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PARLIAMENTARY DEBATES

HOUSE OF COMMONS

OFFICIAL REPORT

N° II

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QUESTIONS TO MINISTERS.

COTTON INDUSTRY (RE-ORGANISATION) (POSTPONEMENT) BILL [*Lords*]:
Read a Second time; considered in Committee, and reported, without Amendment; read the Third time, and passed, without Amendment.

PRICES OF GOODS BILL:
As amended, considered; read the Third time, and passed.

ROYAL ASSENT TO BILLS PASSED.

EMERGENCY POWERS (DEFENCE) ACT, 1939:
Motion for Address—[Mr. Dingle Foot]—after debate, by leave, withdrawn.

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HOUSE OF COMMONS.

Tuesday, 31st October, 1939.

OFFICIAL REPORT.

The House met at a Quarter before Three of the Clock, Mr. SPEAKER *in the Chair.*

GOVERNMENT OF INDIA ACT, 1935, AND GOVERNMENT OF BURMA ACT, 1935.

The VICE-CHAMBERLAIN OF THE HOUSEHOLD (Mr. GRIMSTON) reported His Majesty's Answer to the Addresses, as followeth:

I have received your Addresses praying that the Government of India (High Court Judges) (Amendment) Order, 1939, the Government of India (Family Pension Funds) (Amendment) Order, 1939, the Government of India (Governors' Allowances and Privileges) (Amendment) Order, 1939, the Government of India (Adaptation of Acts of Parliament) (Amendment No. 2) Order, 1939, and the Government of Burma (Existing Railway Funds) Order, 1939, be made in the form of the respective drafts laid before Parliament.

I will comply with your request.

DEATH OF A MEMBER.

Mr. SPEAKER made the following communication to the House:

I regret to have to inform the House of the death of Lieut.-Colonel Anthony John Muirhead, M.C., late Member for the County of Somerset (Wells Division), and desire to express our sense of the loss we have sustained and our sympathy with the relatives.

ORAL ANSWERS TO QUESTIONS.

BRITISH ARMY.

VEHICLES (REQUISITIONING).

1. **Mr. Woodburn** asked the Secretary of State for War whether he will issue instructions that new vehicles being commandeered by his Department will be taken over at the works and not after they have reached the customer, and thus save nearly 35 per cent. of the cost to the nation?

The Secretary of State for War (Mr. Hore-Belisha): It is already the policy to take over new vehicles at the works, whenever practicable.

Mr. Woodburn: Is the Minister aware that recently there was a case of a vehicle being sent from London to Edinburgh, delivered to a customer, taken over by the military at full price, and sent back to London? Is that in accordance with the right hon. Gentleman's policy?

Mr. Hore-Belisha: I cannot possibly know about that particular vehicle, but I have answered the question, and the reply, I think, covers the point satisfactorily.

Mr. Woodburn: Will the Minister inquire into it, because this extravagance seems to be in shocking contrast to the allowances for soldiers' pensions?

Mr. Hore-Belisha: If the hon. Gentleman will give me the opportunity of looking into it I shall be glad to do so.

OFFICERS' PAY.

4. **Miss Ward** asked the Secretary of State for War whether all officers have received up to date payments and allowances due to them?

20. **Captain Ramsay** asked the Secretary of State for War how many Reserve and Territorial officers called to the colours on the outbreak of war are still without any pay?

Mr. Hore-Belisha: October pay is due to-day. Command Paymasters and the Army Agents, who are charged with the issue of officers' pay, report that pay is being issued to all officers for whom they have received joining reports, with the exception of a small residue of officers from whom the agents are still awaiting instructions as to the account to which they wish their pay credited. In the meantime, the agents are holding the pay at the officers' disposal. In order to elicit the requisite instructions in these cases without further delay, orders have been sent by telegraph to the officers commanding all the units concerned to obtain the information from the officers and telegraph it to the agents, reporting to the

[Mr. Hore-Belisha.]

War Office that they have done so. As a further measure, a complete census was set on foot a fortnight ago with a view to identifying every officer whose joining had not previously been reported or who for any other reason had not received his pay. This has resulted in a considerable number of cases being picked up, but reports are still coming in, no doubt due to scattered units and frequent moves. If the officer and the unit have done their part, these measures should clear up every outstanding case. I much regret that delays have occurred, but the remedy rests largely in the officers' own hands. If any officer who did not receive his pay would, after verifying that it is not lying at his bank, as it is in a large proportion of cases of complaint, himself communicate with his Army Agents or Command Paymaster or to the Chief Paymaster, the War Office (not the Paymaster-General), stating when and where he joined and how he wishes his pay dealt with, the matter could be quickly settled. As regards allowances, which are all paid by paymasters, the position is similar. Provided the officer's joining has been reported and a claim made, where one is necessary, allowances due for October are being issued to-day.

Miss Ward: While thanking my right hon. Friend for his energetic action, may I ask him, in view of the fact that to my knowledge certain units have had no pay since embodiment, whether from now onwards payment will be regular?

Mr. Hore-Belisha: I have personally looked into every case that has been submitted to me, and in nearly every case either the officer or the unit has omitted to give the necessary instructions. It may interest the hon. Lady to know that the total number of officers in the whole British Army from whom no instructions have yet been received is 371. If they comply with the instructions I hope that they will not be kept in suspense for a moment longer than necessary.

Miss Ward: What is the date of that figure?

Mr. Hore-Belisha: To-day.

Captain Ramsay: If there are still cases outstanding after this pay day, and if I give my right hon. Friend cases, will he look into them?

Mr. Hore-Belisha: I hope that no hon. Member will hesitate a moment to bring such cases to my notice. Obviously the money is available for them, but owing to some omission or oversight some officers have not been paid. I very much regret it, and if my hon. and gallant Friend will bring any case to my attention I will look into it at once.

LUDLOW RACECOURSE (OCCUPATION).

5. **Lieut.-Colonel Windsor-Clive** asked the Secretary of State for War what was the cost of the various works, including water supply, sanitation and lighting, which were carried out in order to equip the buildings at Ludlow racecourse for occupation by troops; and whether he is aware that, after being occupied by troops for about six weeks, the buildings are now empty and the equipment is being dismantled?

Mr. Hore-Belisha: Ludlow racecourse was occupied on mobilisation by an infantry battalion. The cost of the various works, including water supply, sanitation and lighting, which were carried out in order to equip the buildings at the racecourse, was approximately £2,000. The formation to which the unit belonged was ordered to move, and the buildings were consequently evacuated. It was proposed to use the buildings for the accommodation of further troops, but the local authority represented that the presence of troops in such numbers might endanger the town water supply. The materials used to equip the buildings were, therefore, withdrawn and are being utilised elsewhere in Ludlow for a similar purpose.

Lieut.-Colonel Windsor-Clive: Would it not have been possible to find out about the water supply before building was commenced and money spent?

Mr. Hore-Belisha: It would have been possible certainly and will always be possible in future. This action was taken immediately on mobilisation, and as soon as the local authority pointed out the danger, other steps were taken. I much regret that it was necessary to revise the course of action originally taken.

Mr. Poole: I suppose that it was the amenities of the water supply that were in danger and not the amenities of the golf course?

Mr. Hore-Belisha: Yes, Sir.

YOUTHS (ENLISTMENT).

7. **Sir Robert Young** asked the Secretary of State for War whether arrangements can be made to obviate the enlistment of youths under 18 years of age by requiring that all those stating their age to be 18 should produce a birth certificate or baptismal document and thus prevent worry and expense to relatives who only learn of the enlistment after it has taken place?

Mr. Hore-Belisha: The minimum age for enlistment as a man is now 20.

Sir R. Young: If a boy is wanted at 17 would it not be possible to prove his age and put him in a special training company?

Mr. Hore-Belisha: That might be the case but the hon. Gentleman will realise that the minimum age is now 20, and, therefore, that question does not arise.

Sir R. Young: What happens when they become 20?

Mr. Hore-Belisha: They are not accepted for enlistment in the British Army to-day as men unless they are 20.

Mr. Robert Gibson: How is that fact proved to the satisfaction of the right hon. Gentleman's Department?

Mr. Hore-Belisha: They are called up under a regular procedure. Everybody between 20 and 22 is now called up, and, therefore, there is adequate proof of age. Volunteers have to be above that age.

Lieut.-Colonel Sir William Allen: Is it not possible to have some method by which medical officers will not accept boys of 15, although they say they are 20; and is my right hon. Friend aware that this month I brought to his notice the case of a boy of 15 who, within a week of enlistment, was sent overseas?

Mr. Hore-Belisha: I do not understand how such a case could possibly have happened. If it did it is a very regrettable occurrence, but under our system we have called up compulsorily the classes between 20 and 22, and there is ample verification of age in those classes. A man who wants to volunteer must be above that age unless, of course, he volunteers for boys' service in a training class, which is a different thing.

Sir W. Allen: The right hon. Gentleman has referred to compulsion. We have no compulsion in Ulster, and these boys can enlist.

Mr. Speaker: We have a large number of questions on the Paper. I ask hon. Members to assist me in limiting the number of supplementary questions, and I hope they will do so.

8. **Sir R. Young** asked the Secretary of State for War whether he is aware that Fusilier Robert Chadwick, 3449377, gave his age as 18 when he enlisted 12 months ago, whereas his correct age was 18 on 2nd September, 1939; that he is now serving in France; and whether, in these circumstances, his enlistment age will be corrected and steps taken to return him to England in conformity with the decision that lads of his age would not be sent abroad?

Mr. Hore-Belisha: In view of the hon. Member's statement as to the soldier's correct age, orders have been given that he should be withdrawn to a rearward area, pending verification. His parents should at once send a birth certificate to the War Office, together with a letter quoting their son's Army number, rank and unit, and, if the facts are as stated, he will be brought home.

SOLDIER'S PUNISHMENT, HAWICK CAMP.

9. **Mr. Sloan** asked the Secretary of State for War whether he is aware that Private Robert James, of the Royal Scots Fusiliers, stationed at Hawick camp, was sentenced to seven days confinement to barracks for picking up an extra bun that was lying on the table at tea-time; and whether he will make inquiries with a view to discouraging the imposition of punishments in similar cases?

Mr. Hore-Belisha: This case has been investigated by the brigadier commanding the 45th Infantry Brigade. The punishment referred to was imposed not only because the man in question carried off food belonging to a comrade but because he told a falsehood to a non-commissioned officer.

Mr. Sloan: Is the right hon. Gentleman aware that I can bring unimpeachable evidence that the statement he has made is not in accordance with the facts, and that the lad " pinched " no comrade's bun?

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WINTER UNDERWEAR.

10. **Mr. John Morgan** asked the Secretary of State for War what winter underwear is being issued to forces serving in France, as complaints are reaching relatives of a lack of such clothing now that the weather is deteriorating?

Mr. Hore-Belisha: An adequate supply of woollen vests and drawers is available.

Mr. Morgan: Are they being actually served out to each unit, because complaint has been seen in the Press that men are not getting a change of clothing?

Mr. Hore-Belisha: I read this particular article and I was naturally interested in it, but the fact is that these woollen garments are available. I cannot say whether every man has received his adequate quota, but they are available.

Mr. Morgan: But can steps be taken to see that every man does have a change?

CROOKHAM CAMP, ALDERSHOT (SEWAGE DISPOSAL).

11. **Mr. Crowder** asked the Secretary of State for War how much has been paid to date to the Hampshire Cleansing Company, Botley, Hampshire, for emptying cesspit tanks at Crookham Camp, Aldershot; and whether he can say why adequate arrangements were not made for the disposal of the sewage when the tanks and pump were erected?

Mr. Hore-Belisha: The arrangement referred to was an interim measure, pending the installation of pumps and piping, which enabled the camp to be occupied before completion of the permanent sewage disposal system. The amount paid to date is £621.

VILLAGE CLUBS AND HALLS (REQUISITIONING).

14 and 15. **Sir Gifford Fox** asked the Secretary of State for War (1) the intentions of his Department in respect to the village club at Woodcote; whether he is aware that this is the only useful meeting place for residents and evacuees in the winter evenings; and whether he will discountenance any attempt to requisition it, or at least leave the villagers some part of the club premises;

(2) the policy of his Department in requisitioning village halls for military purposes; how many such halls have already been taken over or are about to be taken over; whether he is aware that the problem in all villages where there are evacuees is to secure some place of meeting during the long winter nights; and whether, considering the sacrifices made by country residents, he will show them special consideration in respect of the use of their halls?

Mr. Hore-Belisha: It has been necessary to take a large number of village halls for military purposes, but instructions have been issued that, in cases where suitable alternative accommodation can be made available, village halls which are required for social entertainment or other similar purposes should be vacated. As regards Woodcote, I have not previously received any representations, but alternative accommodation has now been found.

Mr. R. C. Morrison: Will the right hon. Gentleman issue an instruction to his officers that before they commandeer property which belongs to local authorities it might be to the interest of the Army and save much unnecessary bad feeling if they were first to consult with the local authorities?

Mr. Hore-Belisha: Yes, Sir, I quite agree, and in the press immediately following the outbreak of war some injustices may have been done. I do not know the circumstances of this particular case, but instructions have now been issued that where possible this principle should be borne in mind, and only in cases of urgent necessity should local needs be overridden.

TRAINING.

16. **Sir George Jones** asked the Secretary of State for War whether, in view of the disastrous consequences which resulted in the last war from sending insufficiently-trained men to the front, he proposes to take immediate steps for the purpose of ensuring that at the earliest possible date men called up under the Military Service Act shall receive at least six months' training before being sent to the front, instead of the reduced period of four months which has recently been introduced?

Mr. Hore-Belisha: There is no intention of sending any man to the front until he has been sufficiently trained for the duties he is required to perform. This period varies according to the arm of the service.

Sir G. Jones: Can the right hon. Gentleman say whether militiamen are being sent out after only four months' training?

Mr. Hore-Belisha: I cannot affirm or deny that, but it is very probable that is so. It depends upon the duty for which they are sent out.

Mr. George Griffiths: Is it not a fact that some men have been sent out with only eight weeks' training?

Mr. Hore-Belisha: I should think that is distinctly probable in the case of motor drivers, for instance.

Mr. Griffiths: Men who have never been motor drivers before?

Mr. Hore-Belisha: I do not think that would be true.

Mr. Griffiths: I will find you a man who was sent out.

Mr. Hore-Belisha: It is quite possible. These men desire, in most cases, to go to the front as quickly as possible.

UNIVERSITY CANDIDATES (COMMISSIONS).

17. **Sir Reginald Blair** asked the Secretary of State for War whether, in view of the regulation that no soldier will be eligible for a commission until he attains the age of 20 years, he will permit university candidates already recommended for commission now serving in the ranks to complete their studies before reaching the age of 20, provided that their military training is continued in the Officers Training Corps of their university?

Mr. Hore-Belisha: There is not, at present, any regulation in force prescribing a minimum age for appointment to a commission, though it is not proposed, in practice, to appoint a candidate while below the age of 18¾. Subject to this, and to requirements from time to time, soldiers who are recommended will be given commissions as soon as they are considered to be fully qualified. Part-time service in the Officers Training Corps would not be a satisfactory equivalent for training in an Army unit.

DEPENDANTS' ALLOWANCES.

18. **Sir Joseph Leech** asked the Secretary of State for War whether, having regard to the generally admitted inadequacy of the allowances for soldiers' dependants, he is prepared to introduce to this House a better scale, and so relieve the hardships now prevailing?

Mr. Hore-Belisha: As was stated by my hon. Friend the Minister of Pensions on 24th October last, the question of children's allowances is at present under review. As regards other dependants, where there are special circumstances, there is access to the Military Service (Special Allowances) Advisory Committee.

Mr. T. Williams: When are the Departmental Committee likely to report upon children's allowances?

Mr. Hore-Belisha: I do not know that that question should properly be addressed to me, because the work of the committee covers other Departments, but I hope it will be very shortly, perhaps this or next week.

Mr. Anstruther-Gray: Will my right hon. Friend bear in mind that some of these children have now been suffering hardship for fully two months, and in view of the fact that it is his duty to look after the welfare not only of the soldiers but also of their families and dependants will he see that prompt action is taken?

Mr. Hore-Belisha: We are seeing that prompt action is taken. There was a time when the highest compliments were paid to the War Office for having raised the scale.

29. **Mr. R. Gibson** asked the Secretary of State for War whether he is aware that a soldier's wife is refused by the military authorities allowances in respect of the soldier's step-children, whom he has continuously maintained as members of his family since his marriage, unless the soldier goes through the expensive formality of obtaining an adoption order in respect of these step-children, and as allowance is paid in respect of an unmarried woman with whom the soldier has been co-habitating for a period of six months or more, will he issue instructions that allowances will be paid in respect of such step-children?

Mr. Hore-Belisha: The statement in the first part of the question is not correct. The allowances are payable if the step-children are the legitimate children of the wife. If they are her illegitimate children, children's allowance is not issuable under the regulations, unless the soldier makes them his own by statutory adoption. It would, however, be open to the

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soldier to make an application for special assistance, which would be dealt with on the recommendation of the Military Service (Special Allowances) Advisory Committee, if the children were genuinely dependent on him before his calling up for service in the present war, and he is unable to maintain them without such assistance.

Mr. Gibson: Is the right hon. Gentleman aware that in Scotland applications of this sort to the Scottish courts must be in the names of both the husband and the wife, and that it is a matter of very great surprise in Scotland that a mother should have to make an application in court in order to be recognised by the War Office as the mother of her own children; and will the right hon. Gentleman look into this matter and put his Department on to it?

Mr. Hore-Belisha: I thought that it was generally recognised that my Department was behaving most generously in these matters, because we make an allowance to the reputed wife of a soldier if he has been living with her before he was called up. This is a case of children who are not the soldier's children at all. There may be no obligation upon the soldier to maintain those children. If they are not his children and are the legitimate children of the wife, the allowance is payable.

Mr. Gibson: If I provide the right hon. Gentleman with——

Mr. Speaker *rose*——

OFFICERS TRAINING CORPS.

19. **Sir Annesley Somerville** asked the Secretary of State for War what changes he has in view in the constitution and training of Officers Training Corps at public schools?

Mr. Hore-Belisha: Officers Training Corps are still in existence, but the part which they can in future play in relation to national service as a whole is being examined.

Sir A. Somerville: Before any decisions are reached will there be full consultation with the schools, in view of the value of this Corps to the schools in matters of discipline and sense of responsibility?

Mr. Hore-Belisha: I will try to bear in mind the valuable suggestion of my hon. Friend.

Major-General Sir Alfred Knox: Will he also bear in mind that the Officers Training Corps have produced several excellent officers for the Army in the past and will do so in the future if not tampered with?

Mr. Hore-Belisha: Yes, I am sure that is true, but now that system has to fit in with our general scheme.

PROMOTION FROM THE RANKS.

22. **Mr. Shinwell** asked the Secretary of State for War the number of men serving with the Army who have been selected for training as officers and the number actually promoted since the passing of the Military Training Act?

Mr. Hore-Belisha: From returns received to date, the number of men serving in the ranks who have, since the outbreak of war, been recommended for training as officers is about 7,000. Further returns are due, and it is expected that the total will be very considerably increased. The answer to the second part of the question is approximately 2,000.

CONDITIONS OF SERVICE.

23. **Mr. A. Edwards** asked the Secretary of State for War whether he will be prepared to receive representations from Members with a view to removing conditions of service which differentiate between conscripts and volunteers?

Mr. Hore-Belisha: Certainly, Sir. If the hon. Member will communicate his representations to me, I will willingly consider them.

DISABILITY PENSIONS.

25. **Mr. Stephen** asked the Secretary of State for War whether the medical certificates of men for entry into the Army will be accepted subsequently as showing their fitness and freedom from disability in all cases where such men are afterwards discharged from the Army on account of disability contracted during service and are making claims for pensions?

The Minister of Pensions (Sir Walter Womersley): I have been asked by my right hon. Friend to reply. The report of a medical examination showing that no disability was found at the time of enlistment will naturally carry great weight in the event of a subsequent claim to disability pension, but I could not give an assurance in the wide terms desired by

the hon. Member, which would involve the exclusion of all other evidence, however well founded.

Mr. Stephen: Is the hon. Gentleman aware that men are being passed into the Army as fit and afterwards are refused pensions when they break down?

Sir W. Womersley: If my hon. Friend is referring to the last war, I am well aware of it and when I am taking a special case into review I can assure my hon. Friend that I do take into account the fact that a man was passed fit when he enlisted.

Mr. Stephen: But is the hon. Gentleman aware that in the present war a good many men have been passed by silly medical officers and that the Army is caused much inconvenience, and the men are suffering, because of these imperfect examinations?

Sir W. Womersley: I am aware that some men have been passed by a medical officer in their own area and then have been refused when they have gone before the board, but I am not aware of the sweeping statement made by my hon. Friend.

Sir Percy Harris: Is this matter entirely within the hon. Gentleman's personal judgment? Is he not guided by some rules or regulations of his Department?

Sir W. Womersley: I am guided entirely by the Royal Warrant of 1919, and I am advised by my expert medical advisers. If there is difference of opinion on a medical matter I can call in an independent medical specialist nominated by the Royal College of Physicians or the Royal College of Surgeons.

PERSONAL EQUIPMENT.

26. **Mr. Parker** asked the Secretary of State for War when the 340th Battery, Field Artillery Territorials are going to receive a complete issue of personal equipment including greatcoats?

Mr. Hore-Belisha: As has been previously stated, my right hon. Friend the Minister of Supply hopes to be able to make good existing deficiencies in greatcoats during next month. In the meantime, each man has either a service greatcoat or a civilian overcoat. Authority has recently been given for the issue of a pair of boots, and a second suit of uniform will, it is hoped, be available for all men now serving, in the course of the next three months.

Lieut.-Colonel Acland-Troyte: Are there any men who have not yet received greatcoats?

Mr. Hore-Belisha: No, Sir. I think that the supply of everything in the nature of personal equipment, including greatcoats, is adequate.

OFFICERS (ALCOHOLIC REFRESHMENT).

27. **Mr. Parker** asked the Secretary of State for War whether officers in uniform will be allowed to obtain alcoholic refreshment in other premises than hotels, in view of the fact that they are frequently quartered in districts where there are no hotels?

Mr. Hore-Belisha: Yes, Sir, provided they observe the standard of conduct required by their profession.

LONDON SCOTTISH REGIMENT.

28. **Mr. R. Gibson** asked the Secretary of State for War whether he is aware that recruits are being taken into the London Scottish who have no connection with Scotland, 58 such recruits being received into one battalion and 100 into another; and whether it is his intention that the distinctive tradition of the London Scottish should be preserved?

Mr. Hore-Belisha: A number of men recently called up under the National Service (Armed Forces) Act have been posted to Territorial Army battalions. Every effort was made to post Scottish recruits to Scottish units, but the number of Scottish recruits in this particular quota was not sufficient, and it was necessary to supplement them from other sources.

Mr. Gibson: Is the right hon. Gentleman aware that this matter has created very great alarm among Scotsmen both inside and outside London, and will he take steps to ensure a preservation of the regimental tradition with regard to the London Scottish and other Scottish regiments?

Mr. Hore-Belisha: I am most anxious to do that. I was not aware of the indignation—[HON. MEMBERS: "Alarm"]—but, as the London Scottish seems to

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[Mr. Hore-Belisha.]
contain an undue number of Englishmen, steps will be taken to withdraw the Englishmen—[HON. MEMBERS: "Why?"]—and to replace them by Scotsmen in future; but this cannot be guaranteed for the full duration of the war.

CENSORSHIP (PRINTED MATTER).

2. **Sir John Haslam** asked the Secretary of State for War whether he is aware that a publishing house, having been granted a postal censor permit, B* 357, for despatch by post of newspapers, books and periodicals to censorable countries, now find themselves unable to despatch their periodicals and books to Empire countries, including Eire, by their usual forwarding agents, shippers, because they are unable to obtain the necessary S or shipping permit, although repeated applications have been made to the censor at Liverpool and the export licensing authority, Inveresk House, London; and will he state to whom must application be made, in view of the urgency of the need to prevent legitimate business suffering?

Mr. Hore-Belisha: Under a new Order which came into force on 22nd October last, printed matter can be shipped to any part of His Majesty's Dominions, France or America without a permit, and the firm have been informed that they do not require a permit for the purposes stated in their applications. They are, however, being sent a permit to cover other places abroad.

3. **Mr. Isaacs** asked the Secretary of State for War whether he is aware that passengers travelling to Eire, on 6th October, before boarding the boat at Fishguard, were called upon to surrender their copies of English newspapers and other weekly periodicals, and found on arriving at Eire that the same papers were there on sale; whether this action was taken with authority; and whether it will be continued?

Mr. Hore-Belisha: From 22nd October, a revised order has been effective, enabling travellers to take newspapers and books and other similar articles to Eire without impediment.

21. **Mr. Shinwell** asked the Secretary of State for War the progress made in relaxation of the censorship on the despatch of trade catalogues and circulars to neutral countries?

Mr. Hore-Belisha: Full particulars have been published. With the exception of countries to which the postal censorship applies, trade catalogues and circulars may be sent abroad by post without impediment. To countries to which censorship does apply, a permit is required for their despatch by parcel post, but not by other post.

SCOTLAND.

PAPER MAKING (BRACKEN).

30. **Mr. Kirkwood** asked the Secretary of State for Scotland whether he will consider making a grant for the purpose of investigating the possibility of using dried and pulped bracken for paper-making material, in view of the fact that such material requires supplementing, and of the benefit that would accrue to the Western Highlands if an economic use for bracken could be found?

The Secretary of State for Scotland (Mr. Colville): I understand that proposals for utilising bracken in the manufacture of various industrial products, including pulp for paper-making, are at present being investigated from the technical point of view.

EVACUATION.

31. **Mr. J. J. Davidson** asked the Secretary of State for Scotland the number of children who have returned to Glasgow from evacuation centres?

35. **Mr. Stephen** asked the Secretary of State for Scotland the number of mothers and children, respectively, who were evacuated and have since returned to their homes; and the total number of elementary school children in Glasgow now for whom no educational facilities are being provided?

Mr. Colville: Returns showing the number of persons evacuated who remain in receiving areas have not yet been furnished by all the local authorities concerned. I am therefore yet unable to form a reliable estimate of the number who have returned. I am informed that the number of primary school children in the Glasgow education authority area not yet attending school is in the neighbourhood of 85,000. I intend to make an announcement on this subject to-morrow.

Mr. Davidson: While the right hon. Gentleman cannot give the exact figure, is he aware that the return of these children has been very considerable, and in view of the fact that the Glasgow emergency committee has not provided adequate shelters for them or for the people in Glasgow, would the right hon. Gentleman say what steps he is taking to re-evacuate those children or to do something in the matter?

Mr. Colville: I cannot go at present in detail into this matter. I am obtaining returns in order to give me reliable estimates. It is, however, right to say that a considerable number of the evacuated children have returned.

Mr. Davidson: Are any steps being taken to deal with these children?

Mr. Stephen: Can the right hon. Gentleman say whether he will make his statement to-morrow in reply to a question?

Mr. Colville: Yes, Sir; the question is on the Order Paper.

SAFETY MEASURES, CANAL BASIN, GLASGOW.

32. **Mr. Davidson** asked the Secretary of State for Scotland what progress has been made with regard to safety measures at the Forth and Clyde canal basin, Glasgow?

Mr. Colville: As stated in the reply given to the hon. Member on 20th June last, a six-strand barbed wire fence has been erected at both ends of the timber basin at Firhill and on the towing-path side of the basin. I am informed that since then there have been no cases of drowning at the basin.

OLD AGE AND WIDOWS' PENSIONS.

33. **Mr. Davidson** asked the Secretary of State for Scotland the total number of old age pensioners in Glasgow receiving relief in money or kind, for the years ended 1st October, 1938, and 1939, respectively?

Mr. Colville: The nearest dates for which figures are available are 15th November, 1938, and 15th May, 1939. At those dates, the numbers of old age pensioners in Glasgow receiving relief in money or kind, including those in receipt of institutional relief, were 15,919 and 16,747 respectively.

Mr. Davidson: Is the right hon. Gentleman aware, in regard to that increased figure, that since that last date the position of the old age pensioners has become very acute because of the increase in the cost of living and the taking away of their dependants to fight for their King and country; and, in view of those facts, will he draw the attention of the Prime Minister to the burdens that are placed upon Scottish local authorities?

34. **Mr. Stephen** asked the Secretary of State for Scotland the total number of persons in receipt of old age or widows' pensions in Glasgow and Scotland, respectively, and the number who are having their pensions supplemented by the public assistance committee of the local authority?

Mr. Colville: As the reply contains a number of figures I propose, with the hon. Member's permission, to circulate it in the OFFICIAL REPORT.

Following is the answer:

Old Age Pensioners.	Total at 31st March, 1939.	Receiving outdoor relief at 11th March, 1939.
Scotland ...	275,479	40,480†
Glasgow ...	*	14,931‡

Widow Pensioners.	Total at 31st December, 1938.	Receiving outdoor relief at 15th November, 1938.
Scotland ...	85,247	10,740†
Glasgow ...	*	5,087‡

* Separate figures for Glasgow are not available as statistics are not kept on a geographical basis.

† Corresponding figures for 15th May, 1939 are: Old Age Pensioners, 15,306; Widow Pensioners, 5,108.

‡ Most recent available figure.

SMALLHOLDINGS.

36. **Mr. R. Gibson** asked the Secretary of State for Scotland whether, in view of the special agricultural needs of the country owing to war-time conditions, he will consider making agricultural holdings

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[Mr. Gibson.]
available for veterans of the war of 1914-18, who are anxious to get holdings but have been unable to do so?

Mr. Colville: The formation of new smallholdings entails considerable expenditure in the acquisition of land and its sub-division, adaptation and equipment. It also involves the disturbance of existing tenancies. In present conditions it would, I am advised, tend to handicap rather than assist the speedy production of more food. When new tenants are being selected, however, for vacant holdings under my control, preference will be given as hitherto, other things being equal, to ex-service men. I may add that smallholdings have been let to 2,940 ex-service applicants under the existing Act.

Mr. Gibson: Is the right hon. Gentleman keeping in mind that during the last war these veterans were promised smallholdings?

Mr. Colville: Yes, Sir, and I will take into account their applications when opportunity offers.

COAL INDUSTRY.

Oil Extraction.

39. **Mr. A. Edwards** asked the Secretary for Mines how many different methods of extracting oil from coal have been investigated by his Department in each of the last 10 years; and whether any new methods have been brought to his notice during the last 12 months?

The Secretary for Mines (Mr. Geoffrey Lloyd): During the last 10 years a very large number of processes for the extraction of oil from coal have been brought to the notice of my Department, most of them in such an early stage of development that investigation was impracticable. Those which reached the necessary stage have been investigated if the promoters wished. Information about one process in a very early stage of development has been supplied to my Department in the last year.

Mr. Shinwell: Is the hon. Gentleman's Department considering the advisability of developing the oil-from-coal process during war time?

Mr. Lloyd: That is a very much larger question.

Mr. Edwards: Is the hon. Gentleman unable to give the precise number that have been investigated?

Mr. Lloyd: Yes, Sir.

Colliery Wagons.

41. **Mr. James Griffiths** asked the Secretary for Mines whether, in order to overcome the difficulties of transport causing short-time working at collieries, he will arrange for a pooling of colliery wagons?

The Parliamentary Secretary to the Ministry of Transport (Mr. Bernays): I have been asked to reply. On 3rd September all privately-owned railway wagons, with certain specified exceptions, were requisitioned so that they could be used interchangeably with railway-owned wagons. The hon. Member will, therefore, see that the step suggested by him has already been taken. The provision of an adequate supply of wagons to the collieries is being rendered difficult by the extent to which wagons are being detained by traders at terminal points. The President of the Board of Trade and my right hon. Friend are urging upon traders and industrialists the vital importance of ensuring that wagons are loaded and unloaded with the utmost despatch so as to secure a speedier turn round.

Mr. Griffiths: Does the hon. Gentleman realise that all over the country they are working short time and will he see that this scheme is brought into operation soon?

Mr. Bernays: My right hon. and gallant Friend is most anxious about this situation and will keep a careful watch upon it.

Mr. Levy: May I ask how it is possible to accelerate the unloading of these wagons if petrol is not available for the road transport in which industrialists have to convey the coal?

Rationing.

42. **Mr. Lipson** asked the Secretary for Mines the amounts of coal and coke, respectively, consumed for domestic purposes in the last recorded year; and what percentage of each he hopes to save by the rationing scheme?

Mr. Lloyd: The annual consumption of coal for domestic purposes, including coal for domestic industries and miners' coal, is estimated at 36,000,000 tons. After allowing for freedom from rationing of small consumers it is estimated that a saving of 7,000,000 tons of coal a year will be effected by the rationing scheme. I have no figures of the domestic consumption of coke.

Mr. Lipson: In view of the fact that the prospective savings on fuel is so small, would my hon. Friend consider whether it is really advisable to continue this scheme?

Mr. Lloyd: I could not agree that saving 7,000,000 tons is small when it is considered in relation to the export of coal from this country.

Miss Wilkinson: In view of the fact that so many miners are on public assistance because they cannot produce the 7,000,000 tons of coal, what is the use of saving it?

Mr. Lloyd: I have pointed out before that it is a question of transport.

Mr. Benjamin Smith: Would it not be better to utilise the hauliers and put other workers on road transport?

Mr. Lloyd: I cannot discuss the transport question. The importance of saving coal for domestic consumption is to enable it to go into the export markets which are vital to this country.

65. **Mr. Boothby** asked the Secretary for Mines whether he will now discontinue the rationing of coal?

70. **Sir Frank Sanderson** asked the Secretary for Mines whether he is aware that there are over 80,000 miners out of work and many pits working three days or less a week; and whether, in view of this fact, he will reconsider his rationing plans with a view to the complete withdrawal of the rationing scheme as long as there are any miners unemployed, so as to produce more coal for export and find more work for miners?

Mr. Lloyd: The question of coal rationing is kept under constant review by the Government, and I am at present engaged in examining the state of stocks and consumption after two months of war and one month of rationing, especially in the areas of large consumption, where transportation might be affected by enemy action. I am, therefore, not at present in a position to add anything to my previous statements on this subject, in particular to the reply which I gave on 24th October to the hon. Member for Chester-le-Street (Mr. Lawson).

Mr. Boothby: Is my hon. Friend aware that available supplies of industrial coal are now being withheld from public utility and other undertakings, with the result that railway sidings are congested with wagons which ought to be used for other purposes. In considering this whole question, will he bear in mind that the coal industry of this country can produce all the coal we require?

Mr. Lloyd: I would point out that rationing has been relaxed in regard to public utility undertakings producing gas and electricity; and that brings out the fact that the real difficulty is not rationing, but transport.

Mr. G. Griffiths: Will the Minister bear in mind that miners working only 2½ days a week are very bitter about this rationing?

66. **Mr. Crowder** asked the Secretary for Mines what instructions have been given to local fuel overseers to enable them to increase the rations to householders who, on account of having refugees in their houses, will require more coal and gas, especially for cooking purposes, than last year?

Mr. Lloyd: Local fuel overseers have power to grant increased allowances where they are satisfied, in view of the reasonable requirements for coal, gas or electricity, that such increases should be given. They have been instructed to give sympathetic consideration to the needs of householders where there are evacuees.

Mr. Crowder: Is my hon. Friend aware that some local fuel overseers are telling householders whose households have been augmented by evacuees that they do not know what their powers are and what coal these people may expect to get? Could he give more specific instructions to overseers?

Mr. Lloyd: Perhaps my hon. Friend will let me have the details. I will certainly consider them.

68. **Mr. Lipson** asked the Secretary for Mines the estimated cost of the administration of the coal and coke rationing scheme?

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Mr. Lloyd: I would refer the hon. Member to the reply I gave on 10th October to the hon. Member for Spennymoor (Mr. Batey).

LOCAL FUEL CONTROLLERS.

43. **Mr. Lipson** asked the Secretary for Mines how many local fuel controllers will be required under the coal rationing scheme; how many have been already appointed; and whether a list of them can be made available?

Mr. Lloyd: I would refer the hon. Member to the reply I gave on 10th October to the hon. Member for Llanelly (Mr. J. Griffiths). With regard to the third part of the question, a list of local fuel overseers, with their addresses, is being compiled in my Department and will be made available as soon as possible.

PETROL (COMMERCIAL USERS).

40. **Mr. Hannah** asked the Secretary for Mines whether he will allow firms, which have petrol tanks for storage, to draw in bulk from the suppliers, against basic and supplementary ration vouchers for motor cars, in the same way as they are at present permitted to do for commercial lorries?

Mr. Lloyd: I am informed by the Petroleum Board that arrangements already exist under which a commercial user may have delivered to his own storage tank petrol for use in private cars, provided that the delivery is made on account of a local dealer, to be selected by the commercial user. It is conditional also upon sufficient private car coupons being presented through the dealer to qualify for the minimum bulk delivery of 200 gallons, and on the dealer invoicing the commercial user at the current retail price.

CHILDREN'S ALLOWANCES (INTER-DEPARTMENTAL COMMITTEE).

45. **Mr. Ede** asked the Prime Minister the names of the members of the Inter-Departmental Committee on the Rate of Children's Allowances, the Department each represents, and their terms of reference?

The Prime Minister (Mr. Chamberlain): I understand that this inquiry is being made by an informal committee of officials representing the Departments concerned. No formal appointments were made to it or specific terms of reference laid down.

Mr. Ede: Could the right hon. Gentleman say which Departments are represented, and whether there are any women serving on the committee?

The Prime Minister: The Departments are the Service Departments, the Ministry of Pensions, the Ministry of Labour, the Unemployment Assistance Board and the Treasury. So far as I know, there are no women on the committee.

Mr. Ede: Will the right hon. Gentleman bear in mind the criticisms which were made in this House as to the way in which these allowances pressed upon women dependants, and will he consider the appointment of someone to deal with this question?

