

GMB

CONGRESS 2012

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SIS. MARY TURNER MBE
(President)
(In the Chair)

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Held in:

The Brighton Centre,
Brighton

on:

Sunday, 10th June 2012
(Congress)

Monday, 11th June 2012
(Morning: Congress/Afternoon: Section Conferences)

Tuesday, 12th June 2012
(Section Conferences)

Wednesday, 13th June 2012
(Congress)

and

Thursday, 14th June 2012
(Congress)

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PROCEEDINGS
DAY FIVE
(Thursday, 14th June 2012)

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FIFTH DAY'S PROCEEDINGS

THURSDAY 14TH JUNE 2012

MORNING SESSION

(Congress assembled at 9.30 a.m.)

THE PRESIDENT: Colleagues, will you start settling down, please, otherwise I will keep you here till 5 o'clock. Settle down, please. I am calling Congress to order. Congress, before we start the official proceedings could I welcome Shami Chakrabarti to the platform. I will be introducing her later. Many of you know her or you may not know her but you have seen her. *(Applause)* Welcome.

I have a couple of bits of shopping to do. Number 1 is the Messi T-shirt. As you know this is signed by him. You have a certificate to say it is the original. It is his Argentinean shirt so when he goes to the Falklands you can all wear it. *(Laughter)* We want bids in excess of £1,600. London is leading the way at the moment. There you are. It has a certificate to prove it is the real thing. When you want to sell it, you can buy your house. They say he is the greatest footballer in the world. It is a matter of opinion, isn't it, Paul Kenny, and Fulham!

We had the bucket collection yesterday for Northern Ireland Children's Hospice and the Sunshine House for Terminally Ill Children and raised a total of £578.28, each charity therefore gets £289.14. Thank you for Midland & East Coast Region and North West & Irish Region, and I will tell the General Secretary later but we will double those amounts, round them up. *(Applause)*

We have a birthday: I believe it is Andy Newman's birthday, from Wiltshire & Swindon. *(Applause)* We are not sure whether he is 21. He has not put his age on here. Happy Birthday, Andy. Happy Birthday to you and thanks for the good work you have been doing down there.

Any more, Mary? Another birthday, oh dear, Tom Carr-Pollock, I am glad I got that word right. It says here it is a man! 40 years young today. Happy Birthday, Tom. *(Applause)*

Somebody will not be able to read their resolutions when they get up here. Because of either the whisky or the gin, or the vodka, I am not sure, they left their glasses last night in the London Region do. All going to SpecSavers. If not claimed I will put them back in the hotel. I am like the pigeon carrier.

I cannot hear any bids for that shirt yet. Before moving on we will draw three delegates' questionnaires, each win a signed bottle of GMB whisky. Can I ask Shami if she will draw it for us, please? Bill Heley from Midland & East Coast Region, Pete Murphy, Southern, and the third one is Neil Evans, South Western Region. Are you telling me it is all men who filled in those forms? Well done. Thank you. Thank you, Shami.

Okay, colleagues, I now move on and this morning and I will take the two remaining Social Policy Motions, 201 and 202, after the Rights at Work debates. I now ask for the movers of Emergency Motion 3, Oppose New Surveillance Plans, the Yorkshire Region to move.

**OPPOSE NEW SURVEILLANCE PLANS
EMERGENCY MOTION 3**

OPPOSE NEW SURVEILLANCE PLANS

This Congress opposes the government plans announced in April to increase surveillance of emails, text, phone calls, internet use and social media by the security services.

The government has said the aim of these measures is to target terrorism and organised crime. However, such measures have historically been used not against terrorists and gangsters, but against anyone the state has decided is the enemy. In the recent past, these have included Labour politicians, trade unionists and peace campaigners.

At Congress 2009 in opposing the Communications Data Bill, the CEC stance was that if 'the provisions in the Bill are put forward in future, the CEC would need to review them.' The need for review has arrived.

Congress calls on the CEC to review the government plans and, if necessary, to vigorously oppose them.

PARKGATE
YORKSHIRE & NORTH DERBYSHIRE REGION

(Carried)

BRO. I. KEMP (Yorkshire & North Derbyshire Region): President, Congress, in April, and confirmed this morning, there was an announcement that there will be an increase in surveillance of electronic communications and access to the internet. This is in order to aid the wars against terrorism and organised crime. While we must try to always be one step in front of the bad guys, all too often the bad guys end up being us. We are always classified as the enemy within and before you start thinking this is a bit of a conspiracy theory, just think back to the 1970s when it was seriously considered by politicians of the right and a number of Army officers and ex-Army officers and businessmen to organise a coup against the Labour government of Harold Wilson.

At every Congress I seem to quote a Marx maxim about history repeating and this year is no exception so let's just accept that I have said it. Back in 2009 Congress passed a motion opposing the Communications Data Bill with a qualification that there is a balance between defending civil liberties and the need to protect the public. Further, if the proposals were to be put forward at a later date, the CEC would need to review them to reach a decision on the balance. Comrades, we have now reached that later date. Now, without wishing to pre-empt the outcome of such a review, we need to prepare to fight the government giving the security services the same powers as

their counterparts in China, Iran, and North Korea, such paragons of liberty and democracy. Whether this fight means we lobby parliament or, even better, forward junk email to David Cameron and Theresa May, I think that is probably the best idea, so let's just see how GCHQ copes with that. Congress, empower the CEC now. I move Emergency Motion 3.

THE PRESIDENT: Thank you. Secunder. Hi, Pam.

SIS. P. ROSS (Yorkshire & North Derbyshire Region): It is a good thing we live in this digital electronic age because I was sent an email telling me about a proposal to jam Theresa May's email inbox on 1st May and I joined in on Facebook with some thousands of others. Every email we sent, every email we forwarded, especially the spam, we forwarded to half a dozen email addresses. One of the people taking part in this Facebook campaign then got in touch with the office and asked quite innocently some question and the staff extremely harassed were saying they did not know what on earth had happened but they were absolutely inundated with emails and just did not know how to cope. Come on, folks, let's stop this nonsense. Why on earth should they want to see all our emails; are they really that exciting? (*Applause*)

THE PRESIDENT: Thank you very much, Pam. Good to see you. Okay, anyone wish to oppose? No? I put it to the vote. All those in favour please show. Anyone against? That is carried.

Emergency Motion 3 was CARRIED.

THE PRESIDENT: Thank you. We now move to the next business. It gives me great pleasure to welcome Shami Chakrabarti to our Congress. Shami is a barrister by background and has worked for the Home Office. She has been the Director of Liberty for the past nine years and Liberty has led the way in promoting civil liberties and protecting human rights. She has been invited to be an independent assessor advising on the Leveson Inquiry. I call Shami to address Congress, and welcome. (*Applause*)

SHAMI CHAKRABARTI, DIRECTOR OF LIBERTY, ADDRESS TO CONGRESS

SHAMI CHAKRABARTI: Thank you very much, Congress. I cannot tell you what an honour it is to be here and particularly to have the opportunity to follow the unanimous passing of that motion. Sometimes when you do this work it can be disheartening and you can think that people do not care, that people have become complacent about their precious rights and freedoms. To see you all with your hands in the air voting against this terrible, terrible policy of blanket surveillance of the entire population of this country was really moving.

As you have heard, I am the Director of Liberty, which is the National Council for Civil Liberties. I now also have been invited to be an assessor on Leveson LJ's Inquiry but I was also once called by *The Sun* newspaper the most dangerous woman in Britain. (*Applause*) That should just reassure you that Britain cannot be that dangerous a place, can it? Look, they have even had to shorten the podium for me.

This is as dangerous as it gets! Sleep very safely in your beds tonight and be reassured.

I am here to talk about Liberty NCCL that was founded in 1934: 1934, so long ago, so completely different, was it not, from 2012? No Facebook then, DNA not discovered, no reality TV, a completely different universe: well, in a way, yes; in a way, no. In 1934, as you remember, the long shadow of war was over this country, a war over and a war to come. In 1934, certain newspapers would regularly run headlines about how Britain was being swamped by refugees from Eastern Europe. In 1934, in particular, and this was the trigger for the founding of the Council, Hunger Marches had come from the North of the country, had marched to London to assemble in Hyde Park, to speak up for their dignity, for their rights to jobs and homes, and the ability to support their families, and dignity in work. They had come to Hyde Park in Central London and they had been duffed up by the Metropolitan Police. Of course, that could never happen today, could it? Peaceful dissent is completely respected by the authorities and by the police today, is it not? No, it is not.

Something really amazing happened in 1934. A small group of people, far smaller than the wonderful collection here in this hall, got together and said, “We can’t stand for that.” They met in the crypt of St. Martin in the Fields in Trafalgar Square and they wrote a letter — no Facebooking then, no Tweeting, no blogging — they wrote an old-fashioned letter to *The Manchester Guardian* and they described what they had seen in Hyde Park, and they described the way that peaceful dissent was being crushed in our country, and they said, “We today have formed the National Council for Civil Liberties to keep watch over the whole spirit of liberty in this country.” They did that, those amazing people, and some of them went on to do other things: H. G. Wells, Clement Attlee, and George Orwell. You have heard of some of these people. They had other talents as well. They were activists but they went on to do other things. They formed something wonderful and I have the privilege of being Director of that organisation, still a membership organisation all these years later.

Governments have come and governments have gone, and challenges have come and gone and we have won some and some we are still trying to win, but the struggle for dignity, equal treatment, and fairness for everyone in this country goes on. Of course, as in 1934, it is at a time of economic uncertainty, recession, depression, hardship, where the threats become the greatest, where the temptation to divide and rule, the temptation to pick on the vulnerable, on minorities, on foreign nationals, becomes so much greater.

Of course, in Britain today the temptation to scrap the Human Rights Act, pull out of international protections for human rights, like the European Convention on Human Rights, is all the greater, and we need you to help us stop this. In particular, we need you to help us say to the Labour Party, whatever has happened in government, now we need you to be an opposition to this injustice because it is happening all around us, just like this surveillance plan today.

At Liberty we campaign for fundamental rights and freedoms. We do it in the courts by bringing test cases, including on behalf of people whose workplace rights have been violated. We do it in Parliament by parliamentary lobbying. We do it in the

media and by building coalitions with people like you in other organisations across civil society.

Just in the last few minutes I will tell you some of the things that are happening at the moment lest we forget, lest we become complacent and think that human rights are just about Burma and Zimbabwe.

On Tuesday, the House of Lords will consider a bill that has been brought by the Coalition government. It has been championed by Ken Clarke of all people, who I thought was better on this stuff than this, but he is the human shield for this particular policy. It is about protecting the security agencies from being embarrassed in the courts. It is about Binyam Mohamed, who was tortured during the War on Terror, and it is about people who were detained in Gwantanamo Bay for years, British residents who were detained with the complicity of our security agencies.

A lot of this is about the spooks, I am afraid. Sometimes whoever you vote for, the government gets in and the script is the same, the empire strikes back. So this bill will provide that in future if anybody sues the government and a minister calls it a national security case, we will no longer have equality before the law. A normal courtroom with two sides, the government and the ordinary person and their lawyers, the claimant, will transform into a secret court where the person bringing the claim, perhaps he was tortured or detained, perhaps he was in the Armed Forces and he was killed by friendly fire, or he was given inadequate kit, it could be one of your members working in a sensitive industry that involves security interests, whoever it is, whatever kind of claim it is, the ordinary person and their lawyers, and the public and the press, will be excluded from the courtroom, and government and government lawyers, and the spooks, will be able to have a private chat with the judge. The door will be locked and they will be able to fight their case and defend this claim on the basis of secret intelligence that will never be seen by the claimant, their lawyers, the public, or the press.

You can call that what you like but I do not call it justice. This is called the Justice and Security Bill. It is designed to make sure that some of the excesses of the War on Terror that were exposed in the press and in the courts could never ever be exposed in the future. I just say to you, if this is what civil justice is going to become in this country, what next? What next? And what will it mean for negligence claims, all sorts of claims that are brought by people who have been abused and exploited, into the future? What does it say about abuse of power and the ability to abuse our court system?

You have already heard very eloquently about the surveillance plans, the Snoopers' Charter we call it, that the Home Secretary has been trumpeting all over the media, all over the BBC this morning, so this emergency motion is incredibly timely. Let me say this to you, I do not have a problem, any kind of problem, with lawful proportionate surveillance of somebody who is demonstrated to be a criminal suspect, particularly a serious criminal suspect, someone who may have harmed people, maybe plotting to harm people, no problem with search warrants of people's property if we think that there are weapons there, or there is contraband there, no problem even with telephone tapping if there is a proper warrant, but this is something different.

This is the blanket surveillance of the whole population before we have decided who the suspect is.

The argument goes like this. There should be no place that is unwatched on earth because in any private space bad things can happen. That is the argument and it is an argument that has been supported by politicians of left and right over the years. The argument goes there should be nowhere to hide, nowhere that is not constantly watched anywhere on earth, if we want to fight crime.

I am sorry, but the world is round or the world is flat because, yes, human beings can do wicked things but I fear the powerful more than I even fear individual human beings in all their frailty. I fear unchecked power and the abuse that comes by accident and by design.

I think that you as trade unionists should be particularly concerned about privacy. Privacy is not just about the net curtains, privacy is about your ability to associate with each other, to confer with each other, to research, to have your freedom of conscience and association, and freedom of expression, and all the other civil and political rights that you need to function as trade unionists in a democracy.

If all of your behaviour online is going to be monitored all the time and keywords are going to be typed into search engines to decide who is suspect, I ask you who the suspects are going to be. I have seen the way surveillance powers and stop-and-search powers that were introduced in the name of terrorism have been used to crush peaceful dissent, and the way that peace protestors and trade unionists, and ethnic minorities, and innocent people like that who suffer from blanket, and it is never really blanket, it is arbitrary and discriminatory intrusions into personal privacy.

I know that crime is serious and we should tackle crime but we have to separate the innocent from the guilty, not treat everybody as a suspect until proven innocent. Let me put it like this. We all know that lots of serious crime happens in people's homes, some of it never detected, some of it never reported. It is a terrible thing. We need to encourage vulnerable people to come forward. If a domestic dwelling stands for long enough anywhere it will be a crime scene one day. There will be violent crimes and sex crimes, and all sorts of things happening in people's homes behind locked doors all over this country. It is a terrible thing and one has to try and address it.

Does that justify, does that justify changing the law to require architects and landlords to plant hidden cameras and hidden microphones in every bedroom in this country just in case, so that after the event we can go and see what everybody was doing in their private space. You might think, yes. I say, no. I fear the consequences of a society like that for any kind of human dignity, equal treatment, and fairness. I hope you agree with me.

We have to defend the principles of human rights. This is not fancy legal talk. This is about believing in the dignity of every individual human being. It is about believing in equal treatment under the law. It is about believing in fairness and it is about holding the powerful to account.

I hope you will look at some of the material that has been put out. I thank you again for welcoming me to your Congress and I hope that some of you, like many trade unionists over the years, will think about becoming members of Liberty. Thanks very much. *(Applause)*

THE PRESIDENT: Shami, thank you. Shami, would you be prepared to take some questions from the floor? Does anyone wish to put any questions to Shami?

QUESTIONS FROM THE FLOOR

(Question asked without use of microphone)

SHAMI CHAKRABARTI: It was about blacklisting, was it not, my views on blacklisting? I can repeat the question, do not worry. I can hear and I can repeat it. The question was, what do I think of the blacklisting scandal and do I think there ought to be a Leveson-style judicial public inquiry into that scandal.

This is another fantastic example of why privacy matters and why, when databases and information are put together it can have extraordinary consequences for people's lives, and for their other rights and freedoms. We have been told, haven't we, for years the innocent have nothing to fear from databases and the collection of personal information about us, whether it is accurate or inaccurate, no problem, nothing to hide, nothing to fear. Guess what, the innocent have a lot to fear. They have abuses of power to fear. They have misinformation to fear. They have information that should not even be held and is passed around and they do not know what is being said about them. Of course, modern technology brings great opportunity but also some dangers, if we do not have proper legal frameworks to stop abuse.

The blacklisting scandal is shocking and it has gone improperly regulated by probably a number of law enforcement agencies. I think the Information Commissioner probably needs to be held to account on this. That would be the obvious public authority, in my view, that should have been forced to act and maybe still can be forced to act by people like trade unions.

The idea that in a country where we are supposed to have employment protection, where we are supposed to have data protection, where we are supposed to have laws that protect people's innocence and their reputation, and their employment rights, and so on, it should be possible for small groups of powerful interests, who effectively ruin people's lives by putting them on databases as blacklisted people who should not be employed, and sharing that information covertly so that the person has no opportunity to challenge it, I think that, yes, you could say — the thing about having judicial inquiries, let me put it this way. We are now living in a world where legal aid has been completely decimated, where politicians of all stripes think that they do not like lawyers and they do not like judges, and they do not like the law, but the minute there is a proper political scandal and they do not know how to get out of it, "Let's have a judicial inquiry."

