households" is £150.30. This is 76% of the after tax minimum wage of £197.07. The Jury Team therefore proposes that the total of benefits for able-bodied adults should be capped at 80% of the after tax minimum wage. This will provide an incentive to work and will be phased in over three years. Other payments for children or for incapacity will then be added to this figure.

5. Giving courts the ability to sentence violent criminals to "army style" punishment and training courses.

In November 2009 the prison population of England and Wales stood at 84,647, a record high, an increase of 85% since 1993, despite more than 60,000 early releases since a new scheme in June 2007. In 2008, 99,500 people were sentenced to prison for an average of 13 months each. Since 1998 the number of sentences for robbery has increased by 53% and for violence against the person and sexual offences by 12%. Great Britain has 153 prisoners per 100,000 population, the second highest in Western Europe below Spain (160) and well ahead of France (96) and Germany (89). The overall cost of the criminal justice system has risen from 2% of GDP to 2.5% over the last ten years which is a higher level than in any other EU country. The cost of building a prison place is over £100,000. The average age of those sentenced to custody is 27 with a quarter aged 21 or under.

The latest detailed prison figures from the Ministry of Justice are for June 2009 and show a total prison population of 83,454 of whom 15,079 were not sentenced or were fine defaulters. Of the remaining 68,375, 47,677 (70%) were in prison for offences against the person (direct violence: 19,950, sexual offences: 7,972, robbery: 9,049 and drug offences: 10,696). The other 30% were inside for fraud, burglary, theft, motoring offences etc.

Prison has the primary function of incarcerating prisoners to prevent them from committing further offences. However it has two other very important roles: punishment (coupled with deterrence) and rehabilitation. In October 2008 Jack Straw, the Justice Secretary and former Home Secretary, launched an attack on liberal justice groups who focus on the 'needs' of offenders instead of punishment. He said: *"We should not shy away from the fact that the sentences of the court are first and foremost for the punishment of those who have broken the law, broken society's rules."* Punishment and rehabilitation are different processes and cannot be effectively managed by the same institution. Punishment needs to be tough but rehabilitation, normally education to raise the prisoner to an employable level, has to take place in a different environment.

The reconviction rate remains terrifyingly high. The Government's Social Exclusion Unit has determined that reoffending costs society at least £11 billion per year. 47% of adults are reconvicted within one year of being released and for those serving sentences of less than 12 months this increases to 60%. Of all sentences given for indictable offences, the proportion given to offenders with 15 or more previous convictions or cautions has risen steadily from 17 per cent in 2000 to 28 per cent in 2008. It is clear that neither punishment nor rehabilitation is being properly achieved in the current prison system where one institution tries both to punish and rehabilitate.

The Jury Team policy is that all those convicted of crimes against the person (broadly as defined above) should have a clear punishment regime followed by rehabilitation and education in a separate establishment (essentially the current prisons). Every prisoner convicted of these offences will first have a one month punishment regime. This will be repeated every 6 months (i.e. one month of punishment followed by up to five months of rehabilitation) for the first four years of a sentence.

With around 48,000 prisoners in these categories, new establishments holding 10,000 prisoners will be required. These will help to relieve current overcrowding. They will be basic, like Army camps with Nissen huts. With 400 prisoners per camp, this will require 25 camps. At a cost of £50,000 per prisoner, an upside estimate for such construction, the total capital cost will be £500 million, much less than the currently planned £4.2 billion programme. Some will cater specifically for the non able-bodied and others for the mentally challenged. An Independent Monitoring Board will oversee this provision.

The camps will be largely staffed by former armed forces NCOs, Warrant Officers and Officers which will also give a new source of employment for veterans. The punishment regime will be based on drill (without use of any guns), exercise and other tasks. There will be no televisions, visits or other distractions. Those disobeying could be subjected to additional tasks, cold showers, solitary confinement and other aspects of military discipline. The Military Corrective Training Centre at Colchester, a former wartime Prisoner of War Camp, provides a broad model, although not itself a prison, with its four week programme including fitness training. There are weekly reports on each detainee and promotion depends on effort/attitude rather than attainment, with participants staying until they meet the required standard.

6. Limiting the number of British troops sent to Afghanistan to the average number sent by other NATO countries (relative to their population).