Viscountess Astor: As it was the officials who made the muddle would it not be better to have some outside person?

ECONOMIC CO-ORDINATION.

46. **Colonel Baldwin-Webb** asked the Prime Minister whether he will consider the growing adverse feeling in the country due to the methods of bureaucracy, paying special attention to the excessive standardisation of food in relation to export trade and home consumption; whether he will call for and consider a report from the War Department as to its preference for timber for camp buildings to the detriment of all other building and the increase of shipping; if he will investigate the methods of State commandeering and requisitioning, and the interference with the daily life of the trading community such as the suggested earlier closing of shops; and whether, to avoid developments harmful to national finance, he will consider the remodelling of much of the home front policy as a whole?

The Prime Minister: My hon. and gallant Friend has included within the limits of his question a large variety of criticisms which I could hardly deal with in a single answer. I can, however, assure him that the matters he refers to are all being carefully considered with the object of removing grievances and hardships where this can be done consistently

with the paramount objective of winning the war. In regard to the last part of the question I would refer my hon. and gallant Friend to the answer I gave on 9th October to my hon. Friend the Member for the Central Division of Leeds (Mr. Denman), and to the speech of my right hon. Friend the Chancellor of the Exchequer in the course of the Debate on economic co-ordination on 18th October.

Mr. Shinwell: Does the right hon. Gentleman appreciate that the difficulties, so far as they have arisen, are not attributable so much to bureaucracy as to lack of co-ordination?

47. **Sir John Wardlaw-Milne** asked the Prime Minister whether, in view of the widespread and increasing complaints in connection with the control of certain commodities, he will consider appointing a co-ordinating authority to secure co-operation in the work of these Departments and prevent the delays in coming to decisions which are now taking place?

The Prime Minister: I am not sure what commodities my hon. Friend has in mind, but co-ordinating machinery already exists for dealing with matters in the economic sphere, including the control of commodities. If my hon. Friend wishes to bring to my notice any particular complaints I will see that they are investigated.

Sir J. Wardlaw-Milne: I shall be glad to bring complaints to the notice of my right hon. Friend. May I ask him whether he is aware that there is widespread complaint about the want of co-ordination, and does he not consider that the time has come when he should get one of his colleagues in the Cabinet who has no other duties to become the controller of the controllers?

The Prime Minister: Perhaps my hon. Friend will let me know what other kind of commodities he has in mind.

50. **Mr. Mander** asked the Chancellor of the Exchequer whether he will state, in view of the fact that in addition to being president of the London Midland and Scottish Railway Company Lord Stamp is also president of the Abbey Road Building Society, chairman of Pickfords, Limited, and Hay's Wharf Cartage Company, Limited, vice-chairman of David MacBrayne, Limited, and director of the Bank of England, Carter Paterson and Company, Limited, and Railway Finance Corporation, Limited, whether he is satisfied that Lord Stamp will be able to devote enough time to acting as chief Government adviser in connection with economic blockade?

The Chancellor of the Exchequer (Sir John Simon): Lord Stamp informs me that, with the exception of his directorship of the Bank of England, he holds no directorship which is not an integral part of his railway functions as a whole; directorships of this kind are subject to the arrangements made by the L.M.S. to enable Lord Stamp to accept appointment as Adviser on Economic Co-ordination. I described those arrangements to the House on 18th October. I am satisfied that Lord Stamp is devoting such a large share of his time to the study of Government problems as to make his advice of the greatest value to the Government.

Mr. Mander: In view of the great importance of the economic weapon in the prosecution of the war, does the Chancellor of the Exchequer not think that we should have someone who can give his full time to that office? The present arrangement is neither fair to Lord Stamp nor to the country?

Mr. Craven-Ellis: As Lord Stamp is not in receipt of a salary, is he free from all responsibility for any advice he may give?

Sir J. Simon: I think everyone realises that Lord Stamp has very great powers, and that the service he is rendering to the country is of great value.

Mr. De la Bère: But is not the whole matter very strange?

MINISTRY OF INFORMATION.

48. **Mr. Woodburn** asked the Prime Minister whether he will consider changing the name of the Ministry of Information to that of the Ministry of Public Relations as being more comprehensive and a fuller description of the functions involved?

The Prime Minister: I do not think there would be any advantage in changing the name of the Ministry in question.

Mr. Woodburn: Is the right hon. Gentleman aware that outside London this has been the main function of the

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[Mr. Woodburn.]
Ministry so far, and that much confusion is caused by the wrong title having been given to the Ministry?

INCOME TAX.

ARMED FORCES.

51. **Miss Ward** asked the Chancellor of the Exchequer what concessions, in regard to Income Tax payments, were made during the Great War to persons serving in His Majesty's Forces?

Sir J. Simon: Under the Finance Acts of the years 1915 to 1919 Income Tax in respect of the service pay of members of the armed Forces of the Crown was charged at special rates graduated according to total income. I will have circulated in the OFFICIAL REPORT a statement showing the ordinary rates of Income Tax on earned income and the special rates applicable to service pay for the years in question.

Miss Ward: Does the right hon. Gentleman intend to follow the same procedure during this war?

Sir J. Simon: That question has already been answered.

Following is the statement:

Table showing ordinary rates of income tax applicable to earned income and special rates applicable to service pay of members of the Forces—1915 to 1919.

Year.	Total income not exceeding.	Ordinary Rates for earned income.	Special Rates for Service Pay.
	£	s. d.	
1915	1,000	1 $9\frac{3}{5}$	The ordinary rates applied except that if the total income did not exceed £300 the pre-war rate of 9d. applied to the service pay.
	1,500	2 $1\frac{1}{5}$	
	2,000	2 $4\frac{1}{5}$	
	2,500	2 $9\frac{3}{5}$	
	exceeding 2,500	3 0	
			s. d.
1916 and 1917 ...	300	2 3	9
	500	2 3	1 3
	1,000	2 6	1 9
	1,500	3 0	2 3
	2,000	3 8	2 9
	2,500	4 4	3 3
	exceeding 2,500	5 0	3 6
1918 and 1919 ...	300	2 3	9
	500	2 3	1 3
	1,000	3 0	1 9
	1,500	3 9	2 3
	2,000	4 6	2 9
	2,500	5 3	3 3
	exceeding 2,500	6 0	3 6

HOUSE-PURCHASERS.

55. **Mr. J. Griffiths** aked the Chancellor of the Exchequer whether his attention has been called to the hardship imposed by the increased taxation on those who have borrowed money for house-purchase and such purposes, and have signed agreements by which the loan is free of tax to the lender; and whether, as many cannot meet these burdens, he will consider some steps by which they can be granted relief?

Sir J. Simon: I am aware of the existence of a certain number of agreements of the type to which the hon. Member refers, but I should not feel justified in asking Parliament to grant relief from the additional interest that may be due from the borrower under such agreements.

GOVERNMENT DEPARTMENTS (EXPENDITURE).

52. **Mr. Jennings** asked the Chancellor of the Exchequer whether he will consider, in the public interest, immediately appointing an economy committee to examine the expenditure of all Government Departments instead of following his present policy of appointing an individual to each Department, or on some specific investigations?

Sir J. Simon: I doubt whether the means suggested could be substituted for the methods now being employed, but the whole matter is constantly under review.

Sir Irving Albery: Can this House understand that there is at present some specific person appointed to the Department, as suggested in the question?

Sir J. Simon: Yes, certainly.

57. **Mr. Glenvil Hall** asked the Financial Secretary to the Treasury what Government Departments are planning or executing anti-waste measures; and what steps are contemplated or being taken to co-ordinate their efforts?

The Financial Secretary to the Treasury (Captain Crookshank): All Departments have been requested to undertake a careful examination of every item of their expenditure with a view to eliminating all services not essential to meet war requirements or other pressing public needs and to securing that such services as must be carried on are administered in the most economical manner. They have been asked to report to the Treasury on the steps which they take or propose to take to give effect to this request.

Mr. Hall: When will they report to the Treasury?

Captain Crookshank: I could not give a date. They have been asked to do so as soon as possible.

MOTOR TAXATION.

54. **Mr. Doland** asked the Chancellor of the Exchequer whether he is aware of the widespread ruin facing employers and employés engaged in the retail motor trade owing to the rationing of petrol, and particularly the increased tax on horse-power of motor-cars; and whether, in view of the number of motor-cars which will be laid up by their owners, he will consider reducing the horse-power tax in view of the restricted use care owners can make of their motor-cars?

Sir J. Simon: I appreciate that the rationing of petrol has adversely affected the retail motor trade, and it may be that the horse-power tax also contributes somewhat to its present difficulties, but I am not in a position to propose a reduction of that or any other tax.

Mr. De la Bère: Is my right hon. Friend aware that the retail motor trade employs 165,000 persons; and does he not think that some further steps are necessary?

EXCESS PROFITS TAX (SHIPBROKERS).

56. **Mr. Kirkwood** asked the Chancellor of the Exchequer whether he will state specifically that profits made by shipbrokers or others whose business it is to buy and sell ships will be subjected to the Excess Profits Tax?

Sir J. Simon: Yes, Sir, provided that the total profits of the business exceed the standard profits.

Mr. Kirkwood: Does that mean that if a British subject buys a ship from the Swedes for £30,000 and sells it to the British Government for £130,000, the difference will be treated as excess profits?

Sir J. Simon: Profits made by shipbrokers will certainly come into the calculation.

COMPENSATION (DEFENCE) ACT.

58. **Mr. Glenvil Hall** asked the Financial Secretary to the Treasury what legislation is contemplated to compensate individuals whose only means of livelihood has been brought to an end by Government action?

Captain Crookshank: As I said in reply to a question by the hon. Member on 18th October, the Government must have experience of the working of the Compensation (Defence) Act, 1939, before they can consider whether or not any further legislation of the kind suggested is required.

Mr. Hall: Is not the Minister aware that the Compensation Act refers to property,

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[Mr. Hall.]
and that my question refers to individuals? Does he not remember that the Prime Minister himself about a week ago gave an undertaking to go into this matter, in order to help such people as those with only one lorry who had been robbed of their means of livelihood?

Captain Crookshank: I am quite certain that the promise that the Prime Minister gave will be implemented.

Mr. Hall: Then why did the Minister give me such a silly answer?

MOTOR TRANSPORT VEHICLES (REQUISITIONING).

59. **Captain Strickland** asked the Financial Secretary to the Treasury whether he is aware that in cases in which motor transport vehicles have been impressed by the military authorities prior to 7th September and in which the taxation certificates affixed to the vehicles have not been returned to the recent owners until 20th and 22nd September, respectively, the local licensing authorities have refused to refund the licence levied for that month; and whether he will issue an instruction that all such refunds shall date from the day of impressment?

Captain Crookshank: I understand that in some cases where licences were not removed from vehicles at the time of impressment difficulty has been experienced in recovering the licence for surrender to the licensing authorities. The authorities have been instructed that in such cases the concession announced on 4th October should be granted.

LOCAL AUTHORITIES (LOANS).

60. **Mr. Ede** asked the Financial Secretary to the Treasury in how many cases application has been made by local authorities to the Treasury for sanction to loans already approved by the Ministry of Health or other appropriate authority; what is the total amount represented by such applications; in how many cases and for what amount has sanction been given; and in how many cases and for what amount has sanction been refused?

Captain Crookshank: Applications involving new money have been received by the Capital Issues Committee from two local authorities in respect of loans already approved by the Ministry of Health or other appropriate authority. The total amount is approximately £1,170,000. Decisions may be expected on these two cases very shortly. In addition to the above-mentioned cases, five applications have been received for consent to renewals or replacements of previous borrowings. In three cases, covering £1,150,000, consent has been given. The remaining cases are under consideration.

OLD AGE PENSIONS.

61. **Mr. A. Edwards** asked the Financial Secretary to the Treasury what increase in the allowance to old age pensioners would be necessary to enable them to enjoy the same standard of living as they did a year ago?

Captain Crookshank: With the Ministry of Labour cost-of-living index figure of 165 for 1st October, 1939, it would be necessary to add about 7¾d. to the 10s. pension in order to enable old age pensioners to purchase as much with their pensions as they could have done a year ago, when the corresponding figure was 155.

Mr. Edwards: Would the Minister be good enough now to make a calculation for himself, and, with his usual genius, he might get a correct answer?

Mr. Holdsworth: Is my right hon. and gallant Friend not aware that the Ministry of Labour figures have no relation to the increase of prices?

Miss Wilkinson: Seeing that the right hon. and gallant Gentleman's own middle name is Comfort, could he not do better for the old age pensioners than that?

HERRING (COLD STORAGE).

62. **Mr. Loftus** asked the Financial Secretary to the Treasury whether he will consider granting a loan to preserve in cold storage the ample supplies of herring now available from the East Anglian fishing?

The Chancellor of the Duchy of Lancaster (Mr. W. S. Morrison): I have been asked to reply. I am considering my hon. Friend's suggestion, which he has been good enough to put before me in a memorandum, and I will communicate with him as soon as possible.

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Sir Arthur Harbord: Is my right hon. Friend aware of the strong feeling among those engaged in the fishing industry at present that there ought to be a uniform price for herring at all the fishing ports, especially if they are intended for home consumption?

Mr. Morrison: I hope the hon. Member will put that question down.

Sir A. Harbord: I will put this question down, and one or two more.

BIRTH CERTIFICATES (FEES).

63. **Miss Rathbone** asked the Financial Secretary to the Treasury whether he is aware that the charges for certificates of birth, etc., necessary to enable serving men to obtain allowances for their families are a heavy claim on their pay; and whether he will consider authorising the issue of a brief and cheaper form of certificate for service purposes as was done in the last war?

Captain Crookshank: I would refer the hon. Member to the answer given to my hon. Friend the Member for the Central Division of Newcastle-upon-Tyne (Mr. Denville) on 10th October.

PETROL RATIONING.

69 and 111. **Mr. Ellis Smith** asked (1) the Secretary for Mines whether he is aware that the owners of public-service vehicles in the city of Stoke-on-Trent have been compelled drastically to reduce their services owing to the inadequate allowance of petrol, thereby causing considerable hardship to workpeople in particular and people in general; and will he give immediate instructions that sufficient petrol be allowed to enable this state of affairs to be remedied;

(2) the Minister of Transport whether he is aware that, owing to the drastic curtailment of the running of public-service vehicles in the city of Stoke-on-Trent, large numbers of workpeople are compelled to wait for unreasonably long periods for conveyance to and from work; that urgent representations have been made by the corporation, the trades council, and others to the Traffic Commissioners with no result; and will he give instructions that a reasonable service be put on at once?

Mr. Bernays: As a result of fuel rationing, services have had to be reduced throughout the country. The position in Stoke-on-Trent has been re-examined by the Regional Transport Commissioner in the light of the representations which have been made, and I am glad to say that substantial improvements in a number of services are to come into force to-morrow.

Mr. Smith: As improvements have not yet manifested themselves—[HON. MEMBERS: "To-morrow!"]—and in view of the unsatisfactory answer, I beg to give notice that I shall raise the matter on the Adjournment.

TRADE AND COMMERCE.

ELECTRIC TORCHES AND REFILLS (PRICES).

73. **Sir Percy Hurd** asked the President of the Board of Trade what steps he has taken in regard to the profiteering of wholesalers dealing in electric torches and refills, of which instances, with names and prices, have been sent to him by the hon. Member for Devizes?

The President of the Board of Trade (Mr. Oliver Stanley): I communicated with the firms in question and have received replies from all of them. The replies are to the effect that the demand both for torches and batteries at present largely exceeds the available supply, and that the manufacturers are unable to fulfil orders placed before the war. In most cases, the firms say that the prices charged reflect the increased prices they have themselves had to pay for supplies from other sources, both home and overseas. I understand that the prices of imported batteries have risen by 100 per cent. or more. The question of applying the Prices of Goods Bill to electric torches and batteries will have to be considered in due course.

Mr. Poole: Can the right hon. Gentleman say why it is not possible to buy a torch battery alone, and why one is always compelled to buy a torch and a battery?

Mr. Stanley: As I say, the whole of this question of torches and batteries will have to be considered when the Prices Bill becomes law.

EXPORT TRADE.

74 and 75. **Mr. Hamilton Kerr** asked the President of the Board of Trade (1) whether he is aware of the apprehension felt by exporters that their reserves of stock will be speedily exhausted, and that when the war ends and a brisk export trade will be essential to recovery, the old trade channels will have dried up; and what steps he is taking to keep these open and increase them;

(2) whether he is aware that many exporters of textiles are finding the Government export regulations and system of priorities cumbrous and bad for business; whether he is aware that agents abroad are complaining that the slow delivery of letters is hampering their trade; and whether, in the circumstances, he can investigate existing conditions, with the object of effecting some immediate reform?

Mr. Stanley: My attention has been drawn to apprehensions and difficulties such as those to which my hon. Friend refers. On 17th October, I circulated to trade organisations a memorandum, the immediate object of which was to help in correcting prevalent misunderstandings on the subject of priorities and the current availability of supplies of materials for manufacture for export. The memorandum also explained the steps which were being taken by the Ministry of Supply to make controlled materials, required for the purposes of export trade, as readily available as possible, and by my Department to simplify and expedite the export licensing procedure. Apart from the immediate steps thus taken to facilitate the operations of exporters, the memorandum announced the opening of a series of discussions with major exporting industries, so as to enable them to formulate plans for their future export trade. These discussions are proceeding. I would point out that the export of piece-goods, either cotton, woollen or linen, is not subject to licence.

ARTICLES IN STOCK (PRICES).

77. **Mr. Mander** asked the President of the Board of Trade whether he will make it clear that manufacturers, wholesalers and retailers are not justified in increasing prices of articles in stock, solely by reason of the fact that the replacement cost would be higher, and that such action will be condemned as profiteering?

Mr. Stanley: The cost of replacement of stocks must clearly be taken into account by a manufacturer or trader in fixing his prices, but it does not necessarily follow that he would always be justified in increasing them by the full amount of the anticipated replacement cost. I understand that it is a common practice in trade, where there are stocks in hand, to strike a balance between the present cost and the replacement cost.

FILM INDUSTRY.

78. **Mr. Hannah** asked the President of the Board of Trade whether he is aware of widespread unemployment in the film industry; and will he give an undertaking that the existing quota regulations will on no account be relaxed?

80. **Sir Ralph Glyn** asked the President of the Board of Trade whether he is aware that the Government's policy of requisitioning a large number of English film studios for storage purposes has had the effect of throwing out of work so large a number of persons previously employed in film production that there is now scarcely a film in production; and as Treasury restrictions limit the amount of money which American producers can take out of the country, and thus the number of films they are likely to send, will he convene a conference of the British film producers in order to ensure that there shall be no shortage of films for the entertainment of the public?

Mr. Stanley: I am aware that since the outbreak of war there has been considerable unemployment in the film industry but I do not think that this is due to the requisitioning of floor space in British studios for storage purposes. I hope soon to be able to make a statement on the special arrangements required to meet war-time conditions. I can assure my hon. Friends that in considering this question I am fully alive to the importance both of maintaining an adequate supply of films and of seeing that full use is made of the available facilities for film production in this country. As I have already informed the House, the Cinematograph Films Act, 1938, is still in force and its quota provisions will not be modified without consultation with all sections of the industry, and unless some other arrangements are made which will give at least equivalent opportunities for the production of films in this country.

Mr. Glenvil Hall: Will the right hon. Gentleman expedite his decision on the films quota, which is causing a great deal of worry to the film industry itself and throwing a great many people out of work in consequence?

Mr. Stanley: I have just said, as I have said previously, that the film quota is in force and that it will not be modified without consultation with the industry, and unless I am satisfied that some alternative equally good from the point of view of production in this country can be put in its place.

Mr. Leonard: Will the Minister consult the Advisory Committee?

Mr. Stanley: I intend to do so.

COTTON INDUSTRY.

79. **Mr. Sutcliffe** asked the President of the Board of Trade whether he is satisfied that the greatest possible consideration is being shown to the cotton trade with regard to export licences and the avoidance of unnecessary war-time control over the industry?

Mr. Stanley: Yes, Sir. My hon. Friend will realise that export licences are not required for cotton piece-goods, and only for a limited number of destinations in the case of yarns.

EXPORT CREDITS (GERMANY AND POLAND).

Colonel Sir John Shute (*by Private Notice*) asked the Secretary to the Department of Overseas Trade whether payment will be made promptly to exporters of goods to Germany and Poland who have taken out transfer cover with the Export Credits Guarantee Department?

Mr. R. S. Hudson (Secretary, Overseas Trade Department): Yes, Sir. Notwithstanding the fact that the exchange restrictions which prevent buyers from remitting sterling from Germany and Poland are due to the outbreak of war, I am happy to state that the Department will accept liability under its transfer guarantees. Exporters who hold transfer cover in respect of goods sent to those countries should communicate with the Export Credits Guarantee Department as soon as possible, so that their claims may be expeditiously dealt with.

WAR RISKS INSURANCE (PRIVATE ORGANISATIONS).

81. **Mr. Henderson Stewart** asked the President of the Board of Trade whether he is aware that the Weir Report, in referring to schemes run by private organisations purporting to give protection against war risks to property and suggesting that an undue proportion of contributions was possibly appropriated to management expenses and further suggesting that appeals made to the public on behalf of the promoters of such schemes in fact mislead the public, did, by such generalisation, an injustice to the promoters of certain schemes against which such charges cannot lie; whether he will take steps to ensure that the legislation promised by the Government to curtail the activities of the sponsors of such schemes shall not hamper the operations of any well-conducted and prudent scheme managed in an honest manner; and whether he can state when the promised legislation will be introduced?

Mr. Stanley: I hope to be in a position to introduce legislation on this matter at a very early date.

MERCANTILE MARINE.

REQUISITIONED SHIPS.

84. **Sir Arthur Salter** asked the Minister of Shipping whether, in arranging with shipowners the terms of remuneration for requisitioned ships, he is proceeding on the principle of fixing terms which, with due regard to increased costs, will secure a normal rate of net profit on peace-time standards and no more?

The Minister of Shipping (Sir John Gilmour): As I explained in the answer which I gave on 17th October to a question by the hon. Member for Consett (Mr. David Adams) rates of hire appropriate to the conditions of service will be paid in respect of merchant ships which have been requisitioned. I have noted the hon. Member's suggestion as to the basis on which he considers the rates should be fixed.

Sir A. Salter: Can the right hon. Gentleman give any indication as to whether he has in his own mind a standard somewhat like that, as at present we have been given no indication whatever?

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Sir J. Gilmour: I am looking very carefully into the whole of this problem, including the matters raised by the hon. Member.

WAR RISKS INSURANCE.

85. **Mr. David Adams** asked the Minister of Shipping whether he is aware that under the Government insurance scheme goods are insured in the United Kingdom while in transit by road, rail, or water if within the territorial three-mile limit, but that if the vessel goes outside the three-mile limit an additional cost for war risk insurance of 15s. per cent. ad valorem is incurred, which is causing serious loss of traffic to the coasting shipping trade and unemployment among sailors and dockers concerned; and whether he will favourably consider including coastwise cargoes in Part II of the War Risks Insurance Act, 1939?

Sir J. Gilmour: I am already in consultation with my right hon. Friend the President of the Board of Trade upon this matter, of which I appreciate the urgency.

Mr. Adams: Will the Minister remember that there are at least 12,000 dockers unemployed in the Port of London and a large number in the Port of Newcastle, and, as many of the coasting vessels are coal carriers, that the coal trade is also affected?

FOOD SUPPLIES.

Mr. A. V. Alexander (*by Private Notice*) asked the Chancellor of the Duchy of Lancaster whether he is aware that complaints are pouring in from all over the country with regard to shortage of butter supplies and of inequitable distribution of this commodity and of bacon, and in view of the urgency of the matter will he now state the date on which he proposes to introduce the rationing scheme?

Mr. W. S. Morrison: Perhaps the hon. Member will be good enough to put a question on this subject to me to-morrow, when I hope to be able to make a statement on the matter.

VALLEYFIELD COLLIERY, FIFESHIRE (EXPLOSION).

Mr. Gallacher (*by Private Notice*) asked the Secretary for Mines whether he can make a statement to the House on the explosion which took place at Valleyfield Colliery, Fifeshire, on Saturday morning last; whether all the bodies have been recovered; and whether a full inquiry will be held into the cause of the explosion?

Mr. Lloyd: I very much regret to inform the House that as the result of an explosion about 4 a.m. on 28th October in the Diamond Seam at Valleyfield Colliery, Fifeshire, 33 persons were killed and 12 injured, of whom two have since died. Nineteen bodies have so far been recovered. The cause of the explosion is not yet known, and investigation is impeded by a heavy fall of roof on the main road and by the necessity for restoring the ventilation in certain of the parts affected. Measures to clear the fall and to restore the ventilation are being taken as quickly as possible consistent with due caution, but, to protect the lives of those engaged on the work, the further recovery of bodies has been suspended in agreement with representatives of the workmen until the main road has been cleared. A full inquiry will, of course, be held, but pending the receipt of fuller information I am not in a position to decide the form which the inquiry shall take.

I am sure the House will desire to associate itself with the messages which have been sent by His Majesty The King and the Prime Minister, and to express its profound sympathy with the relatives of those who have been killed and its hope that the injured may speedily recover.

Mr. Gallacher: May I ask the Minister whether he will apply himself with all the energy he possesses to the application of every conceivable safety regulation in order, if possible, to avoid any further explosion, and will he note the spirit with which the rescue squads of volunteers went down the pit to render assistance?

Mr. Lloyd: Yes, Sir. I entirely endorse what the hon. Member has said about the behaviour of the rescue squads. In reply to the first part of his supplementary question, I may say that we are pressing on to the utmost of our ability in putting as much of the safety proposals into operation, by regulation, as soon as possible, in consultation with the Mining Association and the Mineworkers' Federation.

Mr. McLean Watson: Can the Minister state the number of gas detectors that were in operation in the mine?

Mr. Lloyd: Yes, Sir. There were 17 gas detectors in this colliery and four gas detectors in the district in which the explosion took place.

NEW MEMBER SWORN.

Commander William Stephen Richard King-Hall, R.N. (retired), for the County of Lancaster (Ormskirk Division).

WRITTEN ANSWERS.

ALBANIA (BRITISH CONSUL-GENERAL).

Mr. Spens asked the Prime Minister whether it is proposed to take any steps to appoint a successor to Sir A. Ryan at Durazzo; and what will be his status?

The Prime Minister: Yes, Sir. It is proposed to appoint Mr. L. B. Grafftey-Smith, O.B.E., to be His Majesty's Consul-General at Durazzo in succession to Sir Andrew Ryan. In order that he may be able to exercise his functions, it will be necessary to apply in the usual way to the Italian Government for an exequatur.

BRITISH COUNCIL.

Mr. Lyons asked the Prime Minister when the last full meeting of the British Council was convened; what are its present functions; and whether he will publish a list of its paid officers, other than clerical and messenger staff, and the dates of their appointments and by whom made?

Mr. Butler: The last full meeting of the British Council took place in July, 1936. The Executive Committee of the Council meets quarterly and last met on the 10th October.

The functions of the Council have been described in its official publications as follows:

To make the life and thought of the British peoples more widely known abroad; and to promote a mutual interchange of knowledge and ideas with other peoples.

To encourage the study and use of the English language, both in foreign countries and in the Crown Colonies and Dependencies; to assist overseas schools in equipping themselves for this purpose; and to enable students from overseas to undertake courses of education or industrial training in the United Kingdom.

To bring other peoples into closer touch with British ideals and practice in education, industry and government; to make available to them the benefits of current British contributions to the sciences and technology; and to afford them opportunities of appreciating British literature, fine arts, drama and music.

To co-operate with the self-governing Dominions in strengthening the common cultural traditions of the British Commonwealth.

The following is the list of paid officers of the British Council at the present date, excluding those serving with the Armed Forces of the Crown:

Name.	When appointed.	By whom.
Lord Lloyd (Chairman) ...	12th October, 1937	Foreign Office.
Mr. A. J. S. White	6th December, 1937	Executive Committee.
Mr. R. B. B. Tollinton	1st July, 1939	Executive Committee (seconded from Foreign Office).
Mr. E. D. O'Brien	7th February, 1938	Executive Committee.
Mr. W. M. Willcox	21st March, 1938	
Major A. A. Longden	1st January, 1938	
Mr. T. Lindsay	4th July, 1938	
Mr. H. Dawson	2nd August, 1938	
Mr. C. Mann	19th September, 1938	
Mr. M. H. S. Everett	12th May, 1938	
Mr. C. G. H. Simon	20th June, 1938	
Miss P. Henn-Collins	1st May, 1937	
Mr. D. Parmée	24th April 1939	
Mr. R. A. G. Pearce	31st May, 1939	
Mr. J. R. L. Potter	7th August, 1939	
Mr. E. Sykes	2nd October, 1939	Temporary wartime basis—subsequent approval by Executive Committee.
Mr. R. A. Phillips	16th October, 1939	
Mr. W. Bridges-Adams ...	17th October, 1939	

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BRITISH SHIPS (NEUTRAL TRAVELLERS).

Sir P. Hannon asked the Prime Minister whether his attention has been called to the warnings presented to the Governments of the Argentine and Denmark by the German Government that nationals of those countries would incur grave risk by travelling in British ships; and whether a public declaration of the attitude of His Majesty's Government to such statements by the German Government, which are in violation of international law, will be made to all neutral countries?

Mr. Butler: His Majesty's Government, whose attention has been called to certain statements to this effect which have been published in the Argentine and Danish Press, do not consider that any declaration on their part is called for. The measures taken for the protection of British shipping and the very considerable success with which they have been attended are already well known in all neutral countries.

REFUGEES.

Wing-Commander James asked the Prime Minister whether he can now add anything further to the recent announcement upon the granting of financial support for the maintenance and re-emigration of refugees?

Sir J. Anderson: Owing to the necessity of conserving the financial resources of the nation for the purpose of prosecuting the war. His Majesty's Government have reluctantly come to the conclusion that they must suspend for the duration of the war the offer which they made in the summer that, if other Governments were prepared to co-operate, they would consider the question of encouraging private subscription to a fund by Government participation.

CIVIL DEFENCE.

SHOPS (HOURS OF CLOSING).

Mr. W. R. Duckworth asked the Home Secretary whether, before fixing the emergency closing of shops, he will consult the Chancellor of the Exchequer as to its effect on the payment of Income Tax by shopkeepers, the Minister of Health as to the effect on the payment of rates, the Minister of Labour as to the effect on employment, and the Minister of Agriculture as to the effect on the convenience of workers on the land and representatives of the public whose shopping hours, owing to the existence of war-work, are now materially altered?

Sir J. Anderson: The Order in Council (S.R. & O. 1939, No. 1464) providing for earlier closing of shops was made on the 19th October. Before the Order was made I made careful inquiries and took into consideration the position of shopkeepers and shop assistants as well as the needs of the general public.

Mr. Denville asked the Home Secretary whether he will reconsider the Shops Closing Order, in view of the widespread opposition of the small shopkeepers who fear that by this Order they will eventually lose their means of livelihood?

Sir J. Anderson: I certainly propose to review the Order in the light of experience of its actual operation.

AIR-RAID PRECAUTIONS COMMITTEES.

Mr. Ammon asked the Home Secretary whether the powers of emergency air-raid precautions committees which embrace decisions on matters not safeguarded to the borough council, or other local authorities by Statute, include the incurring of any cost, debt or liability exceeding £50 which shall not be incurred, except upon a resolution of the council, based upon an estimate submitted by the Finance Committee as laid down in the London Government Act, 1899?

Sir J. Anderson: These committees are not exempt from statutory restrictions applicable to other committees of local authorities.

MOTOR VEHICLES HIRE AND PURCHASE.

Sir R. Glyn asked the Home Secretary whether, in view of the very large sum at present being paid by local authorities for the hire of motor vehicles for air-raid precautions work, he will advise those responsible purchasing an appropriate number of second-hand motor-cars which are now being offered at very low prices, and allocating these for the use of air-raid precautions workers in place of the hired motor-cars?

Sir J. Anderson: Recommendations in the sense suggested have been issued to local authorities.

LIGHTING RESTRICTIONS.

Mr. Rhys Davies asked the Home Secretary whether he has considered the invention to relieve the blackout put forward by the Liverpool City electrical engineer; whether he regards that invention as capable of being put into operation thoughout the country; and whether he will issue instructions to local authorities accordingly?

Sir J. Anderson: I would refer the hon. Member to the reply which I gave on the 25th October to a question by the hon. Member for Plaistow (Mr. Thorne).

AIR-RAID PRECAUTIONS WORKERS (EQUIPMENT).

Mr. Groves asked the Home Secretary whether, in addition to the proposed uniform for air-raid wardens, he will consider the issue of an overcoat and boots for the voluntary workers who so willingly patrol the streets?

Sir J. Anderson: The amount of patrolling by wardens is now being reduced, but in any event I regret that I could not contemplate, at any rate under present conditions, providing the additional equipment suggested.

LONDON UNIVERSITY LIBRARIES.

Mr. Parker asked the Financial Secretary to the Treasury whether he can make arrangements for the re-opening of the various London University libraries with whatever safeguards are necessary for the various Government Departments using the university buildings?

Captain Crookshank: The use by the Government of part of the Senate House of London University does not affect the University library, which is open from 10 a.m. to 8 p.m. on Tuesdays and Thursdays, and from 10 a.m. to 5 p.m. on other week-days. As regards the library of the London School of Economics I would refer to the reply given on 25th October by my hon. Friend the Minister of Economic Warfare to the hon. Member for Ilkeston (Mr. Oliver).

AMBULANCES.

Mr. Woodburn asked the Minister of Health whether he is aware of the apprehensions in the medical profession against the present practice of adapting heavy motor vehicles as ambulances for the conveyance of war-time casualties; whether he is further aware that a number of medical officers of health and air-raid precautions authorities have condemned these vehicles as unsuitable for the purpose intended; that the cost of compensation and the cost of adaptation of these heavy vehicles is greater than the capital cost involved in the purchase of new trailer ambulances; and whether he will give instructions to permit trailer ambulances to supplant unsuitable motor vehicles and relieve these for the needs of road transport?

Miss Horsbrugh: I am aware that some of the vehicles on which local authorities have had to rely for ambulances at the outset of the emergency require to be replaced by more suitable vehicles. My right hon. Friend agrees that it is desirable, on grounds of economy, to eliminate as far as possible the cost of hiring commercial vehicles for the ambulance service, and he has recently authorised local authorities to purchase vehicles, but not necessarily trailers, in substitution for hired vehicles. I am sending the hon. Member a copy of the relevant circular.

SOCIAL SERVICES EXPENDITURE.

Mr. Woodburn asked the Chancellor of the Exchequer whether he will state in each case the amount per week per person for an adult man and an adult woman, respectively, in each Government scheme paid in respect of unemployment insurance, health insurance, Army pensions, Navy pensions, Air Force pensions, civilian pensions and personal injury allowances of all kinds, non-contributory old age pensions, and any other Government scheme?

Sir J. Simon: The information required by the hon. Member is contained in a number of official publications which are available to Members of this House and to the public. I regret that I could not justify its collection into one document for the purposes of this question.

HOUSE OF COMMONS (REFRESHMENT DEPARTMENT STAFF).

Mr. Noel-Baker asked the Financial Secretary to the Treasury whether he will consult the Postmaster-General and other Ministries with a view to finding part-time employment in Government service

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for the waiters and kitchen staff now engaged for three days a week in the Houses of Parliament, in order that they may thus be enabled to earn a living wage?

Captain Crookshank: I understand that the Postmaster-General has already been approached informally on the question whether it would be possible to find part-time employment in his Department for the waiters and kitchen staff of the Kitchen Committee. There are certain difficulties but the matter is being further explored. I am also informed that the staff in question are at the present time being paid by the Kitchen Committee wages for a full week even though they are only required to work for three days in the House.

NATIONAL SERVICE CENTRAL REGISTER.

Mr. Harvey asked the Financial Secretary to the Treasury whether, in the case of applicants who have volunteered for special Government work for the present emergency and are selected for interview, travelling expenses will be allowed if they do not receive the appointment in view of the fact that in some cases they have offered to give up their present positions and forgo financial advantage in order to render more effective national service?

Captain Crookshank: Persons on the Central Register for National Service, who are invited or recommended by the Ministry of Labour to attend for interview in connection with the filling of vacancies in the Government service, may be refunded the expenses necessarily incurred on travelling to and from the place of interview, subject to a maximum of the appropriate third class rates of travel.

INCOME TAX.

Mr. Perkins asked the Chancellor of the Exchequer whether he is aware that officers of the Royal Air Force Reserves have been informed that a provisional amount of Income Tax will be deducted from their first issues of pay by Royal Air Force agents and accountants; and why it is proposed to make such deductions, having regard to the fact that no liability for tax can, in any event, arise before the 1st January, 1940?

Sir J. Simon: Income Tax is deducted from the pay of officers of His Majesty's Forces under special provisions of the Income Tax Acts which provide for deductions to be made as and when the pay is paid. In practice, the amount of tax due from each officer for the year is estimated at the beginning of the year or period of service, as the case may be, by reference to information which is already available, or is specially obtained, regarding the officer's title to allowances, and the tax is deducted in equal monthly instalments. Any necessary adjustments are made so soon as the officer's liability can be finally computed.

If my hon. Friend has any particular cases in mind I shall be happy to cause inquiries to be made if he will send me particulars.

MERCANTILE MARINE.

FREIGHT RATES.

Mr. A. Edwards asked the Minister of Shipping whether, in fixing freight rates, he will base them upon the market value of ships at the outbreak of war and not upon enhanced values resulting from the war; and whether the same will apply when purchasing ships?

Sir J. Gilmour: It is not my present intention to purchase ships on the United Kingdom register except under the powers contained in the Defence Regulations. For ships purchased under these powers, Section 4 of the Compensation (Defence) Act, 1939, lays down the principles upon which compensation should be paid, as it also does for the use of ships requisitioned for the public service.

