

Chapter X

The Picture of Dorian Gray: A NATFHE Self-Portrait

(a) NATFHE's Submission: Vice Wrapped in Virtues Raiment.

Bis Weaver and I suspected that NATFHE would present a similar face in its submission to the Office of Industrial Tribunals (OIT) and in its reply to the CRE's questionnaire as the one that had been on display over the past sixteen months. However, we underestimated the depths of disingenuity that NATFHE would plummet to in its defence sent by NATFHE on the 15th October 1986.

On the same day as Bis Weaver received these documents, the 18th October, she also received a letter from Geoff Hall, which was of an entirely different calibre in that it appeared to favour right and justice, which would undoubtedly have been conveyed in the report of the grievance hearing had Labour party 'Bosses' in Birmingham not intervened.

NATFHE's submissions provided unambiguous evidence, if any more was needed, that its cavalier disregard for a Black member's rights was only the thin end of the wedge and that Bis Weaver was destined to face extremely venomous attacks on her integrity and reputation in a public arena – a reputation NATFHE officials had seemed eager to damage within NATFHE itself. But as Triesman once said "What [did she] expect?... It was understandable given the antipathy between [her] and other members."¹

NATFHE's defence followed the path initially pursued in Day's 'enquiry' and delivered in his 'report, that is, innuendo, misrepresentation and falsehood presented as fact. This time around it was not in an internal union document but to a judicial body to meet in public.

The compilers of these documents, sent in under the name of NATFHE's solicitor, set out their stall by presenting the problems faced by Bis Weaver in the union as being self-imposed. The submission to the OIT unfolded as follows:

The Applicant (Mrs Weaver) and a colleague (Mr Gates), "early in 1985,...were in dispute with each other...concerning the Applicant's role as Director and Coordinator of the Special Access (New Way) Courses..., [which covered] certain decisions...made in her absence affecting ...[business studies] students." Additionally, "the Applicant became

involved in a complaint made by a student relating to his...studies, * which caused friction with certain of her colleagues. The dispute with[in] the college led to...a formal complaint to the College Branch of the Union.” The complaint was “that her colleague had called her a liar [in] a meeting and had subjected her to abuse and harassment over a period of time.” However, “there was no reference in that complaint to any racist or sexist discrimination.” Subsequently, “The regional official, Mr Alan Day, received a copy of the complaint and, with the consent of the Applicant and the other member concerned, attempted to resolve what he regarded as a professional dispute between members.” The official “compiled an assessment of the position and concluded that the member” complained against “should apologise for an accusation of lying, which should be accepted by the Applicant and both should agree...the matter was concluded.” However, she rejected this recommendation.

This particularly narrow version of the complaint made to the union by Bis Weaver conveniently omitted the comprehensive details given to both the branch chair and the regional official, which constituted the complaint; with its many references to racism and sexism considered by her to be the motive behind the abuse and harassment.

The submission covered Mr Triesman’s involvement. Identified as the union’s Negotiating Secretary and Secretary of the Race Relations and Anti-Racism National Panel, Mr Triesman had written to the Applicant, on the 13th January 1986, indicating that she could either “pursue the issues...through the Union’s Rule 8, [or] agree to an investigation...to determine the facts of her dispute,... [or] take no further action.” Following on from this, “There then ensued a considerable amount of correspondence between the Applicant and the union” and, in March 1986, “the Applicant’s attention was drawn once more to the Union’s internal procedures for resolving disputes between members.” Subsequently, “on the 12th June 1986, Mr Triesman had a personal interview with the Applicant to see if there was a possibility of resolving the matters.” However, “on the 25th June, the Applicant made a formal statement of grievance to the Governors of Bourneville (sic) College,...against her colleagues, which were the subject of the matters already investigated by the union’s Regional Official...[and] On 30th June, Mr Triesman reported back to the Applicant following his personal interview with her...and indicated that the dispute might affect the tenure of members of the union. On the 8th July, Mr Triesman wrote...indicating...that the laying of the grievance...implied that she was seeking the dismissal of a NATFHE member...[and] his obligation was to defend...whichever member

* The student NATFHE was referring to was, in fact, a female student

finds their tenure [at risk].”

