

# *Socialist* **Lawyer**



Magazine of the Haldane Society of Socialist Lawyers **#83** October 2019 **£3**



  
**United For Grenfell**

**Socialist Worker**  
**Tories have blood on their hands**  
Justice 4 Grenfell

**STAND UP TO INJUSTICE**  
**A FULL AMNESTY FOR ALL**  
Justice 4 Grenfell



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The Haldane Society was founded in 1930. It provides a forum for the discussion and analysis of law and the legal system, both nationally and internationally, from a socialist perspective. It holds frequent public meetings and conducts educational programmes. The Haldane Society is independent of any political party. Membership comprises lawyers, academics, students and legal workers as well as trade union and labour movement affiliates.

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After the 39 tragic deaths of Vietnamese migrants in October, protestors held a vigil outside the Home Office calling for an 'End to the hostile environment' towards refugees and migrants.

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“It’s time  
for real  
change”

After five years I’m stepping down as editor of *Socialist Lawyer*.

There’s a rumour (which I choose to believe) that there never was a snail in a ginger beer bottle. Mrs Donoghue, apparently, made it up, and the case never went to a full trial because Mr Stevenson died after the House of Lords remitted the claim. We can only imagine the whites of the claimant’s knuckles as she gripped the benches of the appellate courts, watching the mess she had created spinning out into thousands of very expensive hours.

I’m passing on the reins partly because I can think of no more powerful critique of the law – I can commission no more insightful lampooning of the legal system – than Mrs Donoghue’s lie. Years spent wrangling over an omission that never happened, binding precedent founded on non-existent facts, millions of people’s understanding of the law shaped by a myth. This may be a distressing thought for lawyers but I suspect the feeling is fairly familiar to our clients: they come to the courts to find that no reality exists except for the distorted, semi-recognisable reality of the documents.

In this edition Paul Heron explains how, ten years into austerity, Labour councils are failing their constituents. Glyn Robbins reports on phase 1 of the Grenfell Fire inquiry. Campaign Against the Arms Trade explain their fantastic victory regarding the government’s arms export licenses to Saudi Arabia. Joe Latimer looks at the fundamentals of children’s rights legislation 30 years after it was passed. Liam Welch explores the sinister relationship between employers and invasive technology. We interview Graham Dring, whose ground-breaking appeal in asbestos litigation may help to bring

justice to so many others. We also report from the Haldane fringe event at Labour Party conference, a Haldane member reports on the effects of Israeli settlement growth, Bill Bowring outlines the society’s voluminous activities in the international sphere, and we emphasise our stance on Turkey, Kurdistan and Rojava. We are also delighted to feature the United Friends and Families Campaign’s annual London march, and there are three excellent reviews.

I’m so grateful to everyone who has ensured that each edition of this magazine has been printed despite my (apparent) best efforts to stop them. Designers Andy Smith and Denise Bell have carried every edition: their excellent ideas, insightful content and thoughtful commissioning go well beyond their brief of providing a beautiful design. Jess Hurd is an outstanding photojournalist, whose fingerprints are all over each edition. Tim Potter and Russell Fraser coaxed my early editions into life, and Joe Latimer has become indispensable more recently. Most importantly, each edition is made up by those who have contributed something for free: their analysis; their experience; and their skills.

Whoever takes on the editorship will have big shoes to fill. Not mine (which are quite small, and constantly running late), but during the course of putting this edition together we found an old copy from 1989. Back then there was an editorial committee of seven – four are now QCs, three sit in the High Court and one is in the shadow cabinet.

Finally, we received the sad news that Ian Macdonald has died and a full obituary will appear in our next issue.

I look forward to seeing you all at the AGM on 23rd January.

**Nick Bano**, editor,  
socialistlawyer@haldane.org



## A fair wage for legal aid: organising for legal sector workers' rights

**A** lively event examining workers' rights and industrial practice in the legal aid sector took place at Irwin Mitchell's offices in London on 14th August. Chaired by Tara Mulcair, a member of Young Legal Aid Lawyers and a solicitor specialising in civil actions and inquests, the audience heard from three thoroughly engaging speakers.

Usman Mohammed from Organise, a startup providing decentralised campaigning tools for grassroots activism in the workplace, gave practical examples of how they can help facilitate and organise effective action. For instance, after sending surveys out to workers in the fashion industry, Organise linked up two workers who provided similar accounts of being subjected to sexual harassment. After helping them with a survey at their workplace, a number of other allegations against the chief executive emerged. It soon became clear that there had been over a hundred complaints and he was forced to resign in infamy.

Usman also described how Organise helped workers at Waterstones and are currently helping the Legal Sector Workers United gather information.

Danielle J Manson, from the Criminal Bar Association, covered the inappropriateness of fixed fees for criminal briefs and the difficulty

of establishing a united front in the legal aid sector, especially when there are so many nuances to how lawyers' labour is remunerated.

This led seamlessly to Zachary Whyte, trainee solicitor and co-founding member of Legal Sector Workers United, a new branch of United Voices of the World. After describing its grassroots origins and member-led structure, Zac outlined its aims of LSWU organising workplaces in the legal sector to improve pay and conditions and sector-wide campaigning for access to justice.

Zac looked at the prevalence of low pay and mental ill-health among those who dedicate themselves to legal aid. Unionised workers get a fairer deal, he insisted. Legal aid workers – solicitors, barristers, pupils, paralegals, court workers, and everyone else in the sector – share common problems.

Zac said the Ministry of Justice only listens to judicial review and industrial action. The former will always be limited in what it can achieve, and the latter will never be effective unless professionals from across the legal sector present the case for justice as a united front.

In a lively and engaging discussion a recurring view was the need for solicitors and barristers to unite, but questions arose around the practicalities of legal professionals taking direct action.

**Joe Latimer**

## Organising for change in prisons

**A** special talk in the Haldane Society's human rights lecture series, on prison law and organising for change, was held in September 2019 at the University of Law.

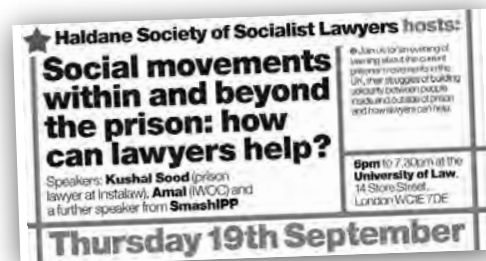
Kushal Sood, a prison lawyer at Instalaw, began by insisting that if lawyers want to help prisoners, we should not sidestep the idea of fighting for prison abolition. Kushal's view is that progress is made 'as much by building things on the outside as dismantling things on the inside.'

Kushal went on to note that the problem with the current legal framework is not a lack of laws, but rather a lack of access to justice. In discussing the need to 'look at prisons through the prism of race', citing the statistic that a prisoner is six times more likely to be subjected to disciplinary proceedings if they are black, which has a knock-on effect of having less opportunities for trusted work and issues in progressing through one's sentence. Kushal argued that we cannot escape the colonial history of prisons and their relationship with policing.

In commenting on how lawyers can help prison movements, Kushal said that lawyers must be aware of the racial bias contained within

the Offender Assessment System (OASYS), used to calculate the risk of harm to the public and the re-offending risks of prisoners. The factors involved in assessing risk includes categories such as employment, accommodation, mental health issues, and equates to a system which is 'rigged and full of self-perpetuating bias'. Kushal noted how in fact activists have been able to take direct action in helping prisoners and their release by sourcing accommodation, which then means that a prisoner does not have to remain on a waiting list for a place in an Approved Premise (AP), ie a probation hostel.

Next, Amal from Incarcerated Workers Organising Committee (IWOC), spoke about their organisation, which begun in the United States during the 2015 prison strikes. An offshoot of the Industrial Workers of the World (IWW), the IWOC launched in London a year ago, and fights for the incarcerated on issues including fair wages prison isolation, treatment,



### July

**9:** Hong Kong leader Carrie Lam kills the proposed extradition bill that sparked the ongoing protests in Hong Kong. 6th June saw 3,000 Hong Kong lawyers take to the streets in solidarity.

**31:** The Court of Appeal upheld the rule that evidence provided in confidence to the family courts can be handed to police. The parents in *Re M (Children)* had met in Syria and had their children taken into care upon arrival in the UK. The Court of Appeal gave particular weight to the fact that the police investigation related to terrorist offences.

### August

**7:** Mr Abdullah Muhammad Rafiqul Islam was denied permission to bring judicial review of the Home Secretary's decision to revoke his son's citizenship. The last we know was that his son remained in Kurdish custody and would have likely been handed over to either Iraqi or Syrian courts, which the court noted would be 'likely to lead to the death penalty'.

**11:** The Home Secretary empowered over 8,000 cops to authorise 'enhanced stop and search powers' under section 60 of the Criminal Justice and Public Order Act. This allows police to indiscriminately stop and search whoever they like in a designated area, ie they can be as discriminatory as they like...

conditions and healthcare provision.

In discussing letter-writing activities of the IWOC, Amal stressed how important these have been for those inside. However, the difficulties in this method of organising were outlined, including establishing communication when it is difficult to know whether the letters sent to prisoners are actually received. Furthermore, the mere fact of a prisoners organising themselves can lead to hurdles in their own progression through the prison system, including an example given of a prisoner being denied parole as a result of their political organising whilst in custody.

An activist then spoke from SmashIPP, an organisation set up to assist those who are subject to sentences of imprisonment for public protection (IPP). Although IPP sentences were abolished in 2012, their legacy means that an estimated 2,480 still remain without a set release date. The reality is that over 90 per cent of those on IPP sentences have already served the minimum set term before they can be considered for release.

Insight into the psychological impact of these sentences was elucidated by SmashIPP, as well as the disadvantages faced by IPP prisoners who face an extra wait of one and a half years for a parole hearing, as they find themselves at the bottom of the pile. Additionally, after years of austerity, the difficulties of accessing necessary courses means these prisoners have no means of demonstrating to the parole board that they are no longer dangerous. SmashIPP assists by building and showing solidarity with those on

## XR activists defy police and win in High Court



*Extinction Rebellion (XR) was vindicated in the High Court when judges ruled that a police order banning its part in the 'International Rebellion' in October was unlawful. Thousands staged occupations, road blocks and other actions for two weeks across London, as part of a global demand for more action to tackle climate change. The Judicial Review examined the Metropolitan Police's use of Section 14 of the Public Order Act to ban public*

*assemblies throughout London during the rebellion. Hundreds were arrested under this power. Police used Section 14 to try and stop occupations in Westminster. A gathering of two or more XR activists counted as an 'assembly' and was in contravention of the order. They initially used Section 14 to restrict protest to Trafalgar Square, but later moved to clear the area after "continued breaches" of the order.*

Picture: Jess Hurd / reportdigital.co.uk

IPP sentences, including by writing to them and befriending them. SmashIPP also emphasised the importance of lawyers who are trauma-informed, noting the lack of understanding in the prison system of how prisoners either entered the prison system with trauma or have experienced trauma whilst incarcerated.

Lastly, a speaker from Community Action on Prison Expansion (CAPE), an organisation which fights prison expansion in England, Wales and Scotland, highlighted the importance of lawyers in assisting

activists and prisoners but emphasised that prisoner-led, bottom-up campaigns are essential for changing the prison system. The success of the Campaign to Fight Toxic Prisons was used as an example where grassroots organisers along with the Abolitionist Law Center stopped the construction of a huge prison in Kentucky, USA. It was a clear case, CAPE's speaker said, where activists 'could not have done this without lawyers, but lawyer also couldn't have done it without us!' The speaker from CAPE noted an area ripe for

challenge is the enforced gender binary in prisons, where those who are gender non-conforming, non-binary or transgender are assigned as either male or female by the state and the violence they further face whilst in custody.

Abolition was a thread in all of the contributions of the speakers, but it was the speaker from CAPE who called for the need for a legal centre in the United Kingdom which is unabashedly abolitionist and recognises the importance of working with both prisoners and activists.

**Natalie Csengeri**

**31:** Immanuel Wallerstein, radical intellectual whose 'world-systems theory' provided crucial insight into the nature of modern capitalism, passed away at the age of 88.

Who said? (answer at the top of page 13)

**'At no stage during the limited time I spent with him did I see, witness or suspect any behaviour.'**

- a) Boris Johnson on Donald Trump;
- b) Donald Trump on Boris Johnson; or
- c) Prince Andrew on Jeffrey Epstein

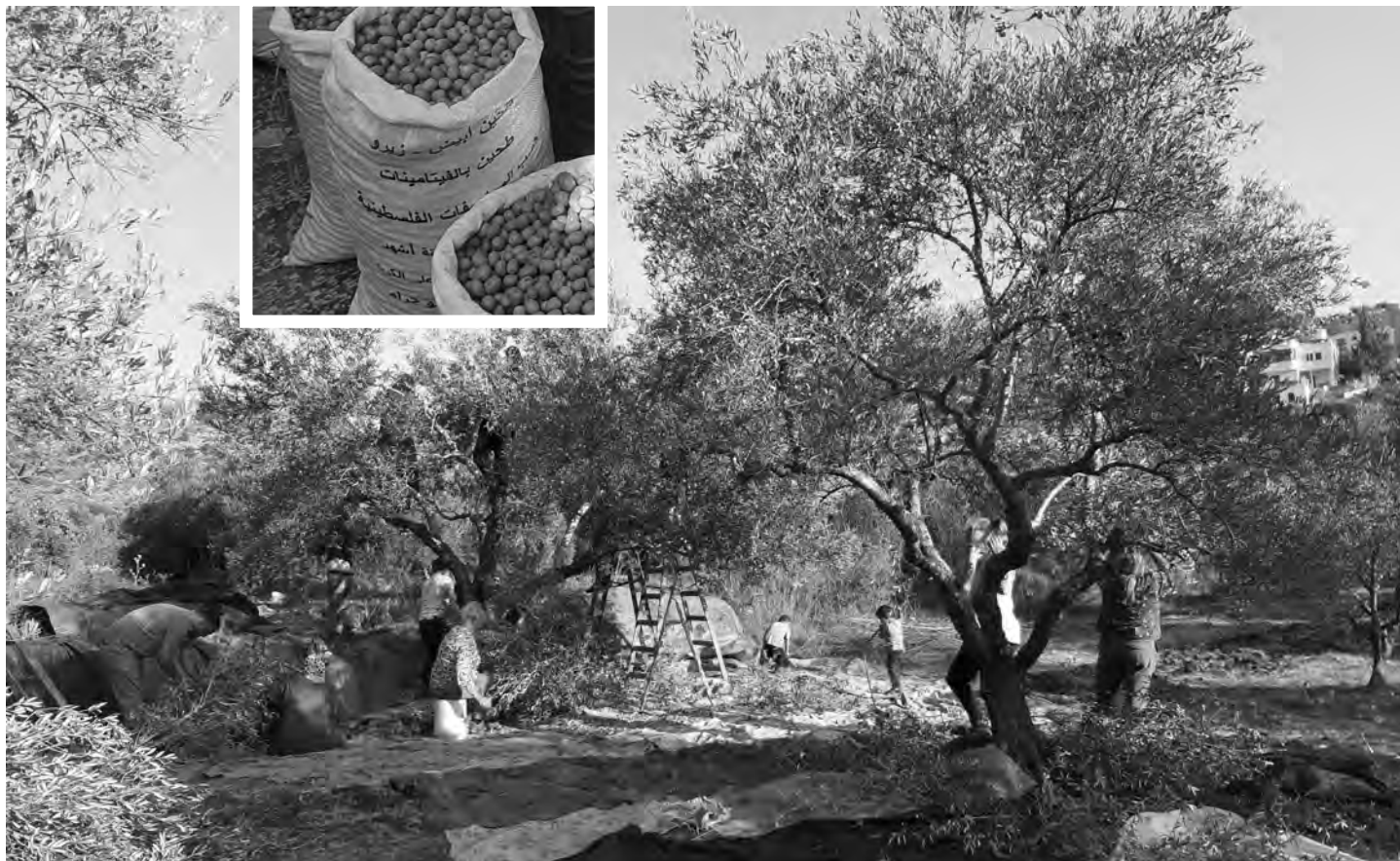
**£500,000,000**

The amount of profit the Home Office has made in immigration fees in the last four years

**£1,330** The cost of a single application for British citizenship

**£600** The amount in profit the Home Office makes from each application





## Bitter fruits of illegal settlement growth

**M**any internationals visited the occupied Palestinian Territory in October 2019, supporting the olive harvest in various locations in the West Bank.