MINISTRY OF SHIPPING (STAFF).

Mr. Pritt asked the Minister of Shipping how many persons are now employed in his Ministry; how many of those persons were already employed as civil servants prior to their appointment to his Ministry; and, of those not so already employed, how many were drawn from the central register of the Ministry of Labour and how many were appointed on personal recommendation?

Sir J. Gilmour: The staff employed at the headquarters of the Ministry of Shipping, excluding messengers and cleaning staff, numbers 822.

Of these 699 were already civil servants prior to their appointment to the Ministry; 515 of them were employed before the outbreak of war in the Board of Trade on work now transferred to the Ministry of Shipping.

The remainder includes 40 persons from the shipping industry with specialist experience and knowledge who were nominated before the setting up of the Central Register, for service in the event of war. The balance consists of routine clerical and typing staff engaged through the Ministry of Labour.

No staff has yet been recruited from the Central Register but application has been made to that Register for persons with special qualifications for particular posts in the Ministry.

In addition to the headquarters staff, the services detailed below which were formerly administered by the Board of Trade, now form part of the Ministry of Shipping:

General Register Office of Shipping and Seamen.
War Risks Insurance Office.
Mercantile Marine Office service at ports.
Survey Service at Ports.
Sea Transport Officers at home and abroad.
His Majesty's Coastguard.

The total staff of these services numbers 2,025.

Mr. Benjamin Smith asked the Minister of Shipping whether it is intended to appoint a labour adviser to the Ministry of Shipping?

Sir J. Gilmour: I have appointed an Advisory Council upon which, as I am glad to inform the hon. Member, nine representatives of the officers and men of the Merchant Service have agreed to serve.

NAVAL AND MILITARY PENSIONS AND GRANTS.

Mr. Lipson asked the Minister of Pensions whether he is aware that Mr. F. Williams, of 39, Bloomsbury Street, Cheltenham, lost all his three sons in the last war; that the pension allowed him in respect of them is 8s. 6d. a week; that he is 72 years of age and his income consists only of the old age pension and 6s. a week National Health Insurance for an invalid daughter whom he has to support; and will he accede to the request of Mr. Williams that his pension be increased?

Sir W. Womersley: I am making inquiries in this case and will communicate with the hon. Member in due course.

FOOD SUPPLIES.

SUGAR.

Mr. W. R. Duckworth asked the Chancellor of the Duchy of Lancaster whether all dealers have been instructed to cut down sugar supplies to their customers; whether the basis of the new supply is sugar received by each firm during the months of October, November and December, 1938; and whether he will consider taking the average weekly consumption for the whole of the year as a fairer basis since firms of repute book requirements months ahead?

Mr. W. S. Morrison: Supplies of sugar are being equally distributed throughout the country on the basis of 100 per cent. of the period October, November and December, 1938. In cases of hardship supplementary supplies are also being distributed.

Mr. Joel asked the Chancellor of the Duchy of Lancaster whether he is aware of the effect of sugar rationing upon the activities of manufacturers of confectionery; that in some cases the reduction in supplies will be about 40 per cent. of the average weekly consumption; and whether, in view of the many hundreds of people employed by firms of this standing whose operations will be curtailed, he will consider the effect of this rationing on unemployment?

Mr. W. S. Morrison: There is no foundation for the suggestion that supplies of sugar to confectioners will be reduced by 40 per cent. Normal supplies of sugar continue to be made available to the confectionery trades.

ORANGES.

Mr. Jackson asked the Chancellor of the Duchy of Lancaster (1) whether a maximum importation of Spanish and Jaffa oranges will be allowed into this country for the Christmas fruit trade, as a cheap supply of this fruit will be appreciated by the public;

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(2) whether he can now indicate to shippers and importers of oranges from Spain and Palestine his policy for importation so that arrangements can be made in advance for regular supplies, and unsatisfactory fluctuations in price be avoided?

Mr. W. S. Morrison: There is at present no control by the Ministry of Food over the importation of oranges and shippers and importers are free to make their own arrangements.

AUTHORISED SLAUGHTERHOUSES.

Captain Ramsay asked the Chancellor of the Duchy of Lancaster whether he will reconsider the proposal to close the Peebles slaughterhouse, which will cause serious dislocation, hardship and loss to all concerned?

Mr. W. S. Morrison: My hon. and gallant Friend will be glad to know that, as a result of a review of the slaughtering facilities in the area, the Peebles slaughterhouse has been added to the list of authorised slaughterhouses intended to be used in connection with the control plan when full control of meat and livestock is instituted.

BUTTER.

Sir E. Makins asked the Chancellor of the Duchy of Lancaster to what extent it is intended to rely, in respect of rationing, on the manufacture of English butter; what steps are being taken to encourage it; and what percentage of the national butter consumption it is hoped to produce by this intensified effort?

Mr. W. S. Morrison: In normal times home-produced butter constitutes some 3 to 5 per cent. of our consumption. It is hoped to maintain milk production at least at its present level, which is the highest since the inception of the Milk Marketing Schemes in 1933, but I am afraid that home butter production could only be increased at the expense of liquid milk and other milk products, such as cheese.

FISH.

Mr. Law asked the Chancellor of the Duchy of Lancaster what arrangements are being made to compensate the officers and crews of steam trawlers who have lost share money and poundage as a result of the operation of the fish scheme?

Mr. W. S. Morrison: The fish purchased under the fish scheme was purchased at prices substantially above pre-war prices and I do not think that any losses to the officers and crews resulted from the operation of the scheme.

UNEMPLOYMENT.

OXFORD.

Sir G. Fox asked the Minister of Labour whether he can give the numbers of unemployed in Oxford and the vicinity in each of the last three months for which figures are available; and the number of skilled workers unemployed?

Mr. E. Brown: I am having the available statistics extracted, and will circulate a statement in the OFFICIAL REPORT.

DURHAM COUNTY.

Mr. W. Joseph Stewart asked the Minister of Labour whether he can state the number of persons now unemployed in Durham county from 18 years of age and upwards and the duration of their unemployment?

Mr. E. Brown: I am having the available statistics extracted, and will circulate a statement in the OFFICIAL REPORT.

COAL INDUSTRY, SCOTLAND.

Mr. D. Graham asked the Minister of Labour whether he can state the reason why the total number of wage-earners on colliery books in the counties of Ayr, Lanark, Stirling and West Lothian, is not given in the Labour Gazette for each month, with the percentage of numbers unemployed, as is done in the other colliery counties in England and Scotland?

Mr. E. Brown: The publication in the Ministry of Labour Gazette of statistics as to the numbers of wage-earners in the coalmining industry and the numbers and percentages unemployed, classified by counties or groups of counties, has now been suspended. When the publication of such statistics is resumed I will consider whether separate figures can be given for the counties to which the hon. Member refers.

BLACK-OUT (WORKING HOURS).

Mr. Garro Jones asked the Minister of Labour whether he is aware that certain firms are proposing to reduce the working day to daylight hours so as to avoid

black-out difficulties, which could be overcome by ordinary precautions; and whether he will see that workmen who leave such a firm to seek employment on full time are not penalised for so doing?

Mr. E. Brown: I am aware that difficulties as regards working hours are caused in some cases by the black-out requirements. As regards the second part of the question, if the hon. Member is referring to the possibility of disqualification for unemployment benefit, I would remind him that this would be a question for the independent statutory authorities under the Unemployment Insurance Acts.

COLONIES (SOCIAL SERVICES).

Mr. David Adams asked the Secretary of State for the Colonies whether he can state that it is the policy of his Department to maintain and wherever possible to expand the social services and welfare work in the Colonial Empire during the war?

Mr. M. MacDonald: I am afraid that I am not yet in a position to add anything to my previous statements on this subject.

ROYAL NAVY.

OFFICERS (MARRIAGE ALLOWANCE).

Mr. Perkins asked the First Lord of the Admiralty at what age are marriage allowances paid to married officers of the Royal Naval Reserve after mobilisation?

Captain Hudson: Marriage allowance is paid to mobilised officers of the Royal Naval Reserve of any age.

ACQUISITION OF LAND (COMPENSATION).

Major Mills asked the First Lord of the Admiralty when it is proposed to pay the late owners and occupiers for the land near Salisbury which has been acquired by the Admiralty; and whether they will also be compensated for disturbance?

Captain Hudson: Pending the completion of negotiations for the purchase of the land and the fixing of the compensation payable to tenants, substantial payments on account will be made forthwith in all cases where such payments are requested by landowners and tenants all of whom have given ready assistance to the Admiralty.

Compensation for disturbance will be paid to agricultural tenants in accordance with the provisions of the Acquisition of Land (Assessment of Compensation) Act, 1919, and the Agricultural Holdings Act, 1923.

WEST INDIES (ROYAL COMMISSION).

Mr. David Adams asked the Secretary of State for the Colonies whether consideration has recently been given by His Majesty's Government to the poor standards of health, housing and social conditions in the West Indies; and what steps will be taken to deal with the distress and suffering arising from the economic conditions in these Colonies?

Mr. M. MacDonald: These matters have been comprehensively under consideration by the West India Royal Commission, whose report is awaited. Meanwhile, of course, ameliorative action has not been suspended, and I should be glad to supply the hon. Member, if he so wishes, with information as to the action taken by Colonial Governments in the West Indian area since I made a statement on the subject in reply to his question on the 16th November last.

MINISTRY OF SUPPLY.

AREA ORGANISATION.

Mr. E. Smith asked the Minister of Supply whether he can make a statement as to his intention with regard to securing representation for the proposed national committee or supply council; what is to be the procedure for obtaining the best results in the areas; and how and when is the area machinery to be set in motion?

Mr. Burgin: An advisory committee has now been appointed in consultation with the Trade Union Congress and I hope to have a meeting at an early date. The question of the best scheme for an area organisation has also been under discussion with the Trade Union Congress who are, I understand, convening a conference of the engineering and shipbuilding unions on the subject this week.

PAPER.

Sir A. Knox asked the Minister of Supply whether he has now come to a decision fixing a fair price for paper?

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Sir J. Wardlaw-Milne asked the Minister of Supply whether he is aware that certain paper mills are likely to have to close down altogether within the next few days owing to their inability to secure supplies at the controlled price, with the result that their customers, some of whom are engaged on urgent Government work, will, in turn, be unable to carry out their contracts; that the paper control office on the 30th September and again on the 14th October sent almost identical letters stating that they were well aware of the difficulty of the trade, and that the matter was under consideration; and whether he will take action to remedy this state of affairs?

Mr. Burgin: An Order was made on the 25th October substantially increasing the maximum prices which may be charged for paper and paper boards.

WOOL CONTROL.

Sir J. Wardlaw-Milne asked the Minister of Supply why the Wool Control is situated in Bradford, and for what reason the London wool brokers, with over 100 years' experience behind them and with all the necessary warehouses, management and expert staff for the distribution of wool have been ignored; and will he take action to reverse this procedure, the results of which may have serious effects upon the wool trade of London after the war?

Mr. Burgin: It was considered desirable that the offices of the various raw materials controls should not be set up in London, and, as part of the general scheme, accommodation was allocated to the wool control at Ilkley, in the neighbourhood of the largest centres of the woollen industry, with which of course the control requires to be in constant communication. With regard to the remainder of the question, I would refer my hon. Friend to the reply which I gave to the hon. Member for the Park Division of Sheffield (Mr. Lathan) on 18th October, to which I am at present unable to add.

FORESTRY COMMISSION.

Mr. Emery asked the right hon. and gallant Member for Rye, as representing the Forestry Commissioners, whether he will transfer temporarily most of the departmental heads and indoor staffs of the Forestry Commission to the new departments set up to deal with schemes connected with the war in view of the restricted powers of the Commission in war-time?

Sir G. Courthope: The Forestry Commission organisation and approximately one-half of the staff of all grades have already been placed at the disposal of the Ministry of Supply in connection with the production of home-grown timber. In that connection the following commissioners are rendering active assistance: the chairman Sir Roy Robinson, Mr. Walter Smith, Sir Samuel Strang Steel and Mr. W. L. Taylor.

MINISTRY OF INFORMATION.

BRITISH BROADCASTING CORPORATION.

Sir H. Williams asked the Parliamentary Secretary to the Ministry of Information whether he has any further statement to make with regard to the resumption of work in the studios at Broadcasting House?

Sir E. Grigg: I am informed by the British Broadcasting Corporation that it is not possible to add anything to the statement on this subject which I gave in reply to a question from my hon. Friend on 17th October.

FILM PUBLICITY.

Mr. Lyons asked the Parliamentary Secretary to the Ministry of Information whether he will give a report of the working to date of the films organisation in his Department and the number of staff employed in connection with it?

Sir E. Grigg: As regards the first part of the question, I would refer my hon. Friend to the answer given on the 19th October to the hon. Member for Wolverhampton, East (Mr. Mander). Of the films therein mentioned the Air Force film has been completed and world-wide distribution is being arranged; the film dealing with London's transition from peace to war has been completed; and the scenarios of most of the documentary films have been submitted and are under active examination. As regards the second part of the question, the Film Publicity Division has a staff of one unpaid and seven paid officers, apart from typing assistance.

STAFF (RESIGNATIONS).

Mr. Lyons asked the Parliamentary Secretary to the Ministry of Information

what resignations have taken place in his Department since 9th October, other than clerical and messenger staff?

Sir E. Grigg: I would refer my hon. Friend to the statement made in another place on the 25th October by my Noble Friend that 67 officials were to leave the Ministry in consequence of the reorganisation that had been undertaken. Since that date one other official has resigned.

MEMORIAL TO HIS MAJESTY KING GEORGE V.

Sir R. Glyn asked the First Commissioner of Works whether it is intended during the duration of the war to proceed further with the National Memorial to His late Majesty King George V; and whether the buildings in Abingdon Street, owned by the Ecclesiastical Commissioners, can be made available for Government use, thus freeing other accommodation?

Mr. Ramsbotham: I understand that work on the statue, which will be a matter of 18 months or so, will be proceeding, but that the actual erection and the preparation of the site for it, will be for consideration in the light of the circumstances obtaining at the time when it is nearing completion. My hon. Friend will recall that the buildings in Abingdon Street are outside the area of the memorial scheme as that scheme was finally approved.

BRITISH ARMY.

NATIONAL DEFENCE COMPANIES.

Mr. Burke asked the Secretary of State for War why men of the National Defence companies who were in barracks on or before 23rd August of this year did not receive the £5 bounty, although they offered their services prior to that date?

Mr. Hore-Belisha: Although, strictly speaking, attestation would have had to be completed on or before this date to qualify for the bounty, authority has nevertheless been given for the payment of the bounty to all men who signed the enlistment form on or before 23rd August, or notified their intention, on or before that date, of joining, but were prevented from attesting until later.

OFFICERS (MARRIAGE ALLOWANCE).

Mr. Perkins asked the Secretary of State for War at what age are marriage allowances paid to married officers of the Army Reserves after mobilisation?

Mr. Hore-Belisha: Before 11th September last, only married officers of 30 years of age or over were entitled to an allowance in respect of their families, but, from that date, such an allowance has been granted to all married officers, irrespective of their ages.

DEPENDANT'S ALLOWANCE.

Mr. W. H. Green asked the Secretary of State for War whether a widow's old age pension is taken into account as income in assessing the amount, if any, of dependants allowance in respect of a son on active service; and, if so, will he consider discontinuing such a practice?

Mr. Hore-Belisha: A claim to dependant's allowance is a special claim related to the income of the person alleged to be dependent, and the contributions previously made by the claimant. It is therefore necessary to take all forms of income into account before the claim can be settled.

FREE RAILWAY WARRANTS.

Mr. D. Graham asked the Secretary of State for War whether he is aware that quite a fair proportion of soldiers, whose homes are in Scotland, are stationed in various barracks in England, and that such men when granted leave are unable to take advantage of it because of the prohibitive cost of railway travelling; that in most cases the soldiers are making allotments to their parents which limits their resources to such an extent as to create a real hardship; and will he consider the advisability of revising the railway facilities in such manner as will enable the serving soldier being given some hope of visiting his home and relatives when on leave?

Mr. Hore-Belisha: As I have previously stated, a free warrant will be given for leave prior to embarkation for overseas, and also to men granted leave from France. Men travelling on leave at other times will have the concession of a double journey for a single fare.

HOUSING.

Mr. Windsor asked the Minister of Health whether, in view of the housing

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shortage, particularly in the home counties, he will now lift the embargo on local authority housing schemes?

Miss Horsbrugh: I can assure the hon. Member that my right hon. Friend is anxious to secure the completion of as many houses as possible. Although he has had to request local authorities to postpone the commencement of new houses for the time being the housing position is, as previously stated, under close and continuous review in relation to the demand on building materials and building labour and in the light of the financial position. I may add that my right hon. Friend recently discussed the position with representatives of the operatives and employers in the building trades.

BURNING PIT-HEAPS.

Mr. Lunn asked the Minister of Health whether he is aware that there are burning slag-heaps on the east and west sides of Crigglestone colliery, near Wakefield; that the farmers in the area have protested because of the destruction of crops, and they are having a serious effect on the health of the people in the district; and will he say what steps he proposes to take for dealing with the matter?

Miss Horsbrugh: Yes, Sir. My chief inspector visited the heaps last week and informs me that the owners are now taking the action recommended for abatement.

EMERGENCY MEDICAL SERVICE (DOCTORS).

Mr. Groves asked the Minister of Health whether he is aware that many medical men appointed to the emergency medical services have been dismissed, and that those in Class G will receive, by way of compensation for such dismissal, a payment equivalent to salary at the rate of £350; and whether he will state by whom such appointments were made and give the number of medical men who are to receive such compensation and the total amount of expenditure involved?

Mr. Elliot: No medical men appointed to the Emergency Medical Service controlled by me have been dismissed, and no question of compensation therefore arises. Class G, to which the hon. Member refers, consists of resident house officers who were appointed for three months or longer, at £350 a year, this being the scale of salary recommended by the Central Medical War Committee on behalf of the profession.

MATERNITY AND CHILD WELFARE (MILK).

Mrs. Adamson asked the Minister of Health how many maternity and child welfare authorities in England and Wales, respectively, have submitted proposals for the supply of cheap milk for mothers and young children, as requested in Circular 184D, dated 2nd August; how many have stated that the matter is under consideration; and the number that have not replied?

Mr. Elliot: Seventy-eight welfare authorities have submitted proposals, 122 have stated that the matter is under consideration, 171 have not yet replied, and 36 have deferred consideration.

TRADE AND COMMERCE.

GERMAN-CONTROLLED FOREIGN BANKS.

Mr. Parker asked the President of the Board of Trade whether he is aware that the list of German-controlled foreign banks on the black list with which trade is forbidden is far from complete; and whether he will revise it?

Mr. Stanley: I presume the hon. Member is referring to the list of specified persons in the Trading with the Enemy (Specified Persons) Order published on 13th September and in the Amendment Order published on 5th October. Further additions to the list will be made very shortly. Enemy-controlled banks are, of course, enemies within the meaning of the Trading with the Enemy Act, irrespective of whether they have been specified in such Orders.

WAR RISKS INSURANCE.

Sir J. Smedley Crooke asked the President of the Board of Trade whether he will state what steps he proposes to take to refund the premium paid under Part II of the War Risks Insurance Act, 1939, on goods which are not now in the category of goods which have to be insured?

Major Lloyd George: The insurance companies and Lloyd's, who are acting as agents of the Board of Trade for the purposes of the commodity insurance scheme, have been instructed to refund on application any premiums paid in respect of goods which have been declared to be uninsurable by the War Risks Insurance (General Exceptions) Orders made by the Board of Trade on the 22nd September and 17th October, 1939, respectively.

ZINC AND BRASS (IMPORT DUTY).

Mr. Higgs asked the President of the Board of Trade whether he is aware that thin-gauge zinc and brass is not obtainable for domestic and export trades except from the United States of America; and, in view of the present conditions, will he consider withdrawing the 15 per cent. import duty for the time being?

Captain Crookshank: I understand that two interested companies have submitted representations which are at present under consideration.

RUMANIA (EXPORT CREDITS).

Mr. Noel-Baker asked the Secretary to the Overseas Trade Department what is the total value of contracts negotiated with the Rumanian Government under export credits, granted since 1st April, 1939?

Mr. R. S. Hudson: I would refer the hon. Member to the reply which the Secretary to the Mines Department gave him on my behalf on the 25th instant on the subject of guarantees in connection with the export of goods to Rumania, to which I have nothing to add.

ECONOMIC WARFARE.

BLOCKADE.

Mr. A. Herbert asked the Minister of Economic Warfare in what practical way our present operations fall short of a full blockade, as defined by international law?

Mr. Cross: The essence of blockade is the prevention of all ingress to and egress from the blockaded coast or place, irrespective of the nationality of the ship or of the origin, nature, ownership or destination of her cargo.

His Majesty's Government have not declared any blockade of Germany. They have, however, instituted a system of control over imports of contraband into Germany directly or through neutral countries. This is considered effective to prevent the passage to Germany of articles useful for the prosecution of the war.

BALTIC STATES (TRANSFERRED GERMANS).

Mr. G. Strauss asked the Minister of Economic Warfare whether he is aware of the danger that arises to British interests by the transfer of the German populations in the Baltic countries to Germany, and the consequential acquisition by the German Government of the substantial foreign assets which previously belonged to the transferred individuals; and whether he will immediately enter into trading negotiations with these countries with a view to postponing the transfer of their assets to Germany?

Mr. Cross: I am fully aware of the considerations to which the hon. Member calls attention. Trade Agreements with Estonia, Latvia and Lithuania are already in existence and we have every intention of maintaining our trade with these countries, so far as possible. I do not think the procedure suggested by the hon. Member is practicable in present circumstances.

COAL INDUSTRY.

DURHAM COLLIERIES (AIR-RAID PRECAUTIONS).

Mr. W. Joseph Stewart asked the Secretary for Mines what precautions are being taken by his Department and the mines inspectors to protect the shafts of collieries situated on the Durham coast in the event of air-raids?

Mr. Lloyd: Appropriate precautions are being taken, including where necessary the inter-connection of neighbouring mines and the provision of auxiliary winding gear.

REOPENED COLLIERIES.

Mr. Stephen asked the Secretary for Mines how many coal-pits were closed each for the last three years; and how many pits it has been arranged to reopen since the beginning of the war in order to increase the coal production of the country?

Mr. Lloyd: In reply to the first part of the question the following is the information asked for:

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	Period.	Pits.	Wage-earners on Colliery Books.
Number of Pits which have closed and not re-opened during the years 1937, 1938 and during specified periods in 1939, with the number of wage-earners employed at date of closing.	1937	35	3,276
	1938	65	6,176
	1939 to 3rd September	46	7,066
	1939 between 3rd September and 21st October.	23	2,180
Number of Pits which were closed on 1st January, 1937, re-opened before 3rd September, 1939, and are still at work with the number of wage-earners employed at 21st October, 1939.	1st January, 1937 to 3rd September, 1939.	46	14,455
Number of new Pits opened between 1st January, 1937, and 3rd September, 1939, with the number of wage-earners employed at 21st October, 1939.	1st January, 1937 to 3rd September, 1939.	91	3,401
Number of Pits opened or re-opened since 3rd September, 1939, with the number of wage-earners employed at 21st October, 1939.	3rd September, 1939 to 21st October, 1939.	20	9,739

NOTE.—All the above particulars relate to Pits employing 10 or more wage earners.

In answer to the second part—20 pits employing 2,739 wage-earners have been opened or reopened since the outbreak of war.

AGRICULTURE.

LIVESTOCK IMPROVEMENT SCHEME.

Mr. Hopkin asked the Minister of Agriculture whether he can give the reasons for the cancellation of grants for the Livestock Improvement Scheme; and when these grants will be renewed?

Sir R. Dorman-Smith: The decision to suspend the making of fresh grants during the war was reached partly on administrative grounds and partly for reasons of economy. Although these grants serve an eminently useful purpose, their maintenance cannot be justified as an essential service in a time of emergency. The question of resuming the grants will be considered at the end of the war.

Mr. Hopkin asked the Minister of Agriculture whether the scheme for attested herds will be continued for another year to allow those farmers to come into the scheme in districts such as Carmarthenshire where there are now almost 100 per cent. attested herds?

Sir R. Dorman-Smith: No, Sir. I would, however, point out that notwithstanding the decision not to accept fresh applications for entry into the Attested Herds Scheme, the large number of herds in respect of which application under the scheme had been made before the outbreak of war and which were then undergoing or awaiting official or assisted tests under the scheme, will, if they qualify, be attested in the course of the next six months. In addition to the 2,500 herds at present attested in Carmarthenshire, there are 936 such supervised herds under test; together these represent approximately 60 per cent. of the cattle population of the county.

VEGETABLE SEEDS SUPPLY.

Sir W. Edge asked the Minister of Agriculture what proportion of vegetable seeds annually imported into this country come from Central Europe; and whether he is satisfied that arrangements have now been made for alternative sources of supply?

Sir R. Dorman-Smith: Forty-one per cent. of the total quantity of vegetable seeds imported in 1938 came from Central Europe. The point raised in the second part of the hon. Member's question is being considered by the Seeds Advisory Committee, comprising representatives of the Agricultural Departments, the Ministry of Food, growers and merchants.

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ALLOTMENTS (GLAMORGANSHIRE).

Mr. Ness Edwards asked the Minister of Agriculture whether he will inquire into the reasons why a group of 12 unemployed men, having applied for quarter-acre holdings since the summer of 1938, in Lower Ystradmynach, Glamorganshire, have been unable to obtain access to land which is available; and will he take steps to enable these men to make their contribution to the national effort?

Sir R. Dorman-Smith: The matter referred to by the hon. Member is not one for my Department but I understand that the difficulties connected with the use of the land to which he refers have now been overcome. The necessary equipment has been ordered and the men are working on the land.

DEATH RATE, GREENOCK.

Mr. R. Gibson asked the Secretary of State for Scotland whether he is aware that for the week ended 21st October, 1939, the death rate in Greenock was 16.6 per 1,000, as against 7.9 per 1,000 for Hamilton, and an average of 13.1 per 1,000 for Scotland; what cause or causes contributed to the high Greenock rate; and whether he has any statement to make on the subject?

Mr. Colville: Except in the case of the largest towns, wide variations in the weekly death-rates of individual towns are a normal experience. If the death-rates in the two towns mentioned are examined over the first six months of this year, it will be found that, although there are marked differences in the weekly rates as between the one town and the other, the aggregate death-rates over that period for each town and for the large burghs of Scotland as a whole are practically the same.

OMNIBUS SERVICE, HOME COUNTIES.

Mr. Simmonds asked the Minister of Transport whether, in view of the extensive withdrawal of the Green Line omnibus services, he will authorise long-distance coaches to pick up passengers in the Home Counties in districts ill-served by other means of transport?

Captain Wallace: Under the London Passenger Transport Act, 1933, no person may, without the written consent of the London Passenger Transport Board, carry passengers for journeys wholly within their special area on any stage carriage or express carriage. The board are empowered to give their consent where they are satisfied that there is need, but the suggested carriage of passengers on long-distance coach services within the special area would generally result in uneconomic competition with the services provided by the board, which have moreover been altered and augmented to meet the needs of passengers formerly served by Green Line coaches.

ROYAL AIR FORCE (SCOTTISH RECRUITS).

Mr. Garro Jones asked the Secretary of State for Air whether he will make some provision to enable experienced applicants for service in the Royal Air Force who have to travel from Aberdeen and other distant places to be interviewed without the penalty of at least £5 travelling expenses which they can ill afford?

Sir K. Wood: There are six combined recruiting centres in Scotland where candidates for flying duty and for enlistment in the Royal Air Force can present themselves. One of them is at Aberdeen.

Candidates for commissions in the non-flying branches of the Royal Air Force must, however, present themselves for interview and medical examination at the Air Ministry. In accordance with the general rule applicable throughout the public service, such candidates should pay their own travelling expenses. They are normally warned that they will be required to do so; but I regret that this warning was omitted in the case of certain candidates who were asked by telegram to attend. In these cases arrangements are now being made for a refund.

ORDERS OF THE DAY.

COTTON INDUSTRY (REORGANISATION) (POSTPONEMENT) BILL. [*Lords.*]

Order for Second Reading read.

3.55 p.m.

The Parliamentary Secretary to the Board of Trade (Major Lloyd George): I beg to move, " That the Bill be now read a Second time."

This is a Bill to postpone the operation of the Cotton Industry (Reorganisation) Act, which was passed on 4th August last. The object of that Act was to provide the framework of an organisation for the improvement of conditions in the cotton industry. The framework consists of, first, a central body called the Cotton Industry Board, representing partly independent members and partly members engaged in the various sections of the industry, either as employers or as operatives, secondly, of an advisory body called the Reorganisation Advisory Council—this Council represents not only the interests directly concerned in the cotton industries, but industries which may overlap to some extent the boundaries of the cotton industry—and, thirdly, an independent advisory committee, consisting of three members, who are to advise the Board of Trade from the general point of view on the proposals put forward by the Cotton Industry Board.

The Cotton Industry (Reorganisation) Act further provides for the submission of schemes covering different sections of the industry, with a view to their being given statutory force. Such schemes may be of two kinds. In the first place, they may be schemes designed to reduce or to eliminate redundant machinery in the section concerned, or their object may be to establish minimum prices for goods manufactured or for services rendered by the section concerned. Section 41 of the Act lays it down that the Act shall come into operation at the expiration of three months from the passing thereof, or at such earlier date as the Board of Trade may by Order appoint. That would mean that the Act would automatically come into force on 4th November.

Shortly after the war was declared consultations took place between the Board of Trade and the Joint Committee of Cotton Trade Organisations, to consider whether it was appropriate in the present circumstances that the Act should come into operation. It was agreed that there was no doubt that some sort of organisation should be provided to deal with the problems directly arising out of the war, but it was felt that a simpler organisation than the one set up in the Act would meet the purpose. The main Act, however, contains a provision quite incidental to the main scheme, which it is desirable should be brought into force at the present time. This is contained in Section 24 of the Act and concerns the operation of the Spindles Board, which was set up by the Act of 1936, to enable the Spindles Board to acquire and dispose of redundant plant in the spinning section of the industry. The effect of the provision in Section 24 is to allow the Spindles Board to reduce the rate of levy that they collect from the spinning industry, or to collect only a portion of the money so as to enable them not to be left with a considerable balance of money which they do not need after they have paid for the loans raised for the purpose of reducing redundant plant.

The purpose of the present Bill is to amend Section 41 of the Cotton Industry (Reorganisation) Act, so as to leave it to the Board of Trade to appoint, by Order, the date on which the Act should come into operation, and to appoint different dates for the bringing into operation of different sections of the Act. This will allow the provisions affecting the Spindles Board and other provisions that may be required from time to time to come into operation, while implementing the agreement arrived at with the industry, by deferring the putting into operation of the main scheme of the Act until after the war.

4 p.m.

Mr. Rhys Davies: I always hesitate to say anything at all about the Lancashire cotton industry when the hon. Member for Farnworth (Mr. Tomlinson) and the hon. and gallant Member for East Willesden (Captain Hammersley) are present, for they know more about this subject than almost anyone else in this House. Nevertheless, I want to make a few observations on behalf of the official Opposition, and I begin by informing the President of the Board of Trade and the Parliamentary Secretary that we do not

propose to offer any opposition to this very short Measure. It is clear that the Lancashire cotton industry as a whole desires that this Bill should be passed in order to postpone the operation of the main provisions of the Cotton Industry (Reorganisation) Act. Representing a Lancashire constituency in which there are some cotton mills, I do not think it would be fair to the people there if I did not offer one or two comments on this Bill. During and immediately after the Great War of 1914-18 many Lancashire textile mills suffered a very severe blow, and in dealing with this industry I hope the President of the Board of Trade, before we conclude our proceedings to-day, will tell us whether the Board of Trade can do anything to prevent a repetition of the financial scandals that occurred in those years. It will be remembered that textile mills were bought and recklessly bandied about from one financier to another. Many people became enormously rich, a number became bankrupt, and not a few committed suicide in the bargain. I hope, therefore, that the right hon. Gentleman the President of the Board of Trade will keep his eye on this industry in the County Palatine during the present hostilities.

Let me add that during the last war the export side of this trade received a very serious set-back. The President of the Board of Trade and the Parliamentary Secretary will understand that up to a few years ago this industry provided us with the largest single export of all the commodities we send to overseas markets. Now it takes a second place in the list of our exports, and that for the first time since the industrial revolution, I suppose. I ask, therefore, whether the right hon. Gentleman will tell us what is intended by the Board of Trade as a substitute when we set aside Section 41 of the Act. The Parliamentary Secretary promised that the Board of Trade will do something; it would be very interesting to the industry to know what that something is to be. I am under the impression, from what I gathered from speeches in Committee upstairs, that some sections of the industry would be delighted if the whole Act were postponed for good. I am glad to see the hon. Member for Dumfries (Sir H. Fildes) is present; he was never in favour of the Act. Incidentally, people sometimes go to Scotland in order to secure seats in Parliament.

There are some people in Lancashire who are not quite satisfied with the postponement proposed by this Measure, and I will state why. There are minorities, of course, I will not say anything about that. They were looking forward, war or no war, to a price-fixing scheme above all things. Now, however, when we set aside by this Bill the main provisions of the Act, it is complained, and in fact I have had representations to that effect already, that buyers for large retail stores who purchase direct from producers on an enormous scale will have a very profitable time, because there is nothing to prevent them doing so when the Act is postponed. I cannot say how they arrive at their conclusions, but those are the representations made to me. They were, of course, the representations that were made when the Bill was in a Standing Committee upstairs for the reorganisation of the industry, the desire being then to prevent that sort of thing happening again, and to ensure, if possible, a return to the producers in the mills of some of the wealth that is made over the counter by some of the large retail establishments.

I would venture to ask a question which I think is fair I suppose that during hostilities the textile industry of Lancashire will have more employment, more work in producing commodities until the fighting services are at least properly supplied. That is all to the good; but then there will be the inevitable slump. Has the right hon. Gentleman any plan of any kind in relation to this very important industry? I suppose that the Government have a plan for coal, oil, timber, agriculture and for practically all the other industries of the country—how much they are to produce, how much can be spared for home consumption and for export. I hope the right hon. Gentleman will tell us to-day whether the Government have any plan at all for the future of the cotton industry, especially during war-time and immediately after. The Lancashire textile industry employs a very large number of females. Consequently, the Government in planning for exports and for home consumption will find it easier to plan and maintain this than almost any other industry. They can, if they like to extend the export

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[Mr. Davies.]
market, employ this industry to the full without affecting the country's man power in the least. I trust that the President of the Board of Trade will be good enough, therefore, to tell us what is in the mind of the Government on this very important issue.

As I have said, we do not intend to oppose the Second Reading of this Bill. I see some hon. Members on the Liberal benches below the Gangway looking rather gloomy. I suppose we shall hear speeches from them to-day. I wish there were some one present from the Home Office to hear one point that I wish to emphasise. I see from the Lancashire Press that there is a tendency already to degrade the standard of employment, to set aside some of the labour regulations arrived at between employers and employed, because there is a war in progress. I hope that the right hon. Gentleman will convey a request that the Home Office will see to it that, as a large proportion of the operatives are women and the exploitation of women and young persons is much easier than in the case of men, whatever happens to the increase of production for the Forces, above all things nothing shall be done to lower the conditions of the Lancashire cotton operatives. I hope, too, that the right hon. Gentleman will take care that all the preliminary work inside the scheme to prepare for the day when hostilities cease will be undertaken, and that he will set going such machinery so that when peace returns Lancashire will be ready to take its place once again in the industrial operations of the country.

4.10 p.m.

Mr. Graham White: I share the hope expressed by the hon. Member for Westhoughton (Mr. Rhys Davies) that, whether in peace or war, the President of the Board of Trade will, under this Bill or under whatever machinery he puts in its place, see that none of the financial scandals which wrought such damage to the industry after the last War shall possibly occur again. If my recollection is right it was not during the war but in the years 1921 and 1922 that this occurred.

Sir Herbert Williams: In 1919.

Mr. White: It was from 1919 to 1921 that these manipulations, which were so injurious to the industry and in particular to the workers, became rampant. We on these benches, having regard to the wish expressed by the trade, do not wish to oppose the Bill at any stage. But I am not unmindful of the fact that there are aspects of the Bill that we regard with some misgiving and apprehension. It is a misfortune that the Act should not be put into operation now. We regret that the great time spent on the Act by the House of Commons in Committee upstairs should be thrown away for the time being. I wish that the Parliamentary Secretary had given a little more explanation of the reasons why it was necessary to abandon the Act at this stage. I suppose we have to be content with the view that in the interest of the industry it is better that this amending Bill should pass. It is one of the lamentable facts of the time that we have to abandon so much of our constructive work, not only in the industrial but also in the social scale. We have had to abandon the provision for the raising of the school-leaving age. We understand also that the fate of the Criminal Justice Bill is in the balance. Now this Cotton Industry (Reorganisation) Act, to which the House devoted so much time, is to be postponed. I do not think that in recent times any Bill came to this House after a longer period of gestation. The President of the Board of Trade was no doubt right in delaying the Bill until he could ascertain that there was the greatest possible amount of agreement within the sections of the industry itself. None the less there are not wanting those who thought that the right hon. Gentleman erred too much on the side of discretion in having the Bill discussed outside. I hope that the experience of the Orders which the right hon. Gentleman is to make under the Bill will give some guidance so that if necessary the Bill may be modified.

