PARLIAMENTARY DEBATES

COMMITT & CONF

HOUSE OF COMMONS

STANDING COMMITTEE A

EMPLOYMENT OF WOMEN AND YOUNG PERSONS BILL.

OFFICIAL REPORT

THURSDAY, 13th FEBRUARY, 1936

First Day's Proceedings

CONTENTS

Consideration was begun of Clause 1, which authorises the employment of women and young persons in shifts, and several Amendments were disposed of.

The Committee adjourned until Tuesday, 18th February, at 11 a.m.

LONDON

PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE

Can be purchased in the manner indicated on the back of this Wrapper

Price Sixpence Net

HOUSE OF COMMONS

STANDING COMMITTEE A

EMPLOYMENT OF WOMEN AND YOUNG PERSONS BILL

OFFICIAL REPORT

THURSDAY, 13th FEBRUARY, 1936

FIRST DAY'S PROCEEDINGS

The Committee consisted of the following Members:

Milner, Major (*Chairman*).

Acland-Troyte, Lieut.-Colonel (*Tiverton*)
Adamson, Mr. (*Cannock*)
Astor, Mr. (*Fulham, East*)
*Banfield, Mr. (*Wednesbury*)
Blair, Sir Reginald (*Hendon*)
Bower, Commander (*Cleveland*)
Braithwaite, Major (*Buckrose*)
*Bromfield, Mr. (*Leek*)
Brooke, Mr. (*Batley and Morley*)
*Cartland, Mr. (*Birmingham, King's Norton*)
Cary, Mr. (*Eccles*)
Cayzer, Sir Charles (*Chester*)
Channon, Mr. (*Southend-on-Sea*)
Chapman, Mr. (*Rutherglen*)
*Chapman, Sir Samuel (*Edinburgh, South*)
*Chater, Mr. (*Bethnal Green, North-East*)
Crowder, Mr. (*Finchley*)
Davies, Mr. Rhys (*Westhoughton*)
Despencer-Robertson, Major (*Salisbury*)
Duggan, Mr. (*Acton*)
Dunne, Mr. Philip (*Stalybridge and Hyde*)
Eckersley, Mr. (*Manchester, Exchange*)
*Fremantle, Sir Francis (*St. Albans*)
Furness, Mr. (*Sunderland*)
*George, Miss Lloyd (*Anglesea*)
*Granville, Mr. (*Eye*)
Hannah, Mr. (*Bilston*)
Haslam, Mr. (*Horncastle*)
*Hollins, Mr. (*Hanley*)
*Horsbrugh, Miss (*Dundee*)
*Howitt, Dr. (*Reading*)
Jagger, Mr. (*Manchester, Clayton*)
James, Wing-Commander (*Wellingborough*)
Kelly, Mr. (*Rochdale*)
Kirby, Mr. (*Liverpool, Everton*)
Leckie, Mr. (*Walsall*)
*Little, Sir Ernest Graham- (*London University*)
*Lloyd, Mr. (*Birmingham, Ladywood*)
Lovat-Fraser, Mr. (*Lichfield*)
*McGhee, Mr. (*Penistone*)
Maitland, Mr. (*Faversham*)
*Makins, Brigadier-General (*Knutsford*)
*Mayhew, Lieut.-Colonel (*East Ham, North*)
*Palmer, Mr. (*Winchester*)
*Pickthorn, Mr. (*Cambridge University*)
Pilkington, Mr. (*Widnes*)
Ponsonby, Colonel (*Sevenoaks*)
*Rathbone, Miss (*Combined English Universities*)
Reid, Captain Cunningham- (*St. Marylebone*)
Riley, Mr. (*Dewsbury*)
Roberts, Mr. Wilfrid (*Cumberland, Northern*)
Samuel, Mr. Marcus (*Putney*)
Seely, Sir Hugh (*Berwick-on-Tweed*)
*Simon, Secretary Sir John (*Spen Valley*)
*Somerville, Mr. Annesley (*Windsor*)
Stewart, Mr. William Joseph (*Houghton-le-Spring*)
*Tate, Mrs. (*Frome*)
*Taylor, Mr. Charles (*Eastbourne*)
Turton, Mr. (*Thirsk and Malton*)
*Walker-Smith, Sir Jonah (*Barrow-in-Furness*)
Ward, Miss (*Wallsend*)
Wells, Mr. (*Bedford*)
*Wilkinson, Miss (*Jarrow*)
Wilson, Mr. (*Sheffield, Attercliffe*)
Woods, Mr. (*Finsbury*)

* Added in respect of the Employment of Women and Young Persons Bill.

MR. LOCKTON, MR. ODLING } *Committee Clerks.*

EMPLOYMENT OF WOMEN AND YOUNG PERSONS BILL.

STANDING COMMITTEE A.

[OFFICIAL REPORT.]

Thursday, 13th February, 1936.

[Major MILNER in the Chair.]

The CHAIRMAN: It might be for the convenience of the Committee if we first decided on the dates and times of our sittings. I should like to suggest that we sit, as is usual, on Tuesday and Thursday mornings at 11 o'clock. If the Committee is agreed, we will sit on those days. Then I should like the Committee to know that I do not propose to accept manuscript Amendments except in very exceptional cases. Otherwise, it is a little unfair on the Chairman, the officials, and Members of the Committee.

Mr. KELLY: Something may arise in discussion which has not been clear to anyone prior to that moment. I do not know if you would look on that as an exceptional circumstance. We might find it necessary to put in a manuscript Amendment.

The CHAIRMAN: The hon. Member may rely on my fairly considering the matter when it occurs.

Mr. RHYS DAVIES: Every time the Chairman is willing to accept a manuscript Amendment from the Government which he deems of importance, we shall claim equal rights.

The SECRETARY of STATE for the HOME DEPARTMENT (Sir John Simon): I suppose it will not be a matter of where the Amendment comes from, but what are the merits or excuses of its being in manuscript form.

The CHAIRMAN: That will be so.

CLAUSE 1.—(*Employment of women and young persons in shifts.*)

Mr. KELLY: I beg to move, in page 1, line 6, after the second "the," to insert "joint."

This would make the Clause read:

"The Secretary of State may, upon the joint application of the occupier of any factory or workshop".

It certainly is time that it was realised that it is not only the people who have invested money in a concern who have the greatest interest in it and have a right to say something with regard to the conditions operating in the industry. The workpeople have invested all their capital in the concern—their labour. We have had the position that the only people making the application are the employers or those on the managerial side. They know a good deal about the industry, but those who are employed in it know quite as much about the concern, particularly its method of production, as the management. It is amazing that in the year 1936 we should suggest that, when a firm is desirous of engaging upon the two-shift system, there should be but one section of the industry, and that not the largest section, which will make the application. I am asking that it should be a joint application. In many cases it would be the trade union. I ask that this, which has been something of a hardship and an injustice in the past, shall be remedied by the workpeople having an opportunity of joining in the application.

The UNDER-SECRETARY of STATE for the HOME DEPARTMENT (Mr. Lloyd): Broadly speaking, we regard this Amendment as being inspired by a misunderstanding of the effect of the Clause. The Amendment would restore the wording in the Act of 1920, in which there is no provision, beyond a joint application by the employers and a majority of the workpeople, for making certain that the majority of the workpeople in fact agree to the application. The Home Office have sent factory inspectors to inquire and satisfy themselves whether a majority of the workers have agreed, but they have done it as a matter of administration and not in pursuance of any statutory requirement. We have had a Departmental Committee, one of whose duties was to see whether the arrangements under the existing Act could not be improved. They have reported, and this Bill is based upon their report. They recommended, and Clause 1 provides, that there should be a definite procedure for ascertaining the

[Mr. Lloyd.]

workers' views, and the Secretary of State must be satisfied that this procedure has been followed and the majority of the workers, in fact, agree. It is recognised in the Clause that there are clearly two interests concerned, the employers and the workers, and under it the employers' desire to work the system is signified by an application to the Department, and the workers' views are to be ascertained by the procedure definitely described under Clause 1 (2). If a Government Amendment is accepted later on, a secret ballot would form part of that procedure. The effect of the Clause is to substitute for the simple joint application and informal consultation of the workpeople, a much more definite, elaborate, and formidable procedure which makes much more sure of the essential jointness of the readiness of the employers and the workpeople to work the system than at present. It is for that reason that we ask the Committee not to accept the Amendment. Although the present system may be said to have worked not badly, it might be criticised as being rather a rough and ready provision in the Act of Parliament, and the present proposals are designed to make it much more watertight, with many more safeguards, and to make sure that both employers and workpeople are prepared to work the system.

