

# The ‘Singapore scenario’: the uncertain prospects for labour standards in post-Brexit Britain

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## ABSTRACT

The Conservative government of Theresa May asserted that labour standards would be preserved post-Brexit. The Labour Party also privileged labour standards in its anti-austerity programme. The threat remains however that Brexit will provide an incentive to erode labour standards in a global ‘race to the bottom’ in a ‘Singapore scenario’.

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## 1 INTRODUCTION

The UK referendum of June 2016 to decide on whether or not to retain membership of the EU yielded a voter turnout of 72.2 per cent with a majority of 51.9 per cent for Leave as against 48.1 per cent for Remain (BBC News, 2016a; Electoral Commission, 2016). As negotiations commenced with the European Commission over the terms of UK exit, it was quickly apparent that the combined asymmetric weight of the Commission together with the remaining twenty-seven EU member states placed the UK negotiators at a disadvantage. The possibility of negotiations eventually collapsing without an agreement has remained real and would probably not be removed until the final round of negotiations, with March 2019 as the official date of UK exit, regardless of any subsequent ‘transitional arrangements’ over however many years (Bloomberg, 2017a). The prospect of failure to achieve a negotiated Brexit and a chaotic exit from the EU single market and customs union without an agreement on a future trading relationship with Europe was not simply an initial negotiating stance but remained a real possibility (The UK in a Changing Europe 2017). Such an outcome would entail a stand-alone UK immediately reverting to World Trade Organization (WTO) rules come Brexit day, and the imposition of tariff barriers on UK exports to continental Europe.

Not everyone would see such an outcome as a disaster for Britain. Take James Dyson, one of Britain’s most celebrated entrepreneurs and an avid supporter of Brexit in the UK business community. He has argued that WTO tariffs are not a barrier to financial success or profitable trading with Europe, nor have they prevented his technology company from achieving record financial results. As Sir James has put it, the tariffs were

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'tiny penalty to pay' compared with other taxes such as corporation tax (*The Guardian*, 2017a). Dyson's announcement of new investment of £2.5bn in order to build a research and development campus in Britain was welcomed by Theresa May as an example of investor confidence in post-Brexit business prospects. Less publicised was the announcement that Dyson was also to invest in Singapore, not just in new production facilities but in associated R&D employing high-skill technology graduates from East Asia.

Extending the global reach of Dyson's innovative products initially came at the price of the closure of manufacturing facilities in England in the early 2000s, with the controversial loss of 800 production jobs, about half the then total UK workforce (*The Telegraph*, 6 February 2002). The success of Dyson's business model has relied as much on low-cost assembly labour (entailing a fraction of the wage costs of UK), first in Malaysia, then in the Philippines and, more recently, in Singapore, where the company is currently expanding. 'Offshoring' initially permitted Dyson initial overall savings reportedly of about 30 per cent on production and distribution costs (Hollinshead *et al.*, 2002, 263). Today the company reports that sales rose 45 per cent year-on-year for 2016, while underlying profits rose a staggering 41 per cent (*The Guardian*, 2017a). Dyson Corporation has reported to the UK authorities under the requirements of the UK Modern Slavery Act that there is no forced labour in its establishments and that it utilises an ethical database, supplier training, and audits from independent third-party bodies. There also exists a 'hot line' for worker complaints (but no independent trade unions) (Dyson, 2017).

For the Conservative government a vision of a post-Brexit Britain, akin to a European 'Singapore of the West', has a particular allure. It would be typified by a business-friendly environment, low or zero corporation tax, low wages, weak trade unions and a temporary migrant 'non-citizen' workforce, largely without the protection of national labour laws (McTague and Guerrero, 2017). This free-market paradise colours Conservative Party thinking well beyond the ranks of the 'hard Brexiters' in parliament. It is enthusiastically supported and argued for by Economists for Free Trade who are proponents of an ultra-liberal Brexit regime of unilateral free trade solely governed by WTO rules (Dowd, 2017). A 'Singapore scenario' as a model for post-Brexit Britain would appear to offer the congenial prospect of labour subordination, and its adoption would have significant potential implications for labour standards in a post-Brexit Britain.

The article proceeds as follows: first, a brief overview of the watershed 2016 EU referendum and the issue of labour migration provides the context. Second, the May Conservative government's rhetorical commitment to 'social justice' and the preservation of labour rights is critiqued. Third, the UK's 'Brexit' general election of June 2017 and its aftermath are considered. Finally, the possibility for advancing labour standards in the context of a developing anti-austerity movement is posed against the rather more pessimistic 'Singapore scenario' entailing a 'race to the bottom'.

