



Department
for Transport

Mark Dickinson
General Secretary
Nautilus International
1 & 2 The Shrubberies, George Lane
South Woodford, London
E18 1BD

From the Parliamentary
Under Secretary of State
Kelly Tolhurst MP

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000
E-Mail: kelly.tolhurst@dft.gov.uk

Web site: www.gov.uk/dft

Our Ref: MC/278455
Your Ref: AMD/AMc

24 FEB 2020

Dear Mr Dickinson,

Thank you very much for your letter of 6 February, raising the very important legal case – Walker v Wallem Shipmanagement. I am replying as the Minister responsible for this policy area.

This case is, of course, of great concern to me, and my Department have already begun examining the legislation that the tribunal referred to in their judgement. It is our opinion that it was never the intention of the legislation to permit this loophole, and we will work with the relevant stakeholders, including Nautilus International, to examine and address this. I understand that officials have already had discussions with Charles Boyle, Director of Legal Services at Nautilus, on the issues raised by the employment tribunal. There can be no doubt that a seafarer should have the same level of protection as a person working on land.

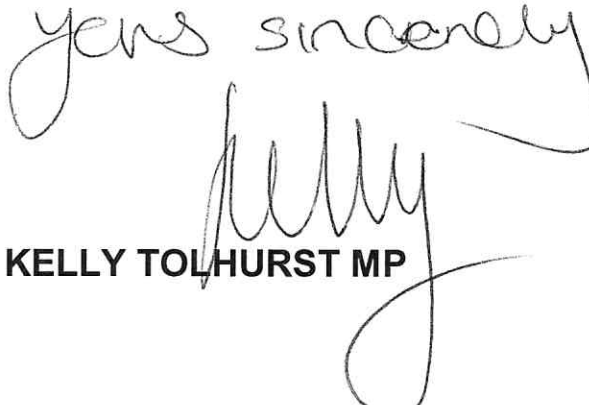
As you rightly mention, recruitment and placement are also covered within the Maritime Labour Convention (MLC), and this judgement suggests that there is a gap in our level of protection to seafarers. It is understood that if the cadet in question had not applied for a job as a seafarer, but rather for a land-based role, then she would have been protected by the Equality Act 2010. However, due to the wording of the Regulations specific to work on ships and hovercraft, the judge was unable to apply the protection of the Act, and although he agreed that discrimination had occurred, was unable to uphold the complaint.

As you know, this Government is, and has been, strongly committed to promoting the sector to women, and supporting them to pursue a maritime career. The UK was an active participant at the International Labour Organization (ILO) meeting last year to discuss these issues. The UK also has some of the highest figures globally for female seafarers, and yet this case shows how far the sector still has to go. We are not complacent, and we do need to improve the diversity of the sector across all ranks. However, seafaring is a global industry and seafarers will work on vessels outside our jurisdiction. We need to ensure that women and any others at risk of discrimination, wherever they may work, have a safe working environment free from harassment and bullying.

The MLC has taken steps in that direction, but there are still too many reports and stories that indicate that this is still an issue. The culture and attitudes to women and others in foreign States may not align with that in the UK, and practices that would not be acceptable here are not always frowned upon abroad. That is why the UK is working both domestically and internationally to improve this situation. We continue to work with the ILO and International Maritime Organization (IMO) to ensure that the sector fully addresses equality and diversity, including the working culture on board the vessels and in the companies.

Once again, I agree that this case is indeed very troubling, and I thank you for raising it, particularly as I begin my tenure as Minister with responsibility for Maritime. I can assure you that the Department is determined to do everything possible to resolve these issues so that no other seafarer, or potential seafarer, face this upsetting situation.

I look forward to working with yourself and Nautilus International to tackle a wide range of matters going forward.

yours sincerely

KELLY TOLHURST MP