Palestinian farmers frequently encounter problems with permit/checkpoint crossing restrictions when seeking access to their own fields and groves and army harassment and settler

intimidation and violence are commonplace. Whilst the 'protective' aspect of an international presence amongst the harvest has been welcomed by communities over many years, this year saw a particularly violent attack by masked men who emerged from an illegal Israeli settlement near the northern West Bank village of Burin on 16th October.

A volunteer from the organisation Rabbis for Human Rights suffered a broken arm and several others were hurt. For good measure, the perpetrators set many olive trees alight, a familiar occurrence faced by farmers in fields tended over many generations.

International visitors of course are able to return home after showing solidarity by joining the

harvest. But the incident was a sobering reminder of one facet of the brutal Israeli occupation of the West Bank, namely illegal settlement growth and the confident violence of settlers acting with impunity against ancient communities tending their own land.

**Haldane member reporting from the West Bank olive harvest**

## September

**2:** An open letter entitled "The EU peace project is under threat" was sent to the European Parliament. Signed by 21 organisations, it raises the alarm over the growing European military-industrial-complex.

**4:** The Divisional Court ruled that the legal regime governing the use of automated facial recognition technology is lawful. Liberty will appeal and are currently campaigning for an outright ban of the technology, a petition for which can be found on their website.

Who described what? (answer at the top of page 13)

**'They are a quasi-religious death-cult.'**

- a) Boris Johnson on the Brexit Party;
- b) Donald Trump on the US Supreme Court; or
- c) Julia Hartley-Brewer on Extinction Rebellion

## A system for the repression of dissent and resistance

The Haldane Society was grateful to hear from two excellent campaigners for Palestinian rights at its Labour Conference meeting in September: Ayed Abueqtaish and Salma Karmi-Ayyoub.

Ayed works with Defence for Children International (DCI), an organisation that documents abuses of Palestinian children, especially those detained and accused under Israel's military court system. Salma is a criminal barrister currently working with Al Huq to bring strategic challenges against foreign companies complicit in Israeli violations of international law. Shadow Justice Minister Richard Burgon MP also addressed the meeting, affirming Labour's pledge to recognise the state of Palestine. The meeting was chaired by Haldane's former chair Liz Davies, a barrister and long-time activist for Palestinian rights.

Beginning with the right to life, Ayed highlighted that the deaths of 2,100 children due to Israeli violence have been documented since the 2000 intifada. In the 2014 attack on the Gaza Strip 553 children were killed, an average of 50 a day.

Ayed discussed the Hannibal Directive, an Israel Defense Forces (IDF) policy that endorses the use of excessive and indiscriminate force to prevent the capture of

Israeli soldiers, often by opening fire and shelling in residential areas. Violence under this directive has resulted in many children being killed, injured or losing family members.

Ayed then discussed the military court system in the occupied West Bank and its implications for children's rights, especially their right to liberty. He detailed how the process of arrest, detention and questioning is used for physical and psychological abuse.

Children are most often arrested at night, when Israeli forces surround the family home and wake up the whole family. Soldiers often beat the child suspect in front of their family members during arrest, as well as in military jeeps in transit to detention. In detention, children are often subject to forms of psychological torture including solitary confinement and threats against themselves and their families.

These practices are designed to induce confessions, which are the primary evidence against the children at trial. It is almost

impossible to show that the confessions were inadmissible due to being illegally obtained – military judges typically say that evidentiary issues should not be heard at trial. Bail is rarely granted, which increases pressure on children to accept a plea bargain so that they can return home as soon as possible.

On release, many children deny that they were affected by the experience, but it is common for

**“The process of arrest, detention and questioning is used for physical and psychological abuse.”**

the child's family, friends and teachers to describe them as a different person from the child that was arrested.

For years, UN bodies and NGOs have criticised this treatment. Between 2009 and 2011, Israel made some changes to the treatment of children in

military courts, including establishing the juvenile court, raising the age of majority from 16-18 and allowing parents to be present at trial. However, monitors have concluded that these changes did nothing to prevent the gravest violations.

Salma Karmi-Ayyoub added that everyday life under the Occupation saw multiple violations of children's rights, including the right to life, to development, to an adequate standard of living, to education, and against discrimination.

Salma then asked us to consider why these violations happened. She argued that, far from representing its worst excesses, the violations were an integral part of maintaining the Occupation.

The objective of the Israeli Occupation is to facilitate the colonisation of Palestinian Territories by settlers. Israel needs a system for the repression of dissent and resistance against the injustices of the occupation – especially the inequality and indignity inherent to the process of dispossessing Palestinian communities for the benefit of settlements. The repression takes the form of military checkpoints, arrests and arbitrary detention. Israel's objective is to terrorise each new generation out of resisting its aggression.

She then observed that the Occupation is an offshoot of the Israeli regime, whose objectives have not changed since the state was founded. Salma demonstrated this by giving a history of legislation against the Palestinians since the founding of the Israeli state.

During Israel's establishment in 1947-1949, Zionist paramilitary organisations, and later Israeli forces, reduced the Palestinian population from about one million people to 160,000. Absentee property laws ensured that land was appropriated from refugees while they were out of the country. New homes were built in their>>>



**13:** Argentinians take to the streets in Buenos Aires demanding economic justice. A left coalition win the election in late October in what is reported as a victory against neoliberalism.

**126,020**

children are homeless and in temporary accommodation in the UK

**16:** Following the Campaign Against the Arms Trade's success (see page 28) Liz Truss, secretary of state for international trade, apologised on behalf of the government for breaching an undertaking that it would cease arms exports to Saudi Arabia.

**66%**

of the total number of homeless people in the UK were placed in temporary accommodation by London local authorities



>>> place. In 1948 an order was issued to prevent the return of Palestinians to Israeli territory by any means necessary, and Palestinians attempting to cross back into Israel were shot dead. Palestinians remaining within the new Israeli state were placed under martial law from 1948 to 1956. Martial law measures included restrictions on free movement and curfews. Palestinians were contained in small areas while Jewish settlements grew around them.

In 1952, the first Israeli Nationality Law gave every Jewish person who immigrated, or expressed a desire to immigrate to Israel, automatic citizenship; meanwhile Palestinians within Israel were made stateless as their Palestinian Citizenship Orders were annulled.

When the Gaza Strip and West Bank were captured in 1967, the military laws established were similar to those that already applied to Palestinians within Israel.

In 2012 the UN Committee on the Elimination of Racial Discrimination reported that the regime in Israel was one of de facto segregation. In 2013, a UN report stated that rights to equality, due process and a fair trial, liberty and security of person, were being “violated consistently and on a daily basis”.

This year, Israel reaffirmed its objective with the Nation State Law, which declared that Israel was a “nation state of Jewish People and Only Jewish People,” meaning that only Jewish people have the right to self-determination within Israel.

Salma concluded that anyone wishing to improve the situation

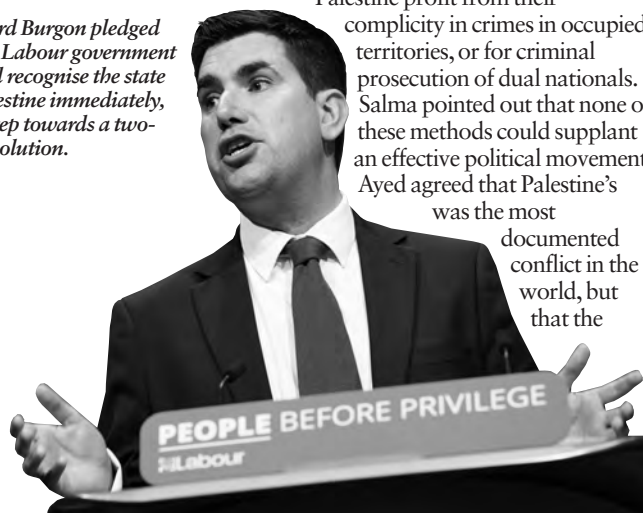
for the Palestinian people had to view the issue in a holistic way.

Richard Burgon emphasised the scale and pervasiveness of Israeli violations of international law, and observed that the international community has a responsibility to protect children. He pledged that a Labour government would recognise the state of Palestine immediately, as a step towards a two-state solution.

The Q&As raised some very important issues, including legal options available for holding Israel accountable, the viability of the “right to resistance” as a defence, healthcare for Palestinian children on release from prison, and whether the upcoming Israeli elections may change anything for Palestine.

Regarding legal courses of action, Salma discussed options within Israel and internationally. The Supreme Court in Israel rarely sets precedents that favour Palestinians; however in some cases it may agree to remedy individual Palestinians’ grievances. Salma believed that the ICC, which

*Richard Burgon pledged that a Labour government would recognise the state of Palestine immediately, as a step towards a two-state solution.*



Pictures: Jess Hurd / reportdigital.co.uk



*Abed Tamimi, a teenager who served eight months in an Israeli prison joined a London*

Palestine joined in 2015, could be a game-changer due to its power to issue arrest warrants. Domestic courts in other countries could also be used, for example where companies outside Israel or Palestine profit from their complicity in crimes in occupied territories, or for criminal prosecution of dual nationals. Salma pointed out that none of these methods could supplant an effective political movement. Ayed agreed that Palestine’s

was the most documented conflict in the world, but that the

international community preferred to ignore the evidence to maintain diplomatic ties with Israel.

In answer to the question about whether the right to resist occupation was available as a defence, Ayed said that there is no explicit right to resistance, rather a right to self-determination. Throwing stones is a symbolic gesture that Palestinians have rights and are willing to defend them. The goal of the Israeli military penal system is not just to win, but to convince Palestinians that they do not deserve to live under the system. Salma cautioned that it could be dangerous to characterise children throwing stones as armed resistance, as occupying powers also have the right to repress. She believed the issue was better dealt with under the rubric of human rights law.

Regarding mental health

## September

**20:** Work to restore Garron Plateau Blanket Bog in Northern Ireland came to an end after five years of work. This is a win for biodiversity, the climate and the local population; and provides a useful example of how decades of damage can be reversed for the public good.

Who described what? (answer at the top of page 13)

**‘They brayed, they whooped, they hee-hawed like ravening wildesbeest.’**

- a) David Attenborough on golden snub-nosed monkeys;
- b) Two of the contestants on *I’m a Celebrity*; or
- c) Henry Deedes in the *Daily Mail* on 2019 Labour Party Conference delegates

## October

**1:** At the Tory party conference, the Lord Chancellor Robert Buckland remarked upon the “great strides” made in criminal justice by the conservative government. To continue this advance, he made an emphatic pledge to keep more criminals behind bars for longer, celebrated surveillance in the name of crime prevention, and paid lip service to the need for rehabilitation.





demo for Palestine in the summer 2019.

services for children in prison, Ayed answered that these do not exist in prison but that various organisations exist to provide healthcare after children are released. However, it can be difficult to reach children as many do not talk about their experience or the trauma it causes. School counsellors are being trained to deal with the issue.

Neither Salma nor Ayed believed that internal Israeli politics held any answers for the Palestinian struggle. The Israeli left was “dead in the water,” and the next-biggest bloc in the Knesset after the right was made up of Arab representatives. Indeed, according to Ayed, violence against Palestinians is a vote-winner, and every election sees parties going further in their promises of violence and repression.

**Rose Wallop**

**2:** Shelter Scotland launched a legal challenge against Glasgow Council's failure to provide temporary accommodation to homeless applicants over the last two years.



**Haldane Society  
of Socialist Lawyers**

# Winter Friday Party 13th December 2019

[www.haldane.org](http://www.haldane.org)  
Food/drink/entertainment  
from 6.30pm till late  
at Garden Court Chambers,  
57–60 Lincoln's Inn Fields,  
London WC2A 3LS  
Nearest tube: Holborn  
Advance tickets are £12 (full price) or  
£8 (student/unwaged/low waged).  
Tickets on the door will be £15/£10;  
we will accept cash or PayPal.  
To book: [www.haldane.org/news/  
winterparty2019](http://www.haldane.org/news/winterparty2019)



# Annual General Meeting *and elections*

The Haldane Society's AGM will take place on **Thursday 23rd January 2020** at the University of Law on Store Street, London, following a lecture that will take place from 6.30 pm (see below and back page).

The AGM receives reports, questions officers, sets policy, and elects the Officers and Executive Committee.

Any member may place an item on the agenda by emailing [secretary@haldane.org](mailto:secretary@haldane.org) by 6:30 pm on Monday 20th January 2019. Emergency motions may be proposed at the meeting.

Any member who nominates themselves for election by email to [secretary@haldane.org](mailto:secretary@haldane.org) by 6.30 pm on Monday 20th January 2019 may provide a 150 word manifesto, which will be published in the Elections Booklet. Any member who has not nominated themselves by this deadline and who wishes to stand for election may still stand for election either by attending the AGM or by asking the AGM to waive the 72 hour notice requirement. New members are strongly encouraged to stand for election to the Executive Committee, particularly by attending the AGM in person.

