

Chapter I

NATFHE Scurrying Along Towards a Self-imposed Disaster

(a) A Sketch of Trade Unions and Racism

For three decades after the arrival in the United Kingdom of the first post-war immigrants from the Caribbean and the Indian sub-continent, many trade unionists, in line with views prevalent in British society, displayed intolerance at odds with the international slogan underpinning the labour movement - *workers of the world unite*. The level of antagonism against Black workers surpassed the late-nineteenth century reaction to Jewish refugees when they began arriving in the UK to escape persecution in Eastern Europe.¹ In several areas of the UK, opposition to the employment of Black workers or sharing workplace facilities came from White rank and file trade union members. *

Racism spanned large sectors of British society and the failure of trades unions to prune the racist seeds growing abundantly in the 1960s and 1970s produced a crop of deeply discontented Black members. Trade union activists, despite their declarations and resolutions opposing racial discrimination at TUC Annual Conferences, were thought to be little different from employers; and employers and trade unions were slated for the inadequate steps taken to eradicate racism from the workplace.² When the trade union movement was forced to address this issue, it did so mainly at the level of rhetoric while in practical terms its response was noted for its limitations. Not until the end of the 1970s did the movement grasp the nettle and address the issues associated with racist discrimination.

* In Birmingham, where the Weaver case was principally located, there was a history of strong opposition to immigration until the 1990s. One of the first disputes over workers from the Caribbean arose in Birmingham City Transport, when "Some conductors said that if coloured men were employed they would leave." The TGWU District Secretary, Harry Green, said he did not want a 'colour bar' but was concerned, so he claimed, for husbands and parents of female conductresses. He posed the question, "would they want them leaving a depot late at night with a coloured driver?" Harry Green was described in the press as the 'Malan of Birmingham', which, when linked to his comments, clearly expressed what his own attitude was to employing Black bus drivers.³ Dr Malan was the Afrikaner Prime Minister of South Africa, who at that time was about to retire after laying the foundations for the official segregationist policy of *apartheid*.

Other disputes arose among Wolverhampton, West Bromwich and Bristol bus drivers; Birmingham Firemen; Tipton foundry workers; Loughborough hosiery workers; Nottingham lace workers; Mansfield mill workers; Leicester typewriter workers; and Southgate telephone and cable workers. The workers went on strike or threatened strike action in disputes over Black co-workers or prospective co-workers. A noticeable exception was at Grunwick where the local Brent trades council, representatives of trades unions and politicians played high profile supportive roles for ethnic minority workers

In 1979, the TUC urged trades unions to deal particularly vigorously and effectively with grievances concerning racial discrimination.⁴ Two years later, the TUC issued an equal opportunities charter for Black workers and called for vigorous action against racial discrimination.⁵ One leading trade unionist, with a genuine commitment to anti-racism, described TUC policy as demanding “the removal of direct and indirect discrimination at the workplace; more, it demands, that trade unions themselves look at their own structures and organisations, and break down the barriers within the union...”⁶ 1983 witnessed the TUC criticising trade unionists for side stepping racism and being overly concerned with not upsetting their White members by challenging their racist attitudes. The TUC considered it “vital to show that the unions [were] taking Black workers grievances seriously.”⁷

During this period, several unions recognised their neglect in tackling racist discrimination (as well as sexist discrimination) and introduced guidelines to combat racism. These generally recommended that “deliberate acts of unlawful discrimination are ‘incompatible with [union] membership and racist activities in the workplace should be subject to disciplinary action.’”⁸ Unions set up panels, steering groups, working parties and committees to spread the doctrine of anti-racism and equal opportunities to trade union members. This was accompanied by the construction of definitions on identifying these forms of discrimination in the workplace.” However, despite these signposts pointing out the path to follow, this hardly scratched the surface and “there was a noticeable gap between formal policy and practical action”⁹ - a view confirmed by several studies examining the relationship between trade unions and Black workers.

An argument put forward claiming that “Black people don’t fit in with the way we do things” was denounced as ‘objectionable’ by one union, NALGO. Its position was that it was not unexpected for Black people to reject this proposition if “‘the way we do things’ is the unresponsive and bureaucratic face that the unions often show to groupings within their membership.” NALGO made it clear that “Black people must not be expected to fight racism on their own: it is the responsibility of White union members and officers to prove their commitment to Black people and to equality in the workplace.”¹⁰

Despite these objectives, union officers were reluctant to accept that Black workers faced different circumstances and difficulties to White workers. The race issue was tackled not on the basis of what Black people experienced but on how White trade union officers and officials interpreted the way Black people ought to feel. The West Midlands TUC reported that Black union members lacked confidence in trade unions because trade union officers considered it was not worth fighting management over issues of racial discrimination.¹¹ The

more forward-looking NALGO recognised that “Employers will quickly exploit any division in their workforces, to the detriment of all workers, black and white.”¹²

These failings were seen as more than inadvertent but stemmed from the active or passive collusion of “unsympathetic, unenlightened or even racially-bigoted shop stewards and local officials, and a marked reluctance on the part of trades unions to take disciplinary action against racist offenders.”¹³ It was also thought not unexpected “if among shop stewards and full-time officials there were not active racists as well as anti-racists...[and] such individuals are in positions of power.”¹⁴ At the most complimentary level, the attitude of union officers and officials was termed 'colour-blindness' – a belief that Black workers faced “exactly the same problems as White workers.” This displayed an ignorance of the particular difficulties confronting Black workers and was merely rationalising their refusal to support Black workers or even to acknowledge the existence of racism.¹⁵

Black workers were not unaware of the situation and an ethnic minority branch officer in NALGO, one of the more ‘progressive’ unions, spoke of the anger and disappointment of Black members at the lack of representation in their union. The view was that “White members are the riders and [they - Black members] are the horses [but] now [they - Black members] want a go at the reins as well.” Black members were intent on increasing “the number of black members accepted into the Conference – or [they will] picket the Brighton centre.” They wanted “to attend the conference to see what proposals this all-white anti-racist board will submit [as] there is a great deal of resentment about the way we are being treated. Black members have in the past been virtually ignored...in the union.”¹⁶

The Greater London Council’s Anti-Racism Trade Union Working Group, when addressing the hidden and not so hidden agenda within which racism flourished and racists operated, paid particular attention to problems faced by Black women since they were confronted with “the double discrimination of racism and sexism.” The Group noted that unions concentrated on general facilities for women - the provision of “crèches, baby-sitting allowances, reserved places in the union structure and special training...to greatly increase women's participation,” but excluded the different workplace experiences of Black and ethnic minority women compared to their White counterparts.

The Group found that while the unions “formally castigated racism in rulebooks,...conference decisions and in journals and leaflets” and “there were strong words and rhetoric when it came to policy statements,...that commitment took a low priority.” There was a “substantial gap between the adoption of policy and its effective implementation.” The Group also found that the failure to recognise the specific problems

faced by Black women resulted in lack of union support for these vulnerable workers in the workplace and, “because of their past practices and attitudes, trade unions have abrogated their responsibilities and obligations to their Black and minority group members.”¹⁷ The flowing rhetoric and fancy phrases had been put in place by unions but the commitment when put to the test had a low priority.

When addressing women’s issues in general, the emphasis on facilities for women in general summed up the way trade unions addressed sexist (and racist) discrimination, which virtually avoided the issue of harassment. Even when harassment of women was addressed, the unions tended to portray “sexual harassment as neat, tidy, easily identifiable, readily manageable and incompatible with existing policies – all of those things which, experientially, it most decidedly isn’t.” Sexual/sexist harassment was about “men ‘doing power over’ women using sexual and many other means of doing so.”¹⁸ The same could easily be said of racist harassment, ‘Whites doing power over Blacks.’

Trade unions were accused of confusing “formal statements with practical implementation...overlooking...that what appears to be a good policy on equal opportunity is...nothing more than a paper commitment,...creat[ing] an image of success while changing little in terms of discriminatory practices.”¹⁹ As a result of the failure of trade unions “to take a lead in anti-racism, [their] membership has been encouraged in its own racism.”²⁰ The consequence of “racism practised by rank and file [members] and union officials and the national committee’s policy of opposition to race relations legislation [has] made the TUC’s exhortations seem rather hollow.”²¹ Nor did it go unnoticed that trades unions defended their record “on race by pointing to their ‘brave and successful stands’ against National Front activity,” and, important though this was, it brought “little if any material improvement in the position of Black workers.”²²

A leading critic of the way ‘anti-racists’ dealt with racism, * assessed their efforts as ‘the coat of paint approach’, by “over-identifying the struggle against racism with the activities of...extremist groups and grouplets that however much of a problem this may be in a particular area...they are exceptional.” He argued that “A more productive starting point is provided by focusing on racism in the mainstream and seeing ‘race’ and racism not as fringe questions but as a volatile presence at the very centre of British politics.” By their acceptance

* The critic, Paul Gilroy, is known as a path-breaking scholar in many fields including the politics of race, nation and racism in the UK, and has been among the most frequently cited black scholars in the humanities and social sciences

of race and racism to be “somehow peripheral to...social and political life” did they consider that racism “can be dealt with once and for all leaving its basic structures and relation...essentially unchanged?”²³

The legal system, which tended to lag behind changes in social attitudes and expectations on the issue of racism, was ahead of the unions by recognising that trade union actions on racist discrimination were as inadequate as those of employers. An industrial tribunal concluded that “the union were no more interested in rectifying this matter (racial discrimination) than the management and their (the unions’) conduct was not helpful.”²⁴

(b) NATFHE Sets Sail Aboard its Own Titanic

NATFHE could not claim to be an exception to this pattern of power relationships within its structures or the divergence of anti-racism policy from its practice. The reality of how anti-racism was applied in trade unions was illustrated by NATFHE’s practices and by the attitudes of its personnel – the officials and officers, responsible for implementing those practices. NATFHE’s institutional structure acted as a barrier to policy innovation as any ‘new’ policy was moulded to conform to existing practices and to the political and/or self-serving interests of the bureaucrats, however much the outer packaging gave the appearance of heralding radical change.

NATFHE fitted in well with trade union approaches to racism by placing the main plank of its strategy on neo-fascist and overtly racist organisations, such as, the National Front. As a result, NATFHE directed its attention towards countering the activities of organised racists and fascists, including the circulation of racist literature in colleges,²⁵ as if racism only entered colleges through the activities of these external organisations. For NATFHE to have moved in a forthright anti-racism direction would have created a conundrum as it would mean overcoming the opposition of officials and the majority of its nationwide lay officers and delegates at NATFHE policy making conferences. Without the means or the will to effectively eliminate racist ideas and practices, NATFHE drifted towards its own pack of icebergs.

NATFHE ventured into the anti-racist fray, in March 1978, by conforming to the practice of over-identifying racism with organised racist groups. An inspired observation came from the chair of its Race Relations Working Group, Mick Farley, worthy of, and perhaps culled, in an abridged form, from the inventory of the Brazilian priest and libertarian educationalist, Paulo Freire. Farley pointed out that “Racialism is one issue where to remain

silent, to do nothing, is itself, to take sides.” * Unfortunately, this rousing declaration was accompanied by his use of the less informed and long outdated term ‘coloured population’ to describe the Black and ethnic minority victims of racism.²⁶

A month later, NATFHE introduced guidelines for members to act in preventing students circulating racist materials in colleges and calling on colleges to implement procedures for this purpose. If members of staff were involved in distributing racist material then the union should make an informal approach to that person and if that failed to ask the Principal to intervene. Local NATFHE committees were recommended to report any suspicion of incitement to racial harassment to the police. Furthermore, “Agreements must be made [with local authorities] to prevent racialist groups using educational institutions as a meeting place at any time, except as permitted in elections.”²⁷ There was very little in these guidelines for dealing effectively with erring NATFHE members other than having a chat with them, that is, if the person was a member of NATFHE, and telling the principal or the police. In other words, let someone else deal with the problem.

NATFHE also addressed racism within the corridors and classrooms of colleges of further education but its efforts skirted around the edges of the real issue. NATFHE supported the introduction of racism awareness training for college staff and held training sessions for its own ‘anti-racist’ activists. This approach fed the mistaken belief that racism could be dealt with by leaving the basic structures of educational institutions intact.

NATFHE also promoted the development of multi-cultural education for students as a means of counteracting racism among students. However, analysts of racism have pointed out that a multi-cultural approach was unlikely to make any impact on racism because the thinking behind this approach was “that by promoting better understanding about other cultures, history, religion and language, we will learn to be tolerant,” but this “obscures the differential access to resources and power facing ethnic minorities. **²⁸ Nor did it really get to grips with the racism of the ‘John’s and Jane’s’ in the colleges, who acted in racist ways towards ethnic minority colleagues and/or students.

At NATFHE’s Annual Conference, held in May 1978, Farley’s *Freire maxim* seemed to have fallen on deaf ears because a majority of delegates showed where they stood by rejecting a proposal to amend the union’s Rule 8, to include “Any activity by NATFHE

* For Freire’s maxim see the Introduction

** Differentiating between the various cultural forms of ethnic groups and their self-perceptions was considered by critics to be a distraction from the reality facing ethnic minorities in the workplace because, irrespective of any cultural differences, the minorities were perceived of as ‘Black’ by their adversaries²⁹

members in support of racist policies would be seen as detrimental to the Rules of the Association as in Rule 8.” *³⁰ No alternative procedure was offered to victims of racist discrimination when discriminated against by other NATFHE members.

Alongside this lack of concern shown by delegates for ethnic minority members, NATFHE’s policy makers were also confronted by women members making claims for equality of opportunity and fair treatment. The women questioned the awareness and ability of male-dominated organisations to fully articulate women’s issues and proposed that policies affecting women should “be put forward by women.”³¹ This recognised the inadequacy of men deciding the course of action to be taken on issues affecting women, but the ‘insight’ women attributed to themselves on those issues did not extend to Black members having a similar insight on race issues. **

A year later, at an Annual Conference fringe meeting devoted to women’s issues, Nan Whitbread, who became the first women President of NATFHE in 1985, *** urged women to change their attitudes and involve themselves in union activities because legislation on women’s rights was not enough.³² In 1982, NATFHE’s Inner London Region **** looked at sexist harassment in its region and distributed a leaflet to branches announcing that the authors wanted “women within the union to know that (it)...will take up cases for them.” The authors of the Inner London pamphlet described “how harassment can cause physical and mental illness in women”,...spoil the working environment and threaten job performance and opportunities for women.” They “stressed that harassment had a coercive element” and recognised that some grievances were against fellow union members. This was considered “an important issue for NATFHE” and proposals were put forward to provide “support for victims and take collective action.” It was also thought important to get the membership to accept not only the obvious forms of sexual harassment but also other types of sexist

* In 1985/1986 a backhanded offer of Rule 8 by NATFHE officials to a Black woman, Bis Weaver, to deal with a complaint of racist harassment exposed the misleading way that the union dealt with this type of complaint.