The UK's security depends on its membership of NATO and the Ministry of Defence website states: "NATO remains the cornerstone of UK defence policy". The following table shows the latest available (15th January 2010) number of troops deployed in Afghanistan by all 28 countries of NATO as shown on the website of the International Security Assistance Force (ISAF) which is run by NATO on behalf of the United Nations:

	<u>Troops</u>	<u>Population</u>	<u>Troops Per Million</u>	<u>Deaths 2006-9</u>	<u>Deaths Per Million</u>
United Kingdom	9,500	61,634,599	154.1	240	3.9
United States	45,700	308,181,734	148.3	689	2.2
Denmark	740	5,511,451	134.3	26	4.7
Netherlands	1,950	16,486,587	118.3	21	1.3
Estonia	155	1,340,415	115.6	7	5.2
Norway	500	4,799,252	104.2	3	0.6
Canada	2,830	33,880,270	83.5	130	3.8
Latvia	175	2,261,294	77.4	3	1.3
Albania	245	3,639,453	67.3		
Croatia	295	4,435,056	66.5		
Bulgaria	495	7,606,551	65.1		
Slovenia	130	2,032,362	64.0		
France	3,750	64,351,000	58.3	31	0.5
Italy	3,150	60,053,442	52.5	19	0.3
Germany	4,280	82,002,356	52.2	16	0.2
Poland	1,955	38,135,876	51.3	16	0.4
Belgium	545	10,665,867	51.1	1	0.1
Lithuania	155	3,349,872	46.3	1	0.3
Slovakia	240	5,412,254	44.3		
Romania	900	21,498,616	41.9	8	0.4
Czech Republic	370	10,467,542	35.3	3	0.3
Hungary	255	10,030,975	25.4	2	0.2
Turkey	1,755	71,517,100	24.5	2	0.0
Spain	1,065	46,661,950	22.8	8	0.2
Luxembourg	9	493,500	18.2		
Iceland	4	319,368	12.5		
Portugal	105	10,627,250	9.9	1	0.1
Greece	15	11,260,402	1.3		
TOTAL	81,268	898,656,394	90.4	1,227	1.4
AVERAGE			62.4		0.9

The table is in the order of the number of troops per million of population. It can be seen that the UK has the highest number, 154 per million, of any NATO country. In contrast France, Germany and Italy have a ratio of only 58, 52 and 52 per million respectively. The average of this ratio for all NATO countries is 62.4 and if the UK moves to this ratio then it will lead to a 60% reduction, about 6,000, in the number of UK troops deployed, saving around £2 billion from the defence contingency budget. These 6,000 would amount to about 7% of the current total NATO forces deployed. This could be made up by further troops from other countries or by reducing the area covered or the rate of training of the Afghan army. Professor Malcolm Chalmers of the Royal United Services Institute, the military think-tank, has already said it would be feasible for "the total size of the commitment to go down to around 5,000 by 2012".

The table also shows the number of deaths in Afghanistan up to the end of 2009 for troops of the various countries since 2006 when NATO was redeployed. Tom Coghlan said in The Times in January 2010: "The force levels now being deployed show the catastrophic miscalculation that was made before the original deployment of 3,300 British soldiers in 2006; with the famous hope of John Reid, the Defence Secretary at the time, that they might leave in three years "without a shot being fired" ". It can be seen that at 3.9 deaths per million population, the UK has a death rate slightly higher than Canada and much greater than the US. The UK death rate per million population is the highest with the exception of Denmark and Estonia, whose forces both suffered from serious isolated incidents, and is more than 10 times that for the troops from Germany, France and Italy.

If there is a threat to the West then every country of NATO should be deploying its troops similarly. However there seems no reason why the UK should provide more than its fair share of troops to the NATO campaign in Afghanistan. This Proposal will limit the number of UK troops to the NATO average (relative to population) although for operational reasons during handover periods the government would be allowed to exceed this limit by 10% for up to three months.

7. Making private medical insurance a requirement for all non-EU citizens obtaining visas for more than three months.

The UK is the only EU country to provide totally free healthcare. The National Health Service (Charges to Overseas Visitors) Regulations 1989 say NHS charges may not be made to people unless they are "not ordinarily resident". The current definition of "ordinarily resident" however includes anyone (plus their spouse, civil partner and children, under the age of 16 or up to 19 if in further education, if they are living with that person):