## 2 THE EU REFERENDUM VOTE AND MIGRATION

Migration flows to the UK, especially from other EU member states provided the touchstone for the debates on EU membership during the 2016 referendum campaign. According to the Office for National Statistics, EU immigration for work began to increase following the EU Accession (enlargement) in 2004, from 65,000 in 2004 to 125,000 in 2007. There was a decline in EU immigration to the UK during the financial crisis of 2008 and 2009 among EU8 citizens. Up until 2012, it remained

steady at around 90,000 per annum. Since then EU immigration for work has increased from EU2 and EU15 nationals, the former following the lifting of the transitional controls at the start of 2014, seven years after Bulgaria and Romania's accession to the EU, and the latter coinciding with the weak labour market conditions in southern European EU15 member states. The net migration estimate from both EU and non-EU countries for the year ending December 2015 was in excess of 333,000 of whom slightly more than half were of non-EU origin (ONS, 2016a). An estimated 2.1 million EU nationals work in the UK, bringing the total number living in Britain to over 3 million, of whom about 1 million were from the newer EU member states. EU nationals constituted about 13 per cent of the total UK workforce, on a par with other major European older member states such as France and Spain (around 12 per cent) (Migration Observatory at the University of Oxford, 2016).

Since the 2016 Brexit vote, perhaps as a reaction to the spike in recorded 'hate crimes' and a generally hostile social climate towards foreigners, as well as a fall in the value of the pound compared with the euro, there has been a fall in net migration to the UK to 248,000. Professions such as medical care heavily reliant on immigrant labour appear to be suffering from staff shortages, but also more widely among lower-skilled occupations. According to the Office for National Statistics EU8 (East European new member states), citizens have partly driven the changes with a fall in immigration (down 25,000) to 48,000 and a rise in emigration (up 16,000) to 43,000 in 2016 (both statistically significant changes), resulting in the smallest net migration estimate (+5,000) since joining the EU in 2004 (ONS, 2017).

Statistics aside, the political problem for the Conservative government in the run-up to the EU referendum was that it had 'manifestly failed' to deliver on David Cameron's 2013 public pledge to reduce net migration over the coming years 'radically' to a figure of 'just tens of thousands' (Cameron, 2013; *The Independent*, 2015). Moreover, the assiduous fanning of xenophobic sentiment by the UK Independence Party was assisted by the EU-wide refugee and asylum crisis, lending credence to the populist demand to 'take back control of our borders' from the EU (*The Guardian*, 2016a).

The hinge issue in the EU referendum vote however was the question of the free movement of labour from other EU countries. The UK government as May put it intended to 'introduce control on free movement so that we have an end of free movement' (May, 2016). As Lillie and Simola, (2016) point out in a recent thoughtful contribution, 'Unresolved contradictions between supernationally regulated free mobility and national sovereignty have come to the fore, precipitating crisis. This is a serious obstacle for the European project, and one which is fundamentally embedded in the design of the European integration' (Lillie and Simola, 2016: 7). Free movement of labour constitutes one of the four 'foundational freedoms' of the European project to which every member state must subscribe. It was set out first in the treaty establishing the European Coal and Steel Community and given legal personality in the Free Movement Directive (The European Parliament and the Council of the European Union, 2004). In its original conception, labour in core industries would move freely across borders to where there were shortages. Successive European treaties broadened the notion of free movement of workers (and self-employed) to include members of their families. The Maastricht Treaty of 1992 introduced the notion of 'European citizen' with rights to live and work in any member state.

Polled in the aftermath of the referendum vote, 33 per cent of respondents indicated that migration was the chief reason for supporting Brexit (Lord Ashcroft Polls, 2016). One startling finding, however, has been that a high proportion of Leave voters, with the exception of smaller towns such as Wisbech in Cambridgeshire and Boston in Lincolnshire, experiencing significant East European inflows to agricultural work, were not concentrated in areas of the most immigration. More importantly, analysis of the Brexit vote by area suggested: 'Areas with a predominance of anti-immigrant sentiment are commonly characterized by long-term structural factors, resulting in low wages, low levels of education and high unemployment, alongside relative ethnic and cultural homogeneity' (Lawton and Ackrill, 2016). Such research corresponds with other analyses using polls by YouGov and Lord Ashcroft, which found that 'voting was correlated with district-based profiles of age, education (in particular, having a degree or not), income and social class (albeit with some outliers)' (Lawton and Ackrill, 2016). Thus, high proportions of Leave votes were observed in districts with an older age profile, lower proportions of residents educated to the equivalent of a degree, lower median earnings and lower proportions employed in highly skilled occupations. Such areas are located in the declining industrial communities of the North of England and Midlands, and in some parts of Wales, in other words, in areas hard-hit by austerity policies.

Research conducted by the Institute for Fiscal Studies has revealed that policies of austerity have polarised the population by heightening social and economic inequalities since the crisis of 2008, while undermining standards of living of the average working family through a decline in real earnings (Belfield *et al.*, 2015). The previous Conservative-led coalition under David Cameron's premiership had significantly increased the minimum wage to establish a national living wage, while reducing tax credits for the working poor. The Conservative austerity programme of saw public sector cuts from 2010 onwards intended to address the huge budgetary deficit inherited from the crisis spending of the preceding Labour administration. These cuts in social services and education included staff reductions in most government departments involving around 300,000 job redundancies as well as widespread pay freezes (Williams and Scott, 2017). These measures stood in glaring contrast to the billions of pounds of public funding provided to bail out the errant banking system, not to mention a tsunami of corporate scandals and alleged tax avoidance by supposedly reputable UK companies and financial institutions. Further planned cuts by the May Conservative government, in addition to those imposed under the previous coalition, including a cap on tax credits and benefit levels, were predicted to exacerbate social inequalities and hit low-income working-age households hardest (OECD, 2015). The economic reality was that by the mid-2010s, outside of London and the south east, there was not a single region of Britain where had incomes returned to their pre-financial crisis levels (Haldane, 2016).

