

Robert Kilroy-Silk MP: 1974-1979

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Despite all the hype surrounding the launch of Robert Kilroy-Silk's new Veritas Party, there has been very little comment or discussion about what Kilroy-Silk did when he was previously an MP. Yet Kilroy-Silk explicitly referred to this, in a conversation during BBC's documentary on his relations with UKIP, *Behind the Tan*, when he said that people could see the way he had behaved when he was last an MP.

Kilroy-Silk's Parliamentary career lasted 12 years. He was elected in February 1974 as the Labour MP for Ormskirk and served as Ormskirk's MP until boundary changes in 1983 saw him move to the new Knowsley North constituency, where he served as MP until his decision to step down from Parliament in 1986. (He was succeeded by George Howarth, who now represents the redrawn seat of Knowsley North and Sefton East). This briefing paper examines Kilroy-Silk's voting behaviour under the last Labour Government, from February 1974 to May 1979, using the valuable data gathered by Philip Norton at the University of Hull.* The data reveals Kilroy to have been a reasonably rebellious Labour MP (although by no means in the top rank of Labour rebels at the time), consistent in his opposition to Europe and aspects of devolution, but also a supporter of left-wing policies such as increasing income tax rates for the better off, defending worker rights, and cutting defence expenditure, while at the same time championing the legal rights of the individual and popular causes on pensions and benefits.

The rebellions

From February 1974 until May 1979, Kilroy-Silk voted against the Labour Government on 53 occasions, all but one of these dissenting votes being cast during the October 1974 – 1979 Parliament. Such a voting record put him below the most rebellious Labour MPs of the time such as Dennis Skinner, Ian Mikardo, or Audrey Wise, and also some way below beneath the likes of Robin Cook or Neil Kinnock (then moderately frequent rebellious Labour backbenchers). As the table shows, these 53 votes ranged across many different areas of policy.

Kilroy-Silk's first ever rebellious vote occurred on the issue of Europe: in April 1974, he voted against the Second Reading of the Channel Tunnel Bill, his only rebellious vote of the short March-October Labour Government.

He also voted against direct elections to the European Parliament on no less than six occasions (plus opposing the two Second Reading votes of the twice-introduced European Assembly Elections Bill, which were both subject to a Labour free vote) and voted in favour of greater scrutiny of European Commission documents by Westminster's Standing Committees. In April 1975, he was also one of 145 Labour MPs who voted against a Government motion (on a free vote, but against frontbench advice) supporting Britain's continued membership of the Common Market, following Foreign Secretary Jim Callaghan's 'renegotiation' of the terms of membership.

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* Philip Norton, *Dissension in the House of Commons, 1974-1979* (Clarendon Press: Oxford, 1980).

Issue	No. of times
Europe	8
Legal Rights	7
Devolution	6
Industry/Industrial relations	6
Defence	5
Public expenditure cuts	5
Income tax	4
Pensions & Benefits	4
Agriculture	3
Other	4
Total	53

Less well known is Kilroy-Silk's championing of the legal rights of those detained without trial introduced as part of the Government's anti-terrorist legislation in the mid-1970s. For example, in November 1974, he supported a Labour backbench amendment that would have provided for appeals against exclusion orders made by the Home Secretary of suspected IRA terrorist suspects. In July 1977, he supported a new clause to the Criminal Law Bill that would have entitled anyone held under the Prevention of Terrorism Act 1976 to be given the right to inform a person of their choosing about their arrest and the place they were being detained.

A similar pattern can be seen in Kilroy-Silk's defence of the rights of other suspects. During the passage of the Criminal Law Bill, he moved an amendment to remove the legal power that enabled the Government, local authorities and the courts to remand school children to prisons and Prison Department establishments. He argued that sending schoolchildren to prison (on remand) was intolerable and wrong. In August 1976, he had moved an amendment to delete a part of the Bail Bill that permitted a court to refuse bail if it had formed the intention of passing a custodial sentence. He urged the Government to adhere to the principle of the presumption of bail, 'particularly to those who are least able to defend themselves and are most in need of this kind of protection'.