NATFHE claimed that “the dispute was initially a personal dispute based on friction which had arisen...on professional matters” between the Applicant and her colleague “who,...prior to this dispute, was a personal friend of the Applicant and her husband.”

NATFHE further asserted that “The Applicant was not discriminated against by the Union in the way it afforded her access to any benefits or by refusing or deliberately omitting to afford her access to them, neither was she subject to any other detriment [as she] was afforded the same facilities as any other member under the...rules.”

In conclusion came the not unexpected claim that “The union is firmly committed to a vigorous anti-racist policy and the fact that the Applicant rejected the advice and assistance given by the Union can in no way imply that the Union’s advice and actions in her case was discriminatory on racial grounds.”²

During the submission, NATFHE played a card that summed up NATFHE’s extraordinary approach to racism, especially, for an organisation proclaiming a commitment to anti-racism. It stated that “as the dispute developed and the Applicant became dissatisfied with the [Union's] attempts...to resolve it that the question of racial harassment was introduced” against a member, who “was and is prominent in the union's anti-racist work.”

The drafters of NATFHE’s reply to the CRE’s Questionnaire regurgitated the same theme but with certain ‘adjustments’ in an apparent attempt to accommodate its response to the different function carried out by this recipient compared to that of the OIT. Nonetheless, this variation was flavoured with similar disdain for the applicant and distaste for the facts.

The union, as expected, attempted to debunk every point. The lengths it would go to was shown by its response to the first point when it disputed that the complaint was made to the general secretary, as was stated in the application. It was pointed out that the complaint went to “her branch and [she] sent a copy to the General Secretary, without any request made other than to her branch.” (pt 4(a)) The drafters had started with an accurate point, and even though it looked trivial, it appeared to have been made, as would be shown further, in order for head office to disclaim responsibility and to claim that its eventual intervention was to aid the Bournville branch in its difficulties. This apparent attempt at directing responsibility for resolving the complaint onto the branch and away from head office was followed up towards the end of its submission. The Applicant “shought (sic) resolution of a problem by...her Branch Committee colleagues [and] The union [head office] was not aware...[of] any problem...until the end of November 1985, and in the case of Mr Triesman until the 18th December 1985 – the first he heard of the issue.” (6 (i)(b))

The rest of NATFHE's response was typical of its tendency for omission, misrepresentation, duplicity and presenting myth as reality. NATFHE again restricted its response to the paper complaint submitted to the branch, and of there being "no reference to racial abuse and harassment." (pt 4(a)) The full-time regional official then became involved when "Mr Day,...made an informal enquiry" to seek "a formula that might have conciliated between two people who had been work colleagues and...close friends." The official's report contained "no serious and damaging, unfounded statements about the Applicant but suggests many positive and practical steps which NATFHE members...might take." Nor did "the report show evidence of racist or discriminatory behaviour." (pt 4 (b))

The reason no evidence of 'racist behaviour' was found could be attributed to Day not looking into the accusation. Also unmentioned was that Triesman declined to investigate those motives on grounds that no one was competent to deal with racism.

NATFHE's overplayed claim of Bis Weaver and Gates being colleagues and friends had been thrown into the arena in an attempt to add weight, a few grams perhaps, to its claim that Gates was not a racist. In the real world, Bis Weaver had not worked with Gates before January 1985 and, within a month, the abuse and harassment began and continued for months. Nor had any friendship existed between Gates and Bis Weaver or me. NATFHE's intention in making this claim appeared to be that if Gates was a racist such a friendship would not have existed. A connection did exist during the 1984/5 Miners strike up until February 1985 when Bis Weaver and I were part of the Bournville branch's support group raising funds for the miners but 'close friends' was just another *NATFHE-centric* substitution of myth for reality in keeping with the rest of its response. Interestingly, when Day was doing his level best between June and November 1985 to exonerate Gates from a complaint of racist harassment, he never mentioned any such friendship in his 'report' and the first we knew of this 'friendship' was when reading NATFHE's submissions. This propensity on the compiler's part to believe every word without checking the details appeared to apply only to certain favoured people because little, if anything, of what Bis Weaver revealed to the union, backed up with substantial evidence, was ever accepted by NATFHE to be true.