Growing inequality and deprivation alone however does not entirely explain the complex mixture of motivations producing the result of the 2016 EU referendum (Clarke *et al.*, 2017). Immigrant populations, whether strongly present or not, were held partly to blame for the all-too-real, but much deeper-seated, economic difficulties experienced by locals. What these areas of economic decline have in common is the unequal burden of sacrifices endured by their populations, producing a shared political disconnect. This has fuelled resentments directed against immigrants in general and against those who have benefited from the economic reconfiguration produced by globalisation and European integration in favour of the metropolitan

south and better-off parts of Britain (Goodwin and Heath, 2016). Political scientists at the London School of Economics have suggested that it was non-EU migration that motivated those who voted in support of Brexit (Hix *et al.*, 2017). Their analysis supports the view identity was a significant factor in the referendum results. It is into this political space that xenophobic currents that cut across party lines flowed. In the words of the report of the National Centre for Social Research: ‘The Leave victory was not about objective demographics alone. Matters of identity were equally, if not more strongly, associated with the Leave vote—particularly feelings of national identity and sense of change over time’ (Swales, 2016: 2).

Debates on immigration, so bitterly expressed during the referendum campaign, will continue to be extremely important to trade union organising and left groups of multiple positions across Europe and beyond for the foreseeable future. Arguably, it is an old question that has haunted labour movements and struggles in support of marginalised groups since their inception: what to do about ‘migrants’, the stranger, the foreigner, and the vagrant? (Anderson, 2013). At a time when the (nation) state form is under threat but continues to be the form through which populations understand the distribution and accountability of political power, ‘migration’ has become a touchstone issue inextricably linked to questions of national sovereignty. Free movement presented a perfect opportunity for the May Conservative government to attempt to turn the question of migration to its advantage.

### 3 THERESA MAY’S ‘SOCIAL JUSTICE’ TURN

Theresa May has disingenuously attempted to capture a deep-seated anger, the objective roots of which lie in the social resentments created by the financial crisis and austerity among wide sections of the population (*The Guardian*, 2016b). In speaking for ‘the nation’, May sought to infuse the notion of ‘social justice’, a traditional left cause, with a content that is both anti-Europe and anti-immigrant. In so doing, the politics of social justice and the politics of identity have been deliberately conflated in a socially pernicious way. Achieving this ideological shift, quite distinct from the politics of her predecessors, has required the elaboration of a new narrative whereby the Conservative government champions the cause of ‘the ordinary working-class family’ for whom ‘life is much harder than many people in Westminster realize’ and who only ‘just about manage’ (the so-called JAMS) (*The Spectator*, 2016a).

This political vocabulary added a new populist depth to the vote for Brexit. In her own words, the vote said May, ‘was not just about the EU but was about something broader—something that the European Union had come to represent. It was about a sense—deep, profound and let’s face it often justified—that many people have today that the world works well for a privileged few, but not for them’ (*The Independent*, 2016). May went on further to acknowledge, ‘it wasn’t the wealthy who made the biggest sacrifices after the financial crash, but ordinary, working class families. And if you’re one of those people who lost their job, who stayed in work but on reduced hours, took a pay cut as household bills rocketed, or—and I know a lot of people don’t like to admit this—someone who finds themselves out of work or on lower wages *because of low-skilled immigration*, life simply doesn’t seem fair’ (*The Independent*, 2016. emphasis added).

The new political lexicon of ‘fairness’ presented the paradoxical picture of a Conservative government repeatedly proffering assurances that workers’ rights were

of primary concern to it. Thus, claiming that British workers' rights would be protected after leaving the EU, David Davis, the cabinet minister responsible for Brexit stated at the Conservative Party conference in October 2016: 'To those who are trying to frighten British workers, saying 'When we leave, employment rights will be eroded', I say firmly and unequivocally 'no they won't'. Britain already goes beyond EU law in many areas—and we give this guarantee: this Conservative government will not roll back those rights in the workplace' (*The Spectator*, 2016b). Assurances of preserving workers' rights bestowed as a result of EU membership also merited a separate chapter of the Brexit *White Paper* of February 2017, laying out the legislative basis for Britain's withdrawal from the EU (HM Government, 2017a).

