

Shaping Government policies

How engineers can tell the Government what they need

Those affected by new legislation often do not realise that, if they act at the right time, they can play a part in the way in which that legislation develops. Here, Claire Curtis-Thomas MP suggests that engineers should take more notice of the many opportunities that exist to influence the direction of Government legislation.

Although now a Member of Parliament, my first love is engineering. All industrial sectors are constantly challenged with new legislation forcing business leaders to look for cost-effective solutions. My experience suggests that individuals within engineering and manufacturing industries are prepared to acquiesce to imposed Government-led requirements when there is a whole myriad of ways in which people can make Government legislation work for us.

Engineers share a common understanding that our public profile does not match our influence on society. Making our concerns known to those that shape the legislation that governs community and business life in the UK will, I believe, help to address this yawning perception gap.

Producing new legislation

The process that is employed to produce new pieces of legislation is simple, and provides numerous opportunities for those affected by the new legislation to have their say. In this article I will try to illuminate the process to you and indicate where and when you can influence the process to maximise the benefit or minimise the negative impact of the legislation on your business. I am always amazed by the number of people who become aware of the consequences of a piece

of legislation only after it has been made law. Unfortunately, by then, the opportunity to modify or reject the legislation has gone.

In the creation of legislation, timing is everything, and, by adopting a more proactive, rather than a reactive, approach, each of us can help shape the legislation that governs our industry. I hope, after reading this article, that not only will you be empowered with the knowledge on how to achieve this goal, but also that you *will* take the initiative and become an active part of the legislation-making machine.

There are a number of avenues of influence that you can utilise to express your concerns, proposed modifications, or outright rejection of Government proposals.

All legislation arises within Government departments, although the primary drivers for this legislation can and do arise from a number of different

sources, including: civil servants, industry, individuals, catastrophic events, non-Governmental organisations and trade associations. Civil servants are the main source of information for Ministers on matters that fall within their portfolio. Civil servants often start the long process of legislation by preparing draft consultation documents known as green papers.

Green papers set out the justification for new legislation and offer some indication of the action that the Government proposes to take to address the expressed problem. Once the Government has considered all the responses to the green paper, it will issue a further consultation document, known as a white paper. In reality, this is your last chance to influence the legislation that will come before Members of Parliament for their ratification in the House of Commons, because the difference between the contents of a white paper and the final legislation is often negligible.

Let us now assume that you have heard of white and green papers but you cannot spare the time to formulate a written response to either document; then you might like to consider making an appointment to meet with your Member of Parliament and raise your concerns directly with them. Members of Parliament have been elected to serve their communities and making Ministers aware of constituents' concerns is part of their everyday activity.

You may feel so strongly about an issue that you might wish to encourage your Member of Parliament to request an adjournment debate in the House of Commons to get an immediate response from a Minister. Adjournment debates are very useful vehicles for highlighting issues. These debates take place either on the floor of the House of Commons, or in Westminster Hall and last either 30 or 90 minutes. They are an excellent way to access Government opinion on any particular matter at any given time, as the relevant Minister is required to attend and respond to the content of the debate.

Sadly, securing these debates is a far from easy task, with a lottery deciding which debates are heard. This can result in some Members of Parliament waiting months for the opportunity to present their debate, while others are successful on their first attempt.

In October, I led an adjournment debate titled 'Manufacturing Industry'. The time limit on the debate meant that not all those who wanted to speak were able to do so. As a result I believe the only way in which the issues facing manufacturing industry can be fully explored is through a full debate on the floor of the House. If you agree with this proposal why don't you write to your Member of Parliament to make your views known? It is a fact that the more people that write, the greater the chance we have of getting what we want.

Select Committees

Select Committees are made up of Members from across the House, and act as type of watchdog for specific Government departments. Select Committees possess a genuine ability to trigger new legislation. The topics investigated by each Select Committee are chosen by its members and the recommendations of the resulting investigations can form the basis of new legislation or modify legislation that currently exists. Select Committees can draw both public and ministerial attention to a particular subject and influence opinion, as well as forcing Ministers and officials to explain and justify their policies. As with Ministers, the members of a Select Committee wish to be as informed as possible and therefore appreciate constructive criticism, comments and potential solutions to problems. By logging on to a departmental website you can see which inquiries the relevant Select Committee is considering at that time. Expert witnesses are always needed and if you have the appropriate qualifications

Select Committees

The House of Commons has the following principal Select Committees:

- Accommodation and Works Administration
- Broadcasting
- Catering
- Culture, Media and Sport
- Defence
- Deregulation and Regulatory Reform
- Education and Skills
- Environment, Food and Rural Affairs
- Environmental Audit
- European Scrutiny
- Finance and Services
- Foreign Affairs
- Health
- Home Affairs
- Human Rights Joint Committee
- Information
- International Development
- Northern Ireland Affairs
- Procedure
- Public Accounts
- Public Administration
- Science and Technology
- Scottish Affairs
- Selection
- Standards and Privileges
- Statutory Instruments
- Trade and Industry
- Transport, Local Government and the Regions
- Treasury
- Welsh Affairs
- Work and Pensions

Science and Technology

The members of this committee (as at 16 May 2002) are:

- Dr Ian Gibson (Lab)
- Mr Parmjit Dhanda (Lab)
- Mr Tom Harris (Lab)
- Mr David Heath (LDem)
- Mr Mark Hoban (Con)
- Dr Brian Iddon (Lab)
- Mr Tony McWalter (Lab)
- Dr Andrew Murrison (Con)
- Geraldine Smith (Lab)
- Bob Spink (Con)
- Dr Desmond Turner (Lab)

and experience in a specific subject area, I would strongly encourage you to write to the Select Committee clerk to make them aware of your expertise.

