

Chapter IV

Facts must be Hard: Language must be Moderate *

(a) Entering the Whale

Following Day's 'report', she had thought that whatever action she decided to take will destroy the myth, at least in this union, that Black people had to passively endure what the union forced upon them without redress and that they did not have to depend on the 'generosity' of so-called union anti-racists to decide what was or was not in the best interests of Black members. There was a sense of pessimism competing with a muted optimism.

Day's 'enquiry' had been thoroughly exposed as a sham but, despite this being a serious breach of NATFHE's much heralded obligation to women and ethnic minorities, Bis Weaver, heeding one junior official's comments, did not expect head office to get involved for some time. This did not give her much peace of mind bearing in mind the probability of retaliation from the *kernels* but it did offer her time to explore avenues through which support might be obtained. However, any expectation Bis Weaver might have had of NATFHE accepting and acting on her *exposé* of Day's 'enquiry' or in obtaining support from the union's anti-racists would be scuttled over the coming months. A series of events established beyond doubt that the disdain shown towards her by the regional official and some lay officers in the West Midlands stretched way up into the highest echelons of the union.

With the possibility of support coming from a union body dealing with racism - the Anti-racism National Panel, and an offer to meet her coming from a body dealing with sexism - the West Midlands women's panel, all did not seem lost. Just before the year's end, she had received a boost when a member of the regional women's panel contacted her to set up a meeting. This panel member had obtained a photocopy of the 'report' without any difficulty, despite the so-called caveat that no part of the report could be shown to anyone without the permission of anyone named in the 'report'. A regional officer had provided this service to this panel member but without releasing the critique. This reinforced Bis Weaver's view that the 'report' would be accessible to anyone and could be used to damage her reputation by anyone inclined to do so. Fortunately, on this occasion, it appeared this panel member wanted to hear the account from the victim's mouth as she was only too aware of

* Simon Wiesenthal

Day's failings in dealing with complaints from women. The interest shown by some members in what were thought to be influential union body added weight to her determination to make sure her complaints would not wither away and something would be done to alleviate the additional pressure that she expected to be brought to bear on her.

Bis Weaver began to look around for additional support in the region. She favoured supplementing this prospective support by enlisting the assistance of Mackney and Ms Welch, two of the most experienced officers in the West Midlands. She had previously sought Mackney's help in July 1985, so he was aware of the case and had been involved in the early stages by informing the Bournville branch committee to contact Day. On these grounds alone, he looked a likely candidate to object to the way Day's 'enquiry' was put into practice. Mackney could also be expected to protest against Day's 'report' as shown by his comments during the Fernandes affair, when he said, "I defend countless members who have done lots of things that are wrong, but I don't publicly criticise them in a report."¹ Bis Weaver had done nothing wrong, unless registering a complaint against a union officer was considered wrongdoing, therefore, Mackney's principle should apply to her as she had been subject to disingenuous criticism by a regional official in a 'report' being circulated around the union. Penny Welch was another name that sprang to mind. She was a noted feminist and NEC member, who was a recipient of a copy of the complaint; and appeared to have taken an interest in it. Had she not attempted to replace Day as the 'investigator', which might have been an attempt on her part to prevent a potential 'cover up' by Day that had become a reality when Bis Weaver opted to stay with Day.

Not yet aware of NATFHE's hollow commitment to anti-racism; to the rights of members; and to justice, she was soon to find out that the regional women's panel offered no mileage and the lay office-holder in the Anti-racism National Panel (ARNP) took only a little while longer to convey the same message. She also discovered that local officers in the Broad Left Coalition were not going to jeopardise their dominance in the region by tackling one of their own.

Before taking any steps to muster support from Mackney and Ms Welch, she began a short-lived encounter with the women's panel in early January when she met a panel member in her home. Another member of the Panel, due to attend the meeting, failed to turn up and while not completely disappearing from view never explained why she skipped the meeting after arranging to attend. She was the panel member, who volunteered to attend the Telford liaison committee meeting on behalf of the Telford victim. The ever-reliable Gil Butchere, also a panel member, attended as she wanted, away from the vested interests on the panel, to

speak to the two panel members, now only one, to let them know what had been her fate for supporting Bis Weaver and also to disclose Day's dismissive reaction and lack of interest when she offered to provide evidence to the 'enquiry'.

This meeting, as with so many others in the future, turned out to be something of an anti-climax. Bis Weaver was looking for active support against Gates and Day but the most on offer was for her case to be included in a list of disgruntled women in the region being compiled by the panel for submission to the regional council. These women had fallen foul of the way cases of harassment had been dealt with in the West Midlands by the regional official, later to be described by one feminist as appalling.² The panel viewed this approach as the appropriate tool for bringing pressure on the union to change its procedures. However, the panel could have done a lot more to address these members' dissatisfaction. Surely, the panel members were not so naive as to think that a collection of statistics would penetrate the wall of steel created by NATFHE officialdom to maintain the status quo. Not only that, the panel had already taken more direct action in assisting a White woman lecturer in a complaint of harassment brought against a White male senior lecturer in Telford, Shropshire.

Bis Weaver was disappointed in not being able to enthrall this panel member sufficiently to obtain direct support as was granted to the 'Telford woman' nor was she going to have the same opportunity offered to her to address the women's panel on her complaint. Nonetheless, she agreed to let them add her case to the list of disaffected women, although it was most unlikely that her name was ever appended to the list once the leading lights in the women's panel got a glimpse of it.

The list had already been submitted to the regional council with two motions passed at the November panel meeting. The motions were:

In the light of NATFHE's anti-racist and anti-sexist aims and objectives as outlined in the 1984 Conference Resolution, those members whose actions have contravened these aims and objectives should be subject to union discipline.

and

When 2 members are in dispute and one member is in a managerial capacity, this [management] member is entitled to advice rather than representation which should be the responsibility of Local Authority.³

The latter part of the motion was explained as tackling an unwritten *a priori* practice operated by union officials to support the person against whom the complaint was made. *

* The *a priori* practice and the list were mentioned by Bis Weaver to her London contact on the ARNP when she contacted him on the 7 Jan 1986.⁴ It should also be noted that one senior women's panel member in Birmingham agreed with this practice when she dismissively told Bis Weaver, after Bis Weaver had sought assistance from her, that the regional official's role was to support the accused

This assumption on the part of the women's panel was later shown to be more than *a priori* but the bedrock of NATFHE's way of dealing with complaints of sexist and racist harassment. * It was undoubtedly the *raison d'être* for Day's hatchet-job on Bis Weaver and her complaint. Despite the absence of any positive support for her from the panel member, she took up the offer to attend the next women's panel meeting to be held later in the month.

During the meeting, Gil Butchere spoke of having tried to muster support in the branch for Bis Weaver from the beginning and the price paid for doing so. The result had been intimidation and bullying as she became a target of the *kernels* while getting the cold shoulder from the branch and the wider union domain for her efforts. As a result she had been off work for several weeks due to stress but she was about to return to work. During her contribution, Gil Butchere advised Bis Weaver not to expect anything from the union.

Gil Butchere related a conversation she had with Paul Mackney where she alleged telling him that Gates had harassed her and she sought support from the union for herself and Bis Weaver. Apparently, he advised her against any involvement in the Weaver issue because she (Bis Weaver) did not have a case. ** He also allegedly reminded her of the Fernandes' case and of Mackney's apparent concern to avoid another Fernandes-type situation, which might split the 'Left' and open up the way for a right wing takeover of the union. ***

Mackney's alleged position contrasted markedly with a statement he made in support of Fernandes when he warned the union of the "...danger of Black lecturers being deterred from joining the Association because they saw it as unwilling to defend teachers who are fighting racism."⁵ And yet again, after Day's *Whitewash* had been distributed around the union and Day was discouraging members from assisting Bis Weaver, Mackney encountered a concrete example of Black workers – supervisors on vocational courses, who having read about the

* This policy of protecting the tenure of harassers was later defended vigorously at an Industrial Tribunal hearing by an official, David Triesman, soon to be delegated the responsibility for dealing with Bis Weaver's complaints⁶ or, more accurately, for dealing with Bis Weaver

** Mackney was to disclose, in April 1986, that he had thought Bis Weaver's complaint to be serious and had informed the regional official of that in June 1985.⁷ Yet, he allegedly told Gil Butchere, in September 1985, that Bis Weaver had no case. Mackney described this conversation with Gil Butchere as a possible conversation after meeting her socially.⁸ At the time of this alleged conversation, the regional official had yet to proceed to Bournville College to interview 'witnesses' for his enquiry. What had made Mackney change his mind, between the 15th June, when he viewed Bis Weaver's case as serious and not "an end-of-Summer term tiff", and September 1985?

*** Bis Weaver was in a different position to the one confronting Fernandes. Mackney would not be unaware of Fernandes being able to rely on the support of the Kilburn branch even though the NEC and NATFHE officialdom had lined up against him.⁹ Whereas Bis Weaver was being left to battle it out virtually on her own against a branch committee that Mackney had recognised as having too many people involved to be impartial¹⁰

‘Fernandes affair’, could “see no point in joining a union which failed to stand up for Black teachers and anti-racists.” *¹¹ This reaction was in contrast to his limited action, if not inaction, in the wake of Day’s response to the Weaver complaint and its effects on the interests of Black and women members.

Gil Butchere also revealed: (i) the shouting down of Shuk Nedjat by Downey for suggesting Bis Weaver’s complaint should be taken seriously; ** (ii) the SWP member’s claim in a branch committee meeting that the Weaver complaint was management attempting to victimise Gates for his union activities; (iii) the outcome of Gil Butchere’s decision to complain to the branch committee against Gates for accusing her of breaking union sanctions; and (iv) Downey’s response to her intended action, which was to advise her not to antagonise Gates as it might make his case worse.¹²

No reasonable person would cast doubt on Gil Butchere’s account. She had no need to construct information to impress on Bis Weaver that she had her support as she had openly supported Bis Weaver in the branch committee and suffered the consequences for it - off work for weeks because of the pressure put on her by the *kernels*. Gil Butchere was one of those “ethical people who do not need a consensus of allies in order to act against something reprehensible.”¹³

What was becoming apparent was that West Midlands regional officers were prepared to fight racism a hundred miles down the M1 but reluctant to do so in their own backyard, or against one of their own. This left Bis Weaver with the task of facing, virtually single-handed, the duplicity and fabrications of the regional official. She could expect nothing from the union’s local leading lights as their interest in defending members from harassment appeared to be purely expedient. It seemed that to be considered progressive all that was necessary for prospective officers or officials was to have an anti-racism component incorporated into their union political *curriculum vitae* – making the right noises to fellow ‘activists’. During the Fernandes affair, officers in the West Midlands made noises when NATFHE head office and the NEC ditched Fernandes and that support had brought then into

* Bis Weaver had also read of the Fernandes affair and had heard the views of local ‘anti-racist’ activists but, although being a member of the union, Black and an active anti-racist, that did not bring any help from ‘anti-racist’ activists, local or national

** Downey’s reaction in September and December 1985 showed his antagonism to Bis Weaver and why; Gil Butchere had shown how that antagonism had emerged as downright opposition to Bis Weaver and a foretaste of what Downey would do to further that opposition

conflict with NATFHE's policy makers and practitioners. Now the West Midlands regional official was covering up harassment by one of the region's officers and the same officers, who backed Fernandes, washed their hands off the conflict between the powerful and the powerless – they appeared to want officials to see them making the 'right' noises. There was little prospect of assistance coming her way in the West Midlands as officers distanced themselves to apparently serve the interests of the Broad Left Coalition or their own personal or political agenda. Bis Weaver needed to garner support from further afield.

The same day as she got together with the women's panel member, a reply came from the contact made at the Middlesex Polytechnic conference. The contact, with links inside NATFHE head office, constructed a likely scenario played out prior to Day's enquiry. He 'speculated' – probably more fact than speculation, that Gates was contacted by an official following the receipt of her complaint at head office, * and was told to seek advice from the regional official, who in turn advised Gates to seek an enquiry 'independent' of the Branch Committee. **

He was convinced a cover up had taken place and Day, by not interviewing every available witness "to have a balanced view", showed an intention "to whitewash the issue from the start." Rule 24 had been used by Day as part of the cover up as no assistance was requested and this rule was inappropriate for complaints like hers, as the union's complaints procedure was covered by Rule 8. ***

He laid a number of criticisms at Day's door: (i) Day should not have accepted the brief because he knew the officer concerned and to investigate the complaint "after having discussed it with D Gates was a serious breach of his duties"; (ii) "if Day had been acting independently he would have urged Bis to be more specific" when refusing to accept the report of his enquiry; (iii) in "several instances in the Report,...Day had echoed D Gates" - in particular when advising "the downgrading of the Course Director's job." In the contact's experience "we have never fought as a union to have a person's responsibilities...

* This appeared to be borne out by evidence obtained from NATFHE's bundle of documents submitted to the Industrial Tribunal in 1987

** Gates would have no difficulty in getting the branch committee to comply as he could use the *kernels* to achieve this. Mackney's initial interest in the case assisted Day's cover-up even if Mackney knew little else about what was transpiring, or conspiring, within the bureaucracy, after all it was Mackney, after speaking with Day, who advised branch officers to contact the official

*** Although Rule 8 had been ruled out by NATFHE's National Council as a means to deal with complaints of racial harassment, in effect Rule 8 might be used under a charge of bringing the union into disrepute. Hardly a positive example of NATFHE taking race cases seriously as this meant dealing with a member's complaints of racial harassment in the same way as a union charge against a member refusing to comply with union instructions, such as refusing to 'work to rule'

downgraded”; (iv) Day “omits to discuss...why D Gates finds it hard to accept that [she was] in charge of the course and not himself (Gates) when that is the job [she was] specifically appointed to do.” (v) Day also found it “not unusual for a Black woman to be scared of this commanding all-conquering hero;” and (vi) Day’s failure to accept her version of the meeting with the student was “a grave error of judgement on his (Day’s) part.”

The correspondent, a member of the Anti-racism National Panel, suggested that she held back on any further approach to head office until he had conferred with lawyer friends and he asked if he could raise the case at the next meeting of the Panel to draw attention to the need to train full-time officials in how to deal with cases of racial discrimination.¹⁴ Feeling that the tide might be turning in her favour, as a result of his considered and supportive response, she agreed to his proposal to bring it to the attention of the ARNP and to await his advice before proceeding further with head office.¹⁵ His informed assessment confirmed her own thoughts on Day’s dubious actions and motives.

Bis Weaver then began to explore the circumstances surrounding Day’s involvement. Three routes were open to her via the regional, liaison and branch committees. The route through the branch was difficult as those involved in the early stages, the chair and vice chair, were absent from the college, and the replacement branch chair was Ms Pattinson. The only possible route was via the branch secretary, which was also problematic because of the influence wielded in the branch executive by the *kernel*s. However, it was a route to be followed in the hope that someone might break ranks. The route involving the regional and liaison committee secretaries began positively when they accommodatingly provided the names of lay officers in contact with Day in June 1985 concerning her complaint. Both these secretaries named only Paul Mackney and Dave Gates and neither of them had been acting on behalf of either committee. *¹⁶ This disclosure was interesting because one of these officers was the accused, yet Day had given the distinct impression in his preamble to the ‘report’ that his own involvement was prompted by a number of local officers expressing concern. Day also implied they were acting in lay officer capacities. Day, undoubtedly, had produced this additional smokescreen to justify his involvement in a complaint that was beyond his authority to adjudicate on.

Of the two officers mentioned to have had contact with Day in June, it could reasonably be expected that Mackney, an experienced union officer, should have known that

* The regional secretary mentioned several other officers whom he thought had no involvement but Ms Welch seemed to escape his list of either those involved or not involved.¹⁷

Day's role was to represent members in disciplinary or grievance procedures and not to act as an adjudicator of complaints and distribute reports of his adjudication around the union. Mackney must also have known of Day's shoddy record in those areas for which Day was responsible – representation. As for Gates, no one could reasonably conclude that Gates was acting in any other capacity than that dictated by self-interest.

There was no point in approaching Day for information as he had already failed to respond to her previous letters other than by postcard acknowledgements. Anyway, Bis Weaver saw Day as implacable and with a great deal to hide. Mackney's alleged action in dissuading support for Bis Weaver in his discussion with Gil Butchere was sufficient reason for not contacting him for the time being until she had a clearer picture of what transpired prior to Day's involvement. Penny Welsh, who had offered to investigate the complaint, might be able to throw some light on what prompted her to intervene although her close contact with Gates and Ms Pattinson might limit any information coming from her. Bis Weaver was as yet unaware that Ms Welch, too, was at the 15th June meeting with Day, Gates and Mackney.

Collecting information relating to the involvement of the branch had another purpose, that is, to let Gates and the *kernels* – barking or biting, know Bis Weaver had no intention of throwing in the towel on harassment and procedural impropriety. She had been trying to prise information out of the branch secretary since before Christmas. Unaware that Day had vetoed any communication between branch officers and herself, and not having heard anything from the branch chair, Bis Weaver followed up with another letter, via the secretary, asking if the deficiencies in the 'report' had been relayed to the regional official and requesting a reply to this letter.¹⁸

The branch secretary appeared sympathetic to Bis Weaver's plight but was caught in an ambivalent position not sure of what to do or how to act consistently. The influence of the *kernels* was considerable in the branch and the branch secretary held a strong sense of loyalty to 'the union' – as if the union was a reified entity existing over and above its membership. Another problem was that no minutes were kept of branch committee meetings so any information could only come from memory; and committee members suffered bouts of collective amnesia – a particular malady found to dwell also in the minds of NATFHE head office officials and local officers.

Bis Weaver followed up her earlier requests, for which she was still awaiting replies, with a request for the names of the branch officers "involved in the procedures of investigation." She thought it necessary to have this information "to pursue [her] right to

natural justice and...civil rights.” She wanted to know who had replaced Nedjat and Ms Deeson in dealing with her complaint.¹⁹ A couple of days later, another request went off asking for access to correspondence and other materials dealing with the complaint that had been either received or despatched by the branch.²⁰

A response was received to her pre-Christmas letters. The branch secretary, as a result of the committee keeping no records of its meetings, had contacted Ms Deeson on the 8th January to garner some information. Ms Deeson recollected that “the original suggestion to refer the case to Alan Day had been made by Paul Mackney, the then Liaison Committee Secretary,” and she gave the names of members attending the branch committee meeting on the 18th June 1985. She recalled five definitely attending and possibly three others but Ms Pattinson did not attend and Gates was asked to leave as it was thought not appropriate for him to be there. The branch secretary then referred to the deficiencies Bis Weaver had requested Ms Pattinson to address. However, this was not now part of the branch’s agenda because “the whole matter has been referred to the General Secretary and the Branch Committee cannot discuss the matter...until the General Secretary has reported.”²¹ The officials were firmly in control and the Bournville branch dutifully acquiesced, which was not unexpected as there were considerable vested interests in the branch for compliance with this directive.