The Conservative Party election manifesto of 2017 took the repositioning of Conservative politics towards 'ordinary working people' a step further (Conservative Party, 2017). May rejected what she termed the 'untrammelled free market' and the 'cult of selfish individualism', promising that her 'mainstream' government would act as 'a force for good...at the service of this country's working people' (Conservative Party, 2017: 7–9, 38). The Conservative 'Great Meritocracy' promised 'a fairer Britain that works for everyone, not just a privileged few' (Conservative Party, 2017: 47, 5). The future Conservative government would provide, *inter alia*, an increase in the National Living Wage to 60 per cent of median earnings by 2020, 'proper rights and protections at work' and employee representation on company boards, as well as shareholder scrutiny of executive pay as part of wider reforms to corporate governance (Conservative Party, 2017: 18).

To provide some substance to her claim to represent 'ordinary working people', May also moved to address the politically sensitive question of exploited workers in the so-called gig economy spawned by the growth of internet shopping for goods and services. The government's own research confirmed that the erosion of full-time standard employment opportunities since the crisis had left many in the labour force in increasingly precarious employment and underpaid, even in terms of the national minimum wage and the national living wage (Department for Business, Energy, and Industrial Strategy, 2016, 2017; ONS 2016b). For such workers, 'flexible' working arrangements provide the only significant upside in a labour market characterised by growing insecurity, allowing companies to minimise statutory obligations to provide paid holidays, sick pay, parental leave or pension contributions (*The Guardian*, 2016c). Widely publicised scandals involving leading UK High Street names, such as Sports Direct, employing workers on so-called zero-hours contracts, placing workers 'on-call' at the employer's disposal, added to public concerns and resulted in a UK parliamentary inquiry (House of Commons, 2016). The prevalence of zero-hours contracts had grown rapidly in the aftermath of the crisis, up from 143,000 in 2008 to an estimated 900,000 plus employees or 2.8 per cent of the workforce in 2015 (GOV.UK, 2016). Those companies at the forefront of the 'gig economy' such as Uber, Deliveroo, Asos, Hermes and Addison Lee also however saw legal claims for standard employment rights from their ethnically diverse workforces, now demanding and winning enhanced employment status as 'employees' (Woodcock, 2016). The May government duly established the high-level independent Taylor review of contemporary employment practices to make recommendations with an election manifesto promise to 'make sure that people working in the "gig" economy are properly protected' (GOV.UK, 2016; Conservative Party, 2017: 16).

What was new was the perceived need to foreground the enforcement and maintenance of fair labour standards as part of building a populist Brexit project, '(m)aking the market work for working people' (*The Independent*, 2016). The disingenuous solidarity with workers implied its own closely drawn lines of exclusion however. In this narrative, special importance was given to the ongoing targeting of so-called illegal or undocumented migrants who by definition were not part of 'the nation'. Controlling 'illegal' (undocumented) immigration was an issue that May as Home Secretary under the previous administration pursued with unremitting intensity. Now, in the new rhetoric of 'fairness' such persons were identified as among the chief culprits for the low pay and poor working conditions of native British workers. The appointment of a Director of Labour Market Enforcement, created under the Immigration Act of 2016, intended to make it 'harder for people to live and work illegally in the UK', imposing even tougher penalties on employers who employed undocumented workers, with penalties including potential custodial sentences of up to two years (Fudge, 2016).

The targeting of foreign and undocumented labour had become part of ongoing Conservative strategy to reap political capital from the xenophobic momentum unleashed by the EU referendum vote. May's Conservative government had nimbly captured the UK Independence Party's anti-immigrant rhetoric in a shift to the right. In similar vein, Amber Rudd, the newly appointed Home Secretary in the May Conservative government, proposed requiring all British firms to list their non-UK citizen employees in an effort to 'encourage' employers to recruit workforces locally rather than from abroad. In mounting this proposal, Rudd explicitly disavowed any charge of racism (BBC News, 2016b). However, this initiative was seen as 'unhelpful' in the eyes of employers' organisations seeking to recruit labour from abroad. While the government subsequently rowed back from the original proposal, it was clear that the intention remained to compile such lists in the future, a flavour of post-Brexit labour policies to come.

The problem persists that if free movement of labour was to be ended, a rational migration policy that included a labour market test of where genuine labour shortages existed that could not be filled by domestic recruits, must somehow be devised. For employers in labour-intensive sectors relying on migrant labour such as agriculture and horticulture (but also food-manufacture, meat-processing, restaurants and warehousing) who had built their current business models on the exploitation of cheap and plentiful low-wage migrant labour, the prospect of Brexit brought a new dilemma (AHDB, 2016). Either they would need to invest in automation technologies that replaced such human labour and the 3D (dirty, dangerous and demeaning) jobs they performed or, in the absence of a domestic labour force, they would need to consider new sources of recruitment possibly from outside the EU. The latter was not something a Conservative government bent on controlling immigration was likely to take kindly towards.

Senior government ministers recognised the difficulties that an abrupt end to free movement of labour and access to the single market would create and called for some form of 'transitional arrangements' to be put in place. As David Davis, the Minister for Exiting the EU, declared during a visit to Estonia in Spring 2017, 'in the hospitality sector, hotels and restaurants, in the social-care sector, working in agriculture, it will take time—it will be years and years before we get British citizens to do those jobs', suggesting that the door would not 'suddenly shut' (Bloomberg, 2017b). An immediate end to low-skilled migration would create significant personnel

problems both for industry and for the public sector, a problem with the May government was slow to acknowledge.

