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Pressure Politics: Business as Usual but an Expanding Private Sector

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Expanding into the private sector

Part of the conventional wisdom about pressure groups is that the principal targets of their activity are public bodies, broadly defined to include central government, local government and quasi-governmental agencies of various kinds. Of course, there are ambiguous cases such as the Church of England, which has within it groupings reflecting different views, but as the established Church it is in one sense part of the state. However, as the state has shed some of its functions, with public tasks being carried out by private providers, the targets of group activity has shifted to include private entities such as firms. This has almost certainly contributed to an expansion in pressure group activity over the last few years, arguably longer. It is particularly apparent in the food chain, where power has shifted down from producers and manufacturers to retailers. Not only does the oligopolistic and the oligopsonistic position of the major food retailers, such as Tesco and Sainsbury's, give them considerable economic power, but also they are seen as close to the consumer.

Hence public policies in areas such as food quality, food safety and healthy eating, as well as the reduction of pesticide residues, are carried out in part by the retailers. Indeed, 'it is increasingly the quality and safety standards set by retailers and other companies, rather than those set by governments, which matter most to producers and consumers'.¹ This raises normative questions about the nature of contemporary governance to which we return in the conclusion, but at this stage let us note three ways in which the changing nature of political space emphasises the importance of companies as political actors making authoritative decisions that might in the past have been made by government, a trend that is, of course, consistent with the argument that Britain tends towards a 'company state' model.²

The first response is the formation of pressure groups that target companies. With around 30 per cent of the UK grocery market, Tesco is an increasingly controversial company. Some of this controversy is stirred up by its commercial competitors, but some of it comes from groups representing consumers, farmers and environmental protection. All share a perception that competition policy has failed to provide a sufficient response to Tesco's growing market power, which by some definitions would constitute a form of monopoly, in part because suppliers are said to be reluctant to make a complaint against what is often their main customer.

Tescopoly is a coalition of eight environmental, women's, workers' and third world organisations, including Friends of the Earth, the GMB union and War on Want. Friends of the Earth is particularly prominent in the organisation, having produced a report critical of Tesco's record in terms of corporate social responsibility. The campaign uses the slogan 'Every little hurts' in a play on the Tesco slogan 'Every little helps'. It argues that 'Growing evidence indicates that Tesco's success is partly based on trading practices that are having serious consequences for suppliers, farmers, overseas workers, local shops and the environment.'³ However, although the campaign is focused on a specific company, its five principal demands all require government action – a legally binding code of practice, an independent watchdog, a block on any new acquisitions by Tesco, support for local shops from local authorities and central government, and measures to require supermarkets to apply internationally recognised rights.

Breaking the Armlock is a similar grouping of 14 farming, environmental and consumer organisations concerned with the trading practices of the major supermarkets. Friends of the Earth and the think tank New Economics Foundation are again members, but the overall balance is somewhat different, with a greater emphasis on farming organisations such as Farmers for Action and the Farmers' Union Wales. This is reflected in the call for controls over the supermarkets' trading practices, 'particularly to stop them passing on unreasonable costs and demands to farmers and growers in the UK and overseas'.⁴ The difficulty that both these coalitions face is that government is broadly well-disposed to the supermarkets because, particularly at a time of increasing inflationary pressure, they use their buying power to keep prices low, not just of food goods but of non-food goods, including petrol. Their actions may be harmful to farmers and growers, but they benefit key political target groups such as working families with children.

Given the emphasis by companies on corporate social responsibility, another approach, used particularly by Greenpeace, is to engage in direct negotiations with companies. Greenpeace is well-placed to do this because it is one of the world's best known NGOs with 2.8 million supporters, 1,200 staff in 40 countries and an annual income of £109 million. According to annual surveys by the US public relations agency, Edelman, Greenpeace is one of the most highly trusted global brands. As described by the organisation's

international executive director, 'The model is to do peaceful direct actions and reach the media, and use the media coverage to exert pressure on business and politics. The coverage also reaches the general public, that then gives us money, so you can do more campaigning.'⁵ Greenpeace is one of the few groups that managed successfully to combine insider and outsider strategies. As the chief scientist of Greenpeace UK has argued, 'They need a twin-track approach, working both inside and outside the institutions they are trying to change.'⁶ Greenpeace's ability to combine different strategies is assisted by its hierarchical internal decision-making structure with strategic decisions being taken at its Amsterdam headquarters.