Members should note that constitutional amendments have been proposed which, if passed, would alter some of the Officer roles. These proposals will be circulated in due course.

Documents for the meeting will be made available in due course.

After the AGM, members are invited to a small social gathering. New members are particularly welcome to join us.

## **Lecture: System change for climate change**

Immediately prior to the AGM we will welcome members of the public and our invited speakers for a lecture on System change for climate change

Speakers: Richard Harvey, counsel for Greenpeace International and barrister, Garden Court Chambers. Farhana Yamin, Track 0 CEO, climate lawyer and activist.

All are welcome to come to join us for the debate. Latecomers are welcome to enter quietly.

[secretary@haldane.org](mailto:secretary@haldane.org)



*Bill Bowring live on Let's Talk, for the London Bengal TV station, Channel S.*

## From Berlin to Jo'burg, activity comes to life

**T**he last international report in this magazine was dated 21st July 2019. Since then the newly elected Haldane International Committee has been coming to life, with Franck Magennis, Tanzil Chowdhury, Maya Thomas-Davis and Wendy Pettifer increasingly actively involved.

On 13th-15th October 2019 the European Lawyers for Democracy and Human Rights (ELDH) co-organised a fact-finding mission to Istanbul, to clarify the legal circumstances that led to the conviction of 18 Turkish lawyers by the 37th High Criminal Court in March of this year, resulting in long prison sentences. This was a joint project of ELDH with the European

Democratic Lawyers (AED) and the Turkish Progressive Lawyers association, CHD. ELDH was represented by members from Austria, Belgium, Germany and Italy. AED and several bar associations also sent their representatives. The report from the mission, and the statement of 15 European lawyer observers can be found on the ELDH's website ([eldh.eu](http://eldh.eu)).

On 18th-20th October 2019 Bill Bowring and Carlos Orjuela participated in the Third International Human Rights Academy of the Aegean, 'Law and Human Rights in Oppressive Regimes', organised by Deman Güler of the ÖHD, Lawyers for Freedom, one of two Turkish sister organisations of Haldane in the

## October

**9:** The Public Works Loan Board – the main source of borrowing for local government – increased its interest rate on new loans to 1.8% to 2.8%. Whilst probably intended to disincentivise risky development projects, the decision poses another problem for house building and regeneration.

**16:** District Judge Claire Gilham won worker status for judges at the Supreme Court. She suffered harm after raising concerns about the gutting of the justice system via 'cost-cutting reforms' and was initially denied whistleblower protections by Employment Tribunals.



ELDH, which brings together lawyer and their associations in 21 European countries. There were more than 200 participants, mostly practising lawyers together with academics and students. The academy took place in the gorgeous Nesin Mathematical Village, high up in the mountains above Izmir.

Bill represented ELDH and Haldane, while Carlos represented the International Association of Democratic Lawyers (IADL), which also sponsored the event. Eren Keskin, the inspiring Kurdish fighting lawyer gave a particularly memorable speech, as did Özlem Gümüştas, of the Law Office of the Oppressed, in Istanbul.

International speakers also included the Solicitor Tony Fisher, Chair of the Human Rights Committee of The Law Society of England and Wales, Professor Louis Lemkow Zetterling from Barcelona, Catalonia, and Rania Ghosheh Al-Jaber, from the Palestinian Bar in Ramallah.

On 22nd October 2019 Bill appeared for one and a half hours on *Let's Talk*, a political discussion programme, on the London Bengal TV channel Channel S. With Dr Mohammed Najjar of Free Syria, he discussed Syria, Turkey and Russia. You can watch the programme on Channel S's Facebook page.

On 8th-10th November 2019 the Council meeting of the IADL took place in Brussels.

Bill and Carlos, with Tanzil by Zoom, represented Haldane, and there were more than 35 representatives from more than 30 countries. These were organisations in the Americas: USA, Puerto Rico, Venezuela, Bolivia, Brasil; Africa: Algeria,



*Discussions at the IADL Council in Brussels on 9th November.*

Egypt, Togo, Nigeria, South Africa; Asia: Pakistan, Vietnam, Japan, Korea, Philippines; Europe: UK, Austria, Germany, Belgium, Spain, Portugal, Bulgaria, France, Italy, Greece, Turkey, Palestine and Ukraine.

This was a Council rather than a Bureau meeting because a new President and General Secretary were provisionally elected. The new President is Edre Olalia from the National Union of Peoples Lawyers in the Philippines, well known to Haldane members since he came to London and participated in the Human Rights Defenders conference which Haldane organised at Amnesty UK. The new General Secretary is the Italian lawyer Micol Savia, who came to the Haldane Women's Conference in London, and represents IADL at the United Nations in Geneva.

IADL now has a new leadership from a younger generation, and the meeting as a whole was enthusiastic and

constructive.

Another Council meeting of the IADL will take place in Havana, Cuba, in June 2020, in order to plan for the next Congress, to be held in South Africa. IADL members have been invited by the Union of Cuban Jurists to participate in an international law conference in Havana on 24th-26th June 2020. The suggestion is to hold the IADL Council immediately before or after this conference.

The next four yearly Congress of IADL will be held in

In 1996 Haldane members, including Keir Starmer and Catrin Lewis, went to Cape Town and met the then IADL president Nelson Mandela.

Johannesburg, South Africa, in November 2020, at the invitation of NADEL, South Africa's National Association of Democratic Lawyers.

In 1996 a delegation of 45 Haldane members including Keir Starmer, Philippa Kaufman, Joanna Dodson, Catrin Lewis, Mike Seifert and Stephen Solley, went to Capetown for the XIV Congress of IADL, and met the IADL Emeritus President Nelson Mandela. You can read Bill's report for this magazine on the IADL's website ([iadllaw.org](http://iadllaw.org)). Let's build for the largest possible delegation to Johannesburg.

The next Executive Committee meeting of ELDH will take place on 1st December 2019, in Berlin. All members are welcome. At the meeting we will discuss the forthcoming projects and activities of ELDH. Wendy and Tanzil will represent Haldane together with Bill.

On 24th January 2020, the regular annual Day of the Endangered Lawyer will be dedicated to Pakistani lawyers, with demonstrations outside Pakistani Embassies and consulates, including in London. See the ELDH's website.

In autumn 2020 ELDH and its partner European Lawyers for Workers (ELW), in which Haldane's Declan Owens is a leading activist, will organise a European labour law Conference in Brussels. For the preparation of the conference a meeting was held on 15th November in Brussels in the office of the European TUC which will support the conference.

Come to Berlin, Brussels, Havana and Johannesburg! The more the better!

Who said? (answer on page 13)

**'You scumbags!  
This will not stick.  
I shouldn't lose it.  
I'm the president.'**

- a) Benjamin Netanyahu;
- b) Donald Trump; or
- c) Jair Bolsonaro

**17:** Anti-government protests erupted in Lebanon after the government announced a slew of austerity measures. Prime Minister Saad Hariri resigned later in the month and the parliament was forced to shutdown in November. The protests continue as we go to press.

**20:** President of Chile, Sebastián Piñera, announced a suspension of the planned price rise for the metro system. Announced earlier in the month, the price hike sparked a mass student fare evasion. The protests – widely acknowledged to be a direct assault on neoliberalism – have outgrown this initial cause, and continue at the time of publishing.

**21:** Rights Watch UK launched a judicial review of Lord Carillie's review of the Prevent Strategy, challenging the independence of Carillie, who has been a vocal supporter of Prevent for years and has held key roles in the administration of Prevent; and the review's terms of reference, which are limited to future delivery.

## Turkish invasion of Rojava is criminal

**T**he Haldane Society of Socialist Lawyers denounces Turkey's invasion of North East Syria, which constitutes a gross violation of international law by the Turkish Republic and its officials. We also condemn in the strongest possible terms the facilitation of this invasion by the US and the complicity of EU states, including the UK.

On 6th October, the White House issued a statement announcing its withdrawal of US forces from the Turkey-Syria border and effectively giving the green light to Turkey's "long-planned operation into Northern Syria", following a phone conversation between US President Donald Trump and President Recep Tayyip Erdogan of Turkey. On 9th October, Turkey began its assault.

Kurdish forces have led the fight to defend the world against the brutal facism of ISIS. Eleven thousand predominantly Kurdish women and men gave their lives in this struggle against terrorism, as did 10 British citizens, and 24,000 were injured. Kurdish organisations have established one of the most peaceful regions in the middle east – the Autonomous Administration of North East Syria (also known as Rojava); a secular multicultural democracy based on principles of direct

democracy, pluralism, women's liberation, ecological justice and cooperative economy.

### The crime of aggression

Turkey's invasion of Rojava is a violation of the prohibition of the use of force set out in Article 2(4) of the Charter of the United Nations, which is not only a treaty obligation but is also a principle of customary international law. There is no exception to the prohibition of the use of force under the right to self-defense in these circumstances.

When Turkey invaded Afrin in March 2018, the Turkish presidential spokesperson maintained Turkey was exercising its right to self-defense pursuant to Article 51 of the Charter of the United Nations, claiming there had been 700 attacks against Turkish cities. This claim was later reported to be unfounded.

Likewise, there is no evidence to support Turkey's assessment of the present situation. Erdogan says Turkey is acting to prevent the creation of a 'terror corridor', claiming the people's protection units – the YPG and YPJ – are a terrorist organisation. On the contrary, these are the forces that have sacrificed the most to both ideologically and militarily defeat terrorism in the region. Moreover, far from launching any attacks against Turkey, in August 2019 the



Protestors in central London in October at a 'Rise up for Rojava' rally against against

### October

**23:** An employment appeal tribunal heard a case contesting a 2017 decision confirming that foster carers are employees. Brought by the foster carer branch of IWGB, this crucial judgement guarantees key labour rights and whistleblower protection.

# 447

The number of people that faced physical restraint, such as shackles and waist restraint belts, while being deported from the UK, between April 2018 and March 2019

**31:** The Information Commissioner published a report into the use of automated facial recognition technology. It concluded that there was no basis to consider regulatory action. A separate investigation into the use of AFR at King's Cross by a private company is ongoing.

### November

**5:** The *Financial Times* published a report into pollution levels in the London underground. Whilst experts have been wary for years, Transport for London has resisted efforts to release detailed research. The *FT* found that swathes of the network 10 times the guideline levels of pollution set by the World Health Organization.





Pictures: Jess Hurd / reportdigital.co.uk



the war on Kurds in Syria.

Kurdish-led Syrian Democratic Forces (SDF), implemented a demilitarised 'peace corridor' along the Turkish-Syrian border in response to Turkey's supposed security concerns – pulling back their weapons and forces by five to 14 kilometres along the border area and allowing US and Turkish patrols in good faith.

In the absence of an armed attack against Turkey, Turkey's military offensive constitutes a violation of Article 2(4) of the Charter. The pretext of preventing the creation of a 'terror corridor' does not legitimise Turkey's military offensive under Article 51 of the Charter, as customary international law only recognises anticipatory self-defence as lawful when an attack is imminent.

Turkey's use of force in invading Rojava in a manner

inconsistent with the Charter of the United Nations therefore constitutes an act of Aggression as defined in Article 1 and 3(1) of UN General Assembly resolution 3314 (XXIX) and within the jurisdiction of the International Criminal Court (ICC). Even though Turkey is not a state party to the Rome Statute of the ICC, the ICC's jurisdiction over the crime of Aggression allows the UN Security Council to refer a situation for investigation by the prosecutor under Article 13 of the Rome Statute of the ICC.

### War Crimes, Genocide and Crimes Against Humanity

Erdogan has declared that his intention in invading Rojava is to establish a "safe zone" stretching 50 miles from the Turkish border, as far as Raqqa and Deir al-Zour (the full extent of the Kurdish-controlled region), in order to resettle millions of Arab-Syrian refugees. This would constitute a dramatic demographic change in the historically Kurdish and multi-ethnic region. There is substantial evidence to suggest that Erdogan's real intention is to carry out ethnic cleansing and genocide against Kurdish, Yazidi and Christian populations, as Genocide Watch has recently warned. Such actions would constitute as crimes under Articles 6 and 7 of the Rome Statute of the International Criminal Court.

The invasion of the Afrin canton in 2018 and its subsequent occupation by Turkish forces and Turkish controlled, armed and funded jihadist groups has forcibly displaced thousands and led to atrocities such as kidnapping, extortion, murder, torture, rape, gender-based violence, which

Amnesty International has denounced as war crimes, per the definition in Article 8 of the Rome Statute. There is no reason to suggest that Turkey has different plans for the rest of Rojava.

### Erga Omnes Obligation

Turkey's invasion is unquestionably an act of aggression and runs a grave risk of causing genocide, crimes against humanity and war crimes. The invasion as such constitutes the violation of *erga omnes* obligations under international law. This means that the legal interests of all states are engaged. It also places a legal obligation on all states not to recognise illegal situations such as invasion and occupation stemming from breaches of *erga omnes* obligations or to render aid or assistance in maintaining the situation created by the breach.

The Haldane Society therefore calls upon the UK government to fulfil its obligations under international law not to recognise or render aid or assistance in Turkey's invasion of Rojava by immediately by:

- i. Ending all weapons sales and exports from the UK to Turkey;
- ii. Ending all UK provision of security and intelligence to Turkey;
- iii. Using its position at the UN Security Council to achieve a no-fly zone over Rojava as well as sanctions, particularly an arms embargo, against Turkey; and by
- iv. Ending the EU-Turkey deal, which provides billions of euros to the Turkish state and enables Erdogan to weaponise the suffering of millions of displaced people in attempts to blackmail the EU into complicity with its invasion.

**9:** Lula, ex-President of Brazil, walked free from jail but the corruption allegations remain.

Who said? (answer above)  
**'Today, I aim to get arrested. It's the only way to save the planet.'**

- a) Prince Andrew;
- b) Jeremy Clarkson; or
- c) George Monbiot

**11:** Chinese steel company Jingye agreed to save Scunthorpe-based British Steel with a £1.2bn deal that will secure around 4,000 jobs and potentially expand the workforce.

**11:** Bolivian President Morales was forced to resign after receiving a letter from the military. Whilst the mainstream press has largely supported the narrative that the recent election was fraudulent, many others doubt its veracity and describe the event as a coup.



**UNITED FAMILIES AND  
NO MORE DEATHS IN**





**D FRIENDS CAMPAIGN**  
**CUSTODY**





Each year in October the United Families and Friends Campaign (UFFC) marches through central London.