My argument on the blacklisting is, let's call the Information Commissioner to account and if we do not get proper results let's bring a legal case. Thanks very much. *(Applause)*

A DELEGATE: I have a question about the Leveson Inquiry. There has been corruption exposed at the top levels of society, the police, the state, and the media. I just wanted to ask what your findings, what your discoveries are.

SHAMI CHAKRABARTI: Obviously, I cannot really say anything about the Leveson Inquiry other than I have been asked to — there is the irony that I just pointed out. I have been listening all my adult life as a human rights lawyer, I have been listening to politicians and media moguls, frankly, all sorts of powerful people saying, who the hell are the unelected judges, why do we need so much legal aid, why don't we get rid of jury trials, we don't give a monkey's about all these Dickensian principles like the presumption of innocence, and so on, but the minute there is a genuine political scandal, war and peace, phone hacking, whatever it is, we are in a corner, what shall we do; call in a judge, call in the lawyers. This is the way to rebuild trust.

Then, of course, when powerful people are accused they are very good at getting their lawyers in and saying, I have the presumption of innocence. That is fine, there is a sort of poetic irony to that, but I think what I will say is that there have been some real crises of trust in institutions in our country in recent years.

We had Weapons of Mass Destruction and MPs expenses, which has clearly brought Parliament to some extent into disrepute. I am not blaming all MPs but to some extent in the public mind MPs are probably less trusted as a result of those scandals.

We have had those nice bank managers, who we thought were nice men in bowler hats who just looked after granny's savings and now we think of them as people who sit around smoking cigars, gambling with granny's savings, so people do not feel they can trust even the banks any more.

Then we have had issues with the police and of course with journalists, who we like to think will be exposing wrongdoing rather than doing wrong themselves.

Now, I do not want to caricature these institutions because we do need them in a democratic society, we need parliament, we need a banking system, we need a police service, we need a vibrant and free media. So what is incredibly important, I think, is that whatever comes out of this Leveson process, and partly it is a cathartic process just because powerful people have to go to court and answer questions, that is part of what a judicial inquiry does, it exposes things, and it has been live-streamed on the Net so it has not just been written up by the press, people can see for themselves what they think of people's answers, and it will partly be what comes out of any report, I hope that this process can help to rebuild trust in institutions because they earn that trust.

The one good thing is that people will be less complacent about powerful institutions as a result of this because they will have seen front and centre how power can corrupt. I hope also the fact that people were so shocked by these abuses does mean that people do still have decent values in this country and they do still value the rule of law and people's dignity and their privacy. I have to try as a campaigner to take some heart and some optimism from that. (*Applause*)

THE PRESIDENT: Shami, can I say thank you very much for giving up your time to come here. You can see the respect that you have been given here today. Actually, they have been quieter than with many of our visitors. Ed Balls and Danny Alexander did not get it so quiet. I say thank you very much and would you accept this small gift from the GMB, made by our members in Scotland, and you cannot buy it. It is one thing we did not do, we did not buy the sale rights. It can raise a lot of money for charity, whatever you want to do. You might want to put this one on eBay. *(Laughter)* GMB@Work, our history from 1889 to 2012. It is how we have come a long, long way. Thank you. This is one you will love, it is called The Revolution. *(Presentation amid applause)*

SHAMI CHAKRABARTI: Thank you very much. *(Applause)*

THE PRESIDENT: Congress, I said Shami is so much smaller than when you see her on television, she is so petite. *He* said, “Good things come in small packages,” so I said, “What happened to you?” *(Laughter)* Anyway, thanks Congress. I now move on and call Motion 174, Cammell Laird to be moved by the North West Region, 175, North West Region, 176, Midland Region, 177, Birmingham Region, and 179, North West Region. Would you please come forward? Then I will ask the CEC member to reply.

SOCIAL POLICY: JUSTICE
CAMMELL LAIRD 1984
MOTION 174

174. CAMMELL LAIRD 1984

This Conference calls on the GMB to honour its pledge to take the case for Cammell Laird Workers sacked and jailed for carrying out legitimate trade union activity in 1984, to the European Court of Human Rights, for compensation denied by the Tory Government at the time and Labour Governments since.

Z15 BRANCH
North West & Irish Region

(Carried)

BRO. J. BARTON (North West & Irish Region): Chair, Congress, 1984 I remember it well when I and 36 of my colleagues were thrown into a maximum security jail. How times have changed: but have they? I am sorry to say I am angry and I am saddened that these practices are still going on in the world today. Anyway, let's get back to why I am here. Four years ago, as you may know, I met Keith Ewing, the foremost authority on trade union law and a lecturer in such at Oxford University. He told Eddie at that meeting that he felt we had a good case to take to the European Court of Human Rights. Recently Eddie was told that Keith Ewing had changed his mind. So Eddie, being the tireless campaigner for our cause and the fight for justice, came down to London to meet Keith at a class meeting in the Dock Museum at Canary Wharf on 26th May. Keith Ewing has not changed his mind, in fact Keith says he is keen to talk and meet with someone who can make decisions from the GMB, preferably the General Secretary, and if need be members of the legal department with a view to taking our case to the Courts of European Rights. May I quote from Billy

Hughes yesterday: "The fire in my belly has been burning and it will carry on burning." Chair, Congress, I move Motion 174. (*Applause*)

THE PRESIDENT: Thank you very much. Secunder.

BRO. G. SMITH (North West & Irish Region): The General Secretary's remarks in the union magazine say it all, the GMB does not do futile gestures, nor does it abandon its principles or its members. Chair, Congress, please support Motion 174. I second. (*Applause*)

THE PRESIDENT: Thank you very much, Graham. Motion 175.

LEGAL AID REFORM MOTION 175

175. LEGAL AID REFORM

Congress notes that

- The legal aid cuts as approved by parliament are unprecedented in their scope and impact and will mean that legal aid is no longer available for many thousands of cases every year.
- The cuts target frontline services provided by modestly-paid legal aid solicitors and charities and threaten to restrict access to justice for some of the poorest and most vulnerable people.
- The government's assumption that almost all family disputes can be resolved by mediation is unrealistic, while the assertion "alternative sources of funding are available" in non-family cases ignores many of the realities that people of little means have to face.
- The cuts are also expected to result in the closure of many advice centres. According to published research, this will cost the state money, as every pound spent on welfare, debt, employment and housing advice results in overall savings to the state.

Congress declares its support

- for the principle of providing legal aid to people who need legal help and can't afford a solicitor, and for the continuing provision of legal aid in the future.

Congress resolves

- To help publicise and raise awareness of the impact of legal aid cuts on people in need of legal assistance, on CABs and advice centres, on solicitors firms and other legal aid providers following the cuts in fees for legally aided work, and on staff at the Legal Services Commission (which will become part of the MOJ from April 2013).
- To acknowledge the work done by organisations and campaigning groups who remain actively committed to defending the principle of access to justice for everyone in society, and to encourage GMB branches and regions to give them every support.

X24 BRANCH

North West & Irish Region

(Carried)

BRO. N. WALL (North West & Irish Region): First time delegate and speaker. (*Applause*) President, Congress, this motion refers to the Legal Aid Sentencing and Punishing Offenders Act which was passed by Parliament the other week. I want to

spend a couple of minutes talking about why we are where we are now and then touching a few things that all of us can be doing.

This is by far the most serious attack on legal aid since legal aid came into existence over 60 years ago. The purpose of that legal aid system, its reason for being, was to give the most vulnerable people in society access to justice when up against the power of employers, landlords, government bodies, and so forth. In one blow Parliament has now removed that safety net for something like 40% of civil cases. Think about that. If that is what this Government is capable of, how much more damage would they do to the health services and our schools if given free rein. It is not just about ideology, it is about greed. Jonathan Djanogly is a Justice Minister who pushed the bill through, together with his pal, the cuddly assassin, Ken Clarke. Djanogly is one of the ten richest MPs with family interests in the insurance business, a business which stands to profit from slashing legal aid. He is a partner in Lloyd's Insurance, a fact that he failed to declare until it was exposed by *The Guardian*. He is going to be raking it in.

There were 5,000 responses to the consultation paper from across the legal profession, charities, welfare organisations, and many others doing lots of excellent work, including organisations like Liberty as well. I have just been reading their campaign material this morning. Despite all of that, virtually all of these organisations telling the government that they were wrong, that the cuts were wrong, the ConDems went ahead anyway with their proposals. Does the story sound familiar?

When the bill got to the Lords it was ripped apart all over again and the Lords made a record number of amendments. Back in the Commons the ConDems then threw out the amendments, which would have protected brain-damaged children and some domestic violence victims, among others.

So, what can we do now, comrades? First of all, keep telling the story. We have to make our people aware that the media myths about fat cat lawyers are just a smokescreen for what is in reality an attack on our welfare state in the interests of rotten employers, bad landlords, abusive husbands and fathers, and so on.

Secondly, when the effects of legal aid cuts kick in, which may not be for another year or two, we have to make sure that these cases are picked up and looked at, parents who will lose contact rights with their children, victims of hospital blunders denied the chance to get compensation, and where access to justice has been affected again bring the case to your MP. I think Ken Clarke was lying when he said there are alternatives to legal aid but I think some of the poorest people will lose out. We will need to get the evidence to show this, and that could depend on people like us. Congress, pass the motion but, more importantly, do not give up the fight.
(Applause)

THE PRESIDENT: Thank you. Secunder. Formally, thank you.

The motion was formally seconded.

THE PRESIDENT: Motion 176, Equal Rights for Criminal Injuries Compensation.

EQUAL RIGHTS FOR CRIMINAL INJURIES COMPENSATION MOTION 176

176. EQUAL RIGHTS FOR CRIMINAL INJURIES COMPENSATION

This Conference agrees to mount a campaign to abolish the existing ruling of the Criminal Injuries Compensation Authority which does not allow people who have been the victims of rape to apply for compensation if they have a criminal record, even if it is a minor conviction.

This ruling needs to be changed to provide all victims of rape a fair and equitable right to claim compensation.

GMB GRIMSBY GENERAL BRANCH
Midland & East Coast Region

(Carried)

SIS. S. ORTEGA (Midland & East Coast Region): President, Congress, every 10 minutes in the UK a woman is raped and according to national surveys undertaken by Mumsnet, a leading UK social network, there are 50,000 rapes every year. It is probable many more rapes go unreported and therefore convictions remain low. Only 9,000 victims report the assault to the police and out of this number only 1,000 will receive any form of compensation from the Criminal Injuries Compensation Authority. Existing ruling discriminates against victims claiming compensation if they have a criminal record, even if it is only a minor offence. Also, consumption of alcohol prior to the attack may also affect a victim's claim as can late reporting of the rape. We must therefore strive for equality for all rape victims who should receive compensation which in itself can never entirely alleviate the suffering, the trauma, and humiliation of the assault. A previous criminal record is therefore immaterial. Our justice system in rape cases ascribes low value to our mothers, sisters, and daughters and I would urge Congress to move the motion and pursue a campaign to abolish the existing ruling and seek a fair and equitable right for all rape victims to claim full compensation. I move. *(Applause)*

THE PRESIDENT: Thank you very much. Secunder.

SIS. L. PETERS (Midland & East Coast Region): President, Congress, rape is bad enough for a man or woman but not having the rights to compensation if they have a criminal record, however, is appalling. When you think of the ordeal they have been through you can only imagine how they must feel when they are told that as the rule stands any criminal record they hold themselves, however minor, bars them from claiming compensation, and this in an age when both the court and the legal systems are rightly criticised for placing the rights of the convicted above those of the victims of their crimes. We must change the ruling to give the victims of this most obscene crime a fair and equal right to compensation. I second. *(Applause)*

THE PRESIDENT: Well done, Lone. Thank you. Motion 177, Birmingham Region to move.

**PRISON REFORM (SOCIAL)
MOTION 177**

177. PRISON REFORM (SOCIAL)

This Conference realises the complexity of prison reform. It therefore calls upon the CEC to lobby the appropriate department to initiate a system where licensed offenders can complete courses in prison enabling them to gain earlier release than the current system allows.

R35 ROCESTER JCB GENERAL BRANCH
Birmingham & West Midlands Region

(Carried)

BRO. A. CORBETT (Birmingham & West Midlands Region): I am a first time speaker and delegate. *(Applause)* This motion looks at helping serving prisoners to complete courses whilst in prison to enable early release. Early release on licence has many positive benefits. Apart from the obvious of reducing the prison population and saving the public purse, it also reduces the possibility of serving offenders going on to commit worse offences due to their association with more serious offenders during the prolonged sentence. Some recent statistics show that approximately 80% of offenders who are dealt with by way of a non-custodial community penalty do not reoffend while approximately 80% of those locked up do reoffend.

When looking at the type of person who continuously offends a large majority suffer some form of lack of education. For some people educational attainment is poor due to a learning disability. In these circumstances, the award scheme development and accreditation network, along with national vocational qualifications, helps people to attain practical skills and qualifications. Some have suffered early years of abuse, poor parenting and cruelty, and it is well known that you cannot learn at school if you are being abused in the home. However, as some of you here will already be aware, a lack of early years' education can be remedied by mature study. Our union and TUC courses that many of you here will already have attended are testament to that.

Providing education can be just as effective in raising educational attainment. Many offenders lack social skills, they have poor self-esteem and poor communication skills. By supporting offenders to gain even the most basic skills we can go some way to raising self-esteem, giving greater self-confidence, and improving communication skills. We have choices: hope that the punishment of prisoners will deter people from reoffending or try to give people the tools and skills to break their offending habits. I move. *(Applause)*

THE PRESIDENT: Secunder. Formally, thank you. Movers of Motion 179, North West & Irish Region.

ACCESS RIGHTS OF GRANDPARENTS MOTION 179

179. ACCESS RIGHTS OF GRANDPARENTS

This conference urges the GMB to lobby the Government, Parliament and our own sponsored MPs to help enshrine in law the rights of Grandparents to have access to their Grandchildren. The Branch are concerned that Grandparents play a significant role in the development and support of Grandchildren in the UK. Access rights should be enshrined in law regarding their entitlement to visit and to see their Grandchildren during their formative years to the age of 16. At present, UK legislation is weak in this arena, and the basic rights of Grandparents to see their Grandchildren, or for Grandchildren to visit their Grandparents is denied by some families. The Branch is further concerned that proposed changes to the Legal Aid System will also mean that some Grandparents will not have access to justice in order to fight for access rights to their Grandchildren in the future.

Q22 BRANCH
North West & Irish Region

(Carried)

BRO. K. FLANAGAN (North West & Irish Region): Shami was saying before about the groups in society that do not have access to the law. It may surprise some in this room that grandparents are one of those groups. They have no automatic right of access to their grandchildren or, for that matter, their grandchildren to see them up to the age of 16. We have a whole army of grandparents up and down the country who play such a vital role in the moral and welfare development of their grandchildren and yet they have no automatic right to access. Family breakup and breakdown, and dispute, is a reality, sadly, and sometimes in those situations actual access to their grandparents is actually denied, or the right of the grandchildren to go and see their grandparents is denied. What a tragedy. I know how much pain I would feel, I am a fairly recent grandparent, I know I am young — *(Laughter)* — thank you, Congress — to have Isaac and Ella denied from me, both three years old, that quality time to go and enjoy an ice-cream and I am looking forward to getting my Scalextric set out in a few years' time, the pain, the deep pain I would feel if that access was denied. Yet if there is a dispute, if there is breakup, believe it or not it is the grandparents who have to go to law to get access rights to see their grandchildren. What a tragedy, a hidden group who are denied the law. Of course, with the news of legal aid, their access to justice is probably going to be even more difficult. So why do we have it that they have to try and go to law to get access. It needs to be the other way round, there should be a legal right to see your grandchildren unless the grandparents themselves are actually a threat to the children in which case I can understand why that may be the case. Congress, I ask you to pass this motion and to work actively with our MPs, work actively with legal organisations, to try and ensure that government delivers on something which I believe it says it will try to deliver, that is automatic access rights for grandparents to see their grandchildren and actually to contribute to their ongoing development up to the age of 16. Congress, I move. *(Applause)*

THE PRESIDENT: Thank you, Kevin. Secunder.

