

**REPORT OF THE 137TH ANNUAL
TRADES UNION CONGRESS**

held in

**The Brighton Centre,
Brighton, East Sussex**

from

September 12th to 15th 2005

President: Jeannie Drake OBE

REPORT OF PROCEEDINGS

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FOURTH DAY: THURSDAY, SEPTEMBER 15TH

MORNING SESSION

(Congress resumed at 9.40 am)

The President: The order of the outstanding business, just to remind you, is as follows: Motion 34; Motion 35; Motion 75 with paragraphs 5.3 and 4.15; Composite Motions 15, 53, 54 and 55. Thank you.

I would ask delegates to respect the speaking time limits because we have an extraordinary amount of business to get through today. I will be using my bell more ruthlessly. If you do hear that the point has already been covered in debate, I am sure people would appreciate it if you did not repeat it because we do have to seize time. If you are able formally to second a motion, I would be very grateful.

I also remind you that if you are taking up time speaking on paragraphs, you are likely to be restricting your colleagues' contributions to their own tabled debates. Similarly, I am not minded to take many extra speakers on debates in order that we can get through all of the business.

Stress and job design

Peter Clements (*PROSPECT*) moved Motion 86.

He said: Congress notes with concern the rising tide of work-related stress which affects all sectors of the workforce. Stress can affect anyone and among the reasons for the current increase in the levels of work-related stress is the growing emphasis on individual performance, redundancies, job insecurity, increasing workloads and demanding deadlines.

We have all heard the media and businesses describing work-related stress as "the new bad back". Indeed, HSE-commissioned research indicates about half a million people in the UK experience work-related stress at a level they believe is making them ill. About 5 million in the UK feel "very" or "extremely" stressed by their work. A total of 12.8 million working days were lost to stress, depression and anxiety during the year 2003/2004.

However, labelling work-related stress in this way is both unfair and short-sighted. Congress, it is unfair and short-sighted because with enough trained personnel, employer co-operation and a funded programme of HSE enforcement, cases of work-related stress could be reduced.

In the public sector, stress is one of the major causes of long-term sickness absence. The Government have set a target of reducing this sickness absence by 30% by 2010. Major risk factors for stress include the lack of control over work and the management of change; yet both these risk factors are an increased reality for the public sector workers. It is another case of lack of joined-up thinking.

With this in mind, we support the HSE revised management standards and call on all affiliates to work with the HSE and employers to agree and implement standards of good management practice for preventing work-related stress, recognising that any approved code of practice adopted must be backed by a funded programme of HSE enforcement.

Congress also calls on the General Council to seek changes to the RIDDOR reporting system criteria in order that companies have to report absences from work due to stress. Work-related stress injures people and should be properly recognised as an industrial injury.

Malcolm Sage (*GMB - Britain's general union*) seconded Motion 86.

He said: Is stress a workplace issue or an imaginary problem? Well, safety reps across all industries and all trade unions definitely know it exists. In just about any survey in recent years, it has been their top problem in the workplace.

Last year, Dorset County Hospital became the first employer to receive a work-related stress enforcement notice from the HSE. However, there are no specific regulations on work-related stress. It can be argued that under the Health and Safety at Work Act there is a duty of care, but for some the time and stress involved means this is not worth pursuing.

The trade unions have for a long time been pressing the Health and Safety Executive for at least an approved code of practice on managing stress. An approved code of practice, or an ACOP, as it is better known, is not the same as regulations, but it can be used in a court of law to help prosecute rogue employees.

An ACOP on stress does exist, or sort of exists. One was, in fact, drawn up in 1999, but it sits gathering dust on some shelf in the HSE headquarters. Why? Basically, because the employer organisations did not want it! Now the HSE have come up with management standards for stress in the workplace. They look at consultation on new job elements, resources in terms of time and money and control of speed of work and the working environment. They are all valuable and useful items in the effort to manage stress.

However, this approach contains one major flaw. There are only guidelines. They are only voluntary. As usual, better employers may well use or adapt them, but where the real problems exist, what are the chances of any improvements happening? That is the crux of the matter.

The HSE, at the behest of the Government, are pursuing a regulation "light"

agenda. The GMB think that this is a completely wrong approach. We need more enforcement of existing regulations. We need better and more relevant legislation for the modern industrial world and we need regulations and guidance on stress to stop a major problem developing into an epidemic.

This will require the workforce and their safety reps to be fully involved in both the risk assessment process and implementing the standards. Congress, the GMB second. Please support.

The President: The General Council supports the motion.

* *Motion 86 was CARRIED*

The President: Now I call Motion 87, Second-hand smoking in the workplace.

Second-hand smoking in the workplace

Danny Longstaff (*Musicians' Union*) moved Motion 87.

He said: Good morning, President and Congress. I would like to start with a thank you; a thank you to the General Council for all the work they have done so far on the issue of smoking and passive smoking, et cetera. However, sadly, at this stage it has proven not to be quite enough.

I would also like to thank the young musicians who have performed throughout the week at this conference. It is fantastic to see so many youngsters at the beginning of their careers having the opportunity to perform live in this wonderful smoke-free environment. The irony is that the natural progression for a musician is to

start doing gigs, for example, in pubs. This is the way it goes. These people are at the beginning of possibly a 50 to 60-year career in music, should they so wish to take it up. I hope they do. However, as youngsters, would you send your children up a chimney? I think not.

However, pubs are where musicians of all genres, whether it be classical, folk, rock, pop, Bangha or rap, learn their trade. It is where they hone their skills and learn what to do. Some then spend a life-time working in the pub scene, but why should young musicians or musicians working in the pub scene have different conditions, for example, to musicians who work in a symphony orchestra or who work in smart concert halls in a smoke-free environment here and abroad?

However, musicians are not the only people affected in pubs. You have the bar staff, the door staff and, of course, the management. If this exemption is carried, will the managers have the right to decide whether or not their pub becomes a smoking pub, or will it be insisted upon by the public companies that they remain smoking pubs? Do they have that choice? This is not clear.

One of the other things is that no one has any right over anyone else to breath clean air. We all have that right. However, some musicians, for example, singers, brass players and wind players, need that air as a tool for their trade. You cannot shallow breath if you are playing a musical instrument that requires both to make it work. We all know the very sad case of Roy Castle, one of our members, whose death was related directly to passive smoking.

Let us have a look at the proposed exemption. If you do not serve food, you can have a smoking pub. What about the nightclubs? Very few nightclubs serve food. Will all nightclubs become smoking clubs? Some have said that they will serve food at lunch time but not in the evenings. In the evenings, they will become smoking

pubs. Maybe you could follow the argument through very slightly: take an old Victorian pub on a street corner, maybe off a city centre somewhere, which has never ever sold food and has very inadequate, if any, ventilation. Can you envisage that these become new super king size no-filter smoking pubs? Will they have a sign outside, a Government health warning over the door, warning: "This pub could kill you"?

Who are the Government appealing to with this exemption? I really am not sure and I would love to hear from you if you have any ideas at all. They are giving us a period of consultation. Well, this is it and I think you know what my answer to this would be.

What is the NHS position? I thought it is time for a little research. I thought I will do what I normally do, gather my thoughts, and go and have a pint. I sat with my pint to contemplate how I could best deal with this. I looked through my pint and suddenly saw at the bottom of my pint a notice which said: "Second-hand smoke is a killer." This is magic! I thought: "This is coming to me from the ether!"

So I had another drink and I saw: "Being around smoke increases your chances of lung cancer by 24%." I had another drink. I was getting a bit nervous now! Then I saw in the top corner of my pint: "NHS". All the information I needed was there on a beer mat in a pub. What is going on? We have the Government suggesting that we consider an exemption and you have the NHS quite categorically stating the dangers of passive smoking. It seems to me that the left hand does not know what the right hand is doing.

There is one group of people I have not mentioned and that is the customers who use pubs. I am a customer too, but what customers have over people who are employed there is the choice; the choice to be there or not.

To conclude, we have, as the Musicians' Union, a duty of care to our members. We must not let them down, but we all have a duty to our collective health. Please support this motion.

Samantha McIntosh (*Chartered Society of Physiotherapy*) seconded Motion 87.

She said: We fully support the motion and strongly agree that all workers should be treated equally and have a smoke-free workplace. However, let's pause for a moment and think about the health implications. Lung cancer is not the only disease the worker in the smoking workplace can look forward to. There is also heart disease, stroke, nasal cancer and reduced lung function.

However, if you are a worker who already suffers from asthma, a smoky atmosphere could be especially dangerous for you as your lung function is already reduced without the effects of the second-hand smoke. The passive smoker has up to a 24% increased risk of being affected by these diseases I have just mentioned compared to a non-smoker.

Passive smoking can also affect others too. For instance, a pregnant woman who is in a workplace that is not smoke-free can be putting her unborn child at risk. The child is at risk of having a low birth weight and then, once they are born, the increased risk of cot death, asthma, bronchitis, pneumonia and ear problems - all of which are possibilities.

Just to emphasise, one bar worker a week is currently killed because of second-hand smoke in the workplace. With the exemption suggested, it will leave 164,000 pub workers unprotected from second-hand smoke in the workplace. This figure does not include the musicians and entertainers who may also work there. Some areas of the UK will have up to 88% of their licensed premises exempt from the

smoking ban due to not serving food. Surely, a smoking ban for workplaces should include all workplaces, so protecting all workers from the effects of second-hand smoke.

A quick reminder: the Health and Safety at Work Act of 1974 states: *"The employer has a duty to provide and maintain a safe working environment, which is, so far as reasonably practicable, safe without risk to health and adequate as regards facilities and arrangements for the welfare at work."*

With the exemption, some employers will be able to opt out of the Health and Safety at Work Act and leave their employees at the risk of life-threatening diseases from second-hand smoke. Surely, this should not be happening. Please support your fellow workers and support the motion. Thank you.

Tony Burke (*AMICUS*) supported Motion 87.

He said: I am sure you will understand that the ban on smoking in public places is a very emotive issue for our Union. I will explain why. We are supporting Motion 87 and the accompanying amendment on second-hand smoking in the workplace because we are very sympathetic to the sentiments behind the motion. We understand the health dangers related to smoking and second-hand smoke and welcome moves for cleaner and healthier working environments.

However, we believe there is an alternative to an outright ban on smoking in all public places. We represent 7,000 people working in the tobacco industry and over 1200 members working in the packaging sector producing cartons. Many of these workers have high quality, well-paid jobs in their localities. We also represent a substantial number of workers employed in the supply chain as well as other members from interested parties, including, of course, our members in the Health Service. We

have serious concerns about the economic impact on jobs, and this has to be considered when bringing about a change.

We do believe that by better ventilation in those public areas, where smoking is still permitted, a compromise can be found. Congress, the answer really to help people stop smoking can be found by better education and realisation of the health consequences. The answer is not to oversimplify the facts of a total ban on smoking in all public places.

President, we ask the General Council to consider our position very carefully, particularly for those of us with members working in the industry, although we do recognise this is a very emotive issue. We have to take out some of the emotion and recognise that we may well be losing many highly skilled and well-paid jobs.

We in AMICUS know that there will be a loss of employment and we need to protect our members. That is why we will be asking the General Council to support us to ensure that where there are these job losses in well-paid jobs those colleagues who may lose their employment are assisted by considerable retraining and reskilling programmes and obviously help for the workers in those localities who are going to be affected.

President, thank you very much for allowing me to give that explanation. We ask Congress to support the motion, but ask the General Council to consider the implications for many thousands of our members. Thank you very much.

The President: The General Council supports the motion.

* *Motion 87 was CARRIED*

Fatigue at sea

Clark Bowie (*National Union of Marine, Aviation and Shipping Transport Officers*)

moved Motion 88.

He said: I am going to start by making you all a little jealous. I should imagine some of you will be going back to work tomorrow or maybe you are lucky and will be off until Monday. I do not return to work until 16th October. So I will tell you my travel story.

On Friday, the 14th October, I will get up, say "Goodbye" to my family as they go off to work. Before they come back, I will head to Glasgow airport. I will catch the 1715 flight down to London. I will then hang around Terminal 3 until 2200 and catch the flight out to Rio.

I should think by now you are all quite jealous. No working until mid-October and then off to Rio. It sounds great. When I arrive in Rio, some 12 hours after I leave London, I then have a two or three hour taxi ride to a place call Macae. This is where I am going to digress a little from the fatigue point.

Some eight weeks ago, four of my British colleagues took this journey. They met up with one Frenchman and a number of Brazilian colleagues. They headed to Macae. They filled in their day and eventually went off to bed only to be woken up at approximately 0200 by a group of gun-toting thugs. They were bound, gagged, led off to a room and held hostage by one of these thugs while his colleagues ransacked the hotel. They then went out and joined the vessel and carried on working.

Anyway, back to my story. I, like my colleagues, will fill in my day until it is time to go to bed. I will get a call at six o'clock on the Sunday morning. I then head off to a helicopter. If I am lucky, I should be on board by nine o'clock in the morning.

I will complete a shift of only two or three hours, finishing at noon, and then start again at midnight. On the other hand, some people do all this travelling, have two or three hours off and then work a 12-hour shift.

I should think by now a number of you are thinking: "It does not matter. He is on the other side of the world." I hate to say this, but the same thing is happening around the UK coast. I have listened to a number of people at Congress this week complaining about the 48-hour cop-out clause. We do not even get that privilege. Tony and his Government do not think we are worth being given such an opportunity as we are not even taken into consideration in the limitation of hours.

I would like to finish with two points: (1) I personally work an 84-hour week when at work. OK, I work six weeks on and six weeks off. I suppose you could then say I work a 42-hour week 52 weeks of the year. I doubt if there is anyone here today doing the same number of hours. If there are, I would suggest they speak to their union! (2) We need an outcry for our industry. Ships carry thousands of passengers and hundreds of thousands of tonnes of hazardous cargoes. Seafarers' hours are a scandal, and a dangerous scandal at that. It is time to put an end to it. NUMAST is asking for you to help in doing just that. Please support this motion.

Rod Earl (*PROSPECT*) seconded Motion 88.

He said: It gives me great pleasure to second the motion proposed by my colleagues from NUMAST. We have heard throughout Congress this week about deregulation, reduction in the health and safety inspections, exploitation of workers, long working hours, poor working conditions and more. Seafarers, ladies and gentlemen, are severely affected by most of these.

My colleague from NUMAST, speaking from personal experience, eloquently

delineated the problems in his sector. Excessive working hours and inadequate crewing levels inevitably result in adverse health effects. According to the HSE, it is now generally accepted that some 80% of accidents involve human factors. One of the most important human factors is stress, which has already been mentioned by my colleague earlier. One of the key factors of stress is fatigue. The causes of fatigue can include not only severe physical effort, but also the effect of working at times that are contrary to the body's natural inclinations, for example, at night, some systems of shift work, intense concentration and working continuously for long hours.

In addition to physical fatigue, there is also mental fatigue. This is actually the most dangerous type. It can result in errors of judgment. The causes of mental fatigue include the need for concentration for long hours, excessive working and sleep deprivation. Some of you may be suffering from that this morning!

Most of these conditions apply to seafarers. It is, therefore, unsurprising to learn that many are affected by fatigue. Fatigue can be insidious. It may develop slowly and is not always apparent to those concerned or to their supervisors or colleagues. Nevertheless, fatigue can lead to severe accidents.

The large number of accidents around the UK coast involving ships in collision or running aground are as a result of seafarer fatigue. Despite the existence of national, European and international regulations, these are ignored quite regularly. Colleagues, I would urge you to support this motion and stop seafarer fatigue. Thank you.

Richard Crease (*Transport and General Workers' Union*) supported Motion 88.

He said: I represent the coastal maritime sector of the docks, waterways and fishing trade group. We share the concerns of those who have spoken before in the

debate. The issue of fatigue is one of concern. To express these issues to an employer who is only interested in market share and bottom line falls upon deaf ears.

It gets worse. We have seafarers who are creative with their recorded rest sheets. Why? They live in fear of losing their jobs. The highly qualified seafarer is often told: "You are too expensive, too problematic. It will be easier to replace you with someone cheaper, or we will change the vessel to a flag of convenience."

With our fellow seafaring unions, NUMAST and RMT, we argue the case for a review of the safe manning certificates. It is not forthcoming. Meanwhile, the work loads on seafarers increase. In the industry in which I work, the seafaring section has gone through an exercise where the workforce has been reduced from four men to three. This was forced upon us by the employer. The consequence was six accidents within one year! There is the potential loss of life and the environmental impact - more accidents than we have had in the past 10 years in total!

We need legislation that looks after the welfare of seafarers; the review of safe manning certificates and enforcement of hours of work regimes. Finally, we seek a level playing field so that our members do not live in fear of losing their jobs because someone else can do it cheaper with fewer men.