The compiler next dealt with the period after NATFHE head office became involved. Between January and June 1986, it claimed to have given "detailed advice on how the Association's Rules might assist the Applicant" (pt 4 (c)) when all Triesman offered was a *Kangaroo court* and considerable evasion when Bis Weaver sought information on her legal rights. NATFHE's version of the 12th June discussion between Triesman and Bis

Weaver was presented as “the Applicant and her husband sought” assistance “to take a libel action against one of its own officials, Mr Day; a proposal with which Mr Triesman was unable to agree.” Mr Triesman’s position was that “he did not favour litigation in trade union matters.” When “asked how...people without huge resources could obtain such legal assistance,” he said that “if legal advice without payment of fees was sought, he believed that several organisations provided them, including the CRE.” When also “asked whether this would present difficulties in terms of Rule 24, which enjoins members to accept advice only from the union, he replied... he would certainly not want to stand in her way and would make it clear to anyone...that Rule 24 would not apply [to her].” (pts 4 (d) and 6 (2))

Mr Triesman then wrote “On the 30th June,...to all those members involved in the Bourneville (sic) disagreement...noting that...the issue was drifting to a point where someone might be dismissed...[and] the Union will protect the tenure (the contract) of whichever member was likely to lose their job.” NATFHE explained that “This point was made because, on 12th June 1986, the Applicant had told Mr Triesman that she thought Mr Gates...should be dismissed.” (pt 4e)) Mr Triesman had responded, at the time, by telling her that if the employer took “such a step against anyone involved...the Association stood ready to assist the Applicant if she was likely to be dismissed.” (pt 4(f)) This was another fabrication as Bis Weaver never said that Gates should be dismissed nor did Triesman raise what the union would do in a situation where any member faced dismissal.

Later, “when the Applicant sought help [from the union] in laying a grievance against the other Union member, Mr Triesman declined to join in steps that would almost certainly lead to loss of their jobs and reiterated that the Union’s task was to protect tenure.” (4 (f)) Triesman never mentioned the union’s policy on tenure to her on the 12th June, therefore, there was no need for any reiteration. Why would she write afterwards asking the union for assistance if Triesman had made the union’s policy known to her? The first she knew of union policy was in his later letter. Triesman also noted that “it was new to him to see a more senior member of staff moving against subordinates.” (4 (f)) The novelty of management not applying normal rules and procedures by disciplining subordinate members of staff for abusing and harassing a senior member when carrying out her employment responsibilities, should have alerted Triesman to the difficulties faced by Black and Asian members in the workplace. His only reaction was to state in the submission, or stated on his behalf, that it was “new to him” Was it usual for members in supervisory roles to have their tenured position threatened by subordinates? Or was there another reason for management failing to take disciplinary action against Gates and for the ‘trio’ to take

advantage of that failing? Was it not one of a trade union's functions to protect workers from management's failings or did that not apply to rank and file members in NATFHE, especially if they are Black? Was this another example of the good trade union practice followed by NATFHE and practised – allegedly, by other trades unions?