The substance of a post-Brexit labour migration policy would only be revealed at a later date to first enable closer consultation with business interests and a more realistic assessment on their needs. Whatever the system of immigration control eventually adopted in the aftermath of Brexit, the threat of new divisions in the workforce based on nationality and immigration status would remain. State-sanctioned legitimisation of the application of differential standards of labour protection as between UK and EU citizens would likely lead to an institutionalised tier of 'second-class' migrant workers whose rights to live and work in Britain on terms equal to those of native workers had been significantly eroded.

#### 4 2017 GENERAL ELECTION

Theresa May announced a snap general election in April 2017 ostensibly to enhance her parliamentary majority of 17 seats and capitalise on fierce divisions in the Labour Party over Jeremy Corbyn's leadership. The Conservative's lead in the opinion polls of 20 percentage points over Labour, and May's even larger personal ratings advantage over Corbyn of 52 percentage points were calculated to result in a landslide victory that would wipe out Labour as an electoral force for a generation to come. With the Prime Minister leading 'Team May', her campaign mantra promised 'strong and stable' leadership capable of achieving 'the best Brexit deal for Britain' (May, 2017a). The Conservative election manifesto duly reiterated May's stance of 'hard Brexit'—'no deal is better than a bad deal for the UK'—entailing if necessary, forfeiting UK access to the European single market and customs union in order to regain control over immigration from the EU (Conservative Party, 2017: 35). For May, prioritising the ending of free movement of EU citizens to Britain and the terminating the legal supremacy of the European Court of Justice over UK law were overriding objectives, even at the cost of tariff-free trade with Europe. This was to be advanced as the UK's 'non-negotiable' position in the Brexit negotiations. The European Commission for its part adopted a determined posture of 'no concessions' in the negotiations that were to commence after the election (BBC News, 2017a). In the view of Brussels and of leading member states, the inevitable outcome of Brexit process must be that the UK economy becomes less prosperous outside of the EU's single market and customs union, if only *pour encourager les autres*.

From the European Commission, the message was clear: without free movement of labour there could be no UK access to the European single market. Adding to the tensions between the UK and the European Commission over free movement was the continuing refusal of the May government unconditionally to guarantee the rights of the 3.2 million EU citizens already resident in the UK, without reciprocal assurances concerning the rights of the 1.6 million British expatriates resident in EU countries (HM Government, 2017b; BBC News, 2017b). Equally contentious was the question of the size of the UK's 'divorce bill', the amount that the UK was calculated as being liable for based on estimated future contributions to the EU budget. Finally, not least in contention was the question of a future possible UK/EU land border between Northern Ireland (part of the UK) and Eire (the Republic of Ireland) an EU member state. Agreeing to these negotiating priorities was set as the 'strictly necessary' prerequisite by the European Commission in order for the Brexit talks to advance as a process of 'orderly withdrawal', and as preliminary to



any future trade deal between the UK and the EU. The UK was required to demonstrate 'sufficient progress' on these issues before other matters such as a future trading relationship could be considered (European Commission, 2017).

As the 2017 general election campaign progressed, however, it became clear that domestic issues came increasingly to the fore. Many older Conservative voters were alienated by the proposal in the Conservative party's election manifesto to levy unlimited charges for the costs of home-based care for the elderly to be reclaimed after death against the value of household property, with the exception of the last 100,000 pounds. The hostile reaction to this so-called dementia tax forced May to make a hurried public U-turn, promising a future 'cap' on charges to homeowners. Further proposed policy measures added to the lukewarm reception of the Conservative manifesto: a 'means-test' for winter fuel payments to pensioners, weakening the 'triple lock' indexation of 2.5 per cent per annum in state pensions, abolishing free school lunches for infants, a commitment to reintroduce selective schooling, and confusion over whether or not the Conservatives in office would increase income tax. These errors of political judgement, together with a poorly executed campaign strategy that made the Prime Minister appear remote and out of touch with the electorate, were to prove fatal to May's aspiration to eviscerate Labour.