SIS. L. MERCER (North West & Irish Region): First time delegate, first time speaker. I am very nervous. Grandparents are an important part of a child's formative years and should have the right to spend quality time with their

grandchildren. Kevin argued why it should be right. Only recently in the media it was reported that parents of a grandchild were trying to leave a present for their grandchild and the child's parent tried to charge the grandparents with harassment. Why, because they dared to leave a present on the doorstep. Disputes and breakups are regrettable. Congress, I ask you to support this motion so all grandparents can enjoy their grandchildren. Congress, I second. Thank you. (*Applause*)

THE PRESIDENT: Thank you. Well done. Congress, anyone wish to speak against? No? I call Warinder Juss of the CEC to speak on Motions 174 and 179.

BRO. W. JUSS (CEC, Commercial Services): President, Congress, speaking on behalf of the CEC regarding Motions 174, 175, 176, 177, and 179. The CEC asks you to support each one of these five motions but each with a qualification.

Regarding Motion 174, the GMB legal department is already preparing an analysis of the viability of taking the case of the Cammell Laird workers to the European Court of Human Rights. What we need to do at this moment in time, what every member needs to do now, is to sign the e-petition which is on the government website and which hopefully will be put on the screen after I have spoken. What this petition asks is for the government to release all information and documents relating to the Cammell Laird dispute in 1984, when 37 men were jailed for a month in a top security jail simply for carrying out legitimate trade union activities. In any legal proceedings disclosure of documents and information is very crucial to the success of a case and therefore if any information and documentation does come to light as a result of the petitioning, then this can only help the GMB legal department.

Regarding Motion 175, of course the GMB has a social responsibility to defend access to justice for the poorest and most vulnerable in society and Shami earlier on mentioned how difficult it is for people to have access to justice. Paul Kenny mentioned the Jackson Review which makes it difficult to pursue legal claims in those areas of the law. I personally have some sympathy for this motion because in the past I have chaired an advice centre where welfare, debt, and housing advice had been given. But, as Paul Kenny also mentioned yesterday, there is a danger in having motions which are too open-ended and we should guard against catch-all motions. The motion towards the end seeks for organisations and campaigning groups to be given every support. What the CEC asks is for this motion to be qualified on the basis that such support will only be given as is appropriate. Also on this question of legal aid reform, of course we need to remind members of the legal advice and representation that is available to them from their lawyers regarding injuries at work and outside work as well, and for family members outside work, and for employment law matters as well for members.

Motion 176 seeks to introduce a blame-free criterion for eligibility to claim compensation under the Criminal Injuries Compensation Scheme and very rightly highlights the potential impact on rape victims but the scheme proposals threaten all claims that are brought by victims of crimes of violence, not just rape victims. What the CICA (Criminal Injuries Compensation Authority) seeks to do is to cut awards under the tariff used for awarding compensation for victims of crimes of violence and it also seeks to reduce claims for loss of earnings and excludes some foreign nationals for all victims of crimes of violence, so the qualification relates to the fact that there

are wider concerns for the scheme proposals and these concerns are set out on the GMB's response to the Ministry of Justice consultation document and the GMB's response should be available from the GMB legal department.

Motion 177, prison reform, again the CEC asks you to support this but on the qualification that courses completed by prisoners on licence should also address any skills or learning gaps and, as the mover of the motion mentioned, which will hopefully prevent prisoners from reoffending.

Motion 179, access rights of grandparents, this is a motion where the CEC does recognise the feeling expressed behind the motion and recognises the important role that grandparents play in the upbringing of grandchildren. My own parents play a vital role in the upbringing of my children but the CEC qualification relates to this. The government's response to the Family Justice Review Panel indicates that the Government will not even recognise a father's right to access in law, let alone grandparents. So, although the GMB will of course campaign on this issue of access rights to grandparents it is unlikely the Government will accept the amendment necessary to achieve what the motion is seeking.

As a conclusion, the CEC asks you to support Motions 174, 175, 176, 177, and 179 with the qualifications that I have just outlined. Thank you so much. *(Applause)*

THE PRESIDENT: Thank you very much, Warinder. Does North West Region accept the qualification on Motion 174? Eddie, did you say no? *(Confirmed)* I thought you were going to say yes to Mary.

BRO. J. BARTON (North West & Irish Region): If the e-petition fails to reach 100,000 it cannot be read. At the moment there are more people in this room who have signed and if there are 250 who have signed the e-petition, there are more people in here. Where do you go? We need the security and battle to go to the European Court of Human Rights. *(Applause)*

THE PRESIDENT: Jimmy, the CEC is supporting the resolution and that means the GMB will do all in its power. Forget the e-petition. We are not relying on the e-petition. Okay? You will accept the qualification? Yes? *(Agreed)* Thank you. *(Applause)* On 175? 174, 175, and 179? *(Agreed)* Thank you. Will Midland Region accept the qualification on Motion 176? *(Agreed)* Thank you, Andy. Birmingham Region, will you accept the qualification on Motion 177? *(Agreed)* Thank you very much. Now I will put them all to the vote, will all those in favour of 174, 175, 176, 177, and 179, please show? Anyone against? They are carried. Thank you.

Motion 174 was CARRIED.

Motion 175 was CARRIED.

Motion 176 was CARRIED.

Motion 177 was CARRIED.

Motion 179 was CARRIED.

THE PRESIDENT: I will now call Motion 92, North West & Irish Region, 93, Disciplinary and Grievance, Birmingham, and 95, Protection of Whistleblowers,

London Region. Kevin, just before you start, the RMA (Retired Members Association) raffle, and they thank you very much, reached £1,437.60. They say thank you for all that. I have a little note underneath. Southern Region owes them a cheque for £40. I do not know if that is included. Thank you. Okay, Kevin.

BRO. K. FLANAGAN (North West & Irish Region): President, Congress, can I just take one second to thank my colleagues in Commercial Services for electing me as their president again for that section. I am very proud to serve you and my sincere thanks to you all.

EMPLOYMENT POLICY: RIGHTS AT WORK
SICKNESS AND ABSENCE – RIGHTS TO REPRESENTATION
MOTION 92

92. SICKNESS AND ABSENCE – RIGHTS TO REPRESENTATION

This conference is concerned at the growing use of Sickness Absence systems which are leading to automatic penalties for many employees. The overuse of these systems are forcing employees back to work when they are unfit to do so. The Branch believe that the 'right to be accompanied' should be extended to attendance at Return to Work interview or Health Assessments conducted by employers, especially when using these procedures could lead to disciplinary action by the employer.

The Branch request the CEC to lobby ACAS and the Government to review the use of absenteeism systems by employers. We wish to ensure that the basic principles of natural justice are not breached and the rights of employees are protected, when employers use 'Return to Work' or 'Sickness Absence Reviews' to monitor and control absence by their employees. We request the CEC to use its Parliamentary Panel of MPs to highlight concern and lobby ACAS and our partner unions in the TUC to seek changes to Employment Law and to protect workers from excessive use of these procedures.

Q22 BRANCH
North West & Irish Region

(Carried)

BRO. K. FLANAGAN (North West & Irish Region): I am moving Motion 92 on the issue of sickness and absence return to work interviews and the right to representation. Many of us in this hall represent people in the workplace at grievance, disciplinary, and investigation meetings. However, I have been appalled over the last couple of years about the use of return to work interviews after sickness absence and the referral to doctors externally to the organisations for opinions about the individuals and our members when they face return to work after illness.

Recently, I represented a young lady who had been the subject of harassment and bullying. She was sent to an external medical centre for assessment. I was so appalled at the number of times she had been asked while she was off ill with stress to go back and have interviews to check how you are, as if, and to see how you are fit and that we can support you, all the nice language, and yet at every stage it was about adding stress and anxiety to a woman who had already faced harassment from her employer. What a disgraceful situation. I was so concerned that I got her to agree that I would be her friend at the medical assessment. We went to the medical centre

away from work, interviewed by a doctor, asked all sorts of questions, but he never asked one medical question in my presence, not one. What a disgrace. He was more concerned about asking her when she is going to return to work. Her own doctor had signed her off for two months rest. I challenged him at the end and I said, "Why are you trying to reach a different opinion when her own doctor who has known her for 20 years has said she is not fit for work?" "Oh, I'm a doctor." I said, "So is her doctor." In the end he never asked one medical question. The employer in the referral form, which you have the right to see, actually put a note on it saying, "Do you think this person will return to work?" That is not a medical question.

Come on, get wise. I think the right to representation on this is most important. Finally, another employer, where I represent, actually calls anybody in who has had absence from work for three days, automatically they lose part of their bonus. Automatically after three absences in six months or three continuous days' absence they receive a penalty and lose part of their bonus. This is already a sanction and breaches natural justice and I say you should have the right to representation at those meetings to protect their interests because it is used against them later on. Congress, I ask you to move and I ask the union to lobby our friends to actually get the legislation to protect vulnerable workers and the misuse of these schemes by unscrupulous employers. My sincere thanks to you. (*Applause*)

THE PRESIDENT: Thank you, Kevin. Secunder.

BRO. B. DAVIES (North West & Irish Region): Remploy worker for 33 years and proud of it. (*Applause*) Before I start, Iain Duncan Smith, cheers, you arrogant git. (*Applause*)

Last year when the swine flu was knocking around there were people ringing me up who had that condition and they were so frightened actually not to go into work that they were ringing me up asking my advice, could I tell them what to do. I told them, "If your doctor tells you that you are ill and you are not fit enough to work," do that, but they said, "Well, I'm frightened because I am on a warning." It is really important that we get some support and some help on this because people out there are really, really suffering. I second this motion. (*Applause*)

THE PRESIDENT: Thank you, Brian. Motion 93, to be moved by Birmingham.

DISCIPLINARY AND GRIEVANCE PROCEDURE MOTION 93

93. DISCIPLINARY AND GRIEVANCE PROCEDURE

This Conference as you are now no doubt aware, the disciplinary and grievance procedure was enshrined in the statute books as statutory law. This meant that if employers did not follow a fair procedure they could be held accountable in a court of law. This procedure was removed from the statute books on 1 April 2009; therefore, this decision had a devastating effect for everyday members within many a workplace.

I urge support to reverse this situation and to once again have these procedures as statutory law.

(Carried)

SIS. J. INGLEBY (Birmingham & West Midlands Region): President, Congress, a clear and fair discipline and grievance procedure are essential for a positive working relationship between an employer and an employee. Previously, employers were forced to follow the minimum standards laid down in the statutory disciplinary dismissal procedure and grievance procedure. These were enshrined in statutes and also placed stringent time restraints on employers to resolve these disputes. If the employer had none of these procedures in place, then the minimum ACAS code applied and, indeed, if the employer did not comply and adhere to the process, then they could have been held accountable to an employment tribunal. Every one of our members has a right to complain against their employer. Every one of our members has a right to a fair hearing.

On 1st April 2009, the Grievance and Disciplinary Procedure was removed from the statute book. This now allows employers to dismiss their employees without a fair and transparent process. Congress, this is a backward step and moves us closer to the model suggested in the recent Beecroft Report, which allows employers to dismiss at will without a fair reason. The statutory DDP and GP offered basic protection to employees, the right to a fair hearing, without this right our members are at the mercy of unscrupulous employers. These standards need to be reintroduced immediately. Congress, I urge you to support this motion and to lobby government to reverse this ridiculous situation. I move. *(Applause)*

THE PRESIDENT: Thank you, Jackie. Secunder.

SIS. M. CLARKE (Birmingham & West Midlands Region): President, Congress, there is no doubt that there is a grey area surrounding the correct disciplinary and grievance procedure. This broader principle gives a lot more scope for error. The need for managers to be properly trained to conduct these hearings is not happening to the detriment of the workforce. The main principles in the code of practice are consistency, explanation of the base of the problem to be able to put forward their case, and to be allowed to be accompanied. It is clear, Congress, that this code does not provide a clear route for resolving disputes in the workplace and figures show that it has not reduced the number of tribunal cases since 2009. This was indeed the intention. This motion calls for support to reverse this situation and to have these procedures as statutory law. I second. *(Applause)*

THE PRESIDENT: Thank you. The mover of 95.

PROTECTION OF WHISTLEBLOWERS MOTION 95

95. PROTECTION OF WHISTLEBLOWERS

Congress demands that those “whistle blowing” are fully protected from reprisals by employers. The current legislation is not enforceable even for those making protected disclosures.

Therefore Congress asks the CEC to mount a campaign to highlight the issue with a view to affecting change.

ESSEX PUBLIC SERVICES BRANCH
London Region

(Carried)

SIS. C. HOLLAND (London Region): Whistle-blowing is a scary and brave thing to do. Many people pluck up the courage only to be told, “We will protect your identity,” but when the investigation starts management makes clumsy mistakes, therefore leading to the person being investigated being able to work out who has helped out management. So lo and behold, the person has lost his protection which then makes for an uncomfortable time, or management will try and dissuade the person saying it will be difficult to keep the person’s identity a secret almost ensuring the complaint gets dropped, therefore avoiding dealing with difficult situations. We urge the CEC to give the utmost importance to a campaign for change. I move.
(Applause)

THE PRESIDENT: Thank you, Cathy. Secunder.

BRO. S. GAGLANI (London Region): Congress, during an investigation or after investigation, a whistleblower should be protected by employers and not suffer reprisal from the employer. The current legislation is not impossible even for those making protected disclosures. As my colleague said, during the investigation if a small mistake is made there are more chances to recognise the whistleblower by the staff or people. In these types or other kinds of situations the whistleblower needs full protection otherwise the experience time to time is the whistleblower has very difficult time, like they could be victimised or sacked by employers. Therefore, I urge Congress to get involved with other unions to vigorously mount a campaign to highlight the issue with a view to effecting change. Congress, please support this motion. I second. *(Applause)*

THE PRESIDENT: Thank you, Shailesh, well done. Congress, I will be calling James Sibley on behalf of the CEC and just before I do that, while James is coming up — James, come along — I will be calling the next composite, Composite 2 to be moved by Midland and Birmingham to second, Composite 3, South Western to move and London to second, Composite 4, Birmingham to move, London to second, and priority in debate to Midland, Composite 5, Midland Region to move and second. Hi, James, welcome.

BRO. J. STRIBLEY (CEC, Manufacturing): Hi. Proud Remploy worker speaking on behalf of the CEC. *(Applause)* Thank you. Congress, the CEC is asking you to support Motion 95 with a qualification. The motion highlights the problem that can arise where members find themselves being subjected to sustained attacks after whistle-blowing. The CEC would not go as far as saying legislation is unenforceable. There have been successful cases that have encouraged greater transparency. The region is right to raise the issue in view of the Coalition’s latest proposals in the Employment Enterprise and Regulation Reform Bill which came out on 24th May. The bill proposes to restrict the definition of a qualifying disclosure to matters in the public interest. This sounds correct but it removes protection from the regulation

when an employee complains that their own contract has been breached by their employer. This may discourage employees from feeling confident that they can stand up for themselves. The qualification relates to the effect of the provisions for the victim in the whistle-blowing legislation. However, the CEC recognises that under the rules at present it can be difficult to get evidence to link the attacks with the whistle-blowing so as to secure the victim full protection. If the region can in due course provide examples this will be helpful in directing efforts to address the issues in the way that benefits the GMB members. This will also help our efforts to resist the weakening of existing rules announced in May in the Enterprise Bill. Congress, the CEC asks you to support Motion 95 with the qualification I have outlined. Thank you. (*Applause*)

THE PRESIDENT: Thank you, James. Does London Region accept the qualification? (*Agreed*) You do? Thank you very much. With that I put 92, 93, and 95 with the qualifications to the vote. All those in favour please show. Anyone against? That is carried.

Motion 92 was CARRIED.

Motion 93 was CARRIED.

Motion 95 was CARRIED.

THE PRESIDENT: While the mover of Composite 2 is coming to the platform, I remind you about the glasses I have up here. They were left in London Region's reception last night. Mary has them. Thank you.

RIGHTS AT WORK COMPOSITE 2

C2. Covering Motions:

66. OUR RIGHTS AT WORK (*Midland & East Coast Region*)

67. WORKERS RIGHTS (INDUSTRIAL) (*Birmingham & W. Midlands Region*)

RIGHTS AT WORK

This Conference is disgusted but not amazed that this coalition Government is hell bent on eroding workers' rights.

Our rights at work have been fought for and won over more than a century, now Cameron's Government is trying to unpick those rights one by one. Do not let the Tories turn back the clock. The GMB needs to campaign to defend each and every one of those rights, and to make sure we have a Trade Union to back our members when they need us.

We should lobby vigorously to maintain and improve where possible all rights achieved under past Labour Governments by whatever means available.