On the issue of racism, NATFHE declared that it had “seen no evidence...[of] any action initiated by racism...at the instigation of any members against the Applicant”, adding that “All three state that they are passionate and committed anti-racists, whatever their differences with the Applicant on professional matters.” (4 (g)) If NATFHE came to the conclusion, based on Day's ‘enquiry, that racism was not a factor in Gates' behaviour, * how did NATFHE arrive at the conclusion that the actions of the other two were not ‘initiated by racism’. No complaint was made by Bis Weaver to the union about Cave or Hartland, therefore, for NATFHE to claim there was ‘no evidence of racism instigated by them’ was somewhat imprudent. ** It looked as if NATFHE was trying to extend Day's ‘enquiry’, which it was upholding as well conducted, to include the entire Bournville trio’. Furthermore, if the three were such champions of anti-racism and had done nothing against Bis Weaver, why would “laying a grievance against” them “almost certainly lead to loss of their jobs” as NATFHE was claiming as a likely outcome? NATFHE, indirectly, appeared to be undecided as to their guilt, unless it thought the employer would dismiss them on the basis of what NATFHE was claiming were spurious allegations!

NATFHE's denial of “unlawful discrimination” was based on three premises: “(a) the Applicant was offered the same facilities, benefits and services as any other member in dispute with a colleague; (b)...any difficulty in dealing with the Applicant's complaints” stemmed from “the Union having obligations to all parties” [and] (c) They [the provisions of the Race Relations Code of Practice] had no bearing on the treatment of the Applicant.” (pt 5(c) NATFHE claimed that the Applicant “was treated honourably and in accordance with proper trade union practices, although the Union was unwilling to assist her in achieving the dismissal of her colleagues,” and there were “no adverse considerations of colour, race, nationality or national origins affect[ing] NATFHE's treatment of the

* According to NATFHE, a claim of racism had not been made against Gates, therefore, if what NATFHE claimed was true and no such claim was made, Day would be unlikely to investigate whether or not racism was a factor in Gates' behaviour

** NATFHE's ‘evidence’ appears to have come from a source that NATFHE officialdom considered to be conclusive, namely, a personal statement from them that they had a long history as anti-racists. A similar claim was made by Gates and accepted by Triesman in April 1986

Applicant.”* (pt 6(i)) Nor did NATFHE “believe it was evasive in any respect in dealing with the Applicant.” (pt 6 (i)(a)) Did NATFHE believe it was not evasive? Given the way NATFHE officials operated it might be part of their belief system not to provide useful information to a member, whom the union considered had no right of access to information concerning their rights. On that ground, NATFHE might consider that no detriment was applied to her.

The usual defence mechanism used by NATFHE to prove that racism could not have possibly occurred was set in motion. It claimed that “The officials concerned with the case have long histories of involvement in the anti-racist movement within and outside NATFHE.” (pt 6(i) NATFHE produced further ‘justification’ for its action by claiming it “has always adopted the position,...common throughout trade unions of all descriptions that its first obligation, unless there are extraordinary reasons not to do so, is to protect the tenure of its members, [which] is at the core of branch, regional and national training of lay officers.” The protection of tenure was the key service provided and “members should always go at once to a full-time official” for this service. (pt 6 (3)(a)) The union then offered up the claim that “the Association plainly would not defend a member irrespective of what they had done but does not accept that the three people against whom the Applicant has acted have shown any evidence of racism or discrimination.” (6 (3)(b)) NATFHE had introduced a codicil to its policy, namely, that merit determines whether advice and assistance is available from NATFHE in complaints of racist harassment.

NATFHE claimed not to know of any comparable cases registered at head office in the last five years, nor knowing of any “requests from more senior staff to assist them in grievance procedures against their juniors and subordinates” as more senior staff use the disciplinary structures “so far as [NATFHE is] aware.” ((6 (4))

To round off this exercise in amnesia and selective memory, NATFHE employed a technique to avoid dealing with the other questions in the Questionnaire concerned with NATFHE’s equal opportunities policy and its policy on racial harassment. This it did by suggesting the questions were covered by NATFHE’s Anti-racism Pack, which NATFHE included with its response. This glossy pack, already rejected by the Black Lecturer’s Group in the West Midlands as grossly inadequate, could not provide any answers to the specific issues confronting Bis Weaver in her dealings with NATFHE. This gloss, floss and dross