The branch committee’s letter to Dawson on the 12th December 1985 was included and Bis Weaver acknowledged receiving it. She put on the record that, according to the secretary, this letter constituted all the correspondence sent and received by the branch. Bis Weaver also disclosed having contacted the liaison committee’s anti-racism officer to let him know that the branch had informed her that all relevant correspondence had been released to her.²² Three days later, a further dribble of information was released. The branch secretary told her that the only contact branch officers had with Day was to arrange his visit to Bournville College; and it was Day and a head office official, who recently advised branch officers not to discuss the case or to do anything. The branch secretary had taken the trouble to get in touch with Cynthia Deeson, who could not recall any “conversation between D Gates and A Day being reported to her or Nedjat either before or at the meeting of the 18th June 1985.” Ms Deeson also recalled that both she and Nedjat “discussed the procedures for dealing with the case and the possibility of bringing in Alan Day with Paul Mackney as early as the 11th June” and only she and Nedjat spoke to Mackney on the 18th June.²³ The Gates-Day discussion had not been disclosed to those branch officers (Ms Deeson and Nedjat) dealing with the complaint. Nor did it seem that Mackney mentioned Gates’ intention of

seeking advice from the regional official on the questionnaire that Ms Deeson had asked Gates to complete. *

The 13th January 1986 was the day when the Bournville *kernels* began gnashing their teeth. The occasion was a meeting of the BLCARC. The meeting covered a number of topics dealing with equal opportunities and Access courses. A member from outside Bournville College suggested that the Bournville College Access course should be used as a model for all colleges in the Birmingham area. This was another hole in the argument put forward by Day and the Bournville *kernels* as the Bournville College Access course was held in esteem by other colleges in the city. Another significant issue was the appointment of staff to Section 11 posts. The chair, Sardhul Dhesi, mentioned the dissatisfaction among the Black communities “about the absence of Black teachers in Section 11 posts” and asked if “NATFHE should propose...that section 11 be used to employ more Black teachers.” Bis Weaver said this might provide the opportunity for Black teachers “to be appointed on the basis of their personal qualities, their cultural relevance for teaching ethnic minority students as well as their academic and professional background.” The chair then raised the concern expressed by the Community Relations Council, the overseers of Access courses in Birmingham, about the way the post of Access coordinator at Bournville College had been advertised – the implication being that the advert did not draw sufficient attention to the nature of the post in teaching members of ethnic minorities; and that the position required specialist qualities that would attract ethnic minority teachers. The advert reflected ‘institutional racism – a form of discrimination that NATFHE itself had expressed concern about in its 1984 draft of

‘NATFHE Against Racism’, so it might reasonably be expected for NATFHE ‘anti-racists’ to be aware of this form of racism and how it operated. ** Gates opposed this proposal on the grounds that a meeting of Access tutors at Bournville “did not express their wish for the Branch to raise it.” However, no such meeting had taken place, unless it was in the ‘fringe’ business studies group. Notwithstanding this, even if such a meeting had taken place it was hardly relevant because removing discrimination did not depend on a show of

* At this stage Mackney had not yet disclosed to Bis Weaver his knowledge of Gates’ intention to seek advice from Day on the 15th June. This he did in a letter dated the 8th April 1986 ²⁴

** In this circumstance, although the method of recruitment may be described as equal in a formal sense it has a tendency to discriminate. To prevent this form of institutional racism, an advertisement in an ethnic minority newspaper would give a clear message that the employer seeks applicants from ethnic minorities or, in the traditional press, by making it clear that applicants from ethnic minorities were welcome

hands from tutors, who may have a personal interest in the post, although previous experience had shown this to be the way NATFHE officers at Bournville branch decided on members' contracts of employment. When Bis Weaver, consistent with her new role as the college's equal opportunities coordinator, posed the question that "if no Black applicants applied or were short-listed for posts should NATFHE question whether equal opportunity principles were being exercised," Gates asked "why she did not raise this question when she was involved in the short-listing for the posts at Bournville when Gordon Weaver and Brendan Hartland were appointed."

Gates' self-interest had just been shown when opposing the CRC's concerns over the Bournville coordinator's post and now he was demonstrating what Bis Weaver had been putting up with for close on twelve months – albeit only a snippet of that behavior. The regional official had given him *carte blanche* to continue to act in any way he chose towards Bis Weaver without fear of any consequences – a fact of life that would soon be reinforced by the actions of head office officials. However, on this occasion, Gates chose not to give Bis Weaver another sample of foul mouthed abuse, perhaps because there were a sizeable number of Black and ethnic minority members in attendance, which provided Bis Weaver with greater confidence. She cast off the demeanour of those previous occasions when she sat in embarrassed and humiliating silence as Gates attacked her and her professionalism in a foul-mouthed rave. She made it unequivocally clear to Gates, and to anyone on the committee who was in any doubt, that she was not involved in the short-listing for the social studies post as she had declared a conflict of interest, and added that Black candidates had been interviewed for that post. Turning the situation onto Gates, she made it known she had taken no part in the short-listing for the other post (Hartland's) and a suitable Black candidate, whom she thought should have been included on the short-list, was excluded by Gates and his colleagues. Although it was obvious what Gates was more than implying, she asked him to spell it out in clear terms what he was suggesting but this never came to pass because the chair called the meeting to order.^{25*} Gates had tried to turn the issue of his own self-interest on to Bis Weaver. This was the face of things to come. She would be forced to defend herself in any arena where Gates and his acolytes operated.

This was the beginning of another lengthy attempt by Gates to finish the job he had started twelve months before, not by taking her job – it was too late for that, but to discredit

* The meeting had been attended in part by me but I had to leave part of the way through to teach a class and missed Gates' outburst.

her in the eyes of management, colleagues and fellow union members in Birmingham and anywhere he could do so. Gates' opposition to racism was apparently confined to platform speaking on South Africa but did not extend to a solitary Black woman at Bournville College looking for equal treatment in the workplace.

(b) Beware the Greeks when Gifts they Bring

Two days after Bis Weaver was treated to the first in a new series of bites that she had been warned about, a letter was received from NATFHE head office, much sooner than expected, firing the first shot in what was to become a long drawn out debilitating saga. Eventually the saga would embrace, on the one side, Bis Weaver and a few dedicated Black lecturers pursuing a harassment-free working environment and the right to fair and impartial treatment. On the other side, lined up against them were head office officials, senior lay officers and an assortment from the regional executive, liaison and Bournville branch committees. Many of the opposition paraded claims of having long histories in anti-racism but there was little evidence of that history coming to the fore in the foreseeable future as political expediency, in the form of evasion, duplicity, lack of principle, self-interest and a measure of malice were the ingredients of the dish served up to Bis Weaver.

The relative speed of NATFHE's response was an indication of how important NATFHE officials viewed the complaint against (i) Gates; (ii) the disingenuous 'report' produced by Day; and (iii) the likelihood of collusion in the 'enquiry'. Swift action was required to intern these issues before they threatened the image of the union; the interests of officials and their lay officer allies; and the balance of forces in NATFHE. Peter Dawson, NATFHE's general secretary, as he did with everything in the Bis Weaver case, passed the issues on to David Triesman, who was the likely 'appropriate official' whom Day mentioned as passing on Bis Weaver's letter of complaint to him in June 1985. *²⁶

The Weaver case was a genie if allowed to fly free that would threaten the *status quo* in the union, and its vested interests. Triesman's task was to put the genie back into NATFHE's elaborately decorated bottle, adorned as it was with anti-racism slogans that conveyed everything yet contained little of substance or value. What NATFHE etched on the bottle's exterior to satisfy the anti-racism myth of union officials and officers was a far cry

* Triesman had been an activist in NATFHE as a lay officer from the mid-1970s, until taking up the post of Negotiating Secretary in September 1984²⁷ – a post that included responsibility for all case-work dealt with by regional officials

from the toxic substance on the inside to be tasted by Bis Weaver or Black and women members in the union. NATFHE's bottle had been uncorked before by the Fernandes affair in 1982/3 and by the many discordant voices heard at Middlesex Polytechnic barely a month before. A new conductor held the union's baton in his hands but the score was the same old repetitive dirge.

On the 13th January, David Triesman, a head office official, wrote to introduce himself as secretary of the Anti-racism National Panel – immediately giving the impression that the ARNP was involved. However, the warning signs were flagged up as soon as Triesman expressed great concern that “significant differences should occur between a NATFHE member who is from an ethnic minority, a full time official and local activists in the Association”. Triesman went on to refer to Gates’ “conduct on various occasions”; “the accuracy of Day’s report concerning those occasions”; and “your conviction that you had not had an accurate hearing.” His use of the term ‘differences’ was easily detectable as a means to avoid mentioning a complaint of racist harassment against Gates and the extensive criticism directed at Day’s *Whitewash* ‘enquiry’ that had raised the prospect of collusion. Cutting to the chase within the limited framework he was about to flag up, Triesman proposed an investigation in which he would be assisted by the chair of the Anti-racism National Panel – the same chair claiming a 100% success rate for complaints of racism that attracted considerable criticism from Black members at the December conference.

The proposed investigation would look into her allegations against Gates and the format would be to provide both parties with the opportunity to present their case and to call any witnesses they chose. There seemed nothing wrong with the proposal, however, when dealing with NATFHE it was always wise to look at the small print. Triesman was generously prepared to investigate “specific events” where Bis Weaver had claimed “there are, for all these events, witnesses.” However, there was a drawback as the scope of the investigation was restricted to “resolv(ing) the matters of fact” and did not extend to anyone's motives as these were “matters upon which it would be difficult for a national official to form a conclusion.” In other words, racism and sexism were being excluded as reasons behind Gates’ behaviour. The implication arising out of this admission was that national officials, including himself and the chair of the ARNP, were unable to carry out an effective investigation into racism as a motive despite motive being a significant factor when dealing with complaints of racial harassment. Was this just a ruse on Triesman’s part to avoid investigating the ‘motive’ for fear of what might be uncovered about Gates or Day? Notwithstanding this, for a senior paid official and a senior lay officer on an anti-racist panel

admitting to being unable to identify racism showed that NATFHE's anti-racism policy was little more than a flag-waving exercise. Day was also off the hook with no investigation into his 'enquiry' because Triesman, very conveniently, thought "it would become very damaging to extend the issues wider since to do so would lead to a consideration of speculations (on everyone's part) rather than of facts." By the time this point was reached it was apparent Triesman was putting the interests of union officials and officers to the forefront while relegating the interests of a rank and file black member to the back burner.

Triesman then passed from the small print into what appeared to be the hidden agenda of the 'investigation' as he was keen to establish "three further understandings" so as to "conduct ourselves with integrity and in the best interests of union policy." At least the prospect of integrity would be a step in the right direction; there had been little evidence of it from NATFHE since the complaint was submitted. The first understanding was that neither he nor the chair were lawyers and they would not be acting "in the role of a judge in a court", unlike the role adopted by Day, but they would conduct themselves with common sense so as "to find solutions to assist our union and individual members," just like Day although his concern was to assist only one member – Gates. For Bis Weaver, an investigation to arrive at the truth and to assist the most vulnerable members in the union was a more appropriate aim. What came from the pen of a one-time Marxist revolutionary of the 1960s was Benthamite utilitarianism – the greatest happiness to the greatest number of union members but ignoring John Stewart Mills' caveat about the tyranny of the majority.

With the format of the investigation sketched out, Triesman explained this to be but one of three options available to her. The first option was a Rule 8 tribunal where she "could pursue these matters between [herself] and Mr Gates" – a process he described as laborious. Triesman still showed a certain reluctance to refer to the complaint against Gates as anything other than "these matters." The third option was not to proceed any further with the complaint – some option! Triesman generously made the point that only she was in the position to make a choice. However, he honed in on the second option – his 'investigation' with the chair of the ARNP, obviously his favoured option, by saying that she must understand "that it would be open to [Triesman] to consult [the Bournville] branch secretary (who has written to the General Secretary expressing anxiety about divisions within our union)". Triesman was probably unaware, unlike Bis Weaver, that the branch letter containing 'these anxieties' was decided upon in a committee meeting in the presence of Gates and the *kernels* – the one Bis Weaver had attended but had left before this 'anxiety' was discussed under AOB.

Covering all bases, Triesman wanted a formal written statement from her to say that she was choosing the ‘investigation’ “in preference to using Rule 8” and, if she chose Triesman’s “suggested course of action”, the union would be greatly assisted if she refrained from circulating any more documents (letters), “not to stifle legitimate views but because our best efforts should go to finding the right road out of this dispute rather than going further into it.” This was not unlike Day’s reply to Gil Butchere in October! – and yet again it was merely described as a ‘dispute’. After again referring to the second option, should she agree to it, Triesman informed her that he would ask Mr Gates “to assist (on the same understandings)” in the investigation.²⁸ This seemed all very civilised on NATFHE’s part and somewhat novel to ask an accused harasser if he would mind assisting in the investigation. Perhaps, this procedure was part of an undistributed special section of NATFHE’s Anti-racism Pack dealing with complaints against union officers. Gates was given two options - either to participate or not; and what would NATFHE do if he chose not to do so. As for Day, there was no need to give him any options – he was out of it and in the clear.

One of Triesman’s comments, namely, “other matters concerning alleged motivations have been mentioned among the parties”, gave the impression that both parties had made claims about the other’s motivations. What motivation, if any, had been directed at her by Gates or any other *kernel*? Both Gates and Cave, apparently, had made false allegations that she had tried to incite a student to complain against them but if this was what Triesman was referring to, what possible motivation had he been made aware of as the driving force for her alleged behaviour. Triesman also underlined his penultimate point, “subject to a discussion with me should that help”, which seemed like an invitation to contact him – but with her growing experience of dealing with NATFHE and the obvious inadequacies in this offer, the best thing for her to do with NATFHE was to keep everything in writing.

Triesman’s ‘offer’ set the warning bells ringing. Bis and I – consulting on everything, might appear to be ultra-suspicious, ultra-cynical, ultra-cautious or all three in the wake of her brush with Day but Triesman’s ‘investigation’ looked to be considerably less than what it was dressed up to be. Bis Weaver’s suspicions were fuelled by his request, if she chose his oft-repeated two-man ‘investigation’, to formally accept it in preference to a Rule 8 Tribunal. In complying with this, she would be signing away her right to the union’s formal procedures, although Triesman had gone a little further with the option of a union Tribunal unlike Day, who offered only Rule 24 with added conditions. Triesman’s third option of doing nothing could hardly be considered an option at all. Another questionable feature was in giving the distinct impression the Anti-racism National Panel was dealing with the complaint, when he

was far too keen to dispense with racism as a cause by steering the complaint well away from investigating racial harassment. Nor did she, as he implied, want specific incidents to be considered purely as matters of fact. The context within which they took place and the inferences to be drawn were significant but that was something the union seemed extremely reluctant to look into.

Viewed as significant was Triesman's intention to consult Day "on reports of the facts in his document in as much as you disagree with them." Day's enquiry was intended to be used only with regard to the complaint against Gates and was to have no place as evidence for the collusion surrounding the 'enquiry'. Triesman's suggestion to include Day's report in the proceedings appeared to be a surreptitious means of getting that document, rejected by her as a fabrication and having no factual basis, accepted as a *bona fide* source of relevant evidence - very astute! Or, perhaps, the way he couched the intention - 'consult Day on his report' suggested that the 'report' may not even be introduced into the investigation but only verbal comments made on it by Day.

In disclosing that he and the chair were not acting in the roles of judges, Triesman precluded any enforceable judgement being made, so what kind of an investigation would this be. Not only that, by referring to the difficulty for "a national official to form conclusions," raised the question of what kind of conclusions could she expect, especially as Gates had to agree to assist in the investigation! Her complaint had gone from an initial-cum final 'enquiry' by one regional official to an 'investigation' by one national official accompanied by a lay officer. From one White male to two White males; a long way off from a tribunal with a woman or a Black person or both on it, as asked for, and confirmed as a possibility, in June 1985.

In Triesman's letter four different terms had been used to avoid referring to a complaint of racist harassment - differences (twice), disagreement, dispute, matters; seven references to dealing with 'facts'; and three terms referring to close links with NATFHE - 'our union' (twice), 'assist the union.' The complaint had also been downgraded from one of racist harassment against Gates to "significant difficulties...between a NATFHE member...from an ethnic minority, a full time official and local activists..." - racism; possible sexism, had disappeared from view. Gates had gone from the accused harasser to re-emerge as one of a number of local activists. The impression was of Gates appearing as a witness to discuss Bis Weaver's dealings with 'activists' in the branch and her dealings with Alan Day!

Asking her not to circulate any more correspondence to “greatly assist the union“, was a sign of the union wanting to keep the lid on it to prevent further exposure of Day's report for the *Whitewash* it was and to bury Gates' behaviour and the implications arising from it completely from view. This assessment appeared to be confirmed by two glaring omissions in Triesman's letter. No mention was made of investigating Day's enquiry nor was there a response forthcoming to her request for information on NATFHE's obligations under the Race Relations Act. But at least Triesman's statement that only she could decide on which option she preferred was another nail in the coffin of Day's enquiry, since he made no such offer to her. Instead, Day had claimed it was an obligation set out in the rules for the regional official to carry out the enquiry before he went on to apply a 'procedure' outside union rules. Triesman's offer came over as the union putting a coating of saccharine on what was to become an extremely bitter pill offered up for Bis Weaver to swallow.

The situation had moved on considerably since Day became involved yet NATFHE head office was trying to turn the clock back to June 1985 when the complaint was first registered. In fact, Triesman's 'investigation' without intending to look at motives, was less than what she asked for in June 1985; and Triesman's suggestion to sign away her entitlement to a Rule 8 Tribunal was less than promised in June 1985, even though that promise never materialised. Head office's approach was no different to that adopted by Day; avoid the race issue completely, thereby letting Gates off the hook. NATFHE was seeking to 'legitimise' Day's report by either introducing it as evidence, or allowing Day to refer to it, and by doing so avoid any investigation of the irregularities and possible collusion in Day's 'enquiry'. Triesman not only offered to carry out an investigation, he also wanted to determine what should constitute Bis' Weaver's complaint! Perhaps, there were flaws in our assessment and maybe our observations were rooted in the cynicism enveloping us following her experience with Day. Therefore, in order to find out whether this was a genuine attempt by head office to deal with her complaint, we decided to seek clarification on a number of points raised by Triesman but that could wait until she heard from her London contact, who was immediately sent a copy of Triesman's letter.²⁹

To show that something had been learned from her dealings with NATFHE, she sent out a printed message on a postcard – the typical response from Day and Dawson. The message was “I acknowledge receipt of your communication on the matter of complaint against D Gates dated 13th January 1986 and received on the 15th. I will consider the matter and reply in due course. This was sent to Triesman and Dawson.

While waiting for advice from the London contact and in no particular hurry to grab a less than adequate offer, Bis Weaver set forth on a path that would engulf NATFHE head office, over the next two months, with questions and observations written mainly for the record. The first letter was sent on the 23rd January exploring matters relevant to her complaint. She drew attention to: (i) Gates' behaviour and Day's investigation contravening the 1976 Race Relations Act; (ii) the possible collusion between the two of them prior, during and after the enquiry; and (iii) NATFHE's legal obligations by asking in what way NATFHE applied those obligations to her complaint. She wanted NATFHE to know that even though the union may not want to involve itself in motives, as far as she was concerned an integral part of any investigation of racism had to include motives. Drawing attention to the suggestion in Triesman's letter that allegations might have been made against her, information was requested on the nature of any such allegations.³⁰

When no reply was forthcoming, off went a reminder to show NATFHE, if it had not realised it, that she was in earnest and this was no 'end-of-term tiff' with either Gates or Day. The confusing manner in which NATFHE dealt with these letters was a mild foretaste of what to expect from a bureaucracy parading itself as a champion of the disadvantaged but prepared to do anything to disguise its real face behind the mask.

Bis Weaver also came in contact with another part of the bureaucracy flying a similar standard of aid for the disadvantaged. This time the disadvantaged were women members and the standard bearers were members of the West Midlands women's panel. A meeting of the panel attended by Bis Weaver turned out to be not so much another anti-climax but more an exercise in futility. At least half of those attending were closely associated with the Broad Left Coalition, including Ms Pattinson, who had played such an important role in administering Day's enquiry. Bis Weaver's arrival, alongside Gil Butchere, failed to prompt a sororial welcome for the only Black person in attendance. The discussions covered a range of issues, including training workshops for women; a meeting for women members to explore behaviour, attitudes and feelings towards harassment; the development of anti-sexist strategies; the election of officers; an equal opportunities motion for liaison committees; and an invitation to Day, the regional official, to attend the next meeting. It was also agreed to send a statement to the national women's panel on sexist harassment. It read "Our experience, on Regional Women's Panel, of harassment issues leads us to suppose that the appointment of an Equal Rights Official and the establishment of training schools for Regional Branch Officers would assist in the resolution of equal rights disputes."³¹ This was all very impressive but it appeared a little hollow considering that everyone there knew of the

complaint Bis Weaver made against Gates even if not aware of the details. It was more than likely, however, that they had been treated to the jaundiced version put out by one or other of the leading lights in the region's women's movement. These paragons of anti-sexism made no move to invite Bis Weaver to speak on her experiences as they had done at the previous meeting for the Telford member.

Bis Weaver commented on the absence of Black women in attendance, other than herself, and asked what measures the panel took to attract Black women to its meetings. This prompted one of the women - a member of the Broad left Coalition and the West Midlands Anti-racist Committee (WMARC), * to say they did not want Black women in the group because they were reactionary – an obvious and undisguised 'dig' at her for having the gall to bring a complaint against one of the union's prominent 'Broad Leftists'. An exchange of different views passed between Bis Weaver and the panel member, who displayed a perspective on Black women that could be accurately described as reactionary, before the chair called the meeting to order. ** For Bis Weaver, this summed up the position of some White feminists in the West Midlands, many of whom seemed to draw a line separating the so-called 'radical' consciousness of White women from the alleged 'reactionary' and 'false consciousness' of Black women. In reality the White feminist commitment to anti-racism in the West Midlands displayed its own 'reactionary' vices, effectively shown later by their actions in the WMARC. The agenda of the women's panel did not, in effect, extend to Black women, especially when they were prepared to stand up to male harassers who happened to be the political allies of those women dominant in the women's panel.