** This ‘blindness’ would be clearly demonstrated by women activists in the West Midlands and on the National Women’s Panel during the Bis Weaver case

*** Ms Whitbread presided over an extremely intense period of the Weaver case during 1986 and hardly covered herself in glory as a feminist or anti-racist by her dismissiveness

**** Between 1981 and 1984, Triesman was the Inner London Regional Secretary when the region produced this policy leaflet to deal with support for victims of sexist harassment and he also must have been aware of the effects of harassment on the victims that were highlighted in the leaflet. Yet in 1986, as a union official, Triesman, when given responsibility for the Weaver harassment issue, took no action when the harassers, their associates, and the branch they dominated subjected Bis Weaver to intense stress; and one particular instruction given by Triesman to the branch inevitably increased the pressure on Bis Weaver. (see Chap VII sect e)

harassment, which placed women at a serious disadvantage in the workplace.” They were still “work[ing] out satisfactory structures that will deal with the perpetrators and victims at national level.”³³

At the same time, a UCATT delegate, addressing the TUC Women’s conference, described situations where women suffered verbal abuse and had their work sabotaged by union representatives. * This speech was considered of sufficient significance to receive coverage in *NATFHE Journal* ³⁴ but both the Inner London’s efforts and the UCATT delegate’s contribution seemed to bypass leading lights in NATFHE. Their stance, at a later date, embraced the belief that union representatives – officials and lay-officers, especially those wearing political armbands with the relevant insignia, were considered to have too much integrity to harass women or Black people.

NATFHE’s place in the history of racism came under the spotlight of public scrutiny in late-1982 when a Black lecturer, John Fernandes, was excluded from the premises of Hendon Police Training School (Hendon School) where he taught after he publicly exposed racism among cadets at the police college. This was NATFHE’s first significant anti-racism test – its first iceberg and it led to Fernandes being left out to dry by NATFHE officers and officials. **

The background to what became known as the *Fernandes affair* was sparked off when Fernandes and other tutors became aware of racism among police cadets in early 1982. This prompted Fernandes and another colleague to design a new section for the course to deal with this racism. The redesigned section included project work analysing how White society, historically and contemporaneously, looked on people who were not White. It was based on ‘White Awareness’ by Judy Katz,³⁵ a specialist in these types of courses, which recognised that “White prejudices are not likely to change unless study courses culminate in practical projects by students in which they test and reform their attitudes.”³⁶

In line with this new section projects were undertaken by the cadets, however, a number of the essays showed undisguised racism. The sixty-two essays, “written before April 1982 when the [Scarman] report was receiving widespread attention both in the police force

* Bis Weaver received similar treatment from a staff member, who was also a union officer, whose objective was to remove her from her post

** Another episode exposing NATFHE’s lack of ‘anti-racist’ credentials came in 1985 after Bis Weaver, a Black woman lecturer, registered a complaint of racism against an influential NATFHE officer. She became the victim of a highly charged campaign to muzzle her complaint by NATFHE officialdom, who used every trick in the union’s compendium of unethical tactics. NATFHE’s responses to the *Fernandes affair* (1982/3) and the Weaver case (1985-88) were perfect models to confirm those critical observations of trade union practice

and elsewhere”, displayed “examples of extreme racial prejudice.” The essays included such comments as “do Black people burn better with oil or petrol”; “all Pakis are sly and shifty people. Their homes smell and they nick our jobs”; “The Blacks must accept that if they are to live in this country they must fall in line under the White dictators”; “Can a 12 bore shotgun blast a black man into tiny pieces at 12 yards”; “Do mantraps successfully snap a black man’s leg”. *³⁷ They were later described by Fernandes, seconded from Kilburn Polytechnic to teach at Hendon School, as making “the National Front look rather timid.”

In November 1982, the problems faced by John Fernandes came to public notice when details were published in the Guardian. The Guardian reporter said the “the essays are likely to alarm members of...racial minorities, who are uneasy about police attitudes”, especially as “there was an outcry in the Black and Asian press...about the Home Secretary’s decision not to implement the Scarman report’s recommendation that racially prejudiced conduct should be a dismissal offence in the police code of discipline.” **³⁸

A programme was also screened on London TV’s Eastern Eye on the same day as the Guardian article appeared. The TV programme was screened with Commander Wells and two Black police cadets appearing on the programme. It was suggested during the programme that “some cadets might have been having a joke at Fernandes expense.” However, this ‘defence’ was rejected by Professor Rosen, *** who said that “jokes can be a serious matter too [that is] if some of the essays were jokes.” He added that “the views expressed were not the wide range expected in a group of 16/17 year olds. Something was happening to push them down to one end of the spectrum.” He felt this “should be of concern to the police and he [felt] that the response [of the police] was inadequate.” He also thought that the response of Fernandes, the police, Brent Education Authority and NATFHE “tended to cloud the original issues of police racism and how education can seek at least to contain it.”³⁹

A correspondent to the Guardian noted that Wells “presumably...thought two Black students on Eastern Eye would clinch his defence of the College [but] in fact, they provided the programme with the ideal sad postscript to the whole affair.” He concluded by identifying that “Racism awareness training at Hendon needs to start at the top.”⁴⁰ This was a well-directed point as the screening of the *Eastern Eye* episode showed Wells’ lack of

* Not all cadets were caught up in this racist bigotry. One cadet wrote “I’d personally like to kick the heads in of all the cadets who are prejudiced, [who] have never met a coloured or black and just go along with their mates.” A few others were critical of racists⁴¹

** The Home Secretary, W Whitelaw, asked for a report of the Hendon School situation⁴²

*** Professor Rosen, London University Institute of Education

understanding of racism and the relationship of power that reinforces racism. The powerful figure of Police Commander Wells, Head of Hendon School, put two young Black students in the position of having to defend both the school and Commander Wells. Had they not done so they would have undoubtedly faced the wrath of other teachers and fellow cadets!

The anti-racism innovation, initiated by Fernandes and other tutors, had run into serious opposition from Commander Wells, of whom it was said, “wanted to water it down...[as the police] don’t want to tackle racism in the colonial and imperial context. They want to deal with prejudice in [what could be described as] neutral terms”⁴³ Fernandes’ underlying approach was that “racial prejudice and friction is a ‘white problem’, which was less likely to be accepted in the police than anywhere else.” *⁴⁴

The new section of the course was dropped after the essays were brought to Commander Wells’ attention, although he denied ever being told of the essays or their content.⁴⁵ If he was unaware of these essays why did he decide to drop the course? Wells claimed that only “a small section...has been amended to...examin[e] the process of forming opinions and taking decisions in a way which seeks evidence and avoids pre-judgement.” ** His explanation was that he, and many others, “recognised...that the syllabus..[was] not adequate and since June a working group has been reviewing the whole of cadet training at [his] request.” He further claimed that “There is a strong commitment at Hendon to the better understanding of racism within the community and the cadet’s education reflects that.” Whatever way he chose to explain it, the section covering racism was dropped.

He went on to say that “None of this should avoid the central issue that there may well be racial prejudice...in young people [the police] drew from the community.” Then making a general sweep, he said “The responsibility for correcting prejudices was not just with teachers but with all parents and those who care about the well-being of the community.” Then focussing back on the teaching profession, he thought they had “special responsibility for creating helpful role models to the young [and] if teachers, within the police service or outside of it, recognise...prejudice, their task is to discuss it openly and constructively.” He then defined “discuss openly” as not including the media, and introduced “professional commitment”, which required “a teacher, if faced with an obvious and serious teaching need to stick to it and teach, not least, by example.”⁴⁶

* Racism as a ‘White problem’ was also a view expressed by the NATFHE NEC on the 15th January 1983,⁴⁷ and by D Triesman, NATFHE Inner London regional secretary ⁴⁸

** The anti-racism course was replaced by a multi-cultural approach - a model welcomed by the police to pay lip service to the findings of the Scarman Report. There was no consultation with the Kilburn Polytechnic academic board as to its suitability, but it was backed, retrospectively, by the board ⁴⁹

Commander Wells had turned the issue on to Fernandes and that was the beginning of the action to discredit him - a pattern to be pursued as enthusiastically by NATFHE officials and some members of the NEC and other NATFHE committees. Wells failed to mention that Fernandes, supported by the course team, had introduced a new section on racism in an attempt to deal with it. Fernandes' attempt to construct effective anti-racism projects as distinct from multi-cultural studies was well and truly neutered. Subsequently, Fernandes and another colleague declined to teach the *Wells-amended* course as it did not deal adequately with the issue of racism. This represented a professional commitment and a principled stand for those opposing racism to wholeheartedly support.

Wells announced that Fernandes and another teacher had withdrawn from teaching multi-cultural studies and had been replaced by police staff while the issue was being discussed with the local education authority.⁵⁰ The correspondent to the *Guardian*, mentioned earlier, wrote of Wells' "snide attack on Fernandes for resigning rather than sticking at the task", adding that "Fernandes is to be congratulated for refusing to work within the diminished course and for publicising the whole affair: that was certainly not the easy option."⁵¹

What was not disclosed was that two months before the matter was raised in the *Guardian*, Fernandes had written to Wells (in September 1982) to remind him that "We [the tutors on the course] have put in a lot of time and effort in the last nine months to try to get this course off the ground. It has not been an easy struggle. Having had official approval from the [Kilburn Polytechnic] academic board and [from] you [Wells] we were settling down to teach the course only to find that decisions taken elsewhere had jeopardised the credibility of the course."⁵² As a result of the cavalier behaviour of Commander Wells and of the police decision "that cadets...should not take part in the practical project involved in the redesigned course",⁵³ Fernandes had decided to bring the extent of racism among cadets to the attention of the public and he chose the *Guardian* newspaper and the Channel 4 programme *Eastern Eye* as the vehicles.⁵⁴ Fernandes had to become a 'whistle-blower' – a role that is now often considered to be in the public interest, but for Fernandes it meant exclusion from the school and with him went the anti-racism projects.

There was opposition to Commander Wells' actions. Brent Education Committee, within whose area the Hendon School was located, recognised that "There was no problem while the course simply introduced other people's cultures, but when an anti-racist element was introduced, including an examination of [the] cadets' own attitudes, there were difficulties."⁵⁵ The Brent Further Education sub-Committee Chair, Ron Anderson, went

further in saying that the police “By cancelling this particular section of the course...lay themselves open to the charge that not only are they racist but they are also not prepared to do anything about it.” *⁵⁶ The dispute also involved Kilburn Polytechnic’s governors, who had yet to be given an explanation by the police and who wanted Hendon School “to reinstate part of [the]...course, which was dropped during a dispute over its anti-racist content.” **

Commander Wells did contact Kilburn Polytechnic telling the Principal that Fernandes’ actions “damaged the trust reposed in him by the cadets to an irrevocable degree” and that the relationship between Fernandes and other staff was also “seriously strained.” The Commander claimed that “the essays were never brought to his attention” and Fernandes “went running straight to the media.” Wells said the school was conducting an internal inquiry into the essays, “the contents of which [he] deplore[s] as do [his] professional colleagues.” He then called on the Principal to withdraw Fernandes, otherwise, he was prepared to ask “Mr Fernandes to leave the School and refuse him further access to the School.” The Principal passed it on to Brent Council, who refused to withdraw Fernandes and would withdraw all teaching staff” if Fernandes was not reinstated.”⁵⁷ Commander Wells said Fernandes’ reinstatement would be considered but not without conditions, which was unacceptable to Brent Council.⁵⁸

Fernandes revealed that he had “been trying for eighteen months to tackle this issue [of racism] internally [and] tried to get [Wells] to take notice of the essays and went to the media only as [a] last resort.” He then met Wells at Hendon School and received his marching orders. He was asked to return the essays and was accused of a “breach of trust.” Fernandes responded by expressing his intention of fighting the exclusion and doubted the school’s “commitment to anti-racist teaching and, as a Black lecturer [he was] not willing to compromise.” Commenting on Commander Wells’ letter, Fernandes said that the council had told him that “there would be no disciplinary action against him” and he could be redeployed if he had to leave.⁵⁹

NATFHE did not intend to be left out either, although its concern was “over academic freedom”⁶⁰ rather than active opposition to racism. NATFHE’s claim to be an active anti-racist trade union went down the pan as it acquiesced in the disposal of Fernandes’ anti-racism course at Hendon and of Fernandes himself. The inspirational appeal under *Freire’s*

* This should be compared with the response of the Birmingham Further Education sub-Committee chair, Nazma Hafeez, during the Weaver case. In February 1987, despite knowing of the Bournville situation for over eighteen months, Hafeez denied knowing anything about the situation in a letter to a Birmingham councillor, who had written to the LEA asking about the case. (See Chap XIII Sect c)

** This casts doubts on Commander Wells’ claim that he was unaware of the difficulties

maxim made by the chair of NATFHE's Race Relations Working Group in 1978, for members to take sides on the issue of racism appears to have been ignored or misunderstood. When the chips were down and action was required, a majority of NATFHE representatives nationwide did take sides in the struggle between Fernandes and the Hendon School but not in defence of the 'powerless' Black member nor in the cause of anti-racism.

Fernandes' fate, and that of anti-racism at Hendon School, was sealed in the early days after the Guardian article. The evidence can be seen from the actions of key players in the union chain stretching from the Hendon School staff liaison committee; Kilburn Polytechnic branch; NATFHE Brent liaison committee; NATFHE Outer London regional council; NATFHE NEC and NATFHE head office officials. Of these, only Kilburn Polytechnic branch, which called for strike action, remained firm in its support of Fernandes and subsequently became increasingly isolated in Brent for its unqualified support of the stance taken by the Brent LEA.

NATFHE's Outer London region initially favoured Fernandes by supporting strike action but threw in the towel and deserted to those opposing not only Fernandes' direct and open stand against racism but also Brent LEA's threat to withdraw staff from Hendon School. The Brent LEA, Fernandes' employer, had rallied to his cause with a threat to withdraw all LEA staff from the school unless his exclusion from the school was rescinded. A Brent Further Education sub-Committee meeting held in support of Fernandes had "speaker after speaker", except Tories, "firmly and clearly in support of John Fernandes' courageous stand."⁶¹

On the opposition side were (i) the police authorities in Hendon School; (ii) the school's staff liaison committee; (iii) the NATFHE Brent liaison committee, which supported the majority of the Hendon School staff; (iv) NATFHE's NEC, and NATFHE's leadership, which rejected the Outer London regional council's initial request for strike action in support of Fernandes.⁶² All of these opposition groups participated in the 'Pontius Pilate ritual' of letting the mob choose a latter day Barabbas, decked out in police uniform, to be saved.

A section of the Hendon School staff went public against Fernandes by claiming that the course "had been overtly anti-racist from its inception, designed as such, taught as such, approved by Commander Wells as such; and continues to be taught as such." They also claimed that "at no time has there been any interference with, or infringement of academic freedom by the police." They did, however, acknowledge that the "initial syllabus and a significant proportion of the resources were prepared by Mr Fernandes." This 'generous' acknowledgement had more to do with them disingenuously trying to create the image that

John Fernandes was making a fuss out of nothing as the course being taught was of his own design. They failed to say that they, alongside Fernandes, had discussed the limitations in the previous course and had agreed with Fernandes re-designing one of the sections. They also claimed that “no part had been dropped” but the section was now “supervised by the police rather than academic staff due to administrative differences.”

Commander Wells told a different story by saying that Fernandes’ new section was replaced by another section. Was ‘being dropped’ that much different from ‘being replaced’? Fernandes’ former colleagues then threw up an alternative version for the essays, which was that they “were written by cadets at a diagnostic stage of the course [and] the multi-cultural studies section has a deliberate policy of encouraging cadets to express their prejudices, so that particular areas of racist thought can be countered.” As the “Cadets were given assurances of absolute confidentiality...[the] circulation of these inaccuracies has had a detrimental effect on the morale of the cadets.”⁶³ The issue of confidentiality was irrelevant because Fernandes did not breach the anonymity of the cadets and if the course was ‘diagnostic’ why was it replaced or dropped when the essays revealed extreme racism amongst some of the cadets? Was this not the object of the course according to their version?