* Someone connected with NATFHE knew features of the Race Relations Act and was able to describe the categories of people the Act covered. Perhaps NATFHE’s solicitors had a hand in that

looked to have been sent to impress on the CRE the image of NATFHE having a ‘commitment’ to anti-racism. (pt 6 (5))³

The compilers gave an impression of Bis Weaver’s initial complaint being of little consequence – a usual run-of-the-mill letter received often at head office concerning “a professional dispute between members” to be lodged in NATFHE’s files with the rest of these types of letters. If this was what happened why did the appropriate head office official immediately refer the complaint to the regional official in June 1985. *⁴ What had prompted that rapid response? Whatever the reason, NATFHE head office had attributed considerably more significance to the complaint in June 1985 than it was now claiming.

Downgrading the complaint to an inconsequential ‘dispute between members’ in NATFHE’s kaleidoscope of ‘useful terms’ was accompanied by upgrading the efforts of NATFHE’s officials to “honourabl[e] and in accordance with trade union practices.” The officials were portrayed as helpful and keen to resolve this ‘professional dispute between friends’ – IPDism had become in vogue to provide the camouflage for NATFHE officials and officers to wrap themselves up in. As for honour, that was a rare commodity in NATFHE. Bis Weaver had already drawn the conclusion from the previous responses of head office officials that an ‘honourable’ approach meant something entirely different in NATFHE to how a reasonable person might interpret ‘honourable’. She had that stark reminder of NATFHE’s attitude from Triesman, on the 12th June 1986, when he responded to her with the words “what did she expect” after she told him of Gates, Cave and Hartland making serious and unfounded allegations against her to the college Principal. **

Day was absolved of making damaging, unfounded statements in his ‘report’ and was alluded to as the inspiration behind many practical steps to be taken by the contending parties. Day’s performance had already been dissected and exposed for the fraud it was eleven months before but NATFHE still clung tenaciously to the relevance of his ‘report’. A not so hidden consequence was that Day’s attacks on Bis Weaver’s professional and personal competence and integrity were not unfounded claims. Furthermore, if Day’s role was as a mediator to conciliate the parties then he failed to inform Bis Weaver of this intention. Mediation was NATFHE *newspeak* for Day to deliver a resounding rebuff to her; expect her to surrender to his partisan solution; and then succumb to the branch committee’s action in removing her from the post of Access coordinator and director.

* This only became known to Bis Weaver and I after the Industrial Tribunal hearing

** There was also the student-governor’s disclosure, which Day was aware of and could be expected to have informed Triesman about it

Day's hidden agenda flew firmly in the face of NATFHE's so-called policy on protecting tenure or, as in NATFHE's submission, protecting a member's contract. NATFHE's policy on tenure appeared to cover only threats to tenure from employers and disregarded threats to tenure arising from harassment or other forms of unfavourable behaviour from fellow union members. While giving the impression that protection of tenure was almost sacrosanct, NATFHE was either unconcerned or incapable of perceiving that a group of subordinates using intimidation and harassment to hound a member from her job was a threat to her tenure. Day had openly assisted Gates in trying to achieve this while Bis Weaver, at that time working on the same lecturer's grade as Gates, was trying to defend her contract of employment. Protection of tenure was not the key service NATFHE was claiming it to be but a highly selective policy available to some but not to others. Was this one of the practical steps behind Day's 'report' mentioned in NATFHE's submission? If so, Day had tried to carve up Bis Weaver's job to appease an aggressor.

NATFHE tried to pass off the initial complaint to the union as being the same as the grievance to the governors. As the union was claiming nothing serious was found during its enquiry then there was nothing detrimental to the accused's behaviour to be found in the grievance. The fact that there were additional incidents and the grievance involved two more employees/union members did not get a mention. NATFHE's failure to investigate racist harassment was passed off by giving the complaint the appearance of a one-off instance of Gates accusing Bis Weaver of lying, just as Day did in his 'report'. The alleged lack of interest on head office's part was justified by claiming it was unaware of any problem until November 1985, and Mr Triesman not being aware of it until the 18th December 1985. This claim could not stand scrutiny because the 'appropriate head office official', who was either Dawson or Triesman, had been in contact with Day in June 1985, suggesting that Day "may wish to make some discreet enquiries."⁵ This was at the time when Day heard about Phil Murphy's interest. Did this highly significant development lead to Day's involvement and did the regional official inform the 'appropriate official' of Murphy's interest?