After witnessing this exhibition of NATFHE's restricted 'feminism', she decided to concentrate her activities through the Black women's organisations emerging in the Birmingham but she would attend one more meeting - the meeting Day was invited to attend. This avenue had disappeared but the London route was still available or so it seemed at that time.

Bis Weaver heard from the London contact at the end of January. He advised her to go for Triesman's offer but to ask for an equal number of Black people on the investigating team.³² He mentioned a forthcoming Anti-racism National Panel meeting due to be held on the 15th February and suggested she wrote to Triesman to ask for her complaints to be placed

* WMARC was a NATFHE committee virtually unknown to Black members and only became known to Bis Weaver and other Black members at the February meeting of BLCARC

** The exchange between Bis Weaver and this 'feminist' was minuted as "A suggestion was received that the position of Black women in NATFHE be discussed at a future meeting"³³

on the agenda. The contact described the ARNP as having considerable powers, which was soon shown as a somewhat ambitious claim that did not stand up when put to the test but it was obvious he was as yet unaware of the panel's limitations. This was but one of a number of NATFHE myths to be exposed over the next two and a half years.

A considerable amount of care went into constructing a reply to Triesman's offer as we were determined to make every point crystal clear with no possibility of a misunderstanding on NATFHE's part – intentional or otherwise, as to what she considered right and just. With only the finishing touches to apply to our response and with one of the contact's suggestions in mind, she wrote to the West Midlands representative on the ARNP, Bob Carter, to formally acquaint him with her complaint and the regional official's 'report'. Described to him were the initial complaint; the regional official's 'investigation'; her rejection of the 'report' and the reasons; its subsequent distribution to various levels in the union; her lengthy unilateral correspondence with the regional official; and her letters to the general secretary, in which she had raised the contravention of her "rights to natural justice, [her] civil rights; as well as [her] trade union rights." Explaining that she had expected NATFHE to protect those who are "recognised as being particularly vulnerable", the representative was asked to bring the issue to the attention of the next ARNP meeting.³⁴ One thing the representative would know was the availability of Day's 'report' to anyone on a union committee or panel because his partner, the member of the women's panel who met Bis Weaver in January, was given a copy by the regional secretary.

The same day, the 4th February, Bis Weaver responded to Triesman's offer, giving him ample time before the ARNSP meeting³⁵ to consent to her request for all her correspondence covering the initial complaint, the irregularities in Day's 'investigation' and the events surrounding that 'investigation,' to be submitted to the membership of the ARNP at its next meeting.

Triesman's 'investigation' was conditionally accepted with the proviso that "the investigating team...include two ethnic minority members, one man and one woman, in addition to the members [Triesman] suggested." The investigation was expected to cover, (a) the "complaint of abuse and harassment"; (b) "the way the original 'investigation' was carried out"; and (c) "the events that formed the background to that 'investigation.'" It was also made clear that she had no intention of signing away any trade union rights, rights to natural justice or civil rights.

Facing racism was an integral part of her life – as it was to every Black person in the country and her experience stretched back twenty-five years. However, Day, in his pre-

historic cavern, had undoubtedly thought Bis Weaver was an easy mark and anything could be put across her. Therefore, head office officials were to have that image dispelled if any of them held court to such a view. NATFHE was to be given no opportunity to revisit the scene with a new paint brush and a bucket with a different shade of white paint.

In a four-page appendix, the decks were cleared to let NATFHE know what she expected from a union claiming to have a commitment to eliminate racism from the education sector. In doing so, several points raised in Triesman's letter were addressed and observations made on other relevant matters.

Bis Weaver had been less than impressed by the contents of Triesman's missive, containing all the signs of a more sophisticated version of Day's 'enquiry' with its hidden agenda. Triesman was informed, if he had not yet familiarised himself with the contents of her letters to Day and Dawson, that it was not about "differences and disagreements occurring 'between a NATFHE member who is from an ethnic minority, a full time official and local activists in the association'...[but] a clear cut COMPLAINT of abuse and harassment...[of] a black woman...over several months." Describing the foul mouthed incidents in Gates' behaviour for Triesman's benefit, she described it as "hardly behaviour that a Black person should expect from a NATFHE Executive [officer] on any occasion [and] least of all in front of management." In the light of such perverse behaviour it was thought surprising for the accused to only be asked to "ASSIST in the investigation."

Dissatisfaction was expressed about the way the procedures for dealing with her complaint had "evolved over the last eight months" between June 1985 and February 1986. She dealt with the period from the Day-Gates discussion prior to Day's quasi-judicial role up to the point after the completion of the enquiry when Gates levelled false accusations against her in his letter of the 12th November, which Day circulated alongside his 'report'. Between those two instances, five months apart, Day had produced an inadequate 'report' and used it to attack her professional competency. She doubted if there were many instances in trade union history where an official investigating a complaint of harassment had recommended that functions associated with the complainant's job be integrated with those of another person and "'Surprisingly' the person who was designated to share the complainants functions is none other than the person who has...harassed the complainant – D Gates." Such a recommendation from a full time trade union official was thought revealing, more so "when the complainant happened to be a Black woman."

No justification was found to satisfy Triesman's desire to confine the investigation to facts because "The discovery of motives is a necessary part...of this complaint

[and]...excluding motivations from the investigation...would be eliminating, beforehand, possible reasons for the behaviour directed against [her and]...possible reasons for the manner in which...[Day's investigation] was conducted.” The reasoning behind this observation was that “Racism and sexism...are motivations for certain kinds of behaviour, and anti-racism and anti-sexism are concerned with the discovery of those motivations and taking action to stop the practice which results from those motivations. Searching for facts in abstraction from motives...would be a limited if not futile exercise.”

As for Triesman's evaluation of it being very damaging to extend the issue as it would lead to speculation – in other words keep the racism issue at the kitchen door, she let him know that “we blacks, whenever we raise the issue of race as a possible reason when complaining of the treatment to which we are subjected...are aware that some people will attribute motives to our actions other than the correct ones.” As for her motive, lest any other interpretation be put forward, she explained that “as a black woman member of NATFHE and in line with NATFHE policy, it is to ensure that black women can pursue their careers...and when [they] do complain...they are entitled to investigative procedures, which [are] in no way discriminatory” and “if people want to attribute other motives...then the problem was theirs not [hers].”

Triesman's references to “our union” and “assist the union” which appeared to be some kind of an appeal to rally her to the union's cause under the umbrella of a common interest was alright insofar as it went. However, it was put on the record that after being abused and harassed by Gates, she had relied on “my union to defend my interests, and [was]...as concerned for my union as” any other member. But for her, this meant “that the membership, which is the union, must be protected from those who bring discredit on the union by abusing and harassing its members, especially in front of college management...” Triesman was being told to direct his appeal for union loyalty to Gates and to do something about his actions instead of seeking Gates' approval to participate in an investigation dealing with his harassment of a Black woman in full view of the union's ‘foes’ – management. *

She had laboured for almost twelve months in “pursuit of [her] rights without any indication from NATFHE at any level what legitimate rights [she had], which bearing in mind NATFHE's declared policy on ethnic minorities [was an] amazing situation for a Black

* Triesman's appeal for loyalty to the union was a little rich coming from someone, who three years later, would break ranks and stand against the incumbent for the post of NATFHE's general secretary under Thatcher's trade union laws

woman member” to face. As far as she was concerned this situation had reached its end and she spelled out what was expected. She wanted “NATFHE to meet its obligation set out in its Constitution and Rules, Aims and Objectives, especially to those members...[Blacks and ethnic minorities] to whom NATFHE...has recently pledged its support....in the Editorial Comment of the November issue of the NATFHE Journal [and]...it is very important that NATFHE members are made aware of any serious contravention of members’ rights, especially to solitary Black women in ‘all-white’ institutions...”

Her views were then made known on some of Triesman’s proposals beginning with his intention to involve the Bournville branch in any discussions, especially as Day had followed this procedure and it led to Gates’ partner selecting the witnesses. Triesman’s attention was drawn to Gates’ involvement in discussions concerning the content of the branch committee’s letter to Dawson. Gates’ influence at branch, liaison and regional level was cited and she pointed out that involving anyone from these committees “might be considered by the reasonable person to be prejudicial to [her] interest and might also...introduce the possibility of bias.” Triesman’s further proposal to introduce Day’s ‘report’ into the proceedings was addressed in two ways – one in connection with Gates, the other to deal with Day. She stated that “Insofar as [her] complaint against D Gates is concerned the ‘Report’ should be considered not a factual record and should be disregarded.” However, “With reference to [her] dissatisfaction with A Day’s ‘investigation’,...the ‘Report’ is of considerable importance and should be subject to the rigours of an impartial investigation [and] Only for [this] purpose...could it be reasonably expected that the ‘Report’ has any role to play.”

Inverting Triesman’s attempt to halt her correspondence, which he claimed was “not to stifle legitimate views”, a tongue in cheek riposte was delivered when she said that she felt reassured he had no desire to do that “as there [are] a range of questions regarding the procedures...that need to be answered.” With tongue still in cheek, she was sure Triesman was “as committed as [she was] to the right of the individual to have access to information that concerns that individual.”

The message running right through her response was for NATFHE to live up to its much publicised commitment to defend Black people by taking action against those violating their right to work free from harassment. This message was to fall on deaf ears because the ears of NATFHE officials were stuffed with the tattered remnants of NATFHE’s Anti-racism Pack as they went about convincing themselves they represented the bastion of anti-racism. Information acquired at a later stage showed that head office’s involvement in her complaint

was a damage limitation exercise to be carried out by Triesman, who occupied centre stage during the next two and a half, acrimonious, restrictive and smear-ridden years. Bis Weaver had little chance of securing an iota of a just and impartial resolution from this ‘new’ ‘investigation’.

Restricting the scope of the investigation and hampering Bis Weaver’s search for information were at odds with the views vigorously advocated by an earlier Triesman speaking on the need for open investigations when under the cosh himself at Essex University in 1968 and at Maudsley College Hospital in 1974. Triesman’s previous combativeness against injustice on an international and a national scale was well-known at the time. He was a revolutionary student leader in the 1960s; “making rousing speeches about communism and the iniquities of chemical weapons”; described as an extreme left-wing activist opposing the Vietnam War and germ warfare. He campaigned on a ‘left’ wing industrial strategy and improved grants for students;³⁶ while denouncing the "whole nauseating apparatus" where universities churned out the next generation of capitalist managers;³⁷ and writing of CIA infiltration of the international student movement as proven and accepted by everyone.³⁸ Triesman’s political focus was expressed, after the police attacked anti-Vietnam War demonstrators in Grosvenor Square in 1968, in the declaration that "The generation developing in this country will not want to pay lip service to the international struggle against imperialism, colonialism and racism. It will be in conflict with capitalism as the parent of these enemies. It will become an enemy within the fortresses of capitalism." *³⁹

Triesman’s ‘revolutionary’ credentials of the later 1960s/early 1970s provided Bis Weaver with no feeling of reassurance that anything positive would come from his involvement. Bis Weaver, also involved in radical causes in 1960s onwards but less publicly, had witnessed radicals and revolutionaries, like Triesman, from that generation of ‘leftists’, journeying along a route similar to the one traversed by Bradbury’s ‘History man’. **⁴⁰ Bis Weaver in 1986 was just another inconvenient ‘bod’ squatting in the midst of Triesman’s flight path.

While waiting for head office to respond to her proposal for an extensive and

* Triesman came over as a fearless exponent of revolution in that period. According to Triesman, during what was called at the time *The Chicago Riots*, he was on the street for five days and “driven by tear gas, by continual beatings, by guns, fired over our heads, by fixed bayonets, by barbed wire on the front of jeeps, and by chemical mace...There were very few people unscathed, almost everyone was either bleeding from night stick wounds or vomiting from CS and mace.”⁴¹

** In Triesman’s case, it went from revolutionary Marxism to Blair’s ‘Third Way’ and then to a seat in the House of Lords

balanced investigation, warning signs of what to expect made an appearance in NATFHE's response to a reminder sent by her referring to an earlier letter about NATFHE's legal obligations under the Race Relations Act.⁴² On the 6th February, Triesman reiterated his 13th January offer and thought "it would not be sensible to invite [himself] in any detailed correspondence whilst a procedure had been suggested in which [he] would have a particular role." This was an unusual answer because surely the time to iron out any concerns about legal obligations was before the investigation took place. But this set the seal on any constructive information on her rights and NATFHE's obligations coming from the direction of head office.⁴³ Triesman's unusual terminology, in this case, 'not be sensible to invite' himself, would be often used in the future to resist her efforts to obtain information, especially as she had expressly invited him to provide relevant information covered in the union's rules.

Capitalising on Triesman's avoidance technique and suspecting that NATFHE intended to block any meaningful investigation, a number of points were raised in her reply. Although having no idea where to go if NATFHE decided to shut up shop, she was determined to put everything on paper to show that she had drawn NATFHE's attention to her concerns. She expressed surprise, which in fact was not much of a surprise, "that NATFHE Head office [was] reluctant to supply [her] with information that any member of NATFHE, whose interests have been seriously contravened, could reasonably have expected to be supplied with." She continued by saying she had not expected Triesman, personally, to supply the information, as he had already admitted to not being a lawyer, but he could have been expected to pass the request on to someone in NATFHE able to provide the information. With her tongue still firmly in her cheek, she was "sure that NATFHE...[was] committed to the individual's right...[to] freedom of information" and, as "a member whose interests may have been contravened," she was also "sure that NATFHE will act in accordance with the CRE's recommendations to trade unions,...i.e. to assist members of ethnic minorities in the satisfactory processing of legitimate grievances."

Picking up specifically on Triesman's comment that "it would not be sensible of [him] to discuss those matters...because [he] might have a future role in the procedures", she asked what were "NATFHE's obligations to a member when someone has not acted in a 'sensible' manner...in processing...that member's grievance." This alluded to Day's discussion with Gates prior to his involvement in the complaint. Triesman, albeit inadvertently, by declining to answer her question on *general* advice to members had

confirmed her view that Day's pre-enquiry advice to Gates on *specific* issues in the complaint was not sensible – or more appropriately was improper.

In an appendix, reference was made to the two occasions when officials – Day and Triesman, had drawn her “attention to the need to show loyalty to the Union and to act with integrity.”⁴⁴ Not sure why this had been raised with her, she let it be known that despite what she had endured from Gates and in the face of Day's detrimental remarks, she had “at all times acted with integrity.” Providing Triesman with sufficient information on matters relating to Day's ‘enquiry’, she thought “it would be interesting to know how [Triesman] would interpret” Day's failure to interview witnesses wishing to make a contribution; and Day's negative portrayal of her compared to the positive way Gates was presented. Day had also made comments about “members of NATFHE owing common allegiance to their trade union” and it was obvious he was referring to her. This provided the opportunity to refer to Day's description of Gates carrying out “added responsibilities”; “not matched by relief elsewhere”; “with little more than the benign blessing of management”; in the period between September and the 22nd November 1984. Triesman was informed that the period referred to was at a time when “Bournville NATFHE Branch was in dispute with management and NATFHE members were under instructions not to do overtime, cover for colleagues, enrol students or complete timetables or registers.” Day was “suggesting that during an industrial dispute...D Gates was acting contrary to those instructions with the benign blessing of management.” As she put it, “this is an unusual practice for a NATFHE union Executive [officer] to engage in during a dispute with college management.”⁴⁵

Triesman was back with pen in hand on the 14th February acknowledging her letters of the 4th and 8th February and he came up with a novelty, which in the not too distant future would be par for the NATFHE course. He told her that after checking NATFHE's records he was unable to find any trace of the 23rd January letter and he asked for a copy.⁴⁶ However, in further letter to Triesman,⁴⁷ it was pointed out that he had acknowledged the 23rd January letter on the 6th February, when he stated “It would not be sensible to invite myself in any detailed correspondence.”

An appendix was tacked on to this letter to raise another point. Triesman had posed her complaint against Gates in terms of “differences [that] existed between [her] and local activists in the Branch, including D Gates”, which was the route ploughed by Day. Triesman, apparently, was looking to remove Gates from centre stage by losing him in the wings behind a group of extras - the ‘local activists’, as Day had tried to do. She acknowledged that branch officers were present during Gates' attacks on her and had not offered her support or advice,

which she saw as “something NATFHE should determine for itself as...[their] inaction was not in accord with NATFHE’s policy...” Pointing out that “no ‘local activists’...were part of [her] complaint”, she asked Triesman if they should have been included. Triesman’s attention was also drawn to the way Gates had “linked the contents of the ‘draft report’ to the interests of the Branch Committee” and NATFHE was asked to explore those links to see if they influenced the ‘Final Report’.

Lo and behold, the very next day, Triesman wrote to confirm receipt of the original letter of the 23rd January⁴⁸ but the re-discovery of the letter did not make Triesman any keener to ‘invite himself’ to satisfy her request for legal advice. Nor did he refer to any of the other information asked for. It was becoming all too apparent that potentially racist behaviour in the college and racial discrimination in a union ‘enquiry’ were too dangerous for NATFHE to deal with constructively and fairly. The one-sided correspondence, following on from Triesman’s ‘riddled with holes’ offer, was undertaken to show NATFHE officials that nothing short of a full investigation was acceptable and also to explore the veracity of NATFHE’s offer. As a result of this wrangle, every letter Bis Weaver sent to head office from then on went by recorded delivery and there was a multitude sent out over the coming five months.

(c) Opening the Whale from the Inside

In the West Midlands domain, the lines were being gradually drawn for an extremely one-sided battle – the kind of odds favoured by the so-called defenders of the disadvantaged in this part of the United Kingdom. Still trying to eke out information from the branch secretary, a succession of letters was sent to her over the next few weeks. On the 23rd January, a letter was despatched seeking information on the branch committee’s communication with the general secretary. A question asked who attended the branch committee meeting when it was decided to write to Dawson and if people with an interest in the complaint were present at the discussion. Another question asked why she was not informed of the proposed discussion, having only found out about it after requesting copies of branch correspondence on matters relating to her complaint. It was noted that the request for the branch chair to draw attention to the inadequacies and deficiencies in Day’s ‘report’ had not featured in the letter to Dawson. Attention was drawn to the way she was referred to in that letter compared to Gates, and added that “objectification and marginalisation [were] not

new experiences for blacks in Britain...[and she hoped] in future that black people will be referred to in a less alienating manner.”

A point was included that most branch committee members would be unlikely to know of but they should be made aware of it as they were ultimately responsible for involving Day. The question asked, via the secretary, was if any of them knew Day and Gates discussed the complaint “prior to her being asked by the Branch Committee to accept Mr Day as investigator and accept Rule 24.”⁴⁹

Four days later, the branch secretary replied to say that only Sue Pattinson dealt with the complaint when the regional official visited the branch. Nine people were named as being present when the decision was taken to write to the general secretary, including Gates, Ms Pattinson, Downey, and possibly Cave, and that Bis Weaver was present for part of that meeting. It was the occasion of the Anti-racism Pack discussion. The complaint was raised under AOB and Downey proposed sending a letter to the general secretary stating that it was a delicate matter for the branch to handle. Furthermore, the branch had received advice to do nothing as the complaint now rested with the general secretary.⁵⁰ In reply, Bis Weaver said that her understanding, from the secretary’s letter, was that no Bournville officer contacted Day other than for the visit, and she asked who gave the advice for the branch to do nothing. As the request for information on whether or not anyone knew of the pre-enquiry Gates-Day discussion had not been answered, she extended the time period and asked if anyone became aware of that discussion prior to the release of the ‘report’. Mackney’s involvement was then raised and a question was put asking which officers he “advised to refer the matter to Day and to recommend Rule 24.”⁵¹

A week went by without an answer so a follow up was sent asking: (i) when Day and head office advised the branch not to discuss the complaint; and (ii) if branch committee members at the 18th June 1985 meeting knew of the Day-Gates discussion or had discussed the complaint with Mackney at any time up to the publication of Day’s ‘report’. Details were also asked about the branch committee’s discussion of the complaint in September 1985 in Gates’ presence.⁵² Not a great deal was known by Bis Weaver about what had gone on in the branch committee but the *kernels* did not know that and the intention was to maintain the drip-drip approach; after all, that was all she could do at this stage.