An example of Greenpeace negotiating with business occurred in the autumn of 2004 when a deal was concluded with the Chemical Industry Association (CIA) on the production and use of hazardous chemicals in response to proposals for tighter regulations from the EU. There was a particular concern about substances such as brominated fire retardants, fears being expressed that they can accumulate in the body and affect health at very low levels of exposure. However, Greenpeace and the CIA agree that the risks were outweighed by the benefits arising from their use on furniture and clothing to slow the spread of fire and thus save lives. Greenpeace accepted that some hazardous chemicals should remain on the market, where the risks are outweighed by the benefits, after industry agreed to do more work to develop safer alternatives. Greenpeace, the CIA and the Confederation of British Industry (CBI) agreed that hazardous chemicals should be replaced by safer products, but only where the alternative is economically viable and there are adequate supplies of the replacement.

A third interesting way in which political space is reorganised is when companies group together to devise a response to a particular problem. Private interest government is nothing new, but its use by companies seems to be growing.⁷ In 2004 the Commons' Treasury Committee was critical of financial services sold to consumers, following shortfalls on endowment mortgages and serious losses on products such as split capital investment trusts. In response UK banks, insurers and financial advisers came together in a Retail Financial Services Forum, which also included consumer representatives, to test new ideas and promote best practice. The forum was chaired by Richard Lambert, an external member of the Bank of England's Monetary Policy Committee. He emphasised that this was not an attempt to occupy a regulatory space. However, 'by bringing this unusual group of people together, we hope to discuss different issues and agree general principles'.⁸

Direct action

Direct action by a variety of groups continued in 2005, although perhaps attracting fewer headlines than in the past. One major planned protest fizzled out and legal constraints on campaigners grew in significance. One new

shadowy group that emerged was the Alliance Against Urban 4x4s, which vandalises these vehicles, unpopular with environmentalists and road safety campaigners and to some extent with other road users. AA insurance records indeed show that 4x4s are more likely to suffer vandalism. Makers of the cars claimed that 'fringe activists who feel they have won the class war against foxhunting are demonising motorists because they need a new target'.⁹ The campaign against luxury 4x4s was taken up by Greenpeace, 35 of whose activists infiltrated the Land-Rover factory at Solihull and chained themselves to the production line. The company estimated it lost the production of 70 vehicles with a value of £4 million, although this is a relatively small sum for a company owned by Ford. The action was criticised by the Transport and General Workers Union which represents Land-Rover staff. It stated: 'Progress towards better environmental efficiency will be achieved by persuading governments and consumers, not by threatening the livelihoods of Land Rover workers.'¹⁰ Such persuasion could, however, have an equally damaging effect on their livelihoods were it successful, emphasising the potential tensions between the politics of production and of collective consumption. When Greenpeace activists subsequently invaded seven of Land-Rover's busiest dealerships, the protest attracted much less publicity than the Solihull one. Land-Rover said Greenpeace was having no effect on its business and some of the dealerships claimed that the protests had boosted business by attracting passers by. Demonstrations may do little to influence consumer choice, one of the ultimate objectives of environmental policy. In a similar vein, Greenpeace activists scaling the roof of the Deputy Prime Minister's house in his Hull constituency during the election campaign and dumping a load of coal at the gates of Downing Street in November may have little direct or immediate effect, though they attract widespread publicity.

Tensions between personalities and over policies can be a particular problem in protest organisations that do not have a strict hierarchy of control like Fathers 4 Justice, which has attracted considerable media attention in the last few years with dramatic protests such as standing on a ledge at Buckingham Palace. However, the two activists involved were expelled from the organisation after an outbreak of infighting in June 2005. Some members talked about setting up a breakaway organisation, but the group continued to organise eye-catching protests, such as scaling the roof of the Houses of Parliament in September 2005.

Yet the limits of direct action are shown by two cases. Farmers for Action (FFA) have campaigned for years against the financial squeeze suffered by dairy farmers with the prices they receive for their milk falling as input costs rise. There is increasing evidence that some of the more efficient dairy farmers are leaving the industry and finding a new use for their assets. Although there is much argument about why prices are falling, particularly relative to those of producers elsewhere in Europe, most analysts would agree that the main reason is the shift of power down the food chain from farmers

to processors and, in particular, to retailers. The growth of groups like FFA reflects the economic and political marginalisation of smaller-scale dairy farmers in particular, but for the reasons explained earlier, government is very reluctant to challenge retailer power. The government's view was set out by the Environment and Food Secretary, Margaret Beckett: 'There is a genuine problem in the dairy industry and there is no simple or easy answer. It's a matter for the market when it will be resolved.'¹¹

The response of FFA was to threaten even more militant protests, a stance which received support from the National Farmers' Union for Scotland, which has tended to take a tougher line than its English counterpart, in part because Scottish dairy farmers have been particularly hard hit. The FFA chairman, David Handley, stated: 'I've been taking a lot of stick from members who think we've been too soft, and I think they are right – there is going to be a complete change of strategy.'¹² Subsequently, blockades in Scotland led to the unprecedented step of disrupting milk supplies, stopping tankers from picking up or distributing milk for a period of about six hours. However, such actions run the risk of interventions by the police or civil actions by processors or retailers. At the end of 2004 Asda's solicitors sent letters to 28 FFA members which said that unless they stopped protesting at Asda sites, legal proceedings would be started. Asda is owned by the world's largest retailer, Wal-Mart, and may be prepared to take a more robust line with protesters than British-owned companies. FFA's reaction was defiant, but subsequent protests have been directed at other companies, although that they may be because of their policies rather than the threat of legal action.