The Labour Party election manifesto '*For the Many Not the Few*' was strongly anti-austerity in its thrust and a significant departure from the previous consensus-seeking politics of New Labour and the middle ground (Labour Party, 2017). The manifesto, in both prematurely 'leaked' and final costed form, offered a raft of policies for progressive re-nationalisation of rail, water, energy and postal services, greater state regulation, ending student tuition fees, more regional devolution and redistributive taxation of the rich and a levy on excessive executive pay. Commitments to security and equality at work promised to enhance labour standards measurably. These proposals included equal rights from day one for all employees, whether part-time or full-time, temporary or permanent status. A second area of commitment was outlawing 'zero-hours contracts'. Again, Labour promised it would clamp down on employment agencies malpractices and those employers resorting to the imposition of 'bogus' or false self-employed status to avoid social insurance liabilities. Fees for pursuing employment tribunal claims introduced in 2013 ranging between £390 and £1,200 were also to be removed, thereby allowing easier legal redress previously for workplace grievances such as unfair dismissal, equal pay claims or sex discrimination, especially difficult to afford for lower paid workers. The introduction of such fees had resulted in a drop of up to 70 per cent in the number of claims. In the event, just over a month later, in late July 2017, the UK Supreme Court ruled that the employment tribunal fees regime was unlawful under both domestic and EU law, because it had the effect of preventing access to justice. The Supreme Court also indicated that the regime, which charged fees at a higher rate for those claiming discrimination, was indirectly sex discriminatory and that those who had been charged fees previously should be reimbursed (*The Independent*, 2017a). Finally, the manifesto gave a commitment to promote sectoral collective bargaining to encourage collective representation by trade unions, an attempt to shift the balance of power towards labour for the first time in a generation.

Were a Labour government to be elected, Labour promised to reverse the restrictive measures imposed by the Trade Union Act 2016. Moreover, millions of public sector workers whose annual pay increases had been frozen altogether or

capped at 1 per cent since 2011 also had seen their fundamental right to take part in industrial action restricted. A minimum of 50 per cent of those entitled to vote on any strike were required take part in the ballot. In 'important public services', at least 40 per cent of those entitled had to vote in support of the action, while abstentions would be counted as 'no' votes (Smith, 2015: 357; Labour Party, 2017: 47–48). Labour's proposed measures to rebalance employment protection law towards the rights of employees to collective representation formed a key element of the party's manifesto.

For working people in general Labour's campaigning emphasis on anti-austerity policies engaged with voter concerns over the future of the National Health Service, the economy, housing and jobs. It was these issues that resonated with the electorate, turning the election into an increasingly close contest. Corbyn's lifetime experience of campaigning and communicating with ordinary voters proved an enormous asset as he addressed mass rallies of supporters across the country, attended by hundreds and sometimes thousands of supporters. The Wales correspondent of *The Guardian* wrote of one election rally: 'Corbyn's crowd was so big in Colwyn Bay that nobody could believe that many people lived in Colwyn Bay' (*The Guardian*, 2017b). Internal critics in the party and leading newspapers accused Corbyn of promoting a 'far-left' agenda that would 'take Britain back to the 1970s' (ComRes, 2017; Business Insider UK, 2017). Instead what emerged was a 'left turn' at the base of the Labour Party with tens of thousands of younger voters recruited to join in campaigning, vote and provide an important impetus towards repositioning Labour as offering a credible political alternative to Conservative austerity policies.

## 5 ELECTION AFTERMATH

The outcome of the election of 8 June 2017 was historically momentous. It saw Labour secure 40 per cent of the popular vote compared with the Conservative share of 42.4 per cent, a result that was as remarkable as it was unexpected. The polls at one stage had suggested May could increase the number of Conservative MPs by over 60, with Labour declining to 164 MPs, barely half the total of 326 MPs required to form an overall majority government. In terms of parliamentary seats gained, the final Conservative tally reached 318 MPs, representing a loss of 13 seats and eliminating May's previous working majority of 17. The Labour Party, defying all expectations, increased its representation by 30 MPs to 262 MPs, not sufficient to form a majority government in its own right, but more than enough to reinstate Labour as the largest opposition party.

Had it not been for a Conservative Party revival in Scotland, where the party won 13 seats in total, including 12 from the independence-supporting Scottish National Party, the outcome would have been even more damaging for the Conservative government (BBC News, 2017c). Theresa May's spectacularly failed general election gamble had torpedoed her own seemingly unassailable position as Prime Minister, such that her eventual demise seemed all but inevitable, halted only temporarily by the fear of further internal party chaos, the need to contain even more unmanageable internal Cabinet divisions over Europe and not least, the prospect of a Labour victory should another general election be called. Her own future in the balance, a contrite and chastened Prime Minister apologised to the party hierarchy for 'getting us into this mess', sacked her two closest advisors, and promised a more inclusive style of government (BBC News, 2017d). With May's authority undermined, the chorus of demands that she soften her 'hard Brexit' stance from the liberal press, and from

within the Conservative Party (led by her own Chancellor of the Exchequer, Philip Hammond) grew louder. Primarily, this would entail downgrading a preoccupation with controlling immigration and the unilateral ending of the legal supremacy of the European Court of Justice over UK law, and instead prioritising key economic questions of Brexit, such as the future trading relationship with Europe (*The Independent*, 2017b; Hammond, 2017).

It was clear from the traditional post-election 'Queen's Speech' delivered by the monarch to the Parliament (although written by the government outlining its proposed legislative agenda) that achieving Brexit would entail a slew of new legal enactments over the coming two years. Besides a Repeal Bill, formally known as the EU (Withdrawal) Bill, establishing the legal pre-eminence of UK law over EU law, there would be a succession of detailed enactments in order to repatriate control over key areas of policy such as immigration, trade policy, customs tariffs, agriculture and fisheries (Queen's Speech, 2017). Once again, there was the promise to protect workers' rights, but this time without further detailed elaboration. The threadbare nature of the policy agenda advanced underlined just how weakened the Conservative government had become.