I ask—and this really is the point that is raised by every one connected with the industry—whether some indication can be given as to what is to take the place of the Act. It is obvious that whoever is responsible for the conduct of the industry will be wielding an immense responsibility. It will be an immense financial responsibility. I can see very great danger in it. I know nothing about these arrangements, but I think it might be better if whoever is at the head of whatever may be established should be someone outside the industry. It seems to me

that in an industry which has its roots so deeply embedded in private enterprise and in individuality, in the conditions in which it grew up and in which it struggled when times had changed, there is still a great deal in the various sections of the trade which does not lend itself readily to processes of co-ordination and working together as one unit. If there is any suspicion of partiality or favouritism to one section of the trade as against another, it may well bring disaster to the industry as a whole. I hope, whatever organisation may have control of the industry, there will be some representative and consultative machinery kept throughout the whole range of the industry. I hope the Joint Committee, which by common consent did very good work during the consideration outside and inside the House, may be continued in being and may co-operate in whatever is sought to be done during the time before the Act comes into operation. We do not propose to oppose the postponement. We had misgivings and heartburnings with regard to some of its provisions, but we should have been glad to hear why it is proposed to postpone it now.

4.19 p.m.

Captain Hammersley: The hon. Gentleman has made some complaint—mild complaint—that the Parliamentary Secretary did not give any reason for the postponement of the Act. It seems to me that the reasons are obvious. The Act itself is an elaborate Measure intended to assist the industry to deal with the burden of excessive productive capacity. As the Parliamentary Secretary explained, it worked in the main in two different directions, the setting up of price schemes on the one hand and of redundancy schemes on the other. In order that these redundancy and price schemes should work effectively, it was necessary that pretty elaborate committees should be set up in the various sections of the industry and, moreover, these committees, in order that the interests of the consumers should be properly safeguarded, had to work in co-ordination with other committees working outside. Therefore, it means that, if the Act remains on the Statute Book, very many people will be required for duties which will be of a purely unproductive and deliberative character at a time when they might be occupied at present in productive work.

But this, in my way of looking at it, is not the only or the most vital reason for postponement. The war has completely altered the industry. When we were passing the Bill, the industry was suffering from excessive productive capacity. Now its whole productive capacity is required in order to supply the war needs of the fighting Forces, or, alternatively, to maintain the very vital export trade of the country. Of course, this does not mean that the problems of the cotton trade are completely solved. I remember that in Committee I and several of my hon. Friends were at some pains to try to see that the minimum price which it was proposed to introduce under the price-fixing scheme should not be too high. It seems to me that at present there is a public necessity to see that the maximum prices are not fixed too high —a quite different state of affairs. Some kind of regulation, in my view, is just as necessary to-day as it was then.

I should like to ask the President of the Board of Trade what plans are proposed? We know that the Cotton Board has been set up. We know that the chairman of that Cotton Board is a highly respected ex-civil servant, who has a great experience of the cotton industry and whom the industry as a whole greatly respects and trusts, but my information is that that Cotton Board has no statutory powers of any character, and that it will be a matter of very great difficulty to get prices fixed by agreement. Therefore, I think it is desirable that the President of the Board of Trade should let the House know what it is in the mind of the Department, when they postpone this Measure, which I think everyone agrees is unnecessary, to substitute in its place and by what means do they expect that the Cotton Board should have its deliberations made effective. It has been said by persons who look at the problem from an economic point of view that it does not matter very much if the cotton industry make large profits, because their standard years, from the Income Tax point of view, are so low that any excessive or extra profit they make will all be taken away in taxation, but it seems to me that it matters a great deal. It is very much better for the industry to sell at low prices and make reasonable profits than to sell at high prices and have the profits that they make absorbed by taxation, because in the one case the industry will

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[Captain Hammersley.]
remain healthy and in the other it will be left a most unhealthy industry. Therefore, like others, I would ask my right hon. Friend to give us some information as to how he hopes that in these times, when the circumstances of the industry are completely altered, prices will be regulated and how he expects the industry to be maintained in a healthy condition during war.

4.24 p.m.

The President of the Board of Trade (Mr. Oliver Stanley): I hope the House will forgive me if I take the unusual course of intervening now, not with the object of bringing the Debate to an end but of giving certain information which, in view of the way the Debate is developing, would make the rest of it of much greater value, certainly to me and, I think, to the House as a whole. The Debate is rather developing away from the actual Bill that we are discussing, because hon. Members, while they agree with the postponement of the Act, want to know what we are going to put in its place. In view of the sort of speeches which have been made, I think it would be for the convenience of the House if I gave some idea of the sort of thing that I have in mind, and certainly it would be a matter of convenience for me, for, when they have heard it, they can give me their impressions about what is to be done. My hon. and gallant Friend the Member for Willesden, East (Captain Hammersley), who speaks with such great authority on this subject, has made a short but, to my mind, extremely interesting speech. As regards the question of why the Act has to be postponed, and Heaven knows I, who had to sit more regularly through all those meetings than anyone else——[An HON. MEMBER: "No!"] I know that my hon. Friend used to go out at frequent intervals—regret its postponement, my hon. and gallant Friend put his finger on the reason. It is not only that the machinery that we laid down is too elaborate but it is the doubt in the mind of all of us whether the situation of the industry which that Bill was designed to meet is the situation of the industry in wartime, and whether in fact some of the remedies that we proposed are now superfluous, while there are other remedies which we never discussed which are now necessary.

There has been set up a Cotton Board, presided over by someone independent of the industry. It is true that up till now the board has been purely consultative in character. It has had no executive powers, although by methods of persuasion and discussion it has managed to do a great deal in the industry. Recently that Cotton Board put up to me a memorandum asking that certain powers for the control of the industry should be given to them. So far as I know, the public, and I believe the industry, are not yet fully aware of the powers that have been asked for, and they are certainly not fully aware of the view that the Government take of them. I think it would be very useful if I were to give the House some indication of the powers for which the board have asked and of the view which I and the Government hold as to those powers. They fall into two parts. Part of them are only the sort of powers which are already enjoyed, or used, by controllers who have been appointed by the Ministry of Supply in other industries. First of all, they ask for the power to fix maximum prices. I entirely agree with my hon. and gallant Friend that, as far as I can see, at any rate, the immediate problem of the cotton industry, it is the fixing of maximum rather than of minimum prices which is the more urgent necessity. They then ask for power to institute, as any other controller can do, some form of internal system of priority within the industry in order to secure that the supplies of raw cotton go to the more valuable and useful end rather than to less valuable and less useful. Thirdly, they ask for power to collect returns of stock and other information of that kind, which is clearly necessary if they are to carry on their work.

The reply that has been given to the board is that, as far as these powers which are enjoyed by any controller are concerned, the Government are perfectly willing to give them to the cotton industry. I am not saying exactly the instrument which is to wield those powers. It is, I think, essential that, once you clothe the body or the individual not with consultative functions but with executive authority, he should be completely divorced from any personal and pecuniary interest in the trade itself. For that reason, the existing instrument may need some reconstruction.

Sir Percy Harris: The right hon. Gentleman, in talking about control, has been referring to something which he has not defined. Who is to be the controller? Is the Board to be in control, or is the right hon. Gentleman going to appoint some individual to the position of controller?

Mr. Stanley: That is exactly the point with which I was dealing. I was saying that the Board asked for these powers of control. I said that I was prepared to give the powers, but I pointed out the reasons it was impossible for the Board to act as controller, and I said, therefore, that we were considering to what instrument these powers might be given. It is important that the House should know this, because I have seen articles in the Lancashire Press which are both ingenuous and misleading, for the impression has been given that this sort of powers, which we are perfectly willing to grant, are the only things for which the Board have asked, and it has been said that it is incomprehensible why these powers should be refused to the cotton industry when they have been granted to controllers in every other industry. But that is not the sum of the powers for which the Cotton Board were asking. They went on to ask for the power not only to fix maximum prices, but also to fix minimum prices. It is true that the power to fix minimum prices was included in the Act of Parliament which we are now postponing, but anybody who took part in the Debates—even those who, like myself, believed most sincerely that it was necessary that there should be the power to fix minimum prices—was conscious of the very great dangers which were inherent in this power, unless proper safeguards were provided, and that the fixing of minimum prices too high in one section might have disastrous effects on other sections and upon the ultimate product, unless there were provided safeguards by which the other sections could express their views and have their grievances met.

It is now proposed that this power to fix minimum prices which was inherent in the Act should be given without any of the safeguards. Although I am not saying that circumstances may not arise, or may not even now be present, where the power to fix minimum prices may be necessary, at any rate I do not think I can be blamed for saying that I require rather more time to see what safeguards can be given, and what is the necessity for these powers, before I grant them in the same way as the Government are prepared to grant the powers which are ordinarily applicable to control. Quite apart from the question of safeguards, which I have to consider and which the industry ought to consider—and I am not sure yet that the industry really know that these powers have been suggested or have had any real opportunity of considering them—we have to consider the point that was made by my hon. and gallant Friend the Member for East Willesden as to whether the situation which last summer made the power to fix minimum prices so urgent and necessary has not so completely changed now as to make that power possibly redundant and dangerous. I do not close my mind to the possibility of such a power being given, or the necessity of its being granted, but I say that it cannot be done without very much wider consideration both by the Government and the industry itself of the conditions under which it is to be given and the circumstances which it is designed to meet.

The other power for which the board asked was the power to make a levy on raw cotton in order to subsidise the export trade. There, again, I do not say that either in the cotton industry or in other industries some arrangement of that kind may not in certain cases be necessary in order to give aid to vital export trade and to give much needed foreign exchange; but it is a power of a very novel and very drastic character and it is a power which has, I think, to be sparingly used and which ought not to be used until there has been a very close and careful survey of the markets in which it could be used and in which it ought to be used. It is not a power which one ought to give indiscriminately, because if one did so, there might be either a useless waste of the power in markets where cotton exports could penetrate without any help, or there might be an attempt to use it in markets where the laws and circumstances of the importing country were such as immediately to defeat our object.

I am very glad to have had this opportunity of explaining to the House what the position is. We are prepared to give to

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[Mr. Stanley.]

the proper instrument—for the moment, I leave the question of what the exact form of that instrument should be—the same powers as are given to any other controller, which includes the power to fix maximum prices, and we do not turn down finally and irrevocably the further suggestion that they should have power to fix minimum prices and power to make a levy on raw material in order to subsidise exports; but we do feel that those powers are so novel and drastic that they require perhaps greater justification than has yet been put up for them, and certainly they require wider knowledge and a wider opportunity of criticism and suggestion in the industry itself, and a further opportunity of consideration by the Government as to how such a power, given to a particular industry, would fit into the general picture of what can be done to assist the export trade.

Mr. White: Throughout his remarks, the President of the Board of Trade has assumed that there is to be a controller in the cotton trade, although he has not defined the instrument, and I do not ask him to do so now; but one must assume that whoever does have the power to control will be anxious, naturally, to keep in touch as far as possible with all sections of the industry. Having regard to the power to make a levy to help the export trade, it seems to me to be of paramount importance that there should be active contact with and free access to the controller by all sections of the trade. Therefore, I ask the right hon. Gentleman whether he will devote his mind to the question how such contact and consultation could be ensured.

Mr. Stanley: It is because of the difficulty of defining the executive power which must be in the hands of one person, or anyhow of a small number of people, and the necessity for the very closest consultation, which should be rather more than simply asking for somebody's advice, with other sections of the trade, that I prefer at the moment not to specify the actual instrument. I have very fully in mind the very proper consideration which the hon. Gentleman has mentioned.

4.38 p.m.

Mr. Burke: The remarks which the President of the Board of Trade has made make it unnecessary for me to say much of what I had intended to say, but in spite of his explanations, there are one or two things on which I would like to press him further. I should like particularly to stress the urgency of coming to some conclusion with regard to control. The right hon. Gentleman knows that when the Bill was passing through its various stages, hon. Members on this side, although they did not like many of the Clauses of the Bill, felt that the need for it was so urgent that they did their best to get it through. Apparently, it is now to be put into cold storage, and the industry do not complain about that, for the ramifications and intricacies of the Act were such that it could hardly be applied at a time of emergency. Nevertheless, the need exists just as it did when the Bill was passing through the House. There is need for the same kind of thing as the Act sought to bring about, that is to say, for some kind of control to prevent the industry being the heterogeneous collection of units which it has been for so long.

Hon. Members will realise that it was during the last war, and immediately after it, that we lost our foreign markets to a very large extent, and they may go again if the same sort of thing happens now as happened at that time, and if, as a result of war conditions, because it is so easy to make a fair profit or a profit much better than that which the industry has made for some time, the manufacturers neglect the export trade. Lancashire cannot afford to do that and, as the Minister has said and as the Prime Minister said the other day, the export trade is vital to us, vital not merely to Lancashire and to the operatives, but vital in providing the foreign exchange with which to carry on the war. It is essential that the Minister should give very speedy attention to this matter. I do not suggest that there are not difficulties in defining the instrument, but already, as the Minister knows, prices have risen. Yarn prices have gone up and the Government are paying a good deal more for the stuff which they have to buy than might have been necessary if only they had put this control into operation at an earlier period. Before the war, there was a good deal of buying in anticipation of the materials that would be needed, and there was every evidence that some measure of control was needed straight away.

Captain Hammersley: May I point out to the hon. Member that the Act was going to fix minimum prices? He is now talking about the prices being too high. Surely, his point is that the maximum prices ought to be fixed, which it was not proposed to do by the Act.

Mr. Burke: I was not suggesting that the Act was going to fix maximum prices. What I am saying is that obviously, when the war began, it was clear that the Act could not be put into operation, as I think the industry realised, but it was clear that the war situation had made it possible for prices to rise very quickly and that a measure of control, in lieu of the Act, was certainly essential. The industry is now asking what is to be put in place of the Act, because something is necessary. There is a question of materials. The right hon. Gentleman knows that I have had to refer to him a case in which a firm, vitally concerned in the export industry, was not able to get the materials for its work because of those materials being diverted to other channels. The question of control of materials is very important. The question of keeping up the export trade is highly important. In 1937, the production of piecegoods was about 14,000,000 yards a day. The amount of cloth which the Government can take will be infinitesimal compared with that figure. The industry will still have to rely upon the export trade. The Minister knows that it is very much easier to lose a market than it is to get it back again. We have seen recent reports about Italy competing successfully with us in various markets of the world and capturing new trade. It is essential that powers to control materials and prices should be given to the Board at the earliest possible moment.

If the question is one between the Board of Trade and the Ministry of Supply I urge on the right hon. Gentleman to consider the fact that Lancashire has already been hit so hard that it cannot afford to sustain another blow. Lancashire cannot afford to lose the trade which she has at the present time, and, from the national point of view, export trade is vital. With the lack of control at the present time, every mill-owner is competing for whatever orders he can get, and everybody is trying to get hold of the materials which are available, not only the raw cotton, but all kinds of material, including materials for which certain Government Departments are themselves in competition. All these difficulties will have to be dealt with, and it is necessary that some body for this purpose should function at the earliest possible moment. I want the right hon. Gentleman to regard the element of time as being of paramount importance in this connection.

4.46 p.m.

Sir H. Williams: I regard this as the best Bill which His Majesty's Government have introduced since the outbreak of war. I have no connection with the cotton industry beyond the fact that my constituents and I are consumers of its products, but, on principle, I opposed all three of the Fascist Measures which were introduced in connection with that industry. Being Fascist Measures, these naturally had the full support of the party opposite, because Fascism and Communism are the same thing. I rejoice that the particular Measure which is dealt with in this Bill is to be suspended, and I hope it will be suspended so long that it will never come into operation. I am satisfied, and always have been satisfied, that the attempt to make any industry a close industry is a complete denial of the liberty of the subject. I am not surprised that hon. Members opposite who sit for Lancashire divisions should, under pressure from their constituents, and, therefore, not taking the dispassionate view which they ought to take, have supported proposals which they would oppose if applied to any other industry than the cotton industry. I spent many weary hours in Committee when the Cotton Industry (Reorganisation) Bill was under consideration. The right hon. Gentleman said he had spent more hours than I had in Committee, and I challenged that statement. He said that I sometimes went out of the Committee room. It is true that when Members of the party opposite were speaking, I sometimes went into the corridor to have a smoke, which seemed a better occupation than listening to them.

Mr. Burke: To get your brief.

Sir H. Williams: I do not know what the hon. Member means and I imagine he does not know either. I am opposed in principle to every Bill the object of which is to deny the right of any citizen

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[Sir H. Williams.]
in this country to enter any occupation he desires. If the hon. Member opposite holds the view that it is right for the State to deny the citizen the opportunity of taking his chance, by entering into any occupation which he desires to enter, perhaps he will proclaim that view. If he does, then he will not be proclaiming that view of free opportunity for which I have always stood ever since I have taken any part in public life. Therefore, I hope the hon. Member will not again indulge in interruptions of that offensive character. I have always taken the view that this country has been built up on the principle of free opportunity—the right of the hon. and learned Member for East Bristol (Sir S. Cripps), for example, to take a brief. If the principle of the Cotton Industry Act were applied to the Bar, no one could be a barrister without the sanction of a Government Department. That might be a good thing for other learned gentlemen who might then get the briefs which now go to the hon. and learned Member for East Bristol.

I have opposed every Bill introduced during my membership of this House which interfered with the principle of free contract and I shall continue to oppose all such Measures. I stand for the principle that every child born in this country should have the opportunity of taking his chance in any trade or industry which he desires to enter. Because the Act which we are now suspending challenged that principle, I opposed it just as I moved the rejection of the earlier Cotton Industry Act, just as I opposed at every stage the Cotton Spinning Act and just as I opposed the Coal Industry Act, because they denied the people of this country the right to which I refer. For the same reason, I rejoice at this Bill because it suspends the operation of a Measure, which, if brought into full operation, would deprive people of the chance of entering into an occupation which they might desire to enter.

4.51 p.m.

Mr. Tomlinson: The hon. Member who has just spoken would be less satisfied if he had been called upon to earn his living in the Lancashire cotton industry during the last 20 years. I am particularly interested in freedom, but after my experience of the last few years I would say that freedom to starve is not the freedom for which I stand and for which this party stands. I was glad to hear the speech of the right hon. Gentleman the President of the Board of Trade because it indicated that his Department recognises the necessity for action, and in postponing the Measure, I hope the right hon. Gentleman will see to it that the promised action is expedited. In that connection, I join in the plea of my hon. Friend the Member for Burnley (Mr. Burke). It is true that minimum prices were asked for when the Act was under consideration. That was because of the cut-throat competition which was going on. The freedom of which the hon. Member for South Croydon (Sir H. Williams) has spoken, enable individuals in the industry to become members of a suicide club, and it was in order to prevent men and women entering an industry in which there was no hope of survival, that the demand was made for power to limit or get rid of redundant machinery and fix minimum prices.

As the hon. and gallant Member for East Willesden (Captain Hammersley) has pointed out, the urgent need of the moment is not the fixing of minimum but the fixing of maximum prices. I believe the board which was set up six weeks ago and the functions of which have not yet been defined has been acting in a consultative capacity. I believe that it had begun to function in that it provided some form of registration and was seeking by agreement to do certain things which are essential to the industry. I think this very board did attempt, about a month ago, to lay down some maximum price. It was thought that if they could introduce price control, some of the excessive increases which have taken place might have been checked. The price of American futures is now about 30 per cent. over the figure for the middle of August, and the average price of yarn has risen over 40 per cent. It is true that the weaving margins have not risen to the same extent, but there are certain types of cloth now in demand, chiefly for blacking-out purposes, which have risen 50 per cent. Already complaints are coming in from the principal export markets that Lancashire is taking undue advantage of the present position. I have here a letter which appeared in the "Manchester Guardian" on 27th October which indicates the way the wind

is blowing. It is from a large exporting house and it begins:

> "The Chancellor of the Exchequer has stated that the export trade must be kept going at all costs and we have heard further statements from other persons in authority to the same effect."

The writer of the letter goes on to point out that his firm deal largely in cotton piece goods and he gives an extract from a letter written by the firm's Rangoon representative as follows:

> "We thank you for the prices quoted in your telegram. Those prices show an approximate advance of 40 per cent. on our July purchase. Business at these rates is absolutely impossible and we will be forced to turn to Indian mills for our supply, as although their prices have advanced they are not anything like as high as yours."

Having given that quotation, the letter concludes:

> "Therefore, if we are to retain our export trade something must be done. Prices have increased all round and it is questionable if all those increases are justified. We trust the Government will not overlook the seriousness of this position and will remember that when the war is over, every scrap of export trade will be doubly welcome."

It seems to me that it is the long view which is needed at the moment and the Lancashire manufacturers, having had an unenviable experience over a number of years, are naturally tempted, as we are all tempted, to take the short view and take the profits while the going is good. But the majority of manufacturers and spinners to whom I have spoken in the last few months, have shown a willingness to agree to some form of price control, knowing that in the long run they will benefit by it. I believe that this board, if given the power, would have fixed prices which while appreciably lower than those now prevailing, would yet have given a reasonable margin to cover increased costs. As the representative of a trade union I have no desire, nor have any of my hon. Friends, to see wages soar as they did during the last war, because then they were always a long way behind prices. We were always six months behind and never caught up with the rise in prices.

I was interested in an answer given to-day which suggested that when replacements of goods were being considered, it was always the habit or rather the custom of the individual to "average out" in order that they might regulate the process. It does not work out that way when you are dealing with wage movements. Wages went up slowly and, as I say, always six months behind the rise in prices, but they came down with a flop all on one day, when the time came for reconsideration. If the attempt which is now being made by the trade unions to regulate increases by the cost-of-living index figure is to be successful, and if stability is to be obtained, some Government action is needed, and the earlier we get that action the better. Otherwise, excessive prices will prevail and it will be impossible to retain our export markets.

We all know what happened immediately after the last war. I want to be spared a repetition of the experience which I had then of explaining to people who had put their money into cotton mills the hopelessness of the situation. It was not the people who could afford to lose the money to whom I had to give those explanations. I had the unenviable task of explaining to people who could not afford to lose money, what had happened to their savings. The right hon. Gentleman told us that the Cotton Board had asked for permission to levy concerns dealing in cotton. That was one of the provisions which I was glad to see inserted in the Act—the levy that was called for from the individual owners with regard to their mills. I know that that levy is not needed now in order that redundant plant might be bought out. As a matter of fact, I have seen looms started up this last week which I used as an illustration of the particular machinery that would be bought out first when we were discussing the Bill upstairs, so that that which was redundant in July is useful at present. The competition that is taking place in my district just now is between the manufacturers and is as to who can obtain the best weavers in the village. Weavers just now are becoming at a premium, and I hope it will long remain so. A trade union secretary is always happiest when there is more work than there is labour for it. It is then that the individual who is in the happy position of owning a mill comes to the trade union secretary in a nice, quiet way pleading for his assistance, and, on the other hand, there are occasions when the trade union secretary goes to the manager in fear and trembling.

Therefore, I am hoping that when this new body is set up, if a new body is needed, or when this Control Board is

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given power, at least some power will be given to it to raise a levy in order that some of the things which were contemplated in the Act of Parliament may still be carried out. I am convinced that if the war goes on, the necessity for experiments and for publicity may arise, and the necessity for exploration will come, and the board itself can be financed out of the levy that is provided. I therefore hope that, if the powers that have been asked for cannot be granted through Orders-in-Council, a short Measure will be introduced at a very early stage and that some of the powers that are needed to be conferred upon this board will be contained in that Measure; others could be granted to it as the necessity arose. I repeat that unless something of this kind is done, we cannot possibly escape the tragedy which overtook us in the last war. The hon. Member for Burnley (Mr. Burke) suggested that we might lose as much on this occasion as we lost before, but there is one consolation. We could not lose as much as we lost before, because we no longer have it. It would, however, be adding tragedy to tragedy if we lost what export trade we have as a result of a short-sighted policy at this time. In giving a blessing to, or at least not opposing, the postponement of the principal Act, I am glad that the Government intend to do something, and I hope they will do it effectively and quickly.

5.4 p.m.

Major Dodd: The hon. Members for Farnworth (Mr. Tomlinson) and Burnley (Mr. Burke) both pressed for speed in the introduction of this system of control, and while I fully support that, I hope it will not be done so quickly that mistakes will be made such as have been made with other controlling authorities. The cotton industry is a very complicated industry, and nobody knows that better than my right hon. Friend the President of the Board of Trade, who spent weeks and weeks upstairs in Committee on the Measure which we are now postponing. The statement which he has just made will be particularly welcome to Lancashire, because it is the first time that the industry as a whole has known exactly what has been requested by the Control Board from the Board of Trade, and the answers given. I think that on the whole the requests that have been made have been reasonable, that is, so far as the fixing of maximum prices is concerned—the instituting of priority for Government orders and the power to obtain returns on stocks, to all of which the right hon. Gentleman replied, "Yes." I think he has been wise in waiting before making any definite decision on the other points raised. It seems to me to be ludicrous to ask for powers to fix a maximum price, while at the same time asking to be able to fix a minimum price. When we were discussing the Bill upstairs we were discussing a minimum price, at a time when there was under-production, but now we are discussing maximum prices in a period of over-production, and I want to suggest to the right hon. Gentleman that he should approach the maximum price position with the same care that he used on the minimum price position. Safeguards are quite as important when fixing maximum prices as when fixing minimum prices, for the maximum price will be the price at which sales will be made. There will be little sold below maximum prices, whilst demand lasts as there would have been little sold above minimum prices in a depressed market.

I hope most sincerely that organisations within the industry will be able to have close and continuous contact with the control body, however it is appointed, and organised industry and labour should have the opportunity of expressing their views to the controlling authority before any schemes are actually put into operation. My right hon. Friend did not mention one thing which the last Bill contained, and that is the matter of redundancy, which automatically, I presume, goes by the board so long as conditions are as they are now. We are unable to say what may be happening in the future—next year possibly or later—and I wonder whether my right hon. Friend could make any comment upon that. The export trade is of vast importance, and we must watch it, and I suggest that while the industry may not at this stage be able to levy raw cotton, if that has not been accepted as a proposal, he should consider the various markets where we ought to have more advantage than we have. May I suggest Burma as a case in point? In Burma large duties are paid on British goods whilst Indian goods are admitted free.

There is one other point to bear in mind. When my right hon. Friend fixes maximum prices, the cotton industry may be one of the most hart-hit industries in this country as regards the Excess Profits Tax as it now stands under the Finance (No. 2) Act, with the present basic years. I hope he will bear that in mind, because many firms not being sure of their situation will want to know how they will be placed financially in the coming year, and that has undoubtedly affected a rise in price in certain sections of the trade and caused a great deal of uneasiness. I think the House will welcome my right hon. Friend's statement, and I think it will be generally welcomed as far as Lancashire is concerned.

5.8 p.m.

Mr. Silverman: I support the plea of my hon. Friend the Member for Farnworth (Mr. Tomlinson) for taking a long and not a short view in this matter. It is true that the original question which was put to the right hon. Gentleman has been answered, namely, What is to take the place of this Act when its postponement has been agreed to? I think we are all, more or less, with certain modifications, satisfied that so far as the immediate position is concerned the proposals made by the Minister are probably adequate, but, especially in view of the speech that was made by the hon. Member for South Croydon (Sir H. Williams), I would like to have from the Minister an assurance that the principle behind the Measure has not been abandoned by the Government and still commands their support. I take it that this Bill is not being opposed because it is not a Bill for the repeal of the Act, but a Bill for its postponement until times return in which the conditions are suitable for the kind of Measure that we did agree to before war broke out. I should be very sorry indeed if the hon. Member for South Croydon were right in thinking that the Act itself is dead and that what we are here concerned with is not a postponement but a repeal. It was generally agreed, although there were some exceptions, that what was required in this industry was, above all, some measure of unity and co-operation.

I was not one of the those who were very enamoured of the particular scheme to which the Act gave legislative sanction, but we all supported it, in so far as we did on this side of the House, because it did go to an industry which had been hurt most by the fiercest and most selfish individualist competition, and, with its consent—reluctant, fighting every inch of the way, but ultimately with its consent—get a scheme which would enable it in the future, for the advantage of manufacturers and operatives alike, to work in with a more co-operative effort than had been the case in the past. The hon. Member for South Croydon spoke about the right which every free citizen of this country has to choose his occupation, but there is no such right economically. I represent a constituency which lives, when it did live—it hardly lives yet again—by the cotton industry alone. Children in the town of Nelson had no freedom of choice. There was the cotton industry in the town, and there was no other industry there. They were compelled to go into that industry or to remain unemployed, and going into that industry meant going into the most highly skilled and the worst paid industry in the country, without exception. The Act which it is now proposed to postpone did do something—in my view, not enough—to introduce some kind of co-operative effort in the cotton industry out of which the workers in the industry might have hoped for less chaotic conditions.

I would like the right hon. Gentleman, if he would, to make it clear that the postponement for which he asks in this Bill is a postponement arising out of particular, exceptional, and abnormal conditions and is not intended to be a repeal, and that as soon as more normal conditions return, it is still the view of the Government that a measure of unification, this or some other Measure, in the industry should be proceeded with. The hon. and gallant Member for East Willesden (Captain Hammersley) said they did not want it now because the industry was fully occupied, among other things, in supplying the needs of the fighting forces. The time will come, we all hope, when peace will return and the fighting forces will no longer be fighting forces, but they will still have the same need for cotton goods when they return to their normal avocations as they have while they are engaged in the fighting forces, and I hope nothing will be done to prevent the industry from adjusting itself to the conditions which will then exist and which will enable it to go forward in a co-operative effort, removing

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[Mr. Silverman.]
the chaotic conditions that existed before and going forward, as every industry will have to go forward, in view of what is necessary for it, and not return to the old cut-throat competition which has cost the industry and its workers so much in the past.

Question, "That the Bill be read a Second time," put, and agreed to.

Bill read a Second time.

Resolved, "That this House will immediately resolve itself into the Committee on the Bill."—[*Mr. James Stuart.*]

Bill accordingly considered in Committee, and reported, without Amendment.

Motion made, and Question proposed, "That the Bill be now read the Third time."

Mr. Silverman: Would the right hon. Gentleman take this opportunity of giving the assurance for which I have asked?

Mr. Stanley: Certainly. I did not wish to be discourteous to the hon. Gentleman by not replying to his speech, but I thought that the Parliamentary Secretary and I made it plain that that was our intention. I certainly give the assurance again.

Question put, and agreed to.

Bill read the Third time, and passed, without Amendment.

PRICES OF GOODS BILL.

As amended, considered.

NEW CLAUSE.—*(Right of buyer to avoid prohibited transaction, or to recover excess price.)*

(1) The buyer under a sale, or an agreement to sell, made in contravention of Section one of this Act shall have the following rights, exercisable, subject as hereinafter provided, at his option.

(2) He shall have the right to treat the sale or agreement as avoided, and to recover from the seller, as money received by him for the use of the buyer, any amount paid by the buyer as consideration therefor:

Provided that the buyer shall not be entitled to exercise the right conferred by this Sub-section if any rights acquired by a third party would be prejudiced by his so doing, or after the lapse of an unreasonable time from the date of the sale or agreement, or, in the case of a sale, unless he tenders the goods to the seller in substantially the same state as that in which they were when the property passed to the buyer.

(3) He shall have the right to affirm the sale or agreement, but to recover as aforesaid to the extent of any loss sustained by him by reason of the contravention, regard being had to any consideration received or to be received by him for a re-sale of, or an agreement to re-sell, the goods.

(4) Any sum recoverable by virtue of this Section shall be recoverable with interest thereon at the rate of five per cent. per annum from the date when it was paid.—[*Mr. Stanley.*]

Brought up, and read the First time.

5.17 p.m.

The Solicitor-General (Sir Terence O'Connor): I beg to move, "That the Clause be read a Second time."

When this Bill was in Committee an Amendment was moved by the hon. Gentleman the Member for Seaham (Mr. Shinwell), in Clause 7, page 5, line 33, at the end, to insert:

"and

(*c*) where the contravention occurs in connection with a wholesale transaction, be ordered by the court to refund to any purchaser the difference between the price paid and the permitted price."

That Amendment again appears on the Paper. The object of it was to secure that in the case of a wholesale transaction, where what was described as an overcharge had taken place, the court which investigated the offence should be entitled to award to the person who had been over-charged the difference between the price paid and the permitted price. I then expressed the sympathy of my right hon. Friend with the object that was aimed at, and promised between the Committee stage and the present stage to see whether we could not do something which would achieve the hon. Member's purpose. The new Clause is designed to that end. There were several objections, as I then pointed out, to the hon. Gentleman's Amendment. In the first place, the court of summary jurisdiction, which was charged with punishing the person who infringed Clause 1, would not necessarily have in its possession the material on which to decide how much the permitted price had been exceeded. Secondly, it was obviously a disadvantage of the Amendment that it should have been limited to wholesale transactions. Clearly there were many retail transactions where similar considerations would exist and where, if it were practicable, it would be desirable to deal with the situation. Lastly, and by no means least important, the

Amendment gave no relief to people who were not concerned in the particular transaction that came before the court of summary jurisdiction, but only in the case of a prosecution could a person claim his money back.

We have carefully devised a Clause which we think, although the area is limited, gets over the difficulties that lay in the way of the Amendment. The new Clause provides alternatives. In a case where there has been a contravention of Clause 1, that is to say, a sale at more than the permitted increase, it provides that the buyer, whether it be in a retail or a wholesale transaction, shall have an option. He can either avoid the contract entirely and recover back from the seller the full amount paid, or, what will probably be the more usual remedy, he can affirm the transaction and recover any loss that there has been by reason of the contravention of Clause 1. In the first instance, supposing he desires to avoid the transaction, it is obvious that there must be some safeguards. These are contained in the proviso to Sub-section (2). He must not by his action prejudice the rights of any third party.

Mr. Silkin: Can the hon. and learned Gentleman explain what he means by "prejudice the rights?"

The Solicitor-General: Suppose the buyer has a sub-contract to pass the goods on to somebody who needs them and the latter would suffer damage if he did not receive them. The buyer should then enforce his contract and enable the third party to take his goods. Where the transactions are linked up in a chain in that way, the buyer who has a grievance against the seller should not be permitted to vitiate the position of a third party by repudiating the transaction. The second safeguard in the proviso is that the buyer must be able to tender the goods back to the seller in substantially the same condition as that in which he received them, and he must do so in a reasonable time. "Reasonable time" would vary according to the class of goods and the opportunity that the buyer had of finding out whether there had been an infraction of the law.

The effect of the new Clause would, therefore, be that any person who thought that he had paid too much for price-regulated goods, whether there had been a prosecution in respect of those goods or not, would be entitled to avail himself of the remedy provided for in the Clause. I suppose the normal case would be where goods of a similar character had been the subject of a prosecution. The buyer would then have something to guide him as to whether his chances of recovery were reasonably good. He would also have some measure before him of the amount that he might expect to recover. Even in cases where there had been no prosecution the Clause would leave it open to a person who thinks he has been damnified by being charged too much to obtain his remedy in the courts and to recover whatever may have been overcharged because of an infringement on the part of the seller. I hope the House will recognise that we have taken great pains to try and meet the reasonable case that was put by the hon. Gentleman, and if, for the reasons I gave last time, we have not been able to adopt the machinery which he suggested, we have, I think, produced a reasonable scheme which can be used in all cases where people have any real grievance on account of too high a sale price.

5.26 p.m.

Mr. Shinwell: The learned Solicitor-General has stated the case for the new Clause with his usual clarity, but I should have preferred the more simple and direct process which I explained on the Committee stage. It appears to me that that provided a wholesome deterrent against profiteering and had the advantage of convincing the would-be profiteer that, in addition to a prosecution and a possible conviction, he would be compelled to refund the difference between the basic price and the profiteering price to the purchaser. At the same time, I appreciate that there would be difficulties with regard to machinery and, if the new Clause makes the best of a bad job, I am ready to accept it. I am disposed to think that there are too many safeguards in the new Clause; for example, the buyer must tender the goods to the seller in substantially the same state as that in which they were when they were passed to him. In spite of the safeguards, I doubt whether the Clause will prove effective. It would have been better if the more simple process which I proposed had been accepted. I do not, however, desire to press the matter.

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5.28 p.m.

Mr. Kingsley Griffith: I am amazed that any Government should produce on the Report stage a new Clause so contradictory to the spirit of the original Bill, and that the hon. Member for Seaham (Mr. Shinwell) should so lightly abandon what I thought was a reasonable Amendment, for which there was a great deal to be said in favour of this inferior Clause. I do not claim to speak on behalf of anybody but myself when I say that there is in the new Clause a complete departure from the principles which were announced by the right hon. Gentleman in introducing the Bill on Second Reading. He realised, and we all realise, that the normal process of forming a contract, that is, by offer and acceptance, could not be maintained in war-time. We were all ready to make limitations and infringements of that peace-time principle, but the right hon. Gentleman, in moving the Bill, was so conscious of the difficulties and dangers of interfering with the ordinary processes of contracts that he adopted a procedure, which I thought was a wise one, of which I approved on Second Reading, of not leaving it to the individual aggrieved person alone to bring a prosecution before the court of of summary jurisdiction or elsewhere on his own initiative and say, "I have been defrauded by this price." He interposed the machinery of a central and a local advisory committee upon prices which would go into all the very difficult matters, and everybody must realise how difficult they are, which are set out in the First Schedule, which enable it to be established what the permitted increase amounts to. There was that safeguard before any prosecution could take place, and there was a further safeguard that the Board of Trade itself, on the information supplied to it by the committee, would decide whether it was a proper case for a prosecution. I regarded that as very good procedure and for that reason I supported the Bill. Now, in this Clause, casually moved on the Report stage, we have a complete departure from that.

ROYAL ASSENT.

Message to attend the Lords Commissioners.

The House went; and, having returned;—

Mr. SPEAKER *reported the Royal Assent to,—*

1. Local Elections and Register of Electors (Temporary Provisions) Act, 1939.
2. Cotton Industry (Reorganisation) (Postponement) Act, 1939.
3. Baird Trust Order Confirmation Act, 1939.

PRICES OF GOODS BILL.

Question again proposed, "That the Clause be read a Second time."

5.42 p.m.