Bis Weaver’s initial rejection of the regional official’s *Whitewash* seemed not to bother Gates unduly, after all he had bigger fish on his side to smother the protestations of a minnow floundering in the shallow waters of NATFHE’s so-called anti-racism. However, the quest for information had altered the situation from the days when she could be attacked in

meetings and intimidated in the college by someone with the confidence of being above the 'law'. She had shown at the BLCARC meeting that she did not cower before the NATFHE spectre but had stood her ground. Nonetheless, the warning of the 'biting dogs' delivered by one of the *kernels* was not forgotten.

When Bis Weaver's response to Triesman's offer had filtered its way to branch officers, the tactics of the *kernels* changed. Hartland, a probationary teacher with five months teaching experience as a tutor on an Access component; a witness to Gates' attack on her at the January BLCARC meeting; and the most recent recruit to the ranks of the *kernels*, became the delivery boy for the initial, but abortive, bite in the college. This occasion, carried out by this new and malleable participant, aped the event just short of a year after the one delivered by Gates himself that began the harassment of Bis Weaver.

Hartland had got it into his head, or had it put there, of having overall responsibility for a group of students on the Access course. How he arrived at this conclusion was difficult to determine unless encouraged to believe it to be so by those with an interest in creating difficulties for Bis Weaver. Notwithstanding how this notion entered his head, Hartland confronted her with this reinterpretation of his role and then criticized her for changing the contents of the English component on the course without consulting him.

A few days before, students had made a request to the English tutor, Gil Butchere, asking for additional topics to be included in the English studies component. Bis Weaver, as coordinator; Gil Butchere, as the tutor responsible for the English section of the course; and the management coordinator discussed the request and agreed to it. Tutors teaching other subjects, including Hartland, were informed of the changes. That concluded the matter until Hartland brought up this recently acquired illusion of authority over Access business studies students as a whole. Bis Weaver told him he had no such authority as his role was as tutor, teaching on the business component, and the changes agreed by course management came at the request of students. He was reminded of being informed of the decision shortly after it was made. As far as she was concerned the matter was at an end.

For reasons best known to Hartland, or whoever was advising him, off he trotted to his section head in business studies to complain about being left out of decision making. Representations were made on Hartland's behalf by his line supervisor – the *Boss* as Gates had referred to her, which was something of a surprise because she would know Hartland had no such role on Access. Nonetheless, a meeting was called consisting of Bis Weaver; the SMC, Hartland and his line supervisor. The purpose of the gathering was specifically to remind Hartland, and his supervisor, of his actual role on the Access course. In the meeting,

Hartland asserted he had overall responsibility for the students but was unable to provide any authorisation from anyone to confirm the role he had assumed. He was unable to do so because any change of role would have involved the SMC in conjunction with Bis Weaver and both were completely in the dark. Hartland persisted and further claimed the student's did not want the changes and denied being told of changes to the English component. He was in a cleft stick on that point since it was Bis Weaver who had informed him of the changes. Was he another, albeit recently initiated, *kernel* wanting to prove his credentials to his new associates by implying that she was someone prone to lie? However, unlike the previous occasion a year earlier, Hartland was scuppered because management acted speedily to point out to Hartland the limits of his responsibilities – he was a tutor without any supervisory responsibilities whatsoever. The matter was definitely at an end.⁵³

What was significant about this incident, coming as it did when Bis Weaver's complaint against Gates was very much back on the agenda, was that Hartland with only five months experience in teaching was telling an experienced lecturer, with overall responsibility for the course, that he was in charge and had criticised her for performing the role she was employed to do. Hartland, following on from his performance at the Equal Opportunities (Race) meeting, apparently, considered it the norm to challenge, criticise and accuse of dissembling a more experienced and senior colleague in the presence of management. What was specifically noticeable was that the senior colleague was a Black woman and, to our knowledge, he had not performed in this manner to his senior lecturer in business studies, the *Boss*. There was a familiar ring to this and it showed what senior Black staff had to put up with from White male novices when those novices attached themselves to influential and hostile forces in the union and the college. History was repeating itself as farce.

We could not help but wonder if this derisory attempt by a probationer to undermine the authority of a supervisor had been taken on his own initiative, which we thought highly unlikely, or had he been prompted. Hartland had attached himself to the strongest clique in Bournville College – the *kernels*, and settled himself alongside Gates in several further attempts to discredit Bis Weaver in the not too distant future.

Triesman had yet to pen a reply to Bis Weaver's proposed modifications when the custodians of the Anti-racism Pack – NATFHE's Anti-racism National Panel, met on the 15th February. The chair of the panel - the other limb of Triesman's proposed investigating duo, nipped in the bud the London contact's attempt to raise matters arising from Bis Weaver's complaint by ruling it out of order – the face of things to come. The chair's decision to curb discussion of real life anti-racism issues in what should have been its domain did not meet

with the approval of several panel members, who were not satisfied with the panel's limited responsibilities. However, the panel's restricted function was apparently not inconsistent with its brief as was outlined a few days before at a national council meeting. During that meeting, the ARNP chair described the panel's functions as "responsible at national level for monitoring and implementing anti-racism policy...to receive reports from Branch and liaison committees about agreements with LEA's and colleges and other activities in this area."⁵⁴

The panel was little more than a 'talk shop' unable to assist victims of harassment or challenge the inadequacy and scheming of officials - a cosmetic committee with nothing behind its decorative facade and glossy handbook. At the same national council meeting, the West Midlands region proposed a motion to monitor how branches, colleges and local authorities adopted anti-racist policies and to examine the union's constitution and rules to ensure that no indirect discrimination was taking place.⁵⁵ This came across as 'wordiness camouflaging the desire to avoid offending anyone' as a West Midlands REC member once described the NEC's anti-racism policy.⁵⁶ This was another example of how West Midland regional officers operated - rhetorically seeking to prevent indirect discrimination while disregarding in practice acts of direct discrimination.

In this period of illumination, I decided to move into the arena. As a result of Gates' attack on Bis Weaver at the January Anti-racism Committee and the recent Hartland episode, the rules of engagement were decisively changed and I made my move. The first move was strategic to let Gates and the *kernels* know that their so-called anti-racism would come under the microscope; the second was tactical by taking Gates and the *kernels* on directly; and the third was procedural by searching through branch rules to establish what procedures should have been invoked to deal with Bis Weaver's complaint.

Two letters were written to *NATFHE Journal* slanted towards the *kernels* at Bournville College. I intended to distribute these letters among local union members when the occasion presented itself. The first letter was headed *An Open Letter to Anti-Racists in NATFHE*. Criticism was directed at so-called anti-racists, whose part-time anti-racism was confined to "committee meetings...to boost personal images and credibility" but avoided taking up anti-racist positions when "'friends', 'workmates' and fellow trade unionists" were the ones involved in racist practices. It was "spelt out loud and clear - YOU ARE NOT AN ANTI-RACIST" because an anti-racist cannot "pick and choose when...to get involved, with whom...to get involved or with what...to get involved." As for those who "parade [their] anti-racism behind verbal condemnation of apartheid in South Africa, police harassment in Handsworth and Brixton etc., and yet dissociate [themselves] when it involves someone

[they] know, [they] portray the cause of anti-racism as a hollow sham.” The punch line was that if ‘anti-racists’ were “not prepared or able to’ [get involved then they should] find something more comfortable for [their] radicalism [because they were] no use to the cause of anti-racism and it has no need of [them].”⁵⁷ A week later the other letter went to *NATFHE Journal* headed *The New Face and Phase of Racism* in which an attempt was made to show that racism had moved on from the use of derogatory terms to more insidious forms. The new forms of racism emerging in the workplace included non-cooperation with black colleagues, undermining their credibility, and attempting to take over their jobs; while deriding, insulting and abusing them but without the use of the traditional derogatory terms in order to give the impression their actions were not racist. The task now for “Anti-racists...[is] not only [to] be aware of these practices but [to] ensure that the membership of NATFHE is made aware of them...”⁵⁸

These letters failed to pass the NATFHE censors to reach the letter pages of the *Journal* but they were to have ramifications in Bournville college, not envisaged when these views were put on paper. The response from the *kernels* showed what ‘anti-racism’ meant to them and what they were capable of doing.

The BLCARC met on the 17th February and at the beginning of the meeting, copies of my anti-racism letters were circulated for information. The Bournville contingent had dwindled to four members – two from each side of the tracks at the college representing distinctly different approaches to racism and how to combat it; Bis and I from one side of the divide; and the other side consisted of Ms Pattinson and Hartland, fresh from his skirmish with Bis Weaver and now presenting himself as a supporter of anti-racism in an anti-racist forum.

My intention to confront Gates in the arena where he had made an attack on Bis Weaver – a union committee where he usually could be expected to exercise considerable influence, was unfulfilled due to Gates’ absence. Notwithstanding this I informed the committee of my intention to seek clarification from Gates for his remarks about my employment at Bournville College made at the previous meeting. However, this committee was not the forum where this could be achieved because Gates failed to attend any future meetings.

Ms Pattinson sought assistance from the committee to push for an upgrading of the Access coordinator’s post at Bournville College and an agreement was secured for NATFHE to approach the LEA to seek this. Apart from Ms Pattinson and myself pursuing topics in which we both had interests albeit different ones, the committee’s main business concerned

how to attract more Black members on to the committee rather than relying on the ‘traditional pattern’ of White ‘leaders’, who tended to see themselves as a vanguard acting on behalf of Black members.⁵⁹ With the majority of issues touching directly upon the needs of Black members nothing was ever done on the upgrading and my particular issue with Gates was taken up in another union arena.

At future meetings, Bournville’s contingent dropped to just Bis and I as none of the *kernels* ever turned up again. The balance of power in the committee decidedly changed as more Black members and White anti-racists joined and the work of the committee took on a positive anti-racism stance rather than merely promoting multi-cultural education and paying lip-service to anti-racism. When Bis Weaver’s situation at Bournville College and in the Bournville branch deteriorated considerably as a direct result of the activities of Gates and the *kernels* and indirectly (or perhaps directly) from the actions of head office officials, the BLCARC became an active supporter of Bis Weaver until it was put into cold storage by the Birmingham liaison committee in September 1986.

During the BLCARC meeting, the existence of the West Midlands Anti-racism Committee (WMARC) came to our attention and we decided to attend its next meeting due to take place two days later on the 19th February in Wolverhampton – the first anniversary of the ‘fucking liar’ incident. The WMARC’s composition formally consisted of fifteen members – twelve appointed by the West Midlands regional council and three co-optees, but only four of the fifteen turned up for the meeting, which, apparently, was par for the course, and there were three additional observers, including Bis Weaver and I. This committee seemed not to figure highly on the list of priorities for its appointed and co-opted members.

The agenda covered progress on the collection of copies of college equal opportunity policy documents; a proposal to discuss NATFHE’s anti-racism pack and whether or not the discussion should be a conference or a workshop; and “should money be employed in anti-racism training for officers.” The last proposal was sound enough judging by the way many officers at the forefront of NATFHE’s anti-racism campaign in the West Midlands region reacted when confronted with a real live case. Bis Weaver’s contribution, though for some reason attributed to me in the minutes, was more down to earth in suggesting anti-racism panels should have an active role against alleged racists, which the committee agreed to discuss at an unspecified time in the future.⁶⁰ The committee had the distinct appearance of a talk-shop where academics could comfortably discuss racism and ‘anti-racism’ and then retreat into theoretical discourses from which a published work might be their reward, unimpeded by more vigorous views expressed by victims of racism.

The West Midlands representative to the ARNP, Bob Carter, was the committee secretary, and he told Bis Weaver that the chair of the ARNP, Baker, on the 15th February, had ruled any discussion of her complaints out of order. Carter also passed on advice sent by the London contact, which was to take out a Rule 8 against Gates. This advice took her by surprise since it re-directed her complaints into a channel that would bury it in a ‘laborious’ and inappropriate procedure. On several occasions, thereafter, she phoned and wrote to the London contact but contact was never re-established and he disappeared from the scene, never to surface again, although his name was mentioned to her a couple of years later when he attended NATFHE’s Annual conference. * This was another avenue viewed with a measure of enthusiasm before Christmas closed down as a result of the stranglehold head office officials had over committees and panels.

What also concerned Bis Weaver, and should be of concern to other anti-racists, was the way the West Midlands representative had accepted the wielding of the ARNP chair’s axe without demur as if a collection of words to stifle action meant the end of the matter. He had been provided with details of how the regional official had inverted a case of harassment and placed the blame on the Black victim and had sat back and done nothing. The Weaver issue was in this representative’s ‘patch’ and he offered no support to her but merely acted as a messenger for someone in another region of the union, who had been actively supporting her. Did he not think to raise it at the regional council as an anti-racism issue of principle or perhaps it did not fit into the “Trojan horse of phallogocentric, ethnocentric narratives and values.” ** It was if anti-racist action ceased to exist once the bureaucrats had used their veto and he seemed to be another anti-racism representative unaware of Rule 8 not applying to complaints of racial harassment. My letter to NATFHE Journal appeared to be relevant over a wider area than just the so-called ‘anti- racists’ operating out of Bournville College.

I had already begun my excursion into the branch rules to see if there were any laid down procedures for dealing with complaints and who was responsible for those complaints involving branch officers. The branch secretary sent me, as requested, a copy of the branch rules.⁶¹ What was immediately noticeable about the Rules was the date – 4 July 1977, not because it was US Independence Day, but they were obviously out of date. According to these rules, the branch committee consisted of three officers and six members instead of the four officers and twelve members now comprising the committee. I followed up by asking for

* Apparently, the contact asked Krishna Shukla to raise Bis Weaver’s difficulties in the union at a meeting on anti-racism, which was strongly opposed by a West Midlands regional woman delegate.

** A quote from Bob Carter, see the Introduction to this account, p 14

details of rule changes/amendments; the date presented to the branch for ratification; and the date of notification to the region without which the changes/amendments were ineffective.⁶² The same day a request was made to the regional secretary for a copy of regional rules.⁶³

I had no idea what might come out of this and I thought the *kernels* would be just as much in the dark and wonder why I was scrambling about in rules and procedures. A few days later, the branch secretary, who seemed to have taken to the task with enthusiasm, had sifted through the branch files and informed me that “While amendments to the Rules have been passed by the branch since 1977 – no one has bothered to up-date copies of the Branch’s rules”, which she was now “in the process of doing!” She found at least four amendments since November 1982 covering six new seats on the branch committee but had no record of these changes being notified to the regional executive. Nor did the branch have Standing Orders; it operated on custom and practice.⁶⁴

I wrote to the regional secretary to find out when rules changes and amendments had been referred to the regional council as required by Bournville branch rule 13.⁶⁵ I was still not sure where I was going with this and all that it had to show at the end was that the branch administration was inefficient and the branch had been operating unconstitutionally for close on four years. In addition to this task, I had decided to take Gates on for the comments made at the 13th January BLCARC meeting. Gates’ attack had been undoubtedly directed at Bis Weaver but, in doing so, had implied impropriety involving me and, while few people on the anti-racism committee gave much credence to Gates’ outbursts, there were others, no doubt, in other arenas who might attach some significance to them. I thought that by raising it as an issue and knowing of Gates’ reluctance to apologise for anything however insulting, offensive and untrue it may be, it might give Bis Weaver some breathing space while Gates had to contend with me. As Gates’ comments were made in a sub-committee of the liaison committee, I wrote to the secretary of that committee on the 20th February. I referred to Gates’ comments which “might be interpreted by the reasonable person as inferring possible impropriety regarding my appointment at Bournville CFE.” The secretary was asked to draw these comments to the attention of the liaison committee and ask Gates “to clarify what was meant by the comments...[and] If no impropriety was inferred” would Gates make that clear to the committee and to me.⁶⁶

During my diversionary activity, Bis Weaver, trying to piece together more of the background details, wrote again to the regional secretary. She sought information on those attending the 15th June regional council meeting.⁶⁷ The regional secretary responded by sending her a copy of the minutes, which unfortunately did not contain the names of those

attending, but it provided a curious, if somewhat suspicious, aside. The date of the meeting had been changed in ink – the 15 changed to 18; an attempt to disguise the date but not good enough to avoid detection. A cynical mind might think it was done deliberately to give the impression that the regional council meeting took place three days later than it actually did. The only feasible reason for someone to pull such a stunt would be to cover up the impropriety surrounding the Gates-Day discussion on the 15th June, by giving the impression this discussion took place after the Bournville branch committee decided to involve Day. Therefore, Day would be acting within his brief by discussing the complaint with Gates, after it had been referred to him, although it was usual practice to first discuss any complaint with the complainant. It looked as if someone was trying to pull one of Day's dubious chestnuts out of the fire – someone who had received copies of Bis Weaver's letters criticising Day's 'report'. Dealing with NATFHE over the previous nine months left everything with a taint of conspiracy attached to it. When this change of date was pointed out to the regional secretary an apology was sent out but no explanation as to how 15 became 18. *⁶⁸

The minutes of the 15th June recorded a tribute for the work carried out by Mackney, the outgoing chair; and a vote of thanks to Penny Welch for "her unfailing efficiency and human sympathy." An officer from the Birmingham Anti-apartheid Movement spoke on racism in South Africa and a motion was passed on combating racism. This motion covered something that Bis Weaver had been asking Triesman for but had been ignored. The motion, from the WMARC, read:

Council believes that in order to help every NATFHE member become aware of his/her responsibilities as individuals and members of groups or institutions to combat racism, that the following documents should be made available to every branch.

1. The 1976 Race Relations Act
2. The CRE Code of Practice
3. Summary of a selection of cases arising from the Act dealt with by tribunals and requests that the Association co-operate with the CRE in order to achieve this.⁶⁹

This was yet another example of an anti-racist commitment not transcending the level of hypocritical rhetoric. The WMARC, supported by the REC, was requesting information on racism to be supplied to members while three REC members/officers were meeting off-stage with the regional official, known to them as incompetent and recently criticised for the way he dealt with racism and sexism complaints. Their discussion centred on the official

* The likeliest person to be in the frame was the regional secretary even though he had informed Bis Weaver of Mackney's discussion with Day at the regional council meeting. At a later date, he was to take a hostile attitude towards Bis Weaver. He also included details of Rule 8 procedures

conducting an unconstitutional investigation into a complaint of harassment made by a Black union member against a local REC officer, who happened to be one of those REC officers taking part in the discussion.

(d) The Whale Releases Anti-bodies

Three weeks after Bis Weaver sent her reply to Triesman, his response dropped through her letterbox, dated the 18th but postmarked the 24th February.⁷⁰ Triesman regretted her decision not to accept his “practical method of proceeding” and he put the damper firmly on any possibility of the ‘investigation’ being extended to a more equitable balance of adjudicators. According to Triesman, his “proposals went as far as [he is] authorised to go and there is no provision in the Rules of the Association” to extend “the composition of the group or terms of reference” in the way she had suggested. Having rejected what Triesman described as a ‘practical method of proceeding’ the only route now to her now “under the rules with regard to Mr Gates would be to invoke Rule 8” and he enclosed a copy of that rule.

Triesman’s reasoning behind the rejection of her proposal for extending his ‘practical method of proceeding’ to a procedure he claimed to be outside the rule was difficult to digest. He had offered as a *bona fide* procedure an *ad hoc* investigation but her more relevant composition of the investigating team and wider remit for the investigation was *ultra vires*. If her proposal had no provision in the Rules then where was the provision for Triesman’s proposal. His offer did not so much violate the provisions of Rule 8, it eliminated the Rule, since she was required to sign away any right to that rule.

Did Triesman consider Bis Weaver so obtuse that she would overlook that no such restriction resided in NATFHE’s rules when he made the offer of an *ad hoc* beyond-the-rules enquiry? Was this Orwellian – the understanding being that the unwritten and unstated rule allowed union officials to only go beyond the limitations of NATFHE’s formal rules when it served their interests? Or was Triesman over-playing the signing away of her rights as a double-bluff so she would opt for the Rule 8 and be lumbered with a lengthy time-consuming procedure? Triesman, as the official in charge of case work, could be expected to know that Rule 8 was *ultra vires* as a procedure for dealing with complaints of racial harassment. As things now stood, she was expected to sit around waiting for an inapplicable Rule 8 Tribunal to be convened with the threat of Bournville’s barking dogs being unleashed on her.

Triesman’s previous reluctance to address Bis Weaver’s questions on union obligations because of the possibility of his involvement in the procedures did not now apply as

Triesman had no part to play. But instead of offering up the answers as he was now in a position to do so, he pointed her to Rule 8 tribunal members – all members of the NEC, who, if they found in her favour, “would be likely to consider questions 1(a) – (c) of your letter of the 23rd January.” Triesman displayed an extreme reluctance to supply answers to questions about NATFHE’s legal obligations or any other of her outstanding questions. Was Triesman implying that her right to know NATFHE’s legal obligations was dependent on her complaints being upheld?