Mr. RHYS DAVIES: I am sure the hon. Gentleman is not expecting us to be moved by those arguments. Let me trace the main facts connected with this business. This system was brought into operation in 1920, and the Act itself says it would finish in five years. This provision was carried on annually within the Expiring Laws Continuance Bill, and then the Committee was appointed to consider whether it should be made permanent or not. Here we have the Bill to make it permanent, and the hon. Gentleman now says the Act was wrong because it stated definitely that no application should be considered unless it was a joint one. He cannot tell us that he and the Home Secretary are more clever than those who were in power in 1920. The weakness of his argument is this: He says the application in the first place shall be made by the owner of the factory, and then the workpeople are to be consulted. Once the employer tells the workpeople that the application is made, how on earth can they be asked to vote without being affected by the employers' application? Once the application is made, the thing is done, and he will see to it that the secret ballot of the workpeople will be quite in order and there will be 100 per cent. in favour of the application that he has made.

The hon. Gentleman must come down a little lower than that to the actual facts. What we really want is that the workpeople's rights shall be safeguarded and that the employers shall not be in a better position than they are. If members of his family are working in the office, they do not work on the two-shift system. They will come down at nine o'clock, have an hour and a half for lunch and a cup of tea at three o'clock, and finish at half past four; and then they make an application that 100 or 200 of their workpeople shall work the two-shift system. We are not going to have this argument, and we shall vote for our Amendment.

Mr. BANFIELD: I am rather of the opinion, from my own personal experience, that a joint application would make for far smoother working of the Act. It is obvious that, if the workmen were consulted and the application were made jointly, the employer would already have taken the workpeople into his confidence, and they would have discussed it and said among themselves, "There is so much more work to be done, and it is in the interest of the firm." The majority of workmen are very jealous of the prestige and interest of the firm for which they work. They are never inclined to take an unreasonable attitude. If it were a joint application, the workpeople would know all about it from the commencement, and I am positive that there would be far less friction. I cannot see what anyone has to lose, either the employers, the department, or the workpeople, if the Amendment is accepted. I am satisfied that it would make for smoother working, and it would prevent friction and trouble and unrest in the shops.

Miss RATHBONE: I do not rise to express an opinion, because I have still an open mind about the Amendment, but I should like to ask two questions. I should like to know what is the actual significance of the phrase "workpeople concerned." Does it mean that all the

people in the workshop or factory would be consulted, or only those directly affected, and what will happen if those directly affected, the women and young people, want the two-shift system, but the majority of all the workpeople, if they are consulted, are against it? Are the young persons consulted as well as the women?

The second point which occurs to me as a newcomer to the subject is, that in the explanation which the hon. Member has given of the present practice, really both safeguards are in existence. I gather from him that in the 1920 Act the wording is to the effect that there has been a joint application, so that there is a formal application, and it is supplemented by private inquiry by the factory inspector. That would appear to be a safer procedure, because there are two things: There are the formal application and the private inquiry. If there is to be a private inquiry only, as suggested in the Bill, one would like to hear a little more how the Home Secretary satisfies himself. If an inspector merely holds a sort of general conversation on the subject, a certain kind of bias may unintentionally creep in, and there is not much safeguard for impartiality and uniformity of method. You might have an inspector on one occasion with leanings against the two-shift system reporting in one way about the wishes of the workers, and another district inspector, with a slightly different outlook, reporting in favour of it. Who are the workpeople concerned? Are they the women and young persons actually affected or the whole of the people employed? What is the objection to having the joint application, which has worked, apparently, pretty smoothly in the past after formal application, supplemented with the practice, as to which the Secretary of State has to satisfy himself?

Mr. WILSON: Supposing the employés desire to have the change made, are they precluded from doing so by the Clause as it stands?

Miss HORSBRUGH: I have listened with interest to the points which have been put, and I think that we are all agreed that the workpeople should really have a voice and that there should be no intimidation at all. We are all agreed also that we should find out the best method. The hon. Member for Westhoughton (Mr. Rhys Davies) inferred that the employers might bring intimidation to bear upon the workpeople in regard to the two-shift system and that the latter might not really give their opinion.

Mr. RHYS DAVIES: Really the word "intimidation" is not necessary for my purpose. There are other means than intimidation.

Miss HORSBRUGH: Perhaps too much influence, but the result would be that the workpeople would really not be expressing their opinion, and we all want them to have a chance of doing so. If there is to be joint application, it is suggested that they will have some chance of expressing their opinion, that there will be less chance of undue influence. It was said by an hon. Member that if conversation took place before the application was made, it would do away with a great deal of friction. I should like to know the difference between the conversation which the hon. Member suggested between employers and employés, and what the hon. Member for Westhoughton seemed to think was not a good plan—the possibility of some employers bringing influence to bear upon the workpeople. It would seem that there would be more chance of employés expressing their opinion, if an application was made and the employers had not in any way stated their case one way or the other, if a secret ballot was held and they voted definitely for or against. I think that there would be more feeling that they were being influenced by employers if a consultation had to take place before the application was made. They would be more free to state their opinion if they were not in any way influenced before the application was made and their opinion was simply ascertained by secret ballot.

Sir J. SIMON: I ought to say a word or two, because one or two questions have been asked. I find myself very largely in agreement with the views expressed by the hon. Member for Dundee (Miss Horsbrugh). I would like the Committee to understand that, as far as the Home Office are concerned, all that we are trying to do it to make a good Bill of this Measure with the help and advice of this unanimous Committee. There is no desire or intention at all to weight the

[Sir J. Simon.]
scales in favour of one side rather than the other. A good deal of the discussion on the Amendment is therefore, to some of us, rather like shadow fighting. The essence of this whole plan is, under the existing law, on the recommendations of the Committee, and under this new Bill, that the system of the double shift shall only be introduced with the approval of both parties concerned. That is obvious. The point is that up to the present the law has been in a very imperfect condition, because it has provided for a joint application, but it has really made no provision to secure that on the side of the workpeople really and truly their judgment, opinion, and wishes did go with the change. You cannot find a word in the present law from beginning to end which says anything of the kind. I am sure that the hon. Member for Rochdale (Mr. Kelly) appreciates the point which I am making. He said most frankly that he is not in favour of the thing, but all of us look at it impartially. That is the fact.

If the Bill passes, we intend to see whether we cannot put the law upon a clearer basis. We shall have a number of very disputable points to discuss. One of the things we propose to do, if it is the view of the Committee, is to secure that in future the assent of the workpeople concerned shall be ascertained by a method which will really be satisfactory, and there cannot be a better method than the secret ballot. Therefore, we intend to make the scheme of joint approval more definite and watertight than it was before. You cannot begin the whole procedure without a secret ballot. Nobody suggests that. Therefore, the question is really whether that is to be the method—the occupier of the factory applying on his side, and, before anything whatever is authorised or done, the approval of the workpeople concerned ascertained by proper machinery on the other. Is it desirable, in addition to all that, to say that before the authorities of the Home Office are ever approached there must have been, by some means or other, a view expressed by the workpeople concerned? I sympathise with those who say that that is not really the best way to secure what we all want to secure—perfect fairness in the working of the scheme. We do not want to have a method by which the employer, it may be by very informal ways which, I think, the hon. Member opposite would not call intimidation, but by influence, gets from a certain number of his people, a sort of approval which is bound, once they give it at the beginning, to influence their ultimate choice. It may be that once they had heard more about it, they might change their minds. It is very unreasonable that they should be rushed into this application and then find that they were in some way committed.

Our object at the Home Office is to secure that there shall really be, in the most impartial way that we can possibly do it, a verdict returned by secret ballot from the workpeople concerned, who, as a matter of fact, can only do that effectively when they have the scheme before them. For example, I do not think that anybody will dispute that when His Majesty's factory inspectors in this matter investigate these things, they are really trying, to the best of their ability, to do the thing in the interests of the workpeople as well as of industry. But some of the questions which will arise will be, "What are your welfare arrangements?", "What are the hours you are proposing?" and quite a number of other details. Surely it is much better that the workpeople concerned should have an opportunity either of vetoing the thing, or, if they prefer it, of approving of it when the scheme is put fully and fairly before them.