I would make one last point: should EU ministers get their way under the liberalisation of ports, the workloads of the seafarer will increase yet again. In July, in Parliament, we gained cross-Party support to oppose this needless and unwanted package, which threatens the safety standards in our ports. Believe me, ports are still a dangerous place to work with a higher accident rate than construction sites.

We hope the Government were listening and I hope they are listening to what we are saying today. I urge Congress to support Motion 88. Thank you.

The President: Well done! That was a good point. 1 minute and 50 seconds. You kept to your half of the bargain. Thank you.

I have had notice of an intervention on paragraph 7.3 by T&G, I think. Could you follow the sample set by your colleague in raising the point?

Terry Britton (*Transport and General Workers' Union*) speaking to paragraph 7.3 of the General Council Report said: Last year I stood on this platform and I raised hell about the fact there were only a few paragraphs regarding asbestos which were tucked in the middle of the General Council's Report. However, this year, although there are still a few paragraphs stuck in the middle of the Council's Report, I have to give all credit to the TUC and the T&G who have made great strides in the last 12 months regarding asbestos. There is a long way to go.

I have to give thanks to Susan Murray. She is head of Health and Safety at the Transport and General Workers' Union. She has been a great help to me and other people. We have support groups all over the country. We have support groups all over the world now. If some information is not available on the TUC website now, it soon will be. There are millions of pounds available for asbestos sufferers. It will not ease the pain, but it will help. If anybody needs any information, they can always access the TUC website and the information should be there. If the information is not there now, it will be soon. Thank you.

The President: Thank you for that. Thanks to the TUC. It sounds as though the head of Health and Safety at the T&G deserves a rosette too! The General Council support the motion. I will put Motion 88 to the vote.

* *Motion 88 was CARRIED*

Robert Crow (*National Union of Rail, Maritime and Transport Workers*) moved Emergency Motion 2.

He said: Comrades, I have pleasure in moving this motion. May I make it quite clear that if there is some kind of problem with the motion as it stands, once we get our "yes" vote for strike action, which I am sure our members will back, when we start talking about conditions of service, obviously, the involvement of our friends in ASLEF and TSSA in those discussions will be more than welcome.

Putting that to one side, I will ask this conference to reaffirm its policy on our position on corporate manslaughter and, secondly, about what took place. The travelling public lay dead; our members lay injured and in some areas members of the public are still frightened to travel on those trains due to the trauma that they suffered on that particular day in Hatfield. It was caused by privatisation, in our opinion. Railtrack employed two contractors: Balfour Beatty, who was responsible for the maintenance of the railway, and Jarvis, who was responsible for the renewal. Balfour Beatty thought it was their responsibility not to maintain it because they believed that Jarvis was going to renew it. Jarvis believed it was not their responsibility because Balfour Beatty should maintain it. As a result, all Railtrack did was to say: "Both of you will be fined if you do not replace the rail quick enough."

These are not my words, but the words of the Safety Committee which was set up to adjudicate on this matter. They said that the piece of rail was so badly maintained and renewed, it was like a steam roller going over a digestive biscuit breaking into 300 pieces with trains of up to 110 miles travelling over it.

In my view, that is neglect. It is neglect by Balfour Beatty, neglect by Jarvis

and neglect by Railtrack. (*Applause*) It is remarkable that -- I accept the justice system -- the justice system could not make a decision as to whether these people could be prosecuted for manslaughter. That is what took place. A deal was done where the directors of Balfour Beatty agreed that there were breaches in the health and safety procedures, but they were acquitted of manslaughter. The prosecutors said to the judge that they could not identify the individuals responsible for manslaughter. I will tell you one thing: there is no problem in the railway industry at the moment identifying the chief executives and bosses so they may receive hundreds of thousands pounds in bonuses when they are making money, so why can you not identify them when they injure and maim our workers in the industry? (*Applause*)

Of course, comrades, we want protection for people who put our members in an unsafe situation. Why is it they can sack train drivers for going through red lights? Why is it they can imprison train drivers in certain places, like Purley, but they cannot identify individual workers and directors when it suits them? There are no problems when workers are killed through gang masters and no problem when workers are killed on building sites week in and week out, but they cannot identify those chief executives responsible.

What has happened since then? You would not believe it. I was going to take two aspirins and lie down in a dark room when I heard that this Government were going to reprivatise South East trains! South East trains is being run by the Government at the moment due to financial mismanagement by CONNEX. Since it has been run by the Government, it has meant that punctuality has improved, staff costs have increased and staff morale has gone up. Instead of that being the beacon for the rest of the industry, they reprivatise it and it is now up for grabs in October! And what do the Government do in the run-up to privatisation? Rather than let the

new company which takes over try to put together a redundancy package, it now wants to get rid of over 120 jobs in the South East trains area. After July 7th and July 21st, the travelling public want to see more staff on the stations and more staff on trains. They do not want to see staff being got rid of.

I ask this conference to pass this motion on two aspects: (1) that this Government must do what they say in establishing corporate manslaughter laws to protect workers, and (2) also carry out the position of this conference, to reconfirm its position, that we want the railways brought back into public ownership. You cannot blame this one on the Tories for privatising it. It is New Labour that is privatising it. It is wrong and that is why I ask you to carry the motion.

Jack Dromey (*Transport and General Workers' Union*) in seconding the emergency motion, said:

The Transport and General Workers' Union stands at this rostrum to second on the sacred issue of principle for the T&G of holding negligent bosses who kill to account. I am glad about what Bob said on the fourth paragraph. There is a dispute. Other unions have an interest and we wish all of the rail unions the very best as they work together in unity to find a solution.

Let me tell you a simple but sad reality. One person a day dies as a consequence of work-related accidents – 10,000 in the past 30 years – yet only five bosses have ever gone to jail for killing workers.

Let me tell you two stories. First, there was a construction safety summit, chaired by John Prescott and a video was shown which had a heart-breaking litany of stories of broken lives and broken bodies, like the wife of an Essex building worker, who said, "I loved him. He was the centre of my life. He made me laugh. We had a

great life together. I kissed him goodbye, he went to work and I never saw him again”. The second story concerns the 2004 Workers’ Memorial Day. I addressed a rally of a thousand building workers outside of Wembley Stadium commemorating the death of Patrick O’Sullivan. He was working on the ground and a work platform was being carried by a crane. It collapsed on top of him because there was no crane co-ordinator. The mother could not speak because she was so overwhelmed by grief. The daughter spoke on behalf of the family. I will never forget what she said. She said: “Our lives have changed forever. Sometimes when we sit down for tea we all look together at the door somehow hoping that he will walk in. He was the best dad that any family could ever have and now he has been taken from us.”

There is a simple truth: a hard day’s work never killed anyone. Negligent bosses did. That situation will not change until the law changes. In 1997 the Government gave a pledge to act on corporate manslaughter. At last they are acting, but two things are key. First, we do not want to see Crown immunity. Workers should be protected, public and private. Secondly, there needs to be what are called “Directors’ Duties” so that directors who knowingly preside over unsafe working practices that kill go to jail.

I will close by saying this. Tough legislation is necessary. Just as we won the legislation over gangmasters, a memorial to those 22 Chinese workers who died a terrible death on Morecambe Sands. Now, at the next stage, we need tough legislation on corporate manslaughter. Does anyone doubt that if we had tough legislation the first building boss who goes to jail would transform safety standards overnight on building sites the length and breadth of Britain and Ireland?

The President: I call the Deputy General Secretary to explain the General Council's position.

Frances O'Grady (*Deputy General Secretary*): The emergency motion raises crucial issues about health and safety in the rail industry and highlights the well proven links between lives lost and policies of privatisation. We welcome the fact that the emergency motion highlights the need for strong new legislation to bring business to account for health and safety failings and to put corporate killers in the dock.

In addition the emergency motion calls on the Government to re-think their decision to re-privatise South Eastern Trains. The General Council believes that the Government decision makes no sense when South Eastern Trains, which is now publicly owned, has so clearly out-performed its private predecessor. The TUC has actively backed the rail unions' opposition to rail privatisations and shares their strong concerns which have been expressed by all the rail unions about the impact on terms and conditions for workers as well, of course, as the impact on the quality of services for passengers.

However, the General Council wants to make clear that questions of industrial tactics are, of course, a matter for the recognised unions concerns and, of course, to their members. But let there be no doubt that the General Council fully supports the joint union campaign to keep South Eastern Trains public.

The President: The General Council supports Emergency Motion 2.

* *Emergency Motion 2 was CARRIED.*

The President: Let me speak to Mary Bousted of ATL. Your delegation has invited me to ask Congress to wish you Happy Birthday today. Happy Birthday. (*Applause*) Your heart can stop beating now. She was looking for her speech and at the motions. Panic went round. I can imagine it.

We now turn to Chapter 10 of the General Council's Report – TUC Organisation – on page 150 of the General Council Report. I call Motion 89 – Trade union organisation. The General Council supports the motion but with a reservation. I will call on the General Secretary to explain the General Council's position during the debate.

TUC Organisation

Trade Union Organisation

Ian McGarry (*Equity*) moved Motion 89.

He said: I think keen observers like yourself, President, of Congresses over the years will realise that Equity has tended in the past to put down motions of specific concerns to its members and the industries in which they wish to work. This year we decided to stray from that, apart from our motion yesterday, and look to see if we could find a motion which might have wider interests to the whole of the Congress and the whole of the Movement. I think by finding Motion 89 we have succeeded in that task because, clearly, from the feedback that I have had this week, this is an issue which does engage most of the delegates who are here.

I want to start by saying what this motion is not. It is not anti-merger. Indeed, it is not anti anything. Please read it. It was drafted very carefully. It starts by

recognising the often compelling case for unions to come together and to merge. Equally, it reasserts or asserts the position of those unions like my own who do not want to tread that particular path. We have wanted to retain our identity and our independence and we appear able to do so, and that is the path that we have chosen. It does not mean it is better or that the other course is worse. It means that my union and many others have chosen that particular path. The relatively small unions which make up a large part of this conference, if I can speak on behalf of them all, very much value their membership of the TUC. We are proud members of the TUC and we believe we gain from our membership of the TUC. We get services from them that we cannot necessarily meet ourselves and they frequently provide us access to Government ministers and otherwise who we would not otherwise meet. We are grateful for that as we think it is important.

We also believe that smaller unions bring something to this Congress. I think we often fight well above our weight. There could be no better example of that than yesterday when the PFA did a service to the entire trade union Movement by its presentation and motion.

I think it is also fair to say that many of the small unions have proved that you do not have to be a giant to achieve a high density of membership of your union or to have recognition or good collective agreements or an effective voice and campaigning organisation on behalf of your members. I think we have done that and proved it.

This motion seeks to address the consequences of unions following those two alternative paths. It seems to me that very soon we are likely to find a TUC with a small number of very large unions and virtually nothing in between them and that clutch of small professional unions, like my own, of around the 30,000 membership mark. I think we need to look at the consequences of that. We are putting forward a

suggestion that we should reflect on what someone called during the week “the changing landscape”. I think we should look at the consequences of those changes in relation to the relationships between affiliates and the consequences for the TUC itself.

I have to confess that Equity has no preconceived ideas and no solutions that it would want to impose on this process but, surely, we must all recognise that life will be different, not necessarily better or worse, if two or even one union can determine every decision that comes before any future Congress.

We also ought to reflect on how that domination will or should affect the composition of the General Council itself. We, especially the small unions, want to know what, in those changed circumstances, will be the level of services that the TUC, as a trade union centre, will be able to provide to us, the smaller unions, and what part can we play because we do not simply want to be spectators when the TUC – not the affiliated unions – is talking to Government. We want to have an input into that and play a part in that. What we want is an open, honest, grown-up and yet comradely debate about all of these issues, and we want to be equal partners in that debate. If we have that debate, I believe it will only serve to strengthen the TUC and help us build a new partnership between all affiliates and the General Council. If we do not have it, I think it will lead to disaffection and division. If that happens, all of us will be weakened whether we are big or small. Thank you.

Jim McAuslan (*British Air Line Pilots Association*) said: An insignificant official in an insignificant union seconding an insignificant motion. I am about to make myself unpopular but it has to be said.

I may have a view about whether a merger for a new super union is right but it is an issue for members of those unions. As a household who are members of one of those unions, I look forward to being asked and convinced because all that I have heard so far is that the new union will be big, powerful and listened to. If that is the only reason, it will be a wasted opportunity because the idea, like it or not, of a merger does provide a once in a generation opportunity to bury inter-union rivalry that masquerades as competition and to give a voice to the kaleidoscope of identities which will make up that super union. It is a chance to re-write the rule book from first principles, not with all the political compromise and baggage that so bedevils this great Movement of ours.

If you want a mere member's advice: Don't squander the opportunity.

However, I am not speaking today as a potential member of a super union but as a general secretary of a very small union, a niche union, if you will. I would argue that we may not be big and powerful and have to be listened to, but we have strengths which are different, strengths that bring to the TUC variation and shading. One size, even a big size, does not fit all, and the absence of a niche voice will leave the TUC grey and two dimensional. I say this as someone whose membership is always very close to him, who are very keen to take an interest in their union and who come into union headquarters and planting themselves at the end of my desk. Congress, the tragedy is that in the past months not one of them has plopped themselves down and said, "Tell me, Jim, what's happening at Congress this year". That is a concern to me and a concern to us all. That is why our amendment calls for a positive attempt to draw in a wider audience to this review and not just the usual culprits, culprits like me.

Let me return, Congress, to whether we have a debate at all about the consequences of this new super union. One of the best pieces of union advertising in the past 20 years was from UNISON. It was of ants marching in a column demanding the attention of a polar bear. I do not think that ants and polar bears mix in real life. I presume that where polar bears live is a bit cold for ants but in trade unions this ant has met the union's polar bear and I find it warm, friendly and prepared to listen, but I am not alone in being concerned about the new bear that is emerging. Despite public statements this bear struts its stuff in the corridors of Congress. It is the type of bear that might step on an ant without noticing – a grizzly bear. In real life, ants only march in column when they want to. When you intervene in an ant column, it goes off at all angles. So this little ant with its little voice is giving a warning to that great ant hill in Great Russell Street to be careful. Watch the grizzly, because when an ant hill gets trodden on, you will have anarchy. It is as serious as that. Listen and explore, even if it makes us all feel itchy.

Judy McKnight (*NAPO, The Trade Union and Professional Association*) speaking in support of the motion, said: Congress, our trade union Movement has always been a mixture of large and small unions reflecting the different needs and industrial logic of different groups of workers. As has already been said, there is no one-size-fits-all. We are all different and we all have to seek to ensure that our own structures and organisations are best suited to the needs of our members.

For many of us, remaining as small unions suits us in best protecting and promoting our members' interest. For NAPO, although only a small union of about 8,500 members, but a union that is growing, we like to think that we punch above our weight not only in our negotiations and in the services where our members work but

also in our campaigning and media work in promoting the work and professions of our members.

We have motions coming up this morning on the major issues facing our members, for our CAFCASS members who work in family courts, seeking TUC support for maintaining the principles that their role in protecting the interests of children remains paramount when families separate; for members in probation will be seeking your on-going support in our campaign to oppose the privatisation of our service.

We have hugely appreciated the support which we have received from our fellow unions in that campaign to date and the specific support which Brendan Barber has given us in that campaign. The professional support, the comradeship and the solidarity that we have received by being part of the TUC is critical and central to what we are about. Likewise, the very nature of the trade union Movement is that support, comradeship and solidarity is reciprocal. It works both ways and we all value the opportunities to support sister unions in struggle to ensure that the whole is greater than the sum of the parts.

In the developments of unions looking at bigger mergers, let us not forget the importance of keeping that overall solidarity of the TUC. Whether we are Davids or Goliaths in the trade union Movement, let us ensure that none of us lose out on the special strength that is unique provided by the TUC. Thank you.

Brendan Barber (*General Secretary*) said: President and Congress, I am speaking on behalf of the General Council to support the motion but to make a point of explanation.

It is now almost 12 years since we re-launched the TUC as an organisation more focused on outcomes than process, looking to make a difference rather than to make documentation. It has made a big difference to our work. But at the time of the re-launch we recognised that there were some loose ends. The old committees, and in particular the industry committees, might have had their drawbacks but they did provide a means of involving unions, and especially non-General Council unions, in practical and industrial work through the TUC.

During the past decade we have made some further constitutional changes. The equality conferences now play a more prominent role but, all the time, we have sought to maintain an external rather than an internal focus. Now, Congress, I think we have reached a point when we do need to pay some more attention to those loose ends, and we need to look again at the relationship between the General Council and the Executive. We need to look at how we can involve all unions more effectively in the work of the TUC.

It is not easy to devise an effective structure that can take account of all of those diverse characteristics that go to make up the British trade union Movement, that involve all unions, large and small, general and specialist, private sector and public sector, Labour affiliates and the politically independent, but it is something that we need to do if we are to be the voice of Britain at work.

So I am grateful to Equity for putting this issue firmly on the agenda at Congress, and we will certainly be taking action.

