

CLYDE&CO

Queen's Speech 2022

What might the legislative programme mean for liability risks?

Liability Insurance Conference, September 2022

Alistair Kinley | Director of Policy & Government Affairs | alistair.kinley@clydeco.com



Overview

- Transport Bill
- 'Protect' duty Bill
- Four other Bills of interest

Delivered on: **10 May 2022** (Transcript of the speech, exactly as it was delivered)



My Lords and members of the House of Commons.

My Government's priority is to grow and strengthen the economy and help ease the cost of living for families. My Government will level up opportunity in all parts of the country and support more people into work. My Ministers will

Related content

[Queen's Speech 2022: background briefing notes](#)

[Queen's Speech 2021](#)

[E-scooter trials: guidance for users](#)

[Consultation on primary legislative changes to reform our railways](#)

[Queen's Speech 2019](#)

Transport Bill



My Government will improve transport across the United Kingdom, delivering safer, cleaner services and enabling more innovations. Legislation will be introduced to modernise rail services and improve reliability for passengers.



**Connected & Automated
Mobility 2025:** Realising
the benefits of self-driving
vehicles in the UK



Transport Bill – automated driving

'YES' to the Law Commission

Framework and detail

Adding to AEVA 2018

How safe is safe enough?

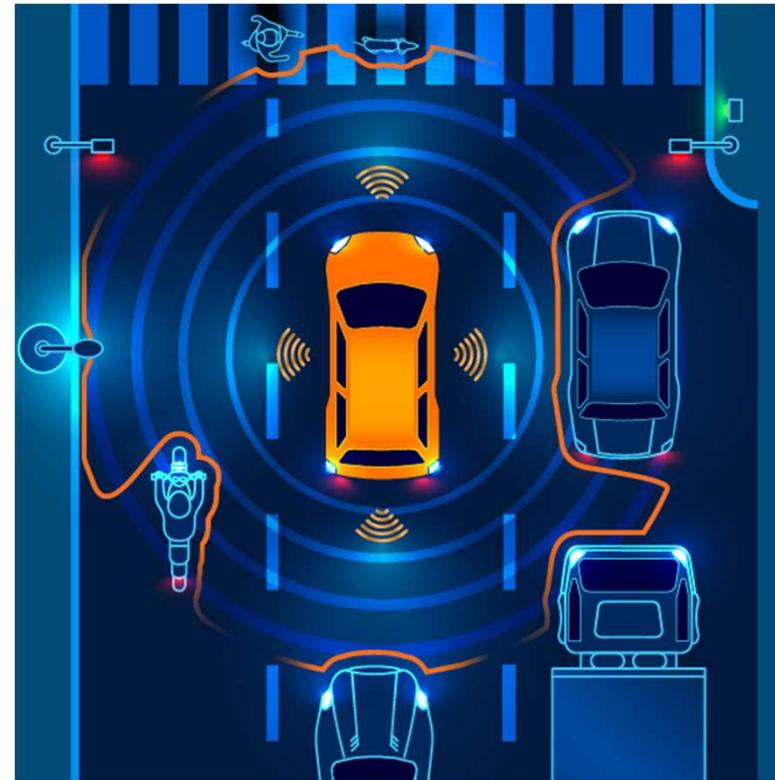
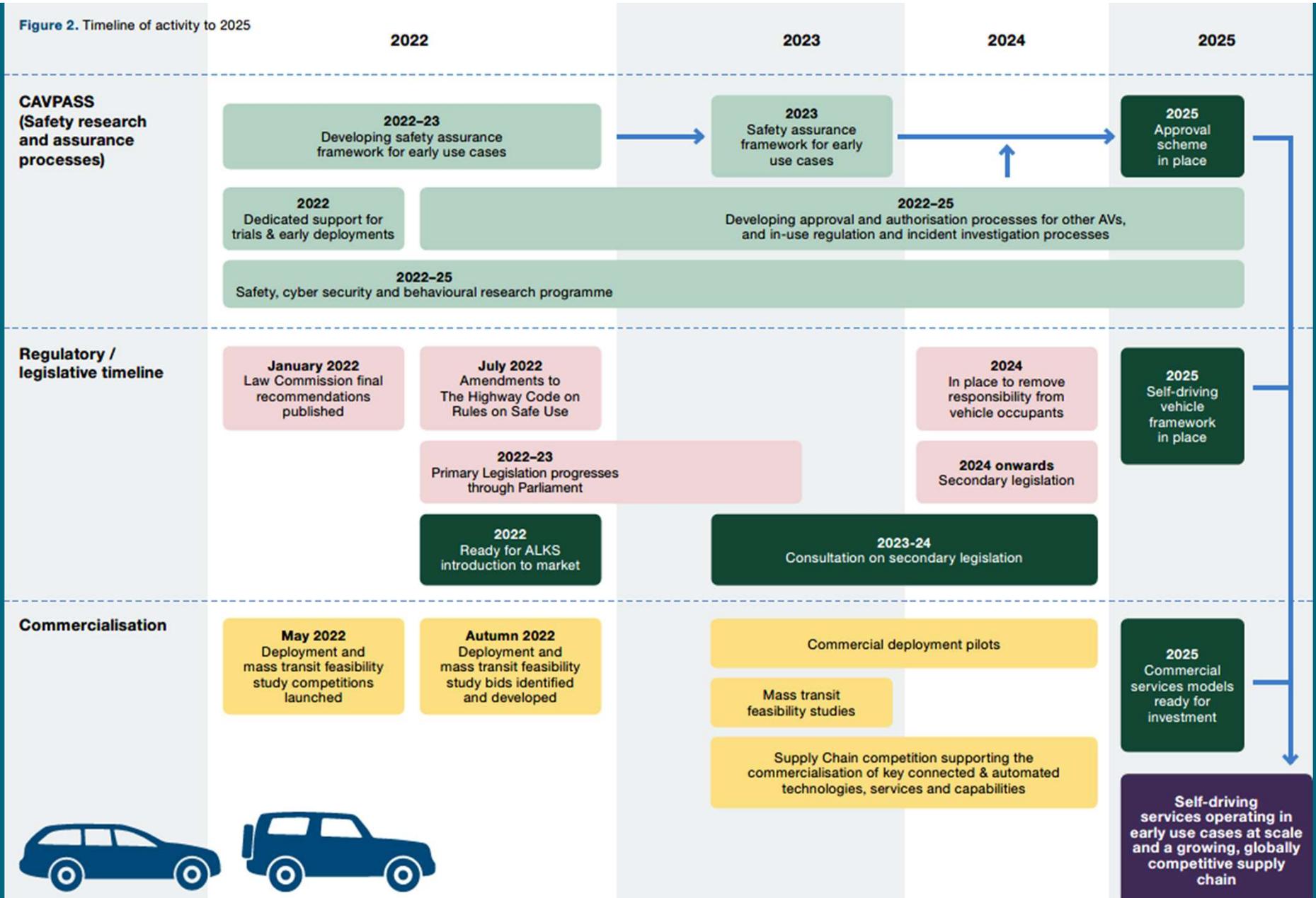