(Carried)

BRO. A. BURGIN (Midland & East Coast Region): First time delegate, first time speaker at Congress. (*Applause*) President, Congress, colleagues, we all face difficulty and uncertainty in the workplace, particularly in times of austerity but our

members probably face the biggest challenge today without them actually realising it, that is, the constant and stealth like erosion of their employment rights in the workplace. The Government are feeding nonsense, myths, and fictional stories to the general public and media alike. Some would give children's author, Hans Christian Andersen, a run for his money, but when they say the biggest obstacle the business face as regards employment and growth is troublesome workers who they cannot get rid of, what do they do? Firstly, they reintroduce the two-year qualified law for protection from unfair dismissal, that is after it was reduced from two years to one year in 1999. According to the TUC 1.7 million extra jobs have been created since 1999. Colleagues, in their words, I may be a troublesome worker but the only thing I know for certain is uncertainty in the workplace does not lead to consumer spending and stimulated growth. Secondly, George Osborne then commissioned multimillionaire and venture capitalist, Adrian Beecroft, a name we have all heard many times during Congress, to make recommendations on further changes to employment law. He may as well have asked Robert Maxwell's sons to finalise the attacks on public sector pensions at the same time.

I read the papers, watch the tele, but I am not hearing or reading evidence from the businesses themselves to support that changes to employment law proposed by the likes of Mr. Beecroft are actually called for. There was more evidence tabled in the Spanish Inquisition. Mr. Beecroft recommends a reduction of the mandatory consultation period when a company is considering redundancy programmes. He wants it brought down from 90 days to 30 days or justified if the company is in severe distress. We all know that companies will simply claim to be in distress and go for five days given half a chance. The only ones who will be severely distressed if the trade union Movement allows this recommendation to become a reality are our members.

On TUPE the government wants us to acknowledge that some business groups believe TUPE rules are gold-plated and overly bureaucratic and can perversely destroy jobs, not save them. A colleague of mine here today attended a meeting of the East Midlands NHS Social Partnership Forum only last Thursday where 24 HR executives unanimously agreed that it will be wrong to weaken any laws on TUPE stating they fully supported its fairness, transparency and acknowledged contrary to some of the so-called business groups that the law protects jobs and employees are clear on what lawful obligations are.

The report goes on to recommend a cap on the loss of earnings compensation for employees, and the removal of some equality laws. The Government have already started to simplify the employment tribunal system at the expense of workers seeking redress for injustices in the workplace while the ministers themselves are rewarded for failure and incompetence. The only time they ever are required to attend a disciplinary hearing is if they get caught out telling the truth.

Our members face a huge challenge without the onslaught of a change to their rights. Some are treading water, others nearing the poverty line, many experiencing mental health related issues for the first time at the prospect of losing their livelihoods becoming more a reality. My son and daughter are going to need a trade union like never before if we allow these conveyor belt-like changes to current employment law

because then a future generation of members will be subject to a 2015 Master and Servants Act. Please support. I move. (*Applause*)

THE PRESIDENT: Secunder.

BRO. K. LEESE (Birmingham & West Midlands Region): I am speaking in the debate about watering down workers' rights. First time delegate, first time speaker. (*Applause*) President, Congress, loss of control at local level during the mid-term election should come as no surprise. It usually happens in mid-term when the opposition finally realise they have to work harder when out of power than they did when they were in power. The difference this time, however, was the arrogance of the Coalition leadership in their response, which was, we will have to change to remain in power. Not for one moment did they consider the real crux of what is needed for the good of the country, the good of the workers, and their families. They were too worried about what they could change to stay in power. Long fought for workers' rights have been eroded away at the stroke of a pen with the desire to diminish human rights and health and safety rights won in the European courts, RIDDOR reporting has increased from three days to seven days, and the overwhelming desire to by-pass health and safety legislation that they commonly term as red tape. Congress, we need to oppose the government's roughshod approach to diminishing workers' rights and strive towards improvement, not an attack on legislation that is designed to protect men and women at work. I second. (*Applause*)

THE PRESIDENT: Thank you. Well done, Ken. I now ask for the movers of Composite 3.

CLAIMS TO EMPLOYMENT TRIBUNALS COMPOSITE 3

C3. Covering Motions:

- 70. TRIBUNAL CLAIMS (*South Western Region*)
- 71. EMPLOYMENT TRIBUNALS (*London Region*)

CLAIMS TO EMPLOYMENT TRIBUNALS

This Conference agrees this Government's decision to attack workers' rights by changing Employment Tribunal rules so that an employee must have continuous employment to allow a claim for unfair dismissal is a charter for bad employers.

Congress also deplores

- the increased qualification period for bringing unfair dismissal claims at a tribunal from one year to two years
- a sliding scale of approximately £150 to £200 fees introduced for lodging a claim,
- a fee of £1,000 for attending a hearing, repayable in the event of a successful claim.

Not only is the proposal to charge claimants an upfront fee ideologically driven but the sole purpose is to cut the number of claims.

Congress further agrees that the proposal to have employment judges sit alone in unfair dismissal claims is not designed to favour applicants. This change will again have a detrimental effect on working people.

This union must mount a vigorous campaign against these attacks on employee rights and this green light for employers to treat their employees even more unfairly than they do now.

Whilst never seeking to move from the GMB stated policy of "full employment rights from day one", we call on the GMB to campaign for the restoration of the original qualifying period and a reduction of fees.

(Carried)

BRO. S. LOCK (South Western Region): First time delegate, first time speaker to Congress. *(Applause)* Congress, once again the Government in chipping away at the rights of working people with the introduction of new legislation which will allow employers to dismiss workers before they complete two years' service with the knowledge that they will not have the opportunity to take an unfair dismissal claim to a tribunal. Clearly, if someone is fairly dismissed there is no issue but those who have been unfairly dismissed will have no recourse to a tribunal but to add insult to injury there will be a sliding scale of fees to lodge a claim and a hefty deposit of £1,000 to attend a tribunal, but they say you will get this back if you win. The Government's case is that this will prevent spurious claims being taken against former employers. There have been cases of serial claimants going from job to job lodging grievances to explain failures or disappointment in their own lives, but these are in the minority. Many cases are from ordinary working people who have been treated badly by their employers. Trade unions do not take on tribunal cases lightly as they know they are liable for cost if the case is lost but will help members with legitimate claims. Those people who do not have the protection of a tribunal will be out in the cold fighting on their own and with a prospect of a scale of fees. Many genuine cases will not be brought to a tribunal however strong the case may be. These reforms are entirely about balancing employment law further in favour of the employer. The government believes that this will reduce the number of cases but there are other routes to use such as racial and sexual discrimination, and ageism, to name just a few. This will not necessarily decrease the caseload. To have to be employed for two years before you can go to a tribunal for unfair dismissal is ludicrous, especially when many uncaring, unprincipled employers, and there are plenty around, will look for any excuse to get rid of staff they would rather replace. These could be people with disabilities or medical problems, women who are pregnant or have childcare responsibilities, or workers with elder caring responsibilities, and even troublesome trade union members. In fact, anyone who does not live by their rules will allow them to play the system for their own gains.

Many people here today will remember the Thatcher years and we thought she was a member of the hard right. This shower of billionaires and millionaires are more far right than Genghis Khan. Our members and people of this country are and will be paying a hard price for this Coalition. We ask the CEC to lobby the Labour Party to make a commitment that when they are returned to power, and let's hope this will be soon before the country descends into despair and anarchy, they will reverse this legislation immediately they return to office. Let's hope that our next Labour

government will have the courage and backbone to stand up and protect our members and the people of the United Kingdom, and restore some faith in our parliamentary system. I move. (*Applause*)

THE PRESIDENT: Thank you, Simon. Secunder.

BRO. P. ROBINSON (London Region): The change to employment tribunal rules in April to two years continuous employment before being eligible to register a claim is a retrograde step. Companies did not nor do they need further legislative change in their favour. Challenging poor decisions by employers needs to include the tribunal route option if internal appeals fail and is integral to achieving just this where a miscarriage has occurred. This ultimate sanction to poor management practice within corporate structures has acted effectively to moderate malpractice for a considerable time. It still remains so for all employees who are lucky enough to have longer than two years service but for those with less it creates further vulnerability and uncertainty. The corporate sector's argument that they need to weed out unproductive workers and terminate their employment more easily just does not stack up. Companies already have access to more than adequate methods to achieve this aim. Initially, three, six, and 12 months probationary period should, let's face it, provide a clue to an employee's suitability for full-time appointment. After appointment, they have the stage to disciplinary route and also the ubiquitous performance management for longer term underperforming staff. Since 1993, they have also had compromise agreements, essentially buying employees off. Incidentally, the upside to the company of these arrangements is they can be cheaper than tribunals and avoid adverse publicity. The downside to employees and unions long term is that these arrangements support secrecy and if misconduct has arisen out of bad practice there is no incentive for change within the company for better process structure or conditions. The proposal to have employment judges sit along to decide unfair dismissal claims is inherently unjust. If you were to come before a crown court on a criminal charge, you would be subject to a panel of randomly selected jurors to receive as close to as reasonable and unbiased decision as possible. To retain the panel as it now exists within tribunal court is essential to a fair outcome. We must resist this ongoing and corrosive erosion of workers' employment rights. Thank you very much. (*Applause*)

THE PRESIDENT: I call the mover of Composition Motion 4.

EMPLOYMENT TRIBUNAL FEES AND UNFAIR DISMISSAL COMPOSITE MOTION 4

C4. Covering Motions:

68. CHANGES TO EMPLOYMENT TRIBUNALS (*Birmingham & W. Midlands Region*)
69. GOVERNMENT CONSULTATION, TRIBUNAL FEES 2013 (*London Region*)
72. UNFAIR DISMISSAL RIGHTS (*Midland & East Coast Region*)
73. EMPLOYMENT RIGHTS TRIBUNALS (*London Region*)

EMPLOYMENT TRIBUNAL FEES AND UNFAIR DISMISSAL

This Congress is alarmed at the Coalition Government's proposals to charge claimants initial up front fees of between £150 and £250 when making a claim to Employment Tribunals. This will deny many

workers the opportunity of lodging genuine claims, taking us back to the 1950s and 60s. It is a punitive retrograde Act by a punitive retrograde Government.

Conference will be aware that Employment Tribunals are moving so far away from their industrial roots as to be unrecognisable from their original purpose which was to give all working people who have been unfairly treated the right to their 'day in court'. Congress calls on the CEC to redress the dilution of employment rights attached to Employment Tribunals.

Employment tribunals are a key way of enabling workers to enforce their rights. Government proposals to introduce a fee to lodge an initial claim – and then possibly a further charge for a full hearing will effectively prevent the poorest and most vulnerable workers from ever being able to get justice.

The qualifying period for an employee to bring an unfair dismissal claim has increased from one to two years. This is taking us back ten years in our fight for workers' rights.

I would ask Congress to campaign vigorously to ensure that the rights of our members are not further reduced by this coalition government.

Congress therefore proposes that the whole of the Trade Union Movement and the Labour Party unites to vigorously oppose these proposals and the Minister's supporting them.

This Conference calls on the coalition Government and any future Labour Government to withdraw from the proposal to increase the qualification period for unfair dismissal from one year to two years, and from the introduction of employment tribunal fees.

(Carried)

SIS. J. INGLEY (Birmingham & West Midlands): Congress, I move Composite Motion 4.

President and Congress, this Conference calls upon the Government to review the current proposals to make significant changes to employment tribunal legislation. Complaints regarding third party harassment are now in force, and this Government has said that it will repeal them but, so far, surprise, surprise, it has not taken any steps towards achieving this. Proposed changes to unfair dismissal claims where the consideration is that the claim is not very complex will be arbitrated by sit-alone judges. As yet there are no details of how this will affect the lay members of the tribunal. Also our staff in employment tribunal offices are currently undertaking interviews for their own jobs, which obviously affects staff morale.

Another big concern is that small businesses with less than 10 employees may be exempt from all employment legislation. Collectively, this affects a tremendous number of employees and would disenfranchise those workers from the legal system. This proposal was announced recently but is not included in the current round of proposals.

The fundamental review of employment tribunal rules is about strengthening case management and consistency so that like-for-like cases get similar treatment. However, my observations, and I am sure they apply to a lot of other lay members in this room, on reading the draft remit, appear to suggest that it is, first and foremost,

about saving money. Employment tribunals are moving so far away from their industrial roots that, maybe, we should all be training as ACAS officers or as workplace mediators. They will certainly need plenty more of them if every case has to go through ACAS before it can reach a tribunal. Actually, maybe the employment tribunal should be renamed as “Employment courts”.

Finally, there is the decision to charge workers for the pleasure of seeking justice against any unscrupulous employer. Employment tribunals are the only way that workers can enforce their rights. It is completely unacceptable that a worker on the minimum wage, who has been under paid and denied holiday pay, will now have to pay a fee of £250 or more to claim back what they are entitled to because their employer flouted the law. Because the fees are paid up front and only refunded if a claim succeeds, the poorest workers and those without union backing will struggle to pay these costs. It is likely that many legitimate claims will be deterred, enabling rogue employers to act with impunity.

Congress, please support this motion for the fairness, morale and dignity of every employee in this country. Thank you. *(Applause)*

THE PRESIDENT: Thanks, Jackie. Secunder?

The Composite Motion was formally seconded.

THE PRESIDENT: Does Midland & East Coast Region wish to come in?

BRO. S. ALLINSON (Midland & East Coast): President and Congress, I have been asked to speak on this composite for one of our first-time delegates – a young lady called Joanne Matthews – who has had to go home as she is quite unwell. Perhaps you could wish her well. *(Applause)*

President, Congress and visitors, I am supporting Composite Motion 4: Employment Tribunal Fees and Unfair Dismissal.

The Coalition Government proposes to charge claimants initial up-front fees of between £150-£250 when making a claim to employment tribunals. This will deny many workers the opportunity of lodging genuine claims, taking us back to the 1950s and 1960s. Congress will be aware that employment tribunals are becoming so far from their original roots that it is becoming impossible for them to be recognised from their original purpose. As you are aware, the purpose of employment tribunals was to give all working people, many of whom belong to trade unions like the GMB and who have been unfairly treated, the right to have their day in court.

Congress calls on the CEC to redress the dilution of employment rights attached to employment tribunals. The Government proposes to introduce a fee to lodge an initial claim, and possibly a further charge for a full hearing, and it will, effectively, prevent the poorest and most vulnerable workers from ever being able to get justice.

The qualifying period for an employee to bring an unfair dismissal claim has been increased from one to two years. This, again, is taking us back ten years in our fight for workers’ rights. The repercussions of this are that the unscrupulous employers

have the ability to manipulate the workforce within this two-year period without fear of a potential claim being made against them. There will also be an impact on the job market with fewer permanent posts being available causing potential instability.

I have seen the red light. I call on Congress to campaign to ensure that the Coalition Government and any future Labour government withdraw from the proposal to increase the qualification period from one to two years and from the introduction of employment tribunal fees.

To finish, Congress, why should the poorest party in the hearing be forced to carry these sorts of risks? Please support. *(Applause)*

THE PRESIDENT: Thank you, Shane.

EMPLOYEE FUNDING FOR EMPLOYMENT TRIBUNALS COMPOSITE MOTION 5

C5. Covering Motions:

- 74. ABOLITION OF TWO YEARS IN EMPLOYMENT CLAIMS TO INDUSTRIAL TRIBUNAL
(Midland & East Coast Region)
- 75. ABOLITION OF EMPLOYEES FUNDING OF EMPLOYMENT TRIBUNAL
APPLICATIONS *(Midland & East Coast Region)*

EMPLOYEE FUNDING FOR EMPLOYMENT TRIBUNALS

This Conference agrees to abolish new Tory and Lib Dem legislation where employees are charged to fund their own Employment Tribunal applications and which does not allow people to apply to an Industrial Tribunal for Unfair Dismissal unless they have been in employment for two consecutive years.

This Conference agrees to campaign for Unfair Dismissal rights for Unfair Dismissal claims from day one of employment.

(Carried)

SIS. S. ORTEGA (Midland & East Coast): Congress, I move Composite Motion 5.

President and Congress, not since the Thatcher Government has there been such a vicious attack on basic employment rights. Current legislation prevents people from applying to an industrial tribunal to claim against their employers for unfair dismissal unless they have been employed for two consecutive years. To add insult to injury, employees are expected to fund their own employment tribunal applications. This Government uses this legislation to help their multi-millionaire friends and big business to dispense with workers at will. Only this week, legislation is to be introduced in the Commons to allow employers to offer staff a settlement agreement to leave before a formal employment dispute arises. Workers could leave with inadequate compensation while the employer will get legal protection against a dismissal being used in a tribunal. This also prevents unions from acting for members

at employment tribunals. This is Draconian law, which not only attacks ordinary working people but also is an attempt to weaken trade unions.