As I said to the General Council last week, I believe that an important first step is to bring together all unions to share their views, so I am proposing that we hold a meeting this autumn of the General Council, together with those general secretaries who are not members of the General Council, to open a discussion on these issues.

There are no pre-determined outcomes, but I would certainly hope that we would have firm proposals to bring to next year's Congress.

The motion proposes a task group on one aspect of this issue, and I would not want to be tied and the General Council would not want to be tied to that specific way of dealing with the issue. What I do want is to ensure that we involve all unions.

With that explanation, the General Council is asking Congress to support the motion.

The President: Thank you. I assume that Equity has no comments in reply?

Ian McGarry (*Equity*): Not until next year.

The President: Not until next year. You will be very welcome next year. Thank you, but we need your time now.

* *Motion 89 was CARRIED.*

The President: Congress, we are under pressure of time and if we are still running late by later this morning, although it is highly regrettable, we may well need to restrict speaking times.

I now call Motion 90, Equalities seats on the General Council. The General Council oppose the motion and I will be calling the General Secretary during the debate to explain the General Council's position. It will be moved by Manny Blake on behalf of the TUC Black Workers' Conference, seconded by NATFHE. I will call the General Secretary. I have a long list of speakers but I cannot call all of them in.

In order to have a balanced debate, I will call in PCS and UNISON. I will give the right of reply and then I will to the vote.

Anita Halpin (*National Union of Journalists*): On a point of order, Chair. I am mindful of the pressure of time, as we all are, it does strike me, and I hope much of Congress, that it seems rather strange that the debate is curtailed on the single motion in front of you when the General Council has opposition. In the fairness of debate and as this is a policy-making Congress, I ask the President to reconsider the speakers she is calling. Obviously, this is not personal pleading so I will be withdrawing my request to speak in support of the motion in favour of other more valuable speakers. Please extend the debate.

The President: Conference, I think we should push ahead because I want to do justice to the other motions. There is a simple choice. I can either bring in two speakers or four speakers to give balance to the debate. I want to leave it at two other speakers. I will invite you to agree with that. If you do not agree to that, I will move straightaway to all speakers. I invite you to agree that I call in two other speakers on this debate. Those in favour? Those against? I will call in four other speakers.

Equalities seats on the General Council

Manny Blake (*Black Workers' Conference*) moved Motion 90.

He said: President and Congress, earlier this year at the Black Workers' Conference many motions were debated over three days, and this motion was overwhelmingly supported with only two – just two – unions speaking against it.

This motion was then selected to be sent to Congress. For your information – I am sure most of you already know – a similar motion was debated and passed at the Women’s Conference. It was passed at the Lesbian & Gay Conference and passed, also, at the Disabilities’ Conference.

Conference, turn to page 51 in your pad and you will see that the motions and nominations and numbers who we elect to serve on the General Council sections D – J. The TUC Race Committee and the Black Workers’ members have a lot of respect for the General Council members but think in a democratic society, in a democratic trade union Movement, it is now time for a change and reform of the old election process. It is all about, Conference, accountability and self-organisation. Trade unionists have been attending the equalities conferences for many years and we believe that we are now mature enough to elect our own members to represent us on the General Council. We want to be able to lobby, to be able to persuade and influence our own General Council members to campaign and support issues that are important to us. We want to be able, most importantly, to remove them if they do not support our aims and objectives after judging their performance as our representatives. What is wrong with that? Tell me, Conference, what is wrong with that?

Trade unions across the country, I am sure, are listening to this debate and they are listening to the outcome because what is surprising me about this is that the General Council is opposing this motion. Why? Ask yourselves why?

Conference, the trade union Movement was formed mainly by white working class men to protect their interests, to enhance their working conditions and to protect them from unscrupulous employers. Today we have the same problems with the employers but our membership has changed. It has changed, Conference. We now

have members from the ethnic minorities, women, workers from the lesbian and gay communities, disabled members and many young people. That fact is not reflected in our General Council.

Only one in ten young people in work join the trade union Movement. Why? Ask yourself why? Black people are not really rushing to join the trade union Movement; women feel unrepresented and lesbian and gay workers feel ignored. Conference, our membership has fallen from more than 13 million to under 7 million. We must treat all of our members seriously and listen to them.

The trade unions also attended the equality conferences and they are asking for reform. Members who attend equality conferences are members of unions. They are not strangers from off the street. We do not go and say, "Oh, come in". They pay their union dues as well. They have a right to be listened to.

Cop now the words of the motion: "Congress instructs the TUC Race Committee to liaise with other TUC equality committees in order to progress a reform of TUC procedures". What is wrong with that? We are not putting a time limit on the demand. We are asking to work together. We are not setting out a framework. We are asking to work together with other equality committees. Conference, our General Secretary, bless him, we love him to death, said in his speech on Monday several times: "Together, stronger". Put those words into practice, Brendan. Pass this motion.

The President: You may love him to bits, Manny, but he still has to oppose. I call NATFHE to second.

Mary Davis (*NATFHE, The University & College Lecturers' Union*) in seconding the motion, said:

I am very pleased to be seconding this motion, and I think I do it not only on behalf of my own union but on behalf of the Women's Conference and the Women's Committee. I would like to ask Conference – I beg you to consider this – who is more representative of non-white males than this Conference? The answer is the equality conferences. Look around you.

Those equality conferences have all given you a message. I know what the counter argument to this is going to be: “Ooo, we need Conference as a whole to elect our leading committees”, but you do not elect your leading committees. Sections A and B are not elected, and section C is certainly elected by some unions but it is not necessarily representative of the unions. It is all stitched up. We all know how it is done. (*Laughter and Applause*) It is a fact. We have got, I think, a major equality deficit in this Conference. I am not arguing that the people who are presently taking the seats on the equalities committees are bad people, not at all, but I would say that our equality work would be greatly enhanced in ensuring that the equalities conferences themselves, who have asked for this, put this through.

You have got to look in your hearts, because I know you have all been mandated to vote against this, how does it come about that members of your union attending the equality conferences could vote for this? Because they did. How would they have been passed, otherwise? Why are you not reflecting what those members wanted or are we all schizophrenic? Are we different people when we come here and different people when we go there?

I ask you not to obey the mandate. You think about what the members who are represented by those equality conferences really want, and this is what they want.

We have pushed the boat out on a lot of things. The price of progress is eternal vigilance. This is one more thing that we have to push on. There will be plenty of others, by the way, because the structure is not perfect. We know that, don't we, Brendan, which is why you passed the previous motion. You are going to have to look at it all. If you are going to look at it all, you must play to your strengths and one of the big strengths of this movement is that we have an equalities structure which is excellent. Listen to what more than half of the trade union Movement is asking for. We are not a minority. We are the majority. You listen to us otherwise this Movement will be in a very bad way. So, ignore your mandate and vote what your equality conferences wanted. *(Applause and cheers)*

The President: Thank you, Mary. I am not sure from the Chair that I can be associated with telling delegates to ignore their mandate, certainly not the CWU delegation. My God! *(Laughter)*

The other two unions which I will call in to give a balance is the CWU and the NASUWT, then I will move to the General Secretary and then I will move to the debate. I call PCS.

Emmet O'Brien *(Public and Commercial Services Union)* spoke in support of Motion 90.

He said: Congress, I must express my disappointment that there is opposition to this motion. The British trade union Movement needs to be an open, transparent and all-embracing and inclusive family. Like what the previous speaker said, we need to reflect what is on the floor today. We are, as a movement, struggling to attract trade union members who are black, Asian, LGBT, disabled and women members.

We only need to look around the hall and those communities which I have just mentioned, really, are not visible to me.

This is the 21st Century and we are five years into it. We live in a very diverse society today in Britain, a multi-cultural society. The TUC equality conferences are all agreed that the reform of the TUC procedures are needed to reflect our changing society in Britain today.

Those opposing this motion should at least open their minds up and participate in this review between the equality groups and the General Council, and next year perhaps we could come back with a clearer and better idea as to where we stand.

Today, if Congress votes down this motion then, regrettably, the trade union Movement will remain disconnected and disjointed within the equality field.

Congress, it is now time to overcome self-interest and vote for a movement that reflects our society today by being an inclusive TUC and not an inclusive club. When we show our British workers what we mean and the business that we mean, I will have no doubt that our membership will continue to grow with more people expressing confidence to join a trade union Movement that is reflective of Britain today.

The words behind me, “Together stronger” mean exactly that. Support Motion 90.

Alison Shepherd (*UNISON*) opposing Motion 90, said:

Congress, I speak in opposition to Motion 90 on the equalities seats on the General Council and I will explain why that is the decision of my delegation.

We are opposing this motion on two grounds. The first is that it is not competent and it muddles, unhelpfully, several issues and, secondly, we have not

come to a conclusion ourselves about the correct electoral constituencies for these seats.

The motion covers the equality seats recently added to the General Council where UNISON has an interest: young members, LBGT and disabilities. It also includes sections for black workers and women workers where we have a partial interest. We do not have an interest in all of those sections. We think that it would be wrong of us as a union of 1.3 million members, of whom 1 million are women, with guaranteed seats on the General Council in section A, where we can elect our own women to muscle in on smaller unions' opportunities to elect women members, as in section D.

We are also not too keen on the TUC Race Relations Committee being charged with progressing a reform of TUC procedures. We do think that this duty belongs to the General Council. Maybe some lobbying is what was intended in the spirit of this motion and maybe our interpretation is a bit over hard and we have construed that wrongly.

The final and best reason is that we have not come to a conclusion about electoral constituencies ourselves. Some of our equality self-organised groups – this is how we operate in UNISON. We have a very mature structure – think that election from the equality conferences is the way to go but some do not favour this route at all. From UNISON's point of view we need to start work to develop an internal view before we set the TUC on a particular course.

I think, as other speakers have said, the definitions of equalities constituencies and accountabilities is an issue. We cannot just sweep it under the carpet. It is something we need to look at, but we do not think that this motion, on this agenda, is

the correct and competent solution right now. That is why UNISON is opposing this motion. There is work to do and we will be participating in that. Thank you.

Billy Hayes (*Communication Workers' Union*) supported the motion. He said:

I have listened to what the previous speaker said. I am not absolutely clear why this motion is being opposed. Are we saying that the equality conferences, which all support this change, are not aware of the change that they are proposing? Are we saying that? Or are we saying that when your delegates came back from the equality conferences that they did not know what they were doing and you did not endorse their decisions or otherwise? What is being said? Are we saying that?

I think we are at a turning point in the Movement. There was a very nasty piece in *The Guardian* this week about how unrepresentative we are by the writer, Simon Hoggart. It was a particularly snidey piece, I thought, but there was a germ of truth in it. We do not reflect the composition of Britain in the 21st Century. We do not reflect the rich diversity that is Britain in the 21st Century and you are going to have to get to grips with it, because if you do not there will continue to be lots of trade unionists getting up to speak, like me, white middle aged, over 40 and not what Britain is today is the 21st Century.

The position is this, and I think this is the nub of what it is all about. It is about being truthful and honest. It is about vested interests. I think that is the brutal and stark truth of it. The point is that we have to allow the people who are facing oppression to speak on behalf of themselves, not by allowing others to do it for them.

A famous Irish Socialist said: "*There are none so fit to break the chains as those who wear them*". You may oppose this motion today and vote it down, but this is a Movement whose time has come. If we do not get to grips, and the TUC has done

some excellent work on equalities and divergence, with this issue and make sure that those who wear the chains, those who face the discrimination and inequality, are allowed to speak, this Movement will truly die. I believe, maybe, today you may take a decision that in years to come you will regret. I ask you to reconsider and vote for the proposition.

Sue Rogers (*National Association of Schoolmasters Union of Women Teachers*):
The position the NASUWT has taken, which is one of considerable sympathy with what people have said, is one of total integrity in that we have opposed this topic and spoken against it at all equalities conferences. Our position has always been clear.

The point is that for us this is not an issue of not being in sympathy with our black colleagues and this is not an issue of not being in sympathy with any of our other colleagues from any of the equalities conferences. For us this is an issue of accountability. It is also an issue of having to address and look within ourselves as a trade union Movement.

Let me take the first point of accountability. We are accountable to our trade unions. I am woman, I am on the General Council, I am a teacher and a lay member, but I am NASUWT. That is my union, that is my belief, that is my strength, that is my focus and that is what I stand here for representing. When you come to Congress, the decisions you make are the decisions of the whole of this Movement. Therefore, it is the responsibility, I believe, of the trade unions in Congress to elect and to put people on the General Council who they see representing themselves and their unions.

If there is, and the General Council seeks to reflect that membership, within your delegation or within your nominations to General Council a dearth of black representation, then look not to, I say, the equalities conferences to address it for you

but look to yourselves. Look to your own systems and structures and bring forward those members who are not being brought forward in the way we believe the Movement should do so.

As Alison said, the whole composition of the General Council is very carefully constructed to try and ensure that there is that kind of balance between women and men and between colleagues in all sorts of areas. It is a very delicate and well-balanced structure. If we are going to change it, then we need to look at it within General Council itself and to try and see if we are going to change it that those decisions and debate goes on within the General Council. The point is that at the end of the day, for me the nub of this, Billy, is not freeing people from their chains but the accountability we owe to our own unions and the responsibilities our unions have in deciding and putting forward issues, policies and agendas. It is for that reason why the NASUWT is opposing this motion, because the composition of General Council is one which is very delicately and carefully balanced.

Although emotionally you can feel considerable sympathy, and emotionally I do, address the issue within your own union, oppose this motion and honour the accountability which has always existed within this Congress and General Council to the trade union Movement and to your own individual unions. I oppose.

The President: I call on the General Secretary to put the General Council's position.

Brendan Barber (*General Secretary*): Thank you, Jeannie. Congress, I listened very carefully indeed to the speeches by those supporting this motion and, Manny, I love you to death, too. Mary, I thought you made a powerful and persuasive case that, in the interests of advancing greater democratic accountability, the first thing I should

do is ignore my mandate from the General Council, but I am afraid it did not persuade me and I am asking Congress to oppose this motion.

The equality conferences play an important part in the working of the TUC and they have undertaken really important campaigning work, too. They have signalled to women, to black workers, to disabled workers, to LGBT members and to young members that unions are on their side. During the past few years they have brought important issues direct to Congress, but this motion does not seek to engage with Congress. Rather, it seeks to separate the conferences from Congress. It would create two classes of General Council members; those from unions accountable to Congress, and those elected by the different conferences, accountable to them.

But there are practical difficulties, too. Not all unions send delegates to the equality conferences. At none of our equality conferences were more than 40 unions represented this year. At the Youth Conference only 20 unions were represented and there are 66 affiliates of this Congress. So, under this proposal, those not in attendance would be excluded from participating in the election of part of the General Council.

Of course, the larger unions are required to include at least one woman in their delegations to the General Council. What would happen to that requirement? What about the representatives of black women workers? Who would elect them?

To be fair, the motion recognises that the proposals it contains have not been fully worked through, but look at what it says about carrying them forward. It does not ask Congress to do this. It does not even ask the General Council to do this. It does not even ask all of the equality committees to do so on an equal basis. It asks the Race Committee to take the lead.

Congress, as I said a little while ago, we need to take a look at constitutional issues on an open-minded basis, but we should do this together, involving all unions and not by diluting the powers of Congress itself and giving one committee responsibility for carrying forward some incomplete proposals.

The General Council is asking you to oppose this motion.

The President: Manny, do you want to exercise your right of reply? I do not think there is any doubt that you want it.

Manny Blake (*Black Workers' Conference*): Brendan, I am so disappointed because I thought I had persuaded you. I am so disappointed also that I thought if I had not done the job then Mary had done the job because I thought she was absolutely superb. Furthermore, I am disappointed because I thought that if Mary had not done the job, then my own general secretary, Billy Hayes, did the job because he touched on some points that I failed to talk about.

One of the points he raised, and it is something I am sure I cannot accuse this Congress of, is vested interests. We all know that we need members because they rely on us to lead them, they rely on us to represent them and I am sure that must be reflected in the decision that you are going to take now. I am sure that many of you are going to change your minds because I am sure you know that this is the right thing to do. The right thing to do is to support this motion.

I appreciate that the General Secretary, in his response, said that the motion was badly written. It might have been badly written but the sentiments are there. You know what we are trying to do.

Of course, there is some suggestion that the Race Committee wants the TUC Black Workers' Committee to lead on this particular motion. The reason why it is worded in the way it is is because it came from the TUC Black Workers' Conference. Come on, let's not split hairs. What is this all about? It is all about giving representation to all of the equality committees. Therefore, concerning all the red-herrings and splitting of hairs that you heard from, for instance, the NASUWT, who have always spoken against this, what are you afraid of? What are you afraid of? How many members of your representation today are from the black community? You have black teachers.