Figure 2. Timeline of activity to 2025





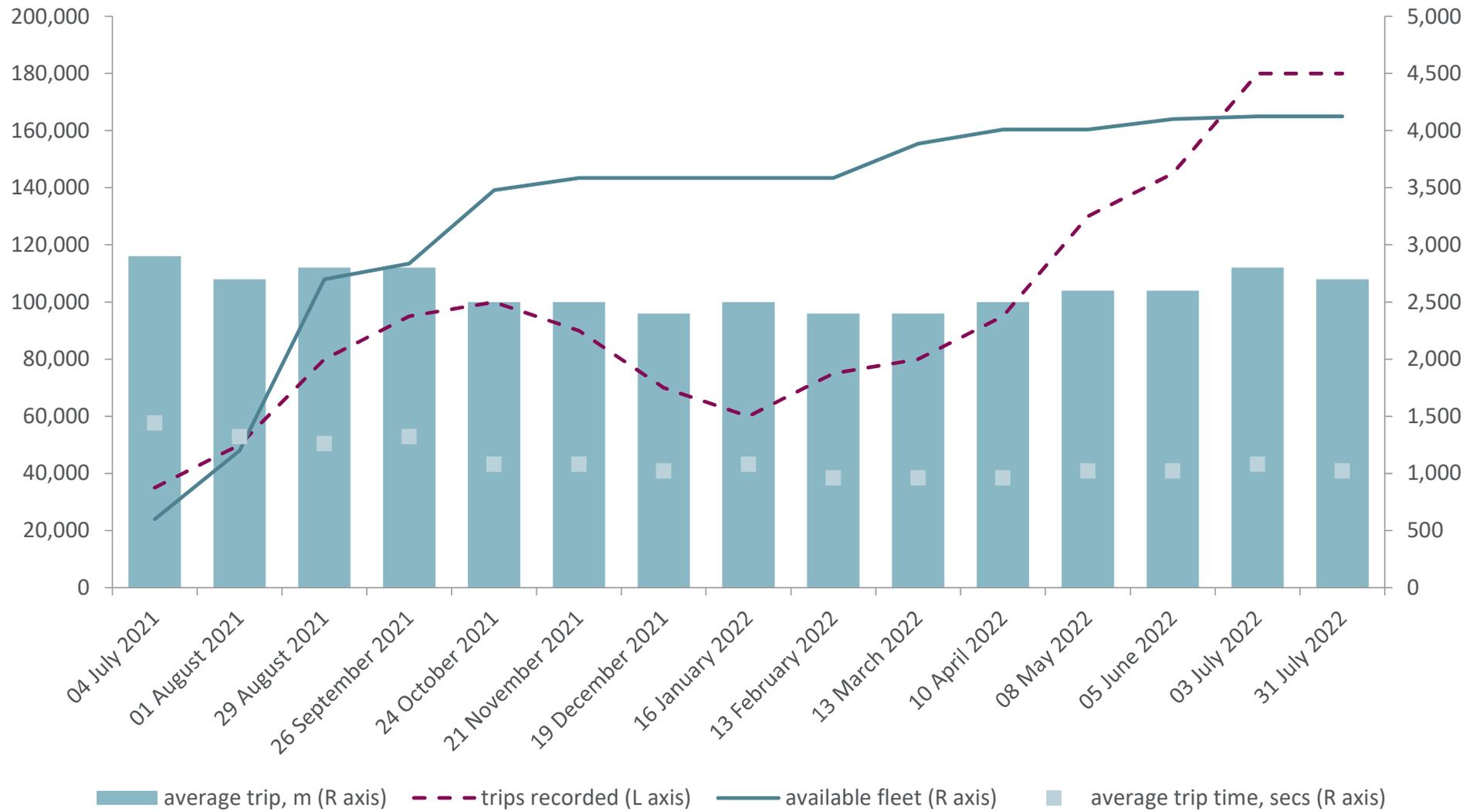
Transport Bill - LSZEVs



It is the intention of the Government that the Transport Bill will create a new low-speed zero emission vehicle category that is distinct from the existing cycle and motor vehicle categories.... the government plans to use these powers to legalise e-scooter use, with robust technical requirements and clear expectations of users.

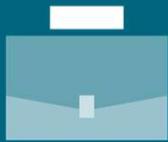
@CharlotteV







Transport Bill – liability issues



New regs, new risks



Data is the fulcrum



Viable products for
micromobility?