In the 1970s, Kilroy-Silk also championed a number of popular causes relating to pensions and benefits. In July 1975, he spoke in favour of a Liberal amendment to the Finance Bill (which was not voted upon) that would have excluded all television sets from the higher rate of VAT. He argued that the tax on rentals would hit hardest those on the lowest incomes. Many pensioners and housebound people relied upon their televisions for companionship. 'To enact, as is proposed, a much higher, punitive rate of tax on their single and only pleasure seems to be unnecessary and regrettable'. A year later, the Ormskirk MP moved a new clause to the Finance Bill which would have exempted the first 50 per cent of taxable income from war widows' pensions. He argued that the clause would constitute a small, moderate and very justifiable concession. It affected only a relatively small group of elderly women. 'They are the forgotten women. The cost would be minimal', he added. In November 1977, he moved an amendment to the Pensioner Payment Bill to provide that the Christmas bonus for pensioners be paid annually and not just in 1977 as provided for in the clause. He argued that such a bonus was a very effective means of giving aid direct to the people who needed it most.

Kilroy-Silk also supported left-wing policies on defence, public expenditure and income tax. He routinely opposed the annual defence estimates, voted against cuts in public expenditure and supported amendments that would have made higher earners pay more in income tax and banned NHS facilities being used for private patients. He also backed legislation supporting the Government purchase of the assets of bankrupt companies from the receiver, the introduction of worker co-operatives, forcing companies to provide information to trade unions about their future intentions, and allowing people to peacefully picket on a highway or other public place 'without this constituting any offence or involving any civil liability'.

Kilroy-Silk was also prepared, in common with many other Labour MPs at the time, to press his rebellions to a point where they inflicted defeats upon the Government. Seven of his 53 rebellions contributed towards Government defeats, four of them on the issue of devolution to Scotland and Wales. For example, he supported the introduction of the '40 per cent' rule, requiring 40 per cent of the possible electorate, not just 40 per cent of those who voted in Scotland and Wales, to vote in favour, for the referendum to be carried. In January 1978, he also voted for an amendment to the Scotland Bill (which failed on this particular vote) that would have excluded family planning and abortion from the list of matters within the legislative competence of the Scottish Assembly.

Appendix: The Full Data

The Parliament of March – October 1974

30 April 1974: Voted against Second Reading of the Channel Tunnel Bill. (33 Labour rebels).

[One rebellion in the short Parliament of 1974].

The Parliament of October 1974 – 1979

The Session of 1974-1975

28 November 1974: Prevention of Terrorism (Temporary Provisions) Bill, Committee, Clause 4: Right to make representations to Secretary of State. Supported an amendment in the name of F. Hooley to provide for the establishment of an Appeal Tribunal to hear appeals against exclusion orders made by the Home Secretary, and for the Tribunal to have power to revoke or confirm such orders. (52 Labour rebels).

28 November 1974, Prevention of Terrorism (Temporary Provisions) Bill, Committee: New Clause 5 (Independent Tribunals). Supported the new clause moved by John Prescott that would have established a tribunal independent of the police to review allegations of abuse by persons detained without trial. (61 Labour rebels).

26 February 1975: Opposed the Second Reading of the Lotteries Bill, which increased the limits on small public lotteries. Opponents, including from constituencies in and around Liverpool queried the effect of the measure on employment in the city, which housed the headquarters of one football pools organization and the major part of another. (39 Labour rebels).

26 February 1975: Voted in favour of a prayer to annul the Civil List for 1975. At the time, the Government was trying to implement the Social Contract. Labour rebels felt the Royals should be doing their bit to cut public expenditure when everyone else was being asked to do the same.. (91 Labour rebels).

9 April 1975: *On a free vote*, but against frontbench advice, was one of 145 Labour MPs to vote against a Government motion supporting Britain's continued membership of the Common Market, following Foreign Secretary, Jim Callaghan's 'renegotiation' of the terms of membership.

7 May 1975: Voted against the Defence Estimates for 1975. (56 Labour rebels).

1 July 1975: Industry Bill, Report: Clause 2 (General Purposes and Functions). Supported an amendment in the name of Dr Jeremy Bray that would have required the National Enterprise Board to consult the employees of each enterprise it owned as to the form of management they wanted, and if the employees so chose, to permit the enterprise to be run as a workers' co-operative. (63 Labour rebels).