The compilers moved on from Day to Triesman. NATFHE's pretence of transparency revealed itself yet again with the claim that Triesman disclosed NATFHE's policy on the protection of tenure to Bis Weaver on the 12th June 1986. This was not true; the first she knew of this policy came in Triesman's letter to the branch secretary, 30th June, with copies to Bis Weaver and Gates, the day after Triesman became aware of the grievance

to the Governors. * In trying to ‘prove’ the policy was disclosed to her on the 12th June, NATFHE created a non-existent context for another figment of NATFHE’s barren imagination. In the submission to the CRE, Triesman claimed that Bis Weaver told him Gates should be dismissed ** yet this emphatic declaration appeared differently in the submission to the OIT, which cited Triesman’s letter of the 8th July to Bis Weaver as the source for Triesman’s claim. In that that letter, he stated that “the laying of the grievance...implied that she was seeking the dismissal of a NATFHE member...” and on two occasions – on the phone and in her home, he claimed to have said that it appeared to him that dismissal was “ultimately [her] intention whether consciously formulated or not.” Apart from the fact that this claim was not true as he never mentioned the dismissal of anyone in that discussion other than the regional official’s; either Bis Weaver made a definitive statement calling for Gates’ dismissal, as Triesman was to claim in one arena, or she did not make such a statement as he admitted in another arena. Triesman’s 8th July letter confirmed that she did not make such a statement at any time.⁶ Even if NATFHE had told her of its policy on tenure that would not aid NATFHE’s defence. If the policy was racially discriminatory it would still be racially discriminatory whether or not she was aware of it. All the icing on NATFHE’s poison fruit could not pass muster with anyone with a legal eye or just plain common sense. NATFHE needed something more than what it had presented to give it a way out. It had Triesman’s cake and also wanted to eat it.

NATFHE re-jigged the reason for Triesman recommending her to go to the CRE, which in other circumstances NATFHE would be proclaiming that providing this advice was an ‘honourable’ act. However, NATFHE denied that Triesman advised “the Applicant to seek the advice of the CRE.” What it did was to embellish this advice by adding other institutions alongside the CRE for her to approach. *** The reason for making such a denial was to get NATFHE out of a difficult situation. A recommendation for her to seek advice from the CRE on a matter concerning racial harassment or discrimination, given by a union official, would qualify her for union advice and assistance if she followed any advice given to her. She approached the CRE and followed its advice and then sought assistance from

* Triesman’s 30th June letter was backdated from the 1st July 1986. Day had been in touch with Triesman on the 30th June 1986 to inform him of the grievance and his proposal on how to subvert the grievance procedures.

**At the IT hearing Triesman claimed that Bis Weaver stated “For the sake of all other women and blacks he should go; don’t you think so?”⁷ In fact this was stated by another person at that meeting – Gil Butchere

*** The term ‘other organisations’ was mentioned in the submissions but Triesman had not referred to any other organisation other than the CRE in his discussion with Bis Weaver.⁸

NATFHE. NATFHE exhibited a lack of logic when explaining that Triesman's advice to go to the CRE, or any other organisation, and waiving Rule 24, was for a case of defamation against the regional official. Bis Weaver had made no formal complaint against Day, therefore, she had not agreed to abide by Rule 24 for that non-existent complaint, so there could be no reason for Triesman to waive Rule 24 for that purpose. Furthermore, why would Triesman direct Bis Weaver to the CRE for advice on a defamation claim not involving racism? Nor did she discuss the provision of free legal advice as that was the least of her worries in June 1986. She was looking for substantive assistance, which she was not getting from NATFHE, not hand-outs as implied by this comment. In fact, by then Bis Weaver had already spent a considerable amount and was eventually to spend several thousand pounds fighting NATFHE over its racially discriminatory policies and practices.

