

Lobbying for good

Case study of UK gangmasters

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Case Study

- **Gangmasters in the UK** - What is the problem?
Why change the law?
- **The Temporary Labour Working Group** - what was its strategy for change, what did it do?
- **End results and learning**

Ruthless gangmasters and £14 a day – how an army of immigrant workers puts food on your plate



Two miles outside Evesham, above a hand-painted sign touting cider and home-made jam, a cat sleeps on a stone gatepost. It doesn't even open an eye as a wren flits just inches past its head. The countryside buzzes. It's England in summer.

Suddenly, from behind a high hawthorn hedge, the guttural bark of Iraqi Kurds tears the tranquillity of the Worcestershire day.

Around the corner of the quiet road lies a sun-baked field packed with Sikhs, Kurds and Poles. Robes and turbans and bared eastern European torsos move along the rows.

Thirty or so pickers are stripping a

the edge of the field, two battered white minibuses stand empty. It looks like a tea plantation on the other side of the world.

The man in charge is leaning on the side of the truck. Cool in the shade, he's smoking and appears to be the only idle person in a field of industry. He beckons us to come over. Immaculate in a pressed cream silk shirt, his dark curls slicked back, he's more nightclub owner than

can speak, a harassed-looking young white man has arrived from the middle of the field. He's holding a clipboard, frowning and sweating. He is Alex and describes himself as 'Bomfords' assistant legume manager'.

Bomfords is the biggest producer in these parts. Big on peas, broad beans – in fact, they grow everything.

And how can he help? He is, he says.

SPECIAL INVESTIGATION

by Olivia Stewart-Liberty
and Sarah Oliver

What is the problem?

- Widespread and severe exploitation of temporary workers in the food chain
- Growing influence of organised crime
- Lack of effective controls on gangmasters/weak law enforcement
- Bad businesses drives out the good
- Identifying the good employers - subcontracting
- The situation is bad and its getting worse

Why change the law?

- Voluntary measures (codes) had failed to address the problem
- The existing law enforcement effort weak, not focussed labour issues.
- Industry and unions overwhelmingly in favour of a national licensing and registration scheme for gangmasters.

Building an alliance - the TLWG

- **Retailers** - Asda, Co-op, M&S, Tesco, Sainsbury, Somerfield, Morrisons, Waitrose
- **Food manufactures** - Premier Foods
- **Packers, Wholesalers, Importers** - Fresh Produce Consortium, Mack Multiples
- **Growers** - National Farmers Union
- **Gangmasters** - Association of Labour Providers
- **Trade Unions** TUC, TGWU
- **Government** DEFRA, DWP, HSE, Home Office

TLWG's twin-track strategy

- 1. Seek new statutory measures** that (i) oblige employers to demonstrate that they are respecting workers rights and (ii) make existing law enforcement more effective.
- 2. Develop voluntary multi-stakeholder code** that (i) generates more commercial pressure for gangmasters and their customers to respect workers rights and improve conditions (ii) identifies best approaches prior to regulation.

A staged approach to legal controls

- Form TLWG Alliance, define common agenda (2002)
- Lobby government departments - agree to test value of voluntary industry approach (2003)
- Develop code, test in field trials, report results (2003/04)
- Introduction of Gangmasters Licensing Bill (Jan 2004)
- Morecambe Bay tragedy - 23 workers die (Feb 2004)
- Lobby ministers parliamentarians led by TGWU (Jan-July)
- Gangmasters Licensing Act (July 2004)

Gangmasters (licensing) Act

- Employer must have a licence to operate
- A public register of licensed operators
- New regulatory body - Gangmasters Licensing Authority
- Supported by new offences and sanctions
- Co-ordination of previously disparate enforcement agencies

Other achievements

- A code of practice for labour providers agreed across entire industry.
- Auditors trained, implementation programme now overseen by tri-partite group (for 2005 only)
- Good practice tools for gangmasters and professional support available.
- A professional association for gangmasters

Observations and lessons to date

- A public interest case can be built to tackle abuse of workers
- Broad based alliance was the only way to tackle this problem.
- Voluntary measures most effective when employers are willing to change .
Not sufficient to protect the most vulnerable workers in this sector.
- Limitation of a single industry focus?
- Can trade unions organise temporary and migrant workers in numbers?



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