On the picket line

A year of Struck Out

Some 12 months ago, I published a book, *Struck Out*, analysing the Employment Tribunal system that the Coalition Government had inherited, and which has since been subject to dramatic change. My argument was, in brief, that the supposed flaws on which the press focused and which in turn have justified the changes we all know about were in fact mythical. Rather than forcing employers with a proliferation of speculative claims, a majority of Tribunal claimants succeeded in proving that there had been unfair dismissal, or unlawful deductions of wages, etc. Rather than paying huge sums, the values of Tribunal victories were by any standard trivial. Workers who succeeded routinely leave the Tribunals with awards amounting to a tiny fraction of their actual loss. These flaws, I suggested, could be traced back to the policy decisions within the Donovan Commission, from which the Tribunal system draws its root. Or, they illustrated a tension in the earliest years of the Tribunal, between its relatively benign, statutory context, and the deeper common law traditions to which the Tribunal’s jurisprudence was quickly assimilated.

The *Industrial Law Journal* termed my proposals to increase the prevalence of reinstatement orders ‘controversial’, while otherwise welcoming the book. The book had a positive review in *Socialism, Labour Briefing*, *Tribune*, and *Socialist Review*. The *New Law Journal* was a little more sceptical, suggesting that my desire for the de-formalisation of the system was ‘deliberately provocative’: ‘times have changed and are not likely to change back’.

Unfortunately, Mr Acheson is now facing the loss of his house due to financial hardship. His campaign has had a huge effect on his family and his wife works full time to support him. Despite the solidarity of the Blacklist Support Group and others, this is the reality of the blacklist and its consequences for ordinary families. A recent benefit raised over a thousand pounds for Mr Acheson but he needs more contributions to meet his mortgage. Haldane members are encouraged to send donations to: ‘Fiddlers Ferry Hardship Fund’ via Warrington Trades Union Council, 6 Red Gables, Pepper Street, Warrington, WA4 4SB.

Declan Owens

27: The Home Office’s latest attempt to deport the Jordanian cleric Abu Qatada fails. Three judges in the Court of Appeal unanimously dismissed Theresa May’s appeal despite her legal team including three QCs and reminding the Home Secretary that ‘torture is universally abhorred as an evil’.

9: Margaret Thatcher dies.

‘This pensioner chased me up the road brandishing his stick singing “Ding dong! The witch is dead”’ – Tony in Cambridge.

9: The Ministry of Justice publishes its consultation proposing further cuts to the legal aid budget – barely a week after a previous round of cuts came into force. The weeks since have seen protests and calls for the Government to abandon the plans. A petition against the proposals had reached 84,000 signatures at the time of writing.

10: In Bogotá, Colombia tens of thousands of people demonstrate in support of peace talks designed to bring an end to the long running conflict with the Farc. The crowds wore white and chanted that they wanted peace. The Government has reached some agreement over land reforms and will consider political participation of the Farc.

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