FFA later planned a three-day strike in November 2005. Farmers were asked not to move finished stock or fruit, vegetables and grain: 50 per cent of all milk was to be withheld with the remainder being sent to a plant in Westbury to be dried and donated to victims of disasters overseas, although it was far from clear how feasible this part of the plan would be. David Handley said: 'We can no longer allow retail dominance as we now see it. The consumer needs to look into the future – no fresh produce on the shelves',¹³ overlooking the fact that fresh produce is now sourced globally. It was also open to question whether farmers would be willing to break legally binding contracts with their customers when they were under pressure from foreign competition.

Protests against rising fuel prices failed to mobilise the widespread support they had attracted in 2000, creating a major civil crisis and briefly putting the Conservatives ahead in opinion polls. This seems to have been for a variety of reasons, including a more vigorous police response and disagreements among the protest groups. Attempts were made to mount protests during the general election campaign in the spring, but when protesters arrived at Fawley refinery they were confronted by hundreds of officers, many wearing riot gear, and threatened with arrest under anti-terrorism legislation, which appears to have a variety of uses. A more sustained attempt to organise an effective protest was made in September when fuel prices had increased

substantially. This became a self-fulfilling prophecy as motorists clearly had no faith in the government's contingency plans and rushed to fill up their vehicles, creating an imitation effect and an entirely artificial shortage of petrol. It was, of course, a classic collective action problem. Those who chose restraint made no impact on the overall problem but ran the risk of running short of petrol themselves. However, the protests themselves largely fizzled out. Many of the sites where protesters were expected attracted more media than demonstrators. Cheshire police said that two people approached the Stanlow refinery near Ellesmere Port but turned around and left when they saw no one else was demonstrating.

Rather more effective was a rolling blockade of the M4 in Wales that was joined by about 100 vehicles. Police attempted to restrict the protest by warning drivers not to drop their speed below 40 mph, but tailbacks as long as four miles developed when they drove at a snail's pace. The Assistant Chief Constable of South Wales stated: 'I believe that we have struck the balance between the staging of a lawful and effective protest and the progress of other members of the travelling public.'¹⁴ The police response was generally less tolerant of the protesters than in 2000, no doubt partly due to Home Office guidance. Andrew Spence, leader of the Fuel Lobby, claimed that a representative of the Association of Chief Police Officers had telephoned him to warn against refinery protests: 'I was told there would be zero tolerance about such protests and there would be a ring of steel outside every refinery.'¹⁵ It was also reported that the government had ordered police chiefs to report any lorry used in any protest to the Vehicle Inspectorate. Hauliers were told that they risked losing their operating licences if their vehicles were involved in a blockade.¹⁶

Another reason for less support than in 2000 seems to have been that the loose coalition of hauliers and farmers, armed with nothing more than mobile phones, was undermined by internal divisions and, in particular, by the absence of FFA. It decided not to take part, citing a lack of guidance by Spence.¹⁷ However, there were also suggestions that the timing of the protest was wrong and should have been delayed until the Labour Party conference or until Parliament was sitting. However, farmers do receive concessionary 'red diesel' attracting a lower level of tax, although, of course, it is also affected by increases in the world price of oil (red diesel prices for a bulk order went up from 29.5p a litre at the end of August to 36.5p in October 2005). The government also declared that it intended to crack down on the fraudulent use of red diesel, which is meant for on-farm use, and threatened to ban its use on public roads, causing real problems for many farmers who increasingly farm on split sites. The issue has divided the farming community, with some farmers 'opposed to any change in arrangements, but others saying that tighter restrictions should be introduced to clamp down on people abusing the current system'.¹⁸ Andrew Spence claimed that the fuel protests had been a success:

If we hadn't ... said that we would be returning to the refineries, the media wouldn't have highlighted the issue as it has done. I doubt the government would have given us the 1.2p freeze in duty proposed for October. I like to think we have achieved something this week.¹⁹

The real victory, however, was achieved following the 2000 crisis, when the government abandoned above-inflation rises in fuel duty. As a consequence, the main rates of fuel duty have fallen nearly 14 per cent in real terms since then.²⁰ Environmental campaigners regarded this as a victory by the road lobby, but as demand for petrol is highly inelastic (unresponsive to price), it is questionable what impact tax-induced price increases have on driver behaviour. Nevertheless, around 65 per cent of the price of a litre of petrol still goes to the government in duty and value added tax, a much higher level than in almost all European countries (although what is frequently overlooked is the more extensive use of road tolls in continental Europe and often higher rates of road vehicle tax).

