

Work and Pensions Committee

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From the Chair

2 November 2018

Rt Hon Andrea Leadsom MP
Leader of the House of Commons

Dear Andrea,

I am writing to propose a new procedure, with some of the characteristics of an Urgent Question and of petitions, to enable Members in extreme cases of bullying and harassment to bring concerns quickly to the attention of the House and the nation, under the protection of parliamentary privilege.

I have recently spoken to someone who has witnessed appalling bullying and harassment in the workplace. They have seen multiple instances of racial abuse and of sexual harassment, both physical and verbal. They have shown immense bravery in coming forward, and fear the consequences of doing so. They are terrified of their former employer. In taking this risk, they hope only to protect others from suffering in future.

In many of these cases, there were multiple witnesses to this unacceptable conduct. But it seems as though these witnesses might themselves have been bullied into silence, and some of the targets of the bullying felt that they had no choice but to sign non-disclosure agreements. There is a clear imbalance of power between those who have vast resources to pay for legal advice, and those who do not.

There are of course already various ways in which a Member might raise a case, in debate or otherwise, but that variety creates inequality. Different victims risk having their cases treated differently, simply because of who their MP happens to be or whether there happens to be a relevant select committee inquiry open. That seems to me unjust.

It is also the case that Members of both Houses are able to raise cases without having consulted victims, and to reveal information that might identify them without their consent. I would of course not advocate any restrictions on the freedom of speech of parliamentarians in formal proceedings. But we all have a duty to ensure that the needs and interests of victims are at the heart of our efforts to tackle bullying and harassment. A new procedure, with appropriate safeguards, might help us to focus on this.

It would of course be for the Procedure Committee to consider the details of any new procedure, but I would suggest an approach along the following lines:

- Members would be able to make a short statement in the main Chamber to raise the issue substantively at an early opportunity, ideally the same or the next sitting day;
- there would be a process for approving applications, to guard against abuse of procedure;

- Members would be required to seek (but not necessarily to abide by) the advice of Speaker's Counsel;
- Members would be asked to observe a self-denying ordinance, much as we do for cases that are active in the courts, and agree not to reveal information which might identify victims without their consent;
- no debate could arise, to avoid the risk of victims feeling that their stories were being questioned, and to avoid the procedure being used as a procedural device to delay subsequent business.

You will of course have your own ideas on this, following your work on the Independent Complaints and Grievance Policy. Any procedure would need, of course, to have the best interests of victims at its heart and appropriate safeguards.

I will be placing this letter, and in due course your reply, in the public domain.

With best wishes and I look forward to hearing from you,

A handwritten signature in black ink, appearing to read 'Frank Field', written in a cursive style.

Rt Hon Frank Field MP
Chair