What unions do best is to organise and campaign against ruthless employers, and we have an excellent and successful record of representing members at employment tribunals. But, Congress, they have tried before to weaken and destroy the trade unions and failed. They failed under Thatcher, they failed under Major and they will certainly fail under Cameron. So we must campaign for unfair dismissal rights for claims to be effective from the first day of employment with the right for unions to represent members at tribunals. We must challenge current law which causes distress and financial hardship to many of our members. Please support this motion and show this uncaring, callous Government that the fight is not over. Thank you. *(Applause)*

THE PRESIDENT: Shona, very well done. Thank you. Secunder?

BRO. M. RALSTON (Midland & East Coast): President and Congress, I was born in 1964, the year that industrial tribunals became law. They were designed to be a quick, informal and cost-free way of resolving employment disputes. Over many years trade unions have campaigned for new rights, such as discrimination, health and safety and redundancy, and European directives have dramatically increased the number of tribunal cases. This has led to a backlog of cases.

The Tribunal Service is struggling and, perhaps, ACAS is finding it hard to cope and, perhaps, there are too many vexatious cases. However, the trade union movement has always been an integral part of the process as wing members of tribunal panels and representing our members. With over 40 years of experience, who, then, better to consult on what is required?

The Government's move to self-funding of tribunal cases and the increased costs reduces cases and give employers a free hand to hire and fire. I challenge this Government to think again. I second. Thank you. *(Applause)*

THE PRESIDENT: Thank you, Matt. Does anyone wish to speak against? *(No response)* I call Paul McCarthy to speak on Composites 2, 3, 4 and 5.

BRO. P. MCCARTHY (North West & Irish Regional Secretary): President, I am speaking on behalf of the CEC. Congress, we are supporting Composite Motions 2, 3, 4 and 5, each with a qualification. All of the composites concerned challenge the slash and burn policies of the Government towards workers' rights and the enforcement of those rights in employment tribunals.

GMB has responded to the public consultations, registering the union's opposition to these attacks on workers and to the denial of justice that these attacks represent. All these composites rightly record GMB's opposition to the erosion of workers' rights, to the increase in the qualifying period for unfair dismissal to two years and to the introduction of fees for tribunals.

The CEC supports the composite motions but with some qualifications. On Composite 2, the qualification is that the union will give appropriate support to maintain and improve the right, and where it is in the best interest of GMB members.

On Composite 3, the qualification is that the long-standing GMB policy is for employment rights from day one. The CEC also opposes fees in principle for tribunals, not just a reduction in the level of fees being proposed.

On Composite 4, the qualification is that the long-standing GMB policy is for employment rights from day one.

On Composite 5 the qualification is that, unfortunately, the GMB Congress does not have the power to abolish the new legislation on tribunal fees but we can, of course, campaign against them. Again, it is the GMB's long-standing policy for employment rights from day one.

Therefore, Congress please support Composite Motions 2, 3, 4 and 5 with the qualifications that I have just set out on behalf of the CEC. (*Applause*)

THE PRESIDENT: Composite 2. Do Midland & East Coast Region and Birmingham & West Midlands Region accept the qualification? (*Agreed*) You do. Thank you very much.

Composite 3. Do South Western and London Regions accept the qualification? (*Agreed*) Thank you.

Composite 4. Do Birmingham & West Midlands Region, London Region and Midland & East Coast Region accept the qualification? (*Agreed*) Thank you.

Composite 5. Does Midland & East Coast Region accept the qualification? (*Agreed*) With that, Conference, I will put them to the vote. I will take them together. In relation to Composite 2, 3, 4 and 5, all those in favour, please show? Anyone against?

Composite Motion 2 was CARRIED.

Composite Motion 3 was CARRIED.

Composite Motion 4 was CARRIED

Composite Motion 5 was CARRIED.

THE PRESIDENT: I now call Motions 85, 86, 87 and 88. Sharon Harding will be the CEC speaker.

**EMPLOYMENT POLICY
RIGHTS AT WORK
REGULATION 6 -TUPE
MOTION 85**

85. REGULATION 6 - TUPE

This Conference instructs the CEC to use all means at its disposal to work towards strengthening Regulation 6 of TUPE with regards to Trade Union Recognition, to work with MPs and MEPs in an effort to make it enforceable in law instead of leaving it to an honour agreement as it is at present.

(Referred)

BRO. B. HELEY (Midland & East Coast): Congress, I move Motion 85 – Regulation 6 – TUPE.

President and Congress, we all know about TUPE, or we think we do. We hear about it regularly on the news from colleagues and friends who, unfortunately, have first-hand knowledge. We hear them say, “It lasts 30 days, a month, three months or nine months with a good employer.” How many of you have really studied it? How many of you have actually had first-hand knowledge of it?

Like most people, I thought it was the best thing since sliced bread. You would be all right because the law was on your side, all your terms and conditions were protected and would automatically transfer with you to your new employer. You wish! Unfortunately, Congress, it is not true. There are some scheming manipulative employers out *there* who will go to any length to get what they want.

You may remember the emergency motion that was moved at last year’s Congress with regard to Southern Cross in relation to the care sector. For all the scaremongering we were accused of and all the assurances we got from the company of its stability, Southern Cross no longer exists. The good news is that the homes, residences and staff were saved. Without blowing trumpets, that was mainly down to the active campaign launched by this union. Be proud of it. I am.

The staff were TUPE’d across to the operators, so all their terms and conditions were protected, or so I thought. One of the most important tasks for us as a union is recognition. It should have been enshrined in the TUPE Regulations. Under section 5, it is. It is solid. Yet, when you go to section 6 and it is more of a gentlemen’s agreement. Unfortunately, Congress, there are not that many gentlemen in charge of companies. Their main concern and motive is profit. They see unions as a threat who fight for higher wages and better terms and conditions for their members, thus forcing costs up and profits down. So they don’t want anything to do with us. That’s why this motion is instructing the CEC to use “all means at its disposal to work toward strengthening Regulation 6 of TUPE with regards to trade union recognition, to work with MPs and MEPs”, and everyone else we can get on board, “in an effort to make it enforceable in law”, as it was intended, “instead of leaving it to an honour agreement” that doesn’t exist. Please support. Thank you. *(Applause)*

THE VICE PRESIDENT: Seconder?

SIS. H. EWAN (Midland & East Coast): Congress, I second Motion 85 – Regulation 6 – TUPE.

President and Congress, I was a senior carer employed by Southern Cross and TUPE’d across to HC1. We were all told that our terms and conditions transferred with us. Congress, I only wish it was that simply. My home was one of the lucky ones in respect of recognition. We kept that, but we are still fighting over agreements with regards to wages. Southern Cross brought in 40 plus operators, so we kept our

recognition, but a number of anti-union operators refused to recognise the GMB. We are now in the process of going through the courts. The principle of TUPE is great but part of it is contradictory and requires sorting, which is all that we ask. I am asking you to support. Thank you. *(Applause)*

TUPE REGULATIONS PROTECTION MOTION 86

86. TUPE REGULATIONS PROTECTION

This Congress asks the CEC to campaign for TUPE Regulations to be extended to allow for further protection beyond one point of transfer.

Currently TUPE Regulations allow for the protection of terms and conditions of employees being transferred to the new employer at a particular point (date) of transfer.

Once transferred, the new employer may start consultation with the transferred employees to make changes to their terms and conditions.

We ask the CEC to campaign that the period of protection be extended for 6 months.

PLAISTOW BRANCH
London Region

(Carried)

SIS. J. PARSONS (London): Congress, I move Motion 86 – TUPE Regulations Protection.

President and Congress, TUPE is a piece of legislation designed to protect the employment rights of staff where there is a transfer of employment, and rightly so. In our branch we strongly believe that the accrued benefits of employment should be transferred and protected from one employer to the next while the course of that employment remains. Terms and conditions should remain the same and the continuity of the employment preserved. However, this process is often cynically abused and at times there is an element of coercion, misinformation and, dare I say it, a hint of bullying.

In Newham we surveyed our members regarding their experience of the TUPE process. Surprisingly, the feedback we received was overwhelmingly negative. Of those who had been subject to TUPE arrangements, 43% stated that their terms and conditions had been changed upon transfer, and 57% stated that these had been changed within six months. Some respondents told us that they had been informed of this in advance and were led to believe that the only alternative was to resign before going through the process. Some respondents stated that they were not aware of the implications of the arrangements, and 60% said that they were not fully consulted.

The overwhelming feeling from our members was that of powerlessness, but having the threat of redundancy hanging over their heads pushed them into following a course of action that led to further and prolonged uncertainty. Members told us that they felt that management had tried to pressure them to speed up the process and had glossed over the finer points of the arrangements.

The information we received from our members has led us to work hard at raising awareness and we urge our members to think carefully about accepting these agreements where a further period of unrest is guaranteed to follow, culminating in, at best, the loss of the carefully negotiated TUPE rights. Abuses of this legislation are immoral, abhorrent and put unfair pressure on those already in a position of uncertainty. We would like to see the legislation strengthened to ensure that there is at least a minimum period of six months in a position before a section 118 notice can be imposed, and we would like the CEC to campaign for this.

Congress, this motion seeks to increase the protection of the employees when they are at their most vulnerable, and I urge you to support this motion. Thank you.

(Applause)

THE VICE PRESIDENT: Thank you, Jean. Secunder?

BRO. S. STREET (London): Congress, I second Motion 86 – TUPE Regulations Protection. I am a first-time speaker. *(Applause)*

TUPE Regulations are a vital safeguard of terms and conditions when workers are bought and sold like cattle in the name of privatisation. They should prevent unscrupulous employers under-cutting established rates, thereby increasing profits out of the workers' pay packets. Misuse of the economic, technical or organisational reasons is widespread and it is certainly correct that there should be legislation to protect workers' rights for a specified amount of time.

Most of us who represent members in local government, the NHS and other public sectors will have seen the wilful introduction of two and three-tier workforces by cowboy contractors, and the forcing out of TUPE-protected staff. We are all aware of the bogus consultations about change and alterations to job descriptions which allow these cowboys to wriggle out of their TUPE responsibilities. The hard won terms and conditions in the public sector are due reward for a hard day's work and, most certainly, should not be left to the mercy of cowboy contractors. There has to be specific protection under TUPE and it has to happen now. I am happy to second this motion and ask you for your support. Thank you. *(Applause)*

THE VICE PRESIDENT: Thank you, Steve. I call the mover of Motion 87.

TERMINATION OF CONTRACT BY NOTICE MOTION 87

87. TERMINATION OF CONTRACT BY NOTICE

This Conference calls upon the CEC to campaign to change the legal loop hole that allows employers to serve notice to end an employees' contract and re-employ them on new, usually lesser terms and conditions.

The sole purpose of a set of terms and conditions of employment is to set boundaries between employer and employee, for employees to understand where they stand in the working relationship and ensure that there is at least some fairness.

The practice of employers being able to simply serve notice to end an employee's contract and re-engage them on different terms and conditions rides roughshod over the any concept of equality in the employment relationship. It's a system that's open to abuse and entirely unfair.

Employees don't have the right to force through change by simply serving notice on their employer, why should an employer have access to such an unfair advantage in the working relationship?

Employers already have the ability to insert certain clauses that allow for variations should the need arise, such as changes to working hours. But in order to ensure that individuals are protected at work and to redress the imbalance between employer and employee, changes should only ever be achieved through collective bargaining or individual agreement between the parties.

LEEDS WORKS DEPARTMENT BRANCH
Yorkshire & North Derbyshire Region

(Carried)

BRO. P. O'BRIEN (Yorkshire & North Derbyshire): Congress, I move Motion 87 – Termination of Contract by Notice.

Congress and President, I am speaking quite passionately about this motion as we are currently going through this procedure in Doncaster today. The current practice of serving notice to end employees' contracts and to re-employ them on new, usually lesser terms and conditions must be put to the front of our union's campaigning. The dock-gate syndrome of work today but no promise of work tomorrow must be beaten. Our members must have the assurance of employment protection. Without that employment protection, all the benefits and improvements that we have fought long and hard for become redundant and worthless.

In Doncaster, the so-called Socialist Republic of South Yorkshire, we have the absurd situation where management are issuing "sign it or you're sacked" notices. Regional secretaries of other unions are re-writing terms and conditions and our members are daily threatened with instant dismissal should they have the audacity to voice an opinion. It is not as if we have the same right to pick and choose which conditions we want to apply and when. It is nothing less than slavery to allow employers to abuse our members in this way. Our union and our union's leaders must be the driving force that consigns this bully-boy charter back to the rock it was found under.

The authority asked the unions to ballot its members on a set of proposals different to those which we collectively consulted and negotiated on over a period of months. These were put forward without the knowledge, agreement or authority of the branches in Doncaster by a regional secretary of another union, who took it upon himself to come in later in the evening and add conditions that we had negotiated out because they would cost our members financially away from the workplace, as well as the cuts in their terms and conditions being proposed. The ballot did not return a collective "Yes" vote so the authority chose to impose different cuts to our terms and conditions than those that they asked us to ballot our members on. "Toys out of the pram" as we affectionately call it.

Included within the first of this type of voluntary variation contract was a letter which many found very threatening and about how their contracts would be terminated if they did not voluntarily sign. Then came the briefing to managers, and those very same managers, who were in the same scope of cuts, were being asked to persuade their staff to sign otherwise face the consequences. Many were told that they would be escorted out of the building, marched off site and so on. We have a position where many have signed a voluntary variation against our advice, I must add, but under the extreme pressure and duress, which the authority denies, albeit that we provide examples daily, and the names of those who undertook to overstep their authority.

They continue to do so to this day, even for those who are currently on imposition, who have stayed strong, listened to our advice and have worked with us. We are now advising member to sign with a letter enclosed stating: "On legal advice, we retain our statutory right to claim in a tribunal." Even this has been beset with challenge and letters to each and every single member of staff who were on imposition. Telephone calls have been made late at night at home, when they are out of work, and telephone calls during the day when they are out of work.

We are saying that we will sign the contracts but on our terms, not on the unconditional terms that the employer is asking for. As far as they are concerned, there's no chance. It is a massive concern across all regions and lots of late nights and weekends have been spent in representing members who are working out angles to defy the employer. We are in the middle of a fight. It's odds on that this Coalition and possibly future governments will not wish to change this practice.

I call upon the CEC to campaign strong and hard nationally against this despicable treatment of its members to highlight the oppression against us. Please support.

THE VICE PRESIDENT: Thank you, Paul. Secunder?

The Motion was formally seconded.

THE REDUNDANCY SELECTION PROCESS MOTION 88

88. THE REDUNDANCY SELECTION PROCESS

This Conference calls upon our Union to research and to recommend to its members a fair and dignified method of selection, to be used in situations where a compulsory redundancy is unavoidable.

In the past, a 'last in first out' (or LIFO) system was deemed unfair.

Today, the redundancy matrix gives too much weight to employers.

The recommendation of the GMB, as opposed to Human Resource Managers, would assist our Activists and Officers alike.

SCUNTHORPE DISTRICT & APEX BRANCH
Midland & East Coast Region

(Referred)

BRO. D. LASCELLES (Midland & East Coast): Congress, I move Motion 88 on the Redundancy Selection Process.

President, of all the onerous tasks expected of our activists, the use of a selection process, usually involving a matrix of selection criteria, has, in recent years, replaced the equally unfair process of last in/first out. The more times during the present economic crisis that our activists are called upon to accompany members through the minefield of criteria and challenges to the same, the more like a World War 1 battlefield of barbed wire it becomes. The odds against survival are reminiscent of a July day on the Somme battlefield of 1916.

This motion calls for research by the GMB to find a fairer and more dignified method of selection for use where compulsory redundancy is unavoidable. Please support.

THE VICE PRESIDENT: Thank you, David. Secunder?

BRO. M. STOKELEY (Midland & East Coast): Congress, I second Motion 88 on the Redundancy Selection Process. The ever-greater rise of the principles behind human resource management not only weigh down the shelves of Foyles bookshop on Charing Cross Road in London, but just about in every other of the more serious bookstores in this country. Virtually all expound the virtues of discrimination and wallow in the process of selection and de-selection, seeking as they do, at every turn of the page, to hang the culprit who falls before them. It really should come as no surprise, therefore, President, that this motion calls for exactly that which is printed on the label: a fairer way and the research which, by voting to support Motion 88, this process may just bring about. Please support Motion 88 for the sake of our GMB members who are the victims of this process. Thank you. (*Applause*)

SIS. K. HENDRY (London): Congress, I am asking you to oppose Motion 88. It would be a major tactical mistake to have as official GMB policy a motion which accepts the principle of compulsory redundancy. I have read this motion very carefully because I don't want to misrepresent what it is saying, but it clearly and unavoidably asks the union to recommend a redundancy selection process. The motion also requests the union to recommend, and I quote, "a fair and dignified method of selection" and talks about where compulsory redundancy is unavoidable.

