



Home Office

Lord Sharpe of Epsom
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Lord Coaker and Baroness Blower,
House of Lords
London
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18 November 2022

Dear Lord Coaker and Baroness Blower,

Thank you for your contributions during the Public Order Bill's first day of Committee on Wednesday 16 November. During the debate, Lord Murray of Blidworth committed to write to you both on the trade dispute defence. Please find a response enclosed.

Clauses 6 and 7 of the Public Order Bill relate explicitly to obstruction or interference with the construction, use, and operation of infrastructure. Legitimate and lawful industrial action such as going on strike will inevitably cause such interference or obstruction. This activity would likely fall within the protection provided by the general reasonable excuse, but to provide reassurance and clarity to those who may consider lawful industrial action, this was made explicit on the face of the Bill. For the sake of clarity, this reasonable excuse does not extend beyond lawful activity.

The locking-on and tunnelling offences do not contain such an excuse as causing serious disruption to organisations and others through these tactics is unacceptable. Placing the excuse on the face of the Bill would legitimise a tactic for strikers whilst criminalising it for protesters.

With regards to picketing and other forms of lawful industrial action, this Bill does not make any changes to the existing rules and regulations. Once in force, those who seek to engage in lawful industrial actions can continue to do so as they currently do, safe in the knowledge that their lawful actions do not fall foul of the infrastructure offences in this Bill.

I hope the above provides a satisfactory response to your questions. I look forward to continuing to engage on these important issues as the Bill moves through Parliament. I am placing a copy of this letter in the House library.

Lord Sharpe of Epsom
Parliamentary Under Secretary of State, Home Office