Mr. K. Griffith: I had arrived at the point where I was trying to show that under the new Clause a procedure which was regarded as so essential in regulating prosecutions under the original scope of the Bill is completely abandoned in connection with the new and additional remedy of proceedings in the civil courts. I want to recall one of the objections made by the learned Solicitor-General in rejecting the original Amendment of the hon. Member for Seaham. He said that if we were to place upon a court of summary jurisdiction the possible duty of imposing a penalty by way of restitution of the price to the buyer the court would have to go through the procedure of finding out exactly what was the excess charge, and the Solicitor-General was suggesting that that was a burden which ought not to be put upon a court of summary jurisdiction. He said that it would be enough for them to discover that there had been a breach by the exceeding of the basic price which was not justified by the permitted increase without deciding exactly what that permitted increase might be. That burden which he rejected for the courts of summary jurisdiction he is now imposing in full measure upon a county court or whatever other tribunal has to decide the case when a plaintiff brings an action in the civil courts. It will now have to decide exactly what is to be restored, and have to go through the process of discovering, by reference to the First Schedule, exactly what the permitted increase is in order to find out the difference between that and the actual charge.

There is this additional burden, that in the case of a prosecution as contemplated by the original Bill and by the

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Amendment of the hon. Member for Seaham there would have been the preliminary examination by the price regulation committee, who would have been specially selected to perform that job and could have carried it out with great efficiency. Under this procedure there is no such preliminary inquiry and no approval required by the Board of Trade to the proceedings being launched. The private individual who feels himself aggrieved, thinks a dirty trick has been played upon him and brings an action, has now got to prove it. I say that he has now got to prove it but I am not certain about that, and that is one of the questions I want to ask the learned Solicitor-General. With whom does the burden of proof now lie in these new proceedings? In the proceedings contemplated by the Bill, the burden of proof, once it was established that the basic price had been exceeded, was specifically placed upon the defendant. He had to show that he could justify the permitted increase. That, I gather from the Bill, applies solely to any prosecution, but we are now concerned not with prosecution but with civil action. Therefore, I presume that, in a civil action, the plaintiff will have to prove effectively that the price charged is not only beyond the basic price but beyond the permitted increase.

What machinery is he to employ? He will not know the facts referred to in the First Schedule in regard to the business of the individual whom he is suing. I presume that he will be allowed to obtain discovery; if so, all the documents of the business of the defendant firm will have to be supplied, revealed to the court, and gone into, it may be only because of £1, 30s. or perhaps a couple of pounds, representing the amount in respect of which the defendant is being sued. The calculation will be made in respect to the defendant firm to establish how far they were entitled to increase their charges, in view of the total increase in their overheads as justified by the matters set out in the Schedule. Then there will have to be done an additional sum to find out how much of that increase is to be attributed to the line of articles concerned. This procedure will be extraordinarily cumbrous and oppressive to the traders concerned and will produce no better results, and at no less cost, than that which was suggested by the original Amendment of the hon. Member for Seaham.

That Amendment had the advantage that the procedure of restitution was to be judged by a court which was brought into being and into action only after full investigation of the technical matters involved in the case, by the special and skilled advisory price-committees set up under the Bill. The whole of that procedure is scrapped. The haphazard procedure of the aggrieved person bringing his action of his own knowledge and without any expert examination is restored. It seems to me that the whole original idea of the Bill is scrapped as regards this additional increase. I wonder what it is hoped to gain by so doing. Is it supposed that would-be plaintiffs will be deterred from bringing action by the mere prospect of having to pay costs after having brought an action and lost it? I am not at all sure that that will be a sufficient deterrent. I can imagine the businesses of traders being brought absolutely to a standstill by a succession of actions in the county court for quite small amounts, all of which might be justified, and which would require the constant attention of executive officers of companies or firms in order to produce their accounts before the court and go through them in detail in order to justify those comparatively small increases of price.

Therefore, I do most respectfully suggest that one of two courses should be followed; either we should rely upon the penal provisions of the Bill, carefully thought-out as they were before the Bill was brought before the House, with the very extensive fines and possibly imprisonment, which I should have thought would have been sufficient deterrent to any intending wrongdoer, or, if it is thought that there should be some restitution, that it should be left in the hands of the same court that tried the action from a criminal point of view and would therefore have the advantage, which the proposed new Clause does not supply, of a preliminary investigation by those skilled committees, dealt with under paragraph 8 of the First Schedule, which I imagine to be the whole cornerstone of the Bill.

5.50 p.m.

Sir George Schuster: I find myself at present in complete agreement with everything said by the hon. Gentleman who has just sat down. I have really

[Sir G. Schuster.]

been so astounded on reading the proposed new Clause that I can only believe that I must be mistaken in what I think the effect of it will be. I hope that we shall have an explanation from the Government Front Bench which will counteract the view which I have formed about the new Clause. Let me refer to what I always understood, and I thought the House understood, to be the essential feature of the Bill. I will put it in this way: There was to be, in any case of complaint about excessive prices, a really adequate expert investigation. Looking at the matter from the point of view of persons engaged in retail trade, I think what they mostly fear, when anti-profiteering measures are suggested, is that they may be subjected to something in the nature of blackmailing actions. I have no experience of trading in conditions where this kind of legislation has been in force, but I am told by those who have had such experience that that is what they mainly fear. Complaints are very often made, not by genuinely aggrieved members of the public, but, possibly, by competing traders. There is a genuine fear of blackmailing actions.

In the stages when the Bill was in course of preparation the right hon. Gentleman was extremely good in taking into consultation representatives of all the trading organisations. We were extremely grateful for the way in which the matter was handled and by the obvious care which was being taken to produce something which would work fairly. When we put to the representatives of the Board of Trade that apprehension about blackmailing procedure we were told: " You will be perfectly safeguarded against that in the Measure, because all possible cases of complaint will be considered by the area committees. The area committees will be composed of people who understand the business, and the areas will be sufficiently large to make it impossible for any little local interests and jealousies to be brought into play." We all felt that that was a complete answer to the apprehensions which we had voiced and we felt indeed that the Measure—many of us said so during the Second Reading Debate—was admirably conceived.

Now, at the very last stage, when there is no time to reconsider the matter, the proposed new Clause is moved, and it seems to us that it completely outflanks the position which we understood had been set up. The hon. Member has just pointed out, and the Solicitor-General himself said, that these actions in the civil court can be brought at any time. His words were to the effect that no doubt the normal procedure would be to start an action when the case had been investigated by the area committee. That might be the normal procedure, but he made it perfectly clear——

Mr. Shinwell: I understood the Solicitor-General to say that the matter would be so dealt with when there had been a conviction.

Sir G. Schuster: Perhaps the hon. and learned Gentleman will explain the point.

The Solicitor-General: The hon. Member for Seaham (Mr. Shinwell) is quite right. What I said was that in the usual case there would have been a conviction, so that the extent of the excess would be known.

Sir G. Schuster: That may be so; but I think I am right in saying that the hon. and learned Gentleman went on to say that, although that might be the normal case, these civil actions could be brought by anybody whether the matter had been referred to an area committee or not. [An HON. MEMBER: " Why not? "] I have already made clear to the House that there seem to be great objections to that procedure because it would sidetrack all the carefully designed committee procedure which is the very essence of the Bill. We understood that the personnel of these area committees would be carefully selected to go into these cases thoroughly, and in a way which would secure a fair result; but under the new Clause, anybody with a feeling of grievance could bring a case before a county court at any time, and the difficulty of dealing with such cases in the county court will be excessive, as the hon. Member has just pointed out. On these grounds I feel the proposed new Clause completely stultifies and nullifies the principle on which this Measure was recommended to the House and secured universal support. I hope that I may be told that I have misunderstood the position but, if that is not the case, I hope that the Government will seriously reconsider the matter.

5.56 p.m.

The Solicitor-General: I would like to intervene again, by leave of the House, in order to say that I do not recognise here any real departure from the principle of the Bill. It is a totally different thing to say that power to bring criminal procedure should be subjected to regulation of the Board of Trade and saying that individuals should be entitled to enforce a civil right arising out of transactions which have been subject to criminal proceedings. I do not recognise, nor does my right hon. Friend, that there has been any departure from the principles that he outlined when the Bill was introduced.

Sir G. Schuster: This point seems very important. The hon. and learned Gentleman says that he sees no departure in admitting the taking of civil proceedings on a matter in regard to which a criminal prosecution has been carried out. That is perfectly all right. If the procedure of criminal prosecution has been gone through, I can raise no possible objection to civil proceedings, but that these civil proceedings should be taken before there has been any criminal prosecution and conviction seems to be objectionable.

The Solicitor-General: If my hon. Friend had waited for a moment I would have dealt with that point. I will deal also with the point raised by the hon. Member for West Middlesbrough (Mr. K. Griffith). One has to find one's way through a number of conflicting elements, but let us take a typical case. Somebody is prosecuted, and knew that he would be prosecuted, for the sale of one article of a particular kind. He incurs the maximum penalty. He may nevertheless do extremely well unless there is some risk run that, by doing a series of such transactions, he will supplement the penalty that has been ordered in the criminal proceedings. That is one element in this matter, and therefore we were convinced that the mere imposition of a criminal penalty might not in all cases be enough.

Sir G. Schuster: Why not make it heavier?

The Solicitor-General: The ordinary trader might still have an inducement, unless you proposed fantastic penalties in the Bill and invited courts of summary jurisdiction to do silly things—as I gather would be the idea. On the other hand, I recognise the force of the argument of the hon. Member for West Middlesbrough that you should tie this remedy a little more closely to cases where there has been prosecution. The suggestion in the original Amendment was to allow recovery where the individual was the originator of the prosecution, but we did not think that that would be enough.

If the House would agree to the course now suggested and would let the proposed new Clause go through as it stands, we will endeavour, between now and other stages, which I am afraid will have to take place in another place, to confine the civil right to cases in which there has been a prosecution. That is to say, supposing a man has been selling products to dozens of people, if one person has successfully set a prosecution in motion through the price regulation committee, with the sanction of the Board of Trade, then, in respect of articles of a similar character, all those who have had similar transactions, the fact of overcharging having been established in the criminal court, may have available a civil right. I am not to be taken as pledging the Government to any particular form of procedure. What I think would not be satisfactory would be a right which inured only to the benefit of the individual who had been subject to criminal prosecution. I hope we shall be allowed to have the new Clause and that we shall be able to look into the matter further.

6 p.m.

Sir H. Williams: The Solicitor-General has pointed out the reasons for this Clause, and the matter was dealt with admirably, if I may say so, in the clear speech of the hon. Gentleman the Member for West Middlesbrough (Mr. K. Griffith). I hope some attention will be given to the words " an unreasonable time." We have often been called upon to interpret the word " reasonable " but in regard to interpreting the word " unreasonable " I think there may be some difficulties. Another phrase to which attention should be drawn is " tenders the goods to the seller in substantially the same state." I am not a lawyer but there are lawyers among those who are listening to me, and I can visualise trouble arising over those

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[Sir H. Williams.]
words. I will say no more beyond drawing the attention of my right hon. Friend to those words, as I think there is some doubt as to their significance.

Question, " That the Clause be read a Second time," put, and agreed to.

Clause added to the Bill.

CLAUSE 3.—(*Basic price.*)

6.2 p.m.

Major Lloyd George: I beg to move, in page 2, line 4, to leave out " first," and to insert " twenty-first."

The object of this Amendment is to alter the date from 1st August to 21st August. The 1st August would be unfair on some trades, and that is the reason for moving this provision by which another date is substituted for 1st August. It is desirable that we should have such a date. Between the Committee stage and the present stage we have made what inquiries we could and we have come to the conclusion that 21st August would be the best date.

Mr. G. Strauss: I desire a little more information on this point. Could the hon. and gallant Gentleman tell us why the 21st is more acceptable and more convenient, and could he also tell us whether there was any movement of prices between the two dates? I think we should be in possession of further information before this Amendment is accepted.

6.3 p.m.

Sir H. Williams: I can answer the question which has been asked, because it was my Amendment in Committee. The suggestion was not my own original thought; it came to me from a number of large stores in my constituency who pointed out that certain summer sales were in progress on 1st August, and they suggested that the basic price should be the normal price, and for that reason 21st August, before the war started, was in fact fair to all concerned. It was purely for that reason that I proposed that Amendment. The Board of Trade, presumably, have examined it and found that the argument which I put forward in support of my Amendment was one of validity. I hope I have satisfied the hon. Gentleman opposite who asked the question.

6.4 p.m.

Mr. Silkin: I thought that the reasons which were given on the Committee stage for the 1st August were conclusive. The hon. Member for South Croydon (Sir H. Williams) has not improved matters by saying that the representations were not made by himself but by certain large stores in his constituency, because everybody knows that between the 1st and 21st August there were upward movements of prices. The 21st August is very near to the war, and in the case of a good many articles prices were going up in contemplation of the war. The change from the 1st to the 21st August will have the effect of increasing the basic prices, and, therefore, increasing on the whole the prices which traders will be able to charge to their customers.

Sir H. Williams: The hon. Gentleman will recollect that it was on 24th August that we assembled here at short notice. The reason I suggested the 21st was that, broadly speaking, it represented the period when all the summer sales had come to an end, and by a lucky chance it was three days before the date on which we were suddenly brought here when war conditions established themselves—conditions which none of us had contemplated.

Mr. Silkin: I hope the hon. Gentleman will forgive me, but I think he is wrong when he says that none of us contemplated anything like this. It was present in the minds of many of us on 21st August that a crisis was very near. I am satisfied that in the case of many commodities prices had already risen in contemplation of the possibility of the crisis. As I have said, the effect of this Amendment will be to increase the basic price and, therefore, increase the permitted price. I do not think that this Amendment is necessary to meet the difficulty which the hon. Member for South Croydon put, namely, that on 1st August there were summer sales. That is already met by the terms of Clause 3, which provides that in any exceptional circumstances the Board of Trade may fix another date, and it is also provided that where goods are subject to a seasonal variation of price they may fix a date other than the date fixed in the Bill. Therefore, the fact that summer sales were in progress in some cases on 1st August is no reason for fixing 21st August. It

may be that on 21st August there were summer sales; of course, if that were so that would be a factor operating to the benefit of the buyer. However, on the whole, this Amendment would increase the basic price and would, therefore, increase the permitted price and would act to the detriment of the consumer without any justifiable cause, because the Minister satisfied himself when he first introduced the Bill that the 1st August was a proper date.

6.9 p.m.

Mr. Stanley: There has been no appreciable increase in prices between 1st August and 21st August. The crucial date from the point of view of the price rise was 23rd August, and I do not believe that, as far as normal trade is concerned, the alteration from the 1st to the 21st will have any detrimental effect. I do not think it will have any effect upon the basic price at all. From inquiries made, the fact did emerge that in the case of a number of retailers 1st August could not be regarded as a normal time because they were in the middle of their summer sales. It would be necessary for all those particular retailers to make use of the machinery in Clause 3 to fix another date for the basic price. Clearly, you want to choose a date which is the normal date for the normal people. It is clear that choosing 1st August instead of the 21st would increase the number of cases in which traders would have to resort to the machinery in Clause 3. We found that in a number of cases it would not have been a normal date and, therefore, 21st August was considered to be the more convenient date.

Amendment agreed to.

Further Amendments made:

In page 2, line 37, leave out " first," and insert " twenty-first."

In page 3, line 5, leave out " first," and insert " twenty-first." — [*Mr. Stanley.*]

CLAUSE 4.—(*Permitted increase.*)

6.13 p.m.

Major Lloyd George: I beg to move, in page 3, line 17, after " of," to insert:

" changes in the business, since the date as at which the basic price for the goods is to be ascertained in relation to."

In the Committee stage the hon. Member for Ebbw Vale (Mr. A. Bevan) had an Amendment on the Paper in his name, the object being that decreases as well as increases in costs should be taken into consideration. The Amendment which I now move is to set off increases against any decreases in price, and I think that that fully meets the point which the hon. Gentleman wanted to be met. The next Amendment makes it clear that decreases must be set off against increases.

Amendment agreed to.

Further Amendment made: In page 3, line 18, at the end, insert " taken as a whole."—[*Mr. Stanley.*]

CLAUSE 5 (*Power of Board of Trade to specify basic price, permitted increase, or permitted price.*)

Amendment made: In page 3, line 26, leave out from " them," to " to," in line 27.—[*Mr. Stanley.*]

6.15 p.m.

Mr. Stanley: I beg to move, in page 4, line 25, to leave out " body," and insert " persons."

I apologise to the House for introducing a manuscript Amendment, but hon. Members will realise that no Amendments could appear on the Paper unless they were down by Thursday evening, and, as we finished the Committee stage only on Wednesday evening, a number had to be left over for consideration. This is purely a drafting Amendment.

Amendment agreed to.

CLAUSE 6.—(*Basic price for new descriptions of goods.*)

Amendment made: In page 5, line 11, leave out " first," and insert " twenty-first."—[*Mr. Stanley.*]

CLAUSE 8.—(*Enforcement by price-regulation committees.*)

Mr. Stanley: I beg to move, in page 6, line 36, at the end, to insert:

" (3) A local price-regulation committee shall also keep under review the prices at which goods which are not for the time being price-regulated are being offered for sale in their locality, and. if it appears to them to be expedient that an Order under Section two of this Act should be made in relation to any such goods, they shall make a representation to that effect to the central price-regulation committee."

The object of this Amendment is to meet a point raised by the hon. Member for East Wolverhampton (Mr. Mander) and it provides that a local price-regulation committee, besides carrying out its

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[Mr. Stanley.]
statutory functions with regard to price-regulated goods, shall carry out the other functions referred to in the Amendment.

6.18 p.m.

Sir H. Williams: I rather violently opposed the Amendment in the form in which it was proposed by the hon. Member for East Wolverhampton (Mr. Mander), but I think that this Amendment provides for control without those undesirable effects which I thought would result from the Amendment moved by the hon. Member. I congratulate my right hon. Friend on the admirable solution which he has found for the problem.

6.19 p.m.

Mr. Mander: I am grateful to the President of the Board of Trade for moving this Amendment, which entirely meets the point I raised the other night. It is true that I put forward another suggestion, but I appreciate that this covers the matter. It greatly strengthens the Bill, by preventing people who are outside the scope of price regulation from thinking that they will remain outside.

Mr. John Morgan: I wonder whether the Amendment provides for local committees taking into account the rising cost of foodstuffs. There is some concern about that, because so many commodities used by the public are outside the scope of the Bill at the moment.

6.20 p.m.

Mr. Stanley: Of course, if the particular type of foodstuff is one which is controlled by the Minister of Food this sort of machinery, quite clearly, would not be appropriate. It is for the controlling Minister to see to it.

Amendment agreed to.

Mr. Stanley: I beg to move, in page 6, line 41, after " Act," to insert:

" to enforce the said provisions themselves in cases in which it appears to them to be expedient so to do on the ground that questions as to the contravention thereof in relation to goods of any description are likely to arise in numerous localities or on other grounds."

This Amendment and the next three Amendments which are consequential, deal with a point raised by my hon. and learned Friend the Member for Ashford (Mr. Spens), which I promised to look into. He raised the question of an article of common use, which might be sold all over the country at a price which people thought excessive, and pointed out that in a case of that kind it would be an obvious simplification if the investigation and the preparation for a prosecution were undertaken, not by perhaps 14 local committees acting simultaneously, but by the Central Committee itself. I was impressed by the argument. I can see that in such a case it would be better for the Central Committee to investigate the matter and institute a prosecution.

Amendment agreed to.

Further Amendments made:

In page 6, line 43, leave out " thereunder," and insert " under this Act."

In page 7, line 11, at the end, insert:

" the central price-regulation committee shall make a like request in a case in which they think fit to investigate an alleged contravention themselves and are of opinion, after giving to the alleged offender such an opportunity as aforesaid, that a prosecution ought to be instituted.

(5)."

In line 12, leave out " such a contravention," and insert:

" a contravention of any of the provisions of Section one of this Act."—[*Mr. Stanley.*]

CLAUSE 12.—(*Penalty for contravention of Section* 10 *or* 11).

Mr. Stanley: I beg to move, in page 9, line 24, to leave out " and (4)," and to insert " (4), (5) and (6)."

This is merely a drafting Amendment. The Amendments which were carried on Clause 8 make a re-numbering necessary.

Amendment agreed to.

CLAUSE 13.—(*Exception for sales by auction, or for export.*)

Mr. Stanley: I beg to move, in page 9, line 29, at the beginning, to insert:

" Except in the case of goods of a description as to which there is for the time being in force an order made by the Board of Trade directing that this Sub-section shall not have effect in relation thereto,"

This manuscript Amendment has been put down to meet the point raised by the hon. Gentleman the Member for Peckham (Mr. Silk n). The hon. Gentleman, on the Committee stage, raised some very interesting and, I think, cogent points with regard to the danger of omitting auction sales altogether from the scope of this Bill. He pointed out—and I think it is impossible, at any rate in theory, to put up an answer to it—that

if people were so minded and took the trouble to organise them, they might, by auction sales of certain goods, defeat the whole purpose of the Bill in relation to those goods. We were convinced that we must have some power in the Bill to prevent that happening. On the other hand, we think that there are a great number of auctions, of a type to which the hon. Gentleman himself referred, which it would be not only undesirable, but quite impracticable, to bring within the scope of the Bill. After consideration, I thought that the only possible course was to do what is done in this Amendment: that is, if I found that auctions of particular classes of goods were being used to defeat the purpose of the Bill in respect of that type of goods, to make an order removing that type of goods from the exemption which is given under the Clause, so that an auction for that type of goods would fall under the scope of the Bill.

6.28 p.m.

Mr. Silkin: I am very grateful to the right hon. Gentleman who, I am satisfied, has appreciated the difficulties arising out of the Clause as it stands, and has made a genuine attempt to meet those difficulties. I quite understand that this has had to be done in a great hurry, but I feel that he has not met the difficulty that I put before the Committee. The difficulty is not so much that certain kinds of goods might lend themselves to abuses of the Act, but that certain kinds of auction in themselves were capable of being abused. I should have been grateful if the right hon. Gentleman had directed his mind to the kinds of auction sales about which I complained, rather than to kinds of goods. I gave an example of the kind of so-called auction which takes place on Saturday night in a market at the end of a day's business, when people buy goods on the representation that they are getting them very cheaply, although in fact they may be paying more than the permitted price. Under the terms of this Clause such a sale would be a sale by auction, and would be exempt.

Then there are the so-called auctions, to which I referred, which are known as Dutch auctions. They are held in so-called auction rooms, where you do not get genuine bidding but a process of beating down until some fool is ready to buy at the price named, and even that price might be one above the permitted price. I felt that possibly it might be met by the definition of the term " auction," but the right hon. Gentleman finds that that is not practicable, and I do not think that he has met the case here by merely limiting his powers to dealing with particular kinds of goods. I suggest that he should do what was done in the case of another Clause, let the Amendment go and reconsider it with a view to introducing a further Amendment in another place. I think that in the circumstances it would be the best course to take in view of the difficulties.

Mr. Stanley: I am always ready to discuss with hon. Members between now and the Report stage this very difficult problem, but that must not be taken that I am really holding out the likelihood of introducing a further Amendment. We have thought out the matter very carefully and have considered the possibility of the definition of the particular kind of auction, and we decided that it was quite impracticable. I feel that the best way to avoid the dangers, which I appreciate, and which the hon. Member pointed out, is the Amendment which has been proposed.

Amendment agreed to.

CLAUSE 20.—(*Application to Scotland.*)

6.32 p.m.

The Lord Advocate (Mr. T. M. Cooper): I beg to move, in page 12, line 14, to leave out " Sub-section (4) " and to insert " Sub-sections (5) and (6)."

I owe the House an apology for moving yet another manuscript Amendment. It is a very harmless one. Its sole purpose is to make Clause 20—the Scottish Clause—correspond with the Amendments to which the House has just given effect with regard to Clause 8. This Amendment, and the two further manuscript Amendments I propose to move are purely drafting Amendments. The following Amendments I propose to move are in page 12, line 15, to leave out " Sub-section " and to insert " Sub-sections " and in page 12, line 28, to leave out " who " and to insert the words which are already on the Order Paper in the Amendment to Clause 8.

6.33 p.m.

Mr. Kirkwood: It is quite impossible for me to follow the manuscript Amendment which the Lord Advocate has just put before the House. We ought to have

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[Mr. Kirkwood.]
a copy or something because the point I want to raise here appears to me to be wrong. Before the Lord Advocate can take action against an individual who contravenes the Act or regulations he has, first of all, to obtain the sanction of the President of the Board of Trade. I would like to know whether that is the case.

Mr. Deputy-Speaker (Sir Dennis Herbert): I am afraid that that has nothing to do with the Amendment that has been moved.

Mr. Kirkwood: But it is in the Clause. The Clause distinctly states, in page 12, line 21,

"an opportunity of making representations"——

Mr. Deputy-Speaker: We are not discussing the Clause, and moreover we have not yet got to line 20. We are discussing an Amendment on line 14 to leave out "sub-section (4)" and insert "sub-sections (5) and (6)." It is purely a drafting Amendment, and is necessary because "sub-sections (5) and (6)" have been put in in an earlier part of the Bill.

Mr. Kirkwood: When will it be opportune for me to raise this matter on Clause 20?

Mr. Deputy-Speaker: I am afraid that the hon. Member will not get a chance unless it comes in on the third manuscript Amendment. I do not know sufficiently what point the hon. Member really has in mind. It is just possible that it might come on the third manuscript Amendment of the Lord Advocate which proposes to make an alteration in line 28.

Mr. Kirkwood: My point is this. I am rather annoyed at everything I see as far as Scotland is concerned. I do not know why the Lord Advocate should require to obtain the sanction of the President of the Board of Trade before he institutes a prosecution. I have time and again heard the Prime Minister telling us about England, France and Turkey. Scotland is never mentioned. It should be "Britain" instead of "England."

Mr. Deputy-Speaker: The hon. Member, obviously, cannot deal with the point on the Amendment which is now before the House. The probability is that he can do it on the third Amendment, but, unfortunately, the Lord Advocate's Amendment, as he explained it, is not quite as I have got it on the manuscript, and at present I do not fully understand it; but we must wait till we get to it.

Amendment agreed to.

Further Amendment made: In page 12, line 15, leave out "sub-section" and insert "sub-sections."—[*The Lord Advocate.*]

6.39 p.m.

The Lord Advocate: I beg to move, in page 12, line 28, to leave out "who" and to insert:

"and the central price-regulation committee shall make a like report in a case in which they think fit to investigate an alleged contravention themselves and are of opinion, after giving to the alleged offender such an opportunity as aforesaid, that a prosecution ought to be instituted in respect thereof.

(5) On receiving any such report as aforesaid the Board of Trade."

In order to save time, Mr. Deputy-Speaker, I did not read the Amendment out at length previously but it should read as contained in the manuscript in your hand.

6.40 p.m.

Mr. Kirkwood: I want to draw the attention of the British House of Commons to what is in this Clause as it appears to me as a Scotsman. The Lord Advocate, as we Scotsmen who represent the Scottish people in the House of Commons have been led to understand, is in control of and the authority for the law of Scotland. It is news to me and it will be news to Scots all over the world that the Lord Advocate has to consult the President of the Board of Trade. I am not casting any reflection upon the President of the Board of Trade who has to do his job, but I hold that he has no control over Scottish law. I want to know why these words should be inserted in this fashion because this is not the first time that I have noticed Englishmen in control of this House pushing Scottish ideas and ideology on one side. I want here to protest with all the vigour that I possess, and I want to know what the Lord Advocate himself has to say about this matter before I let this Amendment go.

6.42 p.m.

The Lord Advocate: I am not sure that the point which has been raised by the hon. Member really arises on the Amendment which I have moved, but I shall, with pleasure, answer him in a few words. I really think he is doing me an injustice in suggesting that I have allowed the position and privilege of the Lord Advocate to be subordinated even to that of the President of the Board of Trade, because, if the hon. Gentleman will look at Clause 20, on page 12, he will find that the proviso at the foot of that page reserves intact the power of the Lord Advocate to institute a prosecution if he so desires, whether the local committee or the central committee have taken action or not. That proviso is specifically inserted to preserve what the hon. Member rightly describes as the ancient privilege, duty and prerogative of the Lord Advocate to control criminal administration in Scotland. The result is that in that respect the power of the Lord Advocate to act on his own initiative stands intact, and is not dependent upon the request of the President of the Board of Trade, so that the hon. Member may accept my assurance that his fears are groundless.

Mr. Kirkwood: With that explanation, I withdraw my objection, only I want to say to this House that I am not going to sit here any longer and listen to the Prime Minister talk about England, Turkey, Russia and other places and not mention Scotland. He should embrace Scotland with England and say "British" or "Britain."

Mr. Deputy-Speaker: The hon. Member has had a great advantage on this occasion. The Amendment has been moved in manuscript, and as a result of my not having had time to consider it, the hon. Member has been able to make a point which is completely out of order. He must be satisfied, therefore, and not discuss it further.

Amendment agreed to.

FIRST SCHEDULE.—(*Matters to be regarded in fixing permitted increase.*)

6.44 p.m.

The Solicitor-General: I beg to move, in page 14, line 12, at the end, to insert "Administration and establishment expenses."

On the Committee stage we had a number of Amendments to the First Schedule, and for reasons which I gave, on the invitation of hon. Gentlemen opposite, we did not move them. Among those which we did not move was one which we ought to have moved, and the hon. Gentleman the Member for North Camberwell (Mr. Ammon) promptly pointed out our omission. That was, to add the words "Administration and establishment expenses" to the Schedule, as being matters which should be considered, and as including possibly things like lighting and heating, telephone costs, postage, and so on, which do not find a place in the original Schedule. I am grateful to the hon. Member for pointing it out.

6.45 p.m.

Mr. Mander: There is one question that I should like to raise, in order to get in record, and that is whether the Solicitor-General is satisfied that payment made to employés who are away on service or to their dependants are covered either by these words or possibly by some other words in the Schedule. If the Solicitor-General is able to give an assurance on that point it would be as well to have it clearly recorded in the OFFICIAL REPORT.

Mr. Stanley: If the point raised by the hon. Member is not covered in the words of this Amendment it is covered in "Wages and salaries" or by "Pensions, benevolent and welfare schemes."

Amendment agreed to.

Further Amendment made: In page 14, line 20, leave out "changes in."—[*The Solicitor-General.*]

Motion made, and Question proposed, "That the Bill be now read the Third time."

6.46 p.m.

Mr. A. Young: Before we part with the Bill I should like to put a question with regard to the First Schedule, and to ask whether if some item of cost or expenditure in a particular case under consideration is not covered by the Schedule, it would be possible for the Board of Trade, under the power given in the last paragraph of the Schedule, as it now stands, to add such item to those which are to be considered in fixing prices, before a decision is given by the local price regulating committee or the central price regulating committee?

6.47 p.m.

Mr. Stanley: During the course of investigation by the central or the local price regulating committee they may come

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[Mr. Stanley.]
across some item of cost which is not included in the appendix, and which the person complained against may think should be included. As I understand my hon. Friend, he wants to know whether if I were convinced that this was right that I would make, by Order, an addition to the Schedule before a decision is reached. Of course, I can by Order make an addition at any time. The answer to my hon. Friend is surely this, that ultimately the result of the investigation has to come to me, and if I am satisfied that through some error of my own the Schedule does not fully cover the items of cost and that the committee were precluded from considering an item which they ought to have been empowered to consider, then I should hold up any prosecution on that matter.

Question put, and agreed to.

Bill read the Third time, and passed.

EMERGENCY POWERS (DEFENCE) ACT, 1939.

6.49 p.m.

Mr. Dingle Foot: I beg to move:

"That an humble Address be presented to His Majesty praying that the Order-in-Council amending the Defence Regulations dated the 1st day of September, 1939, made under Section 1 of the Emergency Powers (Defence) Act, 1939, a copy of which was presented to this House on the 5th day of September last, be annulled."

In these days when we are governed almost entirely by Orders-in-Council, all that Members of Parliament can do is to exercise such vigilance as they can, and to move a Prayer when the occasion offers. In other words, the main function of this House nowadays is to watch and pray. We in this part of the House have considered very carefully this amending Order-in-Council and we feel that it would not be a good advertisement for our Parliamentary system if regulations of this character, going a good deal further in some respects than any regulations which we have ever had before in this country, should pass without any comment in this House. We on these benches have for a long time past held the view that this country is threatened with a twofold danger—the danger of Nazi aggression abroad, and the danger of Nazi tendencies at home. These tendencies have certainly not come to an end with the outbreak of the war, and I think some of them are clearly apparent in parts of these regulations.

First of all, may I make one thing quite clear? Anyone, of course, appreciates that when we are at war it is unavoidable that the Government of the day should be entrusted with extraordinary powers, and I do not suppose that anyone will dispute that proposition in the course of this Debate. There are many provisions in this amending Order with which nobody is going seriously to disagree, but that is no reason why the House should cease to be vigilant or why we should grant to the Government powers which are even greater than the emergency can possibly demand. I submit to the House that some of these regulations are without precedent and that some of them go far wider than anything the Government can legitimately need. May I refer first to 18 (*b*), in paragraph 5, on page 4 of the amending Order, where ti is provided that:

"The Secretary of State, if satisfied, with respect to any particular person, that with a view to preventing him acting in any manner prejudicial to the public safety or the Defence of the Realm, it is necessary so to do, may make an Order."

Then follow the purposes for which the Order may be made. In the first place, the suspect may be prohibited from the possession or use of any specified articles. That is a curious provision. One can think of all kinds of possibilities, but that is not the most serious part of the Order. There is a provision that the suspect may be restricted just as the Secretary of State wishes in respect of his employment or business. Again, it would be interesting to know exactly what kind of restriction is visualised. One can well see that in time of war it might even be necessary to put some restriction upon a whole class of traders, but here it is proposed to pick out a particular man and place upon him some restriction or disability which is not going to apply to his competitors.

Then there follows one of the most remarkable provisions of all, and that is that the Secretary of State may make an Order in respect of the suspect's association or communication with other persons. The right hon. Gentleman may, apparently, if he disapproves of him in any way, order that he is not to associate either with a particular person or with any classes of persons. Apparently, in future, the Secretary of State is going to choose

our associates for us, or, at any rate, he will be able to prevent us from keeping what he regards as bad company. That seems to me to be a provision which is capable of endless abuses. I wonder how an Order of this sort is to be enforced. If you want to prevent a man communicating with others you have not only to put restrictions upon him but you will have to inform the others and to take steps to prevent them from communicating with him. How does the Secretary of State imagine that this is to be carried out? Is the suspect to carry a scarlet letter, like the heroine in Nathaniel Hawthorne's novel, showing that he has been branded under these powers, or is a notice to be set up outside the premises he occupies, saying: "Sent to Coventry for the duration of the war, by order of the Secretary of State"? It is exceedingly difficult to see how that provision is going to operate, but it is obvious that it may cause very great hardship and abuse.

What follows is even more serious, because the Secretary of State may make an Order restricting the suspect in the dissemination of views or the propagation of views. That is, I think, the most dangerous Clause of all. It is a most amazing thing that in a war into which we have entered, as we are told from every hoarding and by every Minister, in order to defend freedom, we should start by seeking to fetter the free expression of opinion. It is interesting to look back to 1915, when there was a Debate on certain Defence regulations, and to see what was said by the right hon. Gentleman the present Chancellor of the Exchequer. The right hon. Gentleman was then Attorney-General in a Liberal Government, and we all know that the views he then held are no guide to the views he holds to-day, but I think one passage in the speech that he delivered on that occasion is singularly appropriate to these regulations because he drew a very clear distinction between misstatements of facts and expression of opinion. He said:

"To prevent mis-statements of facts which are prejudicial and injurious to our cause is a thing about which nobody will dispute, but statements of opinion, however foolish they may be and however far from wise in judgment, are a very different thing from misstatements of facts, and I hope that in any regulations we make and in any administration of them we shall always draw that distinction most sharply. . . . So far as I have had anything to do with it, or those with whom I am working, we have always had that distinction in mind."—[OFFICIAL REPORT; 2nd March, 1915, col. 758, Vol. 70.]

It is only fair to say that although the regulations in the last war went a long way, that distinction was maintained throughout, instead of being blurred as it is in these regulations. I do not see the Chancellor of the Exchequer in his place, but it would be interesting to know whether he still retains his belief in the virtue of the free expression of opinion, or whether that belief has been consigned to the same grave as his other buried loyalties.

I come now to the detention of suspects. Nobody can dispute that in these regulations the suspect may be imprisoned without trial for an indefinite time. It is true that there is an advisory committee before whom he can state his objections, but I do not think any hon. Member, certainly no hon. or right hon. Member from the Treasury Bench, will say that that is a proper substitute for trial in a court of law. In the first place, the man who is committed will have no opportunity to cross-examine his accusers. Everyone knows that evidence which cannot be tested by cross-examination is worthless. Secondly, there is no provision that he will even know the cause of his detention or the case that he has to meet. I hope the Secretary of State will explain the procedure that is contemplated. Will he, in particular, answer this question—will the committee have available to it all the information that is available to the Secretary of State himself? As I understand the regulations, the final responsibility rests with the Secretary of State. He may, but he is not bound to, act on the advice of the advisory committee, and it is a matter of the utmost importance that the advisory committee should have the same facts available to them as induced him to make the original order for detention.

Then will he tell the House what instructions he has given to the advisory committee with regard to the procedure that they are to adopt. Will he also undertake to release the suspect in every case where the advisory committee recommends his release? After all, there is no provision here that the man shall know even the case that he has to meet. He may not know why he is confined to

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[Mr. Foot.]

prison or is kept in prison. We are imprisoning a man under this regulation not because he has been tried and found guilty of any offence known to the law, not indeed because he has committed any offence of any kind, but simply because the Minister considers it desirable that he should be detained. I suppose that is what is meant by the posters which tell us so frequently that our freedom is imperilled.

I pass to 39A, in paragraph 10, where it is laid down that:

"No person shall endeavour to cause disaffection among any persons engaged (whether in the United Kingdom or elsewhere) in His Majesty's service."