It is for that reason that the Chief Inspector of Factories and the other ladies and gentlemen who serve us all so impartially, and whom nobody will accuse of being biased, have urged that this is really the better system. Some hon. Members opposite claim, quite naturally, that they speak with some special knowledge of industrial conditions, but, with great respect to them, they do not speak with any greater knowledge of those conditions than do His Majesty's factory inspectors. Members are spending their time here as Members of Parliament, and the factory inspectors are spending their time day by day in actual contact with the work. I hope, therefore, that the Committee will support the view expressed in te Bill, which is not designed to play any sort of trick on behalf of anybody, but is the beginning of what we believe to be a better system for securing the approval of both sides. I recognise

the authority with which the hon. Member for Wednesday (Mr. Banfield) speaks, but we are now trying to devise a better scheme, and I trust that on reflection he too, when the time comes, will feel that that is so.

The hon. Member for the English Universities (Miss Rathbone) asked a question which is not immediately perhaps related to the Amendment, but it very naturally suggests itself here, as to what is meant by "workpeople concerned." The answer is that there are cases in which this application and the secret ballot would only apply to a section of the workers. It may be that only one portion or one shop or set of shops in a firm is involved, and in that case it will be the workpeople directly concerned who will be consulted. If, on the other hand, it is a class of application which affects the works as a whole, the workpeople concerned are the larger body. In either event all the people concerned are consulted.

Mr. KELLY: I am rather sorry that the right hon. Gentleman has brought into the arena the question of the knowledge of the factory inspectors. I do not wish to refer to people who cannot get up and answer me, and that is the position when one refers to officials of the Government Departments. I submit to the right hon. Gentleman that he has never asked his factory inspectors to have knowledge of the methods of production and to know whether or not a two-shift system or a day-working system is the right one for the people to engage upon. It is not part of the factory inspector's duty. What has happened with regard to this joint application has been that all those who represented the workpeople and could speak for them and put their own point of view have, by Home Office decision since 1920, been refused the opportunity. Even the Joint Industrial Council, the darlings of the Government, throughout the country refuse to allow them to take part in it. The practice in regard to a joint application has been that somebody in the works has gone round and asked a few people if they would mind acquainting either the factory inspector or somebody else that they wished to join in an application. On no occasion have the Joint Industrial Council been allowed to consider it, although that council deals with hours and conditions of work.

The Home Office say that they will not allow a joint application to be made on behalf of the workpeople. What is to happen? The factory inspector will have gone round and have asked first one and then another about the matter. In some factories there will have been a ballot under conditions that certainly would not be accepted by the Home Secretary. What is the position to-day? The Government are striking out the word "joint." When the employers and the workpeople are coming closer together in order to make an arrangement for working conditions, and when they are sitting down together to make an arrangement as to the period, the Government propose to cut out the word "joint," so that it will not be left to the workpeople to have a voice and to know that someone is there to protect their interests, if need be, other than the Home Office. We cannot understand why the Government are striking out "joint." It would appear that this two-shift system is not going to be temporary; it may be a permanent method of production in some factories. The Government are taking to themselves the power, when this Bill becomes an Act, to continue the system without any further ballot.

The application should be a joint one. The hon. Member for Dundee (Miss Horsbrugh) said: "Let the employer make the claim." What about the workpeople? Are we at this time of day, when the workpeople know a great deal more about industry than they did in my younger days, not going to allow the workers to have a voice in a matter which so vitally concerns them?

Miss HORSBRUGH: There is the ballot.

Mr. KELLY: Yes. In the preliminary consideration when we are dealing with the hours of working and the question of a 48-hour week, the workpeople have to sit down with the employer in regard to any joint application, but when the Home Office come into the business there is to be no joint application. I have not heard one word from the Under-Secretary of State or the Home Secretary that demands that the word "joint" should not be in the Bill, except it be that they are considering the employer's point of view, because the employer does not want to be harassed or troubled before he makes an application by having

[Mr. Kelly.]
to ask his workpeople whether they will join him in an application to the Home Office.

Mr. WILSON: Will the Home Secretary answer my question, whether under the Clause as it stands the workpeople would have no say at all?

Sir J. SIMON: I thought that I had, in effect, answered that question by calling the Committee's attention to the provisions of Clause 1 (2), lines 11 and 12:

"The majority of the workpeople concerned consent to the granting of the application."

We propose to strengthen that by ensuring that that shall be ascertained by a secret ballot. Nothing can happen under this procedure unless it is established that a majority of the workpeople really wish the system to be established.

Mr. WILSON: That reply does not quite answer my point. There may be conditions in a particular factory in which the workpeople might think that it is desirable to make this change, but the view of the employer might not be the same as theirs. There would seem to be no reason why the workpeople should not be put on precisely the same footing as the employer in setting forth their views.

Sir J. SIMON: I think we must recognise the reasonableness of this view. A change of this sort, which involves the complete reorganisation of the use of machinery, hours, and other things, is a change which cannot take place unless the occupier of the factory assents that it should take place. It would be a very impracticable proposal, in the present state of the world, to suggest that a change of that sort should be initiated without his concurrence.

Mr. WOODS: I am at a loss to understand from the arguments put forward why the Government should oppose the Amendment. The Home Secretary has hinted that there may be some suspicion, and I think there is some suspicion justified, not necessarily of the Government, but of the whole process of employment, particularly the shift system as applied to women and young children. We glory in the fact, or I hope we do, whether from the employers or the employés side, that there has been a steady improvement in the conditions of employment. Whoever may claim the credit for that, whether it be due to the influence of progressive employers or the effect of trade unions, there has certainly been a steady improvement, and we are anxious on this side to maintain and continue that improvement, not merely on humanitarian grounds; on humanitarian grounds certainly, but also on the ground of solving our economic problems. The steady shortening of the working week, the raising of the conditions of those engaged in industry, is probably the biggest contribution that we can make immediately towards a general solution of our problems.

The right hon. Gentleman the Home Secretary has referred to the impartiality of the Government. Their impartiality is not expressed in the Bill. If they wanted to be impartial, the first thing that would have entered their minds in drafting the Bill would have been, at least, that they would have wished the application to be made together by the employers and the workpeople. Instead of putting them on an equality, they are proposing to give an exclusive right to one side. In 99 cases out of 100 when such applications are made there may be one person, or at the most a very small group of people, on one side who are interested in profit, while on the other side there may be 100, 200 or 500 people whose lives are involved. On the question of impartiality, I should like to ask the Home Secretary whether the Government are desirous of encouraging or discouraging the shift system as applied to women and young children. It seems to me that there the responsibility of leadership should override the question of impartiality, unless you are going to say, "*Cela ne fait rien;* it does not matter what happens, so long as there is a fair ring." I hope that the Government on this question will decide to place every restriction they can upon the extension of the shift system and that they will approve of the Amendment, so that at the initial stage the workpeople shall be consulted.

The hon. Member for Dundee (Miss Horsbrugh) has suggested that she does not like intimidation or anything that savours of intimidation. That is all to the good. If there is going to be intimidation, I suppose her assumption is that it is better not to come in at the

initial stage but that the employers should be given a start, in order to get permission, and then the intimidation can take place afterwards. We do not want to see intimidation, but we want to see the day arrive when the workpeople are in as strong a position as the employers. It is much easier for the employers to organise, because there are fewer. When they are going to make an application of this kind they can consult their legal advisers and get to know all the ropes. Then they are prepared with all the arguments that are likely to be impressive. They may be told by their legal advisers, "You do not stand any chance with your factory as it is, but we will have a little shadow of a social service system and so forth, and that will impress people."