1 July 1975: Industry Bill. Report. New Clause 2: The Board and the Media. Voted against a Government new clause providing that neither the National Enterprise Board nor any of its subsidiaries could own newspaper or television companies. (68 Labour rebels).

2 July 1975: Industry Bill. Report. Clause 20: Persons to whom duty to disclose information applies. Government *defeated* when attempting to delete a subsection that before companies gave information about their forward intentions, the Government would have to provide them with a detailed forecast about the economic parameters. (41 Labour rebels).

2 July 1975: Industry Bill. Report. Clause 22: Information for trade unions. Opposed the Government's preference for discretionary (rather than mandatory) powers to serve notice upon companies to disclose information to trade unions within 28 days. (57 Labour rebels).

2 July 1975: Industry Bill. Report. Schedule 3 (Disclosure of information by Government). The Government was *defeated* when Kilroy-Silk and others opposed the deletion of the schedule, which made planning agreements conditional upon the Government disclosing certain information. (50 Labour rebels).

2 July 1975: Finance (No. 2) Bill: Report: Schedule 7 (VAT: higher rate): *abstained* after a debate on John MacGregor's amendment to exclude hired television sets hired prior to April 1975 from the higher rate of VAT, then at 25 per cent. Kilroy-Silk also spoke in favour of a Liberal amendment being discussed at the same time (but which was not voted upon) that would have excluded all television sets from the higher rate of VAT. He argued that the tax on rentals would hit hardest those on the lowest incomes. Many pensioners and housebound people relied upon their televisions for companionship. 'To enact, as is proposed, a much higher, punitive rate of tax on their single and only pleasure seems to be unnecessary and regrettable.' (5-10 Labour abstainers).

30 July 1975: Employment Protection Bill, Report. New Clause 7 (Peaceful Picketing). Supported an amendment in the name of Jeff Rooker that would have allowed people to peacefully picket on a highway or other public place 'without this constituting any offence or involving any civil liability'. (85 Labour rebels).

5 August 1975: Employment Protection Bill: Report. Clause 36: Rights of employee in connection with pregnancies and confinement. Supported an amendment in the name of Jo Richardson that would have reduced from two years to one year the period for which a woman would have continuous service with an employer to qualify for maternity pay. (52 Labour rebels).

3 November 1975: Standing Order No. 73A (Standing Committee on Statutory Instruments). Supported an amendment in the name of Nigel Spearing that would have allowed the Standing Committee on Statutory Instruments to consider Commission Documents upon a motion made by a Minister. (55 Labour rebels).

[13 rebellions in first session]

The Session of 1975-1976

10 May 1976: Agriculture (Miscellaneous Provisions) Bill. Report. Clause 17 (Application of following sections of Part II). Supported an amendment in the name of Dr C Phipps that would have provided that a family tenancy of a tenant farm should last for thirty years since the first occasion when there died a tenant. (42 Labour rebels).

20 May 1976: Police Bill. Report. New Clause 3: Complaints against the police of a person accused or convicted of a criminal offence. Supported Philip Whitehead's new clause, which laid down the procedure to be followed by the Police Complaints Board in the event of a complaint made by or on behalf of an accused or convicted person about the conduct of a police officer in relation to the former's arrest, charge or prosecution. (30 Labour rebels).

12 July 1976: European Parliament (Direct Elections). Voted for the closure motion, after an adjournment debate on the Report of the Select Committee on Direct Elections to the European Parliament. (80 Labour rebels).

13 July 1976: Finance Bill. Report. New Clause 13: War widows' pensions: 50 per cent exemption. Kilroy-Silk moved the new clause, which would have exempted the first 50 per cent of taxable income from war widows' pensions. He argued that the clause would constitute a small, moderate and very justifiable concession. It affected only a relatively small group of elderly women. 'They are the forgotten women. The cost would be minimal', he added. (17 Labour rebels).

