

Conference Report

Getting the Bill Right – An Update Panel 6: Economic & Social Rights

Patricia McKeown, Unison / Convenor of Forum Working Group: Ours was the largest of all of the Working Groups. We were twice the size of any of the others because essentially everybody on the Forum also wanted to be on the Working Group on Social and Economic Rights.

The process itself was flawed in terms of time scales and resources. Although we were set up by the UK Government, we were set up on a shoe string. We were given an impossible time scale. We were hampered by lack of resources, particularly in the beginning. Ours was one of the Working Groups which I do not think consistently had the same note taker twice in a row and sometimes none at all. We were, like the other groups, without a legal advisor until several meetings into the process and it was a great relief when the legal advisors came into place.

However, despite all of that, I think it is to the credit of everybody involved in not only our Working Group, but the rest of the process that we did get business done, however flawed that business may be. And we did produce a product. We certainly did not anticipate at the beginning of the process we would end up with an 84-page document, ridiculously long. That says something for the short time scale, because when you are dealing with time scales like this, the tendency is to want to keep everything in and on the page for fear of leaving something out or losing it or for fear of not fully representing the range of views in the room. On a better time scale, you would probably be looking at a more succinct document.

Very importantly for us, we were not, like the rest of the groups, starting from a blank page. We had agreed to take the original Working Group report of the

2001 process as template. Behind that 2001 report were hundreds of submissions on the issue of Social and Economic rights and since 2001, hundreds more submissions on the issues. These not only came through a route that was specifically about what the people of Northern Ireland think should be in the Bill of Rights, but we have had almost a decade of government consultations and public body consultations on public policy. And while it might not have been couched in terms of rights, there is an extraordinary wealth of information, an enormous database, on what the people of Northern Ireland want to see as their Social and Economic rights.

We were working collaboratively with the Working Group, in particular, on children and on women. We were also anticipating that some of the other Working Groups might be doing some things that we would not have to do. We got that wrong at least once. We got it wrong on Trade Union rights, surprise, surprise. We had made an assumption that the group dealing with civil and political rights would be tackling the issue that we would be tackling too from another dimension. We ran out of time on it. Evidence, I hope, that the Chair was not abusing her position. But a hard one to go back to the trade union movement with and say, "We ran out of time on that one."

We did end up with a very comprehensive list. I am not a great fan of lists of rights and we did end up with lists. Some of the rights we dealt with are reasonably succinct. Some of them are too wordy and some of them, like trade union rights in our group, were missing. Like other groups, sometimes we found ourselves straying into policy and getting the lines blurred between what were substantive rights and what we wanted to do in order to change policy. We did end up with recommendations on health, the right to health, housing, education, environment, work, adequate standard of living, social security and we were also one of the Working Groups charged with producing a clause on equality.

There was more than one elephant in the room and you have seen some of those elephants addressed in the last couple of days. The first was particular circumstances and it was not specifically the remit of our Working Group to deal with the issue of particular circumstances. That was something that was to be dealt with by the main Forum. But because things as important and fundamental as this were left to the end and they did over shadow the work, it meant there were subtexts. There was also the big issue around identity. Again, not for our room to deal with but because it was left to the tail end of

the Forum. Instead of being addressed at the beginning, it too overshadowed some of the work.

There was code being used in some of the other debates. 'Communities' was one of the strongest code words, very often used when what was meant was 'Catholics and Protestants' and we should have been saying that out loud. That meant that some of the discussions which should have been more open, were not. It also meant that because the headline issues were not being addressed from the beginning, there were some people who felt there should not have been an Economic and Social Rights Working Group at all and that we should not have been in the room. With hindsight, if we had to do it again, I would take it all the other way around.

Having said that, the dynamic in the room was an important one. I think it was categorized very much by engagement and with respect for each other, despite some of the things that have been said. There was general agreement in the Working Group that our focus was on vulnerable and disadvantaged groups in our society. We did try to tackle some of the headline issues, such as progressive realisation, as a means of delivering; and issues such as how we would deal with the tension between those who believed that governments were responsible for Social and Economic rights unfettered by courts or a Bill of Rights and those who believed that if you had them in the Bill of Rights then you were giving the government an extra lever, particularly the Government in Northern Ireland who had to get its money from somewhere else?