The employers can have advice, and we want to see the workpeople in the same position; and the only way they can be placed in that position is to organise. It is exceedingly difficult to organise these workpeople. Protestations are frequently made on public platforms by hon. Members opposite about their desire for the welfare of the workpeople. If there is any sincerity in those protestations, they ought to do all they can to induce them, especially the women and young people, to organise so that they can have proper facilities for advice and defence. If the Amendment were carried, it would in the initial stages give a very considerable impetus to trade union organisation among this class of people, who are difficult to organise. Then there would be advice from the beginning and there would be fairness between the employer and the workpeople. I am associated with a concern which is probably the biggest employer of women and young people. They have a very considerable number of works of all kinds all over the country, covering a very wide range, and so far as women and young people are concerned they have not a single factory working on the two-shift system.

I hope the Government will discourage the general application of the shift system. It has been stated that there are only 800 of these authorisations in operation. We want to see a progressive reduction of them. In the House of Common a few days ago we had a situation put before us of the difficulty of certain shipping firms in maintaining a decent standard of employment. It was stated that they had had to reduce their standard because of being under-cut.

The CHAIRMAN: I do not think the hon. Member ought to go into that question.

Mr. WOODS: It was only an illustration.

The CHAIRMAN: Perhaps the hon. Member will keep closer to the Amendment.

Mr. WOODS: What happens when you are under-cut? It intensifies the strain on the employé, irrespective of the question of wages. It makes it very difficult for firms definitely to maintain a proper standard. I hope the Government will realise the pressure which the two-shift system involves upon the workpeople and that they will not encourage it. We want to maintain a progressive improvement of the conditions of the workpeople, and we say that the shift system is a resurrection of the principle which was applied in the bad old days. We see it coming in in other countries where such a system is applied, and we want to discourage such conditions here and to give the workpeople a regular, fixed working period so that they know where they are and have some control through their organisations with regard to hours of employment. The Amendment would tend to reduce the number of applications and make it easier for the Home Office to decide whether they should be granted.

Sir JONAH WALKER-SMITH: A desire to advance the interests of the workers is not peculiar to any one party. We can all claim to have that at heart. If the word "joint" was introduced, it would mean nothing in the nature of intimidation but might very well be an additional source of irritation and friction in the initial stages, which would be undesirable. After all, this is merely a method of initiating certain complicated machinery. I am all in favour of joint action and joint control by employers and operatives, having had a great deal to do with an industry which has perfected joint machinery to such an extent that it is hoped by both sides that it might be a model; and if the Amendment would be of the slightest use to the operatives, I should support it. But I think

[Sir J. Walker-Smith.]
it would be a source of irritation, friction and obstruction in the early stages. We must either leave matters of this kind to the joint determination of operatives and employers, or permit the intervention of Government and Government Departments. The policy which I favour is that of leaving them entirely to the determination of those specially and particularly concerned in the industry, without permitting the intervention of a Government Department. But we have gone beyond that, and the Government have a certain control under the Bill. That cannot be helped. I am afraid that once the Government intervene, as they are intending to do under this Bill, it will drive employers and operatives further and further apart, each trying to get the favour of the Government Department, which is the judge. When a matter is left entirely to employers and operatives, with no Government Department to intervene, they tend to draw closer together, and that is very much better. In this case it is merely for the purpose of initiating the complicated machinery under the Bill, and someone must initiate it. Therefore, I think that joint action is unnecessary.

Mr. HOLLINS: The Home Secretary has said that there is machinery in the Bill for ascertaining the opinion of the workers and that the word "joint" is not necessary. My experience of the Home Office is that if you make out a prima facie case, they say that they will give it consideration. I think that a joint application gives the Home Office some guarantee that it is a substantial application. There is such a thing as caprice among employers, and the Home Office might be engaged in finding out whether an application from some unknown person or a little firm was genuine or not. I think that there should be some guarantee that it is a genuine application, and that this can be assured by the word "joint."

Question put, "That the word 'joint' be there inserted."

The Committee divided: Ayes, 19; Noes, 29.

Division No. 1.] **AYES.**

Adamson, W. M.	Hollins, A.	Riley, B.
Banfield, J. W.	Jagger, J.	Roberts, W. (Cumberland, N.)
Bromfield, W.	Kelly, W. T.	Seely, Sir H. M.
Brooke, W.	Kirby, B. V.	Stewart, William J. (Belfast, S.)
Chater, D	McGhee, H. G.	Wilson, C. H. (Attercliffe)
Davies, R. J. (Westhoughton)	Rathbone, Eleanor (English Univ's.)	Woods, G. S. (Finsbury)
Hannah, I. C.		

NOES.

Astor, Hon. W. W. (Fulham, E.)	Fremantle, Sir F. E.	Pickthorn, K. W. M.
Bower, Comdr. R. T.	Horsbrugh, Florence	Pilkington, R.
Cartland, J. R. H.	Howitt, Dr. A. B.	Ponsonby, Col. C. E.
Cayzer, Sir C. W. (City of Chester)	James, Wing-Commander A. W.	Samuel, M. R. A. (Putney)
Channon, H.	Leckie, J. A.	Simon, Rt. Hon. Sir J. A.
Chapman, A. (Rutherglen)	Lloyd, G. W.	Somerville, A. A. (Windsor)
Crowder, J. F. E.	Maitland, A.	Tate, Mavis C.
Duggan, H. J.	Makins, Brig.-Gen. E.	Taylor, C. S. (Eastbourne)
Dunne, P. R. R.	Mayhew, Lt.-Col. J.	Walker-Smith, Sir J.
Eckersley, P. T.	Palmer, G. E. H.	

Mr. RHYS DAVIES: I beg to move, in page 1, line 7, after "workshop," to insert:

"and after consultation with an advisory committee consisting of representatives of employers and workpeople to be appointed by the Secretary of State."

The Home Secretary will agree that we are raising one of the most important points connected with this small but important Measure. We propose to set up an advisory committee to have oversight of the administration and granting of these applications. In their recommendation No. 13, the Departmental Committee which inquired into this problem say:

"It would be advantageous if a standing advisory committee could be constituted by the Secretary of State composed of leading representatives of employers and workers who could be consulted as occasion arises on questions of importance in connection with the application and operation of the two-shift system."

The Home Secretary will probably say that they are going to do this but do not want it inserted in the Bill.

Sir J. SIMON: I shall say something else—that the recommendation certainly

does not mean that every single application made under the Bill should be brought before an advisory committee. The advisory committee is to advise on matters of importance but not to manage the details of every application.

Mr. DAVIES: No, and I should not give an advisory committee any right which should be vested in the Home Office. The right hon. Gentleman wants to carry my argument to his own point of view, and I am not going to allow him to do that. The right hon. Gentleman will say that he is not going to put this in the Bill and that we must rely upon the Government of the day doing the right thing and setting up an advisory committee. I am not going to say that I have no faith in the Home Office. I have, but, quite frankly, the current of politics in this country has shaken my faith in Ministers. My faith in indeed very weak in certain types of Ministers. When the Home Secretary says that the words should not be inserted because we should leave it to the Government of their one volition, I would point out to him that there are provisions in Acts of Parliament which have been ignored by the Government. Such a point was raised only last night. An Act of Parliament directed that something should be done, and the Government are not doing it. If that is the case with provisions in an Act of Parliament, how can we have faith that the present Government will set up an advisory committee or in the type of committee they will set up?

Again, there are in the present Government representatives of what is called National Labour. Suppose that the Home Office set up an advisory committee on which labour was represented, what type of labour would be set up on this committee? Apart from anything which may have annoyed the Home Secretary at the commencement of our proceedings, we want him to put in the Bill a provision which will make it compulsory on the Government of the day to set up this advisory committee. The right hon. Gentleman will not always be at the Home Office. Someone else will be there, and I do not think it should be left to the caprice of the Government of the day to set up an advisory committee, but that it should be part of the law. Their duties will be very important. No one has greater respect for factory inspectors than I; they are the best in the country, but when the right hon. Gentleman says that factory inspectors know more than we do about these matters, I must challenge him.

Sir J. SIMON: I did not say they knew more.

Mr. DAVIES: That was the insinuation. I doubt whether any factory inspector has worked under the two-shift system. I had to work nights at the colliery, and, quite frankly, I preferred to work during the day. Nearly everybody prefers to work during the day, and to go to work as late as possible and come home as early as they can. Therefore, I think an advisory committee would have some duties to perform in seeing that the applications are in order and that there is no undue influence by employers over the workpeople.