As for the reprehensible circumstances surrounding Day’s ‘enquiry’, which Triesman referred to only as item 1(d), “any formal complaint [against him] should be addressed to the General secretary.” Triesman sidestepped all the other questions by claiming they lay “outside the scope of his authority.” For the most senior case work official, Triesman had a very limited ‘scope of authority’ when it suited him. NATFHE’s perspective resembled that of the grocer, who, during the economic depression of the 1930s, placed a sign in his shop telling the unemployed customer ‘not to be afraid of asking for credit as our way of refusing is very polite’. However, NATFHE’s way of delivering that message would soon be seen to be anything but polite.

Triesman then attended to three specific issues that he decided required clarification for Bis Weaver, not the one’s she sought clarification on, but officialdom’s Holy Trinity. First, the ARNP was apparently unable to become involved because it did not have “within its remit any authority to consider” individual grievances or complaints and for it “to do so would cut across and...prejudice the operation of the Rule [8].” The ARNP, in practice, was the talk-shop that she had already perceived it to be. Secondly, Triesman’s offer had been made without any reference to Gates, Day or the Bournville branch. In the full spirit of impartiality, Triesman thought it essential for him to “make available to other concerned parties a copy of what [he] had proposed so that nobody can suggest that Head office has been secretive. This step is simply to ensure that everyone is properly informed.” This desire to keep everyone informed fell by the wayside as far as Bis Weaver’s rights were concerned within a couple of months. Thirdly, Triesman made it clear that neither he nor anyone else was questioning her motives or her integrity. *

Triesman made one very significant admission in this ‘explanation’. In trying to skirt

* NATFHE certainly questioned her motives and integrity eight months later when officials lost control of the situation. This was shown in NATFHE’s submission to the Office of Tribunals when the union accused her of playing the race card ⁷¹

around the issue of racism put forward by Bis Weaver as underpinning Gates' behaviour, Triesman manoeuvred himself into making an astounding claim, namely that, "[He] did not feel competent in any investigation to pronounce on anyone's motivations which would, necessarily, remain beyond [his] knowledge." His final comment of being sorry for not being able to help her further "and that a speedy and full resolution of [her] complaint would be a great benefit" certainly had a hollow ring to it. Rule 8 was a "laborious procedure", according to Triesman, so how could a 'speedy' resolution be on the cards. Bis Weaver was being left to drift along with nowhere to go. Did NATFHE head office officials expect that when realising she was on her own, she would be back knocking on the union's kitchen door, clutching her apron and cap, petitioning Triesman to carry out his 'investigation' and leaving it to the general secretary to decide what to do with the Day's 'enquiry'? *

If NATFHE had any intention of honouring its obligation to those members to whom it had recently pledged support in its Anti-racism Pack, it was difficult to see why Triesman had been assigned the task of dealing with her outstanding complaints. By his own admission, he was totally unsuitable for dealing with complaints involving possible racial motivations since he lacked the specialised and informed knowledge associated with that responsibility.** His position as secretary of the ARNP appeared incongruous if he was incapable of determining such motivations unless he was merely occupying an administrative position. But if that was the case, why did the general secretary put him forward to investigate a complaint of alleged racial harassment albeit by only looking at the facts. His position as the official overseeing all casework carried out by regional officials also highlighted the inadequacy of NATFHE's services to its members. The senior casework official was incompetent in race matters, therefore, regional officials, subordinate to Triesman, were likely to be less competent than him. As such, regional officials would be incapable of dealing with race issues too – a part-explanation for Day's completely inadequate 'enquiry'.

With such an inept force of officials how did NATFHE intend to implement an effective anti-racism policy, which it had publicly broadcast three months before? Triesman's responsibilities in these two areas were paperweight since he was unable to deal with race issues – beyond his competence; or to provide information on member's rights and NATFHE's obligations – outside his authority.

* Triesman was considered to be a skilful negotiator and perhaps he was banking on this skill to secure what he and the union wanted to achieve ⁷²

** Triesman was to demonstrate over the next two and a half years that his admission of a lack of competence in race matters was not an inaccurate one

Bis Weaver found it increasingly difficult to understand why the complaint was referred to Triesman; it could not be to bring specialised and informed knowledge of race issues to the complaint as his admission already excluded that attribute. Instead of ignoring the anti-racism competency of Black NATFHE members, especially on the ARNP, NATFHE's general secretary could have rectified this omission by authorising two of its Black members to sit alongside Triesman and Baker on the ad hoc enquiry to assist them in race matters, as was the case in Industrial Tribunal race cases. The only conclusion to be drawn from the reticence of NATFHE officialdom to investigate racism was its apprehension of what those competent in racism might discover and what they might conclude. Triesman had shown that NATFHE had little on offer for the union's 1% Black membership despite its so-called commitment to Black people repeated *ad nauseam* in its Pack and Journal.

Bis Weaver was alert enough now not to take anything at face value from officials and officers in NATFHE. Triesman's opening letter had cast serious doubts on an impartial hearing or an equitable and just solution to her difficulties; his second letter settled any doubts once and for all. Her scepticism towards the union's operating practices, increasingly fed by the union's evasions, led her to realise that any form of union investigation was a minefield. She had no idea how long it would take for a Rule 8tribunal to be convened and as time wore on the memories of her witnesses might fade and other *kernel*-inspired branch members might always be trotted out to give versions at odds with reality. Or the pressure on her might become unbearable – signs were already emerging that things were going to get difficult. It looked very much as if head office was leaving her to the wolves, or to the dogs, as was graphically put to her three months earlier. Those barking dogs had already begun to bite as they were unleashed on her a few days before but, with nowhere else to go, she was left with the prospect of having to campaign for right and justice on her own.

By exposing NATFHE's ad hoc enquiry for the sham that it was and putting forward what was necessary for a fair and impartial investigation, Bis Weaver had shown head office officials she was not taken in by its 'window dressing'. This appeared to prompt officialdom to close down the 'offer', such as it was, and throw Bis Weaver into the briar patch. But NATFHE's Brer Fox was forgetting that while she had not been born in the briar patch she had been bred in it. Were head office officials engaging in a spot of patronisation by thinking they were writing to someone still wet behind the years and who had learned nothing from twenty-five years of living in the UK?

NATFHE had not come to grips with the requirements for tackling racism. It did not have an effective mechanism to assist those experiencing racism, nor did it appear to have

any great urgency in introducing ‘a practical method of proceeding.’ In 1984, in the aftermath of the Fernandes betrayal, a spokesperson for the NEC, opposed establishing more effective procedures by vigorously denouncing as ‘tokenism’ and ‘divisiveness’, any suggestion that racism in the union should be investigated by teams including 50% Black people.⁷³ He was another so-called anti-racist speaking as if the experience of Black people and their visible presence on investigations would make no contribution to combating racism. This dismissiveness afflicted NATFHE officials, too, as they barely masked their opposition to Black members participating in an area where they had everyday experience of its many forms. Or was it a fear that officials and lay officers had of allowing Black people anywhere near complaints of alleged racism especially when it involved union officers? Little wonder the Chair of the ARNP blocked any discussion of the Weaver case and NATFHE officialdom excluded Black members on Triesman’s *ad hoc* enquiry. There was an aura of uneasiness among officials about what competent anti-racists might conclude from the evidence. No other reasonable explanation could suffice to explain NATFHE’s determination to exclude the possibility of racism from its ‘investigation’. Racism was definitely too hot a potato for NATFHE to handle.

NATFHE officialdom seemed determined to let racism in the union lay hidden even as its trumpets – Jericho style, blazed out anti-racist notes aimed at employers and the police, while the protective wall NATFHE claimed to have erected around Black people in the workplace came tumbling down. NATFHE’s anti-racist and anti-sexist chameleon was running around without a tail. But NATFHE could not completely hide its tail-less physical state. In its manoeuvring to avoid investigating racism among the ‘officer and official class’, NATFHE exposed the institutional racism within its own procedures and structures. NATFHE had previously identified this form of racism as “the discriminatory effects which flow from the rules and procedures of institutions...not designed to discriminate but may militate against the achievement of equality of opportunity.”⁷⁴ NATFHE arrived at this definition by examining the operating practices of other organisations but had obviously not taken the trouble to examine its own.

Bis Weaver, and other Black members, might have expected more from Triesman judging by his stand at Essex University in 1968 and at Maudsley College Hospital in 1974 where a reputation had grown around him as a real thorn in the side of authority. At Essex University, Triesman severely criticised the authorities for not applying the university’s normal disciplinary procedures when they had carried out a review using the Vice Chancellor’s personal powers to investigate three students, one of whom was Triesman. As a

result of Triesman's criticisms, a committee of inquiry was set up consisting of an equal number of staff and students.⁷⁵ Triesman's demands on that occasion should be compared with what he was prepared to offer Bis Weaver. NATFHE, with Triesman contributing, had not applied the union's normal procedures and offered an investigation using the general secretary's authority (personal powers).⁷⁶ When Bis Weaver requested an equal number of her social group on an enquiry, NATFHE's refusal, conveyed by Triesman, was explained as having no provision in the rules. Having benefited, himself, from the presence of peers on his own disciplinary appeal at Essex, Triesman was a party to denying Bis Weaver a similar peer group balance in his enquiry 'team' and had conjured up imaginary restrictions for not acceding to her request.

Six years after Essex, in a dispute over a research project at Maudsley College Hospital, Triesman refused to accept an appeal enquiry chaired by the Deputy Vice Chancellor, whom he considered to be on management's side. He thought that the deputy, a medical man, would be unable to appreciate Triesman's social scientist's approach to the research. Triesman considered the appointee to be without the necessary qualifications to judge his grievance and incapable of giving an independent assessment. He wanted an assessor with a relevant background in the social sciences and threatened to "close the Institute to get what we want."⁷⁷ In contrast, Triesman, second in command in NATFHE, offered Bis Weaver an enquiry chaired by an official, himself - definitely on the side of NATFHE's management, and, by his own admission, without the necessary qualifications to deal with racism. All Bis Weaver had asked for was a panel comprising half its members with relevant backgrounds to provide the enquiry with an insight into racism; she had not even asked for a specialist in racial discrimination, such as could be provided by the CRE or a Community Relations Council.

Triesman had a history for attacking the format and composition of investigations enquiring into his own actions. Yet he was offering and expecting Bis Weaver to accept less than what he had been prepared to accept for himself. All she could expect was an ad hoc enquiry devoid of any legitimacy within NATFHE's own constitution. Triesman argued vehemently for independence, relevant experience and equality of representation on adjudicating bodies dealing with his own personal issues. Yet his cavalier approach to NATFHE's procedures and his refusal to include allegations of racism and sexism in the proceedings was invoked under the same type of unconstitutional power that he criticised during his 'revolutionary' period eighteen and twelve years before. Triesman was well en route from his revolutionary activities of 1968 to the New Labour bureaucrat he became for a

short period in the new millennium before being found a haven in the House of Lords. Bis Weaver appeared to have fallen foul of an ambitious apostate.

Perhaps it was as well Bis Weaver paid little attention to Triesman's 'long history' of support for an individual's right to a fair hearing, albeit only raised when it appeared to concern his own interests alongside a few colleagues – an association that appeared to ensure he never had to battle it out with authority on his own. Had she paid heed to Triesman's revolutionary background, she might have been induced to accept a second 'kangaroo' court. She had avoided that particular pitfall but had nowhere to go and was in a cleft stick with the prospects looking bleak. With so few options available to her, she decided to take on another 'Day job' by writing a critical appraisal of Triesman's latest 'burnt offering'. Stranded in a kind of no man's land, she had to tie the union down, be a thorn in its side and exploit any weak spots but she was unsure if anything could be achieved by this approach. Over the next three weeks, after a further letter to Triesman, she bypassed him altogether and wrote directly to the general secretary, Peter Dawson, unleashing her own 'paper bombardment' on head office consisting of letters containing sixty-three questions covering a range of issues. If NATFHE officials expected her to wither away when they closed up shop on her, they had not appreciated how deeply held was her feeling of injustice about the way Gates and the union had treated her. NATFHE had woven a web of duplicity around her complaints and, ironically, it was a Weaver who was trying to unpick the threads. Penelope, the weaver of Ithica, was back in business unravelling by night what NATFHE head office was weaving by day.

(e) Biting through Layers of Blubber

Getting NATFHE lay officers to act was a forlorn hope. Bis Weaver would be treading water for ever if she waited for the arrival of a flotilla of small boats carrying supportive NATFHE officers and members training their weapons on NATFHE's gunships. With no support available from among NATFHE 'activists' and with nowhere to go Bis Weaver focussed her gun sight on Triesman's correspondence, such as it was, and its inconsistent and evasive content. But the first task was to visit the union's rule book in search of NATFHE's 'Holy Grail' – procedures for dealing with complaints of racist and sexist harassment, which, if anything was found, could be waved in front of NATFHE officialdom.

Using information gleaned from the rule book, a five page exposition was put together dealing with Triesman's letter paragraph by paragraph.⁷⁸ The first point dealt with the crucial

elements in her complaints – harassment and Day’s improper ‘enquiry’, which Triesman had no intention of addressing. Triesman was asked if his ‘practical method of proceeding’ would have: (i) satisfied Bis Weaver’s’ rights to natural justice and trade union rights; (ii) explored the deficiencies and dubious practices surrounding Day’s ‘enquiry’ and ‘report’ – previously raised with Triesman on the 16th February; (iii) dealt with the contravention of her statutory rights; and (iv) brought into the open the behaviour she had faced so that other women and Black members would not have to endure similar experiences.

Triesman’s attention was drawn to his claim that ‘the composition of the group or the terms of reference’ suggested by her were not available in the Rules of the Association. As Triesman’s proposed investigation had been not covered by the rules, he was asked to explain “why and how could [his investigation] be offered to [her]?” Triesman’s rationale for offering an *ultra vires* investigation had been justified by him on the grounds of it being an offer made “on the authority of the General Secretary,” therefore, “why could he not extend it to include two additional Black members?” NATFHE’s reluctance to allow Black members to ‘assist’ in investigations of racism was “Hardly a commitment...to satisfying the interests of Black people as recently forcefully argued in the...NATFHE Journal and in the launching of NATFHE’s Anti-Racism pack.” Her “request for inclusion of Black members brings the response that the Rules do not permit this, yet no mention was made that it was outside the Rules when it applied to two White investigators.” Triesman was then asked to itemise the changes suggested by her that went “beyond the scope of the Rules of the Association...and give...reasons” why they were unacceptable. The West Midlands regional official’s approach to investigating racial harassment seemed to stretch way into the corridors of power at Hamilton House.

Observations on NATFHE’s approach to requests for information were then noted. Apparently, “NATFHE’s usual practice when asked to provide a Black member with information,” was for the general secretary to pass it to another official, Triesman, who informed the member that the request would be re-directed to another source. This other source was a union Tribunal consisting of NEC members, which was unable to provide any information until after it had met and decided on the complaint. This procedure was seen as evading the issue and Triesman was asked “Why [was] NATFHE reluctant to provide [her] with this information?” According to Triesman, the provision of this information was outside his authority, therefore, she would have to seek the required information direct from the general secretary “in order that NATFHE can honour its obligations under its Rules of Association and in accordance with the CRE’s Code of Practice, July 1983, point 3.6, and the

On this reading of the rules, Triesman had the authority to submit Day's 'report' and all the correspondence sent to Day, Triesman and Dawson to the full membership of the ARNP and Triesman was asked to do it. ** It was highly unlikely for Triesman to do this but his failure to act meant nothing really as she had sent copies of the letters and documents to her London contact, who had shown them to other discontented panel members.

She welcomed NATFHE's stated desire not to be secretive as there were questions requiring answers that would be directed to the general secretary when appropriate. NATFHE's declared openness prompted her to ask for the names and contact addresses of members of the panel as previously requested on the 16th February. This was just adding grist to the mill because she did not expect Triesman to comply with this request nor head office to answer her questions.

Hearing that her motives and integrity were not in question at head office was reassuring but this was not the situation on the ground locally and she referred to the Gates incident at the BLCARC meeting. Nor did she have any doubt that Day had seriously questioned her integrity and it was now "incumbent on NATFHE to establish if anyone at Bournville, including [herself] has acted in a way...detrimental to the interests of the union as suggested in A Day's 'Report'".

Triesman's hope of a speedy and full resolution of the issue buttered no parsnips and it was made patently clear that speed was of secondary consideration to the issues raised by her case. Her objective was not merely to resolve her own difficulties "but to ensure that no other woman, Black person, ethnic minority or other vulnerable person" had to experience what she had been through and for vulnerable groups to be "able to pursue their careers without abuse and harassment." As Triesman was unable to help her, that was taken to mean all future correspondence should be addressed to the general secretary and, if she did that, "Perhaps eventually [she] might get the assistance that a member of NATFHE, irrespective of sex or racial origins is entitled to." She wryly added that "I do appreciate that you are only doing your duty and carrying out orders."⁸⁰

The letters to Dawson covered points raised unsuccessfully with Triesman as well as introducing topics either not mentioned to Triesman or only briefly touched upon. The topics raised and the questions asked ranged over: the composition and scope of Triesman's proffered investigation; the remit of the ARNP and Triesman's role on it; the issue of loyalty to the union; the attacks on her personal and professional competence and integrity; the failure to provide legal advice; the scope of Rule 24 and its unwritten additional conditions; the nature of head office's involvement in the complaint in June 1985; Ms Welch's

unexplained intervention to deal with the complaint; Paul Mackney's involvement in the procedures; the failure of branch officers to offer advice when she was harassed. These topics were supplemented by questions on Day's enquiry: the collusion between Gates and Day; the attempt by Gates, and acquiesced in by Day, to remove her from her job; the link between the branch committee's interests and the supposed benefits accruing to the branch committee from the findings of Day's 'enquiry;' Day's failure to interview another complainant and the problems that complainant was having in Bournville College; the additional changes to NATFHE rules made unilaterally by Day; the misuse of Day's authority to prevent branch officers from providing her with information.⁸¹

The general secretary was left in no doubt as to the dreadful state of affairs passed off as trade unionism and anti-racism in the West Midlands – a situation apparently to be condoned by head office officials. However, the 'paper bombardment' launched on head office was more a show of resilience than a realistic strategy for securing information or a change of direction from these masters of evasion and, as expected, it brought no direct response from Dawson, other than one postcard acknowledging the only letter that asked no questions. Dawson, not for the first or last time, avoided biting the bullet and he put the issues back in the hands of his personal fixer, Triesman, whose re-appearance on the scene after three weeks appeared to have more to do with her activities in three other spheres of the union than in dealing with outstanding issues. She was passed backwards and forwards in a typical bureaucratic practice of making sure that no one could be pinned down into answering her questions.

Of the ten letters sent to Dawson, who passed them on to Triesman, only the 7th March letter was answered. Having put down the baton when telling her no more of her letters would be answered, Triesman took it up again. He re-entered the auditorium as if nothing had occurred in the meantime, enabling him to avoid dealing with disagreeable issues of NATHE's own making. The 7th March missive contained the same questions about NATFHE's legal obligations set out in her letter to Triesman of the 23rd January; as well as a few questions she had posed about events between the 10th and 18th June 1985 – Day changing the terms of Rule 24; Day's failure to recommend Rule 8; and head office's contact with Day prior to his intervention.

Triesman, not unexpectedly, avoided the questions and failed to provide details of NATFHE's legal obligations or any of the other information and he sent up a smokescreen for not doing so. But notwithstanding *operation diversion* and his reticence to answer questions, Triesman tried to impress on her "that this Association takes the most serious view

of any allegation of racism or harassment made by one member against another” * This claim of having a serious commitment to those making complaints of racism and harassment was being made to someone who recently experienced how ‘seriously’ the union dealt with racism and was still suffering from that experience. The actions of lay officers over the previous twelve months; of the regional official for eight months; and head office officials for the past two and a half months were transparent contradictions of this so-called ‘seriousness’. Nonetheless, Triesman, basing his next piece of advice on this alleged commitment to anti-racism, commended her to urgently consider whether to use Rule 8, which, to Triesman, was provided for members to “receive a fair and proper judgement of any allegations...concerning the conduct of a colleague.” But if that was the case why did Triesman offer her another form of investigation and ask her to sign away her right to “a fair and proper judgement.” Triesman went on to explain that “officials,...like himself, do not judge circumstances but, rather, administer the procedures.”⁸² Two months and eleven days after making his entrance, Triesman was telling her that neither he, nor any other official, could make a judgement on Gates’ behaviour, so what had been the purpose of Triesman’s investigation? ** Whatever its purpose, Triesman’s offer would not have been a *bona fide* investigation as most people understand an investigation to be. Triesman’s revelation also cut the ground from under Day, who had certainly not administered procedures but had dismissed her complaint and put the blame on her. Most reasonable people would consider that Day made a judgement, however unjust it happened to be, and if it was not a judgement what was it?