The UFFC is 'a coalition of those affected by deaths in police, prison and psychiatric custody, supports others in similar situations'. The campaign was founded more than 20 years ago, and is made up of the families and friends of the victims of state violence towards those in custody. It was started as a network of Black families, though it now consists of families and supporters of people from varied ethnic and cultural backgrounds.

It includes the families of Leon Patterson (who died in police custody in 1992), Roger Sylvester (who died after being restrained by police in 1999), Rocky Bennett (who died in psychiatric custody in 1998), Harry Stanley (who was shot dead by police officers in 1999) and Sarah Campbell (who died in Styal prison in 2003) and many others.

The UFFC says: 'Deaths in state custody internationally are still a huge concern and sees no signs of abating. While the problem is systemic, often maintained by institutional racism, many families demanding justice say that the police [and other state institutions] are

*(Below) Marcia Rigg, sister of Sean Rigg speaking at the UFFC rally.*



never held to account for deaths in custody and most certainly do not face any semblance of justice, trial or jail'. UFFC demands:

- Prison deaths be subject to a system of properly funded investigation that is completely independent of the Prison Service;
- Officers involved in custody deaths be suspended until investigations are completed;
- Prosecutions should automatically follow 'unlawful killing' verdicts;
- Police forces be made accountable to the communities they serve;
- Legal Aid and full disclosure of information is available to the relatives of victims;
- Officers responsible for deaths should face criminal charges, even if retired.

In 2017 the government commissioned a review of deaths and serious incidents in police custody (the Angiolini Review). It found that every prosecution for a death in custody in the previous 15 years had ended in an acquittal. 'In fact, there has never been a successful prosecution for manslaughter in this context' it says. 'It goes to the heart of why families so often feel let down by the system'.

Certainly, the UFFC has good reason to feel let down – but each year their march is a defiant, critical demonstration of solidarity and a cry for justice.

Please show your support for the UFFC by joining their annual march in October, or by joining a noise demonstration outside many prisons on new year's eve, where those who have died in custody are remembered.

No justice, no peace.





Pictures: Jess Hurd /  
reportdigital.co.uk



*Rashan Charles (20) died in 2017 after being chased and restrained by police. His death came barely a month after Edson Da Costa, who died lost consciousness while handcuffed and being restrained.*

*Kishni Mahay (64) died after being hit by a police car in Wolverhampton in 1989. Her family continue to ask questions about the adequacy of the investigation.*



*Winston Augustine (43) died in a segregation cell in Wormwood Scrubs in 2018, a week before he was due to be sentenced.*



*Yassar Yaqub (28) was shot dead by police in 2017 while he was travelling as a passenger in a car.*







*Leroy 'Junior' Medford (44) died of a heroin overdose after being arrested by police in 2017. In January this year an inquest ruled that police failings contributed to his death. Christopher Alder (37), a former British Army soldier, died in police custody in 1998, having been detained by police after he became 'troublesome' while being treated in hospital for a head injury sustained during an assault outside a nightclub.*



*Adrian McDonald (34) died in a police van after he had been arrested, restrained, tasered, bitten by a police dog, and left struggling to breathe. Even after he began twitching and lost consciousness, nine minutes passed before an ambulance was called.*



# How Labour councillors fail us – and why they shouldn't

by Paul Heron

This has been written prior to the General Election on 12th December 2019. The outcome is still unclear. If the Tories are able to form a government then these cuts will continue. If Labour become the government there will be a very short honeymoon period for a Corbyn government. There is likely to be a flight of capital, and with the shadow chancellor already rejecting the use of capital controls, the export of capital will go from a drip to a tidal wave. With this prospect councils have no choice to fight back.

Local government is in crisis. The policy of austerity – discretionary cuts in government spending – enacted by three consecutive governments since 2010 has severely impacted on the day-to-day public services. The “formula grant” is the main grant paid to councils by the government: under it, for every £1 received by councils in 2010/11, they got just 73.6p in 2013/14. This is before the effects of inflation are taken into account. In total government slashed grants to councils by £11.3bn by 2015/16. More than 500,000 council workers have lost their jobs since 2010.

From libraries, to youth clubs, from

care homes to other essential services, austerity has forced the pace. Let us make it clear these are Conservative cuts to local government finances, however Labour councillors with all the characteristics of a modern day Uriah Heep ‘ever so ‘umbly’ carry them out declaring ‘there is nothing we can do!’ This is cowardice and a dereliction of their current and historic duty. Labour was established by the trade unions and the working class to advance their interests not to represent the ruling class.

In 2018 the Public Interest Law Centre (PILC) through judicial action stopped the forced sale of Southall Town Hall. The home of many charities and community groups, the sale of the town hall would have made all of them homeless. Without a

*Pictured: London Renters Union and Sisters Uncut protest in August 2019 outside Hackney Town Hall about the treatment of housing activists in a controversial redevelopment plan in the borough.*

base, many of these vital community groups would have ceased to exist. The sale according to Ealing council Labour councillors was necessary to ‘plug the gap’ in the cuts expected in the council’s finances. Campaigners were told ‘there was no alternative’. Since the successful judicial review action the council have not re-visited the decision, and the sale (at least at this stage) has been stopped.

## **We're all in this together?**

Austerity, the brainchild of the Tory/Liberal coalition and nurtured by the current Conservative government, has been a disaster for every region in the UK. It was and is a political decision not an economic one, and as a result child poverty has exploded. It is a national scandal, *The Independent* last month reported: ‘The number of youngsters who fall below the poverty line rose to 4.1 million between 2010-11 and 2017-18... More than half of youngsters are affected in some areas.’ It is estimated that by 2010 it will be 5.1 million. At the same time 17,000 benefit claimants have died waiting for benefits.

Libraries, the universities of the working class, have closed by their



“The number of youngsters who fall below the poverty line rose to 4.1 million between 2010-2011 and 2017-18... More than half of youngsters are affected in some areas.”

hundreds. A financial crisis caused by the banks has not resulted in criminal charges being brought against major institutions. On the contrary, we are witnessing a mushrooming of other types of banks; food banks. It is the poorest sections of the working class who have borne the brunt of the neo-liberal financial chaos that followed the 2008 meltdown. It is now reported that food banks provide 1.6 million food parcels per year.

As a tsunami of austerity cuts has devastated working class communities, for the City of London and its financial institutions it has been business as usual, *City AM* reported that profits at the UK's publicly listed companies jumped 'nearly 14 per cent in the third quarter of the year, pushing total profits over the last 12 months to a record £217.9bn'. The financial crisis has brought levels of poverty unseen in modern times in the UK – employment levels maybe high, but having a job is no escape from poverty. Austerity has seen the Conservatives achieve record levels of poverty and a strategy of death by a thousand cuts has had a massive effect. Yet at the same time Philip Hammond the Chancellor claimed in a BBC Newsnight interview: 'I reject the idea that there are vast numbers of people facing dire poverty in this country. I don't accept the UN rapporteur's report at all. I think that's a nonsense. Look around you; that's not what we see in this country.'

#### **Cuts, cuts, cuts...**

Local councils have been the frontline instruments of austerity for the past decade. No other area of government has been subject to the same financial squeeze. Over the past decade local councils have seen their funding cut by 37%. This is set to increase over the next five years. The scale of the financial cuts continue to be wide ranging, from bus services – used mainly by elderly, school children and the less well off – being cut by 25%. Leisure centres, swimming pools, and playing fields have been closed or sold off. Investment in arts and culture has seen a 20% cut, with at least 343 libraries closing since 2010. Library staff has been cut by 25%.

This gallery of ruin has seen housing services cut by 23%, with the number of

homeless families increased by 42% in the same period. Women's refuges have had drastic cuts with 32 specialist centres between 2010 and 2014 closing – with more to follow.

There is no doubt that local councils are caught in a whirlwind of obligations and financial constraints. Sadly, for Labour councillors the way to deal with this is to rationalise, carry out the cuts expected, and point at the lack of central government funding to renege on their responsibility. They cling onto the 'only carrying out orders' defence. As they diligently follow the Conservative spending targets they argue that 'there is nothing that can be done.' This is not only an abdication of duty, it is political cowardice.

#### **Labour councillors: abdication and failure**

This abdication of responsibility representing a failure to fight by Labour councillors, is politically criminal. It fails the people they claim to represent, and it ignores the history of local government generally, and that of socialist Labour councils more specifically.

Modern local government began with the 1835 Municipal Corporation Act (the 1833 Burgh Reform Act in Scotland), emerging as a site of struggle between the growing industrial capitalist class and the old aristocratic ruling elite. The rise of the organised labour and trade union movement brought new forces into play. Local government expenditure actually outstripped national expenditure for most of the 19th century and local councils expanded throughout the 20th century. That expansion also saw the expansion in the Labour party as the expression of the working class itself.

Indeed as local councils expanded, their ability to influence the national agenda also developed. For example the Housing

Act 1919, which opened the way for large-scale council housing, was a direct response to the movement which took place against profiteering landlords during the first world war. The 1915 Glasgow rent strike involved 25,000 private tenants and saw supportive action organised by the Clyde Workers' Committee in the city's factories. The victory in the equalisation of 'poor relief' expenditure costs between richer and poorer boroughs in 1921 was the result, not of the generosity of central government but of the stand taken by socialist Labour councillors of the Poplar in East London. They were prepared to go to jail under the slogan 'better to break the law than break the poor'. Local councils, and local democracy, subsequently developed over the next 50 years with council increasing their responsibilities in delivering services, and having considerable freedom to raise finances through local taxation or rates (the forerunner of the council tax)

The financial crisis fueled by increases in oil prices, signified the end of the post-war upswing. It also saw a shift in the attitude of central government towards local councils. Beginning with the Housing Finance Act introduced under Ted Heath's Tory government of 1970-74, this was a prelude to reigning in local council spending. By 1975 the right-wing Labour Environment Secretary Anthony Crosland signalled the end of the post-war expansion of the public sector by directing his comments at local government, he declared that 'the party's over!' From bad to worse.

The Conservative Thatcher government that came to power in 1979, fueled by neo-liberalism and Chicago school Reaganomics began a sustained and protracted assault on central government finances, it reeled in local council ability to raise its own money. The Thatcher Conservative government introduced 120 items of anti-local government legislation from 1979. The onslaught saw the abolition of the Metropolitan County Councils and the Greater London Council (GLC). It saw councils stripped of direct funding responsibility for many services. >>>

>>> Thatcher herself famously remarked: 'I must take more power to the centre to stop socialism.'

It wasn't so much an attack on socialism as an attack on public services that 'crowded out' the public sector. The neo-liberal Thatcher government directly attacked public services – not just by cutting them, but crucially by outsourcing them to private companies to make profits from public need. Complicit in that programme was a failure of Labour councillors at the time to fight back, and also later 'New Labour' councillors continuing this process during the thirteen years of Blairite national domination office. Indeed the turnover of private companies running public services was, by 2008, 126% higher than 1995-96 under the previous Tory government.

### **Labour councillors – a recent history of retreat**

Despite all of this, local councils retain enormous powers, responsibility, and good will from the electorate. Councils in England control budgets totaling £114 billion – spent on services from housing to schools, youth provision, adult social care, libraries, museums, crime reduction, local welfare assistance, sports centres, parks, transport, highways maintenance, recycling and refuse collection, and have legal powers over many non-council provided services.

Local councils retain, despite carrying out continued cuts since the Thatcher years, a wealth of support. Polls consistently show significant support for councils. A national government Citizenship Survey showed trust in local councils as almost twice as high as trust in parliament. (With the current Brexit chaos in Parliament this wealth of support has no doubt increased.) A 2014 IPPR Future of England survey found that 39% of people thought councils should have more powers, compared to 14% who thought their powers should be reduced. A separate ICM poll found 57% saying that councils 'should keep responsibilities in relation to schools', compared to 32% saying schools should 'cut free of local councils'.

Local councils are in a powerful position to fight back. It is just not true, as the big majority of Labour councillors try to suggest, that there is 'nothing they can do' but implement the cuts.

“Over the past decade local councils have seen their funding cut by 37%.”

### **Labour councillors – a way to fight and win**

Let us make no mistake, local councils are facing major cuts from central government. However, there is room to manoeuvre. The Localism Act 2011 provides local councils with an inherent 'power of competence [to do] anything apart from that which is specifically prohibited'. We argue that this presents the issue of cuts, or more specifically fighting cuts as one of political will.

Labour councillors who are prepared to resist austerity can use councils' reserves and 'prudential borrowing' powers to avoid passing on government cuts. Such a step needs to be linked to empowering the community, building campaigns against cuts and crucially linking with the wider labour and trade union movement. A mass campaign of opposition must be built to central government. Such a policy is completely within a council's legal powers. Council finance officers can challenge a budget they believe to be 'knowingly unbalanced'. In other words, deficit budget but it is not unlawful to set such a thing if it can be balanced in other ways. Thus, the use of reserves to meet projected deficits and finance debt repayments is legally a 'matter of judgement' for councillors themselves to make. As The Times reports, local authorities were 'sitting on £21.8 billion of non-ringfenced reserves last year, £5 billion more than they had in 2017 and £11 billion more than they had at the start of the decade'.

As stated there is a way out. Indeed between 2010-11 and 2013-14, according

to the National Audit Office, councils increased their 'unallocated reserves' by 16% in real terms. It is possible for socialist Labour councillors to present legally compliant no cuts-budgets based on the use of these powers.

We accept that councils using reserves and selective borrowing to avoid making austerity cuts would in effect be buying time. There is an inevitable showdown to be had with central government for extra resources. There is, ultimately, no 'clever tactic' or legal principle that can avoid the need to build a mass campaign against the cuts.

Any legal tactic therefore needs to be linked to a campaigning strategy. Thus, the best way for Labour councillors to contribute to the mobilisation of a mass campaign, necessary to defeat the cuts and to take on the Tory government, is to argue for budgets that meet the needs of their local communities, without massive council tax hikes. They should call for Labour councils to come together to demand that the government makes up the funding shortfall. Such a deficit budget clearly highlights what is needed, and exposes government cuts. This is not a new tactic.







### Labour councillors – fighting cuts

In 1984 the socialist Labour council in Liverpool employed such a tactic to great effect. Indeed they forced the then brutal Conservative government of Margaret Thatcher to concede extra resources to the city worth up to £60 million (£98 million today). The campaign in support of a Liverpool ‘needs budget / deficit budget’ began even before Labour won a majority in the council in 1983. In order to put pressure on the Liberal coalition in charge of Liverpool council at the time, and to galvanise support for a future socialist Labour council, the trade unions on Merseyside organised a 25,000-strong demonstration in November 1983. After a socialist labour council was elected, and with the support of those same councillors, the budget meeting in March 1984 took place against the backdrop of a city-wide one-day strike and a 50,000-strong march to Liverpool council town hall.