Disaffecion, as it seems to me, is in this connection an extremely wide term. As I understand it, it means something much wider than mere disloyalty. It may mean simply discontent with the conditions in which you have to work, or with the wages that you are earning, provided that you are in the service of the Government. This word "disaffection" was very carefully considered in the last war. It was considered on one of the early Defence of the Realm Bills. It was pointed out by eminent members of the Conservative party of that time that it was a very dangerous word to use without qualification, so that it was amended by consent of all parties, and the corresponding words which appear in the D.O.R.A. Regulations are "disaffection towards His Majesty," an entirely different thing from disaffection as the word is used in this particular relation.

I pass to 39B, which contains one of the most remarkable regulations that can ever have been laid on the Table of the House. It states:

"No person shall endeavour whether orally or otherwise to influence public opinion (whether in the United Kingdom or elsewhere) in a manner likely to be prejudicial to the Defence of the Realm or the efficient prosecution of war."

On the following page is laid down:

"The expression 'public opinion' includes the opinion of any section of the public."

How very wide these words are, and how widely they can be interpreted, has already appeared. I am told that in one part of the country members of the Peace Pledge Union have been told that they may be proceeded against under this Section and that some of their propaganda has been banned under it. Perhaps the Secretary of State can tell us whether that is correct. I have no sympathy whatever with the Peace Pledge Union or with those who advocate any similar policy, but in reading the history of the last war I have always thought it was one of the most remarkable testimonies to the genuine political freedom which exists in this country that at a time when we were at death grips with Germany, when feeling was running very high, all the time pacifist meetings and pacifist propaganda were able to go on. I have always thought that that provided one of the most complete answers to those who say that, after all, liberty in this country is merely a sham. But here is something which, it seems to me, may result in completely suppressing any propaganda of the kind that I have described. Only the other day there was an election in Clackmannan which resulted in an overwhelming defeat for those who wanted to make immediate peace on any terms. Most of us very much welcomed that result but how much less impressive it would have been if those who were in the minority had been prevented from putting their views before the electorate. In justice let it be said that this regulation was in existence and it might have been employed in this by-election but, if it remains, can we be certain that the Secretary of State and the police in every area are going to exercise a similar forbearance in future?

On the following page there is a regulation dealing with publication and there is a remarkable paragraph which provides that:

"Where any person is convicted on indictment of an offence against this regulation by reason of his having published a newspaper, the court may by order direct that during such period as may be specified in the Order that person shall not publish any newspaper in the United Kingdom."

Admittedly that power is to be exercised by the court, which will show considerably more impartiality than the Minister, but, even so, it seems to me a very wide discretion to give. It seems remarkable that, because a man has offended against these regulations it may be once or twice, he should be prohibited from publishing any newspaper or periodical in future during the duration of the war. There are a number of other regulations that one could mention but these are the ones

which appeal to me as particularly requiring explanation. I think they are without any precedent in the regulations made under the Defence of the Realm Act in the last war.

There are, of course, others in respect of which the Minister can plead that he has precedents, but I have yet to learn that regulations made under D.O.R.A. in the last war were regarded as a model for all time. The mere fact that a regulation was made then is not a sufficient excuse for making it now unless the Minister can show that it was definitely found to be necessary at that time. Take the regulation, which attracted a good deal of attention in the Press; it enables the Minister to impose a curfew in any area where he thinks fit. That is open to very obvious objections. I think that was rarely, if ever, found necessary in the last war and, if that is so, why should the Minister repeat it in this one? Of course, there are other regulations which enable not only the Minister but a great many other people to suppress processions, public meetings and demonstrations of all kinds. I understand that already demonstrations have been banned, as well as outdoor and indoor meetings under these regulations. Perhaps the Minister will explain on what principle these regulations are applied in the suppression of demonstrations.

These are the main points to which my hon. Friends and I take objection. In our view it is not sufficient to answer, on an occasion like this, that we must leave the exercise of these powers to the wise discretion of the Department concerned. Of course, if anyone in any part of the House feels that that discretion is always wisely exercised, especially in the light of the experience of the last few weeks, he will oppose this Motion. If any hon. Member feels that the fish scheme, for example, was a masterpiece of constructive statesmanship, that the evacuation of school children was worked in all areas without a single hitch, that the requisitioning of hotels was carried through with perfect efficiency, or that all the rationing and control schemes have failed to reveal a single flaw, then, of course, he may still subscribe to the doctrine of departmental infallibility.

That is not a view which, I think, is now held very widely in any part of the House. We all know that during the last few weeks there have been errors and blunders on a very considerable scale. A great many of thos errors have been put right, but they have not been put right because of action taken inside the Departments; they have been put right because of the criticism from this House, from the Press and from the public as a whole. One wonders what would have happened if a large part of that criticism had been suppressed, as a great deal of it could be under the powers contained in these Regulations. It seems to us that the events of the last six or seven weeks have served to show that free discussion and criticism are not a source of weakness in an emergency, but a source of strength. When the war began, one of the first things which the Prime Minister did was to summon to his Cabinet, at long last, the right hon. Gentleman the Member for Epping (Mr. Churchill), who is, I believe, a descendant of the great Duke of Marlborough. A few days ago, I was looking up the history of Marlborough's life and times, and I came across this passage about the victories he won. Professor G. M. Trevelyan says—and I think this is singularly applicable to the situation to-day:

"But the victory of the English——

I make an apology to the hon. Member for Dumbarton (Mr. Kirkwood)——

Mr. Kirkwood: It is time somebody apologised for it.

Mr. Foot: It is the historian's word, and not mine. The quotation reads:

"But the victory of the English had not been due merely to the chance of good leadership. It was due also to their naval and economic strength, and to a system of free but efficient government, that the national genius had almost unconsciously evolved from the struggle of its sections and factions. The possibility that Parliamentary government might be superior to despotism, as a system of finance and national efficiency, had been demonstrated in the 20 years' contest which the events of 1706 decided. It was a result that contradicted the world's expectations and established theories."

That was true in 1706, and there are many of us who believe it will be equally true to-day. We think that once again, by the same methods and along the same lines, we can contradict the expectations of many people on the Continent of Europe, but it seems to many of us—and certainly to hon. Members who sit in this part of the House—that this can be achieved only if, at a time of

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emergency and war, instead of trying to suspend our free institutions, we jealously preserve them.

7.14 p.m.

Mr. K. Griffith: I beg to Second the Motion moved so eloquently by my hon. Friend the Member for Dundee (Mr. Foot). I think that in this matter there will be two strands in the feelings of every hon. Member. On the one hand, there will be a full realisation that none of us can expect in time of war to preserve unimpaired in detail all the liberties that we enjoyed in peace, and on the other hand, there will be a corresponding eagerness, not confined to any one part of the House, that those liberties shall not be unnecessarily sacrificed. My own feeling with regard to these Regulations as a whole, though it may seem an unlikely source in the case of any Liberal at the present time, may be found in an article by Mr. J. A. Spender, in the "Sunday Times," where he likened these expedients to the various devices which the White Knight had collected upon his course. He had them all there because he was afraid of leaving any out; the precise application of many of them was not obvious, but he wished to be prapared; and so there were beehives and spikes round the horse's ankles, and all the rest of the things we were familiar with at one time. I think there is a great deal of that atmosphere about these regulations. I am saved from the task of following them in any detail by the speech of my hon. Friend, but I think everybody must be disconcerted by the absoluteness of the terms of Regulation 18B—"Restriction orders and detention orders." It is obvious that the Secretary of State himself felt a certain anxiety about this, because there, and there alone, does one get any kind of appellate tribunal. It is not really an appellate tribunal, but only an advisory committee to which objections can be made, but at any rate, that is something. I think that by setting up that committee, the Minister shows his anxiety regarding this regulation, which is one of the most dangerous of all. It would be easy to caricature these prohibitions—for instance:

> "Prohibiting or restricting the possession or use by that person of any specified articles."

If one pushes that to the extreme, the right hon. Gentleman might seize upon any hon. or right hon. Member of the House and deprive him of the use of a tooth brush, or even more intimate toilet necessities. It is no answer to say that no sensible Minister would be likely to propose such a prohibition. If the powers are not necessary, why are they put in? They are put in with such breadth that I think of the old tag in Shakespeare, which goes:

> "How oft the sight of means to do ill deeds,
> Makes ill deeds done!"

I suggest that with these powers lying about in the Department, some one will pick hold of them and say, "I wonder how this one will work." We know of the ways of the bureaucracy, and this Order, in a literal sense of the word, is a panoply of bureaucracy. It contains all the instruments and weapons that could possibly be devised. I pass over the employment sub-paragraph, with which my hon. Friend has dealt, but the powers of detention are really terrifying. We have here the complete abolition of *habeas corpus*, as one sees in the last words on page 4 of the Order:

> "While so detained, be deemed to be in legal custody."

Therefore, there is no *habeas corpus* left. I draw attention particularly to the following words in regulation 18o:

> "So long as there is in force in respect of any person such an Order as aforesaid directing that he be detained, he shall be liable to be detained in such place, and under such conditions, as the Secretary of State may from time to time determine."

The words "under such conditions," in my respectful submission, give to the Secretary of State the power to produce in this country all the conditions of the German concentration camp, and let me observe that this particular part of regulation 18B is not, in my reading, at any rate, subject to any reference to the advisory committee. I regard this as being extremely important. The provision with regard to reference to the advisory committee is that any person in respect of whom an order is made may make objections against the Order. The orders are under (*a*), (*b*) and (*c*). All that the aggrieved person can say is: "I am not a person against whom this order ought to have been made." If he is turned down on that—if he is turned down rightly, and is a person who ought to be detained—and he is thereafter

ordered to be detained under such conditions that he is subjected to solitary confinement, fed upon bread and water only, and beaten at six o'clock every morning, those are conditions of which he could not complain to the advisory committee—at any rate, as I read the provisions. As far as I know, there is no arrangement whereby visiting justices or any tribunal of that kind could visit such a camp in order to discover what the grievances were. I have no doubt that any such practices as I have indicated are very far from the mind of the right hon. Gentleman, but let us realise not only what is likely to be done but what is possible to be done under these regulations.

I pass almost with relief to the very sportsmanlike provision which I find in Regulation 18C. It provides that nobody may knowingly assist a prisoner of war to escape but adds that no proceedings shall be taken against a person in respect of any act done by him when he is himself a prisoner of war. One realises that there is a sort of "old school tie" sentiment among prisoners of war and that they are allowed to assist one another, and for that I am grateful. I do not propose to make any comment on Regulation 39A in relation to disaffection. Perhaps this minor disagreement may be allowed between my hon. Friend the Member for Dundee and myself. I have no objection to that part of the regulations which deals with causing disaffection among persons engaged in His Majesty's Forces. That is bound to be a matter in which very stringent regulations will have to be made. Other Members may think the language too wide, but I prefer only to raise objections where I think they are sustainable.

Regulation 39B which deals with propaganda, I regard as one of the most menacing of all the regulations. I am not a pacifist but I receive and I have received from my constituency a certain number of pacifist communications. They have been remarkably few. They have not reached double figures yet. I do not agree with them. I think some of the arguments are silly, but I have no doubt whatever that they are sincere. Those arguments having been put forward to me, I ask whether those who write them to me are not committing an offence under Regulation 39B. Under this regulation, the expression "public opinion" includes the opinion of any section of the public. We Members of this House are a section of the public—perhaps not such an important section as we sometimes imagine but at any rate a section—and if anybody addresses himself to us saying that this is a bad war or that all wars are bad, he is probably acting, within his limits, in a manner prejudicial to the Defence of the Realm. Is that the case? I only ask for information. Are we seriously trying to bring such action within our penal code. If one of my constituents sends me a quotation from the Bible such as:

> "They that take the sword shall perish with the sword"—

My answer is that he is misinterpreting the text. I think it is Herr Hitler who is taking the sword and that I hope he is destined to perish by our sword. But the other man does not interpret it like that and he is entitled to put his own view. Is he committing an offence under this regulation?

I take it that the defence of these regulations, as a whole, will be that they are necessary for the safety of the realm and the efficient prosecution of the war. I do not think it will be denied that if they were not so necessary nobody would support them. But if they are so necessary, anybody who attacks them is acting

> "in a manner likely to be prejudicial to the defence of the realm or the efficient prosecution of the war"

and my hon. Friend and I, in making these speeches to-night, are only protected from prosecution by the absolute privilege of Parliament. If we were to go outside and make the same speeches in our constituencies, we should not be so protected. But we do not matter so much. What is a Member of Parliament anyway? Take the ordinary man in a bus or tram. If he says to his mates, "I think this 'ere black-out is being overdone," he is offending against the regulations. It is propaganda to that particular section of public opinion which is riding in the same vehicle. Where are you to put the limit? I am not assuming that these provisions are going to be misused, but I do not want them to be capable of being misused and I think they ought to be limited.

I am aware that the provisions in regulation 39E dealing with processions and meetings, have been, in some respects,

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anticipated by measures which we deliberately took in time of peace, in the Public Order Act. The part of the regulations which I regard with much alarm is that which gives the Secretary of State power to delegate his functions to any mayor, justice of the peace or chief officer of police. Secretaries of State are, on the whole, a type. There is a certain lowest common denominator among them so that you know, more or less, what to expect. But mayors, justices of the peace and chief constables differ almost infinitely. Some chief constables are civil. Others are merely military. I have been rather fortunate in my acquaintance with chief constables, but there is a great deal of difference between them. As for magistrates, the class is so large that there are bound to be enormous differences, and to leave the question of whether a particular procession or meeting can properly be held or not, to what I may almost describe as a casual decision of that kind, is hardly to be debated.

With regard to all these regulations I am bound to take up the point made by my hon. Friend that it is not sufficient for the Minister to say, amidst considerable approval from the House for himself personally, " I am not the sort of person who would use these powers badly." We cannot have any such confidence. Everyone knows that Ministers are not eternal. A Minister may be succeeded by somebody who holds other views. One Secretary of State may use his powers to restrain the Fascists and the next may be more inclined to restrain the Communists. You may be fortunate enough to get one who will hold the balance evenly between the two but you cannot bet on it, if I may put it that way. In any event it seems a vicious principle to justify unsound legislation by a blind confidence that it will not be used in the sense in which it has been put on the Statute Book. I heard exactly the same defence put up by the Minister of Pensions recently when defending what appeared to many of us a harsh document. He merely said, " You all know me and I am not likely to use this wrongly." The Home Secretary cannot say to us, " It is true that I am asking you to give me a cat-o'-nine-tails but you know I have no liking for corporal punishment; it hurts me more than it hurts you, and I am not likely to use it unnecessarily." That is not an assurance which, in the end, can convince the House that it is necessary to have such regulations.

I am inclined myself to prefer powers accurately limited and defined, even though the administrator may not be altogether sympathetic, to powers of almost universal application administered by some kind old gentleman who would not do anything wrong. Who of us, if we were being interrogated for some supposed mistake, would not prefer to be interrogated by a perhaps unsympathetic police inspector, acting under judges' rules, than to be handed over to the most kind-hearted inquisitor that ever came out of Spain? I should prefer to have the rules defined, in order that I should not have to depend on the individual, and I do ask the Home Secretary not to overdo these regulations, not to believe that we are content just to leave them to the Government.

There is here a provision with regard to the curfew, a provision with regard to bringing people in certain areas into their houses at certain hours unless they have a written permit to stay out, when there is already a curfew issued in the form of the Early Closing Order with regard to shops, and I do assure the Home Secretary that that is regarded with absolute terror by a great many people. I cannot help feeling that this Measure was taken, perhaps, after consulting large interests, but without considering the small people who do most of their business in the later hours of the day. I cannot pursue that matter, because it is only an instance of action which has been taken, but I ask the Government not to overdo the view that everything has got to be absolutely different in war time from what it was in peace time. " Business as usual " was overdone in the last war, but let us not go to the other extreme now. It is a time of great strain for everybody, all the more so because the severest strain of war is, as it were, hanging fire. It is a strain similar, if I may say so, to that of a boy who is accidentally delayed at the door of the headmaster's study. The strain is still to come, but it is still wearing upon the nerves. At any such time the discipline of routine is of enormous value. If people can go on, as far as possible, talking to the people they used to talk to, enjoying the freedom they used to enjoy, doing the accustomed actions, they will

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be all the better for it when the actual snapping strain may come upon them. It is all very well to tell us, as a thousand posters do, that it is upon our cheerfulness that victory will depend. It is almost impossible to be cheerful in a vacuum, and I want the Government to enable us to enjoy enough of our ordinary liberties to have that real cheerfulness, that real and willing obedience to discipline, which can only come in a free nation.

7.34 p.m.

Mr. Pickthorn: I have very deep sympathy with the last two speakers, and in the main I agree with most of what they have said. I think at the same time there is an excessive inclination to use the argument that if you are fighting for freedom, you must not begin by taking it away. If that argument is pressed too far, it gets to the point where it resembles saying that if what you are setting out to do is to enable a man to walk, you ought not to begin by tying a stick round his leg. If the man has just broken his leg, that is the proper way to begin, but I do not think it is by any means an inexpungable argument to say, when something is limiting liberty in the normal sense, that therefore it is not proper as part of a war one of whose purposes is to uphold liberty.

I have no doubt that the most serious of these regulations, as has been indicated by the two previous speakers, is 18B, and I wish to begin—it is perhaps a minor point—by inquiring whether it has any possible relation to regulation 80A, which is the one authorising administrators to demand information from people. That seems to me to be in many respects more objectionable even than authorising administrators to prevent people from giving each other information. As far as I can read the Order-in-Council, regulation 80A has no specific tribunal and sanction attached to it, but comes under the omnibus regulation, and, therefore, you cannot be punished under it except under summary jurisdiction, which may mean imprisonment for three months and, after indictment, imprisonment for two years. But the question that I wish to put—and perhaps it is one which a lawyer would not need to put—is this: Could the administrators, in fact, instead of proceeding under that omnibus regulation, intern the person refusing information on the ground that his refusal was action prejudicial to the public safety, or perhaps, even more specifically under 18B, on the ground of his association with some other person? I ask, because in general I take it that the information required from somebody would be information about somebody else.

That is a minor point, in connection with regulation 18B, which I hope may be cleared up, but to come back to the major point on 18B, it is, in the words which the Lord Privy Seal, then Home Secretary, used about the Bill under which all these regulations are issued, " no doubt wide, drastic, and comprehensive," and, in words which he went on to use:

> " No doubt the best I can hope is that it shall be used with moderation, tolerance, and common sense."

But the Lord Privy Seal did on that occasion, or, rather, on the Committee stage, use some other words too. An Amendment was moved, the effect of which would have been that the chairman of the advisory committee should be a Judge of the High Court. The words moved to be inserted were, " to the satisfaction of a Judge of the High Court," and the present Lord Privy Seal then said that he could not accept the words of that Amendment, but that he did definitely intend to have a check. Along with what he said, I would invite the attention of the House to some other words that he used, namely, " the right to make objections." It is true that under this Order-in-Council an internee has a right to make objections. It is not, however, a statutory right, but merely a right under the Order-in-Council itself and could, I suppose, be removed by a later regulation. I know that we cannot move Amendments upon this occasion, and I would not, therefore, criticise the two previous speakers for not having indicated how they proposed that these regulations should be improved. It seems to me quite clear that the mere simple solution of withdrawing the regulations would not be a right or proper one, but if we cannot move Amendments, I might at least suggest one or two possible additional safeguards.

The Lord Privy Seal told us he definitely intended to have a check. Would it not be possible that that check should be what I may call the Judge-of-the-High-Court check? It was discussed on the I.R.A. Bill, and the main objections to such a proposal then were, first

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of all, the objection about judges being overworked and that they ought not to be taken away from their proper stuff. To that argument I do not know the answer, because I do not know whether or not there are judges available at the present time. But the second and the main objection to any such suggestion was this, that it would be constitutionally improper and unadvisable to mix up a judicial character with an action of a purely administrative nature. That second objection would be unanswerable if the Government accepted the suggestion of the hon. Member for Dundee (Mr. Foot) that the Home Secretary should always be bound to follow the advice of the advisory committee. I should regret that, for the effect of it would be that the advisory committee would take full responsibility for an administrative act. It is the business of the Home Secretary to say, if necessary, " In spite of my advisory committee, although they think this man ought to be let out I am sure he ought not to be let out."

If that is to be the practice and if we have Home Secretaries who will take that kind of line, there is much less argument against the proposal that the advisory committee should be presided over by a High Court judge. For all I have to say to the contrary, the eminent lawyers who perform that function do so at least as well as a High Court judge, but I am persuaded that the great mass of the dubiety about this Order-in-Council in the country generally, among people who are not constitutional pedants and are not looking for ways of sticking spokes in the Government's wheel, would be largely removed if there were some such alteration as that; and if also it were made clear that the right of an internee to object was a right not merely to object to being interned, but also to the manner of his internment. I have heard it said, although I have no evidence I could produce in a court of law, that some of the internees are not being very well treated and that the conditions of living, especially in regard to exercise, are not as good as they should be. If objections of that sort could also be raised I believe that the main doubts about this Order-in-Council in the minds of people who are not predisposed to be tiresome, would be removed.

7.42 p.m.

Mr. Herbert Morrison: The House and the country are indebted to the hon. Member for Dundee (Mr. Foot) for bringing before the House the question of these regulations and drawing attention to the terms of a series of them. I am not going to dissent from the view that in time of war, when the security of the country is imperilled by an important struggle with the great foreign Power. it is inevitable and proper that the executive, subject to proper checks, should be endowed with exceptional powers. I do not think there is any dispute about that in any part of the House. I freely admit, as I think will be admitted generally, that in the wording of these regulations we may have to give an even wider form of words than we really like upon the merits of the case, because we know that the executive cannot have that overriding power which is essential to the safety of the State unless it has a wide field of discretion and is not tied down. That is a different story from the actual wording of a number of these regulations, which give really extraordinarily sweeping powers under which, it seems to me, anybody whom the Home Secretary did not like could be hanged, drawn and quartered almost without any reasonable or proper means of defending himself.

I am not going to use the argument usually put forward as a matter of courtesy that we do not believe the present Minister would be wicked but that we are afraid his successors might be. I think that any Minister is capable of being wicked when he has a body of regulations like this to administer. I have a recollection some years ago that one exceedingly benevolent, kindly and gentlemanly Home Secretary, Mr. Bridgeman, got into no end of trouble about some Irish citizens. I am not sure that the right hon. Gentleman the present Home Secretary in another capacity did not get into trouble himself. At any rate, I think that a *prima facie* case within the meaning of the regulations was made for the action taken. Nobody would say that Mr. Bridgeman was a tyrannical or an unkindly or intolerant person. I should put him eminently into that category of Ministers of whom the Prime Minister would say that they were chosen on the basis of character and experience. Nevertheless, this case of the Irish citizens

happened under Mr. Bridgeman's jurisdiction at the Home Office, and I am not sure whether Lord Hailsham, then Sir Douglas Hogg, was not Attorney-General at the time. He is a horse of another colour and a different type. He was in trouble, too. Behind them all were the civil servants, who, no doubt quite properly, thought that this action should be taken. Therefore, let us put aside the cant in which we engage that we are sure the present Home Secretary would not do wrong, but that we are not so sure of his successors. We believe that the present Home Secretary is capable of being wicked, and, therefore, the House should be guarded and careful as to the powers which they give to him.

Ministers make all sorts of regulations. In the short 2¼ years I was at the Ministry of Transport I made a lot of regulations, a pile of them. I remember that there were some regulations which were brought to me—and I commend this to the right hon. Gentleman—and I was advised that it was really necessary that they should be made. It was true that if the regulations were not made some people might break their necks, but the number of people who would break their necks as against the number of people to whom the regulations would be a considerable inconvenience was a case of *de minimis*. Therefore, I said, " Take the regulations away. We ought not and are not going to make regulations for the sake of making them." I am not joining in the cry that the Civil Service have a great desire to enslave everybody and are an evil-minded set of people. We owe a great deal to the civil servants of this country. When, however, the civil servant sees the danger of something happening that ought not to happen he has an instinct, which is not an improper one for a man to have, that the danger must be prevented, and that a regulation or a law must be framed with a view to preventing it. That is a proper attitude for the civil servant to take because, if the Minister gets into trouble, the Minister will go for him.

It is for the Minister to exercise his discretion whether he will make a regulation which does not need to be made. Some Ministers really seem to like making regulations for the sake of making them. Sometimes they make regulations and conduct administration not so much in the public interest, but sometimes, as far as I can see, with a view to preserving the rights and particularly the profits of certain elements in industry who have really become economically redundant under war conditions, including middlemen. The wording of the regulations is important. What is said by the Home Secretary in reply to this Debate will also be important. He may be able to give us assurances, and he certainly ought to give us very firm assurances, about the administration of some of these regulations. On the face of it I am bound to express my own feeling that, whatever assurances he gives, the wording of some of the regulations is so wide and sweeping that the House ought not to contemplate them lightly. I admit that if the Minister does something wrong Parliament can jump in at any point and stop him, subject to the matter not being of such a judicial character that Mr. Speaker would hold, or it might be held, that the House could not intervene. I know that check exists as long as Parliament meets. Nevertheless, we must still watch the wording and put some restriction, if we can, on the rather sweeping provisions which are made.

I do not want to deal with detailed points in the regulations, because they have been so ably dealt with by the two hon. Members on the Liberal benches, but take the question of propagation of opinion which is liable to weaken the country in the successful prosecution of the war. There may be other people who will be a nuisance, but the three principal groups which the House has in mind are the pacifists of the Peace Pledge Union type, the Communists and the Fascists. It is a curious thing but it so happens that these three grades of opinion have, for the time being, come to a fairly common conclusion as to what they want to be done, and if I were some people I should feel a bit uncomfortable about it.

Mr. Maxton: But look at the other allies.

Mr. McGovern: You and the Prime Minister.

Mr. Morrison: I should have thought the hon. Member for Shettleston (Mr. McGovern) had more reason to regard himself as an ally of the Prime Minister.

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Mr. McGovern: I do not dispute that I was an ally of the Prime Minister, and a willing ally, for good; but for evil, you are his ally.

Mr. Morrison: That is a matter of opinion.

Mr. Maxton: And that is something for which you could be prosecuted under these regulations.

Mr. Morrison: I am not, and never have been, an ally of the Prime Minister, and fortunately I am not an ally of the hon. Member for Shettleston.

Mr. McGovern: I am glad of that.

Mr. Morrison: Well, we are both glad, and that is all right. What is the point of getting nerves about the minority, I believe the sincere minority, of pacifist opinion in the country? They are a much smaller minority than they were in the last war, so far as one can tell.

Mr. Sloan: That is only a matter of opinion also.

Mr. Morrison: They are the holders of a point of view in which they believe. There are two things which can be done. To seek powers whereby you can suppress truth will be doing harm and not good. If we leave them free to express their opinion, which sometimes is alarmingly similar to the propaganda which Dr. Goebbels himself puts out, nobody is going to be harmed. They will have the satisfaction of expressing their point of view, which I honestly think they ought to be entitled to express, and the country will not be harmed in the process. After all, the British people are not sheep. They do not need to be told what they are to believe. They are capable of forming their own judgment in the light of debate and discussion.

Then there are the Fascists. There is only this to be said about the Fascists. In so far as they deliberately take action with a view to stimulating disturbances and racial hatred within the ranks of the British people, it is perfectly proper that they should be stopped from doing so, and in so far as it can be proved, if it can be proved—and it was asserted by a Home Secretary earlier—that the Fascists are the instruments of a foreign Government and financed by a foreign Government I would not worry about stopping their meetings in time of war. If we find a political party which is the paid instrument of a foreign Government with whom this country is at war it is perfectly legitimate to suppress the organisation altogether. That is my view and I think it is the proper thing to do. And similarly with any other political party. If it is in the pay of a foreign Government, is the agent of a foreign Government, it may in a different category from the Fascists if they are the instruments of an enemy Government; but, still, there is a legitimate field for public inquiry. Subject to those considerations, however, it is really better that these people should have the opportunity of putting their point of view, letting public opinion settle what is right and what is wrong. If we try at the beginning of this war to control opinion meticulously we shall be doing wrong, not only acting contrary to the principles upon which the war is supposed to be fought, but bringing ourselves into contempt among many other nations of the world.

There is the other regulation about curfew. I honestly cannot see on the face of it, though I am willing to listen to the right hon. Gentleman, why he wants this complete power of keeping people off the highways and making them stay at home. I can follow it in the narrow field of a military objective, a dockyard, a military centre, but he has powers to do that under another regulation and does not need it here. That curfew indirectly gives him the power to stop people from going to the pictures, or to chapel or to places of refreshment, public meetings and the theatre. What is the purpose of it? If it is to keep people off the streets because there may be an air raid, it seems to me to be ridiculous. People will get off the streets when the bombs begin to fall and if, as is probable, there will be a minority of our people who want to stay out and watch the excitement, it will be their funeral if they do so, and it seems to me that on the whole it is their business whether they stay out or go under shelter. I cannot see why the right hon. Gentleman wants these particular powers and we ought to have a statement from him.

Reference has been made to 39B which gives the Minister the most sweeping powers in relation to propaganda, and I need not repeat what has been said on that point; but I would refer to 39E,

which gives powers as to the prohibition of public meetings, and I agree with the hon. Member for Middlesbrough, West (Mr. K. Griffith) that to contemplate the delegation of those powers to mayors and justices of the peace is bad administration. They will come to all sorts of different decisions. Some mayors will prohibit the meetings of Fascists and other mayors of another colour will prohibit meetings of Communists or, possibly, the Labour party. It is a power that we should not delegate to a wide variety of local people who may take differing points of view.

Under 39B not only are the subject and the Press interfered with but the cinema as well. The right hon. Gentleman takes power to appoint people to conduct a censorship of films. Who are they to be? If it is a question of sheer security, a question of a military or a naval character, I think, on the whole, subject to ministerial control, the military and naval people will have to work this. An outsider cannot too easily work to the narrower issue of military and naval strategy, but under the censorship will come the question of whether the film is likely to be prejudicial to the Defence of the Realm or the efficient prosecution of the war, and we may get the most wide variety of considerations. Are the Board of Film Censors to be in this? Are they to be among the people whom the right hon. Gentleman will appoint? They are accustomed to dealing with moral and political issues in the exercise of the censorship and there is an appeal from them to the local authority. Is this regulation to be used to deal with the censorship of films from the point of view of morals and politics? Are the Board of Film Censors to be used, and if so, is there to be an appeal to the local authorities? Although, broadly speaking, the Board of Film Censors have, in the majority of cases, done their work with smoothness and capacity, in a very substantial minority of cases public opinion has held that they have gone wrong. I say that on the field of sheer military and naval strategy Ministers and their representatives should be supreme in that matter of security. Within the field of ordinary morals, and even of political judgment, I would prefer the existing system whereby there is an appeal to the local authority.

As an instance of how this matter of judgment goes wrong and how we have to be careful in delegating this power, I would mention the film "Professor Mamlock." The film censors made a clean prohibition. They probably did it on advice. There was an appeal to a local authority, who passed it subject to certain cuts. When the war came, the Board of Film Censors, who had prohibited the whole film, proposed, I understand, to pass the whole film and to restore the cuts which the local authority had wisely made. The original judgment of the Board of Film Censors, and I suspect of somebody behind them, was all wrong. It was given in the days when it was thought that you must not do anything offensive to Herr Hitler or to the German Government. This matter impressed itself upon my mind as showing that the delegation of film censorship and its general administration to a body of censors appointed by the Minister would be wrong. The case has been put regarding the particular regulations. I said at the beginning that the wording of these regulations was exceedingly serious. I think the House is entitled to a statement from the Home Secretary indicating the reasons why he thinks the regulations are essential. It will then be for the House to decide whether we shall agree to them or not. On the face of the matter I am bound to say that I am exceedingly apprehensive. So are hon. Members who sit with me on these benches.

8.4 p.m.

The Secretary of State for the Home Department (Sir John Anderson): I intervene at this stage not with any idea of trying to curtail the Debate, but because a number of points have been raised of great importance and interest and it seems desirable that I should now give some explanation. By way of preliminary, I would say that the regulations in this volume, together with the regulations previously issued, are a code which has been prepared on behalf of the Government upon a very careful and systematic review of the regulations which were in force during the last war. In the course of that review, regulations which had grown up in a rather topsy-turvy way were brought into close relationship with one another. The drafting was looked at and polished and the general scope of the regulations was considered from the standpoint of

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modern conditions. It would be quite wrong to suppose that, in general, the regulations now before the House are more drastic or sweeping in character than those which were in force during the last war, though there are certain regulations and provisions of a novel character which the House will expect me to endeavour to justify.

In preparing this code of regulations an endeavour was made to make the code complete and ready to meet all contingencies which might reasonably be foreseen. In that fact hon. Members may find explanation for the presence, in this code, of regulations of which so far no use has been made and for which, so far as present conditions go, one cannot see any immediate necessity. The first of the regulations more particularly selected for criticism by previous speakers is 18B. This regulation has been criticised by most of those speakers, and the hon. Member for Dundee (Mr. Foot) referred in detail to its provisions. He commented on paragraphs 1 (*a*) and 1 (*b*). He suggested that those provisions were capable of endless abuse in practice and he referred to the words which appear at the end of sub-paragraph (*b*) in relation to a possible restriction of the activities of a person dealt with under the regulation, in relation to the dissemination of news or the propagation of opinions.

Let me now deal with paragraphs (*a*) and (*b*) as distinct from the provision in paragraph (*c*), which deals with detention. These provisions were inserted for the purpose of providing a less drastic remedy in a case which might possibly have been properly dealt with under (*c*), which provides for detention. There is no intention of taking the provisions of (*a*) and (*b*) and of imposing the restrictions to which they refer wantonly or unnecessarily upon people who may be considered to have come within the ambit of the regulation; but, as an alternative to the drastic steps of ordering detention, such restriction might be imposed. I shall give the House at once the assurance that, so far as I can see——

Mr. Bevan: Would the right hon. Gentleman at the beginning of this reply please try to give us his reasons? The House is really not interested in what his intentions are but in what the powers are. Will the right hon. Gentleman exempt us from what is redundant and tell us what he intends to do?

Sir J. Anderson: I am tring to explain the circumstances—[Hon. Members: "No, you are not."]—in which these provisions appear in the regulations. I am merely saying that the provisions which were criticised in the first instance by the hon. Member for Dundee are incidental to the major provisions of regulation (*c*), with which I shall now proceed to deal.

Mr. Lansbury: Will the right hon. Gentleman tell us to whom (*c*)

"directing that he be detained"

is intended to refer?

Sir J. Anderson: The regulation reads:

"The Secretary of State, if satisfied, with respect to any particular person, that with a view to preventing him acting in any manner prejudicial to the public safety or the defence of the realm, it is necessary so to do, may make an order"—

imposing the restrictions set out in this regulation under paragraphs (*a*), (*b*) or (*c*). I do not think they are cumulative because if paragraph (*c*) were invoked in relation to a particular person the necessity for paragraphs (*a*) and (*b*) would seem to disappear. He would become subject to restraint and there would be no occasion to use paragraphs (*a*) or (*b*).

Mr. K. Griffith: I do not think these can really be intended as mutually exclusive, because if a man was directed to be detained under paragraph (*c*) you could still deprive him of his toothbrush under (*a*). Those things could go together easily. There are many things which would be required by people who were detained. A person may require his daily copy of "Action," or the "Daily Worker," or he might require to write letters.

Sir J. Anderson: Where orders have been made requiring that a person shall be detained they have been confined to that purpose. It may be that, as far as the wording of the regulation goes, it could be used for the purpose of requiring that the person in question should be detained, and also that certain further restrictions should be imposed. Now may I come to the main provisions in this regulation—paragraph (*c*) of Regulation 18B (1). It is admittedly a provision of a drastic character giving the Executive power to order that a person

should be detained if in the opinion of the Secretary of State the conditions set out in the regulation have been fulfilled. The House is not taken by surprise in the production of this regulation. The point was dealt with, as hon. Members will recollect, during the Debate on the Emergency Powers Bill under which these regulations were made, and my right hon. Friend the Lord Privy Seal made it perfectly clear that it was in the contemplation of the Government that such a regulation would be made and he gave at the same time an assurance that safeguards would be provided. That assurance has been carried out by the provisions made by the regulation under which a person detained under a regulation may make objections to an advisory committee. This regulation follows provisions that appeared in the Defence of the Realm Regulations, 1914, without any substantial difference; I think I am right in saying that there is no substantial difference.

Mr. Foot: To which regulation in 1914 is the right hon. Gentleman referring?

Sir J. Anderson: I will give the hon. Gentleman the reference in a moment. There was a provision which enabled the Secretary of State, on representations by the advisory committee, to detain a person or persons who were suspected of acting or being about to act in a prejudicial manner. The cases come before the advisory committee with very little delay. Under the regulation made during the last war the initiative could be taken by any competent military authority. This whole question was argued at length during the Second Reading of the Bill and the Second Reading was passed, as hon. Members will recall, without a Division.

The House would probably like me to say a word about the advisory committee which has been set up to deal with representations from persons against whom orders of detention have been made. Six persons have been appointed members of the advisory committee. Sir Walter Monckton and Mr. Norman Birkett are available to act as chairmen alternately. The other members are Professor Collinson, Sir Arthur Hazlerigg, Mr. J. J. Mallon and Miss Violet Markham. It is hoped that delay in meeting representations will be reduced to a minimum.

Mr. Gallacher: Can the Secretary of State say why there is never any attempt to bring workers from the factories on to a body of this sort?

Sir J. Anderson: My predecessor constituted this committee in the manner which he thought best suited to the circumstances. It seems to me that the members are——

Sir Stafford Cripps: Is the right hon. Gentleman not aware that Sir Walter is now chief censor and cannot sit upon this committee?