Please ignore the rhetoric and pass this motion. The reason why you are going to pass it is because you know it is the right thing to do. If you do not, it will not go away. It will come back time and time again because we passionately believe that this is a democratic way forward and it is only a matter of time before it takes place. Please pass this motion.

* *Motion 90 was LOST.*

The President: Could I now draw your attention to Appendix 3 on page 168 of the General Council's Report, which is the TUC Accounts. The Auditor is present on the platform -- sigh of relief from me! Does Conference accept the accounts as set out in the Appendix? (*Agreed*)

Criminal Justice

The President: I call Composite Motion 19, Criminal Justice, which the General Council supports.

Colin Moses (*Prison Officers Association*) moved Composite Motion 19.

He said: This composite deals with a criminal justice system that does and should belong to each and every one of us: the composite thanks Brendan Barber, the General Secretary of the TUC, for the work he has done with the criminal justice unions. What Brendan has learned in working closely with us in the criminal justice system in recent times is that we have a system over-stretched and, I have to say, under a Labour Government over-privatised: The criminal justice system should in any civilised society belong to the public. Currently in Britain we have a criminal justice system that, by stealth, has been sold off to the very multinationals that Gordon Brown stood here and talked about.

We believe in a criminal justice system -- and ask you to support this composite -- that stays public. It is a criminal justice system, that since the Labour Party took power, has put an extra 40,000 people in prison. This is a criminal justice system that is often driven by your red top newspapers who will decide on who goes to prison and who does not. This is not just about prisons; it is about the whole system.

We also ask that the criminal justice system be given the opportunity for a proper debate at our Congress. Year on year we find ourselves in the very position we are in now, on the last morning of Congress, talking about criminal justice. In a recent election, those of us who went round the doors, campaigning, what were we asked about? We were asked about safety on the streets; we were asked whether our homes could be safe. Were we asked if multinationals could run 12 per cent of the prisons in Britain? Were we asked whether we should have a prison population in its numbers

that has more young black men in it than we have in our universities? Will the private companies put that right?

Congress, we find ourselves at a crossroads. The Labour Government has created the National Offender Management Service, a joined-up up service that should be end to end management of those who have got put through the courts, but in fact what it is is a sell-off; it is a vehicle to privatise probation, to privatise prisons and to privatise the criminal justice system. Part of the plan is to build what they call super prisons. I do not know what is super about a prison, by the way, but they want to build super prisons. We as a union are opposed to that, the reason being that if you put 3,000 people on one site where are you going to put that site? Do you want it at the bottom of your street? They are talking about prisons of 3,000, that is what they are talking about, and you will have people being dragged from all over the country -- and I mean dragged -- to serve their sentences in that prison. Greenfield sites? Mr Prescott makes great play of greenfield sites. You tell me which greenfield site are you going to put a 3,000-4,000 bed prison on?

Where does this example of super prisons come from? It comes from South Africa, where after the apartheid system was dismantled -- and quite rightly so -- it was decided to build 3,000 bed prisons. So what we are now doing is following the example of a place that under apartheid did not build enough prisons. We now build 3,000 bed prisons in this country, built by privateers. Today, we are locking up the equivalent of a small town. We are locking up the equivalent of the population of Luton in prisons in England and Wales. We are asking that Congress support our campaign to stop private sector building, to stop contestability.

I will round off now by saying please support this composite. The criminal justice system should belong to the public, not to the private sector.

Judy McKnight (*NAPO*) seconded Composite Motion 19. She said: Staff in the probation service work with people who have committed offences. They are often vulnerable, often damaged, often dangerous people. We work with them with a view to getting them to address their behaviour and their attitudes, with a view to reducing reoffending, with a view to protecting the public. This work is necessarily highly skilled and necessarily based on an ethos and a set of values that we believe require it to be a public service, not a service that should be driven by profit. Yet, Congress, that is what we have been campaigning to oppose since January of last year when the government announced, without any consultation, that it was establishing the National Offender Management Service, bringing prisons and probation together under a common umbrella, purely to introduce the model that 10 Downing Street is seeking to roll out across the public sector, a model that provides for the purchaser/provider split, a model that has been dubbed “contestability” or “competition” between the public, voluntary and private sectors, a model that is effectively privatisation.

When we asked under the Freedom of Information Act for the business case to justify NOMS, to explain how contestability would help to reduce reoffending, we were told that its disclosure would “Jeopardise the establishment of NOMS by undermining staff commitment.” When we sought clarification on whether our service would still exist to celebrate our centenary in 2007 and whether contestability threatened our very existence, we were told that the government would ensure that there would always be a public probation service of last resort. Being assured of working in a service of last resort is not the best way to ensure a motivated workforce, but nor can that assurance be guaranteed. The reality is that once the forces of the market are unleashed there is no guarantee that basic public services will be retained,

even on the basis of last resort, as the victims of hurricane Katrina in New Orleans and Louisiana found to their cost.

Congress, please continue your support for our campaign, for the criminal justice system is not for profit. Please support Composite 19.

Chris Bough (*Public and Commercial Services Union*): Offering PCS support for Composite Motion 19. I think it is confirmation of how the frame of political debate has shifted to the right that in 2005 Britain has the most privatised Prison Service in Europe. This, as we know, is part of a growing international trend towards opening up the private sector to private investment, but while globalisation may be inevitable there is nothing inevitable about the gradual privatisation of public services.

PCS believes that we should reject the fatalism promoted by some Ministers this week and have confidence that a united trade union Movement can make a difference on behalf of our members and can make a difference in counteracting the onward march of the market into public services in the UK and internationally. We also hold the view that a joined-up criminal justice system, efficient justice with confidence from the public, is compromised by under funding, compounded by arbitrary civil service job cuts and by government infatuation with the benign force of the market and -- it should be said -- by a policy that is tough on crime but less tough on its causes.

There are two final points I really wanted to make on behalf of my union. First is to endorse the comments that have been made by the moving and seconding speakers in that there is no place for the market in prisons, the probation service and the criminal justice system. The unified court service which came into force on 1 April 2005 created the conditions, it should be said, for the merger of the Association

of Magisterial Officers with the PCS. There is an industrial logic to it, which should strengthen the voice of unions in the court service. However, there is early evidence that creeping use of PFI projects increases pressure to centralise services and reduces access to the courts. An example, a new £30 million magistrates court in Manchester, which boasts massive palm trees and supermarket escalators, has not provided even enough court rooms and staff are expected to work under extremely cramped conditions.

In endorsing the remark about the opposition that we need to hold towards the privatisation of prisons, I would also refer to the fact that the PCS is engaged in a legal action, an equal pay case, in the Prison Service where it is evident that the Prison Service management are prepared to spend over £1 million in legal fees in defending pay inequality. Again I highlight the fact that we need to put pressure on all areas of the public sector to ensure that the promises and assurances that are given about equality are reflected in practice.

On that basis, I am sure Conference will wish to support the motion and PCS will wish to continue working with all unions in the justice sector in opposing the onward march of the market.

* *Composite Motion 19 was CARRIED*

The President: I call Motion 71, Children in Family Court Proceedings. The General Council support the motion. May I remind you that the amendment has been withdrawn.

Rob Thomas (*NAPO*) moved Motion 71. He said: Some of you may sitting there thinking that we should have both justice for parents and support for children. Our members know that one principle sometimes conflicts with the other. Why is *NAPO* concerned about this now? There are three main reasons: firstly, the emergence of a number of fathers groups, including Fathers for Justice, commonly known as F4J. Some people see F4J as an eccentric group of men who get involved in stances such as climbing up cranes and throwing condoms filled with purple paint at the Prime Minister. Notwithstanding the view that offering condoms to Tony Blair was a helpful gesture, we believe that this pressure group has conned many of the public -- and some politicians -- into believing that the interests of fathers is exactly the same thing as justice for all parents and their children. What F4J would not like you to know is that they engage in other activities that are less entertaining: threats and intimidation to lawyers, court staff, judges and *CAFCASS* workers, and sometimes a history of appalling behaviour with their ex partners and children. They would also have us all believe that the family courts are biased against men, that our members are anti-men and that these alleged prejudices are bad for children. In reality, only one or two per cent of fathers are denied contact with their children, usually because of violence and child protection issues.

The second reason is the need to raise awareness. Our members work for *CAFCASS*, the Children and Family Court Advisory Service, which was established as a new agency in 2001. They need cooperation from other social workers employed by local authorities. They need understanding from other workers who come under the influence of the Department of Education and Skills. They may need support from the TUC if the government decide to legislate to alter the present presumption of welfare of children being the most important priority in family court proceedings. Our

members specialise in writing reports for courts where there is a dispute between parents about contact with their children or about which parent a child should live with. They know that the welfare principle makes sense and that the interests of children should be paramount.

Finally, there are the politicians as fathers groups are sometimes effective in their lobbying of MPs. They managed to sew so many seeds of doubts in the Tories minds that Theresa May at last year's Tory Party Conference announced that it was their policy to abolish CAFCASS, and that they would even act on this in their first week of coming to power. We all know that is not likely but there you go. They seem to want to do this because they believe that CAFCASS are biased against men and there should be some sort of model that saw fathers' rights to have control over their children's lives enshrined in legislation. The propaganda had worked on the Tories.

Then the Green Paper on contact with children following court proceedings was published by the government. That was toying with the idea of a presumption in favour of shared contact between parents in most circumstances. If that were enshrined in legislation then the rights of parents would sometimes be allowed to over-ride the rights of children through a dispassionate analysis of what is in their best interests, but current legislation -- as laid out in the 1989 Children's Act -- states that in family court proceedings the court must treat the welfare of the child as the paramount consideration when reaching any decision about their upbringing. That must be right.

The guide to the Act makes it clear that the legislation does not attempt to steer the court one way or another over parents' contact with children after a separation or divorce. British courts are not alone in holding this view. The UN Convention on the rights of the child also establishes the welfare principle in

international law. Article 3 of that Convention states that the best interests of the child should be a primary consideration in courts of law. Article 12 holds that children have a right to be consulted about their views and to be able to influence decisions about their lives. Article 8 makes similar statements about their rights to personal development being paramount in all legal and administrative decisions. The British Government have ratified this Convention and so they just cannot set it aside.

So we have our own well established legislation, we have the UN Convention on the Rights of the Child, and UK practitioners are all united on what is best for children. I say, when something ain't broke don't fix it. Please support this motion.

Charles Ward (*Association of Educational Psychologists*) seconded Motion 71.

He said: When I first saw this motion the AEP submitted what it thought was a friendly amendment seeking to illustrate the positive role that applied psychology can play in the lives of vulnerable young people and the value of that advice it can give to the courts when faced with very difficult decisions. However, after contact from our brothers and sisters in NAPO we realised that the amendment could be misinterpreted and be a stick to beat our highly professional colleagues in CAFCAS. When the AEP learned this, it immediately withdrew its amendment and we were delighted to be asked to second the motion.

Our brothers and sisters in CAFCASS have been regularly attacked and vilified most unjustly by the media and organisations like Fathers for Justice. Family court proceedings are never easy. The worst issue is the rights of parents often conflict with both, and the rights of the child can conflict with the rights of the parents. Colleagues in CAFCASS like educational psychologists stand firm by the principle enshrined in the Children's Act that the rights and the needs of the child are

paramount in these issues. This is often a brave decision to have to defend, especially when the hounds of the media are in full flight.

Congress, it has been my privilege to serve on an adoption panel. I do not intend to regale you with horror stories but I want to say one thing. I have admired the professionalism of the work of colleagues preparing applications for that panel. What I have noticed though is that in many cases a considered psychological analysis adds to the understanding of a child's development, her adjustment, his needs, and the long-term psychological effect on the child's history and separation. What the AEP sought in its amendment, now withdrawn, was an acknowledgment of the value of applied psychology in the preparation of reports about children and young people for the courts and the benefits it can have in making the best plans for them.

As a former single parent, I need no reminders either of the problems the loss of a parent creates for young people and that is why I support this motion. Research evidence from as recently as 2002 shows clearly that interventions involving CAF/CASS have increased the levels of parental contact for children, so let us have no more of the slander of taking children away from their parents.

Congress, this motion seeks a single straightforward statement of TUC policy, supporting colleagues working to support vulnerable children. This TUC policy should be supportive of our colleagues under the irresponsible attacks from right-wing politicians and the sensation seeking media. Together we can be stronger. I am honoured to second the motion.

* *Motion 71 was CARRIED*

Criminal Justice Issues

Bob Crosby (GMB) speaking to paragraph 4.13 said: Privatisation of the Prison Service is often presented as a PPP success story. There is no doubt that private prisons are cheaper to run than public prisons, but why? Longer working hours, fewer holidays, lower pay, and inferior pensions. So the employees are paying the cost. If you are a manager in a private prison, the position is reversed. You have vastly superior terms and conditions to your counterparts in public prisons. The Treasury maintains that the PFI is only used where value for money is not achieved at the expense of staff terms and conditions. This is odds with the evidence, evidence from the Pay Review Body, House of Commons, Public Accounts Committee, National Audit Office, the Prison Service itself, and even the CBI.

The second point I would like to cover is staffing ratios and turnover. Among PCOs in private prisons turnover averages 25 per cent greater than the 2.4 per cent rate among public sector prison officers; in some cases it as high as 40 per cent. Juliet Lyon at the Prison Reform Trust said of the private Whitehall Prison “The staff turnover would disgrace many burger bars”! According to the National Audit Office, the pay and benefits package, and absence of much opportunity for pay progression, contributes to the continuing high turnover in private prisons. There are also concerns about safe staffing levels. How would you cope alone on a wing of 70 convicted criminals who are unlocked for most of the time?

The President: Delegate, you are making a speech. You should close now.

Bob Crosby (GMB): I will cut it short. The people who work in these prisons need the support of their trades unions to challenge contractual arrangements that cause such dangerous staffing levels and poor terms and conditions.

Finally, do not even get me started on Section 127 of the 1994 Criminal Justice and Public Order Act. That denies prison officers and escorts in the public and private prisons the right to take any form of industrial action. It is vital we step up our campaign and continue to press these issues with government at every opportunity.

The President: I know there are other indications on paragraphs. Please do not come in and make speeches. You are supposed to raise a specific question on it. Thank you very much.

I now move to unfinished business; so I am now moving on to that. I call Motion 34, Diversity. The General Council support the motion.

Diversity

Glynn Burgess (Chartered Society of Physiotherapists) moved Motion 34.

He said: We live in a diverse society. Twenty-two per cent of adults and five per cent of children in Great Britain are recognised as disabled. It is estimated that one in around twenty people are gay, lesbian or bisexual. Nearly eight per cent of the population is made up of black and ethnic minority people and British society is set to diversify further. Finally, we have seen enormous changes in recent decades in the social roles and working lives of men and women.

What does this mean in practice? The CSP believes that equality in diversity is recognising and valuing difference in its broadest sense. It is about creating working cultures and practices that respect and harness difference for the benefit of the organisation and the individual. In its White Paper on modernising government, the government made a specific commitment to delivering public services that are sensitive to the needs of different groups of people and for these services to be

delivered in an accessible way. Out of this thinking came a brand new group at national level, which the CSP is proud to have one of only two union seats on, the Diversity Sub-Group of the Public Services Forum. This forum itself was set up two years ago and its work programme is directly endorsed by the Prime Minister. The aim of the Diversity Sub-Group is to take a fresh look at work force diversity in a way that will hopefully have greater impact at the front line. The sub-group is currently working on proposals in three main areas: firstly, building the capacity of trade unions and employers to make a stronger service to create a business case for work force diversity; secondly, creating leaders who are better equipped to lead and manage diversity throughout the workforce; and, thirdly, identifying best practice amongst both employers and trades unions.

The sub-group is due to report back to the Public Services Forum in October and to recommend the way forward that will be of benefit right across the public sector. This is no simple task, nor is it one that will be achieved unless adequate resources are dedicated to its work and sufficient time allowed. Hence our decision to table this motion to Congress. We must collectively take responsibility in the trade union Movement to ensure that the work of this group is fully supported and that this collaborative approach should lead to real and sustainable improvements, both for providers and users of public services.

Please support this motion.

Jackie Lewis (*UNISON*) seconded Motion 34. She said: Congress, those of us who work in public services know that considerable work is being done to ensure that services more closely meet the needs of those who use them. But precisely because we work in public services we also know the real effects of social exclusion and

economic disadvantage on those very same people. We know that deep rooted institutionalised discrimination blights the lives of millions both as citizens and as workers, and there is still much to do to ensure that we who deliver public services are representative of our diverse society and understand the differing needs. We know that staff who feel valued can have a fair and equitable working life no matter what their differences may be, a staff with increased motivation who are likely to stay with an employer over a longer time ensuring delivery of high quality services.