Various suggestions for alternative policies have made, including a 'regulator' that would link fuel duty to oil commodity prices. Fuel protesters have suggested that a toll should be imposed on foreign hauliers entering Britain, a measure completely incompatible with the internal market. However, even the more sensible suggestions point to a limitation of single-issue campaigns. The protesters never say which other taxes they would raise, or which public services they would cut, to compensate for the fall in taxes on fuel.

Hunting

Despite the efforts of the League Against Cruel Sports in gathering evidence, no prosecutions of hunts have taken place in England and Wales, although, ironically, the Hunting Act was used to convict a poacher.²¹ However, five cases have been referred to the Crown Prosecution Service, three of which have been rejected due to lack of evidence, and two were still being considered late in 2005.²² In November, however, the League Against Cruel Sports brought a private prosecution against a member of the Exmoor Foxhounds, but a full hearing was postponed until January 2006.

Fundamental problems have arisen with the legislation. Simon Hart, chief executive of the Countryside Alliance, told BBC Radio 4's *World at One*: 'What has been passed into law is impossibly difficult to determine and will involve different forms of interpretation ... from a policing and enforcement angle [it] will be an absolute nightmare.'²³ Under the Act, it is legal for riders in full hunting livery to exercise their dogs across areas of land. According to pro-hunters, it is also legal to flush out a mammal with two dogs. Hunt supporters have used these tactics to make their continued existence known to the government and to test the ability of the police. Some pro-hunt strategists have estimated that the police would need to assign 50 officers to each meet

to monitor adequately the hunting community – or 10,000 across England and Wales.²⁴

Furthermore, a loophole in the anti-hunting legislation allows rabbits to be hunted legally – even with a pack of hounds and mounted huntsmen. If the hounds pick up the scent of a fox and kill it, the huntsmen are being told to claim that it was an unintentional act and an accident. Such a ploy is set out in new rules of engagement for the hunting season, issued by the Countryside Alliance and Council of Hunting Associations. The *Hunting Handbook* suggests that a combination of legal hunting can still take place, which, alongside rabbits, can include hunting with birds of prey. Hunts have also been told that hounds can still dig rabbits from their holes, and that it is also legal for huntsmen to stop up burrows to ensure there are more rabbits above ground. There is little doubt that the legislation has not worked in the way that the anti-hunting lobby hoped.

The Countryside Alliance challenged the validity of the Hunting Act on the grounds that it had been passed under the provisions of the Parliament Act 1949, which, it said, had not, but should have been, passed by the House of Lords. Both the Court of Appeal and the House of Lords rejected the case. The Law Lords voted unanimously declared both the Hunting Act and the 1949 Parliament Act valid in law.²⁵ Simon Hart said the Alliance would go on fighting ‘as vigorously as ever’ to get the former repealed; the ruling set a ‘dangerous, anti-democratic precedent’.²⁶ Because of its constitutional importance, the case was heard by nine out of the twelve Law Lords, as opposed to the usual five.

An unsatisfactory compromise has emerged by which hunts cannot operate as they used to, but their activity has not been banned. The option of allowing hunting with dogs to continue but within a strict regulatory framework, supported by some members of the government, might have been a more workable compromise. Indeed, this was the position supported by a cross-party group of MPs known as the Middle Way Group with the Liberal Democrat MP Lembit Öpik being the most prominent of the three joint chairs.

Animal rights²⁷

Animal rights activists, it has been suggested, pose a serious threat to the economy because of growing intimidation of individual companies. London-based Aegis Defence Services has argued that animal rights ‘terrorists’ in the United Kingdom could do as much economic damage as a single spectacular terrorist attack. Dominic Armstrong, director of research and intelligence at Aegis and a former City banker, says that an annual investment of up to £16 billion in the pharmaceutical and biotechnology industries is at stake. A report by the organisation predicts that animal rights extremist activity in Europe will grow with more ambitious strategic targets: ‘Short of a radical solution

being provided by the UK authorities, companies will have little option but to relocate key functions to less hostile environments, probably in Asia.²⁸

Individual cases demonstrate the impact of animal rights activists. They claimed that an attack on a New York yacht club used by executives at firm of brokers led to the cancellation of plans to sell shares in Huntingdon Life Science (HLS), the British Biotech company, on the New York stock exchange (NYSE). Shortly afterwards, the NYSE decided not to list HLS shares. The Animal Liberation Front (ALF) confirmed it had carried out the attack:

On Tuesday the 23rd [August] the Manhasset Bay Yacht Club was paid a visit from the ALF. Their nicely kept club area was completely covered with red paint and painted slogans. There was not a foot of the club that was left untouched. If you trade LSR,²⁹ make a market for LSR, process orders for LSR, or purchase LSR shares you can expect far worse treatment. The measure is simple, DON'T TOUCH HLS.³⁰

The exchange's decision to axe the listing was described as 'potentially disastrous' by Senator James Inhofe, chairman of the Senate Committee on Environmental and Public Works: 'It seems to me unimaginable that this country's worldwide symbol of the integrity of the capital markets, the NYSE, would capitulate to threats, or even the mere threat of threats, from a single-issue extremist group.'³¹ The committee later demanded that the NYSE explain why the listing had been withdrawn.³²

Animal rights activists have campaigned vigorously against HLS's animal testing, targeting employees with hate mail and death threats. In 2002, Brian Cass, the managing director, was attacked with a baseball bat. In November 2005, Janet Lawrence, an ALF supporter, was jailed for eight months for sending threatening letters to individuals with 'vague and tenuous' links to HLS.³³ The ALF has also caused minor damage to the home of a senior executive of GlaxoSmithKline (GSK) and, on its *Biteback* website, threatened further attacks on staff unless GSK stopped using the services of HLS. As part of its campaign against the building of a primate laboratory by Oxford University, ALF destroyed Hertford College's boathouse in an arson attack and later sought to destroy the sports pavilion of Corpus Christi College, but the device was disabled. The original contractor for the laboratory, the Montpelier Group, had already withdrawn after threats to its shareholders.³⁴ The ALF also sent letters to nearly 30 builders and decorators, warning that, if they carried out work for Oxford University, they would do so at their own 'peril'.³⁵ One consequence of this was that workers on the laboratory site began to wear masks.³⁶

The government has attempted a crack-down on animal rights extremists, taking increasingly stringent measures as their method of targeting suppliers of services to animal testing companies, and even suppliers to the service companies, often proved effective. However, the number of activists involved

is small. The police claim that those willing to commit crimes in pursuit of their cause is fewer than 50, with perhaps only 12–15 committing extreme militant action, such as the removal of a woman's remains from her grave, leading her family to close a controversial guinea pig farm in Staffordshire. Faced with growing pressure, the government introduced an amendment to the 2005 Serious Organised Crime and Police Act, with the result that animal rights militants face five years in jail and unlimited fines for trying to inflict 'economic damage' on businesses linked to animal research. Though welcomed by industry, civil liberties groups have warned of the risk of criminalising legitimate protests. Shami Chakrabarti, Director of Liberty, stated: 'One person's economic sabotage is another person's economic sanctions.' However, Patricia Hewitt, the then Trade and Industry Secretary, said that the new law was needed to safeguard billions of pounds of inward investment and to stop activists 'threatening to destroy a very important part of medical research in our country'. She pointed out that 'extremists' have switched tactics from direct attacks on animal research facilities to campaigns 'maliciously and often violently' targeting businesses in the supply chain, such as cleaning and construction companies. Ms Hewitt argued that the new law would result in increased sanctions for acts which are already unlawful but 'on their own may appear to be trivial' – such as putting paint-stripper on cars – rather than criminalising lawful behaviour.³⁷

It has also become a criminal offence to disrupt the functioning of an organisation with an animal research licence through illegal acts, including vandalism, trespass, blackmail and libel – whether aimed directly at the organisation or indirectly through customers, suppliers, employees or families. Timothy Morris, head of animal policy for GSK, has said: 'We recognise that the police have understood the importance of animal rights extremism and that the legislation has improved but it is vital that resources are made available.'³⁸ It remains to be seen whether the new legislation will be effective.

In October 2005, HLS won an important victory in the High Court, allowing the company to pursue funds in the general bank accounts of animal rights activists' groups. In an appeal hearing, a cost order against London Animal Action, formed in 1994 to campaign against the fur trade, was upheld, allowing HLS lawyers to seize £6,721 held in its bank account, the first time an order has been granted against an 'unincorporated association' with no official list of members. There is also a £9,000 costs order giving HLS the right to pursue the finances of individual members. Two months earlier, HLS won a County Court judgment for bankruptcy against the founders of Stop Huntingdon Animal Cruelty (SHAC), after a costs order was ignored. The HLS's lawyers argued that the High Court judgment opened the way for them to go after the funds of other activist groups.