Congress, no redundancy selection process is fair. Compulsory redundancy is inherently unfair and we should not enshrine in our policy anything which says otherwise. Moreover, although we know that there are times when compulsory redundancy is unavoidable and when the balance of forces between workers and boss is such that the best we can do is to fight to reduce the numbers sacked and ensure that the selection process is as objective as possible, we must never agree compulsory redundancies and we must never agree the selection process. I am talking from experience. That is the employers' responsibility. Let them put forward the proposed selection method. We respond but we don't endorse and we don't recommend. I sympathise with the aims of this motion. I don't know the particular experiences of the people who have written it, but I do not think we need a motion to actually address those issues. If reps don't feel supported or equipped to respond to the employers' proposals, then that needs to be raised and addressed within the union. Reps dealing with the deeply unsettling experience of redundancies, as the speaker has quite rightly

said, have every right to the full support of this union. The principle of implacable opposition to compulsory redundancies must be maintained, and this motion does not do that. I ask you to oppose.

THE PRESIDENT: Kim, I have no idea whether this item is going to be referred or not, but in the event that it is referred, then we will take the views that you said when we analyse and look. Does the mover wish to reply to Kim's points?

BRO. LASCELLES: President, David Lascelles rising on this occasion to take up the right of reply on behalf of the Midland & East Coast Region. Kim made some very valid points but, as the President has pointed out, this motion is calling for is purely advice. It is almost as though a motion would, if it asks for something very heavy, be asked to be referred. It is practically the same process. What our activists are seeking is advice on the best way to go about something which currently is extremely unfair. We don't necessarily seek a policy, but we seek guidance and advice. Unfortunately, whether any of us like it or not, whichever part of the country we come from, sadly, we have to face this problem. When people are going to be made compulsorily redundant, we simply seek the best advice and guidance of how to take people through that process. Thank you.

THE PRESIDENT: I call on Sharon Harding to speak on Motions 85, 86 and 88.

SIS. S. HARDING (CEC, Public Services): Congress, I am speaking on behalf of the CEC covering Motions 85, 86 and 88. The CEC asks you to refer Motion 85, to support Motion 86 with the qualification and to refer Motion 88.

The CEC is asking you to refer Motion 85 to allow some further research on the issue. Motion 85 highlights the fact that when a TUPE transfer takes place, the recognition agreement transfers to the new employer. However, in most cases the new employer can derecognise the union. This was the problem that we faced with Southern Cross, for example. The motion proposes to make a collective agreement legally enforceable. This could open up the possibility of employers taking legal action to stop industrial action. This could also create difficulties if the employer and the new employers have pre-existing agreements with different unions. This is an area where the CEC believes that it could be appropriate to refer, to allow for a more rounded statement of the union policy on this issue.

On Motion 86 the qualification is that whereas the motion seeks to limit the protection against TUPE-related changes for six months after transfer, long-standing GMB policy takes a more wholesome objection to the transfer and related changes to members' terms and conditions.

On Motion 88 the CEC is asking you to refer the motion to allow for a more rounded statement of the policy to be developed. Motion 88 addresses a very real practical problem faced by a union representative when compulsory redundancies are to take place, but what is a fair and dignified method of selection will vary and, ultimately, it is the employer who makes the redundancies. The CEC believes that further consideration is needed on the serious and practical problems that the motion raises.

Congress, the CEC, therefore, asks you to refer the Motion 85, to support Motion 86 with the qualification that I have outlined and to refer Motion 88. Thank you.

THE PRESIDENT: Thank you, Sharon. Will Midland & East Coast Region accept reference back on Motions 85 and 88? (*Agreed*) Thank you. Will Congress accept reference back? (*Agreed*) Will London Region accept the qualification? (*Agreed*) With that, can I put Motions 86 and 87 to the vote. All those in favour, please show? Anyone against? They are carried.

Motion 85 was REFERRED.

Motion 86 was CARRIED.

Motion 87 was CARRIED.

Motion 88 was REFERRED.

THE PRESIDENT: We will take all the views into account on all references back which have been spoken to from this rostrum and others. I call Motions 201 and 202.

SOCIAL POLICY

GENERAL

SALE OF CHINESE LANTERNS

MOTION 201

201. SALE OF CHINESE LANTERNS

This Conference considers that the sale of Chinese Lanterns should be banned as a danger to wildlife and farm animals, and as a fire hazard.

LEICESTERSHIRE 2000 BRANCH
Midland & East Coast Region

(Carried)

SIS. D. MILLS (Midland & East Coast): Congress, I move Motion 201 – Sale of Chinese Lanterns.

President and Congress, we call on Congress to consider the sale of Chinese Lanterns. These very pretty things look lovely when they float in the sky until they come down to earth. Then we find that they are very, very harmful to wildlife and farm animals. Also they are a great danger and a fire hazard to property and land. We consider that they should be banned so we ask Congress to support this motion. Thank you.

(Applause)

THE PRESIDENT: Thank you, Dorothy. Secunder?

BRO. M. RALSTON (Midland & East Coast): Congress, I second Motion 201. President and Congress, Chinese Lanterns are dangerous. They kill wildlife, they kill farm animals, they are a fire risk and the Coastguard has many false alarms when they are mistaken as distress flares. Thank you. *(Applause)*

THE PRESIDENT: Does anyone wish to speak against the motion? *(No response)*

FLOODING INSURANCE SCANDAL MOTION 202

202. FLOODING INSURANCE SCANDAL

This Conference calls on the present Labour Party to commission an investigation into the scandalous practice of insurance companies refusing insurance on members' properties which had been flooded in the 2007 summer floods.

Should our members be penalised year in and year out, only to find they are 'unsuitable' if they want to move companies.

HULL PAINT & ENGINEERING BRANCH
Midland & East Coast Region

(Carried)

SIS. C. CLARKSON (Midland & East Coast): Congress, I move Motion 202 – Flooding Insurance Scandal.

President and Congress, this Conference calls on the present Labour Party to commission an investigation into the scandalous practice of insurance companies refusing insurance on our members' property which had been flooded in the 2007 summer floods. Should our members be penalised year in and year out only to find that they are unsuitable for insurance if they wanted to move companies?

Flooding in parts of England in the summer of 2007 cost the economy £3.2 billion. Around 48,000 homes were affected, each costing between £20,000 - £30,000. At the time of the floods your premiums are the last thing on your mind, but not now. Immediate renewals after 2007 rose in par with economic percentage rises, but then your troubles began. To recoup some of their losses, the major insurance groups started a systematic and steady increase of premiums. They introduced new criteria of flood risk, new geographical studies to determine if you lived in a flood-risk area and, to top things off, introduced a set of questions that only a barrister would be able to answer, all under the hope that you would just renew because it was too difficult to get insurance.

Some flood excesses were levied at £30,000 with a premium to match. With excesses and premiums like this, it is as good as having no insurance at all. So you try and move companies to get a better deal, only to be told that you are unsuitable due to flood risk. Colleagues, it is about time that this Labour Party commissioned an investigation into the practice of daylight robbery. It's time for the greedy to help the needy and allow an Englishman to call his home his castle once again, but minus the moat. *(Applause)*

SIS. A. MARTIN (Midland & East Coast): Congress, I second Motion 202.

President and Congress, flood victims continue to face spiralling costs for home insurance as excess flood cover raises to levels that are making their properties virtually impossible to insure. Times are hard and money is short, but security for your family must always be high on the agenda. You do your best to pay your way, but when renewals are quoting you in excess of £2,000 a year, you can see why

people do not insure. You shop around for the best deals only to find that you are unsuitable because of where you live. How can this be right?

Now is the time for an investigation into the price fixing that is going on in the insurance market. We need the Labour Party to investigate the immoral stands taken by the big insurance groups and set up a working party with the intention of bringing flood insurance back down to where everyday people feel safe and secure in their homes. Thank you. (*Applause*)

THE PRESIDENT: Thank you very much. Does anyone wish to speak against? (*No response*) I put Motions 201 and 202 to the vote, please. All those in favour, please show? Anyone against? They are carried.

Motion 201 was CARRIED.

Motion 202 was CARRIED.

THE PRESIDENT: We now come to the International debate, which involves Motions 225, 226, 227, 228, 230 and 231.

**INTERNATIONAL
INTERNATIONAL SOLIDARITY FUND
MOTION 225**

225. INTERNATIONAL SOLIDARITY FUND

Congress notes that the GMB International Solidarity Fund was launched at the 2011 Congress and is supported by the CEC.

Over 1000 branches were written to asking them to make a small commitment of £8 per month, the response to which has been disappointing.

Whilst acknowledging that in the current economic climate, attention is focused on protecting members' jobs and terms and conditions here in the UK, Congress urges regions not to lose sight of the difficulties and hardships faced by trade unionists in other parts of the world and the importance of supporting them and campaigning on their behalf.

Congress asks the GMB regions to encourage those branches that have not yet done so, to make a financial commitment to the ISF. Additionally Congress urges regions to give serious consideration to underwriting the ISF themselves in order to ensure the success of this important and admirable initiative.

TOWER HAMLETS APEX BRANCH
London Region

(Carried)

SIS. K. JENKINS (London): Congress, I am a first-time delegate and first-time speaker. (*Applause*) I move Motion 225 – International Solidarity Fund.

The International Solidarity Fund was launched at the 2011 Congress and was supported by the CEC. The International Solidarity Fund was set up to support trade union partners organising in the Latin American agricultural sector as well as organisations such as *Banana Link*. Following last year's Congress, more than one

thousand branches were asked to contribute £8.25 a month to assist in financing the work of the International Solidarity Fund. I am saddened to report to this year's Congress that only 26 branches have done so to date. Many of you may feel that we have enough on our plate in fighting the Government's attacks on public service pensions and their attempts to destroy workers' protections fought for over so many years. However, the international solidarity has always been at the heart of trade unionism and we should not lose sight of the inequalities suffered by our brothers and sisters in other parts of the world. Many plantation workers live in poverty and suffer daily harassment due to their attempts to establish trade unions and organise, effectively, to challenge multi-national companies. These unions need our support to help organise and educate workers about their rights and assist them in fighting for the most basic rights that you and I take for granted.

One of the unions supported by the International Solidarity Fund is SITRABI, which is based in Guatemala. Members of its Executive Committee have been and, indeed, continue to be victims of intimidation and harassment, including imprisonment, physical violence and even murder.

In 2007 a SITRABI union member was murdered. Since this time the violence against union activists has escalated. In 2011 six members and ex-members of the Banana Workers' Union were killed. Congress, the International Solidarity Fund provides us with the opportunity to support our brothers and sisters in their struggle to work in a safe environment to achieve a decent living wage and obtain the respect to which they are entitled. I urge you not to let this opportunity pass you by.

The work of the GMB International Officer and the funds made available through the International Solidarity Fund have already made a difference but much remains to be done. Our continued efforts are essential to the success and long-term viability of unions such as SITRABI. Congress, I urge you to take this vitally important information back to your branches and encourage those who have not already done so to commit to regular financial contributions to the International Solidarity Fund.

Congress, let's send this message out to all. It is a fundamental right of every worker, wherever they may be, to join a trade union without fear of victimisation by multi-national companies. We can show that we are stronger together and that trade unions are the way forward especially for the millions of workers who find themselves exploited and in poverty. Thank you.

THE PRESIDENT: Thank you. I call the seconder?

BRO. K. ROWLEY (London): Hard times, comrades; hard times. Times when it is hard to justify union expenditure for other than the day-to-day fight for jobs and the recruitment and representation of our members. I know a lot of you feel that it is sensible for us to keep our financial powder dry.

Let me give you an example of how our branch approached it. Our branch recently had to buy a new computer and back-up systems and we have experienced a massive growth in the need for accompanying rep provision. At the end of the last quarter, my branch had only £200 left in its main account, the lowest figure in my time as branch secretary. We had to put a freeze on donations other than those directly concerned

with the GMB and trade union activity, but we needed to find money for the Remploy appeal, and activists were also determined to support the International Solidarity Fund before that freeze was activated. The point was that they had a strong feeling, despite the financial position in this country and increasing unemployment, that the fruit workers of Costa Rica and Honduras, for example, were part of the same struggle against neo-liberalist attacks on trade unionism, and its ruthless exploitation of the unrepresented poor. In fact, those workers without unions in central America have been the guinea pigs for the neo-liberalist experiment over the last 20 years.

I urge you also to dig as deep as we did, if you have not already. I attended the inaugural meeting of the International Solidarity Fund Committee, and I can assure you that every penny is invaluable and will be applied to specific projects, particularly those targeted with the help of *Banana Link* under the guidance of GMB International Officer, Bert Schouwenburg. I would like to take just a sentence to say what an incredible asset Bert is to this union. He is a tremendous internationalist in the truest sense of the word.

We can make a difference with this Fund, so go back to your branches and argue for as generous a contribution as you can. (*Applause*)

THE PRESIDENT: Keith did ask me if he could have that little bit longer and I said yes.

ILO FUNDING MOTION 226

226. ILO FUNDING

This Conference condemns the British government's decision to stop funding International Labour Organisation (ILO) projects.

The ILO is one of the oldest and hard working agencies of the United Nation. Since being formed in 1919, the ILO has worked towards improving the working conditions and rights of workers throughout the world. The fact that it is a Nobel Peace Prize winner shows how much the work of the ILO is valued.

The present British government, however, thinks differently. In stopping funding, the government has shown the rest of the world its complete disregard for workers' rights and contempt for those seeking political, economic and social justice for all.

We call on the government to do the right thing, reverse this abysmal decision and restore funding to ILO projects.

PARKGATE BRANCH
Yorkshire & North Derbyshire Region

(*Carried*)

BRO. I. KEMP (Yorkshire & North Derbyshire): Congress, I move Motion 226.

President and Congress, from its creation in 1919, the International Labour Organisation has been the archetypal tri-partite organisation of government, employer and workers' representatives seeking to improve the lot of workers throughout the world through co-operation rather than confrontation. The ILO has developed and adopted more than 170 international conventions, on such subjects as slavery,

working hours, safety and the rights of indigenous workers, to name a few. This work was recognised by the ILO being awarded the Nobel Peace Prize in 1969.

At this moment in time, on-going ILO projects include giving meaningful work to the disabled in Cambodia, developing strategies so that employers and workers can adapt to changing trading conditions, decent work programmes and ending human trafficking in Indonesia. The aim of all this work is to improve the lives of ordinary people through the world; all this work to allow people to do more than just survive; all this work to allow people a chance to fulfil their potential. Yet what does the British Government do? It halts funding of ILO projects, using the excuse that they are not effective in reducing poverty.

What does a Government of millionaires know about poverty? What does a Government that cuts the taxes of the rich, increases the tax burden of the majority and cuts the services that act as a safety net to its poorest know about reducing poverty? When we ask for a fairer distribution of wealth we are accused of indulging in the politics of envy. Reducing ILO funding is the absolute evil politics of spite, making the poorest most vulnerable and the rest of the world pay for the mistakes of British bankers and this Government's failed policies. This decision is obscene. It's an abomination to those who believe in helping their fellow man. It's an abomination to those who believe in internationalism. It's an abomination to all those who believe in economic and social justice for all.

As one Rotherham lad to another, I would like to make this personal appeal to our Foreign Secretary. Mr. Hague, after a lifetime in politics and achieving absolutely nothing, do something positive for a change and make a difference. Grab your Cabinet colleagues by the throat and shake it out of them until they restore funding to ILO projects. Support Motion 226. Tell the Government to reverse its decision. Support the ILO. Support our fellow workers throughout the world. Work to give all a living wage. End world poverty now! *(Applause)*

THE PRESIDENT: Well done. Secunder?

SIS. M. TAYLOR (Yorkshire & North Derbyshire): Congress, I second Motion 226 – ILO Funding. We at the GMB need to support the employment rights of every worker, whether in this country or abroad. Let's not forget that the rights of workers worldwide can affect us here as trends can establish themselves and spread here.

The ILO is a body attached to the United Nations, which has been helping and representing workers for nearly a century but will no longer be able to do so if member nations stop funding, as this Tory-led Government has done. Let us send a message to Mr. Cameron. Tell him that we will not stand for decisions like this, and let's show him that we do care about workers' rights. Maybe then he will stop and think twice before he tries to attack our employment rights again. Please support this motion. *(Applause)*

THE PRESIDENT: Thank you, Maureen. Well done.

CHANGING ROLE OF NATO MOTION 227

227. CHANGING ROLE OF NATO

This Conference notes the change in the role of NATO. When established in 1949, it was set up to be a mutual defence pact to counter the perceived threat of the Soviet Union. Since the end of the Cold War, NATO has been operating more and more in an aggressive role, for example in Afghanistan and Libya. In this capacity, it has caused more death and destruction than the Warsaw Pact ever did. Being the aggressor rather than defender is a complete inversion of what NATO is supposed to be.