- accruing 12 months lawful UK residence, even if the Home Office has not granted leave to remain on a settled basis
- taking up permanent residence from the time of their arrival: if someone states that they intend to live permanently in the UK and have the requisite visa.
- in UK employment or self-employed with their principal place of business in the UK even if not in the UK for 12 months
- given leave to enter the UK by the Home Office to marry or become the civil partner of someone ordinarily UK resident
- granted refugee status or who has made a formal application to the Home Office for asylum while their application is being processed. The definition continues if the initial application is rejected. If any appeal is finally rejected any course of treatment which began before the application was finally rejected will continue to be free of charge

Regardless of residential status, emergency treatment is free of charge. GPs also have a measure of discretion in accepting applications to join their patient lists. A practice is not able to refuse an application on the grounds of race, gender, social class, age, religion, sexual orientation, appearance, disability or medical condition. More than 600,000 people from abroad signed up with a GP in the past year, of whom only about 70,000 were British people returning from overseas.

In Ireland the government takes a more robust view and requires most people entering the country, if they plan to stay more than 3 months (even if they are from the EU), to have sufficient medical insurance.

Despite the apparent dislike of the current government and of certain NHS stakeholders for private health insurance as being a socially divisive measure, the NHS website already states that those from overseas not covered for their health costs: *"are strongly advised to take out private healthcare insurance that will cover you for the length of time you are in the UK."*

On the 20th July 2009, Ann Keen (Parliamentary Under-Secretary, Department of Health) said in the House of Commons: *"The Government are also attracted to the principle of visitors (who are not covered by EEA or other reciprocal health agreements), being required to have personal health insurance provision, as is already the case in some other countries. We intend initially to seek views on the merits and feasibility of such a scheme that will inform further work to evaluate possible options."*

There would be substantial cost savings. Out of a resident UK population of 60.6 million, there are now estimated to be 4.2 million (6.9%) foreign nationals, of which 1.8 million (2.9%) are from the EU and 2.4 million (4.0%) from the rest of the world (India 297K, Pakistan 176K, USA 126K, South Africa 101K, Nigeria 93K, Australia 85K, China 82K, Philippines 79K, Bangladesh 74K and Somalia at 69K are the 10 largest).

These people will have broadly similar health care costs to the rest of the population although there may be some variations (e.g. fewer older people but a higher birth rate: 24% of babies are born to mothers themselves born outside the UK). On this basis, requiring these non-EU nationals to have health insurance will save the NHS about £4 billion (extending this to EU nationals will save a further £2 billion).

Visitors to the UK for less than three months would be unaffected by these measures as to try to apply them to this group could have a serious effect on tourism and on short-term exchanges for educational or business reasons.

The cost of health insurance will vary depending on the age and medical history of the person. However for most people it is likely to be in the £1,000-2,000 range. The insurance would have to be with licensed UK insurance companies who would be required to report to the Border Agency if premiums fell into arrears.

8. Increasing to 10 years (from the current 3 or 5) the minimum time that adult immigrants must live in the UK before getting UK Citizenship, with Citizenship only being granted if they are not convicted of any indictable crime or in receipt of social security for 10 years and can meet the GCSE standards expected of 16 year old pupils.

British nationality is governed by the British Nationality Act 1981 and normally relates to being born in the UK or having descent from UK parents or grandparents if born overseas.

However the law also allows other people, not born in the UK and without any UK ancestors, to become "naturalised" as a British citizen. This can be achieved by anyone who is over 18 and has been living in the United Kingdom for the last five years (or three years if married to or a civil partner of a British citizen). In addition babies born to mothers who may have been in the UK for only a short time can also achieve British citizenship if the mother stays in the UK and they are resident in the UK until they are 10. Gaining British citizenship is seen by many people from around the world as a great prize as it entitles the person, whatever they may subsequently do, to live in the UK and to receive all available government benefits. Most immigrants, especially from outside the EU, see this as their long term objective.

In order for an adult to become a British Citizen, they have to be of "sound mind" and intend to continue to live in the United Kingdom. They also have to be able to communicate in English, Welsh or Scottish Gaelic to an acceptable degree, have sufficient knowledge of life in the United Kingdom, and have been resident in the United Kingdom for at least five years (three years if married to or a civil partner of a British citizen). Unfortunately all of these aspects have come into disrepute with issues about arranged marriages, forged English certificates and the lack of monitoring of people who say they intend to stay but then leave. The "good character" reference only applies to "unspent convictions" so somebody could have a criminal record which has been "spent" after only three years. Similarly the economic requirement is only that you currently pay income tax and social security: applicants can take a temporary job to achieve this.