Today’s anti-austerity movement is in a new situation, both finding expression in a Corbyn revolution and given confidence by it, but the momentum of his campaign must be used to prepare the ground now, as the Liverpool councillors prepared for their battle in 1984.

Let’s face a number of issues head on. Firstly there is, of course, no guarantee in any struggle of victory – but if you don’t fight, you don’t have a chance of winning. Currently the overwhelming majority of Labour councillors are still creatures of the right wing Blairite transformation of the Labour Party. They are indistinguishable from the Tories in their actions to cut jobs and services. Sadly, even those Labour councillors who want to oppose the cuts still hesitate believing there is another way out of this – avoiding the ‘Liverpool road.’ Having defied the Thatcher Conservative

government for four years, the Liverpool councillors won lasting gains for the city. It was only the cowardice of the then national Labour leader Neil Kinnock who failed to support the council which allowed for the Liverpool councillors to be surcharged and dismissed from office in March 1987.

It is important to recognise that the law has changed since the 1980s. The Local Government Act 2000 abolished the power of surcharge (to fine councillors) except, for example, in cases involving councillors personally benefiting from their own actions. Therefore the often cited excuse to justify the cowardice of Labour councillors, that of a surcharge, is no longer in place. The threat of appointing district auditors, a fate that befell the 47 socialist Labour Liverpool councillors, has now been rescinded given that the Audit Commission has now been abolished.

The advent of ‘localism’ under the Localism Act sought to place councils in control, not just of central government finances allocated to them, but in terms of their ability to make cuts. Thus powers were restored to local councils by central government, as the Labour party under Blair became ‘more responsible’. As a result both the pro-business New Labour and Con-Dem coalition saw the advantages of ‘devolving’ the responsibility of making cuts to local councils. Thus shifting the blame from central to local government. Yet this shift allows the opportunity to control the fightback if the Corbyn insurgency can be developed, such complacency could rebound against central government.

The state’s reserve powers to appoint commissioners to take over particular council functions remain, although only after a legal process – which in itself could also be challenged both in and outside the Court. Central Government moving against a local council and deploying commissioner to take over would be difficult – particularly if there was wide support in the community for an anti-cuts budget. That would be even more problematic if several Labour councils take the ‘Liverpool road’ simultaneously and are backed by a mass campaign.

In 1990 Margaret Thatcher – the so called ‘Iron Maiden’ resigned. She was brought down in the face of mass non-payment of the poll tax. In total 13 million people were organised in anti-poll tax unions and refused to pay the hated tax. This illustrates that even the most imposing government can be forced to retreat if it faces a sufficiently powerful mass campaign of opposition. That mass movement was not only able to remove Thatcher but to force the Tories, within weeks of her downfall, to put an extra £4.3 billion into local government funding (around £8 billion in today’s terms) to finance the abolition of the poll tax.

The Tories’ local government base in urban areas has since been decimated – with literally no councillors to lean on in cities like Liverpool, Manchester, Newcastle, and Sheffield, and just a handful elsewhere (including many London boroughs).

Labour councillors have a decade’s experience of passing on cuts. They wring their hands: ‘there is nothing that can be done’. This is political cowardice and they should be organising with the anti-austerity and trade union movement. A new generation is prepared to fight. Councillors who are prepared to join them could play a historic role in that resistance, and given the potential should no longer be cowed by surcharge. They have more power than they realise. Only the political will, and a strategy linked to a wider movement, is lacking.

Paul Heron is a solicitor and founding member of the Public Interest Law Centre. He has been involved in many High Court challenges to save libraries and community services. He is an executive committee member of the Haldane Society of Socialist Lawyers. This article first appeared at: <https://www.thejusticegap.com/how-labour-councillors-fail-us-and-why-they-shouldnt/>

# Free





On the morning of 15th June 2017, I wrote: “In the immediate aftermath of tragedy, it’s easy to jump to conclusions, but I’m going to jump to one now. The inquiry into the Grenfell Tower fire will reveal, once again, that people’s lives have been put at risk by the profit-driven construction industry.” >>>

Pictures: Jess Hurd / reportdigital.co.uk

by Glyn Robbins

# grenfell





# “Stage one of the Moore-Bick inquiry could have made an immediate recommendation to ban dangerous cladding. It didn’t, leaving open the real danger



➤➤➤ There’ll be plenty of blame to go around and lots of institutional arse-covering and buck passing. But in this – as in every aspect of housing – we have to challenge the role of the big building companies.

Until or unless we bring them under some form of public control, we won’t get homes that are safe or affordable to live in.

Nothing that’s happened since has altered what I thought the day after Grenfell. Although we’ve learned more about the network of negligence that led to the fire, the publication of the first phase of the public inquiry has failed to address the real issues behind the preventable deaths of at least 72 people. It should have been a turning point for housing and the moment to expose the danger of putting profit before safety. But from the perspective of a front-line housing worker, I can say nothing has really changed and that applies to the wider issues at stake.

I work on a council estate with several similarities to Grenfell, including a high-rise block where dangerous cladding has now been taken down. That’s more than can be said for the hundreds of other buildings (mostly in the private sector) still coated in flammable cladding material,

two years on and after the government made a specific undertaking to ensure it was removed. While making legitimate criticisms of the London Fire Brigade’s senior management, stage one of the Moore-Bick inquiry could have made an immediate, legally binding recommendation for all dangerous cladding to be banned. It didn’t, leaving open the real danger that Grenfell 2 will happen before Moore-Bick 2. The fire at the student block in Bolton on 15th November was another stark warning. Only luck prevented more lives being lost.

As the FBU has said for well over a year, the inquiry is “back to front”. It’s perverse to ask “who didn’t stop the fire?” before asking “who started it?” and can only lead to the conclusion I expressed the day after the atrocity – that Moore-Bick is conducting a search for convenient scapegoats, not the full truth. The report’s 46 urgent recommendations are good, practical measures that should be acted on. But they fail to tackle the deep-rooted institutional cultures of cost-cutting, privatisation, vested interests and prejudice that are the real causes.

It’s impossible to separate Grenfell from the cuts to the London fire service, some of them implemented by Boris Johnson. The only time I’ve ever seen a fire fighter on an estate I’ve worked on





mediate, legally binding recommendation for all dangerous that Grenfell 2 will happen before Moore-Bick 2.”



**“Those who lost loved ones at Grenfell find it incredible that no criminal charges have yet been laid. But ultimately, what lies behind Grenfell isn’t bad people, it’s a bad system.”**



has been when there’s a fire. That can be too late. The fire service should be working regularly with local councils and residents on improving safety. But the fire station nearest to where I work has been closed and Tory governments have celebrated reducing safety standards in the name of “cutting red tape” to make it easier for big business, particularly house builders, to make more money.

Meanwhile, almost every aspect of local government, including fire safety, has been opened up to private contractors. We can only hope phase two of the inquiry looks at how decisions at Grenfell were dictated by commercial pressures, including the one to install unnecessary cladding in the first place. Some of the explanation lies in how council housing and the people who live in it have been stigmatised and treated as lesser citizens for decades. I heard a firefighter say “The moment the wealthy people near Grenfell decided they didn’t want to look at an ugly building, the victims’ fate was sealed”.

The inadequacy of the Grenfell inquiry raises wider issues about our judicial system and how it misrepresents the public interest. From the outset, it’s been apparent that victims’ families would have to struggle for space alongside the lawyers, many of them working on damage limitation for their

corporate clients. The fact that the process has been so slow, even allowing for some of the complexity, deepens frustration. Without making an exact comparison, in a fraction of the time it’s taken Moore-Bick to arrive at partial conclusions, hundreds of Extinction Rebellion protesters have been charged, taken to court and convicted. One of the legal arguments used against them has been that they’ve created a public nuisance. People who want to save lives are prosecuted swiftly, people whose decisions cost lives, aren’t.

It’s no surprise that those who lost loved ones at Grenfell find it incredible that no criminal charges have yet been laid. But ultimately, what lies behind Grenfell isn’t bad people, it’s a bad system. Perhaps, in a year or more, when Moore-Bick produces its next report, there’ll be more analysis of what led to Grenfell, not just what happened on the night. But will anyone be listening by then? We all have responsibility to make sure the old saying “justice delayed is justice denied” isn’t repeated about Grenfell.

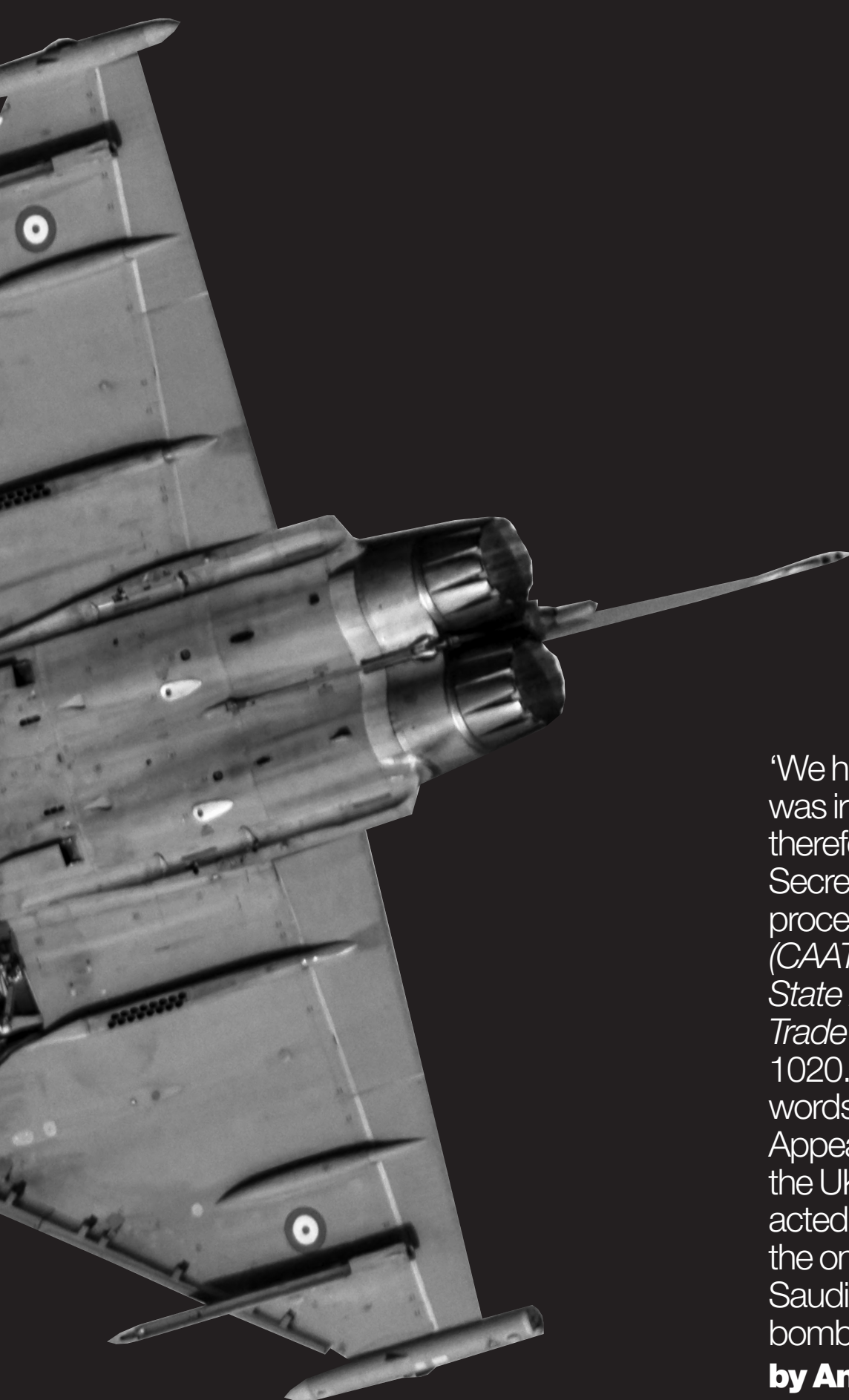
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**Sticking to their guns**

**The UK government's  
brazen commitment  
to arms deals**





‘We have concluded it was irrational and therefore unlawful for the Secretary of State to proceed as he did’. *R (CAAT) v Secretary of State for International Trade* [2019] EWCA Civ 1020. It was with these words that the Court of Appeal announced that the UK government had acted unlawfully in arming the ongoing and terrible Saudi Arabian-led bombardment of Yemen.

**by Andrew Smith** >>>

**STOP UK  
ARMS  
EXPORT TO  
SAUDI  
UAE  
DICTATORSHIPS**

✉ [icfj@europe.com](mailto:icfj@europe.com)  international campaign for justice



**“It may have taken years to reach this outcome in the Court of Appeal, but it only took weeks for the government to breach it.”**

>>> The judgment was met with silence in the court room, although nobody listening to the judges could be under any illusions about its importance. Saudi Arabia is by far the world’s largest buyer of UK-made weapons and has been for decades. Its royal family has a huge presence in the corridors of power and has enjoyed the backing and support of successive UK prime ministers from both major parties.

The unprecedented ruling is the latest stage in a three-and-a-half-year legal challenge brought by Campaign Against Arms Trade (CAAT). It means that there is now a ban on all future arms sales to the Saudi-led coalition for use in Yemen while the government reviews existing arms licences through a legally correct process.

The basis of CAAT’s case was a simple one: the Secretary of State had been wilfully blind to the risk that UK-made weapons would be used in Yemen. Under EU and domestic law, if there is a ‘clear risk’ that a weapon ‘might’ be used in a serious violation of international humanitarian law (IHL) then an arms sale should not go ahead. The Secretary of State had taken the view that there was no clear risk and had granted the licenses. CAAT brought judicial review proceedings against that decision, arguing that the Secretary of State had failed to take into account the historic pattern of breaches of IHL by Saudi Arabia. Right from the start of the bombing in March 2015, Saudi-led forces had been widely accused of committing serious IHL violations.

Two years ago a Divisional Court (Burnett LJ and Haddon-Cave J) ruled that the Secretary of State’s view was justified, and that the licensing decision was therefore lawful. CAAT appealed. In a powerful and unanimous judgment, Sir Terence Etherton MR, Irwin and Singh LJ decided that the Secretary of State’s failure to take into account the historic pattern of Saudi breaches of IHL was irrational. The Secretary of State’s decision was an unlawful one.