Whilst accepting there may be a need for mutual defence and security, we deplore this aggression by NATO and calls on the British government to use any influence it has to pull NATO back from this warmongering and return to its defensive remit. As a last resort, if no changes are forthcoming, withdrawal of our armed forces from NATO command should be seriously considered.

PARKGATE BRANCH
Yorkshire & North Derbyshire Region

(Carried)

SIS. P. ROSS (Yorkshire & North Derbyshire): Congress, I move Motion 227.

A couple of weeks ago TV news reported on the meeting in Chicago of NATO leaders, discussing the timetable for the withdrawal of NATO troops from Afghanistan. So what's going on with NATO? What's NATO doing in Afghanistan?

According to its website, NATO's mission is "Peace and Security". It's a political and military alliance. If, like me, you belong to an older generation, you may remember the days when "the bomb" was a very real part of life. What to do when you got that three minute warning? At our forces boarding school for girls, we would work out how far we could get to the neighbouring boys' school in that time. NATO was part of that picture. The original treaty of the North Atlantic Treaty Organisation was signed on 4th April 1949. At that time, my father was a soldier in the British Army so, as a soldier's daughter, the role of NATO was intimately tied up with my own life for many years.

NATO members agreed – Article 5 – that an armed attack any one of them in Europe in North America would be considered an attack against them all. In the 1950s that threat seemed all too real. During the Cold War NATO was there to protect us, the free west, from invasion or attack from the Communist east. During that period, much of the NATO role was spent carrying out exercises, practising their response and how they would react to aggression. It was quite a landmark when what was then West Germany joined, but NATO needed the manpower from the Bundeswehr to man up the frontiers with the Warsaw Pact countries. This probably sounds like a history lesson to some of you younger delegates, but for many of us this is what we lived through.

So when did NATO's role change? The big change happened, apparently, after German reunification in 1989 and the revolutions throughout eastern Europe, but for

us oldies it is amazing that NATO now includes forces from many of our former, shall we say, adversaries in the Communist bloc.

Changes in the structure of NATO included the creation of a “Response Force”. However, this was not like the old “reacting to threats-type response”, but a “going in and sorting out issues”. The involvement in Afghanistan followed the 9/11 atrocity, and a United Nations’ resolution, after the United States invoked Article 5 of the NATO Charter. For the first time in its history, “An attack on any member shall be considered an attack on all.” The original UN resolution authorised the establishment of an International Security Assistance Force for six months, and that was in December 2001.

In recent years NATO has been involved in many conflicts, including enforcing the No Fly Zone in Libya. That is quite a different role from that originally agreed in 1949. It is, admittedly, quite a different world politically and geographically, but the change from protection to aggression seems to have happened without most of us realising. Probably, we were not looking.

As a political alliance, how many of the countries involved have consulted with their citizens on what role should be played by the forces they contribute to the organisation? To be honest, I do not remember it coming up as a manifesto issue from any party. As a soldier’s daughter, I very much appreciate the difference between providing forces for protection and actively seeking engagement in conflict.

At a time of shrinking budgets and with reductions in our armed forces, we need to consider the role played by the forces we still have left. Should they be there to protect the UK or be sent off in an aggressive role all over the world? Please support. *(Applause)*

THE PRESIDENT: Thank you, Pam. I have been wanting to say this at Congress for an awfully long time. It is nice to see Pam back as a delegate this year. Let me say, and I say this with all sincerity, that during the miners’ dispute and ever since, we all played our part but no one has kept it going and no one was more committed than Pam Ross to save the miners, and is still trying to save the coalfields that we have. Pam, we are very proud of you. Thank you. *(Applause)*

BRO. I. KEMP (Yorkshire & North Derbyshire): Congress, I second Motion 227.

President and Congress, historically, Britain has avoided permanent military alliances, except, for some reason, with Portugal, but since 1949 it has been part of the North Atlantic Treaty Organisation, an organisation formed as a security and defence organisation. As you have heard, Article 5 of its charter provides for mutual aid.

As Pam said, the only time that Article 5 was invoked was following the events of 9/11. You all know the story. The United States was attacked by Saudi Arabian-born terrorists, so NATO forces end up in Afghanistan.

American geographical ignorance notwithstanding, I can accept giving mutual aid and fulfilling treaty obligations, for the sake of argument, but what is unacceptable is the unprovoked use of force, as in Iraq, Libya and what used to be Yugoslavia. Whose

citizens will be the next to suffer death and destruction as a result of NATO aggression.

Congress, this motion is not calling for a withdrawal from NATO, rather than unless NATO returns to being defensive it's calling for the withdrawal of British forces from NATO command, much as France did between 1966 and 1995. Military intervention must mean self-defence and accountable to the electorate of member states, not for political expedience, not for the interests of the military/industrial complex and not for American economic imperialism. Thank you. *(Applause)*

THE PRESIDENT: Thank you, Ian.

**MORDECHAI VANUNU
MOTION 228**

228. MORDECHAI VANUNU

Congress notes that from 21st April, it is eight years since Mordechai Vanunu was released from Ashkelon Prison, having served his full sentence of 18 years for revealing the truth about Israel's Nuclear Programme. Congress further notes that he faces no further charges but since his release he has been subject to severe restrictions on his freedom of movement, speech and association.

Congress calls for the CEC, General Secretary and Labour NEC Representatives to call on the Labour Leadership and Government to recognise Vanunu's human rights by allowing him to leave Israel forthwith, as he wishes.

T30 BRANCH
North West & Irish Region

(Carried)

SIS. L. MERCER (North West & Irish): Congress, I am move Motion 228 in relation to Mordechai Vanunu.

Somebody out *there* will say, "Who is Mordechai Vanunu?" I will tell you a little bit about him, but my husband knows more than I do. He was a nuclear technician and he was brave enough to tell the British press details about nuclear weapons programmes. This was way back in 1986. He was drugged and abducted and then returned to Israel, and he served an 18 year prison sentence. For 11 of those years he was in solitary confinement. In 2004 he was released, but he had restrictions on him. These restrictions are that he cannot have contact with citizens from other countries. He can't use a telephone, a mobile phone or a land line. He cannot use a computer for internet access, and there are many other restrictions upon him. On a weekly basis, he gets dragged in and arrested.

Vanunu cannot leave the State of Israel. Amnesty International says that Vanunu is a prisoner of conscience. Please can you support Amnesty International and call for his release from Israel. Thank you. *(Applause)*

THE PRESIDENT: Linda, I told you that you could do it and you've done it very well. Well done. I call the seconder.

BRO. P. BOYLAN (North West & Irish): Congress, I second Motion 228.

Unlike me who only gets a visa for a week to come to Congress – by the way, it is called the “Paul McCarthy visa” – Mordechai has been under virtual house arrest for the past eight years. Colleagues, our homes are our heaven. His home is his hell at present. All he wants to do is to leave his home and the country. Surely, he should be allowed to do so. Please support. (*Applause and cheers*)

THE PRESIDENT: Never mind that lot over *there*, you did well.

ISRAEL AND THE EU MOTION 230

230. ISRAEL AND THE EU

Congress notes that the continued flouting by Israel of UN Resolutions, and continued inhumane actions against the Palestinian people, are so serious that it is inappropriate for the European Union to continue to have special economic trading and other relations with Israel.

Congress therefore calls upon the CEC to lobby Government and Opposition to call on the European Union to terminate the favourable arrangements it has with Israel.

T30 BRANCH
North West & Irish Region

(Carried)

BRO. I. LOWES (North West & Irish Region): Son of Toomey (*Laughter*)

For years Israel has been destroying Palestinian lives, homes and livelihoods. It continues to build illegal settlements and steals the fertile land of the Jordan Valley. Since 2006 the Gaza Strip has been under siege. All of these actions are in breach of the Fourth Geneva Convention, to which Israel is a signatory. Israel has breached dozens of UN resolutions, yet not one government has taken any action.

In respect of Israel’s relationship with the EU, it enjoys “privileged status”. The EU is the biggest importer of Israeli goods and its second-biggest exporter. The legal framework for the EU-Israeli relations is called the EU-Israel Association Agreement, signed in Brussels in 1995. It states: “The respect for human rights and democratic principles is a key element of the agreement.” Given Israel’s continued human rights’ abuses, they are currently in breach of that agreement.

The motion calls for the CEC to lobby Government and Opposition to call on the EU to terminate the agreement with Israel. I move. (*Applause*)

THE PRESIDENT: Thank you, Son of Toomey. Secunder?

A DELEGATE: (No name given)(North West & Irish): Congress, I second Motion 230 – Israel and the EU.

Just before we start, Mary and Paul, Paul Boylan said that he’s got some tickets over from last night. Can he have a bottle? (*Applause*)

Trade links between Israel and the EU are currently in place in the shape of the European Mediterranean Agreement. However, there are proposals to up the ante to give Israel easier access to markets in the EU countries. This comes in the shape of the CAA Protocol. This proposed protocol is intended to eliminate technical barriers in trade and industrial products between the EU and Israel. In the main, it applies to pharmaceutical products.

Congress, we believe that the EU's external policy must be consistent with their human rights' policies. Any upgrade in trading is unacceptable and inconsistent with the recent EU declarations announcing the abuse of human rights in the Occupied Territories. Please support.

CHILD LABOUR MOTION 231

231. CHILD LABOUR

This Conference is asked to put pressure on high street retailers such as Asda, Matalan, Burtons and others to stop selling cheap garments that have been imported from countries where forced child labour is used to pick and process cotton.

C80 DUDLEY BRANCH
Birmingham & West Midlands Region

(Carried)

BRO. T. HACKETT (Birmingham & West Midlands): Congress, I move Motion 231.

Congress, everyone likes a bargain, especially if it will save you money, but what if that bargain was at the expense of a child's education thousands of miles in a country such as Uzbekistan? Uzbekistan is the world's second largest exporter of cotton, a trade which is controlled by the state. Merchants claim that 90% of its output is hand picked. Human rights groups have estimated that some 450,000 children are taken out of schools and every harvest they work a seven-day week in these cotton fields, despite the government's stance that child labour is outlawed.

A report published about the 2011 harvest by local monitoring groups and in academic studies, highlighted the coercion of children, as long as 10, to pick cotton and to fulfil government quotas across various regions of Uzbekistan. Uzbekistan children are forced to pick cotton, to live in filthy conditions, contract illnesses, miss school and work daily from early morning until late evening for little or no money. Hunger, exhaustion and heat stroke are common.

This motion is asking Asda, Matalan, Burtons and others to stop selling cheap garments that have been imported from countries where forced child labour is used. We are assured that this will mean monitoring where the supply of garments are from and will force the garment price up. I am sure that the British public will understand and will not mind paying extra to safeguard the education of these children. Thank you. *(Applause)*

THE PRESIDENT: Thank you. Secunder?

The motion was formally seconded from the floor.

THE PRESIDENT: Does anyone wish to speak against any of those motions? I have been asked if someone could comment.

BRO. K. ROWLEY (London): Congress, I just wanted to make a little additional point in relation to Motion 230, which is specifically about economic and financial arrangements with Israel in Europe. But there is another aspect of this which, I think, is very important. It is the cultural connections as well and how we define Israel as being European for some reason.

There is a case at the moment of Mahmoud al-Sarsak, a Palestinian footballer, who has been detained for three years without charge or trial, one of the 308 so-called “administrative detainees”. He is near death after 80 days on hunger strike. Eric Cantona and even Sepp Blatter – even Sepp Blatter! – have come out and called for his release. What is significant about this is that, despite this crime, UEFA has awarded Israel the right to stage the European Under-21 Championship in 2013. I urge you all to do everything you can through the avenues that you have available to put pressure on UEFA to remove this privilege from Israel. Thank you very much.
(Applause)

THE PRESIDENT: Thank you, Keith.

I call Ken Daniels to speak for the CEC on Motions 227 and 231.

BRO. K. DANIELS (CEC, Public Services): Congress, I am speaking on behalf of the CEC to Motions 227 on NATO and 231 on Child Labour, each with a qualification.

On Motion 227 the qualification is that, although the GMB is at the forefront of the global fight for social and economic justice, and can legitimately can take a view on the bellicose activities of an organisation acting on behalf of US imperialism. Our power to influence or affects its behaviour is another matter altogether.

The qualification to Motion 231 is that GMB already campaigns against child labour, both directly and indirectly, via organisations such as War on Want and international bodies such as the ILO. We can publicly denounce High Street retailers as the occasion demands, but the qualification is that in Asda’s case we are constrained by the terms of our collective agreement.

Congress, please support Motions 227 and 231, each with the qualifications I have set out. Thank you. *(Applause)*

THE PRESIDENT: Thank you, Ken. Congress, Ken was just told 10 minutes ago that he would be replying to both motions. Well done, Ken.

Does Yorkshire & North Derbyshire Region accept the qualification? *(Agreed)*

Does Birmingham & West Midlands Region accept the qualification? *(Agreed)*

In that case, I will call the vote on Motions 225, 226, 227, 228, 230 and 231. All those in favour, please show? Anyone against? They are carried.

Motion 225 was CARRIED.

Motion 226 was CARRIED.

Motion 227 was CARRIED.

Motion 228 was CARRIED.

Motion 230 was CARRIED.

Motion 231 was CARRIED.

ANY OTHER CONGRESS BUSINESS

THE PRESIDENT: Could I remind Regional Secretaries to ensure that any card voting booklets are left in the Regional red trays at the end of Congress so we can recycle them next year. They should all be intact because we have not had any card votes.

CLOSING PROCEDURE OF CONGRESS

THE PRESIDENT: We are now commencing the closing procedure of Congress, which begins with the omnibus Vote of Thanks, this year to be given by Mary Hutchinson from the Northern Region. Mary.

SIS. M. HUTCHINSON (CEC, Manufacturing): President and Congress, it is a great privilege and honour to give this Vote of Thanks on behalf of the CEC to this the 2012 GMB Congress. First, I would like to give our sincere thanks to our President, Mary Turner. Mary, I have known you for many years and I want to take this opportunity, on behalf of all of us, to thank you for all you do for this great union and everyone in it. You fired us up first thing on Sunday with your customary fire and passion. *(Applause)* We, in our region, Mary, like to think that this comes from your Geordie roots. Once again, you have kept us in good order and helped all our delegates, and especially the first-time delegates. Mary, once again, a very, very big thank you.

Colleagues, can I also give our thanks to Malcolm Sage, our Vice President. Thank you, Malcolm, for all the support you give to Mary and for all the hard work you do for our union. *(Applause)* We appreciate the time and effort you give to the GMB. A very big thank you, Malcolm.

On Sunday morning, Congress, we heard Mary's inspirational address. Yet again, Mary, you tell it as it is. Congress, no one in the room on Sunday could have failed to have been moved by the Address to Congress by our colleague, Alan Duncan. Alan reminded us of what is probably one of the most profound issues that any family will face. If society is truly empathetic, then the whole subject of organ donation will be solved. We applaud GMB Scotland for taking this vital issue of the gift of life forward.

Fern McCaffrey, in a passionate and thoughtful address, showed us all what we already knew, that our young GMB members are excellent. The Special Award to one of our Northern Region members, Joe Murphy, was an inspiration to us all. The

work that Joe does in mentoring and coaching young people was made very clear in the DVD. I know that was a genuine surprise to Joe and it was a wonderful moment.

The Equality Awards were, yet again, a testament to our values and principles. Well done. Stacey Booth's work in the Community Workplace was a fantastic achievement for Stacey, her colleagues and Yorkshire & North Derbyshire Region.

Ray Beekman, from Midland & East Coast Region, received a fitting award for the tremendous work that he has undertaken in the workplace. Thank you to Ray's branch secretary for picking up the award on Ray's behalf.

Iain McNicol came home for a while on Monday and gave us a heartfelt and genuine message from the Labour Party.

We also heard a tremendous speech from Tom Watson that came from the heart when he was speaking about *News International* had brought the hatred and bile of Murdoch and Rebekah Brooks to the door of his family. With MPs like Tom Watson and unions like the GMB, good will triumph over evil. (*Applause*)

Congress, we had one of the most important documents for years discussed at this year's Congress in the CEC's Special Political Report. Paul Kenny gave us, yet again, an inspirational speech in proposing the report. Paul, I wish I could bottle that passion and enthusiasm. (*Applause*)

Talking of which, Congress, and if I could bear your indulgence, what about our worthy Northern Region President, Billy Hughes? Billy, you made the front page of the *Morning Star*. Next stop, the *Northern Star*. (*Applause*)

Colleague the emergency motion, the debate and the award to the Carillion GMB stewards was a great end to the first half of our 2012 Congress. How can you fail to be uplifted by their response and our support in the struggle against criminality and corruption after, by all accounts, what was a very successful set of sectional conferences, we moved into the second part of our 2012 Congress.