Sir J. Anderson: I believe he has a certain amount of time to spare for that work. In any case, Mr. Norman Birkett was appointed as soon as it was apparent that I should not be in a position to rely upon Sir Walter Monckton's full-time services. I was asked a question in regard to the procedure of the advisory committee. No directions whatsoever have been given by the Secretary of State to the advisory committee as to their procedure.

Miss Wilkinson: That is not necessary.

Sir J. Anderson: The advisory committee have been left entirely free, but I do know that the normal practice is to send to the objector before the hearing a short statement giving in outline the reasons why an order has been made against him. May I say at this point, in reply to a question put to me by the hon. Gentleman the Member for Dundee, that the advisory committee have before them all the evidence which is in the possession of the Secretary of State.

Mr. Silverman: Has the detainee the same information?

Sir J. Anderson: The person detained is given in outline the reason why the order has been made against him, and he is then given an opportunity of attending for examination. Witnesses are not called while the detained person is before the committee but the advisory committee call in any person who, in their opinion, may be able to assist in elucidating the matter with which the committee have to deal. The committee give the objector every opportunity to make whatever statement he wishes, and give him all possible assistance in clearing up any matters which may appear prejudicial to his case.

Miss Wilkinson: Is this done in public or *in camera*?

Sir J. Anderson: It is done *in camera*.

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Sir S. Cripps: I suggest that it is entirely wrong to say that the detainee has the right to meet every point that is made against him. In fact, I know, having gone into this carefully, that all the matters connected with his detention are not disclosed. All he is told is the general case against him, and after he is interviewed the last word is with the representatives of M.I.5, or the C.I.D., or whoever is dealing with the case on behalf of the Government.

Sir J. Anderson: Surely the hon. and learned Member will appreciate that I am doing my best to convey to the House the information that has been given to me.

Mr. Lansbury: On a point of Order. The Minister has made a statement. That statement has been challenged by the hon. and learned Member for East Bristol (Sir S. Cripps), and then the right hon. Gentleman has told us that he is making the statement as it is given to him. Surely the House is entitled to have a statement that the right hon. Gentleman knows is correct?

Mr. Deputy-Speaker (Colonel Clifton Brown): There is no point of Order there. The Minister must make his statement in his own way, and it would be better if the House would listen to his statement.

Mr. Bevan: As it is improper for Members of this House to question any statement made by a civil servant, how is it possible for us to consider any matter represented to us, not on the authority of a Minister, but on the authority of a servant whom we cannot question?

Mr. Deputy-Speaker: It is perfectly absurd to suggest that a Minister can know everything about every subject with which he has to deal. Hon. Members should hear the whole story, and then the House can come to a decision.

Mr. Bevan: The right hon. Gentleman has not, in the hearing of the House, accepted responsibility for the statements made by him, but has said that he has conveyed to the House a statement made to him by a servant, whom we cannot question. In my respectful submission, the Minister must either make the statement upon his own authority, in which case we can question him, or upon the authority of a servant whom you must permit us to question. At the moment, we cannot question the civil servant and we cannot question the right hon. Gentleman. Therefore, I respectfully submit that an important constitutional point is involved: whom can we question?

Mr. Deputy-Speaker: There is no constitutional point involved. These are matters for debate. If hon. Members are not satisfied they can record their dissatisfaction in the Division Lobby.

Sir J. Anderson: When the right hon. Gentleman the Member for Bow and Bromley (Mr. Lansbury) rose I did not know what he was going to say, and I had, in fact, not finished what I was going to say in reply to the hon. and learned Member for East Bristol (Sir S. Cripps). I was going on to say that I was giving the House information conveyed to me by the tribunal in regard to the procedure followed by them. The members of the tribunal are not my servants: it is very important that they should not be; they are fully independent of the Home Secretary. Mr. Norman Birkett has authorised me to say this: that it has been the earnest endeavour of himself and his colleagues to give every possible opportunity to the internee to state his case and answer any of the points which can be alleged against him.

Sir S. Cripps: On a point of Order. The right hon. Gentleman is now referring to some document. I suggest that as he is referring to a document containing a statement by Mr. Norman Birkett the House is entitled to see the document.

Mr. Deputy-Speaker: I am not clear what it is that the hon. and learned Gentleman is calling a document. I think it is the notes of the right hon. Gentleman's speech.

Sir S. Cripps: Is not something which is given to the Minister and from which he can read in a Debate a document within the meaning of the Rules of this House?

Mr. Deputy-Speaker: That constitutes what one might consider rather full notes, from which an hon. Member may quote.

Mr. Attlee: May I submit to you, Mr. Deputy-Speaker, that where a Minister does not merely give a résumé of a document, but reads from the document the whole of the actual words, he must lay the whole of the document before this House?

Mr. Deputy-Speaker: We might leave it to the Minister to explain what the document is.

Sir S. Cripps: We are asking for your Ruling, Sir; not the Minister's. The Minister has quoted a document verbatim, and has said from that document what Mr. Norman Birkett has authorised him to say, which is in writing. I can see the document from here. I ask you to give a Ruling.

Mr. Deputy-Speaker: I cannot give a Ruling without having heard both sides.

Sir S. Cripps: I suggest that you ask the Minister for the document, in order that you may see it. May I again ask the right hon. Gentleman for the document, in order that you may judge whether it is one that he should produce?

Mr. Deputy-Speaker: That is not a matter for me to judge. I am not clear what the document is.

Mr. Stephen: A document has been quoted by the Minister, and whenever a document is quoted by a Minister that document may be asked for, and must then be produced. It is in the Rules of the House; and I ask you to rule according to the Rules of the House on this matter.

Mr. Attlee: May I draw attention to a precedent which I remember very well? It was in the 1924 Parliament. The then Under-Secretary of State for Air quoted verbatim from a document—I think it was from the Air Commander in Iraq. The then Member for West Birmingham, Sir A. Chamberlain, put the point that it was a document which had been quoted, and immediately it was stated that if that document were quoted it must be laid before the House. Since then there have been several other cases. It did not depend on the document, but on the fact that a Minister was quoting from a document.

Mr. Deputy-Speaker: Hon. Members should hear what the Minister has to say. I have not satisfied myself that it comes within the meaning of the term "document."

Mr. Neil Maclean: Is it not a fact that the Minister has quoted from the document? Consequently, the document is the property of the House and not of you, Sir.

Sir J. Anderson: Perhaps I can throw some light on this question. It is not for me to say whether it is technically a document or not, but the so-called document from which I was quoting was a record, made for the purpose of greater accuracy, of a statement made by Mr. Norman Birkett. [An HON. MEMBER: "Made to whom?"] I should have committed the words to memory, but I thought that it was better to have the exact words recorded in a departmental note, and these are the words which I have read out to the House.

Mr. Maxton: Is that the whole of it?

Sir S. Cripps: I submit, Mr. Deputy-Speaker, that what the right hon. Gentleman has said shows quite clearly that he was reading or quoting from a document. He has said already that he could not trust his memory and that he had to have it put in the form of a document, and if that is the document recording the communication from Mr. Norman Birkett to himself, then, in my submission, it falls within the meaning of a document which must be disclosed to this House, and is exactly in accordance with the precedent already quoted by my right hon. Friend of the document received by the Under-Secretary of State for Air from the Air Commander.

Mr. Deputy-Speaker: If the hon. and learned Gentleman will turn to Rule 154, he will notice there, that if a document is quoted as a despatch or other State paper it ought to be laid on the Table. It goes on to say that this Rule is analogous to the Rule observed in the courts of law.

Sir S. Cripps: Surely a private document means a document which is not a State document. Every document which the Minister holds by virtue of his position must be a State document and protected by the Official Secrets Act. The analogy which you stated in Rule 154 is an accurate one when it is an analogy to the rule observed in courts of law against quoting documents which are not produced in evidence. Certainly you would not be allowed to make the quotation which the right hon. Gentleman has made from a document if you were not prepared to produce it in a court of law. Therefore I ask you to rule that this is a case where this document must be produced.

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Mr. Deputy-Speaker: It is very difficult for an hon. Member who is not a judge or is not trained in the law, but it seems to me that this document was one given by Mr. Norman Birkett to the Home Secretary, and as such is a private document. I am afraid I must rule against the hon. and learned Member.

Mr. Attlee: Is it relevant for the private guidance of the Minister when, as a matter of fact, the Minister has said that he is going to give it to the House? Thereby it is a public document? It has not been for private guidance. It is now before the House, and I submit that you cannot hold now that it is a private document, because the Minister expressly said that he wanted to quote from it to this House.

Sir J. Anderson: With great respect, what I said was that I wanted to quote the exact terms of the assurance that had been given. I did not wish to misrepresent what I had been told, and the paper that I have before me is nothing more than a departmental note.

Miss Wilkinson: On a point of Order. Seeing that the document to which the Minister has referred is apparently going to be the key document with regard to this unfortunate matter, surely from the point of view of importance as well as of fact that it is a State document, this House ought to have Mr. Norman Birkett's ruling before it.

Mr. Deputy-Speaker: That seems to me to be a point which the hon. Lady could make later in the Debate.

Mr. Gallacher: May I rise to a point of Order? In view of the statement made by the Minister that this tribunal was outside his control and the members were not his servants, surely that must mean that he would not be responsible for the tribunal in this House. That seems to be a complete confusion as far as the Minister is concerned, and would it not be better to report Progress so that the Minister could consider exactly what his position is in relation to this point?

Mr. Deputy-Speaker: That is not a point of Order.

Sir J. Anderson: In regard to this regulation, I think it may be for the convenience of the House if I give, very briefly, some particulars of what has happened hitherto under the regulation and the nature of the cases that have had to be dealt with.

Sir S. Cripps: In view of the interruption would the right hon. Gentleman be good enough to tell us again exactly what the procedure was—he had not finished—which he was going to state in answer to my right hon. Friend the Member for Bow and Bromley (Mr. Lansbury)?

Sir J. Anderson: I thought I had finished. When the right hon. Gentleman the Member for Bow and Bromley (Mr. Lansbury) rose in his place to put a point, I was about to state what, according to Mr. Norman Birkett, who is in the best position to know, the procedure of the tribunal is, and the important communication I wished to make to the House on that subject is the one I have just made.

Mr. Gallacher: And you are not responsible. On a point of Order. This is a very important point. Are we to understand that the Minister is not now prepared to repeat what he said when referring to the right hon. Member for Bow and Bromley (Mr. Lansbury), that these are not his servants and he is not responsible?

Sir J. Anderson: I am prepared to repeat what I said. I do not wish any misunderstanding on the point. I am responsible for the advisory committee in the sense that it is a body set up by the Home Secretary, but it is set up in order to discharge a function independently, without any interference by the Home Secretary.

Mr. Bevan: And can be dismissed by you?

Sir J. Anderson: That question has not arisen.

Mr. Silverman: Will the right hon. Gentleman say whether——

Sir J. Anderson: I really cannot give way.

Mr. Jagger: One a point of Order. When the Home Secretary declares that he is not responsible for these people and yet he appoints them, surely we are entitled to know whether he has the power to remove them and terminate their employment.

Mr. Deputy-Speaker: Any hon. Member has a right to stand up, but the Home Secretary is in possession of the House and need not give way.

Mr. Maclean: May I ask the Home Secretary whether this House has any right to review any decision come to by the advisory committee which he sets up?

Sir J. Anderson: The advisory committee is set up to advise the Home Secretary, who is responsible for the action that he takes on the advice of that committee, but the committee in the discharge of its duty—and this is the only point I wish to make clear to the House—is not subject to detailed interference by the Secretary of State. It was in that sense that I wished the House to understand that the committee is entirely independent. In regard to the class of case with which this regulation is intended to deal, hon. Members will realise that where an enemy alien is concerned there is a prerogative power to order detention and no regulation need be invoked at all. The Regulation 18B is designed to enable the Secretary of State to take action which is essential in the public interest in regard to persons who are not technically enemy aliens. There are many such persons, British subjects, who are entirely alien in sentiment and are British subjects only by reason of a technicality. There are persons of dual nationality, persons who are alien enemies, but at the same time British subjects, who cannot be dealt with under the prerogative because they have the status of a British subject, but have been brought up entirely in Germany and whose associations are entirely with Germany. The regulation gives power to deal with such cases. There is, for example, a German-born woman who went through the form of marriage with a British subject a few days before the outbreak of war. Is that woman, believed to be dangerous, to be immune from detention because she has married a British subject? Is she to be immune from the liability of being interned as an enemy alien because of the fact that she acquired the status of a British subject a few days before the outbreak of the war?

Mr. Silverman: That is not the definition of an enemy alien.

Mr. Holdsworth: Is it not a fact that without this regulation there would be power to deal with that woman now?

Sir J. Anderson: Apart from this regulation we have not the power to intern her that we should have had had she not been married to a British subject a few days before the outbreak of the war. The Secretary of State would not have the power to exercise what is known as preventive arrest. These are drastic powers, but I would point out that they are powers which the House knew that it was entrusting to the Secretary of State when it passed the Act without a Division.

Hon. Members: No.

Mr. Stephen: I hope the right hon. Gentleman will be fair. If he will refer to my speech on the Second Reading he will see that it was stated definitely that we did not claim a Division because we were accepting the previous decision on the question as to the introduction of the Measure as expressing our opposition to the whole thing. I hope the right hon. Gentleman will not go on repeating that statement and involve us in having to claim a Division on every occasion.

Mr. Bevan: The right hon. Gentleman is now suggesting that all these regulations were implied when we passed the original Measure, and that therefore the regulations are not entirely new. This regulation is entirely new. The right hon. Gentleman cannot plead the general powers in the Act in explanation of these detailed regulations.

Mr. Lansbury: I hope the right hon. Gentleman will forgive me, but I am extremely interested in this particular set of provisions. Am I to understand him to say that this provision applies only to persons of the kind that he has just mentioned, and do not apply to a person like myself?

Sir J. Anderson: I was merely giving illustrations of the cases in regard to which the power has been used. May I call attention to the terms of the Emergency Powers Act? I was not in the House during the Second Reading Debate, but the main point which I wish to make now is that in the Bill as introduced and in the Act as passed these words appear:

> "Defence regulations may, so far as appears to His Majesty in Council to be necessary or expedient for any of the purposes mentioned in the sub-section, make provision for the detention of persons whose detention appears to the Secretary of State to be expedient in the interests of the public safety or the defence of the realm."

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[Sir J. Anderson.]

There could have been no clearer indication to the House of the intention to follow the passing of the Act by the making of such a regulation as this.

Mr. Foot: I am sorry to interrupt the right hon. Gentleman, but he has referred to the words which were passed by the House at a time when we were informed that it was vitally urgent that the whole Bill should be passed through all its stages in one day. Therefore, it was not possible to have a Committee stage of the usual length. He says that these words are similar to the words in the Defence of the Realm Act. Contrary to what the right hon. Gentleman says now, the corresponding regulation under the Defence of the Realm Act in the last war was substantially different from this regulation. Regulation 14B in the Defence of the Realm Act was specifically and in terms confined to people of hostile origin or association. There is no such word of limitation in this regulation.

Sir J. Anderson: It is perfectly true that the words " of hostile origin or association " appear in the Defence of the Realm regulations, and that they do not appear here. The reason for that is that there has been a change of circumstances in the meantime and that we have had to consider, not only people who are directly of hostile origin or association, but for example, members of the I.R.A.——

Mr. Foot: You said it was the same.

Sir J. Anderson: I say it is substantially the same.

Mr. Jagger: You are affecting 42,000,000 people by that change.

Sir J. Anderson: It is a power no more drastic in relation to the persons to whom it refers than the power in the Defence of the Realm regulations.

Mr. Jagger: It might be applied to 42,000,000 people.

Sir J. Anderson: It is not being applied to great numbers of people. There are important safeguards. I only wish further, in regard to this regulation, to give the House some particulars of the action that has been taken so far under it. The number of persons who have been detained so far is 35. Of these, 29 persons made objection to the advisory committee, and the committee have already examined 24 cases. They have recommended the continued detention of 13 of the persons on whom they were reporting; they have recommended the release, subject to restriction, of four persons, and they have recommended release, free from any restrictions, of two persons. That is the complete information so far as I have it up to date.

Captain Ramsay: Is it proposed to compensate the people who have been wrongfully detained?

Sir J. Anderson: I do not think any question arises of people having been wrongfully detained.

Mr. McGovern: Was there not one man in Edinburgh, 35 years of age, who died, and whose case is the subject of investigation?

Sir J. Anderson: He was not dealt with under this regulation.

Mr. Gallacher: Can the right hon. Gentleman tell us how many have been threatened?

Sir J. Anderson: I am not aware of any being threatened. No question arises of anyone being wrongfully detained. The two persons who have been released without restrictions were detained as a measure of precaution. This regulation is entirely precautionary. It is designed to protect this country against what might be a grave menace at a time when we are engaged in a grave struggle. I can well understand the anxiety of hon. Members lest these drastic powers should be abused, and I wish to give the House the best assurance I can that the powers will not be abused. The safeguards provided are effective. As regards the two persons who were released, free from all restrictions, they were persons of dual nationality. They entered this country very shortly before the war. Although they were British by birth they had been brought up in Germany and can speak only German. On examination, the advisory committee accepted the representations they made that they had come to this country in order to escape from Germany, although they had not been in touch with any refugee organisation. Those are the facts in regard to the two persons in question. It will be seen that no question of compensation could arise.

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The next regulation which has been criticised is that giving power to the Secretary of State to impose a curfew. A similar regulation—I will not say in exactly the same terms—was in force during the last war, but I do not know if it was ever used. It was included for the sake of completeness in the code of regulations prepared, as I have explained. The question of omitting it and introducing it if circumstances should arise in which it might be thought necessary was duly considered, but it was thought by those responsible for the drafting of the regulations better that it should be included so that the House might have an opportunity of criticising it. I do not wish to offer any very spirited criticism of it. I confess that I should not shed tears if it dropped out, but it has not been included as a sort of further supplement to the black-out. I can very readily explain the particular circumstances in which a curfew regulation is of great value to the executive in the process of restoring order. If you have in any part of the country serious disturbances, from which this country has been fortunately very free in recent years, disturbances which might impose a very heavy tax on the police and other authorities responsible for the maintenance of order, the imposition of a curfew temporarily might be of considerable value. [HON. MEMBERS: "What disturbances?"] Disturbances of a sectarian character—disturbances which unhappily used to occur in Ireland. I have known the imposition of a curfew in Northern Ireland. I can give the House one other illustration of a state of affairs in which a curfew might be of great value. If there were very intensive bombing and serious destruction of property in a certain part of the country where there was valuable property, and grave danger of looting arose, the imposition of a curfew might well be an ordinary measure of precaution. That is the justification that I offer for this regulation. I have no reason to think that an occasion will arise in the near future for it being put into operation. It does not operate auomatically, but only if an order is made by the Secretary of State.

Mr. Jagger: I am worried about this curfew in the event of serious air raids. Would it be an offence to go out of this place if it was blown down?

Sir J. Anderson: I am giving the House a perfectly frank explanation of the circumstances which govern the situation and of the kind of action that could be taken under it.

The hon. and learned Gentleman the Member for Dundee took exception to the use of the word "disaffection" in Regulation 39. I do not think that objection was very well-founded. The term occurs in many Statutes. It was thought to be more suitable than the expression "seducing from allegiance," which appeared in an earlier regulation, and it is in fact an expression which is used in the Police Act in the same sort of connection.

Sir S. Cripps: It would be creating disaffection to tell soldiers that the allowance for their families was not sufficient, but that would not be seducing them from their allegiance. Does not the right hon. Gentleman agree?

Sir J. Anderson: It might be so.

Mr. Foot: Will the right hon. Gentleman deal with this point, which I put to him, that the word "disaffection" occurred in the original drafting of the Defence of the Realm Act in the last war and was cut out at the request of the party to which he belongs, because they thought the word, without any qualification, was far too wide.

Sir J. Anderson: May I now pass to the next regulation?

Mr. Gallacher *rose.*

Mr. Deputy-Speaker: The right hon. Gentleman has not given way.

Dr. Edith Summerskill: Is it in order for the Home Secretary to treat this as though we were natives in Bengal?

Sir J. Anderson: If it is suggested that the word "disaffection" was cut out of the Defence of the Realm Regulations, that is not so. Regulation 42 refers to any person attempting, or doing any act likely, to cause disaffection among any of His Majesty's Forces or among the civilian population.

Mr. Foot: When the right hon. Gentleman reads a regulation he might read it correctly. It reads:

"If any person attempts or does any act calculated or likely to cause mutiny, sedition or disaffection among any of His Majesty's

[Mr. Foot.]

Forces or any of the Forces of any of His Majesty's allies, or among the civil population."

the word " disaffection " in that connection is limited by the words " mutiny " and " sedition " which go before it. [HON. MEMBERS: " No! "] The word " disaffection "—[*Interruption.*]

Mr. Deputy-Speaker: The hon. Member rose to ask a question. His question seems to be a long one. I would remind him that he may speak a second time only by leave of the House.

Mr. Foot: The Minister has given way. Is it not a fact also that in an earlier regulation, which is the one to which I was referring, the word " disaffection," without any qualification, was cut out, and the words " disaffection to His Majesty " were inserted?

Sir J. Anderson: I have no reference to the previous case cited by the hon. Member, but I must repeat, on the point that has been raised, that the use of the expression " cause disaffection " instead of the expression " seduce from his duty or allegiance to His Majesty," was thought to be more appropriate in a regulation applying, not merely to members of disciplined and Armed Forces, but also to Crown servants in general.

Mr. Holdsworth: The right hon. Gentleman, almost in an aside in answer to the hon. and learned Member for East Bristol (Sir S. Cripps), confessed that " disaffection " might mean even a speech saying that dependants' allowances were not enough. Surely, that is wider than anything in the regulations in the last war. That is the point we want to make, that this really applies to something that is seditious and mutinous, and not to what we think is a perfectly legitimate criticism.

Sir J. Anderson: That is a point of interpretation which I suggest ought not to be put to me.

Mr. Silverman: On a point of Order, Mr. Deputy-Speaker. In a matter of this importance, may I ask whether there is any method whereby the right hon. Gentleman, when he quotes a regulation, authority, or document, shall quote it completely and accurately?

Mr. Deputy-Speaker: That is not a point of Order, but a point which should be raised in argument afterwards. Hon. Members are entitled to make their speeches in their own way, and criticisms of those speeches should be made afterwards.

Mr. Attlee: I do not think the right hon. Gentleman has quite realised what is our criticism. It is a criticism of the generality of these regulations. I do not think the right hon. Gentleman quite realises that, because he has gone on to the next point without dealing with it. Our point is that these things are so extensive and general. Will the right hon. Gentleman defend that point?

Mr. Gallacher: Will the Minister tell us whether to advocate democracy in the Army would be considered as creating disaffection?

Sir J. Anderson: I am perfectly willing to consult my right hon. and learned Friend the Attorney-General with regard to the interpretation that might be placed on the use of the word " disaffection," but I would point out that there is ample precedent for the use of the word " disaffection " both in Defence of the Realm Regulations and in Acts on the Statute Book. I quoted the case of the Police Act, 1919, where it is made an offence to cause disaffection.

Mr. Attlee: Is that disaffection generally?

Sir J. Anderson: It is in relation to a particular class of public servants.

Mr. Attlee: That is the point I made. The right hon. Gentleman quotes precedents, but they always turn out to be limited precedents. Our criticism is of the generality of this regulation.

Sir J. Anderson: I have done my best to explain to the House the purpose for which these Regulations were made. I pass now to Regulation 39B. That regulation has been criticised by a number of hon. Members, and in regard to it I am bound to say at once that it does contain a novel provision, a provision for which I can quote no precedent from the Defence of the Realm Regulations. The corresponding Defence of the Realm Regulations were in some respects actually wider than the regulation which the House is considering to-night. I will quote the exact terms of those regulations. They made it an offence to spread

false reports or make false statements; to spread reports or make statements intended or likely to cause disaffection to His Majesty, or to interfere with the success of His Majesty's Forces; to spread reports or make statements intended or likely to prejudice the success of any arrangements made by His Majesty with a view to the prosecution of the war. Those are wide words. The corresponding words in the present regulation are not quite so wide, but the regulation, unlike its predecessor in the last war, is, quite frankly, directed against propaganda.

Mr. Foot: Will the right hon. Gentleman read again the last part of what he quoted?

Sir J. Anderson: I did not quote it *in extenso* because it is very long. What I quoted was complete in itself.

Mr. Foot: The right hon. Gentleman did not quote (*d*).

Sir J. Anderson: It refers to spreading reports or making statements intended to undermine public confidence, or prejudice any financial measures taken, or arrangements made, with a view to the prosecution of the war. The present regulation has been drawn to deal with propaganda, a new instrument which since the last war has been brought to a high pitch of efficiency. It was considered essential that power should be taken to deal with propaganda which might be gravely detrimental to this country's effort. Whether the words that have been chosen in this regulation are those which are best adapted to carry out that purpose I do not know. The regulation was drafted before I became Home Secretary. Naturally, I take full responsibility for it, and I know the great care that was devoted to the framing of the regulation. I was going to say to the House that, if it should be the view of hon. Members that the regulation is drawn in terms so wide that it would give a greater feeling of reassurance to the House if some limiting words could be found, I am perfectly willing to look into the matter very carefully and see whether our purpose can be secured by words that are less wide in their scope and less general than those which appear in the regulation. I say that because I recognise fully that this is a novel regulation for which there is no precedent.

Mr. Bevan: Before the right hon. Gentleman proceeds——

Sir J. Anderson: Perhaps the hon. Gentleman would allow me to develop my argument in my own way. I had not finished what I have to say on this regulation. As I say, I am prepared to consider the wording but, as regards the purpose of the regulation, I must make it clear to the House that it is the view of the Government that a regulation for this purpose is absolutely essential. Let me point out one respect in which this regulation contains safeguards which were not present in the corresponding regulation of 1914. Under those regulations, a prosecution could be started by any police constable and a person against whom proceedings were taken could be tried by court-martial.

Mr. Foot: Not against his will.

Sir J. Anderson: Under this regulation no proceedings at all can be taken without the consent of the Attorney-General—a very important safeguard. What I put to the House is this. We have all had some evidence of the power and effect of Nazi propaganda. There are in this country propagandists for the Nazi cause, some of them, no doubt, conscious propagandists, but a larger number perhaps unconscious propagandists. Let me give an illustration of the sort of thing which is going on. A certain organisation has issued a memorandum of advice to its followers who may wish to appear before the tribunal for conscientious objectors, endeavouring to show its members how they can take advantage of provisions under the law which relate to persons who have conscientious objection or pacifist views. [HON. MEMBERS: " Why not? "] It shows under what cover action which is, apparently, perfectly innocent, the sort of action which we might not wish to restrict, may be taken for purposes which gravely imperil the interests of this country.

Mr. Bevan: Under legal cover?

Sir J. Anderson: Let me give another illustration. A certain body which is well known to be anti-Semitic and pro-Nazi has given instructions to its members that each is to turn himself into a rumour-monger and a channel for verbal propaganda. Measures considered necessary for the defence of the population are to be

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[Sir J. Anderson.]

made fun of, and people who have evacuated their children are to be encouraged to think that evacuation is unnecessary. If only this propaganda could be put about, it is suggested, then people would come back to London and an important measure taken in the interests of the civil population would be defeated. Finally, it is said in these instructions, once this happens, a surprise attack on London might bring the Jews to their knees. That is the sort of thing that is going on and that is the sort of thing against which these regulations are directed.

Mr. Bevan: On a point of Order. The right hon. Gentleman has instanced the kind of cases against which it is proposed to use these powers and the reasons why these powers are being sought. Last night we heard a broadcast by the Archbishop of Canterbury in which he inveighed against evacuation. Is that an offence under this regulation?

Mr. Deputy-Speaker: I would ask hon. Members to listen to the speech of the Home Secretary, and not to interrupt him so much.

Mr. Montague: What is this society? We ought to know.

Hon. Members: Give us the name.

Sir J. Anderson: I do not intend to do so at this stage but the House may take it from me that activity of that sort is being carried on, against which it may be necessary to take drastic action. Reference has been made to leaflets and it has been suggested that police constables have been given authority to report people who have taken part in the dissemination of leaflets. I wish to say at once that no such action has been taken by or under the authority of my Department.

Mr. Lansbury: I had intended raising a number of these cases, but I hope the right hon. Gentleman will allow some of my friends and myself to see him about this particular issue. If I remain quiescent to-night, however, do not let him say afterwards, " Well, you did not say anything about it when the matter was discussed in the House."

Sir J. Anderson: I shall be glad to consider any communication which the right hon. Gentleman may wish to make to me on that subject. With regard to leaflets, obviously leaflets of a kind with which all of us are now familiar might be thought to come within this regulation. I want to say, frankly, that I can conceive leaflets of a sort in respect of which no action under this regulation should properly be taken. There are leaflets couched in dignified language, seeking to make an appeal to reason. I think it would be outrageous if action were taken in respect of leaflets of that sort. On the other hand, there are leaflets of which I have seen a few examples, which are crudely got up and make an appeal not so much to reason as to passion and prejudice—leaflets in which the facts leading up to the declaration of war are distorted and the aims of the Allies in carrying on the war are misrepresented. Such leaflets if they were distributed in large numbers and in such a way as to prejudice in any real sense the defence of the realm or the successful prosecution of the war, might, I say at once, properly be made the subject of proceedings under this regulation. These would be summary proceedings no doubt.

In that connection, may I say that what matters is not merely the substance of the document but the circumstances in which it is produced. On the other hand, it may be said or it may be in the minds of hon. Members that action would be taken under this regulation in respect of a serious appeal by persons disagreeing with the present Government and desiring to make their influence felt, without any intention whatever of impeding the prosecution of the war. No action could be taken under this regulation in such a case except with the consent and authority of my right hon and learned Friend the Attorney-General. Any such proceedings would undoubtedly be taken on indictment before a jury and that is a further safeguard; and when the proceedings were over it would be open to any hon. Member of this House to challenge the action that had been taken.

Mr. Stephen: On a point of Order. Would it be in order to challenge in this House a decision by a judge and jury?

Mr. Deputy-Speaker: If the decision of any judge were challenged and adverse comments were made, it would not be in

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order. It is not in order to utter derogatory remarks about our judiciary.

Sir J. Anderson: I said nothing about challenging the decision of a judge. What I said was that, after a case had been disposed of, it would be in order for any hon. Member to challenge the responsible Members of the Government for the action that had been taken either in respect of their interpretation of the regulations or with a view to getting the regulations amended. I do suggest that, wide though the terms of this regulation are, it is a regulation that is absolutely necessary under the conditions in which the war is being carried on, and that the safeguards which are provided are ample and sufficient.

Mr. Attlee: Does the right hon. Gentleman realise that the danger is not merely in the possibility of a prosecution initiated by the Attorney-General, but in the police using this as a weapon *in terrorem* against all sorts of people who are engaged in perfectly innocent propaganda?

Sir J. Anderson: I realise that danger, and I am prepared to do anything that I can to ensure that the police do not take any such action.

Mr. Silverman: On a point of Order. The right hon. Gentleman has said that he would do something to control the acts of policemen. As a matter of order, has he any right at all to control the acts of policemen who are not members of the Metropolitan Force?

Mr. Deputy-Speaker: The hon. Member is not entitled to put an argumentative point as a point of order.

Mr. Silverman: I do not think I was putting an argumentative point. Let me put it in this way, whether a question addressed to the Minister about the action of a policeman outside the Metropolitan area would be accepted?

Mr. Deputy-Speaker: That is not a point of Order.

Sir J. Anderson: What I said was that I was prepared to do what I could to ensure that the police should not take any such action. There is a danger that the scope of regulations may not be understood, and it is common practice for the Home Secretary to send advice with regard to the action that should be taken under regulations, and from my knowledge of the police they invariably pay full regard to advice so issued from the Home Office. One final word on these regulations. The hon. Member for Dundee commented on what seemed to him to be a paradox, that, engaged as we are in a war for the preservation of liberty, we should appear by regulations such as these to be curtailing liberty. Surely the truth is this, that liberty of speech, liberty of thought and discussion, liberty to influence public opinion with a view to effecting, by constitutional means, changes in the laws and policies of a community, depends on the preservation of the ordered framework of society within which alone such liberty can be enjoyed. For that reason the common laws provide a limit to freedom of speech by the law of sedition, and my submission must be that the reasons which make it necessary at all times to have a law prohibiting seditious propaganda make it necessary, in a war such as we are now waging, to have regulations such as these. It is because the efficient prosecution of the war is in fact a necessary condition of freedom that these regulations are required.

9.26 p.m.

Mr. Maxton: I am sorry that the fears which were aroused in my mind on the publication of these regulations have not been allayed in any way by the speech of the right hon. Gentleman the Home Secretary, and, irrespective of what anyone else does, I certainly propose to divide against them. The right hon. Gentleman was scarcely fair to my hon. Friends and myself when he said that the House did not divide against the Second Reading. My hon. Friends and I divided against the First Reading, and we explained on the Second Reading that it was only because we recognised that we should be in a small minority that we did not carry our opposition to other stages of the Bill. If our desire to meet the convenience of the House is to be misused by Ministers, we can very easily make ourselves, and any two or three hon. Members of this House can very easily make themselves, a great nuisance to the vast majority, and if it is necessary for the sake of one's Parliamentary reputation to do it, I have no doubt we shall have to do it.

[Mr. Maxton.]

I feel that the right hon. Gentleman would feel that any criticism that I might make of these regulations would perhaps be out of court because I am the type of person whom he visualises as a possible victim of this type of regulation; and you cannot be too sure about it. A lot of funny things happen in a war, and one of the things that nearly always happens is that the people who lead the nation into it are not the people who lead the nation out of it. Even in a neutral country like Italy, which is only very secondarily associated with the war, more sweeping changes have taken place in their governmental control in the last 24 hours than have taken place since the dictatorship came into power. I understand that even in Nazi Germany itself some of the people who were in high command have been vacating their positions in the last few days. So that it may not be the critics of to-day who will be the people to come under the operation of these regulations. I have brought with me witnesses to whom the right hon. Gentleman might pay a little more attention and who cannot be suspected of the same things as he may suspect me of. I have here a quotation from a leading article in the "Glasgow Herald," a journal of which the right hon. Gentleman might have heard, which circulates freely among his constituents. They regard it as their political bible. It circulates more freely among his constituents than among mine, and, what is more to the point, his constituents believe what is says, whereas mine would be critical. The leading article states:

> "The Government already possess very wide discretionary powers in addition to the ordinary law of the land. But they will be making a grave, perhaps even fatal, mistake if they interpret the tolerance with which the British people have accepted the many restrictions and regulations imposed upon them as signifying unconditional approval of further bureaucratic action. Liberty is no less cherished in war than in peace. Freedom, we are informed by the official posters, is in peril, and we must defend it with all our might. Some threats to freedom seem now to be coming from a good way nearer home than Berlin, and the people will look to their representatives in Parliament to put up a most resolute defence."

That is from a sound Conservative organ circulating in the right hon. Gentleman's constituency. It is not from some document of the Metropolitan Police, nor yet of the Bengal Government, but it is right in Glasgow. I want to give another quotation from the "Sunday Mail," which was also in its general political outlook staunchly in support of His Majesty's Government up to now. It has an article headed, "Your danger," which says:

> "Liberty! What else do we fight for? The people are united. We march shoulder to shoulder to defend our liberty against attack from abroad. What about the home front—it looks secure, but is it? The new Defence regulations smack of Gestapo methods which the British public will not tolerate in war or in peace. That is why the House of Commons must be strictly on its guard this week when the Government asks its approval of these further regulations. They involve our personal liberties in a marked degree. In the hands of stupid administrators they may easily be used to the prejudice and even to the persecution of innocent citizens. You who read this might be arrested any moment. Do not let us forget that even in our own seats of authority we have big pots and little pots imbued with the spirit of the Gestapo, if they could get away with it."

That is how these regulations appear to ordinary people who are not antagonistic to the prosecution of the war or to His Majesty's Government. That is the view expressed by two responsible journals in the West of Scotland, and I do not think that the editors of those papers will be the least bit soothed by anything the Home Secretary has said to-night. Indeed, his explanation of what it is intended to do and of the type of people it is intended should be attacked by his regulations makes one even more alarmed than the wording of those articles. There is the anonymous persons whom he cited who are doing this, that and the other thing, with the general suggestion at the beginning about an organisation which advises its members how to go to a tribunal to plead their cases as conscientious objectors, a right that has been given by this House. If a young fellow in my organisation, the Independent Labour party, came to me and said, "Will you advise me how to state my case at the tribunal" the right hon. Gentleman suggests that I am doing something illegal.

Sir J. Anderson: The hon. Gentleman has unconsciously misrepresented me. The point which I tried to make, and which I obviously failed to make, is that you have organisations whose purposes are wholly mischievous, such as nobody in this country or the House would sympathise with, which are using rights that are properly given to people to claim

exemption on grounds of conscience in order to get cover for activities which are nothing to do with those conscientious objections, but are propaganda of a wholly mischievous character.

Mr. Maxton: I accept that explanation as making the case slightly better from one point of view, but making it worse from another point of view, because as I listened to the Minister I was misled into believing that he thought that anybody who went to a conscientious objectors' tribunal was in the same category as a person who was doing Nazi propaganda. He quoted three or four different types, and among them were those who advised people how they should conduct themselves at a tribunal; and although this is not a matter immediately under discussion, since he has raised it I would add that he might have said a word about the people who are sitting on those tribunals and the Nazi propaganda they are doing by the way they deal with the young men in front of them.