Sir J. SIMON: Might I suggest that, as this question of the advisory committee has been raised, the general discussion should take place on this Amendment? It would be a pity to have it cropping up again and again.

Mr. DAVIES: I agree entirely with the right hon. Gentleman. When it is a matter of convenience, I am with him. On matters of principle, I am not.

The CHAIRMAN: Then it is agreed that we will take a general discussion on the matter of advisory committees now.

Mr. LLOYD: The effect of the Amendment would be that the Secretary of State would have to consult an advisory committee before every individual application was granted. That is really an unworkable provision. It would be a very difficult thing to do indeed. The Committee might be consulted several times a week and would have to be always available in London, whereas, as I understood the recommendation of the Departmental Committee, it was that this committee should be composed of representatives of the employers and the workers and should be consulted generally about the working of the system. The Amendment, therefore, is inconsistent with the Departmental Committee's report.

[Mr. Lloyd.]

Turning from that narrower question to the general one, it would be quite out of accordance with precedent to put a committee of this kind in an Act of Parliament. There are certain statutory committees, but they fall broadly into a number of classes. When there are definite executive functions entrusted to a committee, it has been usual to make it statutory, or when it has been decided to pay them salaries because of the arduous nature of their duties, and in the case of certain highly technical questions, such as the Poisons Board, the committees have been made statutory, and occasionally on very wide questions, such as advising the Minister of Transport on traffic and the Minister of Health on housing. We do not feel that this committee would fall into any of those classes. We feel that my right hon. Friend's assurance on the Second Reading that he will set up a committee in accordance with the recommendations of the Departmental Committee is one that the hon. Member might be disposed to accept. Everyone knows that the committee will be set up, and the idea would be to have an independent chairman and, in addition to the representatives of the employers and the workpeople, someone from the factory department and someone from the Ministry of Labour. We feel that that would be a very sensible and helpful committee, but it is entirely unnecessary to put its appointment into the Bill.

Mr. KELLY: I am amazed at the statement that advisory committees are not mentioned in Acts of Parliament. I cannot trust my memory to state where one can find them, but some of us have been members of advisory committees connected with various Departments of State which have been mentioned in Acts of Parliament. What we are asking is that an advisory committee may be consulted as to an application that is made, or is about to be made. I do not see how that is unworkable. Surely the managers of a firm do not, the moment they have had breakfast on a particular morning, suddenly make up their mind that they ought to be working the two-shift system. It has to have consideration for some time before they make a change which affects the working life of the factory. Generally for their own sakes, and for the sake of the advice that may be given them by such committees, they appoint them without asking for them to be mentioned in an Act of Parliament. An industry which is about to ask for the two-shift system will be advantaged by an advisory committee being able to consider whether or not it is worth while. This is the second time this morning that the hon. Gentleman has referred to the report of the Departmental Committee as a sacred document which must not be departed from. Is it the view of the Government that any report presented by a Departmental Committee or a Royal Commission is to be adopted and that they will refuse to depart from a line or a letter of it?

Mr. LLOYD: This Departmental Committe was set up after consultation with the Opposition, and on it there were representatives of all three parties. It was thought, therefore, that there was a certain agreement on the subject, and it was decided that the Bill should be based definitely on the report of a committee which contained so many different points of view.

Mr. KELLY: Then we are being asked not to suggest any Amendments or anything different from what affected the minds of those on that committee. As one who gave evidence before the committee, which, by the way, does not seem to have been taken much notice of, I hope that we are not going to be asked to take up that position. It would be better for the industry to have an advisory committee. Those connected with the managerial side have loved to have these committees. They have been found helpful and have saved friction, and often enough they have told the management about things that they did not know were going on in the shops. From every point of view this would be an advantage and, if only we had employers sitting opposite us instead of the Government I believe we should convince them.

Mr. RHYS DAVIES: The hon. Gentleman has used the argument that we should not put this proposal into the Act because it is not commonly done. By a strange coincidence this Government has a Bill before another Standing Committee at this moment. Clause 3 of the Cotton Spinning Bill says that for the purpose of advising the Spindles Board, an advisory committee should be

set up consisting of so many persons representing so many interests. Are we to be told that it is good enough where you are dealing with spindles but, when you come to women and young persons, it is not necessary to have it in the law? That argument will not avail, and we must press the point to a division.

Question put, "That those words be there inserted."

The Committee divided: Ayes, 18; Noes, 28.

Division No. 2.]

AYES.

Adamson, W. M.	Hollins, A.	Roberts, W. (Cumberland, N.)
Banfield, J. W.	Jagger, J.	Seely, Sir H. M.
Bromfield, W.	Kelly, W. T.	Stewart, William J. (Belfast, S.)
Brooke, W.	Kirby, B. V.	Walker-Smith, Sir J.
Chater, D.	McGhee, H. G.	Wilson, C. H. (Attercliffe)
Davies, R. J. (Westhoughton)	Riley, B.	Woods, G. S. (Finsbury)

NOES.

Astor, Hon. W. W. (Fulham, E.)	Howitt, Dr. A. B.	Pilkington, R.
Cartland, J. R. H.	James, Wing-Commander A. W.	Ponsonby, Col. C. E.
Cayzer, Sir C. W. (City of Chester)	Little, Sir E. Graham-	Rathbone, Eleanor (English Univ's.)
Channon, H.	Lloyd, G. W.	Samuel, M. R. A. (Putney)
Chapman, A. (Rutherglen)	Maitland, A.	Simon, Rt. Hon. Sir J. A.
Crowder, J. F. E.	Makins, Brig.-Gen. E.	Somerville, A. A. (Windsor)
Duggan, H. J.	Mayhew, Lt.-Col. J.	Tate, Mavis C.
Eckersley, P. T.	Palmer, G. E. H.	Taylor, C. S. (Eastbourne)
Hannah, I. C.	Pickthorn, K. W. M.	Ward, Irene (Wallsend)
Horsbrugh, Florence		

Mr. BROOKE: I beg to move, in page 1, line 8, to leave out "or in any department thereof."

I move this in order to get an explanation, if possible, of what a department is. I am not sure whether this provision was in the old Act, but I know it has been in operation, and in practice in many instances to my knowledge it has not worked very satisfactorily. I should like to get a better definition of what a department is. What has happened in some cases is that an application has been made for a certain department to come under the provisions of an Act, but only certain workers in the department have been included, and I have known cases in my own industry where certain of the workers in the department have been working the normal hours of the factory and others have been covered by the application and have been working under the two-shift system. We find that very unsatisfactory, and I believe there is a large element of danger if it is allowed to continue. It is rather a difficult provision to include in an Act of Parliament, but I hope the Home Secretary will try to meet an administrative difficulty of a kind which has actually arisen in factories in my own constituency.

Sir J. SIMON: I am obliged to the hon. Gentleman for the very reasonable terms in which he has raised this question. I accept it from him because of his experience in an area about which we both know a little. No doubt he is very familiar with his own difficult cases, but the Committee will agree that it would not do to leave some phrase of this sort out of the Bill. That would mean that you would either have to apply the two-shift system to the whole of, it maybe, a vast and complicated factory, or else not apply it at all. We are proceeding on the assumption that, under proper safeguards, it might be applied—as in some, and perhaps in many, cases it is, in fact, applied by general agreement—to only a section or a department of a very complicated works. It is plain that we must have a provision which would make it possible to apply it to a portion and not only to the whole of a factory. I agree with the hon. Member, and I think that he is right when he says that the word "department" is not exactly a term of art, and that it is possible to mention difficult cases. Now that we have settled the point about the Advisory Committee, it is certainly my intention, and, accepting as I do the prognostications of the hon. Member opposite, of those better men who may come after me, to use the advisory committee for difficult points.

If there is, as the hon. Member thinks, a difficulty in practice about this matter, it would be very proper to get their advice about it, and I shall be very glad to do that. If the hon. Member will be

[Sir J. Simon.]

good enough to give me in more detail the kind of case which he has in mind, I will, before we finally part with the Bill, give it further consideration. But we must deal with industry as a whole. He said that he moved the Amendment in order to obtain an explanation. I admit that it is difficult in these cases always to draw an exact line. It may well be so, and we will see whether by his help and the help of others anything more can be said, but for practical purposes we had better leave these words in the Bill. The reason is that there are many cases in which a section of work going on requires a two-shift system in order to be kept going parallel with another section of the industry, or it may arise because of a sudden rush of work or of seasonal work. Therefore, I do not think that it is possible to devise words more apt than these, and I suggest that we leave them at present in the Bill.