Early Day Motions

Early Day Motions (EDMs) are perhaps the simplest action a Member of Parliament can take on behalf of a constituent. An EDM is a statement generated by an MP that begins 'This House believes ...'. They are used to highlight an issue. Members of Parliament who support an EDM are encouraged to sign that Motion. If enough Members of Parliament sign an EDM, the Government is inclined to address the concerns.

EDM 783 'Debate on Manufacturing' calls for the Government to schedule a debate in the House of Commons that will allow MPs to discuss all the issues facing the manufacturing industry. If you believe this debate is needed, then write to your local or workplace MP telling them why he or she should sign it. For an even more proactive approach, organisations, and individuals can prepare an EDM and ask Members of Parliament to circulate it for approval. The list of EDMs is on the Parliament website.

EDM 783

That this House recognises and applauds the initiatives of the Government to aid those involved in all levels of the manufacturing industry; welcomes the various financial incentives proposed in the pre-budget report 2001; wishes to see that impetus is not lost in providing further support for the industry; and therefore calls for the Government to table a motion for a debate on the floor of the House so that honourable Members can fully express their views on the state of the manufacturing industry in Great Britain.

If you wish to support an Early Day Motion such as this, you can send a copy of the text to your local MP with a letter explaining why he or she should support the motion.

Opportunities that legislation brings

In industry we are forever facing new challenges, often brought about through advances in technology. But what defines successful businesses is their ability to use these challenges as an opportunity to further excel, to push the boundaries of the conceivable and to become market leaders.

And this is how we must look at new legislation, as an opportunity, not a punishment. What we must also do is bring an end to the era of being

Bills in progress

In May 2002, in the middle of a typical session, there were just over 100 Public Bills before Parliament, either in the House of Commons or the House of Lords. Amongst these were the following:

- Broadcasting Act 1990 (Amendment) Bill
- Computer Misuse (Amendment) Bill [HL]
- Control of Fireworks Bill
- Copyright, etc. and Trade Marks (Offences and Enforcement) Bill
- Education Bill
- Environmental Audit Bill
- Firearms (Amendment) Bill
- Health (Air Travellers) Bill
- Home Energy Conservation Bill
- Human Reproductive Cloning Bill
- Marine Wildlife Conservation Bill
- Mobile Telephones (Re-programming) Bill [HL]
- Office of Communications Bill
- Patents Act 1977 (Amendment) Bill
- Patents Act 1977 (Amendment) (No. 2) Bill
- Public Right of Planning Appeal Bill
- Road Safety and Speed Bill
- Telecommunications Transmitters (Restrictions on Planning Applications) Bill



dictated to by policies. It is imperative that we become a vital part of shaping legislation, demonstrating the sort of clear thinking and vision that all good business people possess. Inform the Government where and why it went wrong, but then tell them how to rectify the situation. Be thorough and be clear on what is needed. An informed opinion is highly prized. The Government can only respond to what it is told.

The example on the right shows how a new law can result from the efforts of an individual or a company.

Parliamentary business

All Parliamentary business, Ministerial portfolios, details of Members (including a search engine to find your local MP) can be found at the Parliamentary website: www.parliament.uk

Details of all the issues mentioned here can be found from the main Parliamentary site, including the transcript of the October 2001 debate

The Patents Act 1977 (Amendment) (No 2) Bill

As the result of representations from a constituent, Ian Liddell-Grainger MP introduced a Bill which seeks to amend the Patents Act 1977 such that courts will be able to award damages to a patent holder in the case of infringement of their patent. Such awards will take notice of the flagrancy with which the infringements occurred.

In the UK, infringing a patent does not attract punitive damages. Various reviews of the law have indicated that small companies find it more difficult to defend their intellectual property either through insufficient knowledge of the law or through a lack of funds.

Three prominent patent disputes that have resulted in press coverage and Parliamentary comment are:

- AllVoice Computing plc
- Dyson's Cyclonic Bagless Vacuum Cleaner
- Mandy Haberman's Anywayup Cup.

The details of this Bill and the details of the patent disputes are available via the links on the Parliamentary website or directly, using:

www.parliament.uk/commons/lib/research/arch/rp2002/rp02-023.pdf.

on the Manufacturing Industry, the list of current EDMs, the text of which can be included in any correspondence, and the list of MPs who sit on the various Select Committees. ■

Claire Curtis-Thomas is the Member of Parliament representing Crosby. The first woman professional engineer to enter the House of Commons, she is a current member of the Deregulation Select Committee and previous member of the Science and Technology Select Committee.

Before coming to Parliament, Mrs Curtis-Thomas worked within the



engineering industry for 20 years in both the private and public sectors. She is Founder and President of an educational charity that has presented science, engineering and technology related activities to over 25,000 young people to date. Mrs Curtis-Thomas is an ardent supporter of engineering, industry, equal opportunities, and the promotion of women within the science, engineering and technology related industries.

For more information contact Mark Ramsdale: Intelligence and Research Officer on 0207 219 2739, or via ramsdalem@parliament.uk.

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