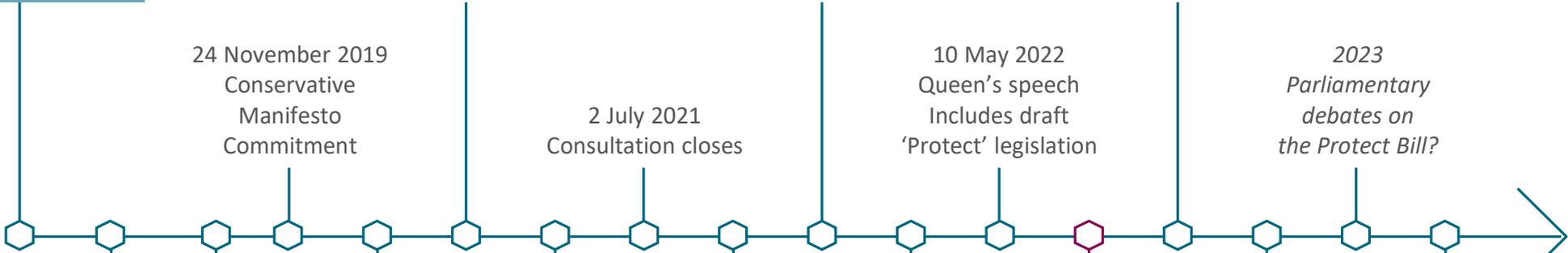
(draft) 'Protect' duty Bill

“

Other measures will be laid before you. I pray that the blessing of Almighty God may rest upon your counsels.



22 May 2017
Manchester Arena
Attack



22 October 2019
Arena Inquiry
Set Up

12 December 2019
UK General Election

29 November 2019
Fishmongers' Mall
Stabbings

24 November 2019
Conservative
Manifesto
Commitment

17 June 2021
Arena Inquiry Report
(Vol 1) published

26 February 2021
Consultation on
'Protect' opened by
Home Office

2 July 2021
Consultation closes

15 October 2021
Sir David Amess MP
Stabbed in Southend

14 November 2021
Liverpool Women's
Hospital Bombing

10 January 2022
Home Office
publishes response to
consultation

10 May 2022
Queen's speech
Includes draft
'Protect' legislation

today

H2 2022
Publication of
Protect Bill?

2023
Possible further
Consultation?

2023
Parliamentary
debates on
the Protect Bill?

Q4 2023/Q1 2024
Introduction of
'Protect' duty?

‘Protect’ duty - scope



The first duty of any state is the defence and protection of its citizens, territory and institutions.”

[Office of SoS for Scotland, March 2014]

The main elements of the draft Bill are:

- Establishing a new requirements framework which requires those in control of public locations and venues to consider the threat from terrorism and implement appropriate and proportionate mitigation measures.
- Delivering an inspection and enforcement regime, which will seek to educate, advise, and ensure compliance with the Duty.

'Protect' duty – liability issues

- Legal consequences of breach?
- Duty of fair presentation and customer support
- Compliance, coverage and cost



... security measures may be expensive. It must be more costly to an organisation and individuals to cut corners than to comply with the Protect Duty.

The logo for the Manchester Arena Inquiry. It features the words "manchester arena" in a black, lowercase, sans-serif font, stacked vertically. Below "arena" is the word "inquiry" in a larger, bold, lowercase, sans-serif font, colored in a bright orange. The text is centered within a white circle that is set against a dark red background.

Four others to watch

Financial Services & Markets Bill

- 2R HoC today
- post EU exit FS regime

Digital Markets, Competition & Consumer Bill (draft)

- not yet introduced
- potential regulation of 'dispute resolution' services?

Data Reform Bill

- 2R HoC yesterday
- post EU exit data processing regime

Higher Education (Freedom of Speech) Bill

- 2R HoL 28 June (HoC cleared)
- a new statutory tort

Wrap up

Transport Bill

'Protect' duty Bill

Four other Bills of interest



Thank you. Any questions

Clyde & Co LLP accepts no responsibility for loss occasioned to any person acting or refraining from acting as a result of material contained in this summary. No part of this summary may be used, reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying, reading or otherwise without the prior permission of Clyde & Co LLP.

© Clyde & Co LLP 2022

Clyde & Co LLP

Alistair Kinley

Director of Policy & Government Affairs

alistair.kinley@clydeco.com

www.clydeco.com