The bottom line is that the voting record that appears in the final report can be misleading. It was not as simple as that. It was not as simple as 'for' or 'against' in most instances. There was genuine engagement for those who wanted to be in the room. There were people who chose not to be in the room very often.

I want to address some of the myths and do a bit of myth busting. My group was not in the room or my key group was not represented. The Governments set the thing up. However, most of us in that room, all of us in that room, have multiple identities. We were certainly representing our sectors but we were representing more than that. A myth says civil society went into that room with its own political agenda and it did not pay attention to anyone else. Well, quite frankly, if any of the sectors had gone into the room without an agenda I would have been highly surprised. I know the trade union movement went into the room with an agenda that said we hope to secure Social and Economic

rights including worker and trade union rights in a Bill of Rights for Northern Ireland. I know that the people representing disability, etc, went in also hoping to secure those rights. But I also know the vast majority of people in the room were interested in doing something for the sector they represented but also very interested in doing something for the whole of society. So it was an attempt to be inclusive. It is disingenuous to suggest otherwise.

That civil society ignored or failed to recognise Unionist's concerns has been said more than once and again I do not think that is a fair comment. It is particularly an unfair comment if you were making it and your group did not go into the room very often. But, to be fair to at least one of the groups, they stayed in the room consistently and consistently engaged and there is a difference between most of civic society disagreeing with a political perspective and doing so on a basis of respect and failing to listen and failing to take those concerns on board. In the course of the Social and Economic Group, I never did see anyone fail to listen or fail to attempt to take the concerns on board. That people were not necessarily convinced or that they disagreed was an entirely different issue.

There was the problem of whether or not Social and Economic rights were particular to our circumstances and there was a view that they were very much a root cause of the conflict – had been and were still with us and needed to be resolved. There were people who did not think that was correct or that this was the appropriate place. I think that the dominant view was very much the particular circumstances and we were also dealing with some of the international and domestic legislation that had been 50 years old. Some of it, like the 1998 Good Friday Agreement, nearly a decade had passed since. And the composition of our society had changed. So therefore we had to take that into consideration too. And that seemed to be legitimate.

Post the Forum, those public statements that were made maybe misled the public. Nobody walked out of the Forum. Everybody held their word and stayed in until the very end. There were a couple of bad shots of publicity, one was around the issue of protection of the unborn. We acknowledged that some issues were not going to be resolved and we therefore had recourse to international definitions and even they were not agreed definitions but we did it. But in truth, if we pushed that issue, we might have got to the right to choose. It is very significant that the issue was not pushed in that way because there was respect for other people's point of view. And I think that is one of the examples of that point of view.

So, where to with the Commission now? No regression is something our Working Group agreed, no matter what people's views were. Absolute attention to international standards is something else they agreed. And I would say to the Commission to pay attention to what happened last Friday when we are three months outside this process and we went into a room on that difficult issue of identity and we heard some else say to us, "Hey you lot got that wrong." It probably should have been done to us more than once and I think it is still worth doing on the most controversial issues that still have to be addressed.

Aoife Nolan, Queen's University, Belfast:

Our Working Group had 18 meetings. It was hugely impressive to see the amount of time and effort that the vast majority of the group were putting in - not just in terms of attending meetings but actually in terms of going out and looking for information, clearly thinking about the issues outside the actual meetings themselves.

We started off using the 2001 Working Group document as a template. When I came in in week four, we were at the stage where the group had got together and was brainstorming on the various issues that I felt were not covered by the 2001 document or perhaps issues that had come up in the kind of intervening period between 2001 – 2007.

Like all of the legal advisors, an awful lot of my work involved providing information on international and comparative standards. The group did not work in a vacuum. Like all of the groups, the group's work involved a consideration of international and comparative experience. Any other approach, frankly, the idea that the group would close itself in a room and not look at relevant comparative or international standards, would have been completely misguided and also would have rendered the group's job completely impossible.

The group was very keen to hear about practical experiences in other countries e.g. how the principles that the group were discussing operated in practice in other jurisdictions or in other legal systems. Obviously the group was very concerned that its recommendations would be functional and effective. This was the ongoing thing - what will be the implications of this in practice? Looking at how the different principles being dealt with by the group have been interpreted and implied by governments, courts and other bodies

elsewhere was very important because it shed light on how the recommendations of the group would actually operate in practice.