According to the Office of National Statistics (ONS) in the last nine years an average of 360,000 people emigrated from the UK and 540,000 have been immigrants, an annual net immigration of 180,000. Over 2000-8 there was therefore a net UK population increase from migration of about 1.6 million. As has been the case in recent years, around 10% of immigrants were born in the UK, 30% in the EU and 60% in other countries. Only 15% of all immigrants entering the UK in 2008 were British citizens.

The latest figures from the ONS show that 6.5 million people born overseas were resident in the UK at June 2008, an increase of 290,000 on the previous year. The number of non-British nationals living in the UK increased by 41 per cent between 2004 and 2008. 13% of school pupils do not have English as their first language. Over one-third of the 7.5 million people in London were born overseas. In 2008 there were 3.8 million people aged 16 and over who were born abroad and working in the UK, representing 13 per cent of those employed in the UK. This is broadly equivalent to the number of people unemployed or claiming disability benefit.

1.4 million people have become British citizens since 1997. Home Office figures show that 129,375 people were granted British citizenship in 2008 (compared with only 37,010 in 1997). Only 8,735 applications were refused. 51% of grants were on the basis of residence, 22% marriage and 24% minor children. In January 2010 the Cross Party Group on Balanced Migration including Baroness Boothroyd and Lord Carey stated: *"But the first requirement is a clear political decision to put in hand the measures required to restore control over our borders, to break the present almost automatic link between coming to Britain and later gaining citizenship....."*

The Jury Team policy is that the residence requirement should be increased to 10 years (as an adult) in all cases. In addition the applicant must not have any record of an indictable crime in the previous 10 years and also not have claimed any social security benefits during 10 individual tax years in the last 12. They must either have a recognised degree or be able to pass 5 subjects at Grade C at GCSE including English, Mathematics and Science, the basic qualification for UK pupils. Children will only be able to become UK citizens when they meet the adult requirements at a minimum age of 28 (staying in the UK until then on a visa basis).

9. Allowing state schools the option of opting out from local authority control but remaining state funded if a majority of parents at the school agree (to be legislated separately in each of the four nations of the UK).

Our children are not being given the opportunity to reach their potential. In the 2008 SAT tests for children leaving English primary schools, 39% of pupils - a total of 220,000, about a third of the cohort - failed to reach the expected level four in reading, writing or mathematics and have therefore had their life chances hugely reduced. They have had about 6,000 hours in the classroom but are still unable to communicate well or to do simple arithmetic properly. These children leave their typically 250 pupil primary school and move to a 1000+ pupil secondary school. Without the basic skills they become frustrated in the larger and more complex new environment and are tempted by other avenues of excitement. Those who do not reach level four in the SAT tests at age 11 are much less likely to reach the expected standard of 5 GCSEs at Grade C or above at age 16.

Local authority run schools have lost their freedom and are increasingly regulated. At his union's May 2009 annual conference, Dr Chris Howard, President of the National Association of Head Teachers, accused ministers of interfering relentlessly in schools and failing to trust the teaching force: *"In England, at least, we have endured a decade of compliance and centralised control in the name of client choice and raising standards. Nearly every action of the department (DCSF) advertises the fact that it doesn't trust school leaders very much and doesn't trust primary school leaders at all."*

The 2008/9 Ofsted Annual Report shows that 32% of the 5,323 primary schools that it inspected during the year were not "Good" or "Outstanding" in relation to *"How well learners make progress, taking account of any significant variation between groups of learners"*. Ofsted comments: *"In three in 10 schools, pupils make progress which is no better than satisfactory. In schools in which achievement is inadequate, there is significant underperformance by pupils in general or by particular groups. Pupils of White British heritage from deprived homes are still particularly at risk of underachievement."* This Ofsted Report also states: *"There is a 'stubborn core' of inadequate teaching; furthermore, too much teaching is just satisfactory and fails to inspire, challenge and extend children."*

Schools have become monopolies: it is normally now not possible to apply to an individual primary school. The application must be to the local authority and this decouples the school's performance from the number of pupils going there. Even a primary school judged by Ofsted to be inadequate or needing special measures will have about thirty 5 year old children forced by the local authority to join it every September.

Schools, even more than many other organisations, depend on the dedication of their employees. However in a monopoly it is much more difficult to deal with under-performance. If the customers are required by law to use your services, then the pressure to deal with staff slackness is much reduced. Failing teachers are protected by rules like Heads having to give notice before observing teachers teaching and by a cumbersome appeals process. A bureaucratic municipal system can give staff more priority than the real customers, the children, who only have one chance to get their education.