In October 2005, the Home Secretary announced that terrorism laws would be applied to animal rights activists, permitting them to be imprisoned for up to seven years and for suspects to be held without charge for up to 28

days. This somewhat draconian step was not immediately welcomed within the industry, which drew a distinction between extremism and terrorism. A senior industry official was quoted as saying: 'There is a genuine concern from within the industry that labelling animal extremists as terrorists could get in the way of enforcement. I suspect that the police don't really want this.'³⁹ What was clear, but not always been clear earlier, was that the government was determined to use all the coercive measures at its disposal to counter animal rights extremism. Nonetheless, the founder of SHAC, Greg Avery, has been quoted as saying: 'As far as we are concerned, it is business as usual.'⁴⁰

The trade unions and the Labour Party

2005 has seen an increase in tensions both within the Trades Union Congress (TUC) and between the TUC and the Blair government. The very future of the TUC has been called into doubt, something unthinkable in the years of 'tripartism' in the 1960s and 1970s, when sometimes it seemed that economic policy was being made by successive Labour and Conservative governments in conjunction with the TUC and the CBI. The crisis within the TUC has arisen from the proposed merger of Amicus, the TGWU and the GMB to create a giant union of 2.6 million members. Together with Unison, the largest public sector union with 1.3 million members, the two groups would dominate the TUC, accounting for 60 per cent of its membership of 6.5 million (organised into 67 unions in 2005). The General Secretary of the merged union would control 25 per cent of the vote at the Labour Party conference.

The annual fee of a merged union to the TUC would cost around £5 million and questions have already been asked about whether it would represent value for money. As it is, there have been increasing tensions between member unions and the TUC leadership. Many union leaderships have shifted to the left, while the TUC leadership has tended to take a moderate, pro-Blair stance, advocating dialogue with the government to obtain concessions. Contacts between the TUC and the government were lower in the Major years than under Thatcher. 'The election of a new Labour government in 1997 was accompanied by an initial increase in contacts, but contacts declined subsequently.'⁴¹ The strategy of dialogue does not seem to have rewarded by increased contacts:

Contacts did increase in the first years of the New Labour government, but only to an average of 50 per year in the first three full years (1998–2000), well below the level in the Thatcher years, let alone the level in the Labour years in the 1970s. However, they subsequently fell significantly to an average of 22 in 2001 and 2002.⁴²

Of course, one has to look at the outcomes as well as the frequency of the contacts. Gordon Brown has emphasised that the government will honour the Warwick (University) Agreement, struck with the unions before the 2005 election, when the government needed their financial support and other forms of help for the election campaign. The proposals agreed included doubling statutory redundancy pay and not privatising, even partially, Royal Mail. The CBI took particular exception to the proposal to give temporary staff the same rights as permanent workers after just six weeks' employment, in line with the EU Agency Directive, arguing that it would add to business costs and hamper flexibility.

However, the unions want far more than was offered by the agreement. In particular, they want Labour to repeal anti-union legislation introduced by the Conservatives. At the 2005 congress, the unions voted for a new Trade Union Freedom Bill to allow sympathetic industrial action, to simplify balloting procedures, to protect strikers from dismissal, and to bar employers from replacing striking workers. These demands were influenced by the dispute in which 600 workers at Gate Gourmet, the catering supplier to British Airways, were sacked. The calls got a frosty response from the government, which saw them as a threat to its support in Middle England. The Trade and Industry Secretary, Alan Johnson, declared: 'We're not going to do it. We're not inclined to go to the British public and say "vote for us and we'll make it easier for BA baggage handlers to walk out unballoted in industrial action that has nothing to do with their employer".'⁴³

There was further trouble over public sector pensions, but the government backed down in the face of trade union pressure, although it denied doing so. Faced with a growing funding problem as retired workers live longer and their numbers increase, the government had wanted to increase the age of retirement for public sector workers from 60 to 65 in 2013. When it insisted on the change, the unions threatened the biggest national stoppage since the 1926 General Strike. Then, in October 2005, the government dropped the proposal and agreed that existing employees will be able to retire at 60, but new recruits from 2006 will have to work to 65. It claimed that it would still reach its target of saving £13 billion over 50 years, pointing out that there was substantial turnover in public sector jobs. Moreover, each scheme has its own rules and regulations and it is still open to individual departments to negotiate an increase in the normal pension age for existing scheme members. Nevertheless, what the TUC hailed as a 'sensible compromise' was condemned by Sir Digby Jones of the CBI, who accused the government of capitulation in the face of strike threats: 'At the first sign of trouble they have given in.'⁴⁴ An important consideration for the government was how it could realise planned cuts in public sector employment, whilst engaging in a major row with the unions on pensions. The unions are back as a force in British politics; whether they will achieve all their goals is another question.