It may have taken years to reach this outcome in the Court of Appeal, but it only took weeks for the government to breach it. In September the Secretary of State for International Trade, Liz Truss, wrote to MPs on the House of Commons Committee on Arms Export Controls to inform them that the government had ‘inadvertently’ allowed two licences for military equipment to Saudi-led forces for use in Yemen.

Her admission was met with widespread anger and condemnation, with the Labour Party leadership calling for her resignation. The government promptly launched a review into all other licences that had been granted since the Court of Appeal ruling. Only 10 days later Truss announced to Parliament that civil servants had identified further breaches, with the possibility that more will emerge in the weeks ahead.

In these particular cases the licences were for fairly benign components, but they put the lie to the government’s tired mantra that it has some of the most ‘rigorous’ and ‘robust’ arms export controls in the world. What these revelations emphasise is the extent to which the government has put a far greater priority on arms sales than on the rights and lives of people in Yemen.

There is no doubt that UK arms have played a central role in the bombardment, which has caused the worst humanitarian crisis in the world. Right from the start, UK-made fighter jets have been used to drop UK-made bombs and fire UK-made missiles on Yemen. Since the war began the UK government has licensed at least £5.3 billion worth of weapons to the Saudi military, and a further £1 billion worth of arms to the wider coalition.

Tens of thousands of people have been killed as a direct result of the war, with schools, hospitals and other vital infrastructure having been destroyed across Yemen. >>>

Picture: Campaign Against the Arms Trade



# £5.3bn

“Since the war began the UK government has licensed at least £5.3 billion worth of weapons to the Saudi military.”



# 280

The number of UK Ministry of Defence civil servants and military personnel working in the UK and Saudi Arabia to support contracts through the Ministry of Defence Saudi Armed Forces Programme (MODSAP) and the Saudi Arabia National Guard Communications Project (SANGCOM). They are paid for by the Saudi Arabian government.

# 60,000

People killed in Yemen since the start of 2016.

# 3,500

Children killed or injured (by January 2017).

BAE's Typhoon and Tornado aircraft have been central to Saudi Arabia's devastating attacks on Yemen – attacks that have killed thousands and created a humanitarian disaster. Further Typhoon aircraft have been delivered to Saudi Arabia during the bombing and BAE and the UK government are pushing hard for a new contract.



**“Tens of thousands of people have been killed as a direct result of the war, with schools, hospitals and other vital infrastructure having been destroyed across Yemen.”**



»»» Research from Mwatana for Human Rights, a Yemeni human rights monitor, has directly linked UK-made weapons to attacks on civilian sites.

This uncritical military support and ability to ignore the consequences has been complemented by a sycophantic political relationship. The depths to which Downing Street would sink to were evident last March, when the Saudi crown prince, Mohammed Bin Salman, flew into London for a three-day visit that included lunch with the queen and dinner with Prince William.

The government's priorities were on full display the week before Truss's announcement, when the Saudi Arabian regime was among the international delegations invited to London for Defence & Security Equipment International 2019 (DSEI), one of the world's biggest arms fairs.

While at DSEI, Saudi delegates will have been greeted by civil servants and enticed by representatives from the world's biggest arms companies. They will also have been present while Truss herself gave a keynote speech promoting arms sales around the world. Nobody will have said a word about the human costs of the arms industry, or the consequences of the 20,000 air strikes that have been carried out against Yemen.

The thousands of people who took action and protested against the arms fair may have been looking on in disgust, but DSEI is a major event for the arms industry. The ability to compartmentalise and forget about outcomes is a core part of their business. To the arms dealers it isn't a humanitarian catastrophe that has been inflicted on Yemen: to them it's just another business opportunity.

Ultimately the war in Yemen can only be fought because of the complicity and support of arms dealing governments like the UK. Without US and UK-made weapons the war simply

would not be possible and could never have lasted for four-and-a-half bloody years. It's not just the weapons themselves that have proved vital to the bombing, it's the infrastructure, and the training and support that have gone are necessary for the weapons' sale and use. None of that could be replicated quickly elsewhere, so there is very little scope for the weapons to have been sold elsewhere.

The case that CAAT brought may have prevented future sales, but these arms sales should never have been allowed in the first place. It's not just an end to these arms sales that is needed, but an end to the policies and political mindset that allowed them to happen in the first place.

In the months ahead the Supreme Court will consider an appeal by the government. We are confident in our case and believe that the government will fail. By launching an appeal, the government is showing how strong and unwavering its commitment to arms sales is, regardless of the consequences. The question is not just a legal one, it is also a political one. The prominence of the arms trade in public life, and the toxic relationship between the UK government and the Saudi dictatorship, are the result of political decisions. If we are to see lasting change then there's a role for all of us in holding the government to account and demanding better.

In the meantime, the government has shown that it cannot be trusted to follow its own laws or a ruling from the Court of Appeal. There can be no more excuses; the court's judgment and the subsequent breaches must surely be followed by the immediate end of all UK arms exports to the Saudi regime and all support for its devastating war in Yemen.

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Andrew Smith is a spokesperson for Campaign Against Arms Trade (CAAT) – [www.caat.org.uk](http://www.caat.org.uk)

# CHILDREN'S STATUTE

November 2019 marked the 30th anniversary of the Children Act 1989. The United Nations Convention on the Rights of the Child (the CRC) also turns 30 this year. Between them the two legal texts are seen by many as the statutory equivalent of a hot chocolate and a hug: lawyers with socialist leanings should enjoy the chance to celebrate because these two texts, while remaining aware and critical of their shortcomings.

The act is undoubtedly useful. Sections 17 and 20 can help vulnerable families and children access vital support from social services (although it is, of course, tragic that lawyers have to be there to insist on that support in the first place). The care orders provisions under section 31 – which separate families in the name of child protection – are traumatising, overused and abused, but they can also be a necessary evil in certain circumstances (circumstances that often arise from social maltreatment, which care orders do little to alleviate).

Thirty years ago local authorities were given the powers and duties to care for children in need. Unfortunately, and in so many ways, the caring state is failing: the lifetime of the legislation has coincided with the steady erosion of local authorities' resources. Now, 30 years after Thatcher and 11 years into austerity, services are poor and gatekeeping is rife. This will continue until there is a fundamental shift in the government's approach to political economy.

Assuming we spend the next few years rebuilding, we need to identify the world we wish to create. Article 12 of the UN Convention gives legal form to the concept of 'children's participation'. Essentially, the best interests of a child can only be attained if their voice is heard and respected; if they participate in the planning and control of their life. This norm, which is analogous to self-determination, permeates through to the domestic legislation (the Children Acts of 1989 and 2004) and should underpin everything our caring state does in relation to children.

While a child is being looked after by the state, they will be subject to routine 'child in care reviews'. These are mechanisms for bringing all the key adults in the child's life together to discuss that child's development. If it is safe and practicable, family members can be there too. Otherwise the space is dominated by professionals.

Researchers argue that if these meetings incorporate 'participation' they will lead to increased confidence, self-efficacy and self-worth. Adults cannot determine what is good for a young person if they're not listening to them, if that child's voice is not

by **Joe Latimer**

respected and valued. It is easy to imagine how detrimental it is to children's mental health and wellbeing when they feel powerless over their lives.

But anyone with experience in the sector will be aware that children's participation is often just an add-on, an afterthought, brought into social work when the social worker has time to spare (which is basically never). It is supposed to be a central value at the core of social work practice, but it often simply ends up as a box in need of ticking, an empty gesture.

Hayley Pert's research, in which she

interviewed children in care and professionals in one local authority, demonstrates that young people and the frontline workers in their lives could all identify what the barriers to participation were. Unsurprisingly, the young people themselves seemed most insightful about 'the system'. The senior managers she spoke to, though, were detached from reality and lacked a realistic attitude to casework. Many didn't even understand what children's participation entails, thinking it simply meant being sat at the table.

The barriers to participation aren't surprising: no one explains the purpose of a child in care review; they are awkward

**“The caring state is failing: the lifetime the steady erosion of local authorities’ and 11 years into austerity, services are**





# REACHES MATURITY

(imagine having your least favourite teacher admonishing your school work at the family dinner table); random unidentifiable people are invited; and the professionals' vocabulary is often punitive and disciplinarian. The meeting is all too often an invasive, uninformative, boring process, if not actively traumatic.

So, what are the enablers of 'participation'? Pert has found good examples. Some professionals work very hard, and very successfully, to make the meetings creative and memorable. As the guidance says, the child should be encouraged to set the agenda, choose who to invite and decide where the meeting will take place. There is a bit of a circle to

square in that social services do have to hear from everyone important, and that might mean talking to someone the child does not like, but discussing this with them is not an insurmountable difficulty.

Pert's research describes reviews that took place in cafes, kitchens and parks where attendees made milkshakes or pizzas or played games. In one example a key professional would start encouraging the children to chair their own reviews from an early age. By the time they were leaving care they were almost completely responsible for the meeting. The take-home message is that, as far as possible, these reviews need to be celebrations of the child. With a bit of creativity and

confidence, this arid system can be brought to life.

The average child social worker lasts two years before burning out. A lack of consistency in a child's life can be massively damaging, meaning we are administering a damaging system. The current government has shown little interest in dealing with this problem. Instead we wrap the workers up in more red tape: more guidance, more legislation, more boxes to tick, but no more resources.

The crisis in social services is a crisis in care. It means that looked after children will not have the chance to build meaningful relationships with their professionals, to participate in the process they're subjected to. It means that the professionals they meet are constantly spent. It means that the workers who are staying in the job have unsustainably high caseloads and end up cutting corners. They are forgetting to write care plans, let alone encourage children's participation in them. It means that 80 per cent of a social worker's time is spent on data entry when 70 per cent of that data is already on the system!

Crucially, Ofsted do not have a meaningful metric for participation in the first place. In fact, it is their metrics that pressure social workers into focusing on the wrong things. So instead of making sure a young person has voice and influence, they are haplessly ticking boxes. The researcher Clive Diaz has noted that one particularly worrisome local authority he worked with was described as 'outstanding' by Ofsted.

But there are tangible steps we can take right now, without even waiting for a radical Labour government. Meetings with social workers and other professionals can be fun and memorable. We need to take every opportunity to tell our social worker comrades about the ones who let children chair their own meetings and set the agenda, and who would play games and make pizzas during reviews.

A socialist world will be a lot more fun than this one. It will respect individuals and give them agency while providing collective care for those who need it. The systems that the Children Act created are hazardous. They need more resources than they have. But a lot of the pitfalls of the Act's mechanisms can be avoided if day-to-day practice incorporates participation. There is no panacea, but pizza, parks and milkshakes certainly help; and fostering the self-determination of the children we work with is a matter of individual, day-to-day practice.

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Joe Latimer is a trainee solicitor at Just for Kids Law, where he previously worked as an advocate for young people facing adversity. The views expressed are his own.

of the legislation has coincided with resources. Thirty years after Thatcher poor and gatekeeping is rife.”



Picture: Jess Hurd / reportajournal.co.uk



# Grave new world: mass surveillance and labour rights

by Liam Welch





Science fiction has always warned us that with technology comes the looming potential for mass monitoring and encroachment into our personal lives. George Orwell had Big Brother and the telescreen, monitoring everyone from their homes. Philip K Dick thought up the authoritarian ‘Precogs’, spotting offences before they had already happened. >>>

**“Workers are increasingly being surveilled, profiled, supervised and assessed by various methods that would have been unthinkable 15 years ago. A worker’s whereabouts can be tracked through access cards, vehicle trackers and company mobile phones. Using keystroke technology, employers can monitor every single action taken on a company computer or device.”**

>>> More recently, Charlie Brooker gave us ‘Arkangel’, an implanted microchip technology used to track children. Worryingly, instead of viewing these fictional technologies as a warning, employers increasingly appear to be using them as inspiration.

#### **Data use in the workplace**

It is now common for job applicants’ online history and social media to be trawled before interviews. This raises real privacy considerations, especially given that young people entering the workplace today will not remember a world where social media did not exist. Such trawls are also routinely used as evidence by employers in disciplinary proceedings.

Furthermore, people’s data can be bought by potential employers from third-party data brokers. Specialist worker assessment software can then be used to create psychological profiles of candidates. Using this software, a candidate’s geographic location, social media history, personal and professional relationships, and their consumer choices can all be screened. During the selection process itself, technologies such as HireVue claim to assess candidates’ suitability jobs by using algorithms based on video footage to score applicants. The

footage is then used to analyse numerous factors (‘data points’), which include workers’ verbal responses, their intonation, and non-verbal communication (ie body language) to allegedly predict future job performance.

It comes as no surprise, then, that workforce data is being used in a number of monitoring contexts. Workers are increasingly being surveilled, profiled, supervised and assessed by various methods that would have been unthinkable 15 years ago. A worker’s whereabouts can be tracked through access cards, vehicle trackers and company mobile phones. Using keystroke technology, employers can monitor every single action taken on a company computer or device. Workers are also often monitored in the workplace via CCTV, and have little real control over how a company handles or retains that data. Workers know that footage could easily be obtained and used against them, but at the same time there is little guarantee that information could be promptly obtained should it be potentially useful to them against their employer.

With the fast pace of modern technological advance come further intrusions into workers’ private lives. In the criminal justice system electronic tags have been used since the 1990s to ensure

compliance with remand and license conditions. But now employers are starting to ‘provide’ such ‘wearable tech’ to workers. In 2016 it was reported that Amazon applied for two patents for wristbands that monitor the locations of workers’ hands in relation to their inventory bins, in order to monitor their performance. Amazon has form: for a long time its workers have been continuously tracked in warehouses. Workers are expected to carry personal satellite navigation computers that dictate the route that they are expected to take around the warehouse to shelf goods, and that then measure whether they meet targets. This data is used to set further targets, which can result in dismissal





It isn't such a leap for employers to begin monitoring our sleep, our activity levels and our movements, with penalties for perceived inefficiency. In the non-unionised hinterlands of today's economy, what is to stop employers insisting on workers wearing such monitoring devices around the clock?

This assumes that workers are left with the option of removing their monitoring devices. Drawing on experiences tracking household pets, tech firms offering microchip implants are already in talks with businesses in the UK to microchip their staff. This already appears to be in place in firms in the USA and Sweden. In 2017 the Wisconsin-based company Three Square Market announced that it would be offering to implant 'identification chips' into the hands of its workers, on an ostensibly voluntary basis. The chips are injected between the thumb and forefinger where they can be used to gain access to security doors, log in to company computers and photocopiers, and operate staff vending machines. Aside from the obvious corporal, human rights and privacy issues that this raises, there are very real health concerns. Since the 1990s studies have shown evidence that microchips can cause cancerous tumours to develop in rats and mice near the implantation site. Whilst Three Square Market reported that initial take up was good, given the current inequality of arms in most worker/employer relationships, can such decisions ever be genuinely voluntary and allow for true and informed consent?