Following the shock election result, the Prime Minister attempted to 'reset' her claim to leadership of the government. Speaking on the release of the long-awaited *Taylor Review of Modern Working Practices*, May appealed for cross-party contributions to addressing the challenges the report raised (Taylor, 2017). Restating her political mission to tackle 'injustice and vested interests that threaten to hold us back', May ruefully acknowledged her political discomfiture: 'When I commissioned this report I led a majority government in the House of Commons. The reality I now face as Prime Minister is rather different' (May, 2017b). May was accordingly circumspect about bringing forward any new legislation to advance the proposals discussed in the report, while her appeal for cross-party collaboration to address the issues that it raised, was immediately rebuffed by Labour.

The *Taylor Review*, presumably well-meaning in its call for 'respect and decency at work', appeared to celebrate the absence of a strong regulatory framework in many areas of employment rights as emblematic of 'the British way' (Taylor, 2017: 26). In this regard, the report was New Labourite to its core. The irony of history was that it was not just Thatcher's implacable hostility to trade unions that had limited UK labour rights but also subsequent policies of New Labour under Tony Blair's decade-long premiership from 1997 onwards (Smith, 2009). These policies retained much of the Thatcher's anti-union legislation and continued resistance to key European directives, such as that on limitations of working time. This resistance was orchestrated at EU level by Peter Mandelson, Blair's loyal lieutenant and co-architect of New Labour policies. As EU Commissioner for Trade, Mandelson worked assiduously to neuter those directives that New Labour saw as hampering business competitiveness, while vigorously promoting a deregulatory agenda of so-called Better Regulation at European level.

The *Taylor Review* nevertheless contained some positive proposals, including ensuring equal pay for agency workers, stamping out unpaid internships and providing sick leave for low-paid workers. Overall, however, it proved to be a profound but not unexpected disappointment in the eyes of the trade unions, particularly in its failure to recommend banning zero-hours contracts and address employer abuse of imposed or 'forced' self-employed status (CLASS, 2017). In retrospect, the commissioning of this inquiry was no more than an opportunistic

attempt by May to 'steal Labour's clothes' by co-opting one of Blair's key policy advisors. However, May's populist message of 'fairness' failed to resonate with the electorate, and not least with many in her own party, deeply uncomfortable with her ill-advised and ungainly flirtation with the cause of working people.

By contrast, Corbyn pointed to the everyday realities of austerity Britain in speech after speech at mass meetings across the length and breadth of the UK. Corbyn's politically precarious leadership, up until the general election at least, was now beyond dispute, with even former leadership adversaries and critics rushing to come back on-board. The election conclusively demonstrated the fiercely anti-austerity mood of the electorate. Austerity, from being an unquestionable inevitability, had now become a matter of political contestation as never before.

## 6 CONCLUSION

In the aftermath of the UK general election and protracted stalemate throughout the autumn of 2017 in negotiations between the UK government and the European Commission, the political trajectory of Brexit is impossible to predict. It is legitimate to ask nevertheless what might be the prospects for labour standards in a post-Brexit Britain. Here, the 'Singapore model' may begin to assume a pernicious reality that represents more than just a continuation of ongoing attacks on organised labour and employment rights that have characterised governments of both left and right since the 1980s. It seems not unreasonable to anticipate a development of the neoliberal political economy of Britain in terms of radical or even 'hyper-globalisation' after Brexit (Rodrik, 2012). UK plc could indeed operate as an offshore entity exploiting a competitive advantage with continental Europe without any inhibiting 'ratchet effect' (arguably already weak) on labour standards, derived from existing EU directives, such as those on working time and equal treatment. The likelihood is that a Conservative post-Brexit government, in pursuit of economic survival at any price, would be compelled to renew its assault on labour in order to drive down standards in a qualitatively intensified manner. The paradox of a Conservative Brexit (of both 'hard' and 'soft' varieties) is that both exercise a vertiginous downward gravitational pull.

May's government, in belated overtures has sought to reassure UK business interests that a Brexit Britain outside of the EU will not be less attractive to foreign investors or potential trading partners. Conservative government ministers have been duly dispatched around the world to sound out prospects for post-Brexit bilateral trading agreements as the UK seeks to assume the oxymoronic mantle of a 'Global Britain'. The character of those future trading agreements will be crucial for future labour standards. Having no independently negotiated trade deals during forty years of EU membership, the UK is faced with the need to adopt the expedient solution of 'cut and paste' of existing EU agreements into UK equivalents (Politico, 2017). This may prove problematic however, insofar as any new trade deal offers an opportunity to foreign parties leverage significant concessions on regulatory issues. A straw in the wind, for example, is the free trade agreement currently being mooted with the United States (albeit in a preliminary way), which would entail the UK loosening its environmental and safety standards, and surrendering control over the setting of key national standards to international arbitration bodies (Bloomberg, 2017c). International trade agreements, regulatory standards and their enforcement,

particularly regarding labour standards, are especially vulnerable under WTO auspices in a context of weak overall global governance (Tsogas, 1999; WTO, 2016).