In considering international and comparative standards, the group was very aware of the way in which the Northern Ireland and indeed, the UK context, was different from some of the countries whose, for instance, constitutional provisions were considered. I mean different both in terms of social issues such as social conditions and also differences in terms of legal systems. It is important to note that the group was very conscious of this when it was formulating its recommendations. There was not a case of the group blindly saying "Well, I like section 27-2 of the South African Constitution, and we'll lash that in there." It was really a very thoughtful process.

When looking at standards, the group really focused on the instruments which the UK has ratified and thus, the instruments, the international human rights instruments that impose legal obligations on the UK already. E.g. the International Covenant of Economic, Social and Cultural Rights and the European Social Charter. They also looked at the Convention, the Rights of the Child, CEDAW, etc.

With comparative provisions, the group looked at a very wide range of very different provisions which demonstrated very different approaches adopted in different instruments to economic and social rights. It was to give us a taste of variety. Inevitably, to a large extent, group discussion centred on well-known examples e.g. South Africa, Finland and India obviously because these are places in which there is a well-established jurisprudence on economic and social rights. Many of the debates that the Working Group was having itself had already been played out, for instance, in those jurisdictions, at both a societal level and in the courts. So, it was instructive in a way to look at it.

An awful lot of the group's discussion centred on teasing out what progressive realisation means and how it works, how it has worked in practice and how it might work in practice.

The group looked in depth at how progressive realisation and similar concepts have been dealt with by judicial and quasi-judicial decision-making bodies, including domestic courts and European and international human rights bodies. We spent a huge amount of time on this because the group was aware that progressive realisation is almost a basic tenet of international and economic and social rights standards. So, there was a focus on this.

Ultimately, although a minority of the group opposed the inclusion of progressive realisation, the main consensus of the group was that the inclusion of progressively realisable economic and social rights was desirable. It would not affect the supremacy of the elected branches of government in relation to setting policy and allocating resources. Rather, in fact, what would happen is that such an obligation constituted a recognition that the elected branches of governments were the most appropriate organs for ensuring the implementation of economic and social rights and that they should be accorded discretion and flexibility in doing so.

The group was extremely conscious of the possible complicated relationship between the courts and the elected branches of government between law and policy when it came to the implementation of economic and social rights. I heard a couple of things, a few throw away comments, suggesting that certain members of the group went in there and were blind to the implications for governance and policy. If you would spend the hours trapped in the small airless rooms that we had, you would be aware that this is not the case.

The idea was that progressively realisable economic and social rights would provide the elected branches of government with a framework. The idea of economic and social rights as a framework is not meant to be a stick that the court uses to beat government with, but actually rights that are meant to influence and direct government policy from the get go. Not something that is merely all about punishing the government or holding them to account for failure all the time. The debates were interesting but essentially the decision was that progressive realisation was a desirable aspect.

The group also had to decide how to deal with the issue of immediate obligations. Progressive realisation is the idea it takes time and is often limited by the idea of resources. E.g. under international law it is generally accepted that the right to primary education is an immediate obligation. So whereas the right to education generally is to be progressively realised, one constituent duty of that big umbrella right, primary education, has to be given affect to straight away. So we were aware that there was this international law framework that said, for instance, emergency medical treatment, primary health care etc.

We had to think about how we would deal with the issue of immediate obligations. Also the issue of minimum core obligations which under

international law, minimum core obligation requires the state to ensure the satisfaction of minimum levels of rights - how would the group feed this in? Did they want to have it in? Would they explicitly refer to immediate obligations? Would they just accept they are implicit? Did they want to exclude them?

The group ultimately decided to take the approach of stating that the umbrella right, as a whole, is subject to progressive realisation but then explicitly delineating the obligations that the group felt should be immediate in effect. These were not meant to be exhaustive. The group made it clear that obviously there would almost certainly be other immediate obligations but these were the guiding ones.

For instance, in the Working Group report you have the right to highest attainable standard of health, which is subject to progressive realisation but one of the duties imposed by that right, the duty to ensure access to emergency medical treatment, is immediate. So you can see the group was trying to strike a balance between what should happen over time and what must happen now.

The issue of justiciability took up so much of the group's discussions and so much time was spent on it. The group discussed a range of different approaches but essentially it came down to two options. Firstly, the inclusion of judicially enforceable economic and social rights or the inclusion of non-justiciable economic and social rights or directive principles of social policy.