Tracking devices contribute data to 'people analytics' and, unsurprisingly, this phenomenon bleeds into areas such as recruitment, disciplinary investigations and productivity. This raises issues of workers' rights to challenge what data is kept, how it is used and stored, and when it will be destroyed. These are important questions in any event, but will be especially pressing should biometric data harvesting and microchip implantations gain a real foothold. Leaks and hacks are prevalent in today's society, and there is a worrying commodification of data. It seems unlikely that employers could say with any confidence that such intimate data would be sufficiently secure.

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should the workers fail to meet them. These practices have been said to lower worker wellbeing, and to lead to workplace injuries as workers rush to meet targets.

In 2018 West Virginia teachers were forced to take strike action over proposed changes to their public worker health plan, which required them to download a points based fitness tracker app designed to monitor the users' biometric data, including steps taken and their heartrate. Those who declined to comply, or who did comply but failed to rack up enough points, faced a compulsory penalty of \$500 per year. The proposals may have been defeated through industrial action, but the spectre looms large.

### >>> The next steps for employers

On the basis of the technology already in place to assess job applicants, a natural extension for employers is to then use these analytics to assess how a worker will continue to perform in a role. This could lead to health data being used to predict and dismiss workers before they develop health conditions. Predictions could also be made based on a worker's behaviour in order to dismiss them in relation to their anticipated future conduct, before reaching the two-year continuous service requirement for bringing an unfair dismissal claim. Given the obviously anti-union stance of many of the big tech and gig-economy employers, this could also be used against workers who may show potential as trade union organisers and representatives.

### Workers' data rights

Workers do have some existing rights that they should be aware of when it comes to data. The General Data Protection Regulations (GDPR) allow workers the right to know what data an employer collects and how they intend to use it. Employers must also use 'privacy notices' to explain how data is going to be handled, and these should be displayed and made available to workers. Employers cannot collect data indiscriminately and must have a lawful ground for the processing of data, and workers can challenge this if they think it is unlawful. But consent is not normally needed in the employment context, so there is no opt-out of the GDPR for employees. Workers should bear in mind that the Information Commissioner's Office have the power to issue sanctions for employers for non-compliance with the regulations, and should they suspect irregularity they should not hesitate to contact their trade union and/or the ICO.

Furthermore, GDPR provides that workers should not be subject to solely automated decisions if that have a potentially significant effect. Should an employer wish to use fully automated processing and profiling, they must carry out a privacy impact assessment, and consult the ICO for guidance if there is a high risk to rights and

freedoms. In reality it remains to be seen how easy it will be for employers to skirt these provisions.

In the legal context, individuals have a right to a private life and correspondence under Article 8 of the European Convention on Human Rights, and this is also extended to the workplace, albeit in a restricted manner. In the case of *Bărbulescu v Romania*, which was escalated to the European Court of Human Rights (ECHR), it was found that the right to a private social life in the workplace could not be reduced to zero and that it should be respected, although could be restricted as far as necessary. This means that whilst an employer can place





**“The General Data Protection Regulations allow workers the right to know what data an employer collects and how they intend to use it. Employers must use ‘privacy notices’ to explain how data is to be handled, and these should be displayed and made available to workers. Employers cannot collect data indiscriminately and must have a lawful ground for the processing of data, and workers can challenge this.”**

permissible, but only if the employer has sufficient justification.

Despite the importance of the issues raised above, perhaps unsurprisingly the current Tory administration do not appear to be putting measures in place to tackle these encroachments and both the government’s recently announced Artificial Intelligence Council and its Centre for Data Ethics and Innovation have failed to solicit or include any representation from workers. Whilst the Trades Union Congress are fully aware of the disquieting trends detailed above; it remains crucial that workers report the current practices of their employers to their trade union. It is particularly important that any proposals for implementation of new policies and practices are disclosed as soon as possible to ensure that their union is fully abreast of developments. Under the Trade Union and Labour Relations (Consolidation) Act employers are under a legal obligation to disclose material information to trade unions for the purposes of all stages of collective bargaining, which should be engaged in in the unionised workplace prior to the alteration of workers’ terms and conditions. Workers and unions should be vigilant that employers do not attempt to circumvent this when implementing new data-driven policies.

Should workers have concerns that their employer is currently breaching their data rights through monitoring practices, or suspect that they have been subject to autonomous decision making then this should be reported to the ICO as well as to their trade union as soon as possible. Similarly, if a worker feels that their employer is excessively limiting their social communications or surveilling them without sufficient justification whilst at work, then they should ensure that this is reported to their trade union and they should seek legal advice.

Another dystopian science fiction writer, William Gibson, once said “the future has arrived – it’s just not evenly distributed yet”. Employers have leapt on new technology, and this is a crucial time for workers to be vigilant: workers and unions must take a role in the development of how emerging technologies are applied and regulated. The alternative is to allow for further encroachment into workers’ personal lives and a deterioration of working conditions, which must not be allowed to happen in any version of the future.

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Liam Welch is a solicitor at the National Union of Rail, Maritime and Transport Workers (RMT) union. He is writing in a personal capacity.

limits on a workers use of communications and social media whilst at work, they cannot be restricted completely. On the other hand, the recent ECHR case of *López Ribalda and Others v Spain* found that employers did not breach their employees human rights in covertly recording workers via CCTV. This was justified on the basis of a reasonable suspicion of serious misconduct on the part of the employees, and the potential for significant losses as a result. The ECHR did accept however that a simple, slight suspicion of employee wrongdoing would not justify the installation of covert video surveillance by an employer. Therefore covert video surveillance by employers is potentially

The Dring judgment has been hailed as a victory for open justice. Already corporate lawyers are issuing warnings about an additional litigation danger to their clients, who had assumed that the volumes of documents that they were sitting on would remain cloaked – but they may now be forced to play with a more open hand.

In January and February 2017, a squabble between Cape Intermediate Holdings plc and Concept 70 who represented a group of insurers over who should bear liability for the injuries suffered by Cape’s product asbestos, was brought to the High Court to resolve. Picken J heard the matter, and reserved judgment. A core bundle of over 5,000 pages in around 17 lever arch files was before the court.

After trial had ended, but before judgment was delivered, the claim was settled by a consent order.

In a subsequent witness statement Mr Isted for Cape explained:

*“As part of the negotiated settlement, an arrangement was reached whereby the legal representatives acting for the Claimants [...] would destroy their hard copy bundles (or would, in the alternative, return their hard copy bundles to their clients) and their access to the electronic trial bundle would be withdrawn. The purpose of this, so far as Cape was concerned, was to ensure that their confidential documents were not used in an unauthorised manner or placed in the public domain without their knowledge”.*

However, to the alarm and consternation of the corporations involved in the litigation, without notice, the Asbestos Victims Support Groups Forum UK (which was not even a party to the proceedings) applied under the Civil Procedure Rules (rule 5.4C) for third-party access to the ‘records of the court’ – to preserve and obtain copies of ALL the documents used at or disclosed for the trial, including the trial bundles, as well as the trial transcripts.

This brazen request was made by Graham Dring, and the resultant Supreme Court ruling should send a shiver down the spine of corporations contemplating litigation, and may well open the door to others in conflict with corporations seeking to obtain access to confidential evidence, which those with deep pockets had assumed could be locked safely away.

**MK:** Cape Intermediate Holdings Ltd, or rather its predecessors, made and supplied asbestos, how would you describe its history?

**GD:** The Cape Asbestos Company was set up towards the end of the 19th Century. It had extensive asbestos mining interests in southern Africa and began importing asbestos into the UK and other European countries for producing fire-resistant products. It set up three factories in and around London just before the First World War, the most important one in Barking. Cape employed over 10,000 people in its factories at the height of its operations.

Its history, unfortunately, is typical of the rest of the asbestos industry – indifference to the harm it caused, putting its own profits before the lives and wellbeing of workers. The company’s operations didn’t only kill and maim the miners it employed to extract this deadly mineral, nor just the workers directly employed by them in their own factories. Those who worked with their products in industry, contractors going into their factories and people living nearby have also died from asbestos-related diseases such as mesothelioma. And women who shook out and washed their husbands’ work clothes have also died of mesothelioma through inhaling asbestos dust.”

**MK:** Where does Cape sit within the wider asbestos industry?

**GD:** Cape’s successor companies no longer trade in asbestos, which was finally banned in the UK in 1999. However, at the height of the asbestos trade in this country, Cape was one of the largest asbestos companies in the world and, along with Turner & Newall, one of the two main players in this country.

In addition to the factories in London it bought other companies around the country and had extensive interests in asbestos insulation, employing ladders who travelled the country doing pipe and boiler insulation work in factories, power stations etc.

Cape, of course, owned the notorious Acre Mill in Hebden Bridge. This was the subject of a damning *World in Action* documentary in 1972, which laid bare the shocking health and safety standards inside the factory. Acre Mill was also central to the famous 1982 documentary *Alice, a fight for life* which told the story of Alice Jefferson, a 47-year-old woman who contracted and died from mesothelioma after working at the factory for only nine months. This documentary opened the public’s eyes to the horrifying dangers of asbestos and put the industry on the back foot for the first time.

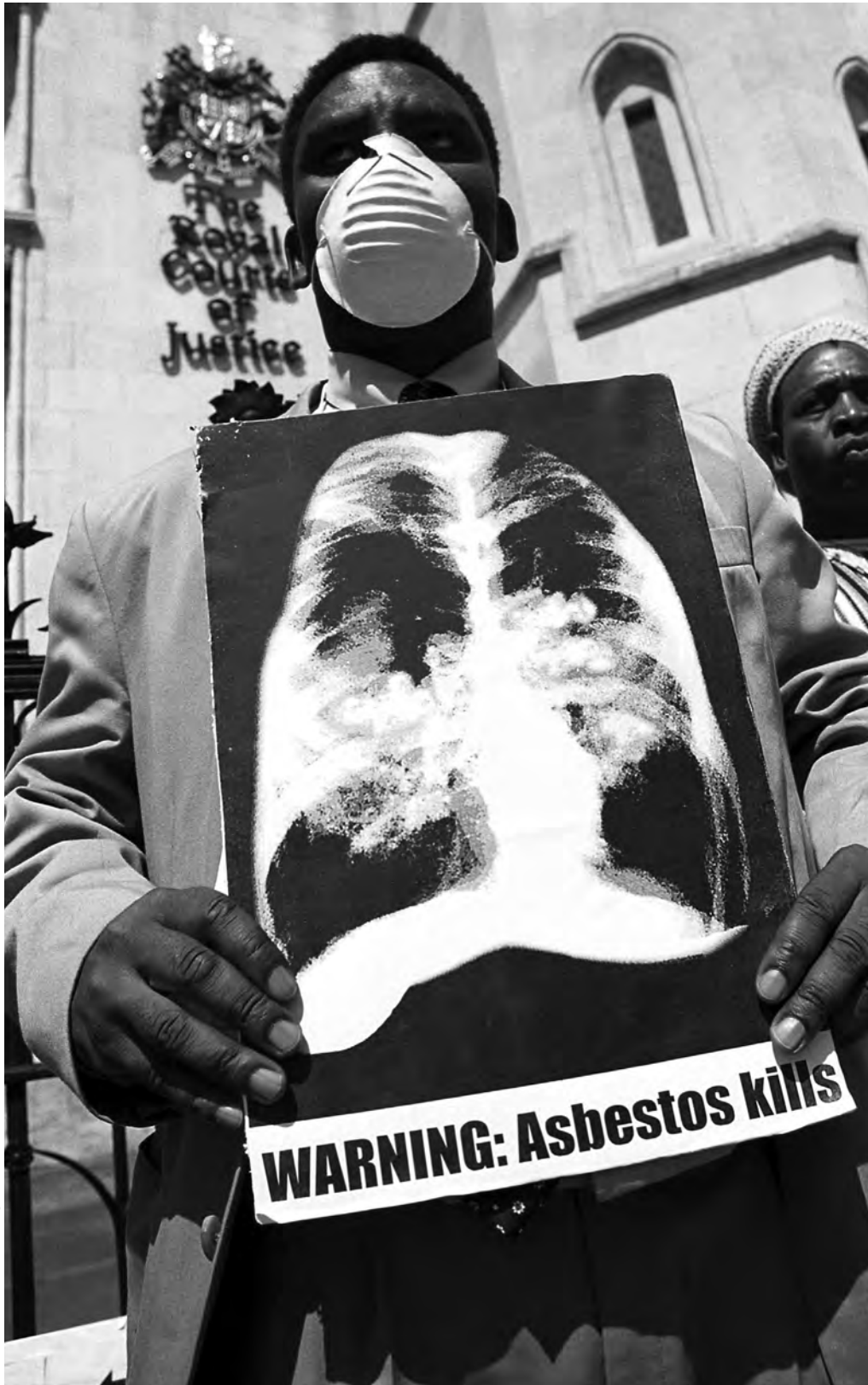
One of Cape’s most profitable products was an asbestos insulation board called Asbestolux which was widely used >>>

**Graham Dring**, a long-standing campaigner for justice for asbestos victims spoke to **Mikhail Karnik** about the recent Supreme Court case *Cape Intermediate Holdings Ltd v Dring (Asbestos Victims Support Groups Forum UK)* [2019] UKSC 38.

## Asbestos litigation and disclosure rights

# Lethal n





Picture: Jess Hurd/reportdigital.co.uk

*South African asbestos victims took the Cape Plc mining company to the UK's High Court in 2001 demanding compensation and the clean-up of former mines.*

# material

>>> up until the early 1980s in construction. Joiners would have to cut this to size and shape, then drill and fix it, all processes which would release deadly asbestos fibres. One in seven of the people we see in Greater Manchester who have been newly diagnosed with an asbestos-related disease are former joiners. It is by far the most common trade of people we see and most of them recall working with Asbestolux.

This country has the worst per capita incidence of the asbestos cancer mesothelioma in the world. About 2,500 a year are currently dying of this disease in this country, with a similar number of new diagnoses each year. There is no cure for mesothelioma. Similar numbers are dying from asbestos-related lung cancer and asbestosis according to Health and Safety Executive estimates.

Many thousands more will die before the epidemic ends. Mesothelioma and other asbestos diseases have a long latency period, the diseases developing between 20-60 years after exposure to asbestos. This is the worst industrial disaster this country has had, an avoidable, man-made disaster which never should have been allowed to happen. Politicians and industry were to blame. If asbestos had been banned when the dangers were first known, rather than decades later we would not be seeing the awful number of deaths we see today. But the asbestos industry had friends in high places and so here we are.