UNISON, with the other public services unions, are adamant that public services should remain in the public sector, and that staff be well paid, well trained and treated with respect. Good employers put values of equality and fair treatment firmly at the centre of their work force policies and practices and know the benefits this brings not just to individuals but also to their business, to communities and to society at large. Good trades unions, as we all are, know that by working with governments and employers we are more likely to be successful in achieving our objectives for proper treatment of our members. To take one example, earlier this year UNISON in Greater London working with the Greater London Authority, convened a conference of trades unionists and public service employers in order to address institutionalised racism at work. This valuable initiative moved us a little forward on one important part of our diversity and equality agenda. The PSF task group offers us the possibility of wider progress on that agenda. Its report will recommend a new framework for developing and implementing diversity policies in support of greater work force flexibility.

For our part, as trades unions we know that we can commit to turning that framework into practice. We can and must work with governments and employers to uproot and de-institutionalise discrimination. For government's part they must

recognise that this cannot be done overnight and that it will take resources. On Tuesday -- it was good to hear, wasn't it -- Gordon pledged to close the gender pay group and skill up our workforce. That cannot be done on a shoestring. We have to say, "Gordon, give us the money". Congress, you tell him. Support Motion 34. I second.

* *Motion 34 was CARRIED*

The President: I now call Motion 35, The Supporting People Programme - Quality Assessment Framework. The General Council support the motion.

The Supporting People Programme – Quality Assessment Framework

Tony Carey (*Bakers, Food and Allied Workers Union*) moved Motion 35.

He said: I am proud to be moving Motion 35 on behalf of our great union. May I begin by saluting the work of the TUC Disability Conference and its leadership and those within our Movement who fight the fight for social justice on behalf of disabled people, championing the fight for inclusion rather than exclusion and seclusion within society, throwing away the shackles of social injustice.

Not wishing to steal Ian McCartney's thunder, he did say the other day, "Give me a government that has done this and give me a government that has done that and I will give you one". What he forgot to say was "Give me a government that has repealed the vile anti-trade union legislation". I will give you one, this government. He could not say that because they have not done it.

The Office of the Deputy Prime Minister runs the programme Supporting People. It is designed to offer support to people within our society, who are in many

cases at the bottom of the ladder in terms of social economic well-being and in many cases suffering from illness. The support covers a diverse and wide-ranging number of service users needs, enabling those who are supported to live their lives with dignity and respect upon a level playing field within society, irrespective of their illness or disability. There are many of us who value the work of the support staff, and I believe that the work they carry out is a contributory factor in relation to social inclusion rather than exclusion. Sound policy and practice lead to social inclusion whereas unsound policy and practice lead in this case to social exclusion.

As a consequence of target-setting, support service provision is limited by timescales. The bureaucratic intervention is both unsound and bad practice, with restraint placed on both the service provider and the service user. For many people, early withdrawal of necessary support can have dire consequences, leaving unsupported people in many cases in emotional and financial turmoil, leaving a supported person isolated and unable to adequately be compatible within the social and economic society and within their communities. A wall built without the right structural support will fall; it will fall because of restrictions that are in place and the unnecessary removal of support can lead to collapse, with often catastrophic consequences. You can rebuild a wall; it is a lot harder to re-build a life. If support is needed it should be there for as long as it takes. It should be based upon need, not bureaucratic time scales; it should be based upon sound principles and sound practices and should champion the cause for social justice and inclusion rather than seclusion and exclusion.

We should fight the fight as trades unionists and fight the cause for social justice shoulder to shoulder. We all understand what it is like to be unable to lead a compatible and economic and socially integrated life style, and we can well

understand the value and timing necessary to help in receiving support in order for a person to once again feel functional within society and to increase one's self worth and self esteem. I know this because I receive support from the Supporting People Programme as a disabled person. I do not believe it should be up to political dictates, it should be up to the people who provide the service and a service that is supposed to be service user led. We should be leading as service users, to understand the value in helping me to sustain and move forward with my life but also it helps others to move forward and sustain their life. Just one person falling through that gap through lack of adequate support, or through lack of commitment from government to fund it adequately, one person falling through that net is one person too many for me.

Disabled persons and people who suffer from other types of illness need that support. It is a social and moral right and we should support it. It is an important right for all mankind. Remember our theme this year: together is stronger. Stand together on this issue. I move.

Motion 35 was formally seconded by COMMUNITY

* *Motion 35 was CARRIED*

The President: We now return to Chapter 5 of the General Council's Report, Global Solidarity, and the section on Europe on page 72. It has not been possible to reach an accommodation on Motion 75, EU Constitution, and therefore the amendment in the name of Community will stand against the motion.

EU Constitution

Bob Crow (*National Union of Rail, Maritime and Transport Workers*) moved Motion 75.

He said: Can I make it quite clear that this resolution is about the European Constitution, not the European Union. I have had a number of people who have said to me what the situation is; it seems that some delegations have not been told exactly what we are putting here. It is about the European Constitution.

I have also had a number of people come to me and say why will we not have a compromise with Community's amendment? No disrespect to Community, we are always quite happy to have a compromise, but the fact is that in our opinion the Community amendment is a wrecking amendment and would wreck the actual content of the resolution.

We believe that this Congress should have the opportunity to have a say on the question of the European Constitution. Last year you passed a resolution for a balanced debate. We have had that balanced debate and now we should make a decision. Never mind what they do in France, that is up to the French people; never mind what they do in the Netherlands; and never mind what they do in Luxembourg. But let us start saying what agenda we want for working people on the question of Europe and throughout the world.

I raise the question why you should turn it down on one aspect. In the European Constitution it says that you will have the right to strike. That is fantastic, but in the curate's egg part of it it says "subject to national law". You heard what Gordon Brown and Ian McCartney said this week, you ain't having it off them, so on that basis alone you should turn the constitution down. All of these Directives are about the privatisation of your services.

All this week we have had the Prison Officers coming here, the Fire Brigade, GMB, T&G, UCATT, and what we are being told is more and more services are being privatised. That is not what I believe working men and women want in Britain. They want efficiency, yes, they want good services, yes, but also they want public control over the services they work in and the people who operate in it. Let me tell you what happened this summer. As a Millwall supporter I have not been watching a lot of football recently and people said, "Bob you are becoming frustrated in your life". Being a Millwall supporter I have learned to live with frustration; it is something that goes with being a Millwall supporter. There was a knock on my door one midweek night. It was the gas man. I do not know whether they were Paul Kenny's members or T&G members, but they said to me "We are from the Gas Board, Bob". I thought I had not paid my bill. He said, "We are flogging electricity". I said "What is this about?" He said, "Sign this form and I can save you £27 a year". I said, "To be honest with you, I would rather the gas supplied the gas. It would be a bit strange in the railway industry if the shipping industry were providing rail services". The very next night the electric man comes round, the old LEB, and he is flogging gas. But to top it all off, the week after Thames Water turned up and they were flogging electric. When I went to school I was told that electric and water could not mix, but it makes profits and it certainly mixes for that.

Comrades, what we want is real a European working-together, like standing down at Cherbourg with people like Graham Stevenson from the T&G and others, CGT and SIPTU, like defending the Swansea to Cork services with our colleagues in the European unions and the Irish unions. That is real solidarity, when groups of strikers go on strike throughout the world to allow other groups of workers to black

their work and boycott it and give it to the people who need protection at that moment in time.

I will say to you, the question of this motion should be carried here today by the TUC and if it is dead, then why is it there was a vote in Luxembourg? Why is it that there some people still saying in six months' time, in nine months' time, it will come up in some other form? Well, when it comes up in some other form we can look at that Constitution then but the Constitution as it stands at the moment does not give the right to working men and working women to keep their services public. What it means is a European undemocratic super state that backs big business to privatise the services. What privatisation means in the public services is simple. You have public services at the moment, they are taken off you, they are run by privateers, a few people get profits out of it and then they sell back that service to the public that had it the day before at more expensive cost with jobs and conditions cut in the industry to boost the profits for the big businesses that run them.

I say to people, yesterday the Executive decision in Scotland was an absolute disgrace. They yesterday took a decision to privatise through tender Caledonian MacBrayne. What a shame when we had the Tories yesterday in Scotland saying they did not want privatisation and New Labour and SLP voted for privatisation. That is New Labour for you and that is why you should support this resolution and oppose the amendment completely

The President: Thank you, Bob. The temperature has gone up two degrees! Unison?

Bob Oram (*UNISON*) seconded Motion 75.

He said: I am happy to be supporting this motion and opposing the amendment. At our conference last year, UNISON like the French and the Dutch thought the results of our votes had consigned the European Constitution to the dustbin of history. We all recognised the pivotal role played by unions in the “no” campaigns. Voters in France and Holland were not xenophobes from the right. The majority rejected the Constitution because of public anger at continuing unemployment, low economic growth and attacks on working hours, pay and pension rights. One of the key causes for this anger was the crisis in public services across Europe caused by the liberalisation and marketisation policies adopted by the EU. Brussels mistakenly believes that these policies are crucial for the future of Europe. They are not, they are policies that expose health services, education services, energy services, water, the railways, everything to privatisation and marketisation. Health and Social Services are to be dealt with the same as IT consultancy and private security firms. It is against everything that we hold dear: collective agreements and better working conditions, pensions and dignity for the old, decent public services for our children. These “no” votes were historic because, for the first time ever, people in Europe voted to reject the neo- liberal policies and stood up for a real social Europe where public services matter.

Our voices are still being ignored. Unelected and unaccountable corporate elites still hold power in Europe. They issue countless Directives that demand the deregulation of industries and services including the so-called Frankenstein -- sorry Balkanstein – Directive, more commonly called the Services Directive. This nasty piece of work demands the liberalisation and deregulation of all service activity in Europe and includes the country of origin principle where companies from other Member States can operate our public services without having to comply with British

law or standards, not just employment law but equality standards, public health standards and environmental protection. The responsibility for pride in a care home service, for example, will lie in a country of origin somewhere else in Europe. Our General Secretary, Dave Prentis, has said both in Britain and Europe this would provoke a race to the bottom for staff pay and conditions. Offshore firms would be allowed to operate in deregulated health and education sectors and ignore minimum standards.

We will maintain our opposition to this Services Directive and continue to join events like we did this year in March in Brussels with a 70,000 demonstration. We do not want an agenda driven by an unaccountable central bank. We need a common agenda with our European sisters and brothers that opposes the one size fits all single market neo-liberalism that enforces privatisation policies across Europe. We should be at the forefront of opposing these policies but we should also be at the forefront of proposing progressive alternatives. The TUC needs to be part of that campaign to reform the motion and this motion allows us to do it. Please support it unamended.

Michael Leahy (*Community*) moved the amendment to Motion 75.

He said: I hope in this debate those who shout the loudest are hopefully not listened to the most. Our amendment reaffirms the values which the British trade union Movement has always cherished, the values of solidarity, peace and proper respect for the innate dignity and fundamental right of working people. They are embedded in the draft Treaty of the European Union. You do not have to be old to remember what the repudiation of these values meant to our members. Through the 1980s, and up until 1997, the only progress we made in securing equal treatment for women at work and in society at large was achieved through the EU Directives and

the decisions of the European Court of justice. Today, Europe is our best ally in reducing working time, pressing our government to abide by the EU Rules applying in nearly every other European country. By the way, 90 per cent of British labour law emanated from Europe. It is therefore essential in establishing the level playing field for which the TUC and unions have often called.

If my union and Amicus do force the government to ensure that people regain lost pensions, it will be because the European Court rules that way. What has the EU done to assume the anathema in the motion about EU diplomatic missions or about militarism? Surely it make sense for the economic and political interest of 455 million people to be represented by a single voice overseas. Surely it is helpful to an embassy representing only 60 million people when it comes to fighting US protectionism, and which government in Europe was more militaristic than ours in invading and occupying Iraq with the Americans? Certainly not the French and the Germans who rejected that war and in the process spoke for the majority, the great majority of Europeans, including the people that we represent here.

So who would be our allies if you adopt this motion? Well, *The Sun*, *The Mail*, those beacons of justice and peace would be very happy; so would what is left UKIP with the landmark policy on designating responsibility for cleaning behind the fridge. The Tories too would be glad to see us reject the philosophy which insists that working people should have the right to have a say in decisions affecting their work. The Tories have no place for the strong social framework for which the European workers alone benefited because the EU alone puts social conditions and the operation of labour market forces.

Look at the only other model on offer, look at New Orleans today to see where there is the crazy attachment to private property, the yawning class and race equality bureaucracy, and competition “red in tooth and claw”.

Conference, please support this motion and support the amendment. Thank you very much.

Ged Nichols (*ACCORD*) seconding the Amendment to Motion 75, said: Congress, if the European Constitution is dead, as some people believe, then there seems little point in climbing into the coffin to give it another good kicking. Really, that is not what the motion is about. The motion is blatantly anti-European Union, and describing the European agenda as elitist, militarist, corporate, and anti-democratic, is nonsense. The motion is also inaccurate. It refers to the potential creation of a European defence agency. The European Defence Agency was actually created 14 months ago and it has nothing at all to do with the European Constitution.

So, two countries have voted against the Constitution but why should we attach such importance to their views and reject the decisions of the ten other countries that have ratified the treaty. Of course, we need to take note of the results of the referenda in France and in The Netherlands, but we need also to consider why people voted in this way. The governments of those two countries are deeply unpopular and would have had difficulty getting people to vote for anything, but if you look at other reasons there is a powerful factor, which was the fear of the growing influence of the US model and what right-wing governments elsewhere in Europe were trying to do to the social protection which has always accompanied EU economic developments.

The European social model is under attack; that is the reason for us to defend it now, not to throw our hands in the air and leave the field free to the free marketeers. They would love the opportunity to dismantle the social framework and try to cut back on the role of the state to US proportions. They would have us renege on the Kyoto commitments because tackling global change is not on the agenda of greed and disregard for the common good.

Congress, please support the amendment. If the amendment falls, then I urge you to vote against the substantive motion. Thank you.

Brendan Barber (*General Council*): The General Council are leaving the amendment to Congress and are supporting the motion. Let me explain why.

The motion focuses on the proposed European Constitution, which, as we have heard, was rejected so decisively by the voters of France and The Netherlands. It refers also to some concerns over aspects of EU developments, for example the proposed services directive that has led to so many strong concerns over threats that the current draft of the directive poses to the integrity of major public services, and the risk indeed of our employment rights and standards being undermined.

The amendment seeks to temper the absolute rejection of the proposed Constitution calling instead for a period of reflection. It goes on to propose the addition of references to the vital EU role in delivering equality, environmental protection, and employee rights. The GPC had hoped that it might have been possible to achieve a composite motion. Regrettably, that was not achievable so unions are going to have to decide whether or not to support the amendment as it stands.

The General Council's concern is that whatever decision Congress takes on that, the motion fails to reflect the breadth of TUC policy over the European Union.

We need to be clear. I do not think too many people out there are uncertain about the EU Constitution issue. As a result of the votes in France and The Netherlands, it is no longer viable. To put it another way and to paraphrase Monty Python, I know a dead constitution when I see one.

Congress, there are much bigger issues now at stake than a sterile semantic debate over whether something should be buried which is already in the mortuary. Whatever threats there are of a new neo-liberal agenda, privatisation, marketisation, and the rest, those threats are not originating in the European Union, we have to fight those battles on every front, including here at home. In recent years, the European Union has actually been seen as a key ally for us in that conflict.

Crucial social advances have been won through Europe. Social dialogue is entrenched in Europe's institutions. We should not forget that it is because of the European Union that we have new laws on equal pay, part-time workers' rights, four weeks paid holiday, and much much more besides. Our economy is crucially interlocked with the rest of the European Union. It is vital, for sure, that we win the battle for a strong social dimension to the EU and we make the case for the European social model strongly too.

Congress, however you vote on the amendment, support the motion but recognising that we have a solid body of established TUC policy on our work in Europe and this motion is accepted against that background.

Paul Noon (*PROSPECT*) supporting the Amendment to Motion 75 said: Prospect has in the past been happy to support the TUC General Council position on Europe and we were content with the balanced General Council statement on the EU Constitution. Members of my union have their individual views on the draft EU

Constitution and we took the view that, although there were issues we needed to identify as important, final decisions would be taken if and when the Constitution was put to the British people for ratification. I accept that the political reality is that the EU Constitution is now dead, or at least the present version of it is, but we do not think it needs the TUC to give it the last rights, nor are we happy to reject the EU Constitution, as it said in the motion, based on the outcome of referenda in France and Holland. It should be our decision based on our assessment when the time is right. That is why Prospect will be supporting the amendment from Community. We do not see this as a wrecking amendment, we see it as one which has the potential to build unity in Congress.

We also take the view that other elements of the amendment improve the RMT motion, particularly the deletion of paragraph 3 which refers to the EU Constitution as discredited when we have not made that assessment and not taken that view. It also adds a reference to full employment as the primary goal of our agenda, which we see as helpful. Although there are some elements of the RMT motion which we would support, if it is not amended, we see its tone as hostile to the EU and that has not been our position.