Two colleagues of Fernandes, both of whom were Black and had taught on the Multi-cultural studies course at Hendon School, made their contributions. Martin Bholan, a Black NATFHE representative, criticised Fernandes’ actions as “not help[ing] the cause of Black people.” He said that he and others at the school refused to attend the union meeting called to discuss Fernandes’ exclusion on the 3rd December because the required two days’ notice had not been given.⁶⁴ By then the official ‘branch’ was already showing its distance from Fernandes; and this union representative certainly had an unusual set of priorities in placing union protocol above the tenure of a colleague and the struggle against racism in the police force – had he never heard of emergency meetings? As it was, the Hendon School staff had: (i) voted to dissociate itself from any strike action; (ii) “decided to sever its links with the Kilburn branch”,⁶⁵ which was endorsed by the Outer London region and became effective on the 23rd February 1983; and (iii) to oppose any instruction from Brent LEA to pull out of the school. *⁶⁶

Bholan later told the press that Fernandes would be “sent to Coventry” by his former colleagues and the ten staff on the multi-cultural course at Hendon School “would refuse to

* When Bis Weaver was looking for information to pursue her complaints against a branch officer in the wake of a Whitewash enquiry conducted by the West Midlands regional official, the branch officer was able to have a hostile motion passed by the branch removing her rights in the union.

work with Fernandes [if he was reinstated as Course Director] because of his breach of trust and confidentiality.”⁶⁷ He made it clear that he “would not work under his supervision, not after the way he had acted. In an ordinary college he would face the position of students walking out on him. Now we’ve got to pick up the pieces.”

Bholan suggested that it was the ‘messianic’ approach adopted by Fernandes and Ms Christine Anketell, who had resigned in protest at Fernandes’ exclusion, that “had provoked the students into expressing themselves so crudely...[and that] Mr Fernandes had overreacted to his discovery of overt racist prejudice among the cadets.”⁶⁸ This was an extravagant claim as it would be difficult for any reasonable person to blame Fernandes and Anketell for the racist attitudes expressed in the essays. He also thought it “was unacceptable for Brent Council to press for Mr Fernandes to be taken back as course director.”

Bholan had adopted the same approach as Commander Wells in accusing Fernandes of ‘breach of trust and confidentiality’. His claim of staff refusing to work with Fernandes was another claim shown to be unreliable because four of the Hendon School multi-cultural staff wrote about a meeting of the Multi-Cultural Unit – the unit most affected by Commander Wells’ decision, about the Fernandes issue on the 6th December 1982. Of the ten members of the unit attending the meeting six voted in favour of supporting Fernandes; two were against; and two abstained.⁶⁹

Fernandes was aware that “the vast bulk of the staff wanted him back as Course Director [and the recent appointee] had only been elected because no one else wanted the job” – nonetheless, someone did benefit from stepping into Fernandes’ shoes to run a course set up by Fernandes. Fernandes said of Mr Bholan that he “feels guilty being black and not taking the same stand as ourselves. He must come to terms with his own conscience...”⁷⁰

The other Black person, to whom Bholan referred, Christine Anketell painted an entirely different picture to Bholan’s. She referred to the “eighteen month battle for survival [as there was] a great deal of opposition to [the] course from some members of the academic staff and lower rungs of police staff.” She referred to support from nine other academic colleagues, “who trained for and taught on the course.” She revealed that:

Every form of institutional racism was brought to bear upon [them] to prevent [them] from running the course. This took the form of time-table obstacles, open condemnation of the anti-racist course, requests for joint working parties even after the course was accepted by the Academic Board; and open verbal abuse by some members of the academic staff... John Fernandes and [she] put up with the harassment because [they] believed in the course...[but] all [the police] wanted was ‘window dressing’ with a couple of ‘Uncle Toms’

* Tuku Mukerjee wrote on ethnic minority members who have difficulty in supporting black colleagues and taking anti-racist action.⁷¹

in order to convince the public that police and cadet training methods had been changed following the Scarman Report.

The cadets were also “assured...of individual confidentiality – that we would never reveal names.” Furthermore, “in the discussion papers, John Fernandes did state quite clearly that his study of cadets and racialism would be published.”⁷²

There were two completely different versions of events at Hendon School. The claim, by some members of the course team, that none of the multi-cultural studies lecturers would work with Fernandes was rebutted by other course team members. The claim of Fernandes committing an act of “breach of trust and confidentiality” was straight from Commander Wells ‘hymn sheet’. The reasonable person might cast serious doubts on the versions put forward by the NATFHE representative at Hendon School and by Commander Wells.

An ex-Senior lecturer at Hendon School wrote in defence of John Fernandes based on his own experience at the school. He described the problem as quite specific, namely, that Mr Fernandes had “to anticipate and hopefully to mitigate what Lord Scarman calls ‘the ill-considered, immature and racially prejudiced actions of some officers in their dealings on the streets with young black people.’” He then referred to an essay he had set on immigration for police cadets. He said “it soon became apparent that [those volunteering for the project] had chosen the topic to find an outlet for their prejudices and their chosen reading embraced some fairly pernicious racist material. As a result he “arranged for them...to meet a group of black engineering students [at Kilburn Polytechnic] to discuss their problem...[The cadets were] appalled at having to meet black youths instead of reading denigratory generalisations about them [and all but two] refused to go.”

He referred to a contribution submitted by a correspondent praising Wells and criticising Fernandes. In his rebuttal, he pointed to recruitment as the issue and said that “tests could be devised to identify and exclude [applicants] at the time of selection...though they would have to be pretty subtle and sophisticated [tests and] an essay on ‘What I think of Black people hardly meets the bill.’”⁷³ He went on to say that “When there seems to be ample material for recruitment, extreme racism should be detectable at the selection stage or the pre-Hendon stage without detriment to numbers. Mr Fernandes could only illuminate the failure of screening [and that] Mr Fernandes approach to the media may at least focus the attention of the public and senior officers on racist attitudes and behaviour in recruits.”⁷⁴

Fernandes also received support from an academic, who was one of the team responsible for staff training at Hendon School. He said

it became clear, even over a short period of the course [he delivered] that there was resistance, at all levels, to the development of an anti-racist perspective on cadet training, as in other areas of police practice.

The problem was always defined in terms of the ‘alien character’ of black cultures, not in terms of white racism...Many of the comments by police officers attending the course confirmed how deeply rooted their own prejudices were. It is perhaps significant that such racist sentiments were only expressed in ‘unguarded’ moments and in the canteen, and often when it was thought [he] was out of earshot...What this illustrates,...is the hold which the unofficial culture of ‘the job’ has over officers and cadets alike...

John Fernandes has performed a valuable public service in bringing this out and in struggling for so long (and it must be said with so little support from most of the Hendon staff) to establish a genuine anti-racist teaching programme in the college as against its present, purely cosmetic, curriculum. That is the real reason for his shameful treatment by Commander Wells, whose actions have given us all an object lesson in the true meaning of the philosophy of ‘community.’ *⁷⁵

The debate carried out in public was certainly in favour of Fernandes’ approach to anti-racism and of the necessity of bringing in the media as a last resort. Fernandes was at the pit face of racism, not just sitting in some office or lecture room drafting policies on anti-racism, and had to make decisions based on the facts at hand in order to decide the best route forward. Most Black activists and their White anti-racist counterparts would know of the widespread existence of racism in the workplace and of NATFHE’s reluctance to act positively in favour of victims. ** Having raised the issue with the Police Authority, who did nothing other than replace the course in the Summer-term of 1982, Fernandes took action by bringing the issue of police racism to the court of public opinion.

(c) NATFHE’s Iceberg Comes into View

NATFHE’s contribution to the *Fernandes Affair* was to arrange a meeting between one of its officials and Commander Wells in December 1982, where, apparently, NATFHE threw

* A survey carried out in West Yorkshire found that “the informal police ‘canteen culture’ is generally mildly hostile to Black and Asian people largely because of negative encounters with them. Young officers are under strong pressure to conform and may speak in racially prejudiced ways to feel accepted.” In that survey, it was discovered that police race training was so rudimentary that it might do more harm than good by reinforcing stereotypes. Some police officers in Leeds believed that any race relations training should be directed at ‘them’ [the local Black population] and not ‘us’ [the Police]⁷⁶

** NATFHE’s commitment to anti-racism outside of rhetoric was illustrated in December 1985, when a conference on *NATFHE Against Racism* sponsored by the Outer London region at Middlesex Polytechnic was attended by many disgruntled and dissatisfied Black and ethnic minorities members from various regions in the country. They criticised NATFHE’s lack of support for them when having to deal with the negative actions of union members and employers. Bis Weaver and I attended that meeting and were witnesses to these events. Bis Weaver was a contributor, speaking of her experiences at the hands of a NATFHE lay officer and the West Midlands regional official.⁷⁷

in the towel when, as recorded in the minutes, it accepted that Commander Wells “reserves the right to decide what is taught and by whom. There is no room for negotiation around this statement.”⁷⁸ The question of Mr Fernandes reinstatement was in the hands of Scotland Yard solicitors⁷⁹ but, whether or not this was true or NATFHE officials were aware of this, everything from then on was determined by Wells’ decision and the knives were out for Fernandes.

Fernandes had given the union the opportunity to meet the challenge of racism and the union was to show where it really stood on that issue. NATFHE’s leadership received what it probably considered as a bonus for deserting Fernandes by accepting an invitation from the police to participate “on the Group reviewing Police Cadet training,” which NATFHE officialdom considered “to represent a major and substantial advance.”⁸⁰

As a result of its pusillanimous dealings over Fernandes’ reinstatement and retaining the anti-racism component of the Police course, NATFHE needed a means to extricate itself from a situation it was unwilling and incapable of dealing with in a positive and principled way. NATFHE’s way out was to offer Fernandes assistance under NATFHE’s Rule 24.

NATFHE officials were extremely adept in giving their own twist to any issue and the offer of assistance by NATFHE’s general secretary, Dawson, was a silver chalice laced with NATFHE’s own particular brand of poison – union Rule 24 case work. Offering Rule 24 meant the issue would be dealt with as if it was a breach of professional conduct on Fernandes’ part – pampering to Commander Wells’ viewpoint and abandoning the struggle against racism by downgrading it to a ‘conditions of service’ issue. Rule 24 was essentially a method used by officials to contain members’ dissatisfaction and to serve the interests of either ‘the union’ or the union-employer collaborationist practices in disputes between members and employer. The drawback for members is that they have no redress if officials decide to take no action, or choose to take a form of action against the wishes and interests of the member. In those circumstances, members would be denied further union support if they disagreed with the union’s prognosis or subsequent actions. This was a rule designed to put a stranglehold on any member dissatisfied with the actions of the union’s bureaucracy.

This was the only assistance offered to Fernandes and he was sufficiently astute to decline NATFHE aid “on a confidential casework basis” [Rule 24] * as the problem lay not

* The confidentiality claim for Rule 24 was an illusion. Bis Weaver agreed to accept Rule 24 offered by the West Midlands regional official, as a requirement for investigating her complaint, not realising the implications in doing so. He subsequently referred to his *Whitewash* report as confidential but distributed it to all levels of the union, where it was freely available for any officer or committee member to read, which included national, West Midlands regional executive, Birmingham liaison and Bournville branch committee members, and other members of various union panels. Anyone who had a contact on any of those committees or panels could also get a copy

in his actions but the police decision to exclude him.⁸¹ The Fernandes issue was also thought “too important to be buried as a ‘casework’ problem involving an individual lecturer.”⁸² Fernandes preferred “the support of...Kilburn Polytechnic [branch] for a wider campaign in the union aiming for [his] reinstatement...and the reinstatement of the multi-cultural course.”⁸³

Fernandes’ justifiable decision to not follow the path ordained by NATFHE officialdom meant that NATFHE required an alternative way of avoiding action on behalf of Fernandes. The way chosen was to attack Fernandes and his supporters while proclaiming a commitment to anti-racism and by launching an internal union enquiry into the Hendon School issue. Dawson and the NEC were prepared and, it seems, only too willing to supply these alternative means. Fernandes’ refusal was described by Dawson “as ‘unique’ in his 14 years with the union”⁸⁴ which was not intended as a compliment to Fernandes for his resilience. No doubt Fernandes’ attitude was ‘unique’ to Dawson and it showed how out of touch Dawson was with changing circumstances in NATFHE and British society as a whole.*

NATFHE’s response to Fernandes’ dismissal became increasingly discordant. When Kilburn branch voted for strike action NATFHE’s Brent liaison committee overturned the decision, worried that the “withdrawal of academic staff [from Hendon] could eventually lead them to being made redundant.”⁸⁵ The chair of NATFHE Kilburn branch showed a more positive and informed side as he saw the “distance which NATFHE at an official national level has tried to place between John’s [Fernandes] specific stand against racism and NATFHE’s much vaunted stand on general principle. This distance has done much to discredit NATFHE’s seriousness on the issue, not least among NATFHE’s members.” He referred to Brent LEA’s threat to withdraw staff from the School and was critical of NATFHE NEC for “failing to join Brent in facing up to the problem, [which] is threatening to degenerate into a ‘jobs at any price’ position, despite an assurance by Brent to safeguard jobs.” In conclusion he said that NATFHE had “got this...terribly wrong at the moment.”⁸⁶ Kilburn Polytechnic branch became “increasingly isolated within Brent [liaison area] for its unqualified support of the local authorities tough stance.”⁸⁷

NATFHE NEC put forward its position. It stated that it “prides itself on having a liberal policy on racial matters [but] has been caught between wanting to take a firm stand on racial prejudice; wishing to support a member...barred [from his place of work]; and having to face the fact that little or no support [was forthcoming from] among the 23 other union members...at Hendon.”⁸⁸ If this represented a reasonable assessment of NATFHE’s dilemma

* Dawson’s approach to tackling racism would be revealed even more so during the Weaver case

it said little for NATFHE's anti-racism stance. Is the struggle against racism dependent on the number of raised hands among twenty-plus tutors at Hendon School? Or is it in mobilising union-wide support for a principled stand against racism as NATFHE was constantly advocating when the National Front was involved? The ineptitude of the NEC, on racism and the defence of anti-racist activists, was demonstrated when it met on the 10th December. The executive "identified the threat of the withdrawal [of staff from the School] as the main issue."⁸⁹

NATFHE's "first substantive response" was at a [NEC] meeting on the 15th January 1983 where many NEC members "had only learned of the row over the essays from press reports..."⁹⁰ Reluctant to back Fernandes by taking up the mantle of anti-racism and ignoring or forgetting Farley's *pro-Freire* caveat of 1978, NATFHE's NEC delivered a statement full of the soon-to-be-regular and familiar rhetorical proclamations. The NEC strongly asserted that (i) "the plurality and diversity...of a multi-cultural society...[is] a source of enormous value and...building [this kind of] an harmonious...society requires a positive recognition of cultural differences;" (ii) "reversing racist attitudes is a legitimate educational aim and...requires [NATFHE] and the education services...to combat racism and racist attitudes," especially when training the police; and (iii) another "legitimate and desirable" aim is "affirmative action in recruitment to the police force." (iv) recognising ethnic minority confidence in the police "does not exist at the present time" due in part to the "racial prejudice of some police officers"; adding that "White racism (including its most unconscious form) has a detrimental effect on...black children...Hence White racism is the problem, not black people." The NEC called for "an understanding of the cultural backgrounds and attitudes...found in Britain's ethnically diverse society" by including racial awareness, anti-racism and multi-culturalism in police training. The NEC also agreed "to set up its own full-scale investigation into the affair and its wider ramifications."⁹¹

The NEC supported the Scarman report and welcomed discussions with both NATFHE's Brent liaison committee's working party and the Brent local authority, who were being asked not to withdraw staff from the School and "play its full part in ensuring an acceptable education for police cadets."⁹² Apparently, Brent LEA had given NATFHE "an undertaking not to withdraw teachers...without further consultation with NATFHE".⁹³ The NEC also wanted from Commander Wells "an explanation as to why John Fernandes was summarily banned without recourse to any procedures, whereas it would be normal in disciplinary situations for the status quo to be maintained whilst procedures are operated." It claimed that "a meeting with the Commander [Wells] is being sought in the matter."⁹⁴

Did the NEC not know that a NATFHE official had already met with Commander Wells in December and had come away with nothing except a seat on a police committee? Did Dawson not tell them or was the NEC being disingenuous? Notwithstanding this, the NEC's statement of intent was hardly likely to inspire anyone to act against racism - trotting out the inevitable terminology associated with anti-racism and offering formulae for the future but nothing on positive action in the present. Its call for a return to the status quo – the reinstatement of Fernandes while proper disciplinary procedures were followed was a novel approach. The Hendon School had no disciplinary procedures for academic staff but in calling for procedures to be followed the NEC was accepting Fernandes had a disciplinary case to answer.