After its attempts to shackle her with an ad hoc ‘investigation’ outside the rules had failed, NATFHE head office’s insistence on now pushing Rule 8 was to shut her up - a conclusion she arrived at when Triesman had shut the union’s door in her face on the 18th February. Twenty-one days and sixty-three questions later, she had ended up back at the 18th February.

As for the comments and questions directed to the general secretary, he was unable to deal with them. With specific responsibilities under Rule 8, the general secretary could not “involve himself without vitiating the neutral role he has under the terms of the rule.” However, Triesman did not explain why the general secretary, if he wanted to avoid

* A model answer worthy of its place in any glossy pamphlet but it finished up in NATFHE’s waste paper bin when the union’s submission defending its actions went to the Office of Industrial Tribunals
 ** Within a month Triesman did exactly that – namely, to make a judgement on Gates’ behaviour, although he did not disclose this to Bis Weaver at any time. She found out about this during Triesman’s evidence at the Industrial Tribunal in June 1987

compromising his neutral role, could not pass the questions to an assistant to answer, which Dawson appeared to have done by passing it on yet again to Triesman, who now occupied no such neutral role. Yet Triesman placed himself alongside the general secretary when he said that as neither of them were “able to prejudge allegations...it would not be right to assume...[they] did not have a deep concern about any allegations of racism or harassment.” Maybe they did have some commitment but this was not a meaningful agenda item as the issues were about having a commitment to right and justice. This commitment obliged them to release information on NATFHE’s legal obligations or any other information necessary for Bis Weaver to make an informed judgement or for them to meet their obligations to a member. They were straight forward facts required from officials – the kind of facts for which in different circumstances Triesman seemed to have a special preference.

Apparently, for the same reason of ‘neutrality’, Dawson could not become involved with complaints against officials “until asked to do so, formally, in terms of arrangements for complaints about officials.” Yet again, what had ‘neutrality’ to do with providing details of procedures? This was another interesting description - “terms of arrangements” not rules or procedures for complaints. Dawson’s purported neutrality and the non-judgemental roles of officials was in practice an untenable claim and it would later be shown that no procedures existed for complaints against officials. As the reasonable person might interpret it, Dawson and Triesman maintained the myth of NATFHE taking racism seriously.

Triesman’s ‘explanation’ for his January suggestion of how he could help had nothing to do with involving the ARNP but, as its secretary, he was “expected to take a specialist interest in the areas of work...it covers.” He also had “overall responsibility...for casework concerning individual representation usually handled by regional officials.” Interestingly, Triesman’s offer of an investigation of the facts including discussions with the parties and any witnesses now became “a way in which [he] might help.”

This had the appearance of just another kite-flying exercise. The function of the ARNP was to deal with racism but Triesman was unable to play an effective part in line with this “specialist interest” on race issues because, by his own admission, he lacked competence in race matters. Seventy days had elapsed since Triesman had referred to the ARNP and it had taken that amount of time to establish conclusively that the panel was not involved, justifying her early scepticism in not accepting Triesman’s ‘investigation’ at face value.

Triesman also claimed that if the panel was asked to deal with complaints, “it would subsume the responsibilities of Rule 8 [and]...would undermine the operation of the Rule which provides fair procedures and an impartial Tribunal...” If a Tribunal did provide this

service to members why did Triesman try to get Bis Weaver to sign away her right to “a fair...and impartial tribunal” in favour of an investigation where those conducting the investigation could make no judgement? Triesman also ignored the links in NATFHE’s rules pointing to the panel as a relevant body to oversee the handling of her complaint if not to adjudicate on it.

Triesman’s January letter looked very much like a ruse to mislead her into thinking the ARNP was involved. Interestingly, the role of the panel was not raised in her 7th March letter but raised in two letters of the 4th and 9th March. Head office was operating a ‘pick and mix’ approach to her questions. Triesman appeared to have been given the task in January of finding a way “in which [he] might help” to get the union out of the hole that Gates and Day had put it in.

Triesman, as he did on the 18th February, urged her “to reach a conclusion quickly [because] I know both you and I would wish to see your Branch and Liaison Committee able to proceed with their normal business with some certainty that the interests of yourself and other members had been properly addressed.” Triesman knew no such thing as far as her wishes were concerned. He ignored the fact that she had brought to his attention, on the 4th March, that speed was of secondary importance. However, Triesman did know that the Bournville branch committee was concerned as was the liaison committee, which had already written to Triesman about it. The ‘your Branch and Liaison Committee’ was a nice touch but it was water off a duck’s back to her as it was hardly *her* Branch’ and within five weeks Bournville branch would show in an emphatic way whose branch it really was – it took the leading lights in the liaison committee a few months longer to demonstrate this too. And who were these ‘other members’ whose interests had to be ‘properly addressed’? Gates was the only NATFHE member against whom she sought redress; any other member was merely asked to supply information as to their involvement in the procedures. Triesman used the same old nutmeg, as had Day, of involving a wider group of participants to give the impression that Gates was just one of a number of other members with an interest in the issue. Triesman had the ability to drape what should be a straight forward answer behind a tapestry of obscurity. This letter was another nail in the coffin of NATFHE’s commitment to accountability and fair and responsible trade unionism.

Bis Weaver’s inquisitorial approach, while having no success in securing any information and apparently not getting anywhere, did succeed in exposing the misleading and deceptive way the union operated. NATFHE’s formula for dealing with complaints threatening the interests of its officials and officers was to guide the victims into

unaccountable, ineffective, ad hoc procedures outside the rules whereupon the victim becomes the villain; or into time consuming procedures within the rules that did not cater for the type of complaint that was to be judged. Day's *victim-cum-villain* 'enquiry' and Triesman's subsequent offer of a non-judgemental investigation of the complaint against Gates with Day being completely let off the hook were NATFHE's hot-irons to be used to cauterise complaints and their implications. It did not require an Einstein to figure out what NATFHE was up to.

NATFHE's head office officials should have realised that by trying to cover for Gates and Day they were skating on thin ice given the evidence available and Bis Weaver's determined approach. Bearing this in mind, Triesman's letter had the appearance of being written for the benefit of another audience. Perhaps, head office expected her to take the complaint outside the union's jurisdiction and Triesman was seizing the opportunity to express the union's opposition to racism while claiming that its officials were unable to do anything outside of what was on offer.

A monolithic structure was being erected around Bis Weaver as every avenue available to her in the union was gradually closed off. By the time of Triesman's latest missive, the process of strangulation had already begun. Birmingham liaison committee, taking the initiative by exploring the possibility of resolving outstanding issues, had already been instructed by Triesman to do nothing.⁸³

(f) Outside the Whale: Treading Water

Bis Weaver's proposal for a balanced 'team of investigators' with a wider remit failed to get approval from NATFHE officialdom and she had been left with a 'take-it-or-leave-it' pseudo-investigation or a laborious unconstitutional Rule 8. The bureaucratic manufactured procedure seemingly devised to hide NATFHE's dirty linen coincided with the release into the public domain of the findings of the last of three enquiries into the Handsworth, Birmingham, protests. This was the report of the enquiry sponsored by the West Midlands county council; the two others having been published in November 1985.

The first enquiry findings to be published – the Police report, focused primarily on incidents during the disturbances – the observable facts, and ignored the underlying causes – the motivating factors. The socio-economic factors and police racism faced by the youth of Handsworth propelling them along the path to civil unrest were completely avoided. Instead of examining racism in the police, as a factor, the blame was placed on disaffected

'drug pushers' concerned at losing income due to the high profile attention given by the police to the area after years of turning a blind eye to these activities.⁸⁴ The purpose of the enquiry was to deflect attention from the organisation's own failings and to protect the police's public image. *

The second report conducted on behalf of the Birmingham Labour council, based its conclusions on interviews with members of the local establishment - council officers, academics, emergency service employees and members of resident associations – a fault that could not entirely be laid at the feet of the committee of enquiry since it was boycotted by Black organisations suspecting that the enquiry would turn out to be a whitewash.⁸⁵ This enquiry criticised the Police report and identified key areas of dissatisfaction among Black youth - unemployment, education and housing, as had the Scarman enquiry into the Brixton disturbances in 1981. The panel played down racism as an issue although not excluding it altogether as it recognised those living in the area were victims of racism.⁸⁶ A not untypical conclusion – recognising racism as a factor but, when victims of that racism respond, racism is played down as not a particularly significant factor.

The third enquiry, sponsored by the West Midlands county council, consisting of an all-Black panel of professionals, was more vigorous in its examination. The strength of its conclusion in identifying the real causes of the unrest could be measured by the response of Labour leaders who branded it as unfairly critical and too abrasive.⁸⁷ The panel certainly pulled no punches as it forcefully and stridently located the problems facing Black people in the area within the racist structure of the local environment; noting that institutional racism was blatantly obvious.⁸⁸

Colleges were identified as having their share of racism; and lecturers were accused of making derogatory remarks to young Blacks.⁸⁹ The report also covered the problems faced by Black people when seeking to challenge racial discrimination as the odds were so stacked against them it was virtually impossible to succeed,⁹⁰ so Black professionals had to either toe the line and bend their backs to the controlling bureaucracy or be branded as “hot heads”, “revolutionaries” or “bitter” people with “chips on their shoulders.”⁹¹

One particular pertinent observation was consistent with Bis Weaver's future dealings with NATFHE up until the Industrial Tribunal hearing and for some considerable time

* Policing practices in Handsworth were influenced by John Brown's impressionistic study of police/Black youth relations in Handsworth.⁹² When working as a Research Associate at Birmingham University, I addressed the superficiality of Brown's report to show among other issues, that the Police were putting pressure on young Blacks, especially 'Rastafari', to force them out of Handsworth.⁹³

afterwards. This was the comment that “they (the establishment) cannot deny that they have had many previous warnings... but they conveniently forget. And when the explosion comes they express shock; they forget the warnings; they forget the monument of evidence of excessive racial discrimination and the fact that they did nothing to relieve the grievances....They could have been on another planet before the events occurred.”⁹⁴

Not surprisingly, this report was denounced by establishment figures and the Birmingham Labour Party leadership made behind the scenes “secret political moves to postpone publication of the...report,”⁹⁵ no doubt indefinitely. *

The reluctance of bureaucrats to accept the findings of enquiries when Black people were members of investigating teams seemed endemic in organizations, including those on the left of the political spectrum with their professed egalitarian ideals. The way the WMCC panel addressed racism was in direct contrast to anything resembling what NATFHE, like its counterpart in the Birmingham Labour leadership, would want in an enquiry into racism. Any enquiry conceivably concluding that racism was a factor in the treatment meted out to Black people or in the way an enquiry was conducted was something the bureaucrats did not want and the inclusion of Black members could not guarantee that the wishes of the bureaucrats would be satisfied.

Comparing Triesman’s proffered enquiry and its terms of reference with the three Handsworth enquiries, it could reasonably be concluded that his enquiry came close to the one conducted by the police - an organisation criticised in a NATFHE Journal editorial in November 1985 when NATFHE launched its Anti-racism Pack. This was also the time when NATFHE’s regional official was carving up Bis Weaver. While Day was putting Bis Weaver’s complaint to the sword, or so he and a few local officers believed to be the case, the Bournville branch committee linked itself, in rhetoric if not in practice, with the issue of racism in Birmingham. Not the issue within the college but the one a few miles down the road in Handsworth. Such was the branch committee’s deep concern for Black folk in Handsworth, that, four days before Day’s visit to the college, the committee invited a leading Black woman in the Handsworth Defence Campaign to address the branch on the situation in Handsworth.⁹⁶ This woman, who was also a member of Bournville board of governors, would

* This was a foretaste of future action by the Labour Group leadership when Bis Weaver ultimately went to the Bournville College governors with a grievance in June 1986. The Labour leadership pulled out all the stops to have the subsequent report of the grievance vetted to remove all references to racism before it could be released to the parties. The leadership then refused to release the report because it had been deprived of all substance and looked ridiculous as a report into racist harassment

eventually play an important part in seeking redress for Bis Weaver's difficulties when these difficulties came to her attention a few months later.

On the day the WMCC report was published, the 27th February, the *kernels* showed just determined they were to exclude Black members who would not subordinate themselves to the dictat of so-called White anti-racists. Bis Weaver had put herself forward for election to the Birmingham liaison committee as one of four Bournville delegates. At Bournville branch's AGM on the 27th February, Bis Weaver was proposed and seconded. As there were five candidates this necessitated an election, which was something of a novelty at Bournville since usually the number of nominees for each particular post matched the number of posts available, consequently, there was usually no need for a vote.

The candidates were given the opportunity to set out their case for election. Bis Weaver stood on the platform that as a Black woman not only could she represent all members but also "speak on behalf of the interests of Black people." Shuk Nedjat had also been nominated, despite being on study leave, confirming that branch officers had been in contact with him. This was something Bis Weaver failed to achieve, despite sending several letters to him, when it became necessary for her to contact him about her complaint. The acting chairperson of that meeting was Gates, who spoke on behalf of Nedjat's candidature using the same grounds as Bis Weaver, namely that as a Black person, Nedjat was able to represent the Black voice at Liaison. * How Nedjat would be able to represent the Black voice or anyone else's when he was on study leave in London and could not attend liaison committee meetings was anybody's guess. Gates' support for Nedjat, considering Nedjat had spoken up on behalf of Bis Weaver before he left the college was an interesting development. Downey was another nominee and he stood on the platform that he was 'committed to open, accountable trade unionism' – a claim that would evaporate in NATFHE's hothouse within two months. Bis Weaver, the first person in a long time to come forth to challenge the 'regime,' came fifth in the 'secret' ballot and failed in her bid. Had Bis Weaver succeeded, she would have formal access to liaison committee meetings and to delegates from all over

* Nedjat revealed in September 1986, when he returned to the college, that he did not stand on a platform as a Black person as he was not Black (being a Turkish Cypriot) and did not know what the term – Black, meant. He said he represented all members. Nor was he aware that Gates had put him forward as a representative of Black people, which Gates had used to challenge Bis Weaver's electoral standpoint.⁹⁷ Nedjat did not seem to know that to speak on behalf of Black people did not mean to abandon all other members but that the delegate would take a special interest in issues affecting Black members

Birmingham, something not likely to have found favour with Gates and his acolytes.

An indication of how the ‘revolutionary left’ viewed Black members came after the meeting when a SWP member asked her to oppose the appointment of security guards in the college, giving his reason for asking as “it would be good if a Black person opposed it.” He confirmed to her that he believed in participation by Black people in the union but when asked if he had voted for her in the election for the liaison committee, replied he had not.⁹⁸ Yet another example of the type of participation the Left wanted Black members in the union to provide - the type that suited the interests of the White Left.

Gates had been given the green light by the regional official and by now the news must have reached him that Bis Weaver was not playing NATFHE’s game of a re-hashed Day enquiry. This meant NATFHE would not be taking any action against him, which had been NATFHE’s intention all along when the real aim behind its investigation was revealed fifteen months later. Day was inextricably linked to Gates; and head office officials were determined to protect one of their own – Day. Gates wielded considerable influence among local officers, therefore, it was unlikely for Gates to consider he had anything to worry about from Bis Weaver. Consequently, Gates and the *kernels* were free to continue with the task at hand - the immediate upgrading of a present member of the course team to the Access post prior to advertising the post.

Having failed to budge management on the issue and with no real support forthcoming from the BLCARC, attention centred on one of Bournville College’s committees. One non-union committee where Gates could exercise influence was the Equal Opportunities (Race) Committee. This newly established committee was unlikely to attract many people rushing to join its ranks since its function was to promote the interests of Black and ethnic minorities in the college, of which there were now only two on the lecturing staff.* It would not be a difficult task for the *kernels* and fellow travellers to outnumber others on the committee, at least for this meeting, and all that was required to realise their aim, or so it appeared, would be one meeting. The *kernels* found a novel way to try to use this committee and to show Black people, especially the adviser to the committee, Bis Weaver, that they had their uses after all.

The day after the publication of the WMCC Report, the Bournville *kernels* showed how much influence that report had on them – perchance they had taken the trouble to read it,

* Apart from Bis Weaver, there was an Armenian and Nedjat, who was on study-leave

when they tried to use the college's only Black member to secure an immediate upgrading to the Access coordinator's post.

The meeting was opened by the Academic Board representative, Norman Cave, whose responsibility was to convene the initial meeting until a permanent Chair was elected. Before the meeting was called to order, I circulated the two letters sent to *NATFHE Journal*. When the meeting was formally opened, the first item on the agenda drawn up by Cave was the election of a chair, which brought an unexpected proposal from Gates. He proposed that Bis Weaver act as chair for this meeting only with subsequent meetings to be chaired by Cave. Gates proposal for Cave as chair was not unexpected but the proposal for Bis Weaver to act as a one-off chair put her on guard. Gates had previously sought to remove her as Access coordinator, so why did he not go straight for Cave as chair of this committee. In fact the Equal Opportunities (Race) Committee was envisaged as having a member of an ethnic minority in the chair in the same way as the Equal Opportunities (Gender) Committee had a woman chair.

Bis Weaver was duly elected as chair for that meeting and the agenda was presented to the committee. The items included staff representation on the committee; the role of the committee in dealing with race, equal opportunity and employment issues; and suggestions for a policy statement to combat racism. It was not until AOB was reached that Gates' 'generous equal opportunity' proposal for Bis Weaver to be temporary chair was seen at its market value. Under AOB, raised under the guise of the City's Section 11 budgets, Cave proposed that, due to the course's high priority in the city council, the committee should recommend to the Academic Board the upgrading of the Access coordinator's post. This was the third different arena in which this particular proposal had been raised by three different *kernels*. To supplement this, Hartland, a new *kernel*, generously argued that an upgrading would be to Bis Weaver's advantage by taking some of the pressure off her - a very commendable consideration for someone who, a couple of weeks before, had the gall to tell Bis Weaver what her responsibilities covered and had wasted some of her time in having him put wise to the limits of his own responsibilities. Bis Weaver spoke in favour of an early appointment but not for an upgrading as it cut right across the college's equal opportunities policy - a policy that happened to be within the brief of this committee set up to promote the principle and practice of equal opportunities.

The strategy followed by the three *kernels* put Bis Weaver in the position of overseeing a discussion of an item, beyond the committee's remit to make any

recommendation, in order for Cave to present it at the next Academic Board meeting as a proposal from the committee. However, their strategy did not work out according to plan. Gates then performed a U-turn to argue that Bis Weaver was in no position to decide the items that could be discussed, which was an unusual claim since that was a function performed by chairs of committees and as adviser to the committee Bis Weaver's experience should also have carried weight in ensuring the activities of the committee were kept within its remit. Not to be deterred, Gates asked for Cave's proposal to be put to a vote. A year, less a day, before, a 'democratic' vote had removed most of Bis Weaver's functions as coordinator, now Gates was calling for another 'democratic' vote to have his partner recommended for an upgrade to that very post. The hand of 'democracy' worked in mysterious ways its miracles to deform.