At the same time, a re-assertive Europe, at least temporarily unified by determination to move 'beyond Brexit', has emboldened European Commission President Juncker to trumpet those 'partners across the globe ... lining up at our door to conclude trade agreements with us' (Juncker, 2017). Countries that would be prime candidates for trading agreements with a post-Brexit Britain such as Australia and New Zealand were among those identified as future partners. Juncker attempted to position the EU rather than the UK as the real champion of global trade. Yet fears of regulatory competition were also now uppermost in the minds of Europe's leaders. Both Donald Tusk, President of the European Council representing the combined EU heads of government, and Michel Barnier, as chief negotiator for the European Commission, separately warned that a future UK trade deal with Europe 'must ensure a level playing field, in terms of competition and state aid, and must encompass safeguards against unfair competitive advantages through, *inter alia*, fiscal, social and environmental dumping' (*The Telegraph*, 2017a; *The Independent*, 2017c). Conjuring up the prospect of failure to agree any future trading relationship between the UK and the EU, Barnier has queried, 'It is up to the British to tell us whether they still adhere to the European model', adding, 'their answer is important because it directs the discussion on our future partnership and the conditions of its ratification' (Bloomberg, 2017d).

In response, UK Chancellor Philip Hammond (seeking to maintain the option of UK access to the single market) denied that the Conservative government wanted to turn the UK into a deregulated, Singapore-style economy. Post-Brexit, said Hammond, Britain would maintain a 'social, economic and cultural model that is recognizably European', claiming, 'I often hear it said that Britain is considering participating in unfair competition in regulation and tax. That is neither our plan nor our vision for the future' (*The Telegraph*, 2017b). By contrast, Foreign Secretary Boris Johnson, (as a forthright proponent of 'no deal' if the Commission's price of exit were to be too high—they can 'go whistle') argued in an ebullient essay in *The Telegraph* for the enticing prospects awaiting a deregulated post-Brexit Britain. Rejecting the European Commission for 'trussing the nations together in a gigantic and ever-tightening cat's cradle of red tape', Johnson lamented, 'countries that look to us for a lead on deregulation, and free markets, and trying to resist the centralising role of the Commission' are 'all too often ... less powerful than the great centripetal force of integration' (Boris Johnson, 2017). Johnson's characteristically combative and colourful intervention was seen as undercutting Prime Minister May in her, ultimately futile, keynote Florence speech intended to break the ongoing autumn deadlock in negotiations over Brexit. May was forced to reassert that 'regulatory issues are crucial', affirming 'we share a commitment to high regulatory standards. People in Britain do not want shoddy goods, shoddy services, a poor environment or exploitative working practices and I can never imagine them thinking those things to be acceptable' (May, 2017c).

The resolution of these polarised views on the regulatory contours of post-Brexit Britain was unlikely in a fractured Conservative administration, saddled with a weakened leadership, beset by bitter internal Cabinet and party feuding, and worn down by unsavoury sex scandals. As the first five hundred days of Brexit drew to a close with the 'clock ticking' after six rounds of negotiations, the prospect of talks on a future trade deal with the EU appeared no nearer. Against a background of

swirling rumours of parliamentary plots to oust her, and the further parliamentary progress of the enabling EU (Withdrawal) Bill potentially enmired by over 350 amendments, Theresa May had cause to reflect that Brexit presented her premiership with the ultimate poisoned chalice.

At the time of writing, in mid-November 2017, there is however a more optimistic scenario to that of a future UKapore, although largely conditional on the (now by-no-means-impossible) return to power of a Labour government committed to advancing labour standards by enhanced legislative protections of employment rights, and reversing the anti-trade union laws of previous administrations. Labour's progressive 'left turn' signifies a departure from New Labour and Blairism. Corbyn's Labour Party conference speech explicitly rejected the 'broken model' and 'failed dogmas of neoliberalism', first put in place by Margaret Thatcher, as a viable framing for equitable social and economic policy (Corbyn 2017).

Shifting the balance of power in the workplace towards employees would renew confidence in collective organisation eroded for more than a generation. At the same time, linking emerging trade union struggles to reverse the impacts of austerity with wider community campaigns against reductions in social services and welfare, and mobilising a new generation of political activists against exclusionary and divisive politics, could build barriers against the encroachments of pervasive racism and xenophobia. In that sense, a political project that privileges the advance of labour standards for the Britain of today now becomes integral to the politics of the post-Brexit Britain of tomorrow. The business model of labour devaluation and 'regime shopping' in a Singapore scenario, whereby the competitive lowering labour standards is the chosen pathway to economic salvation, can be challenged. It implies a popular democratic movement, with all that this entails in terms of the careful detailed organisation of day-to-day struggles. This can offer the progressive alternative of an inclusive future for post-Brexit Britain based on a shared citizenship and collective welfare rather than a 'race to the bottom'.

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