It was highlighted that, where you have justiciable economic and social rights, you have this imposition of broad obligations on the government to give effect to economic and social rights and it is law on policy making. You provide a remedy to claimants whose economic and social rights are not being given effect to. And also, most importantly, it makes it clear that economic and social rights and civil and political rights, which are indivisible and interdependent anyway, are of equal status. This was hugely important and it was of great concern to the majority of the group.

In terms of non-justiciability and to move onto the directive principles model, the advantage of this obviously is the idea that we would provide a guiding framework with government while not limiting government decision-making powers. It tells the government what to do but you cannot go into court and complain if the government is not doing it. And the idea in other contexts the

group was provided with, is that directive principles has served as a useful aid in judicial interpretation of rights, such as the right to life in the Indian experience.

The major problem with directive principles is that due to their non-enforceable nature, governments are not obliged to give effect to them. And they can completely ignore them, thereby rendering them meaningless. The group was given information on the various countries in which we have directive principles, that in fact this is what tends to happen, much of the time. There is a very clear hierarchy of rights there and you do not see government really paying any attention to directive principles because they are not going to be caught up in it and they have other priorities.

Also there is the issue of the lack of availability of an individual remedy. Ultimately, the majority of the group was in favour of the inclusion of justiciable economic and social rights. The majority of the group that was in favour of the inclusion of economic and social rights were the same people who also wanted them to be justiciable. Then again, groupings that felt that economic and social rights should not be in or did not come within the particular circumstances, were in favour of directive principles model or the total exclusion of economic and social rights, so it did not arise.

Regarding how we deal with the issue of particular vulnerable groups, obviously when you are dealing with economic and social rights, we have the whole problem. It is like those needy groups but you do have the situation where you have groups, for instance, with specific health related needs, specific education related needs. And the group was faced with the issue of whether we mention them or not. If we mention one group are we excluding others, etc.?

The Working Group tried to mention relevant groups when they arose. For instance, women are mentioned in the context of work, migrant workers were also mentioned in the context of work. Something that I think everyone who is on the group would agree is that we were conscious that there was a need to mainstream. We did not have time. The group did not have time to carry out that exercise and the recommendations will be subject to criticism on that basis.

We actually looked at civil and political rights to an extent. We looked at the European Convention of Human Rights. The argument was in considering what

should be included in terms of the economic and social rights provision. The group did look at the ECHR and they felt it was important for two reasons. First of all to establish whether economic and social rights are supplementary to those in the European Convention; and secondly, whether it was necessary to include such rights at all. Do the provisions of the European Convention, in fact, operate to protect economic and social rights adequately? Perhaps we are barking up the wrong tree.

The vast majority of this Working Group, based on information that was given to them, saw that there were very clear shortcomings with relying on a civil and political rights instrument to protect a holistic conception of economic and social rights.

Bruce Porter, Executive Director, Social Rights Advocacy Center, Canada:

The thing that is worth thinking about is how to make a Bill of Rights in Northern Ireland connect to international human rights standards. One of the things that I found impressive about the recommendations, is the way in which it refers very directly to the provisions of international law and the International Covenant on Economic, Social and Cultural Rights specifically. Perhaps even more on economic, social and cultural rights than in other areas, this kind of international reference point is going to be critical for really two reasons.

Firstly, we are at early stages of developing this whole area of law. And so I think courts in Northern Ireland, as courts in other countries, will need to learn from other courts and from international bodies as we explore the nature of the adjudication of social and economic rights and learn from others. E.g. in the jurisprudence of the South African Constitutional Court, drawing on some of the work that has been done by the Committee on Economic, Social and Cultural Rights.

And so the more we can draw on the same language in the Bill of Rights here, as is contained in the international instruments, the more we can give guidance to courts here about how other bodies are dealing with language, like progressive realisation and the right to adequate housing etc. So, I think that there is a lot that can be taken from the international work that is directly relevant and I would like the decisions that seem to have been made so far to try to stay as close as possible to those provisions.

It is useful to look at what happened in the discussions of the United Nations recently on developing a complaints procedure for economic, social and cultural rights and particularly what was found to be most useful and reassuring to countries like the UK. The awkwardness that the UK expressed early on in the Working Group about a complaints mechanism was that they do not really understand how you make progressive realisation justiciable. It just seems to them that it is kind of aspirational and over time. It is not the kind of thing that they think of as amenable to courts adjudicating.

