Protest law compendium

**The Protest Handbook**

by Tom Wainwright, Anna Morris, Katherine Craig and Owen Greenhall

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The backlash against austerity in Europe is producing mass demonstrations in Spain, France and Greece. In the images and videos we are increasingly seeing of protests, the tension between individuals and the State is palpable. With the 20th October 2012 TUC march to fight austerity having taken place and the National Union of Students demonstration on the 21st November 2012 fast approaching, a text by practitioners on protest law written for the benefit of protesters is a very welcome development.

*The Protest Handbook* is a brilliantly useful compendium of protest law, with a thorough overview of common criminal offences brought against protesters, the laws surrounding kettling and crowd control, the laws relevant to occupations, how to bring complaints and litigation against the police.

This is a text useful to both the lawyer and the seasoned activist. Activists are already beginning to view the book as a staple. A number of those acting as legal observers on demonstrations whip out their dog-eared copy of the handbook when necessary. Not only does it give a fairly good picture of the relevant law behind protests, it is a pragmatic text that also lays out what often occurs in practice. It is also uncompromisingly political, as far as it recognises that the ability to protest is crucial to a democratic society. This text is not a mere reference work. It is easily readable, particularly in its exploration of the history behind the law. Rather than merely go through the relevant case law, statutes and procedure, *The Protest Handbook* offers tactics together with the pros and cons of a number of different options for protesters, whether it is bringing a complaint to the Independent Police Complaints Commission or considering what evidence may be relevant in bringing a claim against the police in the courts. It does all of this with consideration for individuals for whom funding may be an issue.

For new practitioners or students, the text also offers a comparative look at the old law around policing, which points to a system offering less police accountability. It also offers insight into the current mindset of many in the judiciary in the wake of the August 2011 riots. *The Protest Handbook* also points out those cases still in the works and includes an online updating service to ensure that the reader remains up to speed with this dynamic area of law.

The aim of law is often said to be to safeguard the status quo and privileged interests. Protest is a countervailing force; it is critique of this status quo. If socialist lawyers do nothing else but keep these rights in place, ensuring that the law stays on the right side of protests and that protesters know their rights, we’ll have reason to be proud.

**Natalie Csengeri**

Informers in the TUC?

**The Shameful Deportation of a Trade Union Leader: the Story of Albert Fava**

by Jonathan Jeffries and Tom Sibley, 64pp, TGWU Section of Unite Gibraltar

We are painfully aware of the savage attacks upon British trade unionism by Thatcher and the continuation of this process by New Labour. What is less well known is the story of the enemy within the so-called ‘enemy within’. The recent blacklisting scandal in the construction industry revealed collusion between some trade union officials and the blacklisting employers, but an early indication of such betrayal is also revealed in the story of Albert Fava, a courageous Gibraltarian pioneer of trade unionism and it deserves to be told. Thankfully, it is brought to our attention in the short but poignant book by Jonathan Jeffries and Dr Tom Sibley, *The Shameful Deportation of a Trade Union Leader: the Story of Albert Fava*.

International solidarity within British trade unionism was shockingly lacking in 1948 with the deportation from his native Gibraltar to Britain of Albert Fava, allegedly for communist activities which were never proved nor shown to be against the interests of Gibraltar or Britain. The story involves spies within the Trade Union Congress and Transport and General Workers Union actively undermining the interests of Gibraltarian workers at the same time that these unions were informing the Attlee government’s programme in Britain. It is set within the context of the anti-fascist and anti-colonial movement in Gibraltar and reads like a spy novel involving the insidious role of the Colonial Office and British secret services.

Albert Fava was born in 1912 in Andalucia but was issued with a British passport in Gibraltar in 1940. Colonial Office files show that Fava was economically active in Gibraltar during the mid 1930s and that in 1936 he was engaged in arms procurement work for the Spanish Republican Government then under attack by the rebel Franco forces. Fava was evacuated from Gibraltar to Britain during World War Two and led an active political life in the Communist Party of Great Britain and the Amalgamated Engineering Union in Scotland. However, in 1948 he answered the call of the Gibraltar Confederation of Labour and returned to his homeland as General Secretary.

Fava’s appointment led to a dramatic increase in the activity of the Gibraltar Confederation of Labour and a vastly improved structure with a focus on its development as a mass organisation with strong anti-colonial and anti-Francoist policies. Official British colonial and trade union policy during Bevan’s years as Foreign Secretary was to encourage the development of independent trade unions in the Colonies. However, whenever trade union developments suggested a challenge to British interests, such as the strategic importance of Gibraltar as a naval dockyard, there was interference and action taken to prevent colonial workers from pursuing their democratic rights. This interference and the role of informers ultimately led to Fava’s deportation from his homeland in October 1948, just three months after he took up his post. For a full appreciation of this story, *Socialist Lawyer* readers are encouraged to read this excellent book by Jeffries and Sibley.

**Declan Owens**