When NATFHE's enquiry was announced, the Kilburn branch intended to boycott it because "the terms of reference do not include a demand for the reinstatement of Mr John Fernandes..." At the same time, Dawson "emphasised the importance of Brent retaining a stake in police education," which he knew would not include anti-racist teaching nor involve Fernandes. Dawson was also due to meet Commander Wells to discuss the case,⁹⁵ although it was difficult to see what there was to discuss as NATFHE had already accepted the 'inducement' to join a Police working group, which was to be announced when NATFHE's interim enquiry was released.

Dawson publicly proclaimed the "union's uncompromising...anti-racist stance [and of being] one of the most outspoken unions in combating racism and hav[ing] devoted much effort to the development of anti-racist and multi-cultural policies." Having delivered this declaration and hardly in keeping with an intended and supposedly impartial enquiry, he turned the Fernandes issue on its head by censuring Fernandes and his supporters for not raising the issue of the essays with the union nationally before contacting the television companies. If only Fernandes had done so, chided Dawson, then he [Dawson] "would have used the many channels open to [the union], including the [TUC, CRE,] Home Office and Parliament" to resolve the dispute. * As far as Dawson was concerned, addressing "the

* An interesting turn-around from Dawson's identification of channels available to the union to resolve the Fernandes affair arose a few years later. It occurred after Bis Weaver sought assistance from NATFHE to prevent the harassment she was suffering from a co-worker – a lay officer of the union. Although, initially, using the union's structure from the branch right up to head office in preference to any other channel available to her, Bis Weaver was eventually forced to use non-NATFHE channels to appeal directly to the TUC, CRE, CRCs, Members of Parliament and to NATFHE branches throughout the UK, to overcome the fate to which NATFHE officialdom, including Dawson, had abandoned her.

complex issue of racism * in the police force and the development of appropriate police training must be tackled positively and in a broad way [and] cannot be approached...through sensationalist media coverage relating to one college [nor by] the withdrawal of civilian staff from a police college as Brent local authority is threatening.”⁹⁶ Dawson, not explaining why police racism was complex, showed greater determination in attacking the supporters of Fernandes than in taking on racism in the police education system. He was displaying a ‘unique’ way of defending anti-racist activists.

With various levels of NATFHE scurrying to appease both the police and those NATFHE members who were either indifferent to racism; or opposed to anything substantive to challenge racism; or were closet racists; it was left to the employer, Brent LEA, who after a meeting with Dawson, decided to retain the threat of withdrawing lecturers to defend Fernandes. **⁹⁷ The head of Brent council said that “Mr Fernandes has done a public service in bringing this matter to public attention. The issue was not how the essay came to be leaked but the policies at Hendon which allowed recruits to be admitted who had the attitudes revealed in the essays. Mr Fernandes’...attempts to change the course at the school to tackle the cadets’ views led to police officers taking over part of the course, and dropping his proposals for a revised curriculum.”⁹⁸

This introduced an interesting inversion of roles. The employer was supporting those union members threatening to withdraw their labour in the fight against racism and in defence of a union member, while the union was opposing this course of action – another yard stick by which NATFHE’s commitment to anti-racism might well be measured.

A number of NATFHE members had previously shown they were not taken in by Dawson’s sermonizing defence of NATFHE’s actions. A couple more voiced their praise of Fernandes, whom they said “was right to draw attention to what were, by any standards, utterly racist sentiments expressed in the essays [and commended his] moral courage to make the decision [to contact the media] rather than let it pass.” They saw Dawson’s letter of the 11th February as “implicitly...suggest(ing) that sleeping dogs should be left to lie.” Their second point, cast doubts on NATFHE’s “fine record...against racism...if [it] fails to defend a

* A feature of NATFHE officialdom, when failing to take action on racism, was to define it as ‘complex’. General Secretary Dawson did it during the Fernandes case. Paul Mackney, who was very much involved during the early and late stages of the Weaver case as a lay officer in the West Midlands, made the same claim, in his role as joint-general secretary of NATFHE/AUT, when asked in 2007 about the Weaver v NATFHE case.⁹⁹

** How different from the attitude and actions of the leader of Birmingham city council, who put as much pressure on Bis Weaver as he could even to the point of authorising the monitoring of her movements when she was at work. (See Chap X Sect b)

member whose case epitomises the issue [of racism] itself” and they criticised NATFHE officialdom for treating Fernandes’ dismissal as “a matter for casework, which is a singularly inappropriate way to tackle a matter of principle such as this.” It was seen as “a widely understood method of official union non-commitment.” The authors did compliment “NATFHE generally and Peter Dawson personally” for the previous response made to requests from the Friends of Blair Peach Committee, * of which the correspondents were members, to back their “campaign to bring out into the open the racist sentiments and violence among a section of the Metropolitan Police.” They felt that “those same malignant sentiments have again been exposed..., and it is therefore a greater pity that NATFHE equivocates so much on the issue.” The third point was that “Trade Union’s have to protect job security...but it is...clear that Brent has been prepared to make a stand...on the main issue, namely whether an anti-racism course (not merely multi-cultural) should be part of the curriculum...and whether academic employees of Brent should have the freedom to run such a course without obstruction...[from] the police.” They saw “a social responsibility involved and...NATFHE members should be aware of it. At the moment, there seems to be no clear perspective at all. Peter Dawson’s letter does, at least, make that clear.”¹⁰⁰

Dawson had shown ‘positive’ support for the Blair Peach Committee over the issue of racist sentiments and violence among the Metropolitan Police but was reluctant to do anything constructive when such sentiments were expressed in the Hendon Police School. A possible explanation for the difference of approach might be explained by the fact that with the Blair Peach campaign all Dawson did was to utter a few words of support whereas the Police School issue required decisive, firm and principled action.

As for the NEC, it paraded the myth of a NATFHE commitment to anti-racism by expressing its determination to find out what happened at Hendon School and to rectify it, while an assistant secretary, Farley, ** maintained the leadership’s anti-Fernandes stance by also criticising Fernandes for not contacting head office. Farley’s assessment of the problem had little to do with the racist essays or the police’s reluctance to do anything about the situation before Fernandes blew the whistle. Quoting the NEC’s line that “reversing racist attitudes is a legitimate aim”, Farley launched an attack on John Fernandes, which was another persistent feature associated with NATFHE officers and officials of blaming the messenger not the culprits. Heralding the existence of a strong Race Relations Panel in the

* Blair Peach was an anti-racism demonstrator, who met his death at the hands of a police officer during a demonstration

** In 1978, Farley identified Enoch Powell, Margaret Thatcher, Adolph Hitler, amongst others, as creators of ‘racist myths’¹⁰¹

union, * Farley thought it surprising that the union “was not contacted...neither nationally nor NATFHE members...prior to their [essays] release to the media, and that Commander Wells...has not seen them, must raise serious questions about the whole episode.” An enquiry was being conducted at that time and NATFHE’s spokesperson, most improperly, had already decided that the Commander was telling the truth and Fernandes was not, and was broadcasting his own viewpoint to all and sundry. This was not atypical of the way NATFHE conducted enquiries and investigations. Was this an example of how Farley interpreted the *Freire maxim*?

Farley advised the watching or reading crowd that had Fernandes contacted NATFHE “it would have acted decisively and vigorously...with the appropriate authorities [and] had the Association not been satisfied with the response...it would have sought the help from other bodies – the TUC, CRE, local authority associations, the Greater London Council Police Committee, and the Home Office, if necessary, through its Parliamentary committees.” He then claimed that “disclosure to the media [was] a serious breach of professional conduct, [which] has now hindered, rather than advanced, the cause of continuing anti-racism studies for all cadets and its teaching by civilians.”

Farley completed his denunciation of an anti-racist activist by proclaiming that “The objective of eliminating racism...in society is paramount [and] the Association, irrespective of personalities, will pursue this objective vigorously and actively whenever and wherever possible.”¹⁰²

This was one issue where ‘vigorously and actively’ had different meanings for real anti-racists than they had for NATFHE officialdom and a majority of its lay-officers. Was Farley not informed of the dogmatic and uncompromising manner in which Commander Wells told a NATFHE official in December 1982 what was and what was not available to the union? Furthermore, the issue was police racism and, surely, the union could have acted decisively and vigorously at any time, especially as it was now patently obvious the police authority was opposed to anti-racism training for its cadets. The union failed miserably and was whitewashing its failings prior to any internal enquiry by putting the blame on Fernandes and changing the issue from racism to professionalism. When ‘anti-racists’ show their indifference to racism and to those seeking to expose it, they put themselves in the position of having to concoct excuses for failing to act and they vent their spleen on activists like Fernandes for putting them in that position. Their response was to attack the whistle-blower

* A NATFHE myth that would be compounded over the next few years with a multitude of similar myths, which gave the appearance that officers and officials might actually believe them

and mask their indifference or hostility to anti-racists under alternative nomenclatures. * Whistle blowers on racism were certainly not welcome in NATFHE; not even when it involved exposing police racism.

NATFHE's Police Group met on six occasions between 25th January and 16th March 1983 to conduct NATFHE's enquiry into the Hendon School situation. Its members consulted the minutes of a range of meetings at various institutions as well as reading a copy of the Multi-cultural studies course details. On the 21st February they met two NATFHE members from the Hendon School; two senior members from Kilburn Polytechnic; and John Fernandes accompanied by four NATFHE members from Kilburn Polytechnic.¹⁰³

On that day, the tenor of the enquiry was firmly established by the Chair, Mr Frank Griffiths, NATFHE's education secretary. When opening the proceedings, Griffiths informed those present that they had no time to waste because he had a train to catch. He showed how lacking in thoroughness this part of the enquiry was to be conducted when he declared that after he had questioned John Fernandes, he would allow the Kilburn Polytechnic branch officers, who were there at the request of John Fernandes, to speak if there was time.¹⁰⁴ Fernandes "refused to give the [Police] Group any information [and he] was supported in this by those" accompanying him.¹⁰⁵

An interim report of the Police Group enquiry was produced on the 19th March and it covered in Part 1: (i) the introduction, organisation and teaching of multi-cultural studies; (ii) the exclusion of Fernandes from Hendon School; (iii) the course content, academic freedom etc; and (iv) the conclusions. Part 2 covered the introduction of the new component on the course. The authors of the Police Group report claimed there was "no evidence that Mr Fernandes discussed the essays...with his colleagues either civilian or police [and] had been unable to find any record [of this] in the minutes of meetings." The Group recognised that "Mr Fernandes and one or two others are now maintaining that efforts were made to bring the essays to the attention of the Police Commander [but] individuals [one of whom was NATFHE's site representative] continue to maintain the essays...were never raised with" anyone on the site but "was discussed at...Brent Council's Ethnic Minorities Joint Consultative Committee held on 26th October 1982."

The guidelines in NATFHE's *Action Against Racism* were then invoked against Fernandes. These guidelines advised that "Members made aware of documents or similar

* In the Fernandes case – exposure of racism in the police became a breach of professional conduct; in the Weaver case - exposure of racist harassment was interpreted as exposing an interpersonal dispute and accusing the accuser of playing the race card – descriptions in both cases that no real anti-racist would swallow

material should immediately inform the Branch Secretary...[who] should immediately inform the Principal”, who should be asked “to notify the Local Education Authority.” Furthermore, the branch secretary should inform the liaison committee, the regional council, NATFHE’s head office and the regional official.

Invoking these requirements was further evidence of either NATFHE’s incompetence or insincerity as these guidelines were introduced by NATFHE to deal with racist material being distributed within college premises by members of organised racist and fascist groups, such as the National Front. NATFHE bureaucrats were using the very measures introduced for protecting Black members of staff and students to condemn a Black activist for exposing racism. *

The report covered the period from the discussions between the police and Brent’s Chief Education Officer and the Polytechnic Principal until the time Fernandes was excluded from the School on the 2nd December 1982. The claim was also made that Fernandes had refused Commander Wells verbal requests to meet him or to produce the essays.

In Part 3 it was recorded that NATFHE’s representative and the head of department at Hendon School had said that “academic freedom is not infringed at the Police Cadet Training School.” This disregarded the fact that Commander Wells had vetoed the content of courses that dealt with anti-racism and had taken it upon himself to determine what was taught in certain courses at the school. **

The police did accept the essays were racist – it could hardly do otherwise, and NATFHE had “discussed police recruitment (including cadet) recruitment with the police...[and] further discussions...on this matter are to take place.” There was also “no doubt that the police are anxious to avoid situations in the future where such allegations could be made and are anxious to devise a structure which could be used to achieve this...[as] the publicised essays reveal a degree of deep-seated racism amongst some Cadets at the time the essays were written.” The steps the police were taking to ensure there would be no repeat performance highlighting the racist attitudes of some of its cadets was to exclude courses addressing those attitudes. The police also came in for some criticism for not having procedures and for failing to give Fernandes “a proper indication...as to [Commander Wells]

* This had echoes of the way the ‘incitement to racism’ laws were used by the state legal apparatus against Michael de Freitas [Michael X] but not against Enoch Powell

** The claim of ‘academic freedom not impaired’ was challenged by six members of the multi-cultural unit at Hendon School in a letter also signed by others. The correspondents quoted from the Wells-NATFHE meeting in December 1982.¹⁰⁶

likely actions so as to remove any ambiguity.” Notwithstanding this, the undoubted purpose of this enquiry was to divert attention from the police and NATFHE’s ineffectiveness.

Part 4 centred on the student essays and Fernandes allegedly displaying “a lack of knowledge and a gross misjudgement of what would be acceptable to the majority of NATFHE members.” Fernandes was accused of not acting professionally in dealing with the essays at the time they were written, had he done so “progress would have been made sooner on the issues of police recruitment and the inclusion of racist awareness training and anti-racism in police training.” Furthermore, disclosing the essays to the media and in not telling NATHE beforehand, the union did not have “an opportunity to raise the racism revealed in [the essays, which] has actually hindered, rather than advanced, the continuation and improvement of anti-racist teaching for all cadets.” This latter point was the view of a civilian member of the Metropolitan Police Working Party. Fernandes was being blamed for NATFHE’s failings; the police’s failure to oversee police recruitment more effectively; and the police’s attitude towards anti-racist education. If the Police Group had asked more than one spokesperson on the issue of police and anti-racism training, they might have been in a position to form a more relevant analysis of the situation.