I am not going into the various detailed points so ably raised by the hon. Member for Dundee (Mr. Foot), but I can see that if I pursue the normal course of my political life as I have pursued it for 30 odd years, decently, cleanly, honestly and, as I believe, in the best interests of the population of this country, the House will miss my presence by about the end of next week. [HON. MEMBERS: "Make it a little longer."] You see, that is the evil of this legislation. An hon. Member opposite seems to think my liberty is at his disposal. [HON. MEMBERS: "We want you here."] The evil of this legislation is that it gives a Government power to put into prison any person who is politically objectionable to them, and certainly it can prohibit any public expression of political views that are antagonistic to the view of the Government at the moment. It can suppress public meetings and prohibit the publication of every single bit of literature. The daily paper which speaks for the party above the Gangway—the hon. Member for Ebbw Vale (Mr. Bevan) says that it is safe because it has a fair number of representatives in the House, but is it? For some weeks that paper has been publishing a series of articles in parallel columns, one stating the case pro-war and the other case anti-war, but the man who writes the anti-war article is liable to arrest under these regulations, and the newspaper which has given space to his view is also liable, and there is nothing but the good will of the right hon. Gentleman to safeguard them, because we have still got to be satisfied that this House has the right to raise questions on the subject to a responsible Minister of the Crown. [*Interruption.*] Let me proceed, because I do not want to help to detain the House to what is, in these days, a late hour.

One or two minor points have not been dealt with by previous speakers. For example, I find tremendous powers being given to constables. I sat upon the Select Committee that dealt with official secrets and upon the Grand Committee that dealt with the spreading of disaffection. On both those bodies, one thing that impressed me was that we were very careful to see that the power to take effective action against a citizen should not lie in irresponsible hands. On many occasions I have seen this House insist that no officer of lower grade than an inspector of police should be allowed to take decisive action; yet here an ordinary constable is to do so. Imagine this—it is a small point, but it shows the type of mind that is functioning in the Department that produced these Regulations—and listen to Regulation 88B, which is on page 24. The Minister is not listening to a word I am saying, but I will read the Regulation to the House. I am one of the few Members of the House who listened absolutely silently during the whole of the provocative address of the right hon. Gentleman, and I flatter myself that I am not so provocative as he was. I also know that I shall not speak for such a long period. Listen to Regulation 88B:

> "The person driving, or in control of, any road vehicle in motion shall stop the vehicle on being required to do so by any constable"—

one constable—

> "in uniform, or by any member of His Majesty's Forces, being in uniform and on duty."

That is to say, I am driving along a road quite peacably in a motor car, or some lady is driving a motor car. Some fellow in a soldier's uniform——

Commander Sir Archibald Southby: It may be a woman.

Mr. Maxton: —a Militia uniform or the uniform of the Defence Corps——

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Sir A. Southby: If he is on duty.

Mr. Maxton: How does the motorist know? The hon. and gallant Gentleman probably knows the difference between a soldier on duty and a soldier off duty.

An Hon. Member: It may be a woman.

Mr. Maxton: If a woman stops me when I am in a motor car it is not so bad, but if a man stops a woman in a motor car it may be just too bad.

Dr. Summerskill: He would not stop her.

Mr. Maxton: There is nothing that I know of to indicate to the ordinary civilian citizen when a soldier is on duty and when he is not on duty. I remember something about it from the time when I was acquainted with these matters, but it is very vague, yet the little knowledge I have is, I am sure, greater than the knowledge among ordinary citizens. Under these regulations, any constable, any special constable, whose knowledge of the law may be small—I do not know what steps are taken to test it—or any private soldier, can step out and stop citizens on the public highway, pursue them if they refuse to stop, and arrest them. I do not know the law precisely, but I have been stopped by policemen; never by one policeman, and the policemen were always able to give authority for it. In this case, one soldier in uniform can stop any vehicle and can pursue and arrest the person driving it. The next regulation says that he can:

> "arrest without warrant any person whom he has reasonable ground for suspecting to have committed an offence."

He, some boy of 18, may have reason to suspect that I have been committing an offence. I may have come from a meeting or from addressing a meeting at which I made a speech that he did not like. He has got authority to arrest me. Yet we talk about fighting for liberty.

I am not saying that treason should not be punished, that sedition should not be punished; I do not say if I utter things that are objectionable and wrong that I should be immune from arrest, but I do say that the normal law of the land has within its boundaries now all the necessary powers and machinery to deal with me or anybody else who has committed a really serious offence. All this does is to give power to irresponsible people to make the lives of respectable, innocent citizens impossible. I hope the whole of the House will reject this for the sake of the good name of this House and for the sake of the so-called liberties of this country.

9.47 p.m.

Mr. Holdsworth: I wish to make an appeal to the Home Secretary that he should take a little further what he promised to do with regard to one regulation. He promised that he would reconsider one regulation, and I would like him to go a little further and promise the House that he will give reconsideration to what has been said with regard to Regulation 18A, 18B, and one or two others. I do not believe there is a person in this House who desires to discourage anything that would help in any way to win this war. I would not say one word which would stop us from prosecuting the war to its end, a purpose with regard to which I think we are all unanimous, but we are concerned that in the prosecution of the war, which we claim to be on behalf of liberty, we should not sacrifice our liberties.

In these regulations I find there is a restriction on freedom of movement, freedom of enterprise, on the possession of one's own body, on communications between one person and another and on freedom of speech. If I could be convinced that all those things were necessary for the proper prosecution of the war I would agree with every one of them, but I cannot say that the speech of the right hon. Gentleman has convinced me that all those particular points are necessary with regard to these regulations. With regard to 18B the right hon. Gentleman did not deal with a point which was raised, namely, whether, when the advisory committee are listening to a case, the right hon. Gentleman would take notice of the decision to which they had come. The right hon. Gentleman never made a reply to that particular point, and it seems to me to be purposeless to set up an advisory committee in order to convince this House and the country generally that there shall be an impartial body when, having got the impartial verdict, the Home Secretary should have the power to say, "I shall not take the slightest notice of the decision to which the advisory committee have come." Before the Debate has closed to-night we ought to have some promise

that the decision of the advisory committee will be taken. There will be no point if no notice is to be taken of their decision.

Another point which arises is the extreme power which seems to reside in the Secretary of State as to where a man should be detained and the conditions he should have during detention. It seems to me almost a Gestapo power. [*Interruption.*] Oh, yes, if he likes to exercise it. I would trust the right hon. Gentleman to do the right thing, but we are not discussing what the right hon. Gentleman should do. These regulations would become the law of the land. The Secretary of State would have to delegate his powers to other people, and we should be dependent, not on the humanitarian feelings of the right hon. Gentleman but on the principles, or prejudices, of the people to whom his powers are delegated. We make a great mistake when we assume that because there is a decent Minister a regulation will be decently carried out. The powers of the Secretary of State under that regulation should be circumscribed, and brought within our own ideas of civilisation.

The hon. Member for Bridgeton (Mr. Maxton) and the right hon. Gentleman the Member for Bow and Bromley (Mr. Lansbury) have made speeches in this House since the war began with which most Members of the House have disagreed; but hon. Members have listened to them very courteously, acknowledging the sincerity of the two Members. They are protected in this House by privilege, but, so far as I can see, under Regulation 39B if they went outside and made those speeches they could be not only stopped but charged with an offence. During the last war I listened to the speeches of a gentleman who subsequently became Prime Minister, and I listened to the speeches of members of the Union of Democratic Control—some of those members now sit on the benches opposite, and have very different views. Freedom was given for those speeches to be made. Is that same sort of freedom to be given this time? [An HON. MEMBER: "Yes."] I want the right hon. Gentleman to answer it. That is an assumption; I want him to make a definite statement. When a man has a point of view to put is he still to have liberty to make a speech, provided that he does not talk sedition and alienate people from their loyalty to the Crown, even though the Government of the day disagree with him—is he to be still in the same position as he was in the last war?

The hon. Member for West Middlesbrough (Mr. K. Griffith) made a point which I think wants clearing up. He asked whether a constituent who asked him to try to persuade the Government of the day to bring this war to an end would be breaking Regulation 39B. Such a person would be trying to influence public opinion. He would be trying to influence his representatives here to put his views to the House of Commons, in order that certain action might be taken which would be contrary to what the Government of the day thought should be taken. It is all very well to say that these powers will not be used in that way. It seems to me that, within the regulations, there resides the power to do that very kind of thing.

The right hon. Gentleman made a very striking slip—I do not say that in an insulting way. He said that it might be undesirable for people to propagate views having for their purpose an increase in dependants' allowances. I am not trying to misrepresent, and I do not think that I am doing so. It is within the memory of the House, and I want to ask this question. Suppose a newspaper tomorrow morning publishes a leader—take even the "Times" leader of this morning which criticised these regulations—saying that dependants' allowances are not sufficient, can it be said that that would be undermining the morale of the troops, because nothing would undermine the morale of the troops more than the knowledge that soldiers' wives and families at home were not getting sufficient? I am not a lawyer, but I think I could put up a very good case indeed that a man would be breaking the regulations in making that particular point.

Mr. George Griffiths: I shall be making it next Sunday morning.

Mr. Holdsworth: Suppose I made a speech of that kind outside this House, could it be said that I was interfering with the prosecution of the war? I would like the Government to give an answer to that point. Newspapers under these regulations can have their publication stopped. There is no halfway house or saying that they shall not repeat that particular

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[Mr. Holdsworth.]

offence; publication can be taken away from them within the terms of that regulation. If a newspaper, putting its opinion before its readers, says that we are not treating soldiers' wives and dependants, and old age pensioners as we ought to do, can that be treated as an offence under these regulations, and can publication of a newspaper be stopped because of that particular propaganda? The right hon. Gentleman should reconsider this particular regulation. If the powers within the regulation are used arbitrarily they can stop every form of justifiable criticism. I do not want to hamper the Government in what they want to do for the proper prosecution of the war, but I wish the Parliamentary Secretary would get up in this House and say that due notice would be taken of the honest criticisms—I am certain they are honest criticisms—from all parts of the House, and that reconsideration will be given to the particular regulations which have been criticised.

I do not want to see the growth of bureaucracy extended. I am absolutely unconvinced that we need all these controls and restrictions. While I do not want to criticise the Civil Service, I am certain that the right hon. Gentleman would bear the responsibility for these regulations. Without wanting to hurt his feelings, it was evident to me that, when he was making his speech, he did not know many of the regulations from A to Z, and I would like him to reconsider them and come back to the House and say that he is only asking for the things that are essential for his legitimate needs for the prosecution of the war, and that there will be no unnecessary restriction upon that freedom which we all praise so deeply.

10.0 p.m.

Mr. Kirkwood: I have sat and listened to this Debate throughout, and I believe that every Member of this House, irrespective of party, was depressed from eight o'clock to 20 minutes past nine, when we had the Home Secretary before us. The Home Secretary, who is highly respected in this House and a man of outstanding ability, stood at that Box, before a House which is anxious to support the Government, more anxious than any House that I have ever known. Never was the party to which I belong so unanimous in supporting the Government of the day. The Opposition have surrendered the right to contest any seat that may be vacant in the country. Yet that same House to-night was in open rebellion, not against the Home Secretary, but against what the Home Secretary is bringing before the House. He is trying to introduce a Measure against which the whole country is practically in revolt. There is not an outstanding personality in the country, who is any leader of opinion, but is averse to the proposals that the Home Secretary is putting before us to-day. No matter where you go in Britain, not simply England, that is the feeling. In Britain we stand by the idea of being free men. It has been inculcated into us from our boyhood, that for peace or war free men are better than slaves. Yet the Home Secretary is going to reduce us now to the condition which is being held up to scorn as the condition in Germany to-day.

I suggest that the right hon. Gentleman should take the regulations back in their entirety. When we were discussing regulation 18 (*b*) he said that there was no thought of taking drastic action such as was described in that regulation. When he said that, I was nearly swearing. If that is the case, why put the regulation in? On whom had the Home Secretary his mind's eye when he framed the regulation? It has been stated in the House and by individuals who have written on the regulations, that in the last war under the Defence of the Realm Act no individual could be arrested and thrown into prison without trial. That is not true. I was arrested and thrown into prison. I was deported without a trial, and I proved beyond a shadow of a doubt, after being 16 months deported, that I was innocent. I was brought home by the hon. Member for the Drake Division (Lieut.-Colonel H. Guest), who was then the Commander of the Forces in Scotland. I was brought home in the middle of the night, in a special train, and liberated, a free man. That was done under the Defence of the Realm Act.

We shall be in the same position again, because there is no power, either in the Home Secretary or in his party, which will prevent me from saying what I believe to be true. I believe that the truth will ultimately prevail. If that is the case, we should be prepared to pay the price for liberty, and that price is eternal

vigilance. I hope the Government will take note that this is not going to be a servile party. Here you have the Liberal party, who initiated this Debate, with great credit to the hon. Gentleman the Member for Dundee (Mr. Foot) for standing up for the liberty of the people. The country will not stand for these regulations. The Deputy-Leader of our party stated that the Government could not continue for one day unless they had the support of the Labour party. It is not merely the Labour Members, it is the outside workers, on whom you depend to produce munitions of war, who are up against these regulations, and they will not tolerate them. They are not going to be treated as if they were criminals. They demand to be treated with respect, and we were sent here to see that they are so treated. They are not going to be treated as poor relations. It is treating them worse than poor relations. What has my party got for surrendering all its activities, not only in the House but in the country, giving up all at the behest of the Government? Yet this is the way the Government treats us. Here is the whole of the party in open revolt, the party on which the Government depend. That is what my right hon. Friend the Member for Wakefield (Mr. Greenwood) said when he was leading us, and it is true. I ask the Government seriously to consider what they are doing. They have raised a hornets' nest about their ears. I am not speaking for my party but for myself, and I shall vote against the Government.

Lieut.-Colonel H. Guest: The hon. Member for Dumbarton (Mr. Kirkwood) mentioned me in connection with this matter, and perhaps I may be allowed briefly to address the House on this most difficult and delicate subject. During the last war, I had a great deal to do with the administration of the Defence of the Realm, and I know the feelings that are raised with regard to this matter. There are two sides to it, and one of them is the protection of the country. In every one of these regulations, the question of the safety of the Realm is brought in. To take one regulation, that which refers to detention, which the Home Secretary mentioned in his speech, I assure hon. Members that if the Order were annulled, it would mean that those persons who are now in detention would not be there legally. Those persons who are in detention now are probably persons who would do more harm to this country and to its people than almost anybody else. During the last war, I had experience in this matter in Scotland, as the hon. Member for Dumbarton said, and I had to do with the detention of certain persons. Those persons were spies in this country on behalf of Germany, and I was very glad that they were detained, for they were a real menace and danger to the country.

Mr. McGovern: Were they aliens?

Lieut.-Colonel Guest: Detention may cover people who may even be connected with British nationality; if anything, such people are the more dangerous people. I assure hon. Members that the things we had to contend with during the last war with regard to the Defence of the Realm were not matters which one would think are covered by these open regulations, but something hidden away in the regulations that gives the State power to deal with such persons. There are people who are covered by these regulations who could not be covered in any other way. For instance, there are people who have certain articles or specified equipment. During the last war, we had experience in connection with signalling apparatus on the coast of Scotland. All those matters are of vital importance from the point of view of the protection of the country. I beg hon. Members not to think of annulling these regulations, which are for the safety of the country and for the protection of the Realm. There is no question of using the regulations against individuals. [*Interruption.*] I had to adminster such regulations during the last war, and I can assure hon. Members that they were administered with generosity and kindness by those who had that responsibility. The defence, protection, and safety of this country are so important that, when one is fighting against a ruthless enemy, as we have in Germany, it is essential that these powers should be enforced.

10.14 p.m.

Sir S. Cripps: I have no doubt that the matter which the hon. and gallant Gentleman the Member for the Drake Division of Plymouth (Lieut.-Colonel Guest) has

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[Sir S. Cripps.]

mentioned is a matter that all of us must take into account, the vital interests of the country in a very difficult situation. I think it is necessary that we should clarify our minds calmly as to what exactly it is that we are attempting to examine to-night. Every hon. Member who has spoken so far has admitted that it is essential to have adequate protection against treason and sedition, and to prevent persons giving assistance to the enemy in such times as the present; and exceptional circumstances, I admit, may need exceptional regulations, something which may possibly go beyond the ordinary law as it exists in times of peace. What we must bear in mind is that it is far easier to throw away liberty casually than it is to get it back again afterwards, once it has been destroyed.

The question we have to consider to-night is: What is the minimum of special regulation which will accomplish the legitimate purpose of protecting the country against its enemies? Anything that goes beyond that is an unnecessary attack upon the liberty of the subject and ought not to be tolerated by those who should specially be the guardians of the liberties of the people. There is a very different problem which has been dealt with by the right hon. Gentleman—not what is the minimum necessary, but what is convenient for the administrator and the bureaucrat who promises not to misuse the powers, even though they are, admittedly, too wide. I venture to think that the right hon. Gentleman's statement proved conclusively that the attack so ably launched by the hon. Member for Dundee (Mr. Foot) upon these regulations was entirely justified. You cannot get out of it by citing instances in which the regulations might be used to good purpose and without doing harm. I readily admit that anyone can think of instances in which the regulations could be used quite properly and without doing harm to any person who ought not to suffer. What one can equally show is that they are, in their wording, wide enough to cover a multitude of instances, in which they could be misused to the great detriment of the freedom of the people of this country. The vital question is whether they do not take away the liberty of any class or party of people in this country, to oppose the Government up to the hilt, if they want to do so. It is very dangerous when governments start to identify themselves completely with the national interest. There is grave danger that they may take the view that everything the Government does is the national interest and, therefore, anyone who opposes the Government is opposing the national interest. If we arrive at this stage, as well we may under these regulations, then we shall have completely wiped out all political liberty in this country.

I want to examine for a moment or two, some of these regulations from that aspect to see whether they go further than is absolutely necessary, in order to protect the country from enemies or from people who are taking the side of or taking part with enemies in the times through which we are passing. There is one regulation which has not been mentioned yet and which I regard as being, from the point of view of the working-class population of this country, more dangerous and more damaging than any other. That is regulation 2B, the side-note to which is the word "Sabotage." Of course, people want to stop sabotage, which means action taken in order to assist the enemy by putting the industries of this country out of action. Let us examine what the regulation says. I leave out unnecessary words:

> "no person shall do any act with intent to . . . impede the . . . movement of any . . . vehicle . . . used . . . in the performance of essential services."

That covers substantially everything during a war, and that regulation applies

> "to any omission on the part of a person to do anything which he is under a duty, either to the public or to any person, to do."

That means that if there is a row going on, in some business, say, the transport side of some big business which is an essential business, and the foreman goes to a man and says, "You've got to drive that motor," and the man replies, "I'm blowed if I'm going to," because they have had some row, he is thereupon liable to 14 years penal servitude. That is literally true. He has omitted to do an action which he was under a duty to his employer to do, and it has impeded the movement of a vehicle which was used in the performance of an essential service, as, for instance, the distribution of food. Clearly, drawn as that is drawn,

it is much too wide. There may be cases in which it would cover an act done, not to impede the moving of a vehicle, but to destroy the output of a factory, and it may be necessary to cover that; but it cannot be necessary to have a provision in words so wide that it would stop any protest whatsoever of an active kind by any worker, whatever the conditions imposed upon him may be. It takes away every liberty of active protest and makes it a criminal offence to make that active protest. There could be nothing more damaging to the liberty of the common people of this country than an enactment of that kind. There is a typical instance where, by the judgment of the minimum that is necessary in order to give the essential protection, these regulations are drawn far too widely and need to be entirely recast.

If one goes on to 18B, which has been dealt with already, I would like to ask, when it says

> "in any manner prejudicial to the public safety or the defence of the realm,"

do the Government consider that it is thus prejudicial to try and do everything that is possible to displace the Government that is carrying on the war? Is that something which they would consider—because, after all, it is for them to consider—would be likely to prejudice the defence of the realm or, to use a phrase that is used in another regulation, "sufficient prosecution of the war"? I can well imagine that the Government, who think themselves efficient, though they have no basis for doing so, may also think that an attempt to displace them in the middle of a war is something which would interfere with "the efficient prosecution of the war," and if there is a chance of that view being taken, there is within these regulations an opportunity for the Government to destroy any political opposition that arises in the country. That, of course, destroys the whole political liberty of the people.

There is another phrase which, under 39A, covers disaffection. It is said that that is justified by the use of a similar phrase in the regulations of 1914. I do not accept the argument that because something was in the regulations in 1914, therefore it is right to put it in a regulation made 25 years later by another generation. There is every argument for reconsidering the matter. When one comes to examine the quotation which the right hon. Gentleman has made, in my view—I may be right or wrong—the context in which the word "disaffection" there is used gives it a perfectly clear meaning. "Mutiny, sedition or disaffection" give the key to the meaning of "disaffection." When the right hon. Gentleman says that it might be stirring up or causing disaffection if people were to suggest to soldiers—and this covers civil servants—that their pay and allowances were not adequate, it can be stopped. It is being suggested now to the civil servants that their billeting money is not adequate, and it is stirring up a lot of disaffection. These things can be stopped and prevented, on the right hon. Gentleman's own admission, if this regulation goes through unaltered. What hon. Member can for a moment say that, judging it from the minimum that is necessary, this regulation is needed? It cannot be necessary to have a regulation to stop civil servants organising and protesting against grossly unfair conditions, or to stop soldiers' and sailors' wives protesting against unfair conditions. If they had not been able to protest during the last few months questions could never have been raised in the House and they could not have been remedied. These protests and their acceptance by the House are vital to the efficient carrying on of the war, and to suppress them would be a disastrous thing.

The right hon. Gentleman admits that 39B is an entirely new thing. For the purpose of suppressing propaganda it is difficult to distinguish between different forms of propaganda, for what one person regards as good propaganda another regards as bad. The right hon. Gentleman and I would not agree what was desirable and undesirable propaganda. I should consider it highly desirable if as many people as possible would go about the country urging the rejection of this Government by the people of the country. I do not suppose that the right hon. Gentleman would, and in these circumstances unfortunately he is to be the judge, and I am not.

Sir J. Anderson: Not me.

Sir S. Cripps: Who is to be, then? Will the right hon. Gentleman tell me who is responsible for judging this matter under 39B?

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Sir J. Anderson: I do not see any reference to the Home Secretary.

Mr. Ede: The first words of Subsection (2).

Sir J. Anderson: Surely the hon. and learned Gentleman is talking about another regulation. There is no reference to the Secretary of State in 39B. It seems to me that the only person who can be a judge in that matter is the Attorney-General.

Sir S. Cripps: I am sure that must be wrong. The Attorney-General does not judge a political matter. He is not supposed to. There was a great deal of trouble over a certain Mr. Campbell because the question was the very point whether the Attorney-General should take into account political matters in deciding upon a prosecution. What is a manner likely to be prejudicial to the defence of the realm? Somebody has to judge politically. In the case of Mr. Campbell someone had to judge politically. That was not a case under the Defence of the Realm regulations but under other legislation. Someone has to make the political judgment in this matter. Who is to make it except the right hon. Gentleman?

Sir J. Anderson: I have a clear recollection of that particular case. I think it was clearly established that while the view of the Government in regard to what was expedient and what was not expedient was an ingredient in the discussion, the Attorney-General, in deciding whether or not to institute proceedings, could, as the hon. and learned Gentleman said, take into account the view of the Government; but he had to form his own judgment.

Sir S. Cripps: Of course he has to form his own judgment on the legal question. The Attorney-General has to decide every day of the week whether a criminal of one sort or another is to be prosecuted. But this question as to what is likely to be prejudicial to the defence of the realm is not one for the Attorney-General to decide, it is a political question. That is the question which the right hon. Gentleman will have to decide as a political matter. Having decided as a political matter that, say, Fascist propaganda or Communist propaganda is, broadly speaking, prejudicial to the safety of the realm, then it would be for the Attorney-General to decide whether the action of A, who has done or said something, falls within that particular definition; but the political decision will have been taken by a political and not by a legal officer.

Regulation 39E, again, includes the words " to promote disaffection," and gives power to the Secretary of State to give directions prohibiting the holding of a meeting if he is satisfied that it is likely to promote disaffection. Here, clearly, the right hon. Gentleman is to be the judge of what disaffection means. When you come to a meeting to promote disaffection—not disaffection in the armed forces, but disaffection among the employés of a particular industry—what does that mean? Surely the most common meaning of it, the meaning which is certainly being applied now in Colonies where there is similar legislation, is bringing the Government into hatred or contempt. I hope that a great many meetings will be held for that purpose in future. No Government can survive in a healthy state without them. Therefore, it seems to me that this Section goes infinitely further than is necessary to protect the people in this country against enemy aliens and others who are hoping to help the enemy. Disaffection, left absolutely at large in that way, opens the door to every sort of misuse from bureaucrats who are looking for something which they can use against the ordinary person.

In paragraph 3 we find that that enormously wide power can be handed over to any justice of the peace in the country. Take some colliery villages, where the justice of the peace is the manager or one of the owners or directors of the colliery. You give him the power to prohibit every meeting because it may cause disaffection. What chance will there be of holding pit-head meetings or any other kind of meetings if there is trouble in the colliery? There is absolute power to prohibit it entirely and completely and to take away all right of meeting, in a completely unnecessary way.

I should like to refer to one other regulation, 88C. Again, this is one that has not been referred to. It says:

" Any constable, any member of His Majesty's Forces, acting in the course of his duty as such . . ."

It has already been pointed out that it is difficult for ordinary persons to know when a member of His Majesty's Forces is acting in the course of his duty as such.

If he is marching along the road I suppose he is acting in the course of his duty as such. This regulation goes on to say:

" and any person authorised by the Secretary of State to act under this regulation may arrest without warrant any persan whom he has reasonable ground for suspecting to have committed an offence to which this Part of these regulations applies."

One has to look and see what that means. If one looks at Number 100 of the old regulations, one finds a special definition of the phrase:

" offence to which this Part of these regulations applies."

It is a very wide range of offences. To give a soldier on duty power to arrest without warrant any person whom he has reasonable ground for suspecting may have assisted someone to commit one of those offences seems to me to be something completely unnecessary, far wider than is necessary. It is a very dangerous power to put into the hands of constables generally or into the hands of any soldier on duty.

As regards many of the offences, it has always been held in the past that these arrests must not be made without warrant, and very often must only be made by special warrant, and by an officer of the police, not an ordinary constable. Yet here, the whole of that is wiped out and this extraordinarily wide power is given to any police constable or special constable in any part of the country.

I have made these observations in order to show that, by the only test which, in my submission, is relevant, namely, whether this is the minimum necessary to provide for the safety of the country, these regulations are clearly too broad and they ought, therefore, to be withdrawn and, if necessary, a new set be presented, which can be examined to see whether they adequately cover the necessities and do not endanger the liberty and freedom of the people.

10.38 p.m.

Sir A. Southby: The hon. and learned Gentleman addresses this House with all the force of one of the most distinguished and able lawyers in this country. Therefore, whatever his political persuasion may be, this House listens to him as to one qualified to speak on legal matters. He cited an instance of what might happen to an individual under Regulation 2B. Far be it from me to cross swords with him on a legal matter, but I should have thought that the case he had in mind would have come under Regulation 1A, where

" No person shall—

(*a*) do any act having reasonable cause to believe that it will be likely to prevent or interfere with the performance of their duties by persons in His Majesty's service or the carrying on of their work by persons engaged in the performance of essential services."

If the hon. and learned Gentleman looks further down he will see:

" Provided that a person shall not be guilty of an offence against this Regulation by reason only of his taking part in, or peacefully persuading any other person to take part in, a strike."

I speak as a layman, but it seems to me that the hon. and learned Gentleman did not apprehend the reserved powers of regulation 1A which seem to me to embody safeguards for the ordinary citizen in this country and to reserve to him, quite properly, the right to strike, in reasonable circumstances.

Sir S. Cripps: I am obliged to the hon. Baronet. That is why I did not quote 1A, which does preserve it, but when you come to 2A it is not preserved. That is the danger.

10.40 p.m.

Sir A. Southby: I do not wish to enter into a legal argument—I am not qualified to do so—but it seems to me that the right hon. Gentleman perhaps falls into error in supposing that the individual whose case he quoted would have been proceeded against under 2B when he would not have been proceeded against under 2A. However, the right to strike is properly preserved. When this Debate began I felt sorry for the right hon. Gentleman the Minister because it seemed to me that he had inherited these rgulations and that possibly had he drawn thm up himself they might have been drawn up a little differently. I am more sorry still for the right hon. Gentleman since the Debate has proceeded because he has been subjected to an exceedingly heavy fire from all sides of the House. It is, I think, obvious to all of us, on whichever side of the House we sit, that wide powers are essential at the present time. Unfortunately it is impossible to define the limits of those powers too exactly because nobody knows what circumstances will eventuate which will necessitate the application of those powers. That is the difficulty.

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[Sir A. Southby.]

Under ordinary peace-time circumstances it is fairly easy to limit powers but in the conduct of a war when the interests of the community are at stake it is hard to take into consideration all the possible circumstances which may arise. We all know that in this country there exist individuals, forces and organisations which are a danger to the community and the liberties of all of us, whatever our political opinions may be. I think we are also agreed that it is essential that the Government should be given adequate powers. I believe that if the House votes in favour of the Prayer which was so ably moved by the Member for one of the Dundee Divisions the only effect that will have will be to prevent the regulations coming into force, and there are many regulations in this Order with which we are in entire agreement.

We did not enter into this war in order to make a field-day and fiesta for Government Departments. A certain amount of interference with individual liberty is, unfortunately, necessary if a country is to conduct a war satisfactorily and successfully, but there is—and the Government must realise it—a very real and growing feeling in the country that interference is tending to run riot. I think it will be agreed that we are all getting indications from those whom we represent that there is a feeling of uneasiness. Trade, industry and amusement—all three are essential if we are to win the war—have been subjected to grave interference. There has been interference with the liberty of home life, liberty with what we are to do with our possessions, our communications, and our thoughts almost. Indeed, if the hon. Lady the Member for the Sutton Division of Plymouth (Viscountess Astor) had her way—and so fantastic are the days in which we live that it is not out of the bounds of possibility—that she might one day be sitting where the Minister is sitting—everyone knows that if that dreadful thing occurred every pub in this country would be closed and no man would be allowed to have a drink.

There is a feeling in the country that there is too much interference with the free enjoyment of business and home life. All of this may be necessary, but I cannot help feeling that the criticisms which have been voiced so forcibly in the Debate to-day have really been concerned with the growing feeling of uneasiness in the country, and with the necessity for calling some halt to the power of Government Departments. Interference is undoubtedly necessary, and it can be shown to be necessary and essential, if we are to prosecute the war to a successful conclusion; but do let the Government realise that there is still a red light in public opinion, to which their attention has been drawn by hon. Members, and which warns them when they are going too far.

I appeal to the Home Secretary and the Government to reconsider those regulations to which attention has been called and which have been criticised to-night. I do not think it would be right, wise or in the public interest, particularly in view of the effect that it would have abroad, that a Division should take place and that the Prayer moved by the hon. Member should be carried. I do not believe that anybody desires that; but what many hon. Members want is that there should be reconsideration, to see whether safeguards can be put in to meet legitimate criticism, while not in the least surrendering one jot or tittle of the proper powers which it is essential the Government should have. There is no doubt that there are and there will be circumstances which make the use of these powers essential. Cannot the Government devise means for preserving the power of this House to criticise and of safeguarding the liberties of the subject, while at the same time taking proper powers to enable the war to be prosecuted. The safety of the community can be preserved and at the same time the wishes of the House and the outside public given the fullest consideration.

10.47 p.m.

The Lord Privy Seal (Sir Samuel Hoare): I think the House at the end of this Debate would like a word from the Minister who was responsible for the Emergency Powers Act, under which these regulations have been issued. Hon. Members will recollect the conditions under which the Emergency Powers Act was passed. It was passed without a Division. I make an exception in regard to the three hon. Members below the Gangway, the hon. Member for Bridgeton (Mr. Maxton), the hon. Member for Shettleston (Mr. McGovern) and the hon. Member for Camlachie (Mr. Stephen). Apart from them, the House was unanimous. I made it very clear in the Debate

that the powers under the Bill would have to be very comprehensive and that it would depend entirely how those powers were administered whether or not we were sacrificing essential liberties. I could not have made the position clearer.

After eight weeks since the outbreak of the war, it is obvious to hon. Members that there are anxieties about certain of these regulations lest they should be abused and lest they might go too far. That being so, it is the duty of any Government—determined as any Government should be to keep a common and a united front in this House, and not to give any appearance that there are differences between us about essential matters connected with the conduct of the war—to take into account the kind of criticism that has been made in the Debate this evening. Accordingly, I have risen to make this proposition to the House.

I say, first of all, to all hon. Members on all sides of the House, and it is essential that the regulations should remain in existence. We could not contemplate for a moment the withdrawal of these regulations to-night, however objectionable some hon. Members may think them in certain details. The effect of that would be to leave a vacuum, and the result would be, to take a single instance, that the enemy aliens who at the moment are interned under these regulations would have to be released to-morrow morning. I hope that hon. Members will realise that we must keep these regulations in being until and unless new regulations take their place.

That brings me to the second point which I would bring to the attention of hon. Members. It is that I am very anxious that these regulations should have behind them general assent and on that account I am ready to offer to hon. Gentlemen opposite and the hon. Member below the Gangway an opportunity of consultation with the Government.

Mr. Holdsworth: And on this side as well.

Sir S. Hoare: Yes, and hon. Gentlemen on this side as well. We want general agreement upon these regulations and, as a result of these consultations, to see whether we can obtain general agreement. I am further ready to give an undertaking that whether or not we reach general agreement—I think we shall—we shall then introduce the whole body of regulations again, amended as I have just suggested to the House. Those regulations will then run for another period of 28 days during which any hon. Member can move a Prayer against them. That will mean that, by this arrangement, we shall not withdraw from the purview of the House the regulations as they are to-day or the proposed amendments. I am inclined to think that a proposal of that kind will meet with the general approval of the House, and that it will give hon. Members on all sides of the House the opportunity of bringing their views to the attention of the Government, and I hope that as a result we shall now obtain general agreement, and feel that we have behind us the whole body of the support of the House.

Mr. Attlee: Within what time?

Sir S. Hoare: I cannot give particular dates, but I think that in the course of the next two or three weeks we ought to be able to carry through this procedure.

10.59 p.m.

Sir Archibald Sinclair: I would like to say on behalf of my hon. Friends and myself that we feel the Government have made a very real offer to meet the criticisms that have been directed against these Regulations from all sides of the House, and we are very much obliged to the Lord Privy Seal for the suggestion he has made. There is one point in the Lord Privy Seal's offer upon which I would like to comment. He referred to the unanimous Second Reading which we gave to the original Bill. I agree with him that that unanimous Second Reading undoubtedly committed us to the acceptance of certain regulations broadly on the grounds we have been discussing this afternoon, but it did not commit us to some very important features of these Regulations, which we have discovered since they came out. In particular, I would remind the Lord Privy Seal that in that Debate he himself, replying to a speech which had been made by my hon. Friend the Member for West Middlesbrough (Mr. K. Griffith), said, as to the powers in the Bill, that someone suggested they were greater than the powers used in the last war, but that that was not so; and yet, in the course of the

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[Sir A. Sinclair.]

Debate to-day, it has come out clearly that some of the powers contained in these amended Regulations were greater than those which were in the Defence of the Realm Regulations during the last war.

We are grateful to the Lord Privy Seal for the proposal. We attach particular importance to the fact that he has undertaken that the new and revised regulations—revised in consultation with leaders of parties and those who have taken a prominent part in the Debate from all sides of the House—shall cover all the points on which criticism has been directed against these amended regulations. That is to say, the House will not find itself confronted in two or three weeks' time with a body of revised regulations which meet some of the points on which criticism has been expressed, but do not mention other points on which criticism has been expressed; and that, therefore, we shall have an opportunity of raising all these points again.

Mr. Bevan: I understood from the right hon. Gentleman that the whole body of the regulations will be made available to us, and brought alive again.

Sir A. Sinclair: That is exactly what I was saying. What the Lord Privy Seal has stated meets that point. There will be an opportunity of meeting other points, and it will not be a selected number of points which will be brought before us in the revised regulations. We do not propose to ask the House to divide on this Prayer. We are grateful for the opportunity which the Government have provided in this way for Parliament to prove that it is in fact the bulwark of the liberties of the people.

10.57 p.m.

Mr. Attlee: I think the Lord Privy Seal has taken a very wise course in consulting the feelings of the House. As I understand it, in the present proposal we are not losing our *locus* in regard to these regulations. They will be kept alive; they will come before us again in a short time; between now and the time of their reintroduction the Minister will consult Members of all parties in the House, and we shall get the full mind of the House. We cannot, of course, say that there will be agreement—we must reserve our judgment—but it seems to me that this proposal meets the very serious difficulty which existed.

10.59 p.m.

Mr. Maxton: I should like to associate myself with what has been said. I had every intention of voting against the Regulations to-night—and I still have every intention of voting against the next Regulations, because our opposition to the whole method of procedure is fundamental, and I do not expect that any emendations will make the regulations more acceptable to us. But certainly the Government are meeting the House very fairly, and it would be preposterous for us to dream of dividing at this stage. I hope that in the interval before the new regulations appear the Minister and the War Cabinet will exercise the greatest restraint in the use of the existing regulations.

10.59 p.m.

Mr. Foot: I rise to ask leave to withdraw the Motion, but before I do so, I should like to ask one question of the right hon. Gentleman, who has gone a long way to meet us. He has said that very careful consideration would be given to the various matters raised in the Debate. The right hon. Gentleman said there would be consultations between those responsible for the regulations and various schools of thought in the House. May we take it that we shall in those consultations not be confined to the particular regulation which has been mentioned, but that, if those who are consulting members of the Government wish to do so, they can bring to their attention other points which may occur to them in the interval?

Sir S. Hoare: I can give the hon. Gentleman, with the assent of my right hon. Friend, that assurance at once.

Motion, by leave, withdrawn.

The remaining Orders were read and postponed.

ADJOURNMENT.

Resolved, That this House do now adjourn.—[*Lieut.-Colonel Kerr.*]

Adjourned accordingly at Two Minutes after Eleven o'Clock.

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