As adviser to the committee, she advised them that a recommendation for an upgrading was not in accordance with equal opportunities policy nor was it within the committee's remit but Gates insisted on a vote being taken. In response to Gates' insistence, she said "to go ahead but to bear in mind a solitary Black adviser could always be outnumbered by a majority of White males,...a situation solitary Blacks are confronted with constantly in colleges and in society at large." Her observation on the remit of the committee, which even a 'democratic' vote could not alter, and her explanation of the difficulties confronting Black people in colleges and elsewhere put to members of a committee established to advance the cause of Black teachers and students, caused an eruption. Hartland met her explanation with the words "rubbish, rubbish," showing that the attitude of this probationary teacher to Black people in advisory capacities needed serious self-reflection or racism awareness training. When she pointed out to Hartland that his derogatory comments were not unusual responses to Black people when they were giving advice, Hartland spoke loudly of his resentment at "being called a racist." Hartland really knew little about racism and this outburst was additional confirmation of the need for training if he wanted to make any contribution to an Equal Opportunities (Race) Committee. * The meeting ended in acrimony.⁹⁹

Anyone with any knowledge of what had been going on in the college would have no difficulty in understanding why Gates had proposed her as chair, albeit on a short-term contract. As a Black person still coordinating a course principally if not exclusively for Black

* Hartland appeared to learn little about race and equal opportunities over the coming months and ended up with a grievance taken out against him for his contribution to the harassment of a Black woman

students; experienced in this field of education; and Equal Opportunities (Race) Coordinator and adviser to the EO(R)C; a Bis Weaver-chaired committee recommending an upgrading to the Academic Board might well be accepted by the board members as carrying some weight. There was no doubt that Black people certainly had their uses for particular groups of people but when they refused to play the role of the ‘colonial servant’ they became targets for abuse or other behaviour that was detrimental to them. *

A few days after Gates’ and his fellow *kernels*’ aborted attempt to use Bis Weaver, the tables were turned on Gates in a way he or Bis Weaver could hardly have expected. An anti-racism meeting was held on the 6th March at the Trades Council Resource Centre in Hockley, Birmingham. Dipak Rai, of the TUC Race Relations Committee, was the guest speaker addressing an assembly of trade unionists both Black and White. In the discussion after Dipak Rai’s presentation Bis Weaver raised her own personal experience of racism in the workplace and the reluctance of local NATFHE officers and the regional official to take action against the perpetrator. Instead, they had chosen to ignore the harassment and placed the blame on her – the victim. Dipak Rai, as he went on to explain, was not unfamiliar with either inaction on race issues or the tactic of blaming the victim and he asked her to send him full details of the case, which she did within the next few days.¹⁰⁰ In attendance at the meeting was Gates but he never said a word. He made no accusation on this occasion of Bis Weaver being a ‘fucking’ liar or telling her to take her “fucking finger out” when she carefully related her experiences to this multi-ethnic assembly of trade unionists. She had forecast, after the meeting in May 1985 when Gates had subjected her to foul-mouthed abuse, that he would be most unlikely to make such comments in the presence of a majority of Black people and here was the proof although the meeting was in Hockley not Handsworth. When the meeting closed and people began to converse in groups, Gates was noticeable by his absence from this socialising.

Bis Weaver had also been present at a meeting of the West Midlands Women’s Panel attended by Day, who was invited to defend his performance in sexist harassment cases. However, he stipulated that no specific cases could be raised.¹⁰¹ Considering the panel had intended to produce a list of women members whom Day had left to their own devices while acting for the alleged harassers and they were also pushing for changes in the way sexist

* As a result of the activities of the *kernels*, the EO(R)C’s work was seriously hampered and effective action on behalf of Black staff and students in Bournville College was severely curtailed for several months. These three *kernels* and a fellow traveller were eventually warned by management for their actions in obstructing the college’s equal opportunities policy.¹⁰²

harassment cases were dealt with, Day was given a comfortable ride with hardly any pressure put on him about his performance in these types of cases. All that was available from him was the usual dross about all members being treated in accordance with the rules and his role in seeing this was carried out. With a prohibition on referring to individual cases, Day's general proposition went unchallenged because it was the divergence from this 'policy' that was the flaw in practice. This was a meaningless exercise with a person to whom the rights of the vulnerable had been shown to be of little, if any, concern.

In the light of Triesman's refusal to include Black members in his ad hoc enquiry, Bis Weaver took the opportunity to ask members of the panel - all of them White, that if any of them made a complaint of harassment against a Black man would they be prepared to accept an investigation/tribunal comprised solely of Black men. Their overwhelming response was a categoric 'no'.¹⁰³ There was a short silence when Bis Weaver asked why the converse should apply to her or why an enquiry should be carried out solely by a White male. This could not have been lost on Day, who was then asked by Bis Weaver if it was possible to make a complaint against a union official for negligence when carrying out an enquiry. Day, not venturing on this occasion to claim that his masculinity debarred him from answering such a question posed by a woman, hid behind his pre-meeting condition of not discussing particular cases, overlooking the fact that the question was general and not specific to any individual case.

A couple of days later, the Bournville women's group was dismissive to one of its own members, who was also a member of the West Midlands women's panel. Gil Butchere was incensed by Gates' unfounded allegations that she had broken union sanctions and wanted support from the branch's women's group to bring a complaint against him. In support of her case, she submitted a letter from a woman member of the branch. *

This member, in a letter sent earlier to the women's group via the branch secretary wanted "to state quite clearly that no work was undertaken by Gill during the Summer break...[and] As a NATFHE member [herself] and member of the Birmingham Liaison Committee [she] also wish[ed] to add that [she] would not have considered breaking sanctions or asking anyone else to do so..."¹⁰⁴ The witness wanted this information passed "on to the women's groups and to anyone else who may be concerned."¹⁰⁵ Did Gates not

* Gil Butchere also had an extremely reliable witness prepared to testify to what occurred at the 11th September meeting.¹⁰⁶ He was the tutor who went to senior management to complain about Gates' foul mouthed abuse of Bis Weaver in May 1985; and who confirmed that May incident to Downey in December 1985¹⁰⁷

realise that by accusing Gil Butchere of breaking sanctions, he was also accusing other union members? Notwithstanding this, support for Gil Butchere was not forthcoming. Gil Butchere “expressed her disappointment with the Women’s group” but without support “felt it impossible to pursue this matter any further because of [Dave Gates’] prominent position in NATFHE.” She described the lack of support as “a sad reflection on the women’s group.”¹⁰⁸ Nor did Gil Butchere, like Bis Weaver, receive any help from the West Midlands women’s panel, unlike the Telford woman who did. What was so different about Gil Butchere’s and Bis Weaver’s cases that precluded assistance? Could it have been Gil Butchere’s close relationship to Black people or could it have been the identity and significance in the union of the person complained against.

Bis Weaver was still communicating with the branch secretary and getting the occasional snippet of information. She was told that Day had telephoned on the 8th December and sent a letter on the 10th December advising the branch committee not to discuss the Weaver case. Dawson’s personal secretary had also phoned the branch with the same message.¹⁰⁹

Several branch committee members had responded to say they had not been aware of the Day-Gates discussion; neither Cave nor Pattison could remember any such conversation taking place or being reported to them either before the 18th June or before the publication of Day’s report.¹¹⁰ As nobody in the branch committee seemed to know of the Day-Gates tête-à-tête, the branch secretary was asked for the names of branch members attending the 15th June regional council meeting.¹¹¹ This letter brought the total number of letters sent to the branch secretary to seventeen, including seven repeats when the originals were ignored. Bis Weaver had received four in return.

A memo was then sent to every branch committee member asking if they knew of the Gates-Day conversation; and for information on the branch committee meeting when it was proposed that the committee should support Gates in the complaint.¹¹² Half-a-dozen replies came back with only Ms Pattinson of the *kernels* or fellow travellers replying and she could recall nothing. Nor could anyone remember support being proposed for Gates, although Gil Butchere’s opposition was recalled. Interestingly, no one heard the call for support but they heard the opposition to the call!

The *kernels* had shown their willingness to go on the offensive in arenas where they had considerable influence, such as the Birmingham liaison committee; Bournville committees; and would soon show this tendency in other committees and in other

surreptitious ways, but in arenas where ethnic minorities had a substantial presence – the BLCARC, they showed a clean pair of heels. When the BLCARC met on the 11th March, Gates was again absent as were other *kernels*, although two did send apologies. *

* Ms Pattinson and Hartland

The attendance was principally rank and file anti-racists – seven White and five Black, including the Anti-racism officer. Only one other liaison officer - the secretary, Doughty, attended, which was probably due to the meeting being held at the college where he was employed. The composition and approach of BLCARC meetings was changing. Those disappearing from the committee favoured equal opportunities with an emphasis on policy implementation and monitoring but against direct anti-racist action - the usual ‘wooliness’ that engulfed NATFHE’s ‘anti-racism’ work. Replacing them was a group who saw racism, in its various forms, being dealt with by effective sanctions against racist behaviour, as well as monitoring college and city policy. A much more vigorous anti-racist committee was in the process of formation.¹¹³

Instead of attending the BLCARC meeting where my anti-racism letter first made its public appearance and where criticism of the contents could have been made, the *kernels* decided to use another avenue to comment on it. The day after the BLCARC meeting, their hand was shown in what was a badly thought out attempt to discredit Bis Weaver as Equal Opportunities (Race) Co-ordinator.

Bis Weaver’s refusal to lie down and be walked all over; the exposé of Day’s *Whitewash* enquiry; and using the medium of asking questions about the suspected collusion between Gates and Day, was getting to the *kernels*. The ‘hatchet man’ on this occasion was the branch vice chair, Cave, who figured so prominently in Day’s ‘report’ although he had played no part at the time in the harassment of Bis Weaver. Cave’s action came in the wake of the abortive attempt to get the committee to endorse an upgrading of the Access coordinator’s post on the 28th February. Cave decided, or it was decided for him, to complain about my letter circulated prior to that meeting. It had taken the vice chair twelve days after that meeting and four days after Bis Weaver raised racism with Dipak Rai in Gates’ presence, for Cave to arrive at the conclusion that the letter was deserving of a complaint to senior management. On the 12th March, he trotted off to management to do just that.

As a result of Cave’s criticism, I was summoned to meet management the next day. Just before receiving this summons, in a chance meeting with Cave in the college, Cave criticised the anti-racism letter. An exchange of words between us followed over its contents and tone. After I left Cave I was summoned by management and asked to explain the letter

and the reasons for distributing it. Management accepted my explanation of the letter being a copy of one sent to *NATFHE Journal* and circulated not for discussion but to prompt some self-reflection among NATFHE members on the role of anti-racists in colleges and in the wider society. I found out the summons to management had resulted from an informal complaint made about the letter with the suggestion that Bis Weaver was using the Equal Opportunities (Race) committee to allow material not authorised by college management to be distributed through it. The complainant asked management if the material contained in the letter would become representative of the views of the committee. The complainant was disclosed as Cave, who failed to mention his trip to management about the letter when we had what I thought was a frank exchange of views shortly before being summoned.

Cave's action appeared to be something more than a complaint over an unpublished letter to NATFHE. It was apparent that the *kernels*, having failed to commandeer the committee for their own personal interests, were accusing Bis Weaver of using her role as adviser to the EO(R)C for her own ends. NATFHE officers and officials, from top to bottom, appeared to have this propensity to invert any situation in furtherance of their own ends. There was another possibility behind this action, which was to neutralise my support for Bis Weaver by getting management to put pressure on me and effectively remove me from the scene. Perhaps, they thought that in future I would be constantly looking over my shoulder before doing anything on her behalf. If that was their intention then they had a lot to learn.

Cave's involvement might be attributed to him still labouring under the delusion that Bis Weaver had wanted a student to complain against him, as Day had erroneously claimed in his 'report', or had it resulted from Gates' increasing influence over the *kernels*. Whatever reason, a number of metaphorical dogs were being lined up and they seemed eager enough to take bites. Bournville branch was gradually being harnessed in an extremely dictatorial manner masquerading under a 'democratic' banner. The *kernels* were piling on the pressure under the mistaken demagogic belief that power always overcomes right. It had become increasingly necessary for Bis Weaver to hit back at the powerful but there appeared to be little means at her disposal. However, Cave provided a golden opportunity to draw attention to his failings as a union officer acting contrary to trade union or anti-racism principles and to expose the face of Gates' lobbyists.

A couple of days later, on the 15th March, Bis and I, as arranged with the Birmingham liaison committee, met two liaison committee representatives. The liaison committee, despite opposition from the Bournville delegates, had invited Bis Weaver and me to an exploratory meeting to discover what she expected from the union and what I wanted from Gates. Bis

Weaver repeated the proposals made to Triesman, which came as news to the representatives as they had heard only of a straight rejection by her of Triesman's offer with no mention of her proposed changes, which were in line with the region's formal position on ethnic minority involvement in enquiries. As for me, I wanted an explanation and apology from Gates for his comments about my appointment at Bournville College. These representatives never had the opportunity, formally, to report back to the liaison committee because, in the meantime, Triesman had written advising "the Liaison Committee that no other form of investigation or activity on its part would be appropriate." Triesman invoked Rule 24 to justify what amounted to a 'directive' to the liaison committee to do nothing; yet another example of the misuse of Rule 24. * What a multi-purpose rule it was turning out to be; it could be used to suppress anything!

This democratically elected liaison committee was another avenue closed off by head office, although Triesman had not troubled to tell Bis Weaver of this directive. Triesman's previous claim of NATFHE not wanting to be considered secretive, apparently, did not include Bis Weaver as a member entitled to information affecting her interests. Formally constituted committees offered Bis Weaver the only route for seeking justice in NATFHE and Triesman had not only closed down head office but was in the process of shutting down all available avenues to her. Head office officials were determined not to open the hornet's nest represented by her case and it would not be the last time that the pillars of union democracy would crumble under 'directives' from NATFHE officialdom. Another example of NATFHE's anti-racism in practice!

The success of union official's in the dispute over trade union delegates in 1985 was an indication of the influence full-time officials exercised in the union and Triesman's actions further confirmed this to be the case. NATFHE's officials responded in the manner of an entrenched bureaucracy when their authority was under challenge and a reminder that fairness and justice through open and impartial procedures was alien to bureaucrats when their dominance came under threat.. NATFHE was no democratic institution; it was a closely controlled transmission belt with real power firmly in the hands of officials aided and abetted by lay officer acolytes seeking to benefit from the power-brokers. When the central bureaucracy put out the word to isolate Bis Weaver, local lay bureaucrats found no difficulty in acquiescing to deny union rights and natural justice to a rank and file member. In practice,

* This information came from a 'mole' on the liaison committee almost as soon as it was brought to the committee's attention. Triesman's letter to the liaison committee secretary was obtained in June 1987¹¹⁴

local bureaucrats embraced the same bureaucratic culture as their full-time compatriots.

Those in the bureaucratic apparatus completely misjudged the situation. When the central bureaucracy put out the word to cut her off, the local bureaucrats easily complied as they operated within the same culture but neither Bis Weaver nor her representative and a few others, who had lined up alongside her, would bow their heads to divine bureaucratic revelations. As we were not allowed to kick their ball we were not part of the game or subject to their rules – whatever those rules were at any given time. So we decided to kick our own ball around the park.

While Triesman was using bureaucratic dictat to close down all avenues to Bis Weaver, she extended the battle to a new area in order to draw in people who put themselves forward as formidable opponents of sexism and racism. She turned her attention to two senior NATFHE lay officers – NATFHE’s first woman President, Nan Whitbread, and ten days later to Denis Baker, the chair of the Anti-racism National Panel, both of whom might lend a sympathetic ear when aware of the full facts.

After the meeting with the liaison committee representatives, Bis Weaver sent Nan Whitbread copies of her ever increasing outgoing correspondence with a covering letter explaining her situation. The documentation was sent “to enable [the President] to familiarise [herself] with the situation that a Black woman...has been confronted with while trying to carry out her contractual obligations.” She explained that “Just over a year ago [she] became the victim of abuse and harassment” and gave a description of the incidents. Throughout the period she “received no assistance from the Branch even though on three occasions...officers of the Branch witnessed or were involved in the incidents.” Yet, despite “the failure of the Branch to defend [her] rights..., [she] still considered that NATFHE would be the appropriate medium to pursue these rights especially since...NATFHE’s...Rule 2.1 clearly states that members have a right to protection on a collective and individual basis. NATFHE has also made explicit policy statements regarding the rights of women, Blacks and ethnic minorities to pursue their careers without fear of harassment, intimidation and interference from those who wish to undermine and discredit them.”

Considerable information had been supplied to Triesman and Dawson “showing the questionable activities surrounding the so-called investigation,...[but] the only response from NATFHE [was] for [her] to carry on the struggle for justice single handed” as NATFHE’s present procedures were “grossly inadequate for...protect(ing) minority interests.” What needed to be taken into account was how few “women working in educational

institutions...can take on the daunting task of dealing with non-cooperation, lack of assistance, walls of silence,...others' reluctance to get involved and downright hostility, which [had] been [her] experience throughout the whole of the period." This was not an untypical consequence of sexism and racism and should not come as any surprise to the President given the finding of numerous research projects. Bis Weaver disclosed how "Few activists...[had] offered support...when they became aware of [her] case." If the President still needed convincing about the seriousness of the situation after having read the documentation, her attention was drawn to the plight of a woman (Gil Butchere) with a Black husband and child, who suffered similar experiences, but who, in the absence of support from women activists in the Branch, gave up the attempt to get redress. If "NATFHE is reluctant to act...does that mean that women, Black and ethnic minority members have to put up with this treatment."

Nan Whitbread was not asked to intervene directly; "the details of [the] case had been sent...for information", but there was an expectation on Bis Weaver's part, since harassment was seen as a serious offence by feminists, that such a formidable feminist would take some form of action to benefit all women in NATFHE.¹¹⁵

The next national officer on her shopping list was the chair of the Anti-racism Panel, Denis Baker. A few weeks before, Baker had ruled any discussion of her complaint out of order at the ARNP. The cornerstone of her letter was Baker's quote to a critic of NATFHE's December 1985 Anti-racism Conference reported in the NATFHE Journal. In the article, the Chair recognised that "While NATFHE has a long standing policy of commitment to anti-racism, it cannot pretend to be above criticism...(Of the) Criticisms...voiced at the conference. Some were met; some need more thought both by the critics and the criticised. Is not this how it should be in a professional organisation committed to change?"¹¹⁶

She recalled from her attendance at the Conference "the rather evasive replies given by NATFHE officials and some other participants" in response to "criticism of NATFHE's record on anti-racism" by delegates. However, she had not written to Baker to take issue on the conclusions drawn by delegates at the Conference but to show how her experiences exposed NATFHE's inadequate procedures. She referred to her own situation and her dissatisfaction "with NATFHE's procedures for investigating" complaints – a procedure that might be considered racially discriminatory. Baker might agree "in view of [his] statement,... that...grievances from Black people [should be] brought to the attention of the appropriate body as per Rule 13.2...so 'they can bring to bear specialist consideration'". Failure to do so would show that "the ARNP is not a body established to protect the interests of Black

people.” If the panel took positive action it would give Black women some protection from “the tremendous physical stress...imposed on [them] when...forced to pursue...complaints without assistance.”

In the event of Baker not being familiar with her complaints, she suggested he contacted “either P Dawson or D Triesman, both of whom have considerable material” on the case. Although his performance at the ARNP meeting in February was hardly encouraging, she was sure that “if [he] had this commitment to anti-racism...[he] would ensure that [her] complaint against a National Council member [Gates]; [her] dissatisfaction with the ‘investigation’; and [her] concern with the inaction of some Branch officers [were] placed on the agenda for the next meeting of the....Panel...in order for the Panel...to take up [her] grievance on [her] behalf.”

In conclusion, differentiating anti-racism from tokenism, she said that by submitting her complaint to the ARNP, he “would be furthering the cause of anti-racism in a more significant way than can ever be achieved by anti-racist platitudes and rhetoric, [and] Black people and progressive White people in NATFHE and society as a whole would consider...[it] a real act of anti-racism.”¹¹⁷

As Bis Weaver was extending the frontiers to include what she thought might be ‘concerned parties’, the opportunity came my way to take on the kernels directly as they took a step that would bring me further into the fray.

The day that Bis Weaver wrote to Nan Whitbread, I sent a letter to branch officers outlining the sequence of events from the 10th February, when my ‘open letter’ was written, to the 13th March when I was called into management. After dealing with the background, I explained that I had no brief for advising the Equal Opportunities (Race) committee – a function carried out by the city-appointed coordinator, whose approach to anti-racism differed slightly from my own. I then expressed concern “that a NATFHE member would bring my legitimate and progressive views on anti-racism to the attention of college management.” Not disclosing that I was aware of the identity of the complainant, the branch executive was asked to establish which member felt it necessary to draw management’s attention to “an open letter written by one NATFHE member and distributed to other NATFHE members such that the [author] was asked to make some explanation to College Management.” And why did the complainant member feel “it necessary to seek clarification from College Management as to whether or not my...views on anti-racism represented the viewpoint of the...Committee.” In other words, why did this member link my views to those of the equal opportunities adviser? I also asked if “all progressive political views in the future

[are] to be referred to College Management by NATFHE members for Management scrutiny?”