Mr. JAGGER: I am very disturbed about what I understood the right hon. Gentleman to suggest, which is that, after we have passed an Act of Parliament, the advisory committee shall decide what it means. The right hon. Member made certain claims about the importance of committees, but I do not think that even he went as far as to say that the advisory committee should be entitled to determine something which has already been dealt with by an Act of Parliament. I suggest that if, as the right hon. Gentleman seems to be agreed, we cannot define what a department is, we had better carry the Amendment and leave out the words.

Mr. RHYS DAVIES: When we put down the Amendment we were a little disturbed because the phraseology is so different from that of the original Act of Parliament, which referred to an application from employers or employés in a group of factories or workshops. It seems to me that on this specific point the right hon. Gentleman is correct. It would be ridiculous to apply the two-shift system to a whole factory when really it was only necessary to apply it to a department. But the point raised by my hon. Friend the Member for Clayton (Mr. Jagger) holds good, that it would be better if we could have a clearer definition. I notice that my hon. Friend who moved the Amendment represents a Yorkshire division and that the right hon. Gentleman the Home Secretary also represents a Yorkshire division.

Sir J. SIMON: We are neighbours.

Mr. DAVIES: I do not like these bouquets being thrown by one Yorkshireman to another.

Amendment negatived.

Mr. BROOKE: I beg to move, in page 1, line 10, to leave out "sixteen," and to insert "eighteen."

I hope that in this matter my right hon. Friend will be as accommodating as he was on the previous Amendment

Sir J. SIMON: I have been warned.

Mr. BROOKE: On the Second Reading of the Bill, I made my views clear on the whole question of the two-shift system. I recognise that, the principle having received the assent of the House, we have to try to make the best of it. I believe 16 years of age is too young either for boys or girls to commence work at six o'clock in the morning or to finish work at ten o'clock at night. It means that on the morning shift young people have to get up before five o'clock, sometimes by half-past four, if they have a good distance to travel, in order to get to work by 6 o'clock. If they are on the afternoon shift and finish work at 10 o'clock at night, in many cases they cannot reach home before 11 or half-past. The worst feature of the Bill is that affecting young people of 16 years of age. I cannot for the life of me see how anybody can reconcile young people of 16 years of age having to get up at such an early hour or reaching home at such a late hour, if he has any conception of progressive legislation relative to the days in which we are now living. Of the features in this Bill which I dislike, the one which I dislike most and which is the least defensible is the provision that young people of 16 should work so late and have to get up so early.

I understand, from the speeches that were made on the Second Reading, and from the Report from the Departmental Committee referred to this morning, that the number of young people of from 16 to 18 years of age working under the two-shift system is very small indeed. If that is the case, it is all the more reason why the Home Secretary should agree to the Amendment which I am now moving.

If the number of young people is so small, it will not have a very great effect upon industry as a whole. From my experience of the work of young people of 16 in factories working the two-shift system, I do not think that any employer would have the slightest difficulty in putting young persons of 18 on the work in their stead.

A good deal of reference was made on the Second Reading to its effect upon the question of the continued education of young people engaged on the morning and afternoon shifts. Young people of 16 are more affected on the educational side than anybody else covered by the Bill. My Amendment would have the effect of freeing them, so that they could attend classes run by the ordinary council schools or by the Workers' Educational Association or other organisations, and it would be a great advantage. I said on the Second Reading that we have never had any reliable medical evidence as to the effect of the system upon the health of the people called upon to work under it. Whatever the evidence ultimately may be after a real experience of the system, when we can make comparisons, I believe that it will have the worst effect upon the health of people of 16 years of age, and therefore I appeal to the Home Secretary to agree to the Amendment. There are not many persons concerned, it would not place any difficulty upon employers, and the cost to employers would be infinitesimal.

Sir J. SIMON: Again the hon. Member who sits next to my fellow countryman from Wales has made a very reasonable statement, but I ask the Committee, nevertheless, not to accept the Amendment. We do not regard, and no Member of Parliament regards, a report of a Departmental Committee as verbally inspired, and it is the privilege of all of us to differ from any and every part of it. There have been many cases where Governments have not thought it right to urge legislation on the lines of the recommendations of such a committee. Still, this is a very striking report; it is unanimous, it contains the view of the hon. Member who was specially nominated from the other side in order to serve on the Committee, and the Committee had the advantage which, with the best will in the world, we none of us have here, that they really heard a lot of evidence about this question. If one were to refresh one's memory by looking at pages 28, 29, and 30 of this unanimous report, he would find set out at length the result of the reflections of that Committee upon this body of evidence. At the end of the report there is a list of those who gave evidence, and there is no doubt at all that they were persons drawn from many authoritative sources. The unanimous view of the Committee is that we should not make this Amendment.

I look at it, frankly, with a certain measure of sympathy, because I understand the point of view put by the hon. Gentleman opposite, and I do not want to see people made to accept long hours, working early or late, without being sure that this is the right provision at least to permit it. When one really looks at the report, there is no doubt whatever that everybody who examined this question in that committee, after all the evidence received, was definitely of the opinion that we ought not to cut out people between 16 and 18. It would, as things are, interfere with the training and prospects of a large number of adolescents. It might be in some cases that they would not be employed at all. It is true, as the hon. Member says, that there is not a very large number of such at the moment, but I am told that in the artificial silk industry there are shifts with a very considerable number.

Mr. KELLY: Not of young people in that industry.

Sir J. SIMON: I think so.

Mr. KELLY: I should like to have the names.

Sir J. SIMON: I will give the hon. Member my information. In the artificial silk industry there are shifts of about 1,000 girls under 18. In some other industries the proportion is quite considerable. The committee have come to the unanimous conclusion that the assertion that this system is bad for health was not in the least proved. It would be wrong for us to make this change in the Bill in face of the unanimous recommendation of the committee, in face of the present practice, and in face of the information that we have. Therefore, I suggest that if any case of this sort had to be considered hereafter, it should be considered within the framework of the Bill. To prohibit the system for everybody at this stage is going too far.

Mr. RHYS DAVIES: I join issue with the Home Secretary on one thing that he said. He always fastens his argument on the decision or recommendation of a Committee. If he did that with respect to every recommendation, I should feel that he was justified in making such an argument in this case. What is the position? The Committee reported in 1935. It is now February, 1936, and Parliament is about to consider the raising of the school-leaving age. I put a proposition to the Home Secretary, not as a politician or a partisan, but because I am affected very much by what has happened in the country to our people. I have always held the view in dealing with young people in industry that Parliament should assist them in every way to prevent their exploitation. I must confess that in every party there is a general current of opinion in favour of that course. The employment of young persons from 16 years upward under the two-shift system is definitely a downward step and against the current trend of opinion in the country, and I should like to pay a tribute to the Members of the Conservative party who have laboured long to help young people and to prevent their exploitation.

My real point is that we are faced with three important factors of a social character which have no relation to what we do as politicians. People live to-day about 15 years longer, on the average, than they did 70 years ago. Therefore, seeing that people live longer, the childhood years ought to be lengthened. A person ought to be treated very much more delicately during the earlier years of his life up to 15 or 16 than used to be the case when people only lived about 40 years. The Government have given us a further argument in favour of that proposition. A Bill is to be introduced to-day to raise the school-leaving age to 15. The whole trend of political agitation in all parties is in favour of seeing that children to-day get a better chance than the adults in industry. In the last Parliament we passed a Bill to regulate the conditions of employment of all young shop assistants, probably about 500,000, and now only about 350,000 young people are without any legal protection in industry. I have served for years on a Committee in this House, the Committee on Wage-Earning Children, representative of all parties, and we have been trying to safeguard the employment of young people. I would appeal to the right hon. Gentleman that we might make this Bill more in harmony with the trend of opinion in all political parties. If he cannot see his way clear to do that at this stage of the Bill, will he give us a promise that he will look into the matter?