14 July 1976: Finance Bill. Report. Clause 24: Charge of Income Tax for 1976-1977. Opposed an amendment by Robert Sheldon, Financial Secretary to the Treasury, that would have increased from £4,500 to £6,000 the level at which the higher rate of income tax would be applied. (46 Labour rebels).

22 July 1976: Rent (Agriculture) Bill. Report. Clause 6 (No statutory tenancy where landlord's interests belongs to Crown or to local authority etc). Supported an amendment

that would have made the provisions of the Bill apply to the Crown, the Government and the City of London. (110 Labour rebels).

29 July 1976: Aircraft and Shipbuilding Industries Bill. Report. Clause 19 (Vesting in British aerospace or British shipbuilders of securities of scheduled companies). Supported an amendment in the name of Kevin McNamara that would have purchased the assets of bankrupt companies from the receiver. (43 Labour rebels).

3 August 1976: Bail Bill. Report. Schedule 1 (Persons entitled to bail: supplementary provisions). Robert Kilroy-Silk moved an amendment to delete a part of the Bill which permitted a court to refuse bail if it had formed the intention of passing a custodial sentence, subject to reports. He urged the Government to consider his amendments, so that the principle of the presumption of bail was applied, 'particularly to those who are least able to defend themselves and are most in need of this kind of protection'. (49 Labour rebels).

12 October 1976: Health Services Bill. Report. New Clause 2 (Complete withdrawal of NHS beds from resident private patients and transfer of Board's functions to Secretary of State). Supported a new clause moved by L. Pavitt that proposed the complete withdrawal of NHS facilities from private patients. (48 Labour rebels).

2 November 1976: Poultry Meat Hygiene. Prayer. Supported a Conservative Opposition prayer that attempted to annul the Poultry Meat (Hygiene) Regulations 1976. (51 Labour rebels).

[10 rebellions in the second session]

The Session of 1976-1977

2 December 1976: Social Security (Miscellaneous Provisions) Bill. Voted against Second Reading. (30 Labour rebels).

12 January 1977: Defence: Supply. Supported an amendment to a Conservative Opposition motion in the name of F. Allaun calling on arms expenditure to be reduced. (76 Labour rebels).

19 January 1977: Scotland and Wales Bill. Committee. Clause 1 (Effect of Act). Supported a Conservative backbench amendment that the government of the Shetland and Orkney Islands would not be altered by the measure and that the proposed Scottish Assembly would have no jurisdiction over them. (16 Labour rebels).

4 April 1977: Budget Resolutions and Economic Situation. Ways and Means. Opposed a Government motion providing that the basic rate of income tax would be 35 per cent and the higher rates applying on incomes in excess of £6,000. (55 Labour rebels).

10 May 1977: Finance Bill. Committee. Clause 15 (Charge for income tax for 1977-78). Supported an amendment in the name of Dr O. MacDonald providing that the rates of income tax for people in the higher income brackets should remain the same in 1977-78 as in 1976-77. (55 Labour rebels).

10 May 1977: Finance Bill. Committee. Clause 15 (Charge for income tax for 1977-78). Supported an amendment in the name of Audrey Wise designed to exclude from taxable income the taxable dependency allowance for dependent children of widows and others. (34 Labour rebels).

6 July 1977: European Assembly Elections Bill. On a *free vote*, but against frontbench advice, voted against the Bill's Second Reading. (126 Labour Members, including six members of the Cabinet voted no; 132 Labour Members voted yes).

13 July 1977: Criminal Law Bill. Report. Supported a new clause in the name of George Cunningham that anyone held in custody under the Prevention of Terrorism Act 1976 would be entitled to have intimation of his arrest and of the place where he was being held

sent to a person of his choosing. The rebellion led to a Government *defeat*. (68 Labour rebels).

13 July 1977: Criminal Law Bill. Report. Schedule 12 (Repeals). Robert Kilroy-Silk moved an amendment to remove the legal power that enabled the Government, local authorities and the courts to remand school children to prisons and Prison Department establishments. He argued that sending schoolchildren to prison (on remand) was intolerable and wrong. (17 Labour rebels).