The TUC has a proud and positive record of leadership on Europe and through that we have won employment rights, health and safety rights, equality rights, but we do not want to put that in jeopardy. So, we support the amendment but if the motion is not amended then we reject the motion. I urge you to do likewise. Thank you.

Tony Dubbins (*AMICUS*) supporting Motion 75 and opposing the amendment said: Let me say that we support the motion really for the same reasons that Brendan has already spelled out. At our policy conference earlier this year we resolved that,

unless the UK government reaffirms its commitment to the European social agenda and ensures that the rights under the charter, our fundamental rights, go into UK legislation, we would not give active support for the Constitution.

I was pleased to hear what Bob said at the very outset, that this debate is about the Constitution, it is not about other parts of TUC, or indeed Amicus, policy. The reality is the Constitution is dead and we should bury it because it is stopping us moving on to deal with some of the major issues that we need to deal with in Europe. The services directive, if it goes through, needs to protect our public services and it needs to protect our rights. We need to ensure that we get rid of that opt-out in the working time directive and we badly need an agency in the temporary workers directive that protects the most vulnerable people in our labour market.

I am not concerned about what the resolution says but I am concerned about what it does not say. I think it is important we also make that very clear today. I want to make three points on that. Amicus can in the future support an EU Constitution which gives the proper commitments to the development and implementation of the European social dimension, and the charter of fundamental rights to be enshrined properly, not superficially, in UK legislation.

We should also remind ourselves, secondly, that it is still TUC, and certainly Amicus, policy to continue to support joining the single currency when the Chancellor's five tests are eventually met. Thirdly, and most importantly of all, we should remember that it is TUC and Amicus policy to support continued full membership of the EU, and that means taking part in all of its institutions. The reality is, whether or not we like it, the EU is the only show in town, so we must shape it and make damned sure we develop that social dimension so that we can see Europe working for the people that we represent.

Bob Crow (*National Union of Rail, Maritime and Transport Workers*) replying to the debate said: Mick, it is not about, in my opinion, who shouts the loudest. I listened to great Welsh singers for years and enjoyed every one of them. The point is when you came up to the rostrum today, Mick, you were singing a song which I did not like. That is why our union could not accept your amendment. The reality is, as far as we are concerned, we are talking about the European Constitution. All of us are in some forms of negotiations, whether we are convenors, shop stewards, or Executive Committee members or officers. We are handed a document from the employer, we look at that document and we say, does that document take working-class people forward, the people that we represent. When we look at it, we do a balancing act, and after consulting with people we say yes or we say no, and we then move on the document or reject it.

What we are saying is, we do not know what is going to happen in the future. If all of a sudden there was a total change and a document came up which took working rights forward and gave us the right to strike, repealed the anti-trade union laws, and stopped the privatisation of railways and the public services, of course then we can look at that situation. The reality is that this Constitution does not do that. I said from the start that it says in that document you will have the right to strike, subject to national law. Under this government, you will not have the right to strike. Even if it gives you 12 weeks before you can be sacked, you are still in breach of contract when you take strike action under British law.

I am not going to get mixed up, Mick, with all this UKIP situation, all I know is that I can only speak for my union. In my rule book, and in the previous National Union of Seamen's rule book, and the National Union of Railwaymen's rule book, it

is built into our constitution that we want a socialist society. I do not want to be tipped over to say that we are UKIP supporters or supporters of the Sun or the Daily Mail, or we are Little Englanders who only worry about the Queen's head on a ten-pound note. I could not care less whether the Queen's head or the Queen's backside is on a ten-pound note, to be honest with you; I just like plenty of them to spend.

French workers have better pension rights and if you are an SNCF worker you can retire at 55. Per head, German workers get better pay and conditions than British railway workers. French railway workers received their pensions and German workers received their better pay, not as a result of a European Constitution but they took strike action to defend their services and improve their members' terms and conditions. That is the reason they received it.

So, comrades, I will ask you to turn the amendment down, and turn it down on the basis stated by Tony Dubbins.

On a personal note, without stabbing anyone in the back, when the French voted against the Constitution I was drinking Beaujolais, and when the Dutch rejected it I was eating Edam cheese, and tonight when I get home and you vote for this I will be eating my jellied eels. Good luck.

- The Amendment to Motion 75 was LOST.
- Motion 75 was CARRIED.

Europe – European Social Forum

The President: I call paragraph 5.3.

Barry White (*National Union of Journalists*) speaking to paragraph 5.3, European Social Forum, said: Yesterday morning an Equity speaker said that when we do something new we should shout it from the rooftops. I agree and that call, surely, applies to the involvement of the Trades Union Congress and our affiliated unions in last Autumn's European Social Forum. The forum was a splendid example of coalition building, bringing together trade unionists from all across Europe and beyond, representatives of civil society, non government organisations, and individuals, with the common objectives of opposing war and campaigning for social justice both in Europe and worldwide.

I have two points to make. First, there are thousands of anti-globalisation activists who are eligible but not members of our trades unions. We need them urgently and must reach out to them and win back some of the missing millions the President referred to on Monday. The second is a plug for the next European Social Forum in Greece in April 2006, which I am sure the General Council and the TUC will be supporting. We must start getting our union delegations organised now. Congress, we must continue to build the Movement with those who want to sweep any neo-liberalism and privatisation into that same dustbin of history that Bob Oram mentioned in his speech on Motion 75. We must get going. Thank you.

Economic and Industrial Affairs

The President: Paragraph 4.15 from Chapter 4? Thank you. Delegates, we continue now with Chapter 4 of the General Council's Report, Economic and Industrial Affairs, page 61, the section on Transport. I call paragraph 4.9 and Composite

Motion 15, Transport – future of the rail industry. The General Council support the Composite Motion.

Transport – future of the rail industry

Andy Bain (*Transport Salaried Staffs' Association*) moved Composite Motion 15. He said: I would like to start by thanking all the trade unions who were at the 2004 Labour Party Conference. You all supported the TSSA's motion on rail public ownership. This policy was carried, despite the Labour Party regions and constituencies being threatened with non funding of local schools, hospitals, and other investment, even London's Crossrail if they voted the wrong way. Before this, the TSSA steered the rail ownership issue through the obstacles of the National Policy Forum. Then they beat the dirty tricks at the conference but, not surprisingly, the policy did not get into the election manifesto of the May election this year. A policy that was very popular with the public was ditched. Why? I will come back to that in a minute because I want to talk first about the issues raised by the TSSA in this motion.

South East Trains has been dealt with in Emergency Motion E2 but I do want to draw attention to the cynical move, while publicly controlled, to cut drastically booking office hours, something that the private train operators may have been too scared to start but will certainly try to follow. The transfer of safety responsibilities to the office of the rail regulator, which has also economic responsibilities, will bring conflicts. They will wash their hands of any responsibility in future big accidents and

the private operators and Network Rail will have to fight it out, the ultimate losers being the taxpayer, the passenger, and the railway worker.

Crossrail is a classic example of what happens when government insists on money for financing major public schemes in private. Nobody knows when it will happen or what it will cost. The unions will obviously support Crossrail but we will have our price and we will have our conditions. We also want a significant shift of freight from road to rail and we do not want bigger lorries, again another popular demand.

The three rail trade unions commissioned Catalyst to undertake two studies to give detailed arguments on this very complex and fragmented mess of the railway industry. They produced excellent papers on the use of public money since rail privatisation and the idea of a rail map for bringing rail back into public ownership. For example, they state: “Privatisation has massively wasted public money. Subsidies are far higher than previously, and will rise. The big rail players face almost no financial risk and are reliant on public money.”

The £22bn cost to bring the railways back is bollocks – my words, not theirs. The cost could be minimal. We have the winning arguments, whether it be on cost, efficiency, safety, the environment, or accountability, and I recommend the Catalyst papers for the detailed figures. The rail industry unions have campaigned together and separately within the Labour Party, within parliament, and outside, with some success.

Now back to the big question: why have Blair and Brown not listened? Tony Blair gave the answer at an earlier fringe meeting: they are wedded to the free market, everything must be sold to the private sector and must stay there. For the railways it is an even bigger issue than that. Once you cut through the complex structure of the

industry and the circuitous route that taxpayers' money takes to get to the shareholders, the picture is simple and clear. The British electorate understands it, public ownership is popular, it is even Labour Party policy, but still they, New Labour, cannot let it happen. If there was one U-turn there would be an avalanche of demands, not least from all of you, whether it be on health, education, housing, emergency services, or local government. The free market, neo-liberal, private good, public bad, ideology of the Tories and then the Blair years would collapse. That is why they will not take over the railways.

There have been several references to football, and even cricket, this week. Before important matches any team will study the strength and weaknesses of the opposition but they do not have to ask why they want to win, it is obvious. We are involved in something much more important and, if we do not understand why, we will always be defeated. Our opposition is big business, the fat cats, capital, and a government working in their interests. We are playing for our members and most of the British public.

You can help, you can make rail ownership a leadership issue with the Labour Party, you can support the rail unions in the public ownership campaign, you can support future struggles in the rail industry, supporting the unions, and you can raise public ownership when you can, for example in the Labour Party survey into why members are disillusioned; it is not surprising, really. Support the motion. Thank you.

Andy Reed (*Associated Society of Locomotive Engineers and Firemen*) seconding Composite Motion 15 said: We second this motion with some pride that we can speak with confidence that the three rail unions are united in the campaign to ensure

that we have a publicly owned and publicly accountable railway system not subject to the vagaries of the private sector.

It would be cheaper for us to have a publicly owned rail network. We have argued this on many occasions on this floor, at the Labour Party, and any other forum that we go to. It would also be safer as we would have a direct access to the people who are maintaining our rail system instead of people saying they are not interested in speaking to us, or it is too much cost-wise to put safety equipment into the cabs of the trains that are travelling at 140 mph, plus. We have had tragic incidents on level crossings, colleagues, and when Aslef and the other rail unions started looking into it we found out that Network Rail and the private operators did not want to put the technology into the cabs that would have saved the lives of people travelling on those trains on that particular day. It is nothing short of a disgrace that profit is put before the safety of every one of us who use the network. Many of you will be travelling home today on the railways so just think about what they are saying to us and what is happening out there.

South East Trains has been spoken about. It is quite right that we take the stance along with the other rail unions and other interested parties, and MPs in the areas concerned, why should be going to the private sector. It is no use private sector companies coming to Aslef and to the RMT, and TSSA, asking us to support their bids because they are nice people and they will look after us. We have a clear mandate from our policies and from our conferences, we will not support a private operator operating the rail network of the UK.

We also have a problem, colleagues, with freight trains. We have a campaign running at this moment in time, and I thank the T&G for their involvement and their kind consideration to us in that particular campaign. It is not about taking people's

jobs out of the road industry, it is about having an integrated transport policy where the two modes of transport can come together and work in a cohesive environment for the good of the public.

We also have 3,500 members of our trade union driving freight trains and if we have more liberal policies coming out of Europe their jobs will be in direct danger of being lost with the competition that is there. That is why we fight for public ownership of the railways and that is why we stand shoulder to shoulder with our trade union colleagues.

Please support the motion and ensure we go to the Labour Party Conference with the policy that they and we agree to, and is not ignored. Thank you.

* *Composite Motion 15 was CARRIED*

Criminalisation

The President: I call Motion 53, Criminalisation. The General Council support the motion.

Peter McEwen (*National Union of Marine, Aviation and Shipping Transport Officers*) moved Motion 53. He said: Congress, what job could land you in jail for trying to prevent a major environmental disaster? What job could put you in prison for 70 days for having been prescribed sleeping pills? What job could see you deported for carrying out a safety check? Predictably, the answer to each of those questions is seafaring. All three occurrences actually happened and are examples of

the way in which ship masters and officers are increasingly being treated as criminals simply for carrying out their job.

Capt. Mangouras of the tanker Prestige risked his own life in battling to connect a towrope to take his stricken ship to safety in stormy weather. He was arrested by the Spanish authorities for his troubles and held at a top security prison for near on two years whilst Spain sought to assemble a case against him, largely to cover up the incompetence of their own maritime authorities. His bail was eventually set at €3 million, more than was set for people charged with murder. An officer was detained for 70 days in a Dubai jail, held in a cell with 50 others, after he was found in possession of Valium sleeping pills, which had been prescribed for him by his doctor but turned out to be banned in the United Arab Emirates. An officer was deported from the United States and banned from returning for 10 years simply because he stepped ashore alongside the ship to read the ship's details for safety reasons at the bow and the stern.

NUMAST does not seek to defend a deliberate flouting of the law but some laws are clearly wrong. There is a new European directive on ship source pollution which exposes seafarers to huge fines and prison sentences even for accidental or non intentional oil spill. The Commission, like others, seems driven by the belief that oil soaked seabirds deserve more protection than the blood-soaked corpses of seafarers. Too often seafarers are getting thrown into jail around the world simply for being in the wrong place and at the wrong time. Too often seafarers are merely a convenient scapegoat for those with the real responsibility who hide behind offshore brass plate companies and flags of convenience. The law cannot find those with real responsibility so to appease some the law deals harshly with full force on seafarers.

The way in which the international shipping industry has become the world's most globalised, liberalised, and casualised industry over the past 50 years means that many seafarers now have no permanent employment relationship or even knowledge of who they work for. They are often serving with mixed nationality crews, on ships that fly the flags of countries that are incapable of offering any social legal security and lack the political influence, or even the will, to stand up for the crews of their ships. In the United States the so-called war on terror means that seafarers from many countries around the world face the prospect of being detained on board their ships as high-risk aliens.

Seafarers are not the problem, they are part of the solution. Some US ports have armed guards on the gangways to stop seafarers from going ashore, often after months at sea. We talk about one law for the rich and one law for the poor, but there is certainly one law for those ashore and another for those at sea.

Seafarers have human rights too. It is time those rights were respected. Shipping is a vital industry and seafarers keep world trade flowing and every aspect of human life supported from the food that we eat, to the petrol we put in our cars, and it has all come by sea. The blame culture, the scape-goating of the seafaring profession must end. It threatens to drive skilled and experienced personnel from their jobs. Seafarers are virtually unique in their vulnerability after an accident and in often highly charged circumstances following accidents seafarers must have their rights protected.

NUMAST is working through the United Nations agencies, the IMO and the ILO, in an attempt to develop some sort of international mechanism to provide that protection, but if we are to succeed, Congress, we need your support and we need the

support of the UK government to ensure that seafarers can no longer be treated as second-class citizens.

Jackie Darby (*Transport Salaried Staffs' Association*) seconding Motion 53 said: You have heard the details and examples of the injustices visited on workers in the sector. Most people would naturally support strong measures against polluters. Pollution at sea has consequences for fishing, tourism, sometimes the entire economy of the region where discharges come ashore. In this motion there is a theme which is quite familiar, with echoes in the railway industry (where I work) and the construction industry, to name but two, which is, get the visible ones, the ones in the front line, the workers, the ones who carry out decisions made by shadowy others, the ones who carry the can, the easy targets. Please support.

* *Motion 53 was CARRIED*

Transport

The President: I call Motion 54 on Transport. The General Council supports the motion.

Rob Monks (*United Road Transport Union*) moved Motion 54. He said: I can already hear you asking, what are digital tachograph smartcards. Very briefly, all large goods vehicles are fitted with what are known as tachographs. Amongst other information, they record on a small round paper chart the amount of driving time a professional lorry driver undertakes during a working shift. The tachograph chart is

issued free to professional lorry drivers. From next year, manufacturers of lorries are required to fit their vehicles with a new type of digital tachograph. In order that our members comply with the law they will when driving such vehicles have to utilise what are known as digital tachograph smartcards. Will these be issued free like the paper charts? No. The government in their wisdom has determined that the smartcards are to be issued by the DVLA at a cost of just under £40 to each and every professional lorry driver required to use them.

Speaking in support of Composite 11 on Monday, comrades from the T&G touched on the vexed question of the UK's professional drivers' shortage. A detailed survey carried out this year by the sector, Skills for Logistics, revealed that the UK has a shortage of just under 50,000 professional lorry drivers. Why are people not being attracted to such jobs? One reason is the ongoing cost of retaining a large goods vehicle licence once you have undergone the expensive training.

At last year's Congress, comrades, you unanimously supported a motion from my union calling on the government to provide compulsory medicals for professional lorry drivers at no cost to the driver. The TUC's 2005 budget submission presented to the Chancellor in February reflected the concerns expressed at last year's Congress on these licensing requirements for professional lorry drivers.

Has the government acted on these concerns from our Movement? They most certainly have. During the summer, conscious of concerns expressed by the employers, the proposed 1.2 pence per litre fuel duty increase due to be implemented this month was shelved by the Chancellor. Thanks, Gordon, for listening to the Movement representing working women and men.

Ian McCartney in addressing Congress stated that the empty rhetoric must stop. I hope the Chancellor takes heed of this upon his return from New York.

Gordon, do not address comrades at Congress and tell them that our skills are the most valued of assets and that you are investing in transport, if you are not prepared to back it up by investing in the people working within the industry.