Sir J. SIMON: I have a clear view about this matter. The real effect of the Amendment would be to exclude young persons from the Bill altogether. We need not trouble about the form of the Amendment. If such an Amendment were adopted, it would not mean that we should keep in young persons when they have reached the age of 18, because the dictionary used for this purpose states that you cease to be a young person when you are 18. Therefore, the Amendment would mean a big thing. It would mean that no young person shall be covered by this legislation. It would mean not only that we should prohibit the system by Statute in the case of young women, but also in the case of boys or young men. It would mean that no young man up to the age of 18 could come within this legislation. I am all for progressive ideas, which I share with my hon. Friend, but we have to consider what we are doing, and when, if I recollect rightly, proposals made by the Geneva Convention contemplate the employment of boys in quite a number of pretty heavy industries, and when in a series of Factory Acts introduced by different Governments the same thing was done, it is a pretty strong order to say, "We propose to reverse the unanimous view of the Committee." I sympathise with the general sentiment that we want to do everything we can to give the youth of this country the best possible chance, but it is impossible to believe that a practical Committee like this would say that they wish to alter the framework of the Bill by striking young people completely out of it.

Mr. WOODS: The Home Secretary, while expressing sympathy with the intention of the Amendment in one respect, said that it meant a very big thing. I wondered, when he made that statement, from what angle of bigness the thing appeared to him. If the Amendment were carried, it would certainly be a very big thing for the young people concerned. It was a mild exaggeration on the part of the Home Secretary when he said that

we should be reversing the whole of the Committee's decision by extending the age of 18. It is not only a question of the education of these young people. In most of these factories where they are relying on a rather large percentage of juvenile labour, especially young women, it invariably happens that they draw their staff from a wider area than that from which the normal type of employé is drawn. I have experience of young people who have to travel miles to and from their work. Take York, for example. In York they have not a sufficient supply of young people, especially young women, and special trains run from Selby, so that they can draw on labour from the villages around.

This Bill, apart from ruining the possibilities of education, involves travelling at unearthly hours. I do not know what we should think if, instead of meeting at 11 o'clock, we were asked to meet at the hours prescribed in this Bill. We may continue until a late hour of the evening or the hours of the early morning, but usually there are facilities for getting home. There are many areas affected by this Bill where there are no normal facilities for travelling at the hours that young people can be compelled to work. That means that they will have to travel by cycle or walk. I do not know whether we should desire that our children should have to comply with such regulations in order to secure employment. Many of the services to the villages from which young people are drawn are such that the last omnibus leaves before 10 o'clock. That will be my case when I get back to York on Friday night. My last omnibus leaves at 9.45. If I miss the omnibus, I can afford to take a taxi, but no juvenile affected under this scheme can afford to take a taxi. Where they are employed until 10 o'clock, it will mean that in many cases they will have to walk home. Often the father has to go into the town to see them home. Certainly, there is some justification for parents' anxiety, having regard to what we read in the newspapers. Therefore, you are putting an additional burden on the family by this Bill. These are big human considerations.

What are the other considerations? The Government's interpretation of the Bill, as expressed by the Under-Secretary of State on the Second Reading, is that the shift system is of great use to industry. The Under-Secretary of State said:

> "The evidence that was brought before the Committee established beyond doubt that the shift system is of considerable use to industry. Those uses fall roughly under two heads. In the first place, it meets temporary difficulties of production."—[OFFICIAL REPORT, 17th December, 1935; col. 1596; Vol. 307.]

The CHAIRMAN: The hon. Member must not make a Second Reading speech. Will he kindly confine himself to the particular point under discussion? The general question of the advisability or otherwise of the shift system does not enter into the discussion of this particular Amendment.

Mr. WOODS: I am sorry that I cannot quote the actual words. I am so enamoured of being truthful. The considerations that were put before us were that in order to meet a purely temporary pressure for Christmas trade and so forth, or for breakdowns in industry, which are temporary and very seldom happen, and for which cases, obviously, adult labour could be used, and because of changes in fashion, young people should be asked to accept such conditions of employment. To meet the whims of fashion our young people are to be asked to accept such conditions. If we balance the pros and cons and make a perfectly impartial decision as to whether the age should be 16 or 18, I think we should decide on 18. It has not been proved that any industry will be injured by the Amendment. The question of "young" is relative. It belongs to the theory of relativity. There is the age of leaving school, the marriage age, and so on. The tendency is to recognise that we are not fully mature until we are fully grown. A mere quibble as to what is a young person ought not to influence us. If the Home Secretary cannot accept the Amendment in its entirety, I plead with him to reconsider the matter and at least to agree that young women under 18 should be exempted.

Miss RATHBONE: I must protest against the last suggestion of the hon. Member. I have not yet made up my mind on the Amendment—I probably shall not vote—because I want to refresh my memory by looking at the report. But it must be one thing or the other. To leave

[Miss Rathbone.]

in the boys and take out the girls would be thoroughly objectionable. There are enough obstacles in their way already, and to take that course would be putting another obstacle in the way of the girls and women. If employers get boys in, they will continue to employ them, and women and girls will be thrown out altogether.

Mr. KELLY: The Home Secretary says that if the Amendment was carried, it would strike out of employment a number of young people who are being trained. I hope he has acquainted himself with what is going on in various factories. I do not think he would find many apprentices. It is not the Christmas rush or changes in fashion which are the cause; the reason is that employers believe that it is better to run their machinery from six o'clock in the morning until 10 in the evening if they are to get a nicer balance sheet. Now it is proposed to make it permanent. Those who deal with Cadburys and Rowntrees know that it is not because of the Christmas rush that you have the two-shift system in operation. Thousands of girls are now being employed under the two-shift system in the artificial silk industry, which was not yet been made a healthy industry. Many factories are fixed at great distances from their homes. That is an advantage, because the fumes from these factories are so injurious. That is a point that has not yet been cleared up. In the yarn and finishing processes of the artificial silk industry we are told that this system has had no injurious effect on the health of the operatives. Those who have seen people working late at night know the effect it has on their health. Many of them are suffering from nervous complaints, which we find in so many young people in these days. The evidence I gave upon this matter was given under the direction of Conservatives and Socialists on the London County Council, who unanimously decided that evidence should be given against this system operating in London so far as young people under 16 years of age are concerned. I do not consider that it is even an advantage to young people of 18 years of age, but to operate it in respect of young people of 16 years of age ought not to be considered at this time of day.

In regard to transport facilities, I hope that hon. Members appreciate the position as regards London. Many of the centres of industry are on the fringe of London, at places like Hendon, and the people who work in these factories do not live in the neighbourhood, but have to travel from the south-east to the north-west. Imagine girls of 16 having to travel across London in order to reach Hendon at six o'clock in the morning. We thought that the old bad system had been removed by the War, but it seems that it is going to require another war to make hon. Members realise the position. Then, when they finish at 10 o'clock in the evening, they have to cross London at 11 o'clock and later. There are no transport facilities for the six o'clock start. Other facilities will have to be provided; but it cannot be done. We are trying to get transport facilities for young people employed in London to-day and cannot get them because they cost money. I hope the Amendment will be carried for the sake of young people. Eighteen years of age is early enough to start at six o'clock in the morning and finish at 10 o'clock in the evening. If we do anything else, we show very little regard for the young people who are growing up.

Dr. HOWITT: As one who served on the Departmental Committee, I should like to say that we received no complaints regarding the ill-health of young people working on a double shift. Under the double-shift system you have shorter hours and the young people get more fresh air. Is it not better that the girls between 16 and 18 years of age should work on a double-shift system rather than work overtime when there is extra pressure?

Mr. KELLY: You cannot work them overtime; it is illegal.

Dr. HOWITT: I did not know that it was illegal.

Mr. BROOKE: May I ask whether figures were submitted to the Departmental Committee as to medical examinations of people between 16 and 18 years of age?

Dr. HOWITT: We did not have separate figures, but we were open to receive complaints from employés, and we saw them, but heard nothing about

ill-health. As regards the employment of young people of 16 years of age, there are works where the double-shift system only is in operation, and it would be hard on young people of 16 to deprive them, until they are 18, of the opportunity of learning their job. It will make a great difference to boys and girls if they cannot start learning their job at 16 years of age. That is a point that should be borne in mind.