Licensing hours

The government was accused of caving in to the licensing industry over its decision to go ahead with 24-hour licensing, which was the biggest relaxation of licensing laws for 90 years. The Conservative opposition opposed the order authorising the changes, arguing that the new laws would exacerbate binge-drinking and alcohol-related crime, but failed, and they came into effect at the end of November. A Downing Street study into alcohol abuse was seen as a sop to the drinks companies. As Theresa May, Shadow Culture Secretary, put it: 'Everybody, from the medical profession to the police, is concerned about the consequences of the binge-drinking culture in the UK.'⁴⁵ Concerns were expressed that, like others before it, the government was too easily swayed by the drinks lobby.

LAARN (the 'Licensing Act Active Residents Network') is a means to network residents adversely affected by the 2003 Licensing Act. As its website states, its aim is 'to make the thousands of nuisance pubs an issue and to give back to residents the control, peace and enjoyment of their environments that the nuisance pubs have stolen'.⁴⁶ So what was the problem with the new law? Pubs in residential areas are being granted extended hours. Pubs will be open longer and they can more easily stage events and have entertainments to attract large crowds.⁴⁷ LAARN argues:

the new licensing law is not about 24-hour drinking, but about selling more drink. The media has been focused on binge-drinking and late night town centre behaviour. It is only now that the effect of the new law on residents is being appreciated.⁴⁸

How did this situation arise? LAARN argued that extending pub hours at a time when concern is growing about alcohol abuse required clever justification:

Licensing control was moved to the Department for Culture, Media and Sport, where the intended change could be presented (spun) as enhancing cultural life and diversity. Local councils were made responsible for alcohol and other licenses, e.g. entertainment, as part of the same act. The act is dressed up as much needed reform but it is a *deregulation act* for the pubs and a *disenfranchising act* for the people. Binge drinking was defined as the problem and the cause was said to be 'last orders', longer hours were sold as the solution when in *reality binge drinking* is caused by *binge serving*.⁴⁹

The Department of Culture, Media and Sport issued a Press Release on 23 September 2005, entitled 'Local Licensing Decision-Making Means Tougher Protections for Local People', outlining the expected government

concessions: 'there is no presumption that requests for longer hours should take precedence over legitimate residents' concerns'. It urged local councils to use the strengthened powers they have under the Licensing Act 2003 to stand up for the interests of the electorate. It also confirmed details of measures to 'ensure the new laws deliver for local people'. There will be a review within three months of the law taking effect and consideration of a possible redraft by summer 2006. Nevertheless, LAARN was critical:

It is not said whether anything is to be done to remedy the flawed consultations and licensing decisions that have taken place already and will be completed by 24 November; these have had a presumption in favour of longer pub hours. Is it likely that these pubs next year will be told to reduce the extra hours now granted to them? The future duty on residents to gather evidence for a license review is onerous and a situation in which residents should not have been placed. Licensing hearings need to be replayed under new rules.⁵⁰

Arguably, the government has remained too influenced by the industry, with the concessions offered being fairly cosmetic in scope.

Pressure groups and the 2005 general election

The distinction between political parties and pressure groups is not generally difficult to draw. However, it can be blurred by the practice of some pressure groups calling themselves parties (as the Referendum Party did in 1997 when seeking Britain's withdrawal from the EU) and by the practice of some groups fighting elections as a means of getting publicity for their cause.⁵¹ According to the Electoral Commission, excluding the Speaker and independents, 113 'parties' contested the 2005 general election.⁵² Of these, only about 30 were parties in the sense that they offered a wide range of policies, and only six put up more than 100 candidates. In addition, Plaid Cymru, the Scottish National Party and the four main parties in Northern Ireland contested all constituencies in their respective parts of the UK. Most identifiable pressure groups putting up candidates contested only a single constituency; the Legalise Cannabis Alliance, with 21 candidates, was the only group to contest more than ten.⁵³ However, one pressure group candidate, Dr Richard Taylor, representing Kidderminster Hospital and Health Concern, was re-elected, having defeated a sitting Labour MP and minister in 2001. This lone success, however, does not deter a wide range of groups, from the Save Bristol North Baths through the Christian Peoples Alliance, the Croydon Pensions Alliance (and various other pensioner 'parties'), to the Removal of Tetra Masts in Cornwall from trying to further their cause through elections.