As time went on, one of the things that the UK and Canada and other countries found reassuring was this concept of reasonable review, reasonableness that had been developed by the South African Constitutional Court when it was dealing with the question of progressive realisation. We ended up actually introducing wording into the optional protocol that was adopted by the Human Rights Council last month that explains this even in more detail. What reasonableness really means is that the court or the adjudicating body would consider not whether it would prefer a different approach or whether it thinks that there is a better way of complying with the Covenant than the government chose, but rather we will apply a standard of reasonableness where reasonable measure is taken.

It will not substitute one policy choice for another if what the government did was in general compliance with the Covenant. So if the government decides that it is going to try to ensure that everyone has access to adequate housing by relying in a significant way on the private sector, a reasonableness standard of review does not allow the court to say, "Yes, but we think it would be better if you did it with public housing and everybody had access to public housing."

It builds on this notion of margin of discretion available to the government to choose the most appropriate means in its view as to how to comply with this right. It is also been used by courts in South Africa, Canada and elsewhere to defer to the government in terms of designing the remedy. It makes it clear that the role of the court is to consider what the government did, whether it meets a standard of reasonable measures that were required to comply with the right. And if not, the tendency has been to allow the government to decide the specifics of how it will act to remedy the violation. So, it tries to focus the role of the court on what we need from the court.

What I talked about yesterday is granting a hearing and assessing what this right means in a particular context; deciding whether or not the general values

and principles that are contained in these rights have been honoured and complied with and then designing some kind of appropriate remedy which may include requiring the government to consult with particular groups which may give the government a particular amount of time to develop legislation that might be required or to change legislation. So you try to make it clear in the adjudication of every claim what the role of the court is and what the role of the legislature is.

The UK found that concept of reasonableness very reassuring in the context of the optional protocol to the covenant and ended up agreeing to allow this optional protocol to go through on consensus within the Human Rights Council as did Canada and all the other common law countries that had originally raised real concerns. Now, that is not to say that the UK is necessarily going to be rushing out to ratify the optional protocol. But I think eventually they will because I think they will find that the way that it works is exactly the way they were thinking it should work in terms of the standard of the kind reasonableness review that does not involve excessive judicial intervention in the legislative sphere. But it properly sets out the kinds of considerations that a court would need to have when it reviews whether or not the government is adequately complying with these rights.

I emphasised yesterday that it is very, very difficult for courts and adjudicative bodies if you tell them that they first have to decide whether something is an economic and social right or whether it is a civil and political right. Because, as Aoife mentioned, they are so intertwined and it is been a matter of rhetoric in international law for 40 years that all rights are interdependent and indivisible and so on. But, what we find when we actually start working on these kinds of issues is that in the practice of them, it is even more true that you cannot figure out whether somebody who was denied access to adequate housing in the context of a relatively affluent society such as Canada, is whether this is a violation of their right to equality or whether it is a violation of their right to housing. So, it is going to be important to make sure that you are not requiring adjudicative bodies or courts to try to make this determination as to whether or not they are dealing with an economic and social right or whether they are dealing with a right to equality or right to life.

I would tend to think that the less you can separate out the economic and social rights in terms of the language use, the defences available, that is the advantage of the reasonableness standard because if you have someone with a disability who is not able to work because of a failure to accommodate the

needs related to that disability, the standard that is generally applied is reasonableness - that governments are to take reasonable measures short of undue hardship in order to accommodate disabilities. It would be helpful if that was the same standard that was applied if that same issue was brought to a court or a body arguing that this person with a disability had been denied the right to work.

So that you are not telling the court that first of all we have to figure out whether the person has been denied to work or the person faced discrimination, because they are so interconnected. You do not want to create jurisprudence that goes off into totally separate channels. So, I would tend to think about whether it is helpful to give some guidance to courts that this reasonableness standard that applies to positive measures under civil and political rights is the same kind of reasonableness standard that will apply to economic, social and cultural rights. And not to go too far along the line of saying that these are different types of rights and they are subject to progressive realisation and subject to a different kind of deference and so on.

And that connects to the final point, which Aoife mentioned, and that is the question of dealing with these rights on the one hand and then the question of whether they are enforceable or not on the other. I am relieved to hear that the same people who want them in the Bill of Rights are the ones who want them to be justiciable. Because as I said yesterday, I am not sure that putting them in and then saying that they are not justiciable is not a step backwards rather than a step forwards. Because you are already going to have the principle that your Bill of Rights needs to be interpreted in relation to the rights under international law that have been ratified; that the right to equality has to be interpreted wherever possible to ensure access to adequate housing.