I described my views as “consistent with the City’s and NATFHE’s declared policy of combating racism and the matter concerns the right of individuals to express progressive views on anti-racism without ‘representations’ being made to management by those who either do not share those...views or the tenor of their delivery.” The branch executive was asked to “enquire into this as soon as possible” as my request was being made “on behalf of the right of NATFHE members to declare their progressive views on anti-racism and to have the freedom to express those views...”¹¹⁸

The branch chair wrote to inform me that a written reply would be forthcoming as soon as possible, which meant after the Easter vacation, and she revealed that Norman Cave, the branch vice chair, had discussed the letter with management.¹¹⁹ There was little expectation of any action from the branch executive, therefore, with confirmation from the union that Cave had spoken to management and I did not have to rely on management for information about the actions of a trade union officer, I circulated details of Cave’s deeds to local liaison and regional secretaries. I began the process with the Birmingham liaison committee, the next layer up from the branch committee. After relating the sequence of events from the 10th February to receipt of the branch chair’s note, I expressed concern that the views of an anti-racist “should be brought to College Management for Management scrutiny and action [which] was exactly what it was...[and] the Vice Chair...would, surely, be sufficiently knowledgeable about procedures to know what would be the corollary of his approach to management.” It was not clear “whether the Vice Chair...was acting independently or” after consultation with others but if anyone disagreed with the views in the ‘open letter’ they could have approached me (the author) and “I would have taken their comments in the spirit of being an anti-racist...interested in developing the debate about the most appropriate approach to make in the struggle against racism.” However, if I had disagreed with their view or tenor of expression, “I would not have made ‘representations’...to College Management...nor...would I have thought it incumbent on me to do so.”

I then generalised the issue by stating that:

As the City’s and NATFHE’s anti-racism policy does not define exactly the tenor of how views should be expressed, except that they should be anti-racist and that the action towards those who engage in racist behaviour should be applicable to all, any arbitrary interpretation based on personal preferences about how those views should be expressed could be considered as undermining the right of the individual to express legitimate and progressive views on anti-racism or, for that matter, on any other progressive political issue. My own

views expressed in my letter to NATFHE Journal are concerned with the commitment of anti-racists not in the manner or tenor of how they express their views.

The reasonable person would not be considered unduly alarmist if it was thought that a dangerous precedent had been set by the Vice Chairperson's actions [which] could undoubtedly curb the expression of strong anti-racism views and undermine both the City's and NATFHE's anti-racism policies...[thereby] participating with College Management...in the creation of an environment within which only views acceptable to College Management were permitted...The Vice Chair has put committed anti-racists with firm views and who express them in a forthright manner in a delicate and vulnerable position...if and when Management decided to take action against anyone who articulated views with which it disagreed.

At the end of this exposition I asked for clarification of NATFHE's position. As a parting request the liaison committee was asked to explore the reasons why, on two different occasions, two different branch officers had acted in a way detrimental to my interests.¹²⁰

Gates' behaviour was also the subject of correspondence. Seeking advice on how to deal with Gates' improper use of union committees to vent his spleen, I wrote to the liaison committee seeking an explanation from Gates and if none was forthcoming my intention was to take the matter up with the general secretary.¹²¹

A letter was sent to the general secretary describing the allegations and the implications to a number of people besides myself, some of whom were NATFHE members. The purpose of the letter was for NATFHE to bring Gates into line¹²² but my expectation of any action was low. The regional secretary also received a letter pointing out that Gates' behaviour gave the impression that NATFHE officers were able to comment on other members in their absence with impunity, and the regional council was asked to address this issue.¹²³

It also came to Bis Weaver's attention that Gates had allegedly made another allegation against her in the liaison committee. Gates apparently accused her of "acting to prevent a member of Bournville staff, namely S Pattinson from being appointed" as Access coordinator – a post that Gates described "WAS S Pattinson's job by virtue of seniority." * Gates allegation was easily discounted as Bis Weaver was not being involved in the short-listing for that post nor was she to be on the interview panel, which Gates, from NATFHE Executive/Bournville management meetings, would be well aware.

She dropped a line to the liaison secretary placing on record that she was aware of Gates' allegation and asked to be kept informed of any other allegations broadcast by Gates as she had "an entitlement to be made aware of any discussion [at liaison committee] concerning [her], particularly those which [were] personally and professionally damaging."¹²⁴

* Information from a mole in Liaison Committee¹²⁵

There was little real interest on our part in getting explanations from Gates, the purpose of these letters was to show to Gates' union comrades that he had been given free rein to do and say what he liked in matters concerning Bis Weaver. The Cave issue was of a very different order and one to be pursued actively since it showed there were no bounds to the *kernel's* actions even to the point of reporting a fellow member's anti-racist views to management.

The NATFHE charade was also being acted out in Bournville board of governors, which met on the 18th March, with an agenda item on equal opportunities policy. Paul Mackney, speaking to his proposal, emphasised that "its adoption should only be seen as a beginning and that there would be a need for Governors to ensure that College policy was monitored." The proposal had no difficulty in being accepted and it was agreed unanimously.¹²⁶ Despite the emphasis placed on monitoring, Mackney, who was not unaware of the deteriorating situation facing Bis Weaver in the college, chose not to raise this case, which involved a fundamental breach of any equal opportunities policy – harassment of a Black woman was such a breach and also against the law. The Weaver issue provided a perfect opportunity for the governors to see the effectiveness of the college's existing equal opportunities policy in practice. Perhaps, Mackney, on the board of governors as a trades council representative, thought the difficulties Bis Weaver was experiencing with NATFHE officers and officials – a union issue, precluded raising it as an issue affecting her role as a Bournville college employee. If so, Mackney was following a system of segregation of roles, which made a mockery of any pretence to anti-racism and negated the policy of equal opportunities to which Mackney had just spoken. Of course, had Mackney raised the Weaver situation, NATFHE would be deeply involved if any action was taken by the governors and might raise difficulties for the 'Left' in the union.

The governors would also face problems monitoring equal opportunities once the proposals had moved on from the 'talk-shop' to implementation. They would have to decide who monitored equal opportunities issues – would it be a member of the governors in conjunction with the city-appointed equal opportunities (race) coordinator specifically appointed to promote and monitor the city's equal opportunities policy. Bis Weaver's brief would commence by reporting her own harassment by a member of staff, who was a governor – Gates. Furthermore, who would the governors appoint as its representative to oversee the monitoring - something of a problem if it was Gates, * or Downey or Mackney.

* At the time of the governors' meeting Gates was not complying with the college equal opportunities policy by refusing to provide statistical information to management.¹²⁷

Unless, of course, equal opportunities was considered to cover only employment and promotion issues of women, ethnic minorities and the disabled and not other issues such as abuse, harassment and intimidation. *

After it became obvious that Bis Weaver had no intention of accepting Day's 'report', she had been subject to a number of attacks. False claims against her were made by Gates on two occasions; and by Hartland on one; Cave had attempted to induce management to act against Bis Weaver and me; and insults were hurled during the Equal Opportunities (Race) committee meeting when she would not fall into line with the interests of Gates and the *kernels*. At that time, she was still unaware that even before Day released his 'report', a serious attempt was allegedly made to damage her promotion opportunities in the college. This incident was about to be brought to management's attention. It was an allegation made by a student governor, who alleged that a member of staff tried to influence him to oppose Bis Weaver's candidature for the post of Equal Opportunities Officer. Due to the seriousness of the allegation, the Principal of the college, on the advice of the chair of governors, interviewed both parties involved. This brought the regional official, Day, into the proceedings.

During the Easter break, I went into Bournville College to tidy up a few things. Looking in the filing cabinet I shared with other tutors, a union file bearing Bis Weaver's name was clearly in view. I had no idea what this file was doing in my draw and not in the union's office but this was an opportunity not to be missed. The file contained mostly Bis Weaver's letters to the branch secretary with a few other documents and they seemed of no great significance at the time. The documents included the hand written notes of the branch chair, Cynthia Deeson, recording the allegations of racism and sexism made by Bis Weaver to the chair in June 1985; a blank copy of a questionnaire produced by the chair asking Gates to answer a number of questions, including several on the racist implications raised in the complaint, with one specifically asking, "Is this racism?"; notes of the chair's meeting with Bis Weaver on the 18th June, recording her request for a woman or Black person on any union tribunal; details of Mackney's advice to the branch committee; a letter from Day to the vice chair, dated 13th August 1985, sent on the same day as the curt response Day sent to her;

* The governors would be saved from the first dilemma when a governor, not surprisingly a Black woman, who when hearing of Bis Weaver's difficulties immediately made contact with her and then brought it to the attention of the governing body.¹²⁸ She showed a considerable variance to Mackney's inaction. Therein lay the difference – for Black people and a few committed White people anti-racism was a 24 hour a day activity and not to be compartmentalised

brief hand written notes of the conversations Shuk Nedjat had with Penny Welch, Gates and Bis Weaver concerning Ms Welch's offer to investigate her complaint. This revealed nothing other than to confirm that Gates accepted the offer – no surprise there. There was also a draft letter from the present branch chair drawn up in response to Bis Weaver's request for her to address the deficiencies in the regional official's report - a draft that contained many additions and deletions. This draft was sufficient to show that had Bis Weaver unreservedly accepted Triesman's 'investigation' the *kernel*s, complete with manufactured evidence, could be trotted out to cast doubt on her allegations. Unable to do anything, she would have been well and truly stitched up because how could she claim a second miscarriage of justice. This type of fabricated evidence, only too evident in Day's 'report,' would surface in the future in NATFHE's Industrial Tribunal submission and in NATFHE's evidence at the Industrial Tribunal hearing.

The documents were photocopied and the originals returned to the files. With these documents in my possession, I left the college and went home with my haul.

The previous three months had been a difficult period for Bis Weaver comparable with February to July 1985; and what was soon to descend on her would be even more difficult. The consequences of the previous thirteen months had begun to make an appearance in stress related symptoms. She was spending time in medical centres dealing with the effects of harassment – effects that seemed beyond the interest of NATFHE members at Bournville or NATFHE bureaucrats (paid and unpaid) despite the availability of research evidence on the effects of sexist and racist harassment on victims.

¹ PMc, National Council, NJ March 1984

² NJ Summer 1987

³ WMWP Mins 18 Nov 1985 File X 2 - 3

⁴ BW to BP 7 Jan 1986 File B 5

⁵ PMc, NJ Mar 1984

⁶ IT Report, pp 14, 6(h)(i) & 20, 9(d)(viii)

⁷ PMc to DE, 8 Apr 1986 p 4.2, BW IT Bundle 55

⁸ Ibid, p 7 (c), BW IT Bundle 55

⁹ NJ June/July 1983

¹⁰ PMc to DE 8 Apr 1986 p 2.6, BW IT Bundle 55

¹¹ PMc, NJ Dec 1985

¹² Notes, GB to BW & MG (of the WMWP) 4 Jan 1986 File X 1

¹³ Simms B, [2002] *Unfinest Hour: How Britain Helped to Destroy Bosnia*, Penguin, London, p 92

¹⁴ BP to BW 4 Jan 1986 File B 3

¹⁵ BW to BP 7 Jan 1986 File B 5

¹⁶ BW to DE & BW to RDty 3 Jan 1986 File B 1 – 2; DE to BW 7 Jan 1986 BW IT Bundle 26; RDty to BW 9 Jan 1986 BW IT Bundle 28; BW to RDty 10 Jan 1986 BW IT Bundle 30; T/conv RDty & BW 11 Jan 1986 File Y 1

¹⁷ DE to BW 7 Jan 1986 BW IT Bundle 26

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- 18 BW to BSec 24 Dec 1985 BW IT Bundle 21
19 BW to BSec 5 Jan 1986 File B 4
20 BW to BSec 8 Jan 1986 BW IT Bundle 27
21 HS to BW 10 Jan 1986 BW IT Bundle 29
22 BW to BSec 10 Jan 1986 BW IT Bundle 31
23 BSec to BW 13 Feb 1986 BW IT Bundle 38
24 PMc to DE 8 April 1986 p 4.5, BW IT Bundle 55
25 Mins BLCARC Mtg 13 Jan 1986 File T 4 - 8
26 Day's report p2 s2 (iii)
27 THES 25 May 1984
28 DTr to BW 13 Jan 1986 BW IT Bundle 32
29 BW to BP 15 Jan 1986 File Z 2
30 BW to DTr 23 Jan 1986 BW IT Bundle 33
31 Agenda & Mins WMWP Mtg, 27 Jan 1986, item 3(c), File X 4 - 6
32 T/p conv, BP & BW Jan 1986
33 Mins WMWP Mtg, 27 Jan 1986, item 8, File X 6
34 BW to RC 4 Feb 1986 File B 16
35 BW to DTr 4 Feb 1986 Rec'd Del V 401903 BW IT Bundle 35
36 Times 12 Mar 1968; THES 14 May 1999
37 Socialist Worker, Aug 2002
38 Triesman D [1969] CIA and Student Politics, in Blackburn R & Cockburn A, Student Power, Penguin, London, pp 141 - 159
39 Socialist Worker, Aug 2002
40 Bradbury M [1993] History Man, Penguin, London
41 Times 14 Sep 1968
42 BW to DTr 2 Feb 1986 File B 15; DTr to BW 6 Feb 1986 BW IT Bundle 36
43 DTr to BW 6 Feb 1986 BW IT Bundle 36
44 DTr to BW 13 Jan 1986 BW IT Bundle 32; and Day's Report p22 pt 7 (xviii)
45 BW to DTr 8 Feb 1986 BW IT Bundle 37
46 DTr to BW 14 Feb 1986 BW IT Bundle 39
47 BW to DTr 16 Feb 1986 Rec'd Del R 067518 BW IT Bundle 40
48 DTr to BW 17 Feb 1986 BW IT Bundle 41
49 BW to BSec 23 Jan 1986 BW IT Bundle 34
50 BSec to BW 27 Jan 1986 File B 13 - 14
51 BW to BSec 9 Feb 1986 File B 17
52 BW to BSec 16 Feb 1986 File B 18 - 19
53 Notes of Mtg, BW, BH & Mgt, 10 Feb 1986 File Y 2
54 NJ March 1986
55 Ibid
56 NJ Nov 1984
57 GW to NJ 10 Feb 1986 File L 2
58 GW to NJ 16 Feb 1986 File L 3
59 Mins, BLCARC Mtg 17 Feb 1986 File T 9 - 14
60 Mins, WMARC Mtg 19 Feb 1986 File U 1
61 BSec to GW 12 Feb 1986 File L 5
62 GW to BSec 16 Feb 1986 File L 6
63 GW to DE 16 Feb 1986 File L 7
64 BSec to GW 22 Feb 1986 File L 10 - 13
65 GW to DE 26 Feb 1986 File L 14; GW to DE 19 Mar 1986; File L 18
66 GW to RDty 20 Feb 1986 File L 8 - 9
67 BW to DE 25 Feb 1986 File B 22
68 BW to DE 3 Mar 1986; DE to BW 7 Mar 1986 File B 25 - 29
69 Mins, NATFHE WM Reg Coun 15 Jun 1986 and Rule 8 File B 26 - 28
70 DTr to BW 18 Feb 1986 BW IT Bundle 42
71 NATFHE's Submission to OIT, Oct 1986 p 3 NATFHE IT Bundle 7; NATFHE's Awareness that the allegations in my complaint were concerned with racial abuse and racial harassment, pp 1-13, IT Documents Numbers 111-123 in Weaver v NATFHE, No 4/297/225, Birmingham at www.theplebeian.net
72 Guardian 27 Jul 2001;
73 NJ July/Aug 1984

- ⁷⁴ NATFHE Against Racism, Draft NEC document, 1984 p2
- ⁷⁵ Times 13, 16, 17 & 18 May 1968
- ⁷⁶ DTr to BW 13 Jan 1986 BW IT Bundle 32
- ⁷⁷ THES 13 Sep 1973, 29 Mar, 12 July & 9 Aug 1974
- ⁷⁸ BW to DTr 4 Mar 1986 Rec'd Del V401988 BW IT Bundle 43
- ⁷⁹ DTr to BW 13 Jan 1986 BW IT Bundle 32
- ⁸⁰ BW to DTr 4 Mar 1986 Rec'd Del V401988 BW IT Bundle 43
- ⁸¹ BW to PD 4, 7, 9 & 20 Mar 1986 BW IT Bundle 44, 45, 46 & 48; and BW to PD 11, 13, 15, 17, 21 & 22 Mar 1986 File B 37 – 47 Rec'd Del V 401987; V 401989; V 401933; V401994; V407126; V 401996; V401998; J 632251; V402000; H859041
- ⁸² DTr to BW 24 Mar 1986 BW IT Bundle 49
- ⁸³ DTr to RDty 14 Mar 1986 NATFHE IT Bundle 130
- ⁸⁴ Post 19 Nov 1985
- ⁸⁵ BEM 7 Nov 1985
- ⁸⁶ BEM 27 Feb 1986
- ⁸⁷ Post 21 Feb 1986
- ⁸⁸ EOC/WMCC, A Different Reality, February 1986, p31
- ⁸⁹ Ibid p40
- ⁹⁰ Ibid p37
- ⁹¹ Ibid p88
- ⁹² Brown, J [1977] Shades of Grey, Cranfield Police Studies, Cranfield Institute of Technology, Cranfield
- ⁹³ Weaver, GJ [1980] Political Groups and Young Blacks in Handsworth, Series C No 38, Univ of Birmingham; and at www.theplebeian.net
- ⁹⁴ EOC/WMCC, A Different Reality, February 1986, p10
- ⁹⁵ Post 21 Feb 1986
- ⁹⁶ Mins, B/V Branch 14 Oct 1985
- ⁹⁷ BW & SN 24 Sep 1986 File R 22
- ⁹⁸ Conv, BW & KM 27 Feb 1986 File Y 2
- ⁹⁹ Notes, EO(R) C Mtg 28 Feb 1986 File V 8 – 10 & File W 12 - 18
- ¹⁰⁰ BW to DR 11 Mar 1986 Rec'd Del V401995
- ¹⁰¹ Agenda WMWP Mtg 3 Mar 1986 File X 7
- ¹⁰² Mgt to LEA, LEA Enquiry, October 1986 p 2 (e) File N 17; Mgt to DG, NC, BH & DH 9 Jul 1986 File D 50
- ¹⁰³ BW to PD 10 Jul 1986 Rec'd Del J632266 BW IT Bundle 82
- ¹⁰⁴ KW to BSec 4 Feb 1986 File B 31
- ¹⁰⁵ Ibid
- ¹⁰⁶ Conv, BW, GB & one other, 9 Jan 1986 File B 7
- ¹⁰⁷ BW, HC & RDwy Dec 1985 File Y 1
- ¹⁰⁸ GB to BW 5 Mar 1986 File B 30
- ¹⁰⁹ BSec to BW 2 Mar 1986 File B 23 – 24; AD to BSec 10 Dec 1985 File A 31
- ¹¹⁰ BSec to BW 2 Mar 1986 File B 23 - 24
- ¹¹¹ BW to BSec 8 Mar 1986 File B 32
- ¹¹² BW to BCtte Mbrs 10 Mar 1986 File B 33
- ¹¹³ Mins, BLCARC Mtg 11 Mar 1986 File T 15 - 19
- ¹¹⁴ DTr to RDty 14 Mar 1986, NATFHE IT Bundle 130
- ¹¹⁵ BW to NW 15 Mar 1985 Rec'd Del V401997 BW IT Bundle 47
- ¹¹⁶ NJ March 1986
- ¹¹⁷ BW to DB 26 Mar 1986 BW IT Bundle 50,
- ¹¹⁸ GW to BOs 15 Mar 1986 File L 16 - 17
- ¹¹⁹ SP to GW 21 Mar 1986 File L 19
- ¹²⁰ GW to RDty 24 Mar 1986 File L 23 – 26; RDty to GW 10 Apr 1986 File L 36
- ¹²¹ GW to RDty 23 Mar 1986 File L 21; RDty to GW 10 Apr 1986 File L 36
- ¹²² GW to PD 23 Mar 1986 File L 22
- ¹²³ GW to DE 23 Mar 1986 File L 20; DE to GW 27 Mar 1986 File L 27; GW to DE 31 Mar 1986 File L 28 - 29
- ¹²⁴ BW to RDty 23 Mar 1986 File B 48
- ¹²⁵ Ibid
- ¹²⁶ Mins, B/V Govs Mtg 18 Mar 1986
- ¹²⁷ Mgt to LEA, LEA Enquiry, October 1986, File N 16 – 19; Mgt to DG, NC, BH & DH 9 Jul 1986 File D 50
- ¹²⁸ B.V Govs Mtg Mins 10 June 1986 File W 25 - 26