Perhaps, as was indicated at Congress with the TUC and the Treasury proposing to work closer together on the Chancellor's pledges, professional lorry drivers' worth to this nation's economic stability and growth will at last be recognised. But, please, when you are working together do it quietly for fear of waking a very tired tiger. Comrades, please support.

(Motion 54 was formally seconded)

* *Motion 54 was CARRIED*

Fire and rescue service emergency response standards in the UK

The President: I now call Motion 55, fire and rescue service emergency response standards in the UK. The General Council supports the motion.

Matt Wrack (*Fire Brigades Union*) moved Motion 55. He said: Earlier in the week, Congress, we heard about the intervention of public servants in the bombings in London. I want to expand on some of the other work that the fire and rescue service is involved in and to give some figures which we have been able to obtain from the government.

In 2003, Congress, there were 3,868 people rescued from fires in England. They are the most recent figures which are available and they demonstrate a rise of

over 42% in a decade. The figures demonstrate that nine out of ten people involved in fires are being rescued alive by the fire and rescue service. These are government figures that we have obtained by asking parliamentary questions. They do not include those escaping without the aid of the fire service or those rescued by neighbours or passers-by, nor do they include individuals who are not at immediate risk and who are evacuated from buildings; these are rescues carried out by fire fighters in the course of their duties. These figures we believe clearly highlight the success story of the UK fire and rescue service and we need to protect that success story and protect the fire service.

We have two areas of major concern at the present time, Congress: first, in relation to our emergency fire control. The government's plan is to regionalise our controls and move from 46 local controls to nine regional controls. In our view it is a costly plan and those costs are escalating and are out of control. They will cost hundreds of jobs. It will lead to a loss of the local knowledge of our skilled members in those local controls, and we believe it will lead to a worsening of the service. Unfortunately, despite public opposition, despite widespread opposition in parliament, the government through the office of the Deputy Prime Minister is intent on pressing ahead with that decision. We urge you to support us in our campaign against that regionalisation of emergency fire controls.

The second area where we have concerns is in relation to the national standards of cover. These have been abolished and replaced by a move to localised fire planning. From national standards we now have 58 fire authorities who produce 58 different standards. We do not believe that is right. We believe it is introducing a postcode lottery into your fire and rescue service.

In the West Midlands at the current time they have just introduced a plan which reduces the number of fire engines available at night, and within days of it happening a serious fire happened within that brigade and resources were seriously stretched. In London, in relation to the bombings, the local plan has moved fire engines from Central London despite the warnings of the union, particularly in relation to the terrorist threat. In Suffolk, at the present time our members are engaging in strike action against local cuts.

We think the cuts are being justified by misinformation that has been spread by certain people within the service, by councillors on fire authorities and unfortunately on occasion these are being justified by chief officers who are deliberately underplaying the role, the rescue role, played by our fire-fighters, members of our union.

The claim is that intervention does not matter any more because what we are doing is preventing fires from happening and on that basis there should be a shift of resources away from intervention and emergency response to preventing fires from happening. We have nothing against that, Congress; we have supported that for many decades and our members are heavily involved in attempts to educate the public to ensure that fires do not happen. The simple fact is that fires do happen and the figures I have given demonstrate that clearly when they happen what is needed is a rapid intervention by an emergency fire service.

So, we are calling in the resolution for new national standards. We do not want to see a postcode lottery, we want to see national standards. We urge the office of the Deputy Prime Minister to engage with us in a discussion about how those standards can be introduced. I urge your support. Thanks, Congress.

Anne True (*UNISON*), in seconding Motion 55, said:

I do not work in fire and rescue services, and I hope that my colleagues in those services do not mind if I say I would rather not ever need them, but I do know that if they were not willing to put themselves on the line many of us would be that much the worse off. I would like to think that, no matter where I lived or worked, if I had a house fire or was in an accident then I would get the same speedy response.

This motion speaks on behalf of the Fire Service. My union, UNISON, represents the vast majority of ambulance staff and also many in control rooms and we share the concerns of our sister union that quality and standards are being sacrificed in the interests of modernisation.

The media thinks nothing of praising ambulance workers one day for their response to difficult situations and the next day criticising them for their response times.

Setting standard maximum response times is only the first step. This alone will not deliver minimum acceptable standards of service delivery across the UK. For example, there have been set maximum response times within the Ambulance Service within many years, the duration of which depends on the seriousness of the emergency. However, these have failed to deliver a UK-wide standard of service because there are currently too many and unclear categories of calls and no set standards of how response times should be measured.

Such standards are of no use to the public or the patient and could be said to be dishonest if the clock only starts ticking five minutes after they have dialled 999. It could well take that long to activate a response due to rationalisation of support services which are driven by cost-savings and not service delivery.

The recently Ambulance Review Report sought to address these failings. The motion, rightly, also highlights identification of minimum resource requirements as a key issue. There is little point in meeting a target time if the resources sent to the emergency are ill-equipped to deal with it.

To address this situation, we need standard criteria which measures the effectiveness of response in addition to an accurate record of the time taken to arrive at the scene. The number 1 priority in setting UK-wide standards for emergency services must be that they clearly and transparently show that they actually improve and enhance the service to the public. On no account should they be used as a smokescreen for cost-cutting measures. Please support the motion.

* *Motion 55 was CARRIED.*

BNP and the Race Relations Act

Joe Marino (*Bakers, Food and Allied Workers Union*) moved Emergency Motion 4.

He said: Given the time constraints, I do not propose, Comrades, to go through all the issues which moved us to put this emergency motion forward. I think the reasons are adequately set out in the motion itself.

I want, very briefly, to deal with the three points at the end. They call on Congress and the General Council, as I am sure they will, to support the appeal against the decision which is to be heard shortly. I think that is important because after the debate we had on Monday about the BNP and about infiltration of trade union, we need to show unity. We have all been through the issue of infiltration and we have to find ways of uniting together in order to stop that. What we must not

allow ourselves to do is to be in a position of being picked off one by one. Therefore, the unity through the TUC in order to support this appeal is, I think, essential.

Secondly, we need to be urging the CRE to support the appeal as well because if something like this is not a role of the CRE then we must begin to wonder what the role of the CRE is. I am sure, in discussions we have with colleagues at the CRE, we can get them on board in order to do that. This is an essential issue for all of us for the reasons explained in the emergency motion.

Thirdly, we must lobby the Government to amend the law if the decision is not overturned. We need to do that because when the law is wrong, quite clearly, the law needs changing. I do not need to go into any length here as to how we consider that to be a bad law if that decision is not overturned.

It was said in the debate on Monday that there is no role for Fascists within our organisation. There is no role for Fascists within society. This is not something that we can compromise over. This is not something that we can do deals over. This is something we have to confront. I am sure Congress will support the emergency motion and I am sure the General Council will take it forward.

Ed Blissett (*GMB, Britain's general union*) seconded the emergency motion.

He said: Sisters and brothers, during the past year the GMB in the London Region has been campaigning against the evils of Fascism in the East End. We have been successful with our sisters and brothers from the rest of the Labour Movement in ensuring that BNP councillors have been defeated. We have also been successful in rooting out Fascists from the workplace. It is simply unacceptable for the Labour Government to allow a position in which the legislation as it currently stands to be used by Fascists against the Race Relations Act that is meant to be in place to protect

our black sisters and brothers. If it is the case that this legislation can be used in that manner, then the Labour Government have an absolute duty to change that legislation immediately so, as amended, it protects those black workers and stops the Fascists from using that type of legislation.

Sisters and brothers, I call on you, I demand from you, that you support this emergency motion. Thank you.

The President: The General Council supports the emergency motion.

* *Emergency Motion 4 was CARRIED.*

Women in Iraq

The President: I now call Emergency Motion 5, Women in Iraq. The General Council supports the motion. I will be calling Sally Hunt to explain the General Council's position.

Tony Kearns (*Communication Workers Union*) moved Emergency Motion 5.

He said: I do not know if it is just me but I am getting really sick and tired when I wake up in the morning to see *these* type of images on the paper and on the television screens about the continual bombings taking place in Iraq. The situation facing the Iraqi people, and women in particular, continues to degenerate and continues to be of great concern, but this motion differs from the debate we had yesterday because it is about after the occupation. It is about where we go from here. Nothing distorts a nation's development more than foreign occupation.

The debate on the new constitution in Iraq has been completely distorted by the United States' Government. The people who we are appealing to here are trade unionists. We are trade unionists because we know that a trade unionist will defend working people. The bomb that exploded yesterday killed more than 150 people but it killed 150 working people.

The artificial timescales introduced by George Bush have made the constitution unacceptable. The constitution has now been forced to go to a premature referendum. This is what the constitution says on the position of women. It talks about equality. I refer to article 2(1), section A, of the constitution, which says: "No law can be passed that contradicts the undisputed rules of Islam", and contained within that is the position of women. It was said from this rostrum to loud applause earlier this week that if your religion discriminates, your religion has got it wrong.

However, the constitution goes further. The constitution has enshrined that discrimination into the national law. At the same time, it weakens the role of the trade unions. It is clear now that a danger is emerging that Iraq could slide into civil war. The United States' occupation forces are so unpopular that they can only remain in Iraq by fostering divisions amongst the Iraqis. It is the classic tactic of divide and rule. The shocking condemnation of the position of women and religious minorities is that they appeared to be more respected under Saddam Hussein than under the United States' occupation. This demonstrates that the constitution is solely the business of the Iraqi people and not those of the foreigners who seek to impose their ideas by jets, tanks and guns.

Of course, one notable problem, as I said, is that it Decree 875 puts the position of trade unions in jeopardy. As Mary from NATFHE said yesterday, the decree seizes trade unions' money to be controlled and dispensed by the Government.

The IFTU has asked the Director-General of the ILO to personally to intervene in an effort to restore trade union rights.

Conference, in any war civilians are amongst the casualties. In the First World War, 5 per cent of the casualties were civilians. In armed conflicts today, around the world, 75 per cent of casualties in war are civilian, and the vast majority of them have proved to be women. The United States' and the UK Governments have refused to count the victims. In relation to the position of women in war and the position of women in Iraq, I think it was Barbara from Amicus who, yesterday, said that it is quite clear that tens of thousands of women have been abused, raped, tortured, maimed and killed by the Coalition armed forces and heavily armed private security forces. This has given to the green light to the reactionary forces inside Iraq to attack women in a similar manner.

Under the constitution, as we have seen, women in Iraq are threatened with being excluded from society. We think that the TUC must play a part in supporting our goal of achieving better conditions for women.

If you look at the emergency motion, it is not exhaustive. It lists organisations that we believe the TUC should be working with and lobbying to enhance this position. As I have said, the list is not exhaustive.

I remember seeing one particular image from the Balkan war which remains in my mind more than anything else. It was a picture taken on a sunny morning in a woodland area and hanging still from the branch of a tree was a woman who had hanged herself. She had got to the point of giving up because in the village she came from the men had been taken away and murdered and the women who were left were abused, raped and attacked as an instrument of war.

As I said, this is different from the debate about the occupation that we had yesterday. This is about where this trade union Movement lays its cards and how it deals with this issue in the future. We are trade union.

Let me show you *this* picture, which says: “Politicians are voted the world’s least trusted people”. That is hardly a surprise. So it falls on us as trade unionists to defend the right of other trade unionists and to defend women’s rights around the world. Yes, we support the end of the occupation; yes, we support the demonstration on the 24th September but, as trade unionists, we offer the best chance of raising the condition of women in Iraq after the occupation.

Sue Bond (*Public and Commercial Services Union*) seconded the emergency motion. She said: President, Congress, let me spell out for you the reality of what life is like now for women in Iraq. For most it is a living nightmare. For the thousands and thousands of women who once worked in the public sector their jobs have now gone. Unemployment is now running at 70 per cent. Yes, you heard me right: 70 per cent! The occupation has confined them to their homes. Each day begins with a struggle to get the basics of survival for their families, risking their lives in the dangerous streets for food, water, gas canisters and medicine. Each day ends with relief at surviving death threats, car bombs and violent attacks. In a country awash with oil, food is scarce and acute child malnutrition has doubled.

Of the one hundred thousand civilian deaths since the invasion, half have been women and children. The land is now riddled with depleted uranium and the terrifying landscape of past and present conflicts.

This motion argues that free trade unions are vital to defend the violation of women’s human rights in Iraq absolutely. PCS believes that to bring peace and

democracy in Iraq and for free trade unions to build and flourish the occupation must end because that is the main barrier to the development of a democratic civil society. The occupation is the key architect of institutionalised sectarian and ethnic divisions. In the United States opposition to the occupation is accelerating and Mr. Bush's approval ratings are plummeting.

What must happen in the UK is that we must keep up the pressure. The anti-war protests here have been an inspiration to others around the world, protests in which trade unions have played a crucial role. We now have a responsibility to make the demonstration on September 24th as big as possible to show that the opposition to the occupation is global. Support our sisters and brothers in Iraq, building genuine free trade unions and organisations in line with the statement to be made by the General Council, and bring the troops home. Bring them home by Christmas and give the Iraqi people back the right to determine their own future.

The President: I call Sally Hunt to speak for the General Council.

Sally Hunt (*General Council*): President, I will keep this contribution brief as much has been said already. The General Council will be supporting this emergency motion but with an explanation. The explanation is very simple. We believe that our primary focus if we are to help women and men, although this motion is focused on women, and trade unionists in particular, and women in general in Iraq, it must be done through the trade union Movement as our primary way of working.

The emergency motion is broadly in line with Congress policy. As you will see from bullet point (iii), it singles out just one women's organisation, which is the Organisation for Women's Freedom in Iraq. We do not, at the same time, have

reference to unions such as the Iraqi Teachers' Union, the Journalists' Union and many others. However, it was welcomed to hear the CWU note that this was not meant to be the absolute in terms of those unions which we should work with. It is very much the General Council's view that we will continue to work with all relevant organisations but primarily with the trade union Movement in order to take that work forward. Thank you.

Chris Morley (*National Union of Journalists*) speaking in support of Emergency Motion 5, said: Last month I had the honour of taking part in a UNESCO sponsored conference of Iraqi journalists in Amman, Jordan. It was too dangerous to hold the conference in Iraq. Many women journalists were present from all parts of Iraq, but particularly from the south whose experiences moved me. They were passionate that the emerging Iraq should not snuff out their rights and leave them condemned to irrelevance in that society. About 25 per cent of media workers in Iraq are currently women but there are virtually none in senior positions, no editors or owners.

One delegate put the situation in perspective when she said that a newspaper boss had told her, "I don't want women in my newspaper. Women aren't interested in politics". Another from the Sharia south told movingly how from the day they were born many women felt that they were anonymous even in their own families. This is part of a wider cultural issue but the important question is how do we support women who want to break free and live their lives how they want?

The irony of the invasion and occupation, with all of its blood and tears, is that Bush and Blair threaten to preside over the ending of a secular based society in Iraq. Iraqi women trade unionists are desperate not to be sold out and that is what we are in danger of doing. We must not be complicit in that by our own silence. We must reach

out and give support and the benefit of our experience in the struggle for equality to our sisters and brothers in Iraq. We must not let women's rights in Iraq slip into darkness because Bush and Blair need to surrender them to get a short-term deal on the new constitution. Support the emergency resolution.

* *Emergency Motion 5 was CARRIED*

Adoption of the General Council Report

The President: Congress, that concludes the formal business of Congress. I call for the General Council's Report to be adopted. *(Adopted)*

Votes of Thanks

The President: I now have a number of votes of thanks to make to those who have contributed to the smooth running of Congress. I move a vote of thanks to the staff at the Brighton Centre for all they have done to ensure that the Congress runs smoothly, and to the stewards for all their assistance during the week. *(Applause)*

I would like to thank the crèche workers and a special thank you to the team of sign language interpreters and verbatim reports who have worked so hard throughout the week. *(Applause)* Your applause clearly shows that you agree.

A number of colleagues are leaving the General Council. Many thanks to Andy Gilchrist, Bob Crow and Matthew McGregor for their contributions to the work of the General Council. *(Applause)*

Award of Congress Gold Badges

The President: We now come to the presentation of the Gold Badges of Congress, which are awarded to those who are retiring after long service either on the General Council or the General Purposes Committee.

During the course of the year George Brumwell of UCATT, who has served on the General Council for 13 years, left and he is entitled to the Gold Badge of Congress. George was lead spokesperson on health and safety and enjoyed a high profile as a strong advocate for his union and its members. George is not available to be with us today but we will arrange for him to receive the badge and we will send him your good wishes. (*Applause*)

Pat Hawkes of the NUT is also departing at this Congress after 13 years and she, too, receives the Gold Badge of Congress. Pat is the Chair of the Women's Committee and has contributed enormously to the TUC's work on equality. I have great pleasure in presenting you with the Gold Badge of Congress, Pat. (*Presentation made amidst applause*) I am going to invite Pat to say a few words to Congress.