The government should pay for school education but parents, not the government, should have the main responsibility for deciding where their children are educated. Government should pay schools according to how many pupils they educate and it should pay them more for disadvantaged pupils so that these can have more resources. However the government does not need to run the schools. 67% of schools in Holland and 55% of schools in Ireland follow this funding model. The US Charter schools, which have generally been very successful, work on the same model.

The ballot in a school to decide whether to opt out will be initiated by the governors or by 5% of the parents. It would require a 55% agreement with at least 50% of the families voting and could be held not more often than every five years.

Independence gives back to teachers their professional respect and, subject to the governors, gives Heads the right to manage their school without interference. They must succeed or otherwise parents will stop sending their children there. This gives parents a choice, makes the children the key focus, motivates staff and raises aspirations.

10. Requiring supermarkets and other large stores (exceeding 3,000 square feet) to provide facilities for customers to leave in store any excess packaging on products they have bought.

Household waste in England now totals 24.2 million tonnes (Mt) per year which equals 472 kg per person (more than six times the average human body weight) or 1,072 kg per household (6½ pounds per day). There is a further 3.1 Mt of other municipal waste to give a total of 27.3 Mt collected by English local authorities during 2008-9. Over half of this, 13.8 Mt, goes into landfill which is the worst environmental option as the methane it produces is a potent greenhouse gas with at least 21 times more negative environmental impact than carbon dioxide. 3.3 Mt is incinerated and 10.1 Mt is recycled or composted which is a much increased proportion of the total over the last 15 years but means that the UK is still well behind many other European countries which recycle well over half of their municipal waste.

Roughly 5.9 Mt of annual UK household waste is used packaging. We throw away about 455,000 tonnes of plastic bottles every year, about 9.1 billion bottles or one per day per household. Many of these end up in landfill where, because plastic bottles are light but bulky, they take up a lot of space. In addition an average household uses 600 steel cans, 200 aluminium drink cans and 200 glass bottles and jars each year.

Excessive packaging such as green beans on black plastic trays, shrink-wrapped cucumbers, bananas in bags, apples in hermetically-sealed containers and a computer mouse in the equivalent of an Easter egg box have led to a campaign to try to force retailers and manufacturers to reduce the packaging they use. In addition we need to have a larger proportion of packaging that can be recycled.

A 2009 Local Government Association (LGA) survey showed that around 40% of supermarket food packaging cannot easily be recycled. Councillor Margaret Eaton, chair of the LGA, said: *"At a time when we're in recession and shoppers are feeling the pinch, we have to move on from a world that tolerates cling filmed coconuts and shrink wrapped tins of baked beans. Families are fed up with having to carry so much packaging home from the supermarket."* Paul Bettison, chairman of LGA's Environment Board, said: *"People are working hard to increase their recycling rates, but their efforts are being hamstrung by needlessly over-packaged products on sale in supermarkets. We all have a responsibility to reduce the amount of waste being thrown into landfill, which is damaging the environment and contributing to climate change. If we had less unnecessary packaging it would cut costs and lead to lower prices at the tills. When packaging is sent to landfill, it's expensive for taxpayers and damaging for the environment. Supermarkets need to up their game so it's easier for people to do their bit to help the environment."*

At least 28 countries have "take-back" laws which either require manufacturers or retailers to take-back a high proportion of what they sell at the end of its useful life or give consumers the right to take products back to where they bought them. These laws encourage producers to act at the design phase of their product and packaging which is the best way in which to engineer a reduction in single-use packaging. If retailers know that it will be consumers rather than lawyers who will decide whether their packaging is appropriate then they are much more likely to put resources into reducing the packaging associated with their products.

In 2006 the then Environment Minister, Ben Bradshaw, recommended that shoppers take direct action by leaving excessive packaging at the tills to force the pace of change. The Jury Team will legislate so that retailers will have to have an area where consumers can leave behind any packaging they do not require, shifting the burden of waste from the consumer to the retailer.

It was reported in April 2009 that for their own purposes Tesco was undertaking market research by letting its customers remove and leave plastic and paper packaging from products purchased in store. Lucy Neville-Rolfe, Tesco executive director for Corporate and Legal Affairs, said: *"We know that our customers want us to continue to reduce packaging. At the same time we need to make sure that we are preventing unnecessary food waste. We are looking to find the least amount of packaging necessary and this trial will help us to establish customers' views."* This test shows the feasibility and sense of the proposed legislation.