NATFHE’s Police Group was either not aware or had concealed the dogmatic and uncompromising manner in which Commander Wells told a NATFHE official in December 1982 of what was and what was not on offer. The Group may have been right in saying Fernandes’ actions might not be acceptable to the majority of NATFHE members, however, that was no credit to the membership or those officers who paraded their opposition and indifference to Fernandes and anti-racism as if they were virtues.

The Police Group, as to be expected from the pre-enquiry comments from Dawson and Farley, identified “the problem [as being] compounded by the failure of John Fernandes to seek the assistance of the Association under Rule 24.”¹⁰⁷ How was it possible for the Group to put the blame on Fernandes for the problem of racism at Hendon School and the intransigence of the police authority on the grounds that Fernandes rejected NATFHE’s inappropriate Rule 24?

Placing the blame on Fernandes speaks volumes about NATFHE and how it views its responsibilities to members at the pit face, especially those seeking to challenge existing racist attitudes among students. NATFHE seemed very concerned about racism when it advocated action against the National Front but, apparently, it was not so concerned when having to directly take on the police.

In conclusion, the Group welcomed the police's invitation for a NATFHE representative to "sit on the police working party reviewing training at Hendon," which was considered "to represent a major and substantial advance."¹⁰⁸ This was the sugar coating for the union at the expense of the bitter pill that Fernandes, and Black people in NATFHE, were expected to swallow. This was the reward for NATFHE for following the Wells' line in accusing John Fernandes of "gross mismanagement" and leaving him to the mob – police and civilian.

A major racism issue had erupted in NATFHE's domain. In this hive of activity, NATFHE had figured very little other than mauling the whistle-blower and doing nothing to protect his tenure at the Hendon School. The *Fernandes affair* revealed the fringe position anti-racism occupied in NATFHE's list of priorities.

The union had failed miserably and this interim report whitewashed their failings by putting the blame on Fernandes and changing the issue from racism to professionalism. However, the union did not see its failings and so keen was it to show how it dealt with this major issue of racism that it called a press conference. This appeared to have two purposes; the first to publicise a commitment to anti-racism; and the second to distance itself from Fernandes and to place the blame firmly on him.

At the press conferences, on the 22nd March, Peter Dawson, flying a flag of convenience, described "The combating of racism amongst the police [as] one of the most crucial tasks facing us today [and that] Trade unions have a vital role in this" with NATFHE supplying the training. He referred to the lack of confidence Black people had in the police due to "the racial prejudice of some of its officers"; and "reversing racist attitudes is a legitimate educational aim." Griffiths, who chaired NATFHE's police working group, spoke of the sources of information used in the enquiry, including John Fernandes. He referred to the 'deep-seated racism apparently revealed by the...essays; the police's acceptance that "time allocated to multi-cultural/anti-racism studies is insufficient..."; "the lack of procedures at Hendon...School and the way...a member of staff can be excluded without any opportunity to reply to criticisms..." However, it was obvious that John Fernandes was to be the main target of the enquiry. Griffiths, in less haste to get a train than when Fernandes was attending the enquiry, railed against Fernandes. He said "the working group have concluded...that someone who feels as strongly as does Mr Fernandes about racism in the police * could have more effectively and swiftly carried the case forward by dealing professionally with the

* John Fernandes, like all genuine anti-racists, felt strongly about racism everywhere not just its presence in the police force

cadets' essays – and with the united support of his colleagues and the union.”¹⁰⁹ With this kind of logic, anti-racism was not a ruthless struggle waged against a venomous ideology but an exercise in professional etiquette – a mask the leadership and acolytes wore in their desire not to upset the comfortable relationship it had achieved with the police. Furthermore, did it really matter how it was revealed? If Fernandes had followed the procedures laid down for dealing with fascist groups, as suggested by NATFHE after the event, it would be doubtful if any action would have been taken. * As for NATFHE, it had done little or nothing other than set up a ‘Kangaroo court’, whose outcome appeared to have been decided prior to the group’s meeting with Fernandes, as shown by Farley’s comments in the February edition of NATFHE Journal.

Those comments by Farley had attracted a critical riposte from a Kilburn Polytechnic union member accusing him of turning “the issue into a scarcely veiled attack on Mr Fernandes, which allows the interpretation (by the Police School) that NATFHE does in fact tacitly support their banning of him.” He pointed out that “NATFHE’s claim to support positive teacher intervention to reverse racist attitudes [is made ‘less credible’] when [an] issue becomes substantial, [and NATFHE] appears acquiescent in the expulsion from his job, on a pretext, of a teacher who tries to carry out this policy.” He considered the charge of a “serious breach of professional conduct” spurious because Fernandes’ employer, the Brent LEA, “has made no such allegation” or was “NATFHE prosecuting such a charge independently of the employer?”

The author argued that “Countering racism in police education may arguably constitute a higher cause than the alleged breach of procedures [and the] accusation that John Fernandes has harmed the cause of anti-racism teaching...requires a certain capacity for intellectual obsequiousness.” He also criticised the publication of “a personal condemnation of John Fernandes (which must itself be unprecedented) without giving him the opportunity to put his case” and added that this “must cast doubt on what Farley says.” Was Farley “asking us to believe that Mr Fernandes published the...racist...remarks without having made any prior attempt to get something done about the problem within the School?” The tables had been turned on Farley, whose “condemnation of John Fernandes...will give comfort in the highest circles of the police anxious to play down the evidence of racism in their recruits.” In conclusion, Farley was told that if he “thought more carefully about what racism means [he] would be doing everything to rally support for John Fernandes’ reinstatement

* If Fernandes followed NATFHE’s procedures, he would have to report it to the employer (which was the police) or report it to the police (which was the employer) and leave it to them to deal with!!

instead of blackguarding him.”¹¹⁰

NATFHE’s smear machine, to be so much in evidence during the later Weaver case, had been cranked into action and was being put into top gear as the leadership turned the screws on Fernandes.

In the same edition of *NATFHE Journal*, Farley responded to this criticism by repeating the findings of NATFHE’s interim report. He referred to the alleged ‘breach of trust’ and non-discussion of the essays with colleagues, the Divisional Head or the Police Commander. He identified this alleged failure as preventing the union from acting “decisively and vigorously” and “has actually hindered rather than advanced...anti-racism teaching.” He quoted the person on the Metropolitan Police Working Party, who endorsed this view. Having regurgitated the ‘party line’, he claimed to be conscious of “the social context in which racism flourished [adding that] I deplore it and seek to change it.” Drawing on a point from his previous statement on the issue,¹¹¹ he declared that “Anti-racism teaching is essential [for] all professions, including teaching, [and] these are the real issues, which irrespective of personalities, the Association is determined to pursue - vigorously and effectively whenever and wherever possible. And so am I.”¹¹²

Thus spake three wise men of NATFHE, Dawson, Farley and Griffiths, who, having promised gold, frankincense and myrrh to herald NATFHE’s determination to oppose racism had brandished a crown of thorns for anti-racists. NATFHE officials and lay officers tried to obscure the fact that Brent LEA was doing the union’s job because it was the LEA seeking to protect Fernandes’ tenure and the tenure of those prepared to take a stand against racism and not NATFHE. But therein lay the crux of the matter, the strength of NATFHE’s commitment to anti-racism was dependent on whether or not the conditions of the lecturers, 99% White, were adversely affected by this anti-racist issue – demonstrating a commitment to anti-racism that did not extend beyond the interests of the majority. Opponents of positive action on anti-racism had the upper hand in NATFHE and would continue to do so for a long time. What might be described as *the tyranny of the majority* was the perfect description for NATFHE inaction on issues of right and principle.

The Brent LEA, which supported Fernandes throughout, had become another target for the NATFHE leadership, which refused “to discuss redeployment of staff...until the threat to withdraw the staff...is lifted.” Dawson continued along NATFHE’s inverted path by criticising Brent LEA’s actions as “the politics of the ‘grandiose gesture’ not contributing to anything, let alone oppos[ing] racism.” He accused the LEA of “taking this quite disgraceful industrial relations step in the misguided view that it is a weapon in the battle against

racism.”¹¹³ Many of those in NATFHE’s leadership, apparently, “were privately angry at Brent’s actions when preservation of the status quo would open [up] the opportunity for the neighbouring authority of Barnet to be included in discussions about the future of the school and its current staff.” But as the chair of Brent’s Further Education sub-Committee put it, “The real status quo is to reinstate Mr Fernandes”, which was something that seemed to have drifted from NATFHE’s line of vision.¹¹⁴ Brent Education Committee had, in fact, told Hendon School staff “not to report to the police school but to enter discussions with [LEA] officials about redeployment elsewhere in the borough [and] there would be no compulsory redundancies.” However, “union leaders remained sceptical.” The Hendon School branch split. “Nine, including the remainder of the multi-cultural unit defied [the] union and obeyed the authorities instruction [while the] sixteen [other staff] stuck with NATFHE and reported for work.” This was a state of affairs that put anti-racist activists against ‘anti-racist mouthpieces.’

By March 1983, the gulf between the ‘activists’ and the ‘mouthpieces’ was considerable. Despite Brent LEA giving “a cast iron guarantee” that no one would lose their jobs”¹¹⁵ it faced increasing attacks. The Outer London region, which initially supported Fernandes but crossed-over to the opposition, described the Brent education committee’s “move a ‘betrayal’ [and] “beneath the camouflage of fighting racism...[was] waging war on the tenure and conditions of all its lecturers.” The Outer London REC was also called on “to stop Kilburn actively and publicly campaigning against union policy, [namely, Kilburn’s] support for the threat to withdraw staff.”¹¹⁶ The leadership’s interpretation of the problem, which shelved action on anti-racism and the defence of activists, had become NATFHE’s policy. Commander Wells appeared to be lining up with NATFHE, now that the union had ditched Fernandes and was blaming him, and he jumped on to the bandwagon by again criticising Fernandes “for unprofessional behaviour in not drawing his complaints to the attention of the union officials before going public.”¹¹⁷

Brent further education sub-committee, grabbed hold of the cudgel and, putting the situation into perspective, pointed out that “NATFHE has been spectacularly unsuccessful in persuading the police to put this [anti-racism section] back into the curriculum [and] At the end of the day you have to stand up and be counted.” Attention was drawn to the fact that “Yet again, a major trade union was failing to take up the racial issue” and the committee disclosed that an earlier “attempt to reach agreement had collapsed because of the union’s most uncooperative attitude.”¹¹⁸ NATFHE counter-attacked by accusing the Brent Authority of “breaching a national agreement that the status quo should prevail during negotiations to

end a dispute.” NATFHE was evading acknowledging what the status quo consisted of because “the real status quo [as far as the Brent Authority was concerned] is the reinstatement of John Fernandes.”¹¹⁹ Dawson tried to polish up NATFHE’s tawdry stance by claiming to be “looking for a comprehensive and sensible settlement to a practical industrial relations issue.”¹²⁰ Dawson was pushing forward Rule 24 as an appropriate means for settling this issue because he claimed that “a suspension or dismissal...often becomes a matter of collective bargaining or dispute.”¹²¹ Racism was being downgraded to nothing more than a generic industrial relations issue with Rule 24 used as a device for harnessing action. *

A union denouncing direct action to defend a member on the grounds offered up by NATFHE could reasonably be accused of dereliction of trade union principles. Who or what was the NATFHE leadership trying to protect by attacking the local authority employer, who was defending an excluded Black NATFHE member? NATFHE’s bureaucrats were directing attention away from their own faintheartedness while appeasing those who found no difficulty in turning their backs on a colleague risking his job in the fight against racism.

The failure of the NEC, the Outer London region and NATFHE officialdom to support Fernandes against the police authority’s negative response to the discovery of racism amongst its cadets merely confirmed where NATFHE really stood on issues concerning racism, academic freedom, and the defence of members fighting racism. However, there were “Some NATFHE members... concerned...[that]...the union leadership...is failing to live up to its record on anti-racism by withholding unqualified support for Mr Fernandes.”¹²² More members would show their dissatisfaction with NATFHE bureaucrats at NATFHE’s Annual Conference in May.

At the conference several unsuccessful attempts were made to raise the Fernandes issue, which “served to underline the severe divisions...among the members, especially in the London area.” The Outer London region was “deeply split even over an attempt by the West Midlands region to secure a debate on the leadership’s handling of the affair in private session.” **

It was apparently the “deft footwork by the President, Chris Minta, that avoided a vote on whether the issue should be aired” and it was decided to deal with the issue in camera at the National Council meeting in July.¹²³ This was not the last time a lay President

* This was a foretaste of what was to come during the Weaver v NATFHE case

** The disaffection of the West Midlands with the leadership over this race issue was only temporary. The regional executive and NATFHE’s leadership showed a common purpose during another serious racism issue, this time in the West Midlands, and their mutual support did not benefit Black members

would acquiesce in the attempts of paid-bureaucrats to bury racist issues. *

“Racism in Britain is a White problem”, so said the proposer of a motion calling for a “policy document to go to all branches to encourage anti-racist teaching in all colleges as distinct from multi-cultural education [as the latter] approach sees black people as the problem not how white society reacts to them.” Ethnic minorities are also expected “to accept White institutions which ‘oppress and disadvantages’ them.” One delegate said that “it was ‘grossly misconceived’ to think that [NATFHE] could put an end to racism just by teaching...about the cultures of minority cultures...[as] it was the everyday attitudes which had to be changed.” Another delegate, Mehdi Hussaini, who supported Bis Weaver during her struggle with NATFHE officialdom, was not taken in by NATFHE’s profession of support for anti-racism. He took the opportunity to address another feature of NATFHE’s failings when dealing with racism. He recognised NATFHE had policies for anti-racism and anti-discrimination but questioned NATFHE’s commitment “when cases of racial harassment are brought to its attention.” He argued that NATFHE was “not prepared to fight [and]...have always tried to deal with these cases on a different basis.” He spoke of ethnic minority “victims of racist discrimination [who] are harassed and in some cases have been forced to leave their departments.”

An amendment was proposed by the Inner London region “recognising the role of multi-cultural education” claiming that “it was not enough to educate people to face their own racism. It was also necessary to build understanding of and respect for other cultures.” The multi-culturalists’ amendment won the day and Nan Whitbread, on behalf of the NEC, “accepted the motion in principle [and the] proposal would be met by the work the Race Relations and Membership Panel already had in hand. Therefore,...a new, special Panel would not be needed.”¹²⁴ Conference delegates played the game beloved of bureaucrats by instructing the NEC to produce a policy document encouraging anti-racist teaching and that was about as far as the delegates were prepared to go on the issue of tackling racism. With this limited objective in mind, the union organised a conference, in conjunction with the CRE, on access to education for Black people to be held in October 1983.¹²⁵ In other words nothing concrete would be done other than to have another conference and nothing constructive would appear for at least eighteen months when NATFHE decided to establish a Race Relations Panel to deliberate in its own right on race issues. This new panel would soon

* Ms Whitbread, first woman President, and Childerhouse, who followed her into the Presidency, both appeared to be acting in a subservient capacity to the general secretary during their periods of office

be seen as another arm of the bureaucracy showing its reluctance to deal with racism effectively despite the efforts of a few ethnic minority members on the Panel.