Mr. BANFIELD: The hon. Member for Reading (Dr. Howitt) lays stress on young people learning their jobs. What sort of jobs are they? The hon. Member talks as if young people were employed on jobs requiring craft and skill, that they are taught step by step how to become skilled workmen. That idea has gone long ago. I served my apprenticeship for several years and went through all the necessary forms, but the type of work that I learnt is no longer required. In 99 cases out of 100 these young people are employed on repetition jobs, the minding of machines, and if they stop there until they are 50, they will be doing the same type of work which they started to do at 16 years of age. The idea of skill, craft, and training does not enter into the matter at all. It may be that the knowledge of the inspectors is equal to that of those of us who have spent years in industry, but we speak from actual experience and practice, some of us from 30 years' experience. We know the changing conditions of industry and what happens to-day as compared with only 10 years ago. The machine is the dominating factor, and the reason why young girls of 16 are required is simply because the machine has to be fed and fed.

I attach no importance to the plea that under the two-shift system you are doing something for the benefit of the health of young persons. What you are doing is to make it possible for employers to make more profits. The Home Secretary would be well advised to look into this matter and see whether it is possible to temper the wind to the shorn lamb. A six o'clock in the morning start for young people of 16 years of age! It is only those who know what it is to turn out to work at five and six in the morning who can speak as to the results of such experience. The hon. Member for Reading may say that the Departmental Committee had nothing before them as to the ill-effects on health, but I am satisfied that this is a reasonable and necessary Amendment, and the idea that these young persons are being trained for their work is a fallacy and a delusion.

The CHAIRMAN: A person of the age of 18 years and upwards is not a young person, and, therefore, to carry out the desire of the hon. Member who has moved the Amendment, I must put the Question in this way:

"That the words, 'and young persons of sixteen years of age and upwards,' stand part of the Clause."

Amendment, by leave, withdrawn.

Mr. BROOKE: I beg to move, in page 1, line 9, to leave out:

"and young persons of the age of sixteen years and upwards."

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee divided: Ayes, 32; Noes, 15.

Division No. 3.]

AYES.

Astor, Hon. W. W. (Fulham, E.)	Leckie, J. A.	Samuel, M. R. A. (Putney)
Cayzer, Sir C. W. (City of Chester)	Little, Sir E. Graham-	Seely, Sir H. M.
Channon, H.	Lloyd, G. W.	Simon, Rt. Hon. Sir J. A.
Crowder, J. F. E.	Maitland, A.	Somerville, A. A. (Windsor)
Duggan, H. J.	Makins, Brig.-Gen. E.	Tate, Mavis C.
Dunne, P. R. R.	Mayhew, Lt.-Col. J.	Taylor, C. S. (Eastbourne)
Eckersley, P. T.	Palmer, G. E. H.	Turton, R. H.
Hannah, I. C.	Pickthorn, K. W. M.	Walker-Smith, Sir J.
Horsbrugh, Florence	Pilkington, R.	Ward, Irene (Wallsend)
Howitt, Dr. A. B.	Ponsonby, Col. C. E.	Wells, S. R.
James, Wing-Commander A. W.	Roberts, W. (Cumberland, N.)	

NOES.

Adamson, W. M.	Chater, D.	Kirby, B. V.
Banfield, J. W.	Davies, R. J. (Westhoughton)	McGhee, H. G.
Bromfield, W.	Hollins, A.	Stewart, William J. (Belfast, S.)
Brooke, W.	Jagger, J.	Wilson, C. H. (Attercliffe)
Cartland, J. R. H.	Kelly, W. T.	Woods, G. S. (Finsbury)

Sir J. SIMON: I beg to move, in page 1, line 11, to leave out " at any " and to insert:

" whereby each shift may be employed between such times as may be specified in the authorisation being."

The Clause says that the authority may be for a system of shifts at any time between six in the morning and ten in the evening. It was observed that that language might lead to the impression that it would be open to the employer to employ workers just as he chose, for hours which might be objectionable, providing he kept between these extreme limits of the clock. The object of the Amendment is to make it plain that it is not so. Of course, in practice the authorisation in each case mentions the hours between which shifts are permitted, and, though that does not mean that you cannot have a shorter time, it means that you cannot have a longer one. The object of the Amendment is not to do anything that can be regarded as controversial but to put more precisely something that was a little too vague before.

Mr. KELLY: In the authorisation that is issued to a firm, do you state that each shift must start at a particular time and leave off at a particular time?

Sir J. SIMON: You state that the limits within which each shift must be are to be stated.

Mr. RHYS DAVIES: This point bothered a goodly number of us before, and I am very pleased that the right hon. Gentleman has looked into it. The bigger issue connected with the point will come on later Amendments, and that is why I am disposed to accept this without discussion. When we come to the point where a young person can work the whole of the 48 hours within three or four days, we are a little apprehensive, but that is not the point that the right hon. Gentleman is putting now. It seems to me a very reasonable proposition.

Mr. KELLY: Does it state that those who start work at six o'clock may not be engaged in the establishment after a particular time, and that not to be the last hour, 10 o'clock?

Sir J. SIMON: Yes, that is the effect of it. Each shift may be employed between such times as may be specified in the authorisation. You do not add the two periods together and merely mention the hour in the morning and the hour at night. You secure that the authorisation shall take a form which will fix the limit between each shift.

Mr. JAGGER: Would it be possible to work from 8 to 4 in one shift and 12 to 8 in another, having overlapping shifts?

Sir J. SIMON: I think that is dealt with later in the Bill. I shall be glad to look into it if the hon. Member feels doubt. My purpose in this Amendment was to meet what I thought a reasonable point. It was stated that this was unnecessarily vague, and, while it was not suggested that people would do it, it looked as if they might. I think it is better to put down in terms that they cannot do it.

Amendment agreed to.

Committee adjourned at Ten minutes after One o'clock until Tuesday, 18th February, at Eleven o'Clock.

THE FOLLOWING MEMBERS ATTENDED THE COMMITTEE:

Milner, Major (*Chairman*)
Adamson, Mr.
Astor, Mr.
Banfield, Mr.
Bower, Commander
Bromfield, Mr.
Brooke, Mr.
Cartland, Mr.
Cayzer, Sir Charles
Channon, Mr.
Chapman, Mr.
Chater, Mr.
Crowder, Mr.
Davies, Mr. Rhys
Duggan, Mr.
Dunne, Mr. Philip
Eckersley, Mr.
Fremantle, Sir Francis
Hannah, Mr.
Hollins, Mr.
Horsbrugh, Miss
Howitt, Dr.
Jagger, Mr.
James, Wing-Commander
Kelly, Mr.
Kirby, Mr.
Leckie, Mr.
Little, Sir Ernest Graham-
Lloyd, Mr.
McGhee, Mr.
Maitland, Mr.
Makins, Brigadier-General
Mayhew, Lieut.-Colonel
Palmer, Mr.
Pickthorn, Mr.
Pilkington, Mr.
Ponsonby, Colonel
Rathbone, Miss
Riley, Mr.
Roberts, Mr. Wilfrid
Samuel, Mr. Marcus
Seeley, Sir Hugh
Simon, Secretary Sir John
Somerville, Mr. Annesley
Stewart, Mr. William Joseph
Tate, Mrs.
Taylor, Mr. Charles
Turton, Mr.
Walker-Smith, Sir Jonah
Ward, Miss
Wells, Mr.
Wilson, Mr.
Woods, Mr.

Members who wish to have copies of the Official Report of Proceedings in Standing Committees sent to them are requested to give notice to that effect at the Vote Office.

No proofs can be supplied, but any corrections which Members desire in the bound volumes should be marked in this Report.

The copy of the Report containing such corrections must be returned to the Editor's room, House of Commons,

NOT LATER THAN TUESDAY, 18th FEBRUARY.

STRICT ADHERENCE TO THIS ARRANGEMENT WILL GREATLY FACILITATE THE PROMPT PUBLICATION OF THE BOUND VOLUMES OF PROCEEDINGS IN STANDING COMMITTEES.

The House of Commons Official Report may be purchased directly from H.M. STATIONERY OFFICE at the following addresses

Adastral House, Kingsway, London, W.C.2; 120 George Street, Edinburgh 2;
York Street, Manchester 1; 1 St. Andrew's Crescent, Cardiff;
80 Chichester Street, Belfast;
or through any Bookseller