27 July 1977: Criminal Law Bill. Lords amendments. New Clause (Right to have someone informed when arrested). Following an earlier defeat on Report, the Government partially agreed that 'one person reasonably named' should be informed of the arrest of a person detained under the Prevention of Terrorism Act 1976. Kilroy-Silk supported an amendment to strengthen this clause. (67 Labour rebels).

[9 rebellions in the third session].

The Session of 1977-78

17 November 1977: Pensioner Payment Bill. Committee. Clause 2: Interpretation. Robert Kilroy-Silk moved an amendment to provide that the Christmas bonus for pensioners be paid annually and not just in 1977 as provided for in the clause. He argued that such a bonus was a very effective means of giving aid direct to the people who needed it most. It was morally indefensible for the Government to hold out the hope of a similar bonus in future years, and then decide in later years not to pay it. (13 Labour rebels).

24 November 1977: European Assembly Elections Bill. On a *free vote*, but against frontbench advice, opposed the Second Reading of the Bill (Labour split 134/74 in favour).

24 November 1977: European Assembly Elections Bill. Voted against the money resolution. (47 Labour rebels).

12 December 1977: European Assembly Elections Bill. Committee. Clause 1: Election to representatives to the European Assembly. Voted against the motion that the clause stand part of the Bill (69 Labour rebels).

12 December 1977: European Assembly Elections Bill. Committee. That Clause 3 be considered before Clause 2. (46 Labour rebels).

17 January 1978: Scotland Bill: Committee: Schedule 10: Matters within the legislative competence of Assembly, and within powers of Scottish Executive. Supported an amendment in the name of Lord James Douglas-Hamilton that would have excluded family planning and abortion from the list of matters within the legislative competence of the Scottish Assembly. (63 Labour rebels).

26 January 1978: European Assembly Elections Bill (Allocation of Time). Voted against the guillotine. (63 Labour rebels).

26 January 1978: European Assembly Elections Bill: Committee. Clause 3 (Method of Election). Voted against the Clause, as amended. (43 Labour rebels).

15 February 1978: Scotland Bill. Report. Clause 80: Referendum. Opposed Dennis Canavan's amendment to delete the 40 per cent requirement inserted at Committee stage, and to return the clause to its original state. The amendment was *defeated*. (51 Labour rebels).

15 February 1978: Scotland Bill. Report. Clause 80: Referendum. Opposed the Government's attempt to insert a one third rule instead of a 40 per cent rule. The Government was *defeated*. (38 Labour rebels).

15 February 1978: Wales Bill. Clause 83: Referendum. Supported an amendment introducing a 40 per cent rule for the Welsh Assembly referendum, which result in a Government *defeat*. (51 Labour rebels).

15 May 1978: Windscale (Special Development Order). Opposed the development of the Windscale site, following the Parker inquiry into the processing of nuclear waste. (46 Labour rebels).

15 May 1978: Wales Bill. Lords amendments. Clause 5: Disqualification for membership. Voted against the Government's motion disagreeing with a Lords amendment that Members of Parliament would be disqualified from being elected to the Welsh Assembly, resulting in a Government *defeat*. (20 Labour rebels).

[12 rebellions in the fourth session].

The Session of 1978-1979

7 December 1978: Business of the House (Supply). Opposed the Civil and Defence Estimates. (75 Labour rebels).

7 December 1978: Civil Estimates, 1979-1980: Opposed public expenditure cuts (43 Labour rebels).

7 December 1978: Civil Estimates. Opposed public expenditure cuts. (44 Labour rebels).

7 December 1978: Civil Supplementary Estimates, 1978-1979. Opposed public expenditure cuts (36 Labour rebels).

7 December 1978: Defence Estimates, 1979-80. Opposed. (58 Labour rebels).

7 December 1978: Defence Supplementary Estimates. Opposed. (59 Labour rebels).

6 March 1979: Independent Broadcasting Authority Bill. Opposed Second Reading (preparations for a fourth channel). (26 Labour rebels).

27 March 1979: Defence Estimates 1979. Opposed. (47 Labour rebels).

[8 rebellions in fifth and final session of the Parliament]