NATFHE's efforts to bury the Fernandes issue from public gaze did not stop attacks still being launched on him and his supporters. One NEC member, Woolf, * accused Fernandes of being in league with Brent LEA and the Guardian newspaper in a campaign against NATFHE. He laid out what he saw as the main priority for the union, which was to protect members' tenure. ** This took precedence over what he described as Fernandes "alternative priority or priorities [namely] the preservation of academic freedom; the fight against racism; and the defence of John Fernandes himself." Woolf defended "casework [as] a principled stand...based on the principle of trade unionism, of defending a member with the collective strength of the union; part of that strength coming from the individual co-operation of that member."

To Woolf, academic freedom had "never existed in an abstract, complete sense...which can only move forward through the correct procedures." He presented a piece of political dogma, which was that "Racism has always been a weapon to divide the working class [whereas] unions such as NATFHE have always been weapons to *unite* the working class." He turned on Fernandes and accused him of fabricating a "scenario of a sell out by bureaucrats and racists," which would be used "as a self-fulfilling prophesy...as the drama unfolded."

Woolf then singled out Kilburn Polytechnic branch - Fernandes' principal supporter, for what he referred to as the harm caused to NATFHE at a time "when the enemies of trade unionism were mounting a powerful and sustained assault on the movement." *** The branch was asked to "reflect on the harm it has caused to NATFHE.., set back the cause for academic freedom...besmirched the anti-racism position adopted by the union...[and] given succour and support to an employer engaged in a national dispute with NATFHE" – additional excuses trotted out to divert legitimate dissent from NATFHE NEC failings. It could be asked to what anti-racism position was Woolf referring because little evidence

* Geoff Woolf was later to become the first General Secretary of NATFHE elected under Thatcherite union legislation

** This was a line pushed to absurdity by NATFHE officialdom during the Weaver harassment case. The union's position was that protecting tenure was sacrosanct, including protecting the tenure of members harassing Black members and women even when the complainant's complaint had merit. A NATFHE official would publicly declare that protection of tenure was a NATFHE's custom and practice policy, irrespective of the merit of the complaint (See Chap XV Sect c)

*** A member of the SWP, a part-time lecturer at Bournville College, later told Bis Weaver that he thought no action should be taken on the harassment inflicted on her by a union officer because the labour movement was in a period of defeat¹²⁶

could be seen of NATFHE having any positive commitment.

He then seemed to contradict himself by claiming that Kilburn's failure to actually "harm the union" was "a tribute to the democratic structure of the Association and the commitment of those who operate within it." *¹²⁷ How more self-congratulatory and misguided could this explanation be? This hallmark of the 'revolutionary' bureaucrat would go down well with NATFHE officialdom, especially as it was delivered by someone known as a member of the 'Hard Left' - a combination of socialism and union patriotism. Yet again, the issue was inverted so that the victim and his supporters became the miscreants when the real culprits were union bureaucrats – official and lay; 'neutralists'; and other so-called 'anti-racists', who had sold out Fernandes and anti-racism.

In a later edition of NATFHE Journal, Kilburn Branch Committee members took issue with Woolf's letter, sardonically referring to the myth created by NATFHE that it took the issue of racism seriously. They asked, "If protecting jobs is [NATFHE's] first priority, why did the NEC not act to support John [Fernandes, and they pointed out that] the leadership only negotiated on behalf of the 16 [staff members] out of the original 28." They also queried Woolf's attempt to "justify the Police's stopping [of] the anti-racist course on the basis that other academic bodies exercise academic control." For them "the consequences of NATFHE's liaison with Commander Wells (apart from contributing to his promotion) appeared to be the disappearance of anti-racist teaching...at Hendon." They thought it ironic that Wells, while sacking Fernandes, had made later "statements congratulating John Fernandes for raising the issue of cadet racism."¹²⁸ Wells, on the TV programme 'Panorama' had admitted that "one of the 'fine sides' of the 'miserable' affair in which a civilian lecturer handed the essays to the media was that 'it has helped us focus on a problem and cope with it.'"¹²⁹ Coping with it meant putting an iron curtain around the cadets and the public interest.

The Kilburn branch committee poured scorn on NATFHE's concept of 'democracy' that was on view at NATFHE's Annual Conference. It reminded the exponent of this claim of "the successful stifling of any debate" on the sacking of a NATFHE member "by the police for developing an anti-racist course [that the police] found unacceptable." This was seen as an "unfortunate illustration of how democratic the NATFHE structure is, and of how the leading levels of our union tackle racism and the defence of the jobs of their members."¹³⁰

* The so-called 'democratic' structure of the union was to be exposed once again three years later at Bournville branch and in the West Midlands region during the Weaver case; and in the 1990s in the Shahrokhni case at Kingsway College, London

The member of the Metropolitan Police committee on Human Awareness Training for Recruits * entered the fray by revealing in the national press, the strong opposition of the police force to the initiatives taken to improve race training. However, for her, it was important to encourage the future development of these initiatives. Believing that “the John Fernandes incident and attendant publicity to have been a serious setback,” she acknowledged that “some senior officers were beginning to take the issue [of police racism] seriously.”¹³¹ She avoided mentioning it was Fernandes who introduced those course initiatives at Hendon and that Fernandes was the person exposing racist attitudes amongst future police officers – all she offered was a criticism of Fernandes. **

The views expressed in this committee member’s letter to the press obviously suited the aims and objectives of the NATFHE leadership’s as they could all have their “cake and eat it.” The level of integrity among the leadership sank even further when the letter was “circulated by the union.” The union bureaucrats certainly supped with a short handled spoon on occasions.

In the same edition of the *National Journal* as the Woolf letter, the Kilburn Polytechnic branch, whose support for Fernandes had not diminished by the jaundiced accusations spilling forth from the mouths of NATFHE officialdom, was critical of the earlier attacks on him. NATFHE’s interim report was criticised for the uncritical reiteration of inaccuracies against Fernandes, who had informed “cadets, and staff and the police of his intention to publicise the issue of racism amongst police cadets” and contacted “the press with Branch support.” Fernandes had asked the union for support but subsequently had refused NATFHE’s offer “on the basis that it was the police’s actions in excluding him and stopping part of the anti-racist course that was the problem, not his actions.” It noted that Wells was “refusing to negotiate with ACAS as long as the reinstatement of John Fernandes was on the agenda.”¹³²

The editor of *NATFHE Journal*, *** took issue with the Kilburn Branch and, which was not unusual for NATFHE, adopted a self-righteous posture. He believed “the coverage in the Journal has been in the best tradition of Journalism, unlike the sad lapses of the Guardian.” Defending the NEC, he wrote that “The [NEC] is neither convinced that the

* She was mentioned in NATFHE’s interim report

** After claiming that Fernandes had “actually hindered rather than advanced...anti-racist teaching, the author of the interim report, Griffiths, made a bracketed note, which was “(The view of Marion Gerrard, a civilian member of the Metropolitan Police Working Party on human awareness training for recruits, on this matter [the NATFHE enquiry] was also received)” but her view was not actually disclosed in the report. However, Farley disclosed her comment in a letter in the same edition of NATFHE Journal.¹³³

*** The Senior editor on NATFHE Journal was Dawson, NATFHE’s General Secretary.

publicising of the essays was an acceptable course of action nor [would] Association members...generally consider this proper treatment of young students work.” His use of the word ‘generally’ implies that there would be occasions when it would be ‘proper treatment’ and it would be difficult to find a more serious situation than this to cause Fernandes to reveal the contents of the essays. Completely ignoring that NATFHE’s repudiation of Fernandes ‘coincided’ with a NATFHE official’s meeting with Wells, the editor said “it has been open to John Fernandes throughout to give the Association information which might influence or change its judgement, including any information that he gave warning of his intentions [but] he has refused point-blank to give such information or to show the Association the essays.” What would the NEC have done differently had access to the essays been granted to it, given that the racist content of the essays had been published in the Guardian, Times Higher Education Supplement and broadcast on Eastern Eye?

The author attempted to justify the offer of Rule 24 as if this would solve the problem for Fernandes or do anything about racism at Hendon School. He claimed that “the distinction between casework and other methods is a false one; once an apparently individual problem such as a suspension or dismissal is investigated and the facts known, it often becomes a matter of collective bargaining or dispute.” Fernandes had shown himself to be more astute than either the NEC or the Editor of *NATFHE Journal* appreciated because Rule 24 and its restrictive effects were later shown, in a more explicit way than in the Fernandes case, to be nothing more than a means for union bureaucrats to cover up complaints that in one way or another threatened the interests of officials and lay officers. * The conclusion of the editorial contained the usual NATFHE-flavoured rhetoric of “The fight against racism must be unremitting and it is sad that this dispute has directed attention from some of the real issues. It is sad that the attitude of one Branch in opposition to the policies of the Liaison Committee, the Outer London region, [NEC], and the large majority of members, has made it more difficult.”¹³⁴ However, it was not difficult to detect the crocodile tears running down the editor’s face on to the page!

The NATFHE leadership, officials and the NEC, had gone to great lengths to give the impression of not selling Fernandes short, citing in its defence the pressure applied for Fernandes’ reinstatement; its criticism of the Hendon School for not having disciplinary or grievance procedures; and for not giving Fernandes instructions in writing as to the likely

* Rule 24 was completely discredited during the Bis Weaver case and in the wake of that case was ultimately scrapped at the union’s annual conference in 1988, although NATFHE officials would no doubt claim that its demise was unconnected with the exposure of the real purpose behind Rule 24 during that case.¹³⁵

action to be taken by Commander Wells. To balance the scales and to avoid having to defend Fernandes by taking on the police, NATFHE blamed Fernandes for not seeking union assistance and denounced him for seeking “short-lived sensationalist publicity.”¹³⁶ This was a tactic NATFHE would use, in the future, against those who were also prepared to tackle racism head on.

NATFHE’s collapse in the face of racism and the scurry to appease the police authorities brought a remarkable statement from Dawson. Having denounced Fernandes’ way of exposing racism amongst police cadets, he did a verbal *volte face* by saying that “We cannot believe the racist attitudes apparently disclosed by the essays could have come as a surprise to Commander Wells or anyone else. There has been ample evidence of racism among the police for years.”¹³⁷ If this was Dawson’s position why did he denounce Brent Council for taking a principled stand against police racism? Or could it be that the leadership’s lack of credentials in opposing racism having been exposed, he was now playing to the gallery to recoup some credibility.

NATFHE’s desire to sanitise any criticism of its behaviour in the Fernandes affair was clearly demonstrated following a NATFHE-CRE conference held in October 1983. Those attending the conference did not restrict themselves to the limited agenda of ‘access to education for Black people.’ In one session entitled "Racism in the union," NATFHE’s handling of the Fernandes affair did not escape comment. Fernandes opened the session with the “contention...that NATFHE’s response to the Hendon Police School at Regional and National level, revealed racism within the union that prejudiced the outcome of his case against the college management.” Fernandes “suggested that attempts to treat his problem only on the basis of union casework effectively overcame the need for the union to confront racism with the Hendon Police School and within its own structures.”¹³⁸

Participants in the conference recognised that despite NATFHE making various policy pronouncements opposing racism these were generally within the context of developing multi-cultural education and not in removing discrimination against Black members. NATFHE’s approach was criticised for inadequacy because its circulars and official statements were incapable of penetrating into staff rooms where many NATFHE members remained uncommitted to anti-racism. “Many conference members felt there were significant similarities between the position of women in NATFHE, and that of black members [and a call was made for] establishing Panels that black members might adapt to their own needs and situation to ensure that the voice of black teachers was heard and taken

fully into account.” * Those NATFHE NEC members attending the Conference “assured participants that [these] issues...would be fully taken into account in the future working of the NATFHE Race Relations Panel. **¹³⁹

The uneasiness felt by the NATFHE leadership in the wake of its inept and unsavoury performance on racism was only too apparent when the NATFHE-CRE conference was reported in *NATFHE Journal*. The *Journal* confined itself to reporting on the provision of educational opportunities for Black people. There was an important and obvious omission that was picked up by a CRE representative, Phil Barnett. He wrote to the *Journal* regretting that the session, “Racism in the Unions,” was not covered in the *Journal’s* report.¹⁴⁰ He then gave details of the omitted session. It was little wonder that this session was excluded since it criticised NATFHE’s failure to address such a significant racist issue as the *Fernandes affair*. Unlike the letter from Ms Gerard, the member of the Police working party, the contents of this session was not something NATFHE would want to broadcast. But NATFHE was in no position to brush aside criticism from the CRE and the letter was published. Also noticeable was that the *Journal’s* editor did not seek to criticise the comments of a CRE officer. ***

(d) 1984 – NATFHE Celebrates Orwell’s Coming of Age

NATFHE’s bureaucrats failed to distinguish themselves during 1984 and showed themselves to be occupying positions a considerable distance from the progressive anti-racist union that it was presenting to the world. Big brothers among officialdom and in the NEC were firmly in control. However, one particular region did distinguish itself from the herd. Settling itself among the vanguard supporting Fernandes, a hundred miles from Brent down the M1, was the West Midlands region.

A motion from this region praising Fernandes for his stand against racism was proposed at National Council and seconded by NEC member and future chair of the ARNP,

* The West Midlands region, although supportive of Fernandes, showed an unusual way of conforming to the call made for panels or committees representing the interests of black members. The REC ensured that the West Midlands Black Lecturers Group (BLG) did not have direct access to the regional council as did the Women’s Panel; instead the BLG had to direct any proposals through a White dominated ‘anti-racism’ committee for approval

** The lack of commitment to this approach by the Anti-Racism National Panel was shown in February 1986 when the Panel refused any discussion of a Black woman’s case

*** The CRE had recently issued guidelines for avoiding racial discrimination on Youth Training Schemes. There was a checklist covering “recruitment, the selection process, treatment during the training and selection for permanent employment.” It not only dealt “with direct discrimination but also with systems and methods, which can, if the workplace is mainly white, have the effect of excluding black candidates.”¹⁴¹

Dennis Baker, who saw the motion as a way of laying the ghost of the *Fernandes affair*. Paul Mackney, of the West Midlands region, later to become general secretary of NATFHE, was vigorously critical of NATFHE's handling of the *Fernandes affair*. In what might be seen as a back-handed compliment to Fernandes, he plainly stated, "I defend countless members who have done lots of things that are wrong, but I don't publicly criticise them in a report..." He alerted the union to the "danger of Black lecturers being deterred from joining the Association because they saw it as unwilling to defend teachers who were fighting racism."*¹⁴²

Frank Griffiths, ** chair of the Police Group denouncing Fernandes, not unexpectedly, showed his opposition to the motion and tried to justify his position by appealing for a forward looking approach "to eradicate racism because Council did not and cannot support Fernandes in his stand against racism." Griffiths described racism as "an evil, but it is an evil which is not going to be combated by flamboyant gesture." ***¹⁴³ This was an undeserved and unfounded dig at Fernandes, whom Griffiths had criticised along with four others for not co-operating with the police group. Given that NATFHE officialdom, the NEC, and Griffiths had turned the issue from racism to professional misconduct and denounced Fernandes, it should not come as a surprise to anyone as to why Fernandes found it impossible to co-operate with those NATFHE grandees only too eager to wash their hands of the affair. Another prime example of the White leadership believing they were the only ones who knew how to combat racism and when Black members stood firm against racism, their action could only be interpreted as being in pursuit of some kind of 'flamboyant gesture.' The flag of colonial paternalism flew from the highest mast in NATFHE's 'anti-racism' citadel.