These are principles that have emerged in the jurisprudence of other countries, even Canada, where we do not have explicit economic and social rights in our Charter but we can use them to interpret rights like the right to equality. So to suggest that the courts have no business enforcing the right to adequate housing by putting social and economic rights in the Bill of Rights and then saying that they are not enforceable, in my view, just makes things very, very difficult for courts because of course then they would have to decide in advance what a social and economic right is and what is not. And ultimately I think that the international movement is towards convergence, towards unity and if Northern Ireland can continue on the path of the recommendations to articulate that notion of convergence and unity and inclusiveness as being the

very basis of including economic and social rights within the Bill of Rights, then I think you are going to be on the cutting edge and be able draw from all of the developments that we are going to see over the next few years internationally.

Elizabeth Craig, University of Sussex: Regarding the UK and its change in position in relation to the optional protocol to the International Covenant. Tying that into what Francesca was saying yesterday, which was that within Westminster there seems to have been a shift in position to economic and social rights. Are the two connected? If you are going to have them in the Bill of Rights and not make them justiciable, in a sense that is almost retrograde. Do you welcome this shift in position or the apparent shift in position at Westminster or do you think they are just paying lip service to economic and social rights without really wanting to take the two seriously?

Geraldine Alexander, NIPSA: In the light of the admission of trade union rights within the report, how is this going to be rectified as part of the Bill of Rights process?

Bruce Porter: I cannot claim to know much about any movement other than the way the UK behaved in the Working Group. I would say that they were working with Canada and they were the most obstructionist countries at the beginning and Canada continued to be bad right up to the end, I have to say.

What is helpful, is that the kinds of concerns that were raised were very important concerns to start to address. E.g. how do you bring common law countries that have these traditions of parliamentary sovereignty over spending and so on, into the mainstream of the international human rights movement and the new recognition of economic, social and cultural rights? It has been a real clash between Canada, the UK and other countries with the Committee on Economic, Social and Cultural Rights etc.

It is interesting when you trace back why are we so uptight in common law countries about any judicial interference with resource allocation issues in comparison to other things? Like what is it - and it really goes back to some of the stuff about Parliament versus the Monarchy as opposed to what we want our governments to be accountable to in terms of their decision making that effects rights. And so, to some extent, it has been a helpful process for the UK to be involved in the Working Group on the optional protocol, as it was for Canada.

One of the interesting things that I was hearing yesterday from someone is that there is this problem in the UK of none of the parties wanting to be seen to be totally pro-Europe. One of the advantages in this kind of framing around the International Covenant on Economic, Social and Cultural Rights and to draw on more heavily on the optional protocol to that is that this is not Europe, this is the world and this is a connection to international human rights.

European Countries and European NGOs have actually put less focus on the Committee on Economic, Social and Cultural Rights extensively because they have got other things like the European Social Charter etc. But there are good things happening at the Committee on Economic, Social and Cultural Rights and I think with the optional protocol, it is helpful to focus a bit more on that. I think that politically deals with the concern that economic and social and cultural rights would be seen as being European because of course they are not. They are international.

Patricia McKeown: We did not get them (trade union rights) in the section on the economic and social rights, but we are not stupid. We got them in. They are in the section on civil and political rights. But, they were inserted by the main Forum fairly late in the process and did not have the kind of debate I think that really ought to have taken place. We felt that we should at least have had a discussion around the Social and Economic side of it in relation to trade union rights because, for example, the UK Government will give its evidence very shortly on the Convention on Social, Economic and Cultural Rights. And, it is under that Convention that it has been challenged more than once to explain why it still does not have a right to strike unfettered by sanctions. So it seems that if it is being challenged under that route, then maybe something should appear in our social and economic rights section under that route. In terms of whether the government is changing its mind on the issue or not, I would say that it has not even been traditional in the trade union movement in Britain to have Social and Economic rights as centre stage. That is now changing. And quite a lot of debate and discussion is now taking place with unions here about the kind of work we have been engaged in and therefore a conversation is also taking place between the British Trade Union Movement and the Government. And maybe that is one reason for a little bit of a shift on this issue. And I would hope to see a much larger shift on it.