Cape's activities are absolutely central to the epidemic of asbestos-related diseases we are dealing with in the UK and elsewhere.

**MK:** What is the Asbestos Victims Support Groups Forum UK? Why was the forum established?

**GD:** The Forum was set up in 2005 to campaign on issues affecting asbestos victims. It is an organisation made up of groups in England, Scotland and Wales. These groups have been set up by victims and their families, unions and campaigners to provide advice and support. They help people claim the benefits and compensation they are entitled to, run support groups for victims and bereaved family members, provide advice on asbestos safety and campaign on issues affecting asbestos victims. They have also raised thousands of pounds for mesothelioma research.

The Forum has made previous successful judicial review challenges to government proposals and, with other groups, including the All Party Parliamentary Group on

Occupational Safety and Health, successfully campaigned for improvements in social security benefits for asbestos victims and the establishment of the Diffuse Mesothelioma Payments Scheme (DMPS), an insurer-funded scheme that compensates mesothelioma victims unable to pursue a civil claim in court because the negligent employer is no longer trading and their employer liability insurer cannot be traced. This scheme has paid out almost £200 million in compensation since it was set up in 2014 to victims who would otherwise have died uncompensated.

**MK:** What is your role within the Forum?

**GD:** I was chair of the Forum when our case against Cape started in 2017. I stood down as Chair in September 2019. I work for the Greater Manchester Asbestos Victims Support Group, a Forum member.

**MK:** How did you find out about the litigation between Concept 70 Limited Cape Intermediate Holdings Ltd?

**GD:** I was alerted to the conclusion of the original case by Harminder Bains of Leigh Day Solicitors, who specialises in asbestos litigation on behalf of victims. Because both sides in this case were well resourced, far more documents were disclosed in litigation than would be typical for a case involving an individual pursuing a claim under a Conditional Fee Arrangement.

We understood that it had been agreed that the documents would be destroyed, documents we believed it was in the public interest to retain and make accessible, not only for those individuals pursuing claims but also for those who wanted to understand how the asbestos industry operated and was allowed to regulate itself. In April 2017 we authorised Leigh Day to act on behalf of the Forum to obtain an injunction to prevent the destruction of these documents and our case to access these documents began from there.

We have been represented by our legal team *pro bono* throughout the whole case and would not have been able to achieve what we have without their selfless commitment. In addition to Harminder's work, Rob Weir QC, Jonathan Butters and Harry Sheehan of Devereux Chambers have also represented us *pro bono* and we owe them a debt of gratitude for this.

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Mikhail Karnik is a barrister at Garden Court North chambers, writing in a personal capacity.



Picture: Jess Hurd / reportdigital.co.uk

## The changing nature of the enemy

### The New Authoritarians: Convergence on the Right

by David Renton, Pluto Press, paperback, £16.99 (with free eBook)

David Renton offers a timely and nuanced exposition of worrying trends of authoritarianism in Europe, the United States and Brazil. Importantly, he also provides a call to arms to the left in understanding what needs to be done.

It is lazy and wrong for certain commentators and activists on the left to characterise Trump and Bolsonaro as fascist, Renton argues. He maintains that fascism is best understood as a specific form of reactionary mass movement with a specific leadership cult and party form, infused with an ideology of anti-socialism and anti-liberalism. The non-fascist far right has different goals so that the difference between the right and far right, being relational, is not easy to map and the content of the distinction changes over time.

Renton achieves that unique form of service to the left in providing an understanding the



changing nature of its enemy, discussing issues relevant to contemporary discourse, such as Brexit, but necessarily drawing upon the historical evolution of capitalism. Some of the issues causing angst amongst liberals in the US and the UK are best understood as part of a need to radically review the underlying structure of their societies and the premises upon which they are based. One of the juicy facts Renton deploys in support of his argument is that Trump's supporters were on average richer than Clinton's and the same dynamics could be seen in Brexit, with a majority of Brexit voters living in southern England. This leads to the restrained anger of a

pithy comment alluding to the strange sociology which sees prejudice only in those below, when more of it is to be found among those at the top.

Renton traces how the transformation has been eased by the way in which the legacy of 1939-45 has been diminished in our collective memory to be replaced by the legacy of 11th September 2001, including mass deportation and other measures of racialised exclusion. He outlines how there have been various attempts by the far right after 1945 to find a way to reinvent itself without the stigma of fascism, ranging from Evola to Bannon.

Whilst there is a focus on events in Britain, the US and France that will be familiar to readers of *Socialist Lawyer*, Renton addresses the internationalism of the new right, especially the ways in which the alliance of the centre and far right takes place across borders. Interestingly, he views this as a moment of reactionary change comparable to the British and American elections of 1979 and 1980 with the devastating impact they have had on those societies.

**"Trump's supporters were on average richer than Clinton's and the same dynamics could be seen in Brexit."**

An exploration of austerity and the demise of welfare spending after the economic crash of 2007-08, and the declining legitimacy of a model of economic development through the perpetual expansion of free trade are key parts to Renton's argument. The raising of borders in the imagined communities of the world's richest countries and the exclusion of anyone outside them who was hoping to share in their wealth has been a discernible trend. This has been accentuated in the UK through the recent years of austerity, leading Renton to conclude that this has been the greatest transfer of resources away from the poor in more than a century. Renton's key insight is the shape-shifting nature of the new kinds of authoritarianism that are emerging (and converging), bringing back old ideas in new combinations in this context where trust in politicians is inevitable.

Renton's imploration for the left to change its approach in response to the evolution of the right will no doubt be inspired by the need to answer his call to arms. Exposing the right is not enough. The left needs to do more, and to offer more, in terms of the material needs of its societies: better wages, cheaper homes, greater benefits and a sustained hostility to the racism and sexism of the right. And, in this respect, there really is no alternative.

**Declan Owens**

## Ironic, strong and funny tonic

### The Big J vs The Big C: Issues, Experiences and Poems in the Battle Against Breast Cancer

by Janine Booth, Flapjack Press

Janine Booth chronicles her two and a half year 'cancer journey' with humour, philosophy and above all empathy for the hard-pressed NHS workers who have saved her, and many other lives.

Her analysis is both political and personal as she describes her



outrage at her initial diagnosis. She produces well-researched consideration of the political issues affecting the NHS, together with some hilarious poems that put into words how so many cancer patients feel: angry, helpless, trusting in the NHS and finally relieved and victorious. Whether she is discussing surgery on her much-loved right boob, her return visit to hospital with sepsis or her final discharge two years after

initial diagnosis she maintains an ironic and strong sense of humour.

*"It isn't my humour*

*That sees off my tumour*

*Or my banter or mocking derision*

*It isn't my laugh*

*But the medical staff*

*And their caring, their skills, their precision."*

In every chapter she reminds us that the NHS is to be defended: whether she is describing the machinations of the US drug companies who charge ever-higher fees for imported drugs, or the disastrous effect of the Private Finance Initiative and resultant fragmentation of services. She also gives good advice on the application of the Equalities Act

2000 in requiring employment to be kept available for those of us with a cancer diagnosis.

The book is interspersed with poetry and personal anecdotes as Janine struggles to retain her job with London Underground, keep her family intact and continue as a performance artist.

Currently undergoing my own cancer journey, Janine's must-read book has lightened my darker moments. It is particularly pertinent now, just before the 2019 general election, that the NHS that we all rely on "from cradle to grave" (in the words of Nye Bevan) may not be around for much longer.

**Wendy Pettifer**



## Solemnity and quiet dignity

**FILM: Solidarity** Director: Lucy Parker. [www.solidarityfilm.com](http://www.solidarityfilm.com) <http://cityprojects.org>

This 76-minute documentary bills itself as ‘a film about the secretive methods used against UK activists and trade unionists’. It deals briefly with the rising attacks on trade unions, a short history of the Economic League and its successor The Consulting Association, who had 3,213 covert files on individual workers, both in and out of the construction industry, and touches on its human cost.

The film then moves on to deal with the public inquiries into the blacklisting of construction workers that took place; then covers the street protests and accompanying legal battle to secure compensation for those affected.

*Solidarity* looks at rising militancy within the trade union movement today, before dealing with the ‘spy-cops’ saga, where countless activist groups were infiltrated and monitored by undercover police, with a particular focus on the women affected by the officers with whom they unwittingly and tragically had relationships.

If that sounds like a lot to cover in 76 minutes, that is because it is. The multiple strands are told through short interviews, and footage from various inquiries and activist meetings. The film also contains some slightly perplexing footage of wide-eyed law students interacting with activists, trying to make sense of the legal issues that blacklisting throws up; some of these students it appears have depressingly refused to have their names included in the final credits. It is a shame that despite the quasi-legal focus of the film, no acknowledgement is given to the tireless efforts of such lawyers as

Declan Owens or John Hendy QC in the legal fight against blacklisting. On the other hand, due credit is rightly given to the tenaciousness and fearlessness of activists such as Dave Smith and Frank Morris who were involved in the blacklisting campaign group and as claimants in the legal battle itself.

The documentary eschews a strictly linear approach, favouring a more artistic tack, which creates a mood of solemnity and quiet dignity. It also offers a message of hope, of ordinary people taking extraordinary measures to have

“Lucy Parker has been working with blacklisted workers for years. We have taken her into our hearts. It takes an artist to convey the emotional as well as the factual side of our story.”  
Dave Smith, secretary of the Blacklist Support Group

their voices heard. I understand that the filmmakers hope to make this film freely available to campaigning groups and it should serve as a useful primer in this regard. At the same time this documentary shows that there is still room for more in-depth, individual documentaries to be made on all of the main themes that this ambitious, if whistle-stop, piece touches upon.

**Liam Welch**

The Haldane Society and Birkbeck are jointly organising a free showing of the film *Solidarity* on 7th February. Details below.

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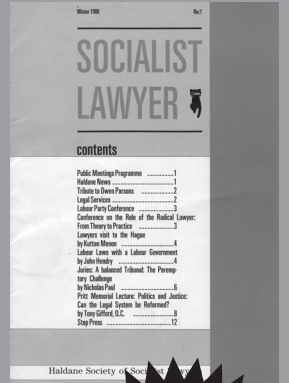
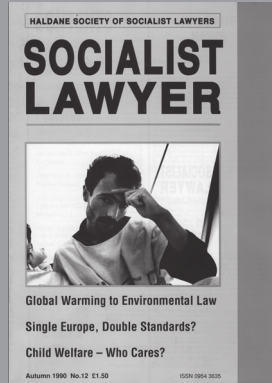
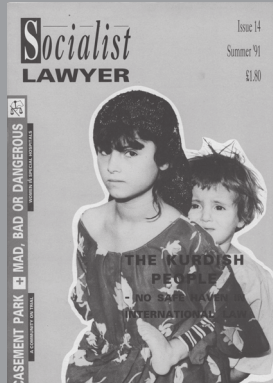
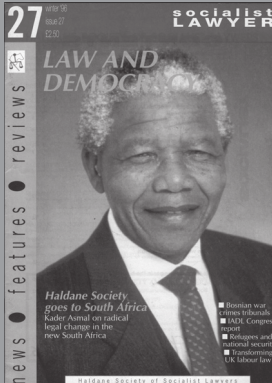
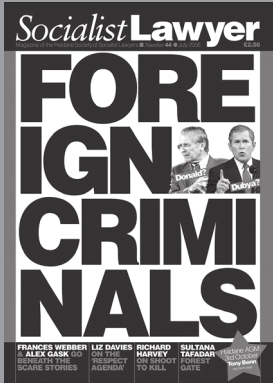
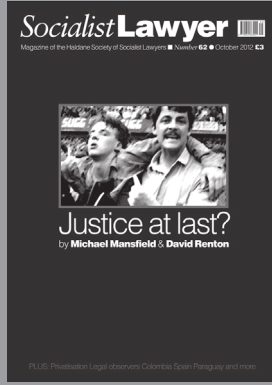
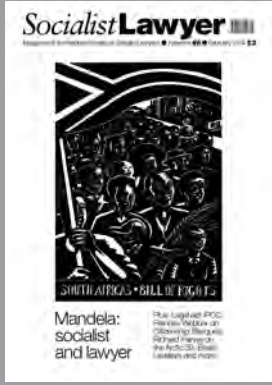
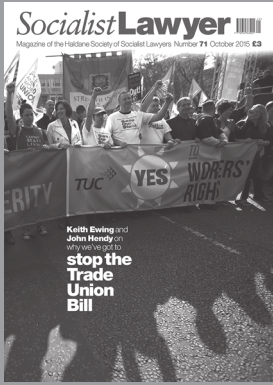
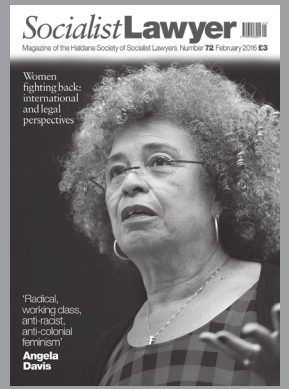
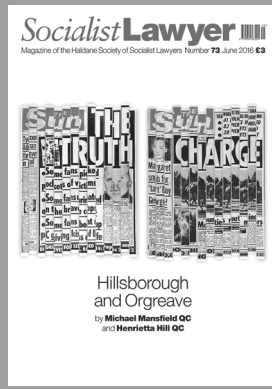
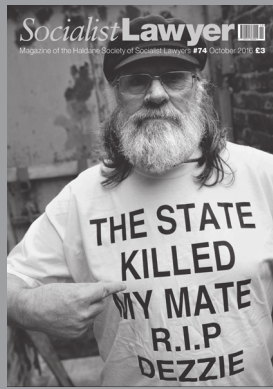
Official Selection  
2019

director LUCY PARKER  
producer KATE PARKER  
cinematographer NICK GORDON SMITH  
sound recordist JAMES BULL  
script consultant SARAH WOODS  
line producer AKUA OBENG-FRIMPONG  
sound design CHU-LI SHEWRING  
composer WILL SAUNDERS  
graphic design SOPHIE DYER  
editors LUCY PARKER & LUCY HARRIS  
colourist JASON R. MOFFAT

[solidarityfilm.com](http://solidarityfilm.com)

**Friday 7th  
February 2020**

**at 6.30pm**  
at the Birkbeck Cinema,  
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# SYSTEM CHANGE FOR CLIMATE JUSTICE

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**Thursday 23rd January**



**Speakers:**

**Richard Harvey**

(counsel for Greenpeace International and barrister, Garden Court Chambers)

**Farhana Yamin**

(Track 0 CEO, climate lawyer and activist)

**followed by Haldane AGM**

**6.30pm** to 8.30pm at  
the **University of Law**  
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