Conclusion: unanswered questions

Pressure group activity is easy to observe but difficult to measure. Nonetheless, there is no reason to believe that 2005 has seen a diminution of such activity. The private sector could be seen as a growth area and direct action has continued arouse controversy, but other controversies have also sprung up. For instance, in the intense discussions surrounding the government's post-7/7 Terrorism Bill, the Home Secretary, Charles Clarke, 'suggested to ACPO [Association of Chief Police Officers] that chief constables write to MPs in their ... area making themselves or relevant senior police officers available to MPs of all parties, who wanted to know their local police attitude on these issues', particularly the proposal that terrorist suspects could be detained for up to 90 days. ACPO duly obliged and more than 20 forces contacted MPs in their area, setting off a furore of criticism about the appropriateness of both its and the Home Secretary's action.⁵⁴ There is, however, a wider issue concerning pressure group activity. From time to time, the media complains about the excessive influence of single-issue groups and their harmful effects on the political system generally, though this does not prevent media-led campaigns on single issues. But there is still no sustained debate, even among academics about how government can reconcile conflicting demands and make balanced decisions about priorities, when faced with single-issue group campaigns conducted in the glare of media publicity. Patient campaigns, not discouraged by pharmaceutical companies, that demand that an expensive drug is immediately made available to anyone suffering from a particular condition are often successful, but at the expense of other forms of expenditure in the National Health Service given that resources are finite. A full debate about the role of advocacy groups in the twenty-first century polity is overdue.

Notes

1. Food Ethics Council, 2005, *Power in the Food System: Understanding Trends and Improving Accountability*, 2005, p. 3 <www.foodethicscouncil.org>.
2. See W. Grant, *Business and Politics in Britain*, 2nd edn (Basingstoke: Palgrave Macmillan, 1993), pp. 14–15 and 201–04.
3. <www.tescopoly.org>.
4. <www.breakingthearmlock.com>.
5. *Financial Times*, 5 September 2005.
6. Food Ethics Council, *Power in the Food System*, p. 13.
7. See W. Streeck and P.C. Schmitter (eds), *Private Interest Government: Beyond Market and State* (London: Sage, 1985).
8. *Financial Times*, 16 September 2005.
9. *Sunday Times*, 22 May 2005.
10. *Financial Times*, 17 May 2005.
11. *Financial Times*, 20 September 2005.
12. *Farmers Weekly*, 1 July 2005.
13. *Farmers Weekly*, 14 October 2005.

14. *Financial Times*, 17 September 2005.
15. *The Times*, 8 September 2005.
16. *The Times*, 12 September 2005.
17. *Financial Times*, 14 September 2005.
18. *Farmers Weekly*, 4–10 February 2005.
19. *Financial Times*, 15 September 2005.
20. *Financial Times*, 8 September 2005.
21. *Daily Telegraph*, 19 October 2005.
22. *Daily Telegraph*, 14 October 2005.
23. *Financial Times*, 11 December 2004.
24. Ibid.
25. See discussion in Chapter 9, pp. 000–000.
26. *Daily Telegraph* and *The Times*, 14 October 2005.
27. For a comprehensive discussion of animal rights in the UK, see R. Garner, *Animals, Politics and Morality*, 2nd edn (Manchester: Manchester University Press, 2004).
28. *The Times*, 10 December 2004.
29. Life Sciences Research, the name under which HLS planned to trade.
30. *Sunday Times*, 11 September 2005.
31. Ibid.
32. *Daily Telegraph*, 25 October 2005.
33. *Daily Telegraph*, 4 November 2005.
34. *Daily Telegraph*, 28 September 2005.
35. *Daily Telegraph*, 12 October 2005.
36. *Daily Telegraph*, 15 December 2005.
37. *Financial Times*, 1 February 2005.
38. *Financial Times*, 1 July 2005.
39. *The Times*, 25 October 2005.
40. *Daily Telegraph*, 25 August 2005.
41. D. Marsh and H. Savigny, 'Changes in Trade Union–Government Relations 1974–2002', *Politics*, 23 (2005), 173
42. Ibid., 171.
43. *Financial Times*, 13 September 2005.
44. *Financial Times*, 21 October 2005.
45. *Financial Times*, 1 October 2005.
46. <www.laarn.org/index6.htm>.
47. Ibid.
48. Ibid.
49. Ibid., italics in original.
50. Ibid.
51. See Wyn Grant, *Pressure Groups and British Politics* (Basingstoke: Macmillan, 2000), pp. 12–14), and C. S. Thomas, 'Studying the Political Party–Interest Group Relationship' in C. S. Thomas (ed.), *Political Parties and Interest Groups* (Boulder, Colo.: Lynne Rienner, 2001), pp. 1–23.
52. C. Rallings and M. Thrasher, *The 2005 General Election: Analysis of the Results* (London: Electoral Commission), p. 2 <www.electoralcommission.org.uk>.
53. The largest single number of pressure group candidates in 2001 was 37 by the Pro-Life Alliance, which did not contest any constituencies in 2005.
54. *Daily Telegraph*, 12 and 16 November 2005.