* The principle that was referred to and the observation made by Mackney seemed not to register with him when a Black woman member in the West Midlands region was struggling against harassment in the workplace. She faced considerable hostility from the Bournville branch and the West Midlands REC when she sought redress against the harasser and subsequently against the West Midlands regional official. During that time, Mackney did not speak out against the release of a report by the regional official, which was riddled with false allegations, misrepresentation of evidence, attacks on the complainant's integrity, and the regional official's implicit suggestion to remove her from her post for the benefit of the accused harasser. Instead, Mackney stood for election to NATFHE's National Council on the same electoral list and the same platform as the lay officer accused of harassment. The regional official's report was not released to the press but it was widely available to any member of any committee in the West Midlands. For Mackney's involvement in the Weaver case and a critical assessment of his role, see Chapter 5 section (c)(ii). Baker was another lay-officer disappearing from the scene when called upon, as chair of the ARNP, to do something to assist Bis Weaver

** Griffiths lectured at Teeside Polytechnic; and was the Labour candidate for Stockton South in 1983

*** Griffiths was referring to the occasion when, as chair of the Police Group, he made it clear that he was more concerned with catching his train than fully exploring Fernandes' and the other four's accounts

Other activists with 'leftist' leanings showed their 'mettle' in the anti-racism struggle by offering up a contribution or two. As his virtual swan song as a lay officer, David Triesman, regional secretary for Inner London, shortly to take up a paid official's post as NATFHE's national negotiating secretary on the 1st September, moved a motion aimed at overcoming racial discrimination in education. He believed that many NATFHE members were "committed and firm anti-racists but it was not true of the wider society and there was no room for anyone to believe that individuals surrounded by hostile groups will make any headway. Racism is deeply entrenched and it is a White problem not a problem of Black people." *¹⁴⁴ Nan Whitbread's contribution was to virtually confine knowledge and understanding of racist discrimination to NATFHE activists. To support this presumption, she referred to a circular sent to the branches "suggesting how they could make progress on multi-cultural education...but [she] recognised that many lecturers' understanding was at a different level from that of activists."¹⁴⁵ This was an inflated assessment of the 'activists' capabilities not supported by her own response or the response of other White 'activists' when Bis Weaver sought union assistance in 1986. These two statements would come back to haunt the speakers in 1986 or, to say the least, they should have. **

The next NATFHE Annual Conference was held in Birmingham where, on home ground, delegates from the West Midlands region lectured other delegates to recognise that "errors committed in the past were a necessary requisite for moving forward." The region unsuccessfully submitted a motion calling for anti-racism guidelines; a rule change to include anti-racism and anti-sexism aims and objectives; an entitlement "to receive legal advice or representation at any disciplinary proceedings equivalent to that likely to be available to the

* By May 1986, the first part of Triesman's contribution referring to NATFHE's 'committed and firm anti-racists' appeared limp, lifeless and devoid of substance; the second part concerning 'the wider society' was little different to the kind of milieu, in terms of attitudes, as the one in which NATFHE's officials and its membership existed; and the third part referring to racism as a 'White problem' did not appear to register with NATFHE officials when they made their contribution to NATFHE's submission to the Office of Industrial Tribunals in September 1986 in the Weaver v NATFHE case. The Black complainant was cited as the problem and accused her of playing the 'race card'

** Both Triesman, as the second most important official in the union (Triesman's description of himself in a discussion with Bis Weaver in June 1986) and Ms Whitbread, as President, would show an interesting way in 1986 of demonstrating their support for 'individuals surrounded by hostile groups'; and their own purported prowess as 'activists' in understanding racism. Instead, when the barrel was being scraped in an effort to pull the union out of the shameful position its officials and officers had encased it in, both Triesman and Ms Whitbread were to expand the vocabulary of anti-racism by conjuring up other terms to describe racial harassment, for example, 'conflict of personalities', 'interpersonal problem' and a 'falling out of former friends' – terms stripping racism of any meaning whatsoever

employer”]; * and to set up a working party comprising 50% White and 50% Black members to investigate the extent of racism within the union.¹⁴⁶ The member seconding the motion asked “How many ethnic minority members there were on...Branch and Liaison Committees and on national committees, including the NEC – or in NATFHE as a whole?” She went on to explain that the motion “wasn’t a charge of racism being made against the union but a statement of intent that institutional racism exists and NATFHE could not help being affected by it.” It was interesting to see how everything concerning racism was side-tracked into institutional racism and not direct racist behaviour. **

The ubiquitous Frank Griffiths wanted to amend the motion on behalf of the NEC by removing the call for a rule change and he denounced the proposal as “divisive, naïve, insulting and tokenist.” He went on to call for collective responsibility because it was necessary to “regard the battle against racism not as something that individuals have got personal control over as individuals – not as something they can do on the basis of grand heroic-gesture politics, but as part of a disciplined, organised, trade union coordinated campaign against racism.” He was adamant in opposing rule change and added that without these organisational requirements “we are finished, and all we will do is give succour to the fascists and racists out there.” The fascists and racists were always ‘out there’, ‘on the fringe’, never inside NATFHE!

Dawson spoke in support of Griffiths’ amendment “as a constructive programme for united action.” When any attempt was made to examine the extent of racism among NATFHE members accompanied by demands for effective action it seemed to send a chill up the spines of NATFHE senior officers and officials.

One delegate took the opportunity to accuse the NATFHE Police Group of “focussing on the individual, John Fernandes, [which] diverted attention from the real issue – police racism.” He drew attention to the “police expert on racism [who referred] to black or coloured persons as ‘Nignogs’, [which]...in no way can be construed to be a simple slip of the tongue. It is actually how this man thinks.” *** However, police racism did not seem to register with the delegates and they generously exonerated the NEC of “grossly mishandling”

* There was no reference to procedures covering grievances brought by NATFHE members against other members

** The West Midlands proposers of the motion did learn something from the *Fernandes affair* but what they learned did not benefit Black members as the main lesson apparently learned was not to risk splitting the ‘Left’ in the union over the harassment of one of the 1% of its membership. Chapter 4 Sect (a)

*** The delegate, Brian Pinto, later advised Bis Weaver about the likely response of NATFHE officials following the regional official’s *whitewash* but disappeared from the scene after a few weeks

the *Fernandes affair*, showing where the majority of activists stood on anti-racism. The proposal for Black participation fell by the wayside when the assembly rejected a demand for a panel with equal numbers of Black and White union members to investigate racism in the union,¹⁴⁷ showing that any proposal inviting Black members to make a contribution on matters specifically affecting their life chances sent shudders through the ranks of officials, NEC members and the membership. The overwhelmingly White delegates at the conference had hijacked anti-racism and handed it on a plate to officialdom by a show of hands – the tyranny of the majority. This reluctance to involve Black people was to rear its head again twenty-months later. *

The *Fernandes affair* was a defining moment in determining where NATFHE really stood on a number of significant issues: (i) the delivery of robust well-constructed and practical anti-racism courses versus a general race relations ‘round-up’ of the content of different cultures; (ii) freedom of expression and whistle-blowing versus censorship of ‘delicate’ topics; and (iii) the vigorous defence of the tenure of a member challenging racism versus the pursuit of collaborationist policies with employers disguised as maintaining ‘professional standards.’ NATFHE officialdom and its lay officer acolytes chose the second options in all three categories. The die was cast not only for Fernandes but also for all Black members in the union taking on racism.

The West Midland region’s conflict with head office officials and the NEC over the Fernandes affair seemed less to do with the victim and anti-racism *per se* and more to do with Fernandes’ adversary – the police, a particular enemy of the ‘Left.’ The region’s concern appeared to be determined by political objectives - part of the political ideology they embraced, rather than concern for the interests of Black people. The West Midlands region, strongly influenced by the Broad Left Coalition, would hardly cover itself in glory in the future and its image as a defender of victims of racism became somewhat tarnished when it turned its back on a Black woman harassed on its own doorstep by a member of this vocal group of Broad Left Coalitionists. **

* Bis Weaver’s request in February 1986 to have her complaint of racist harassment heard by a panel consisting of an equal number of Black and White members was rejected by head office officials.

** At the height of the conflict during the Bis Weaver case, the West Midlands Anti-racism Committee came under the influence of Black members, who were in a position to put forward more effective proposals for dealing with racism. However, the Broad Left dominated REC introduced a new constitution for the committee produced without any reference to Black members, and the REC used the overwhelmingly White majority in the regional council to get it accepted. By using administrative measures, the REC’s new constitution allowed only a very limited number of Black members to be on the committee while other Black members were given observer status only without the right to vote on any proposals. After an unsuccessful struggle to try to prevent these measures being introduced, the majority of the Black members previously on this committee refused to attend and went on to act independently of NATFHE

Having dispensed with the struggle against racism in London and blaming the ‘whistle-blower’, the delegates now had the chance to bathe themselves in anti-racism glory by making known their opposition to apartheid several thousand miles away. In a resounding clarion call, the union was urged, during an emergency resolution, put forward by the West Midlands region to support the motion, which read:

We stand united behind the aspirations of the Black people of South Africa and are totally opposed to any links with the regime. Its actions have been described by the UN and the Commonwealth as a crime against humanity.

The Botha Government has been responsible for the murder and imprisonment of the true representatives of the Black people of South Africa, and our Government needs to know that we regard this visit (by P W Botha) as an affront to both Black and White people here and to the Black people of South Africa.¹⁴⁸

The motion on South Africa, passed unanimously with acclaim,¹⁴⁹ had been delivered by a member of the Broad Left Coalition in the West Midlands region, who, within a few short months, was to show an extremely novel way of expressing an anti-racist commitment, and he did not seem to care whether or not it was an affront to ‘Black people.’ *

Opposition to apartheid was consistent with the sentiments of many ‘pseudo-anti-racists’, who were quick to demonstrate, at least vocally, an international dimension by supporting radical and revolutionary initiatives condemning racial and political discrimination and oppression overseas but showed little real concern for the plight of ethnic minorities closer to home, against whom the ‘pseudos’ tended to adopt a ‘union-style’ patriotism – my union right or wrong. **

Racism at home was also in vogue provided it was directed at the National Front and the Courts. Lecturers at the Polytechnic of North London had been directed by the High Court to reveal the identities of students demonstrating against a student organiser for the National Front. A motion proposed to the conference saw this directive “as an affront to the civil liberties of the lecturers...[and] likely to damage the anti-racist work of the Polytechnic.” Conference was called on to declare its “support for the members and Court of Governors at the Polytechnic...and calls on the Association to provide tangible assistance within [the]

* The speaker was the lay officer Bis Weaver accused of harassment after being on the receiving end of several months of abuse and intimidating behaviour from him

** Compare Ms Whitbread, as NATFHE President, speaking on “El Salvador’s Teachers’ Union Brave Stand” at NATFHE Conference, 25-27 May 1985,¹⁵⁰ with her letters to Bis Weaver in 1986; and another speaker denouncing South Africa in 1986,¹⁵¹ and the manner in which he rejected information provided by Bis Weaver shortly before he made this speech

The Bournville branch was to conform to this pattern in April 1986 by supporting a motion to reaffirm its affiliation to the Anti-apartheid Movement, shortly after passing a motion to remove some of Bis Weaver’s trade union rights without a charge or a hearing, introduced by the branch committee to prevent her from pursuing her case of racial harassment (See Chap VI Sect a)

Rule to members under attack.” This was another motion passed with acclaim. The National Front and South Africa were popular anti-racist targets but the police seemed to escape conference condemnation for its activities, and a Black member (Fernandes) fighting racism had no real chance of getting support.¹⁵²

NATFHE officialdom continued to display a pattern of misrepresentation, evasion and distortion that seemed ingrained in the bureaucratic apparatus – so evident throughout the future Weaver case. The Kilburn Polytechnic Branch had been another target of NATFHE’s less than principled pattern of action. To set the record straight, the Kilburn branch secretary wrote to *NATFHE Journal*. Apparently, NATFHE’s general secretary had “sent a circular to all Branches about the operation of Rule 8 in which he referred to the Police Cadet School [NATFHE] Branch’s complaint against [several members of the Kilburn Branch Committee, and that] whilst the matter is being dealt with under the procedures for complaints...under Rule 8 it will not be possible for the [NEC] to comment on the case.” This restriction applied to statements by NATFHE branches and regions, “which could be regarded as interfering with the operation of the procedures...and...prejudic[ing] a fair hearing for all members involved.”

The Kilburn branch secretary pointed out that this instruction did not seem to cover “the NEC’s report to Annual Conference..., [which] refers to the possible creation of redundancies in Brent, the underlying theme of the complaint against the Kilburn Branch Officers.” He considered that the NEC report was “in direct contradiction to the General Secretary’s position...” Not only that, he revealed that the NEC “report is inaccurate in at least one respect; Kilburn Branch was not asked to ‘assist the Griffiths’ working group by giving information and providing documents...therefore, [the Branch could] hardly be guilty of refusing to do so. This misinformation was repeated by Mr Griffiths’ in the March [edition of NATFHE] Journal.” Griffiths knew that “Kilburn Branch Officers attended one meeting of [the Police] Group, at the request of John Fernandes. If John Fernandes had not made this request, the Branch would not even have known about the meeting.” NATFHE’s approach to this meeting was described as being set by Griffiths, who wanted to waste no time “as he had a train to catch” and had added that he would “begin by questioning John Fernandes and that the Kilburn Officers could say what they had to say at the end, if there was time.” The secretary concluded by saying that “she failed to see how anyone could interpret this as a request for assistance.”¹⁵³

This was another of those occasions when Dawson used the NATFHE journal to defend the NEC and Griffiths. Dawson claimed that the NEC’s “wording in [its report] dealt

carefully with the 1983 dispute and avoided reference to [the Rule 8] complaint.” Dawson also claimed that the statement that “representatives of the...Kilburn Polytechnic Branch...refused to assist the working group” was accurate as was “the statement by Mr Griffiths...reported in the March Journal.” Dawson ignored the fact that the claim that the NEC did not mention the complaint *per se* was irrelevant as the information provided in its report was prejudicial against those Kilburn branch officers and would undoubtedly be read by those NEC members who would be on the Rule 8 panel hearing the complaint. Dawson, like others in the leadership – paid or unpaid, was incapable of taking on board any evidence that showed the leadership to be in error and in breach of procedures.

The NEC, having contained demands for an investigation into racism in the union with Black members on the proposed working party, continued to promote itself as holding a commitment to anti-racism by turning attention towards the production of a draft statement *NATFHE Against Racism*. This document was going through the consideration stage and it was agreed to set up a Race Relations and Anti-racism National Standing Panel. This Panel was to consist of representatives from each region. An additional five NEC members and two other members [officials] on the Panel ¹⁵⁴ would ensure that the Panel’s deliberations were confined to endorsing policies developed elsewhere. * The Panel turned out to be a lame duck policy-making body with no powers to carry out real anti-racism work or to assist Black members subjected to harassment from other union members as was soon to be shown during the Weaver case. NATFHE’s anti-racism was like a cork in the sea; it could do little to change the current but was always making an appearance on the surface.