On Wednesday, we heard a really great address by Monica Smith from the RMA. Yet again Monica, you demonstrate everything that is good about our retired members.

We've had a great end to this year's Congress this morning. I want to take this opportunity to thank all the national office staff for all the hard work in the run-up and throughout this whole Congress. They are a highly dedicated and professional group of staff and without them we could not have had such a fantastic Congress 2012. (*Applause*)

Thanks to the Auditors, Tellers, Standing Orders Committee and all the staff and stallholders in this Centre for all the hospitality that we have received. Can I thank all delegates and visitors for the bucket collections and the regions and their staff for the support which has made Congress 2012 such a big success.

Finally, can I thank you, Congress. Every year you demonstrate what it means to be the best of the best. Thank you, Brighton. Next year, Plymouth. Safe journey home and good luck.

THE PRESIDENT: Mary, can I thank you, too, because you have given up most of your life to trade unionism irrespective. Let me say a special thanks to all the delegates in this hall and those in the sections, and particularly to those in my own section, I would like to say “Thank you” and for the respect that you showed to our visitors and to this union. I would like to thank the visitors in the gallery for their patience in being here all the week. Well done.

I will finish off by saying “Thank you” to our families, who support us all in doing this work because we could not do it without their support. Thank you very much indeed. (*Applause*)

I now call Paul Kenny, our General Secretary.

THE GENERAL SECRETARY: Thank you, President. Actually, let me say “Thank you, Mary”. (*Applause*) I hope that everybody had a reasonable week. For those of you who were meeting old friends, isn’t it great? For those of you who are here for the first time, as the saying goes, “You come back, now”. You have probably met people, had experiences, learnt about hangover cures that you never dreamt you would come to a union conference and have. I want to echo my thanks to a few people.

Firstly, to Mary Hutchinson. Thank you for the vote of thanks. You and I know, about the *History of the GMB* that we commissioned and gave out earlier, that there were times going back a few years when maybe that book would never have been written, and it certainly wouldn’t have been written in the way it has turned out. You were somebody who, in those very difficult times, was always a strong voice for the lay member democracy of this union, a powerful person in support of right and justice. I know that this union owes you a tremendous debt. So from me and everybody else, thank you, Mary. I know what you have done for this union. (*Applause*)

Personally, I think it was one of the most brilliant days when the merger between ourselves and the Tailor & Garment Workers came in because we had so many great people who came in from that union – really great people – and you were one of them. Thank you, Mary. (*Applause*)

Let me say “Thank you”, briefly, to, individually, a few people, and I start with the staff. Mary mentioned the staff who make this happen. They don’t just make it happen this week but they make it happen, literally – they will probably get a couple of weeks off – and they will be back trying to do it again. I asked them to go to the side of the hall. Some of them, actually, are just too shy. If I call your name, you can just wave: Tom Hazeldine, Katie Feigan, Emma Golding, who is not here so she can’t wave, Steve Short, Kevin Panton, Marion Healy, John McCargo, Kevin Sweeney and Bob Robinson from the IT Unit; Laura Jagdev, one of the finest singers at a karaoke that I have heard, Charlotte Gregory, Steve Pryle – what a fantastic press and communications man, who as we speak is in the air to Gdansk to watch the Republic

of Ireland, without a ticket, even if it is only on a TV screen in a bar. That's dedication for you – Rose Conroy, Mick Balfour, Heidi Benzing, Dan Shears, Steve Kemp, Barry Smith and the SOC, who have done such a fantastic job. I know the work that they do. They are the guardians of the democracy of this Conference. Sometimes people go head to head with them, and you think, “Oh, well, I don't know what their job is”, but it is to protect the rights of this Congress and the lay members in it.

Could I say a special thanks to the Birmingham & West Midlands Region for electing Glynn as your representative at the Standing Orders Committee this year. It certainly denied him the opportunity to get to the rostrum. Thank you very much indeed. *(Laughter)*

I want to thank Robert Badlan, who goes out and gets our sponsorship by the most incredible ways and means. I don't ask him any more. He says he will give them the negatives once they have paid the final instalment. Whatever it is, Robert, you raised for us close to £90,000 for this year's Congress. *(Applause)* Of course, that assisted in looking after things like the teas, coffees, a few drinks and some of the goodies that were issued out. Frankly, in the good old-traditional way, if we can get someone else to pay, then it's a bloody good idea. So, well done, Robert and long may it continue. *(Applause)*

I want to pick a couple of people out – there are lots of other people who I am not going to mention but they have all done a fantastic job during the year – who are Naomi Cooke and Phil McEvoy from our Pensions Department because during what has been an incredibly difficult year, they have been absolutely wonderful. They are really five-star performers, anyway, but it has been recognised amongst the trade union movement, and even begrudgingly amongst the Government, that they are two of the finest, most articulate and professional pension people anywhere in the trade union movement. On behalf of everybody, thank you both. Your work has been fantastic and it has been noted. Thank you very much, indeed. *(Applause)*

To Eamon O'Hearn-Large, who has to sit in a little box up high to make sure that your names come up – I noticed at least once this week he made a mistake, but I won't comment about that *(Laughter)*. I can take a joke – I promised his last year that he wouldn't have to do it this year, but he did end up doing it. Let me make a solemn promise in front of all *these* witnesses, you won't have to do it next year, provided I can find somebody else. No. Thank's very much, Eamon. Thanks a lot. What's he got on the screen now? *(Laughter)*

Let me mention Ida Clemo, sitting on the end of our panel. Ida works in the General Secretary's Department. She and Dolores devised many of the easy-to-read documents. They are the architects of plotting how Congress could fit a quart into a pint pot. When everyone else is panicking, these two are quietly working out how we, effectively, make sure that that pint pot fits. They have been instrumental in doing a whole range of things and advising all of us about how we could have a better and more inclusive Congress. Thank you, Ida. *(Applause)*

I want also to thank Michael and Phyllis, the shorthand writers. Michael is recording what I say now. He has been to more GMB Conferences that I can remember. He told

me that he was on a job – I want tell you what job it was. I won't embarrass him by saying what it was – and he was sitting there rather bored and he decided to work out how many hours he had been at GMB events in the regions, doing minutes, Congresses and other things. I think he said he has written down and transcribed about seven millions words. Now, I know at least two delegates in this hall who contributed about 50% of them. *(Laughter)* Thank you very much, Michael. You are great fun. *(Applause)*

The staff here at the Brighton Centre have been great. *(Applause)* To the T5 team – Phil, Gary, Steff and the crew, the people who have put the stage together and the sound – thank you, you have been wonderfully helpful. We really do look forward working with T5. They are a great bunch. They know what we need and how we do it. Thank you very much for all your efforts. *(Applause)*

I want to thank the stewards, who have stewarded the hall from the Brighton branch. They are a great bunch. They have done really great. They have been really good. I said to them earlier that I know they have been good because I have not had a single complaint from a delegate. Really, they have done a fantastic job. *(Applause)*

Could Andrew stand up? Come to the stage. *This* man, Andrew Wiard, has been taking the most fantastic photographs of us for years. Probably, you have not even noticed him in the front of the hall. He has been a part of our Congress and other trade union conferences for years. He is a fantastically powerful member of the NUJ now and a loyal trade unionist. He is a great guy. He has got some great exhibitions of his work. If anybody has got a camera and you're near the front, can you come up right now and show him what it's like just to be bloody photographed when you're trying to make a speech? *(Laughter and applause)* Here they come. You're going to get it now. From us with great love and great affection for everything you have done, a lot in that book is your work and we are very proud to have you. Thank you very much, indeed. Smile for the camera. *(Applause)*

ANDREW WIARD: I have been photographing trade union conferences for the best part of 35 years. To the outside world, trade union conferences are all the same, but they are not. If you go to one after the other, you will find that they have their own unique character, and so does the GMB. Maybe it is a trite thing to say, but it is a necessary thing to say, but when I come into the hall the one thing that strikes me about the atmosphere of this Conference and this union is that it is one big family, and it is a pleasure to be here. *(Applause)*

THE GENERAL SECRETARY: You did not know that that was coming, did you?

I could not possibly let this moment pass without giving my thanks to two colleagues who will be leaving us – Phil Davis and Keith Hazelwood, who have served the trade union movement brilliantly and loyally. You can see from both of them their passion in their fight for the members goes without saying. To both of you, thank you very much. From this Congress, the very best for the future. Thank you both. *(Applause)*

I will pick out somebody who works very closely with me, Barbara Casher, who has worked with me over a number of years. Barbara is just brilliant. Someone the other day, when we were trying to get lunch – we had a lunch put on at the back – and for

some reason there was no one to serve it, and the rest of us were standing about wondering what was going on. She just dived in, opened up the tins, puts the light on and served lunch, as if it was the most natural thing in the world. In the next breath, she will be running round making sure that delegates have got what they needed. She is absolutely brilliant. I am so lucky to work with people of her quality. Barbara, thank you very much. *(Applause)*

I have just a few more words. *This* gentleman, who has joined us on the stage, is Brian O'Donoghue. He is the partner of Dolores. I think we have done eight Congresses together. I can say that in the last ten years she has spent more of her anniversaries with me than she has with her old man. *(Laughter)* Dolores is also going to be retiring later in the year. Given, again, what I and colleagues know of her, her contribution in assisting us to turn the organisation round has been just immense. She is a fantastic person and a great asset. Her anniversary was yesterday. It's 42 years now. I know that when you go back you are going to celebrate that anniversary. We've got some flowers for you, Dolores, and a bottle of Champagne for Brian. *(Presentation made amidst applause)* I wish her the very best. Thank you very much. You are a real couple. The only reason that their beloved dog, Jess, is in the VIP room than on the stage is for security reasons, but don't ask me what they are. Thank you very much, Dolores. You have been fantastic. The very best of luck. You have a great retirement. *(Applause)*

I want, from this rostrum, to thank my wife, Pat, for putting up with me, not complaining too much and sleeping on the settee one night when I was snoring this week. I apologise deeply. I slept on it the other four nights when she was snoring, but I don't want to talk about that. *(Laughter)* Thank you very much. Everybody knows – I make no secret about it – about my relationship with Pat. I love her dearly and I always will. *(Applause)*

I am very proud of my son, Warren, who is in the London Region. Sometimes people think that it must be easy being the son of an officer of the union, the regional secretary and then the General Secretary. In fact nothing could be further from the truth. When he left school he got the sack from his first two jobs for trying to organise a union. He came up the hard way, as a steward, a convenor, a branch secretary and he has done some of the European work. If anything, I made life harder for him, not easier. I always made it plain that as long as I was the regional secretary in London he would never be considered for a job. Some members of the Regional Committee thought that it was quite wrong at the time because I knew that whatever he did, if I was associated in any way, shape or form, with him getting a job in the union, people would never see him for his value. They would always see him through his dad. I am very proud, as I am of all my family, of Warren. I wish him the best for the future. Cheers. *(Applause)*

Now, the SMT. I know that they get a good kicking and it's good fun sometimes to give them a good kicking but they have worked tremendously well for this union in the last eight years. They have worked for the collective good. They have always put the collective good of the organisation in front of any individual issues. My thanks to them. The union owes them an incredible debt of gratitude for what they have managed to achieve in carrying through the Congress decisions over the last eight years. Well done to all of them. My thanks to all of them. *(Applause)*

To Malcolm, I echo entirely what has been said already. He is an absolute rock. He is a fantastic Vice President. You may not see what he does but, trust me, he is absolutely the most brilliant person to have. When we have our internal meetings, he rules with a rod of iron. Trust me. You do not get a second chance with Malcolm. Thank you, Malcolm, for all your support. *(Applause)*

To Mary, there are no adjectives left. She is just the most fantastic person. I can't tell you how wonderful, wonderful, wonderful, it is to see you here this week. I think, actually, as the week has gone on you've looked better and I've looked worse. *(Applause)*

Now, Kathleen Walker-Shaw. Kathleen looks after the Brussels' office, but so much more. We have a fantastic asset in Kathleen. Maybe people don't always see the work that she does but, let me tell you this, she works tirelessly. She has gained this union the reputation amongst all the unions in Europe, even begrudgingly by some of the groups, of being the most effective, most knowledgeable and most formidable representative of any trade union in Brussels. Kathleen, thank you very much, indeed. *(Applause)*

I could never do a wind-up here without thanking John Cope from the London Region. *(Applause)* John Cope was the Regional Secretary in London before I got his job, according to him. *(Laughter)* He was a tremendous Regional Secretary. He is a really great guy. He helped me a lot. Long before he was the London Regional Secretary he helped many others. I always remember walking into the office on the first day in London Region, when I had got the job. I walked in bright and early, about half-7 – I wanted to get behind the desk for the first time – and there were two chairs behind the desk. Pinned to one of them, a note said: "You may have got my job but you're not having my bloody chair." *(Laughter)* He has continued selflessly to participate in union activity ever since. The union is everything to John. John's campaign for lay member rights stretches back into the '60s and the '70s. In fact, concerning some of the freedoms that exist today – things that we just take for granted – John came up *here* as a lay member and battled through in the days when the barons really did rule the castle. John, the union owes you a debt of gratitude, and I always want people to remember that. *(Applause)*

To all the regions, we've done great. I would like to make a small presentation. Will Sheila Bearcroft come up. You all know that Sheila Bearcroft is President of the South Western Region. From the end of next month you will be President of the GMB Wales & South West Region. *(Applause)* You can keep those signs as scrap, if you want, John, or post them on to somewhere, but in line with the changes that we have made, GMB Wales, quite rightly, will have its own identity, and those members in the South West are going to have their own identity. We are going to make sure that wherever we are people know that it is the GMB in action for the members. Well done.

It's been a long journey from 2004/2005 to now from Newcastle, seven years and eight Congresses. From the edge of extinction to the fastest-growing union in the UK. We may not be perfect and we may not always get procedures right, but maybe that is what makes us the union that we are. We are proud. The SMT, the Executive and

Congress have contributed to all of that. I am like most of you. I've always had dreams that we could turn deficit into growth, defeatism into courage and the simple of thing of "Why?" into "Why not?" Whenever we wanted to do something, people said "Why?" Really, the answer should always be "Why not?" Look at the changes that have been brought about by our Congresses. Look at some of the things that we should be really proud about during that time: an annual Congress, enshrining the power of lay members in the union; a lay member Executive; a fresh system to produce more new delegates – look again this year at the number of new delegates – young; dealing with some of our diversity issues, our equality strands and getting the gender balance better. I always dreamt of a GMB that's not afraid to fight, of taking the membership with us and not taking it for granted; a GMB where members come first and General Secretaries' egos come last; where members trust the union; where we said we would do something, or we asked delegates to refer motions, we did do something and we never threw that trust in the bin once Congress was over; a GMB that would never be frightened to tackle either misdeeds within our own ranks or tackle multi-national employers or Prime Ministers in defence of our members, our families and our communities; a GMB that is confident enough to say: "We are a vested interest. This is what we stand for." We don't hide our colours from anybody. Our job is to fight for working people, their communities and for our members; a GMB always brave enough to change and challenge; a GMB which makes us feel proud and causes those who would attack our members or our society to pause.

For those out *there* who want respect at work, better pay, holidays and safer workplaces, for a say in their future, or just someone to fight for them on equal pay, pensions or anything else, then my message is really clear. Join a union. Join the GMB, please, but join a union.

Let me say to all delegates: thank you very much. The union exists because of you. Thank you for all your support. It has been a pleasure, Mary, to be here at the 2012 Congress. Thank you. (*A standing ovation*) (*A presentation of flowers was made to Mary Turner, GMB President*)

THE PRESIDENT: Paul, we stood up to thank you. Let me say "Thank you" and just a couple of words. This union, on the election of our General Secretary, made the biggest change of our lives. We went up and up and up, not only in membership but in everybody's estimation outside for our democracy. (*Applause*) Paul was right. When we got elected on to the CEC, it was somebody else's democracy. It was not ours. But we are where we are. Paul Kenny, I am proud that you are our General Secretary, as is my colleague, Malcolm. I want to say to his family, we have taken up a lot of your dad's life, and Pat, but without you and the family he could not do it. His heart and soul is GMB and his heart and soul is honesty and trade unionism. Paul Kenny, thank you for those lovely words. I hope you are with us for the next ten years. (*Applause*)

CLOSING CEREMONY

THE PRESIDENT: Colleagues, we are now coming to the Closing Ceremony, which is in two parts. You will now have a short slide show with some of the highlights of Congress. Watch carefully. The music this year is *If Everyone Cared* by Nickelback.

(*Slide show shown*)

THE PRESIDENT: We will now stand to sing *The Red Flag*.

Congress, have a safe and pleasant journey home. See you all next year. Thank you.
Congress is now closed.