Pat Hawkes: President, thank you very much. I will value this badge. I would like to say thanks to my union, the NUT, and to Steve Sinnott, our General Secretary, who has always supported me in representing women teachers in the wider trade union Movement. I have been privileged to work with equalities and international issues over the years. I have made some wonderful friends, too. I remember the warmth of working with other union members on the General Council, the Executive Council and the equality committees.

Congress, the TUC staff are a tremendous team with great integrity. Their support has helped us to serve our members and the wider Movement. I thank them. I know, Congress, that we are stronger together. I have valued working with all of you. Thank you, President, for this Gold Badge. I do appreciate it.

The President: Jenny Thurston of Prospect is departing following six years on the General Council. Jenny has served on the TUC Executive Committee and the Industrial Injuries Advisory Council. So, Jenny, I have great pleasure in presenting you with the Gold Badge of Congress. *(Presentation made amidst applause)*

Jenny Thurston: Thank you very much, President. It has been an honour to represent my union, Prospect, on the TUC General Council and also on the Executive Committee. I have been particularly enjoying the work with colleagues from other unions as well as having access to the excellence of our TUC staff.

Although we still have a way to go, I believe that we have made important progress on the issues which motivated me and others to become involved in the Movement, including employee rights, equality and social justice. I am honoured if I think that I have made a contribution to that work. Thank you for the TUC Gold Badge of Congress and thank you to everyone for your friendship and support. Thank you. *(Applause)*

Congress President 2006

The President: Finally, Congress, it is my honour to announce that the next President of the TUC, who takes office from the close of Congress, is Gloria Mills.

(Applause and cheers) I think that is a yes from UNISON, Gloria. I wish her well and hope that she enjoys her year as President as much as I have done. In fact, if you only enjoy it half as much as I have done, Gloria, you will have a whale of a time. So thank you very much.

Vote of Thanks to the President

Brendan Barber *(General Secretary)*: I call on Sofi Taylor to move a vote of thanks to the President.

Sofi Taylor *(General Council)* moved the vote of thanks to the President.

She said: Congress, on Tuesday evening at the General Council dinner Ian McCartney took me aside and said, “Well, Sofi, can you do this little vote of thanks for me. We are both from Glasgow, both about the same height and we both wear glasses, and I don’t think Congress would notice the difference”. The deal breaker was when he slipped me a fiver. “I’ll do anything for a fiver”, I said.

Being President of the TUC is no easy task but it is one that Jeannie has risen to in some style. As you would expect from the General Council’s lead on pensions, attention to detail has to be excellent. As you would expect from someone from the CWU, communication has been spot on. *(Applause)*

Congress, Chairing the Annual Congress is just one small part of the role. Away from the public eye is the General Council, the Executive Committee to chair, speeches to give, meetings to attend and ministers to cajole. All this is going on at the same time as Jeannie is doing a demanding job in her own union. It is no wonder Billy talked of Jeannie’s ability to multi-task on Monday, and it is no wonder that

everybody speaks so highly of her. Indeed, Alan Johnson told us yesterday that he is now a member of the Jeannie Drake Fan Club.

This fan club is recruiting new members rapidly and a case study will be sent to the TUC Organising and Representation Task Group. We are not slow to learn from new tricks. This week I have seen the very best of Jeannie, not just tirelessly working behind the scenes which begins at 8.15 in the morning and ending late at night; not just the diplomacy and negotiating skills but, above all, the human touch, the warmth and the smile. We see that in the courtesy and the sensitivity shown to all speakers, especially to our first time delegates. Jeannie has not stopped people in mid-sentence. That is evidence of this progressive and humane sentencing policy that even NAPO and the POA would be proud of.

I know this has been a week of many highlights for Jeannie. I could tell you about the risqué joke at the General Council dinner but not just in front of the Prime Minister, and she called Tony “Tony”, but also her father. Indeed, I can tell you of her enthusiasm when the PFA delegation arrived.

I know that what gave Jeannie the most satisfaction in a year in which we campaigned to Make Poverty History was reading out the letter from Nelson Mandela. That is proof that solidarity matters even more. (*Applause*)

Let me finish on a personal note. It has been a pleasure to work as part of a team on the rostrum but I have to declare a vested interest. I will be Chairing the Black Workers’ Conference next year and I have done this so that I can learn from the best and, Jeannie, you are the best. (*Applause*) You are not only a great President but a great woman President. England may have won the Ashes on Monday but we will all remember this week because of you, Jeannie. Thank you for your work during Congress; thank you for your work during the past 12 months and thank you for your

outstanding work each and every year on pensions and so much more. We wish you the very best.

It gives me great pleasure to present the Gold Badge of Congress and the Congress Bell to our President for 2005. (*Presentation made amidst applause*)

The President: Thank you, Sofi. I thought that was a brilliant speech, even if it was about me! But it was excellent! The trouble is when people say nice things about you -- it is not an experience I have too often -- I always get nervous because you know you are about to fall flat on your face around the corner. However, I thought that was really nice and thank you very much indeed. Let me, perhaps, say a few words before I hand over to the General Secretary?

I am not one for public emotion - I get emotional inside - but I think if you are a retiring President of the TUC, you can indulge yourself for a few moments, which I will. It has been an absolutely fantastic year. I have met so many people and had the opportunity to participate in so many causes. Thank you, Congress, because you gave me the privilege, because if you had not agreed to me doing it, I would not have been able to do it.

I know at midnight when the clock strikes, the luxuries will be gone, the puff of smoke will appear, the pumpkin and the four rats will be next to me, but it will not matter. I have had a great time. I have had a whirlwind week at the ball. I have sat next to Prince Charming all week! It has been absolutely fantastic and I would not have missed it for the world.

Votes of Thanks

The President: I want to mention one or two people that I want to thank. I want to

thank Brendan. He is a complete dream to work with. He really is! He is very clear on what you need to do; he does not leave you confused and he supports you. It is very easy to be a good Chair when the backing behind you has such clarity. We meet before General Council meetings and Executive, and he has never left me in any doubt about what is appropriate, what is expected and what my role is. You have been an absolute dream to work with.

The only thing is, a day or so after I was elected as President, I went into Congress House. Everybody kept saying, "Hello, Jeannie! "Hi, Jeannie", "How are you, Jeannie?" Do you remember that scene from *The Graduate* when he goes into the hotel with Mrs. Robinson's daughter and the porters and other people are saying, "Hello, hello"? I thought to myself, "Why are they all saying 'hello' to me?" Then I suddenly thought, "I am the President. Oh, right! I am the President." It took me a few days to realise that I was actually the President!

I would like to say a personal thanks to Frances and Kay who have been such a supportive double act. They have completely kept my chin out of the water when it has been going down a few times. I would like personally to say, Frances and Kay, thank you for everything. You have kept me afloat. Thank you very much indeed.

Thank you to the TUC staff. They are just so supportive. My every need in terms of discharging the role of Chair has been met. They respond so quickly. They are so committed and the quality of their work is superb. I am not going to single out individual ones because, by implication, that means I am not complimenting the others, and all of the staff at the TUC are fantastic.

I have had a great time chairing the General Council. They have been fun. They are quite fun, you know. They are a nice crowd and they are actually passionate about things. I know they are referred to as the bureaucracy, or this, that or the other,

but they are a group of people who care with passion and speak with passion. They do not go into Congress House and suddenly change. They remain passionate and committed people.

However, we do have huge challenges still to come. The biggest must be to recruit and grow. There are millions and millions of workers out *there* in the private sector whom we have to recruit. We must shout louder about our successes. Being the trade union Movement, we tend to spend more energy on criticising each other than going out *there* and telling the world and the workers what we are good at, where we have succeeded and what we have achieved for them. We need to leverage our influence politically and industrially for workers because, as the logo says, we are “Stronger together”. We have to set out our course. We have a clear sense of direction, something that perhaps many of us are thinking is lacking in the United States, the most powerful economy in the world in 2005.

However, it is clear they did not have a very good sense of direction in 1995 either because I recently genuinely came across a transcript of the actual radio conversation between a US naval ship and the Canadian authorities off the coast of Newfoundland in October 1995 released by the Chief of Naval Operations. It reads: *"Canadians: Please divert your course 15 degrees to the south to avoid a collision. Americans: Recommend you divert your course 15 degrees to the north. Canadians: Negative. You will have to divert your course 15 degrees to the south to avoid a collision. Americans: This is the Captain of a US Navy ship. I say divert your course. Canadians: No. I say again, divert your course. Americans: This is the aircraft carrier USS Lincoln, the second biggest ship in the United States Atlantic Fleet. We are accompanied by three destroyers, three cruisers and numerous support vessels. I demand that you change your course 15 degrees north, that is 1-5 degrees*

north, or countermeasures will be taken to ensure the safety of this ship. Canadians: Well, we're a lighthouse. It's your call."

Unlike the American Navy on that occasion, we know exactly where we are going. We know exactly what our sense of direction is. We just have to have the will to get there.

Finally, I thank my own union, the CWU. They have been nominating me for nearly 18 years. I would not even be here without their nomination. They are a great crowd of people. I will be really pleased to get back there on Friday morning. They have been sending me notes all week, wishing me well. The best one, I have to say -- I have kept it -- says: *"There are three great women leaders in this hall. Two of them are sitting in the CWU delegation. Love Jeannie and Andrea."* I thought that was pretty good!

The bell is great. I am so pleased with the fact -- I had not realised, guys and girls -- that it has "CWU" on it. Anyway, best of luck, Gloria. As I said, if you enjoy it half as much as I did, you will have a ball. Thank you.

I have finally blown it - I threw my script away! Now I call on the General Secretary.

Vote of Thanks to the Media

Brendan Barber (*General Secretary*) said:

Thank you, Jeannie. As colleagues will know, it is traditional for the General Secretary at the end of Congress to move the final item of business, and that is our vote of thanks to the media. I wanted to begin by just a personal word of thanks to the *Daily Telegraph* journalist who got the week off to a very good start for me by

describing me as "Chief Sitting Duck".

Thanks, too, to *The Times* leader writer this morning who in a rather condescending and patronising way said that I was "often sensible". Well, to *The Times*, I have one thing to say: (*Used bottom lip to make a noise*) (*Laughter amidst applause*) So I am beginning to think again about the motion heard yesterday opposing censorship!

It has been a good week for trade unionists. We have shown unity in our support for fairer rights at work; unity in our strong support for the Gate Gourmet workers; unity on pensions and unity in our response to the London bombings and in our opposition both to terrorism and racism. However, I fear that a good week for us is not necessarily a good week for the media. Those journalists who have been with us during the week have struggled to get a word in edgeways between the Ashes coming home and petrol prices going up. If truth is told, we probably gave our cause no help by beating the journalists at cricket last Saturday. Taking their ball home, you might expect, but I fear some took their pens as well! So we will have to give our own report on the week.

I would like very much to echo Sofi's words. Jeannie has been an absolutely smashing President. She is a great advert for her Union and a wonderful role model for young women activists who are looking to make their mark in the trade union Movement.

No one who knows Jeannie would be surprised by the way she has chaired Congress with great consideration for delegates, a real intelligent appreciation of the debates and never once losing her cool or composure. She has displayed all that legendary impartiality that you would expect from a Congress Chair. All delegates are equal; it is just that women delegates and those from the CWU are just a bit more

equal than others!

Jeannie has been a real joy to work with. Certainly everyone in the TUC is very much looking forward to working with Gloria as she assumes her new responsibilities as President. She is the first black woman President of the TUC. That is a rather special day. (*Applause*)

There have been just one or two hiccups; the question of observance of the lights, for example. Not everyone has clearly come to a halt when the red light has flashed. There have been a number of excuses offered. I would like to share a couple of them with you. Paul Kenny said that he actually did not see the red light. Well, that might be good enough for the Metropolitan Police, Paul, but the GPC I do not think will be so indulgent! Ruth Winters came up with the rather novel explanation that FBU minutes were allowed to pass red lights in cases of emergency. But, Ruth, it was a composite you were moving, not an emergency! The broadcasting unions assured us that in their jobs a red light meant you were on air, so you should start speaking, not stop!

However, for all of you who have been tempted to go on too long -- that might include me at the moment -- let me remind you that, just as it was last year, it has been the non-speaking parts that have really stolen the show at Congress this week. I have already mentioned the Gate Gourmet workers who were in the balcony on Monday. We also had the lay rep award winners and, of course, the emergency service workers who came together with us to remember the victims of the London bombings and whose quiet dignity impressed us all. I do not think that particular session of Congress had a single word of coverage, but for me it was probably the most special moment of the week. (*Applause*)

I got the impression that the highlight of Jeannie's week was the photocall

with the non-speaking footballers, of course, followed by the letter from Nelson Mandela. So, remember, next year, the secret of success at Congress is ... Shh. That is, of course, if we are all here next year! I was rather taken by an idea from a BECTU delegate yesterday that we should move from a real Congress to a virtual one. It is an idea that we are already now working on. I think we can cover the formal Congress business pretty easily. It is the receptions and the entertainment union's party that might be a bit more of a problem! On balance, maybe we had better all come together again next year after all!

I hope it has been a great week for you all. Even more importantly, I hope we all go away from Brighton encouraged and inspired to do even more to make life better for the millions of working people who depend so critically on our efforts. I move the Vote of Thanks to the media. (*Applause*)

The President: I now call on Andy Taylor of the industrial correspondents to reply on behalf of the media. (*Applause*)

Andy Taylor (*Industrial Correspondents Group*) said: I have only been employment correspondent at the *Financial Times* for about six months, so I am very much the new boy on the press benches, which is probably why they have asked me to propose this Vote of Thanks because I have not had time to alienate anybody yet!

I am very honoured to have been asked to reply to Brendan's remarks. This, as I have said, is my first TUC annual conference and it has been a fascinating week: fire alarms in the hotel and false alarms in the conference hall. You see, I have been watching how Government ministers handle their speech-making and trying to pick up a few hints as to how to do this. The first thing you do from my observations is

you send in special advisers in advance to spell out the kind of tough approach you expect to take towards the unions on issues such as raising the state pension age and sympathetic industrial action, et cetera. Then you arrive in the hall and you make a very different speech, with only obscure references to the issues your team has previously raised, mostly praising the unions for their help and support and stressing the vital role they play in protecting society.

I must apologise here because I do not have a proper handle on this yet. I am afraid I have not managed to complete the first part with the special advisers. Therefore, I am going to have to stick to the bit about thanking and praising the unions, on behalf of all the media, for their hospitality, help and guidance throughout the week.

Although I have only been doing this particular job for six months, I do have previous experience of the generous hospitality of trades unionists. My first job as a journalist 36 years ago was for a dockers' newspaper in east London. One of my first assignments was to go for an interview with shop stewards in the old India/Millwall docks.

The stewards decided to take me to a local pub. They must have liked me because they kept buying me lots of alcohol. The more I drank, the more, shall we say, I became conversational. They must have liked my wit and wisdom because they decided it was too good to keep for themselves alone and they decided they should share it. So they paid for a taxi to take me back to the office with a little bit of extra money for the driver just to ensure he took me personally into the presence of my editor. Having seen some of my colleagues returning to their hotels, I can inform you that trade union hospitality has lost none of its potency. Should those same shop stewards be out there somewhere, I will find you, I can assure you!

After leaving the *Port* newspaper, I joined the *Coventry Evening Telegraph* in the early years of the 1970s where, as a very young and callow industrial reporter, I came into contact with some really helpful trade unionists when I was trying to understand the complexities of industrial relations. Two names stand out. The first is Bill Lapworth of the Transport and General Workers', who had such a hard act to follow in Jack Jones. Bill did that with great skill and integrity. The second is Frank Chater of the then AUEW, an equally dedicated trade unionist and a great help to me.

So it is with trade unionists like these in mind and the new friendships and relationships I am now forging that I am particularly honoured to pay this Vote of Thanks to the trade union Movement, and the TUC in particular, for being such generous and helpful hosts. General Secretaries, senior officials and shop stewards have been generous with their time and patience at a host of briefings during the week. The social events, judging by the appearance of my colleagues, have been as entertaining as ever! Again, many thanks.

However, I would like at this point to pay particular thanks to the back room staff who have made this conference so successful; the people who have handled our accreditations, et cetera, and particularly the press officers of the TUC and other unions who have worked tirelessly to ensure that we all have the information and analysis that we need in time to meet our deadlines. As ever, we have had a great service. To all the other hundreds of TUC and trade union staff who have made our stay so comfortable and doing our work so easy, I also say thank you.

When I left the *Coventry Evening Telegraph* in 1976, I joined the *Financial Times* in the hope of becoming part of their Labour team. It has taken me 29 years, but it is nice to be here. Thank you very much. (*Applause*)

The President: Thank you, Andy, for that excellent reply.

I now finally declare the 137th Congress closed and ask you to join with me in singing *Old Lang Syne*.

Congress joined in singing Auld Lang Syne