A West Midlands Regional Executive sub-Committee, preparing itself for a National Council meeting on the 10th November, had met a number of times during the summer to produce radical amendments to the draft *NATFHE Against Racism* document. The region criticised the draft as "camouflaging the basic message in confused and self-righteous wordiness [which] would mean it was unlikely to be taken seriously.” The West Midlands REC “suspect[ed] the real reason for wooliness [was] a desire to offend nobody, [which] leaves the document open to the criticism of being unrealistic, mealy mouthed and unlikely to please anybody.”¹⁵⁵

Fernandes’ supporters in the West Midlands, almost as a swan song to its own alleged commitment to anti-racism, had hit the nail firmly on the head when criticising the faint-

* This was shown in 1988 when a policy document on Racial and Sexual Harassment, produced by Triesman and Penny Welch, was presented to the Anti-racism National Panel for endorsement without a single Black person being involved. (See Chap XIX Sect b) Triesman and Ms Welch were two figures who played significant roles in defending the officer Bis Weaver accused of harassment

hearted approach of the leadership towards anti-racism. They recognised that “Racism is not resolved through the production of anti-racism documents, which can be accepted and so easily shelved; not through breast beating in racism awareness courses; nor hearing about multi-cultures.” They argued that “it means taking on racism which may be incorporated in the running of the college...as well as expressed in more manifest and conscious forms...[and they forecast that] Black teachers [were] going to be increasingly harassed in our schools and colleges.” It also required “a specific commitment on the part of trade union leadership to combat racism if trade unions are not to acquiesce and, often, collude in such racist inequality.”¹⁵⁶ Pointedly, it claimed that the “NATFHE leadership acted to limit and prevent systematic union support for John Fernandes...[and what was needed was] to gain...the commitment of the NATFHE leadership to support any member who takes on racism in or outside the classroom.”

The NATFHE leadership’s determination not to support those exposing racism or victims of racism was a seed that had already been sown. The Weaver case was a disaster waiting to sprout into bloom, cultivated by the pusillanimous, self-righteous attitude and self-interest of NATFHE officials and influential lay officers, especially among those in the West Midlands.

During the *Fernandes affair*, NATFHE voiced its concern for “protecting the tenure of our members wherever they are.”¹⁵⁷ This appealing phrase, to be used often in the future by NATFHE officials in defence of its actions, apparently had not been extended to Fernandes, who was ditched after being excluded from his post for taking on racism. In 1986 when the Bournville College racist harassment issue hit the NATFHE fan, this ‘concern’ for protecting tenure did surface and was used to defend a White male union officer, and two of his associates, against whom a complaint of harassment was made by a Black woman lecturer. The union did everything possible to cover up this issue but without success and when the case became public knowledge, the leadership used the same weapon on her as they used on Fernandes – the practice of trying to discredit the messenger.

A few years later, at a NATFHE fringe meeting in May 1988, Trevor Carter, author of *Shattering Illusions: West Indians in British Politics*¹⁵⁸, told the gathering that “White people’s commitment [to anti-racism] arose from their politics, whilst Black people’s commitment arose from their experience. There were dangers for White people in becoming ‘more anti-racist than thou’ and in taking away from Black people the right to speak for themselves.”¹⁵⁹ This was a lesson NATFHE officials and officers never learned. Instead, they

used bureaucratic power to try to crush the life out any race issue before it could divide and compromise the union and the interests within it.

NATFHE was inert and incapable of dealing with racism within its own ranks and its anti-racism policy, replete with its slick marketing style packaging, was ultimately exposed as a sham to those in the wider labour movement and in many other organisations involved in the fight against racism. NATFHE's weakness centred on the inability of its fossilised structures to meet the challenge of racism, which neither NATFHE officialdom nor its lay officer acolytes really wanted to transform since that would undermine their own agenda. At the end of the day, political expediency and self-interest ruled the roost in NATFHE and, as a consequence, they closed ranks to the detriment of Black and ethnic minority members. NATFHE unwittingly was preparing the roost for its own fattened chickens to return home.

(e) The Struggle Against Harassment: Attempts to Exorcise the Devil

As the Fernandes affair gradually disappeared from public view to the undoubted relief of NATFHE's NEC and paid officials, further steps were taken to introduce guidelines offering advice on dealing with one side of the discriminatory pentagon - sexual/sexist discrimination/harassment. * The introduction of NATFHE guidelines was the outcome of pressure within the union and within the wider trade union movement to protect women from workplace hazards - sexism. NATFHE was moving away from its policy of dealing with women's difficulties in terms of providing crèches and allowances, reserved places and special training in union activities, into addressing harassment.

NATFHE wanted "women within the union to know that NATFHE regards sexual harassment as an issue which it is concerned with and that it will take up cases for them. We want all Association members to understand what sexual harassment is and how it affects women's employment...It is important every NATFHE member is familiar with its policy."

Drawing on TUC guidelines, NATFHE's 'Sexual Harassment at Work,' issued in February 1985, defined sexual harassment as "repeated and unwanted verbal or sexual advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone in the workplace which are offensive to the worker involved; caused them to feel threatened, humiliated, patronised or harassed or interfered with their job performance, undermined their job security or created a threatening or intimidating work environment..."

* The five sides consist of sexist, racist, homophobic, disability and age discrimination

The guidelines recognised that “Sexual harassment...makes the workplace unpleasant for the victim...The key element is that the behaviour is unwanted and uninvited. Evidence suggests that sexual harassment is most common where a man is in a position of authority over a woman [and]...at the very least...makes the workplace unpleasant for the victim...[or] may impair promotion prospects or lead to dismissal on some other pretext.” The effects of harassment can lead to the sufferer feeling “demeaned and her confidence...undermined [leading to] depression and a range of physical illnesses...Job performance will be affected...and [often becomes so intolerable that] the victim may leave [their employment] rather than face the harassment.” Nor can “The issue of sexual harassment [be seen as] a figment of women’s imagination.”

NATFHE thought it necessary “to create an atmosphere in which women feel they can make a complaint, which will be treated in confidence. A woman Branch Officer or member could be delegated to deal with complaints initially. It is also important to allow for women-only discussions..., ask the offender to stop,...and a careful record of incidents of sexual harassment should be kept because, as with all complaints, a well-documented case will increase the chances of resolving the problem; it is of course essential when procedures are invoked...Even if the offender is another NATFHE member, women should not feel wary of complaining. It is not unusual for the union to deal with grievances between members, and separate representation for each member can be arranged.” NATFHE belatedly acknowledged the “difficulties faced by women when pursuing complaints against men occupying union posts and positions of influence in the work situation.”¹⁶⁰ An article describing the efforts made by the Inner London Region in the early eighties to deal with sexual harassment was published in *NATFHE Journal*.¹⁶¹

On the representation of complainants, NATFHE was taking heed of TUC advice published in 1983, which acknowledged there may be conflicts of interest as union rule books generally oblige the union to represent members during grievance procedures and at disciplinary hearings. The TUC’s solution was to recommend that “Where a complaint is made by one union member against another, both could be entitled to support.” *¹⁶²

As the Weaver case was about to enter the domain of NATFHE headquarters,

* The support proffered to both sides was to be rendered null and void when NATFHE officialdom, languishing in the consequences of its own ‘spin’, claimed in June 1987 that NATFHE’s policy was not to support a complainant, irrespective of whether or not there was merit in the complaint, and further claimed the policy of non-support applied throughout the trade union movement. NATFHE’s policy was accepted as justifiable by Industrial and Employment Appeal Tribunals in the Weaver v NATFHE racial discrimination case. (See Chap XVI Sect d & Chap XVIII Sect d)

NATFHE became aware of the limitations of the ‘multi-cultural education’ and ‘racism awareness training’ approaches as a means for tackling racism and turned towards anti-racism as the way forward for dealing with racism in the workplace. In November 1985, *NATFHE Against Racism* was launched. The Chair of the Anti-Racism National Panel spelt out that "Individual members...should accept their individual as well as collective responsibility for opposing racism and...draw the attention of Branch officers to evidence of racist or discriminatory behaviour towards themselves, colleagues or students. Liaison Committees have a duty, amongst other things, to monitor what is happening in the local education authority and to negotiate with the LEA to ensure that [anti-racism] policies are adopted and implemented. At regional level, anti-racist policy should inform all union work and the appointment of a Regional Executive member to monitor progress is advised."¹⁶³ In the branch circular accompanying the ‘Briefing Pack on Anti-Racist Work’, Triesman, now overseeing casework in the union, said that NATFHE “believe that it is a resource of great importance and it shows the determination of the Association to confront and eliminate racism in education.”¹⁶⁴

A number of local authorities also began to express concern about racism within their midst and to deal with racist harassment in the workplace. * The Labour-controlled Birmingham City Council was no exception to this trend. The task of producing guidelines was allotted to the Race Relations Unit of Birmingham City Council, which produced a document on how to identify and deal with racial harassment within the city council’s sphere of operations. The definition of racial harassment in the document, approved by the Race Relations and Equal Opportunities Committee, stated that it “can be applied to a range of actions...It consists of repeated and unreciprocated and unwelcome comments, looks, attitudes, suggestions...with a racist content or motivation, which is found objectionable and offensive and which may threaten an employee's job security or create an intimidating environment. Harassment by colleagues...would occur in teams if black colleagues were ignored, subjected to verbal abuse, or regarded as of lesser calibre than their white colleagues.”¹⁶⁵ Birmingham city council later developed its definition to recognise that “Perpetrators of racial harassment often use indirect ways of harassing the person...[They]

* In the Race Relations Act 1976 Section 1 “A person subjects another to harassment...where on grounds of race or ethnic or national origins he [she] engages in unwanted conduct which has the purpose or effect of (a) violating that other person’s dignity, or (b) creating an intimidating, hostile, degrading, humiliating or offensive environment for him [or her]” and in Section 2, “conduct shall be regarded as having the effect...only if, having regard to all the circumstances, including the perception of that other person, it should reasonably be considered as having that effect.”

try to disguise harassment as something other and less serious than what it actually is. It is important to recognise that some racial harassment can appear on the surface to be...about something other than racial harassment.”¹⁶⁶

As shown earlier, there had been considerable reluctance among trades unions to grapple with racism but they began to disseminate information on anti-racism and equal opportunities to union members.¹⁶⁷ While trade unions and local authorities were trying to get to grips with eliminating sexist and racist practices in the workplace by imposing sanctions on perpetrators, the judiciary addressed difficulties thrown up, in the first instance, by the Sex Discrimination Act (SDA).

In 1980, in a case involving the appointment of staff, the court judged that “once [sex] discrimination had been proved...the evidential burden of proof shifted and the employer had to show on a balance of probabilities that the grounds were not those of sex.”¹⁶⁸ A landmark decision was made in the *Porcelli* case, in Scotland. This case demonstrated an increasing awareness of the problem and a judgement was made against respondents seeking to brush aside charges of sexist harassment by claiming their actions had other less serious motives.*¹⁶⁹ The court concluded that the behaviour directed at Mrs Porcelli by her colleagues was based on her being a woman and found that sexual harassment was “particular degrading and unacceptable treatment.”

The significance of this decision was to remove two pillars that harassers thought were sufficient to sustain a defence, namely: (i) disposing of the presumption that harassment of women was confined solely to harassment of a sexual nature; and (ii) giving short shrift to those seeking to diminish harassment by describing it as a ‘personality conflict’. The first clarification determined “that sexual harassment does not have to be *sexual* but can also be behaviour based on gender.” The harassers had subjected Mrs Porcelli to sexual harassment “with the specific intention of forcing her to transfer to another school.” ** Secondly, “The behaviour experienced by Mrs Porcelli was quite different from a personality conflict...[as it] was used against Mrs Porcelli as a means of maintaining or exercising power over her.” The court found that this was covered in the SDA by the section on “unwanted and bullying behaviour...undermin(ing) the victim’s dignity at work, [and] creating an offensive or hostile

* The incidents in this case took place before Bis Weaver’s difficulties arose but the case was decided in the midst of her difficulties

** This was not unlike the scenario initially faced by Bis Weaver, but in her case the behaviour was not directed at removing her from the college but to remove her from the supervisory post she was occupying at the time

environment for the victim.” *¹⁷⁰ This was a finding that was to pull the rug from under harassers, and their supporters, who sought to hide the conduct behind the label of ‘personality conflict’ or ‘interpersonal dispute’ to justify either the practice of harassment or the refusal to assist victims bringing complaints of harassment. **

The courts, assisted by the *European Commission Code of Practice*, set about identifying the circumstances in which harassment occurs and examining other problems faced by victims. These other problems dealt with over the coming years embraced not only sexual/sexist harassment but also racial/racist harassment. Judicial decisions and Codes of Practice sought to prevent harassers, and their apologists, dredging up allegedly non-sexist and non-racist excuses to diminish the seriousness of the charges.

The courts dealt with problems concerning the absence of direct evidence in harassment cases by allowing inferences of harassing behaviour to be drawn from the circumstances surrounding the behaviour since it was recognised that harassers were unlikely to admit to discriminatory behaviour. The Courts decided that “If there is a finding of discrimination and a difference of race [was] followed by an inadequate or unsatisfactory explanation..., the legitimate inference will be that the discrimination was on racial grounds...” unless the alleged discriminator could satisfy the tribunal that there was some other innocent explanation.¹⁷¹

In situations where racially discriminatory incidents were interspersed with non-racially based incidents a finding of racial discrimination need not be excluded because the incidents may constitute a cumulative effect.¹⁷² Even a single incident of an offensive remark made to the victim...in a meeting of colleagues, could constitute sexual harassment if the incident was “severe enough” or “sufficiently serious”¹⁷³ provided, as determined in a later case of racial harassment, the complainant can establish two elements: (i) the targeting of the person who is the subject of the harassment; and (ii) causing distress to that person.¹⁷⁴ Point (ii) takes into account the “subjective perception and the [victim’s] understanding, [of the] motive and intention of the alleged discriminator.” It is left to the “recipients [of the behaviour] to decide what is acceptable to them and what they regard as offensive,”¹⁷⁵ which was in line with the interpretation of subjective perceptions produced by the European

* Unison produced a checklist on what constitutes bullying behaviour ¹⁷⁶

* At the time the court was making these significant findings to benefit women, two female NATFHE officers, one a leading light in the West Midlands region, the other at national level, and both leading feminists, displayed what was either a complete lack of understanding of the difference between ‘harassment’ and ‘personality conflict,’ described in *Porcelli*, or they chose to give that impression. They also showed how out of touch they were with what was available to women under the Sex Discrimination Act (SDA) and to Black people under the Race Relations Act (RRA)

Commission¹⁷⁷ - an important condition because harassers do raise the defence of victims responding to the behaviour in an oversensitive manner.

Defendants also try to claim their behaviour was directed at only one person and not to women in general. However, an attempt to escape a finding of harassment under this heading would fail as “it is sufficient to show discrimination against the complainant because of her membership of the group.”¹⁷⁸ This would also apply in behaviour directed at a single Black or ethnic minority person.

Judicial judgements and trade union and local authority definitions and policies provide a framework for determining what constitutes sexist and racist harassment and the grounds upon which claims can be upheld. Bis Weaver’s experiences undoubtedly incorporated many of the elements of harassment subsequently arrived at. The fact that some of these decisions were arrived at after the Weaver case does not prevent the reasonable person concluding that Bis Weaver’s experiences between 1985 and 1988 fell within the parameters of these judicial judgements and trade union and local authority definitions. Just as tuberculosis existed before the isolation of the *tubercle bacillus* by Koch in 1882, racist and sexist harassment existed before the formulation of more adequate definitions to describe the condition. Unfortunately, specialist analysts of the racism virus that afflicts the social body are vastly outnumbered by ‘quacks’ and ‘faith healers’, who through incompetence and/or self-interest too often identify the carriers of the virus as being the antidote.

¹ The settlement area in East London for Jewish refugees was dubbed “Alienland”, see Daily Mail, 26 Apr 1904

² House of Commons Select Committee 1974

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