Triesman had emphatically, perhaps rashly, declared in writing details of a policy restricting access to complainants like Bis Weaver and in advising her to go to the CRE for advice. Triesman had been outmanoeuvred by a rank and file Black woman. As a result, the compilers of the submissions were required to retrieve Triesman's and NATFHE's overcooked chestnuts from an impending legal fire threatening to expose NATFHE's hidden discriminatory policy – hidden because up until Triesman's heedless declaration this policy was nowhere to be found in any NATFHE document or in any of Triesman's letters to Bis Weaver. In trying to secure an escape route, the compilers introduced a codicil into this unwritten policy, namely, "that its first obligation, unless there are extra-ordinary reasons not to do so, is to protect the tenure of its members." This codicil was not in the submission to the OIT but only presented to the CRE, in what looked like an attempt to impress the CRE that NATFHE ensured that all complaints were thoroughly looked at before making a decision whether or not to support the complainant. This was NATFHE's get out of jail card as it had popped up from out of nowhere and introduced to give NATFHE an exit route from the policy broadcast by Triesman. This codicil meant that if there was merit in a complaint of racial harassment – an extra-ordinary reason, then advice and assistance would be available to the complainant and the policy of protecting tenure would not apply. NATFHE had performed a revolution in policy making between the 8th July and the 15th October 1986 unheard of in bureaucratic institutions like NATFHE and without those changes ever having found their way to NATFHE's NEC for consideration or its Annual Conference for approval. NATFHE officialdom made it up as it went along. However, this newly discovered strand in NATFHE's policy was insufficient in itself as a defence against Bis Weaver's complaint of racial discrimination since to have relevance

NATFHE had to show that Bis Weaver's grievance did not qualify for the status of 'extraordinary reasons', that is, it did not have merit. To rebut merit in her grievance was the key area NATFHE had to address to establish that no 'extraordinary reasons' applied to her case and, therefore, she had no entitlement to union advice and assistance.

The bulk of NATFHE's submission was aimed at denigrating the complaint in order for it not to qualify under the codicil. However, if all the evidence available to Bis Weaver entered the Industrial Tribunal hearing NATFHE's defence would be seen as not viable. The union seemed to be relying on Day's 'report' – an inglorious document however much hype NATFHE gave to it. Notwithstanding this, Day's 'enquiry' dealt only with Gates, whereas the grievance to the governors included Cave and Hartland, therefore, any claim of no merit applying to those two was irrelevant as no 'enquiry' had been made into their behaviour and motives. Yet NATFHE seemed confident they, too, would lose their jobs by Bis Weaver "laying a grievance' against them. How did NATFHE arrive at the conclusion that 'extra-ordinary reasons' did not apply in the case against those two?

NATFHE's 'no merit' codicil posed a number of questions based on previous admissions made by its officials: (i) how was NATFHE able to validate this 'extra-ordinary reasons' exemption for complaints of racist harassment when NATFHE officials, as Triesman admitted, lacked competence in determining racist motives?; (ii) who had NATFHE consulted with the necessary competence to decide Bis Weaver's complaints lacked merit in order for NATFHE to vehemently deny racial harassment as a factor? (iii) would this unidentified specialist in race issues, if he/she existed, make an appearance at the Industrial Tribunal to provide a detailed analysis of why Bis Weaver's grievance fell outside the parameters of racist harassment policy adopted by trade unions and local authorities?

NATFHE's get out of jail card (extraordinary reasons – merit) was not enough but the union had one more card in its marked deck that the compilers played. In doing so, NATFHE surrendered all pretence to anti-racism by offering up one of the most distasteful claims that can be made against the integrity of any Black person. NATFHE officialdom in its trek to the Industrial Tribunal accused Bis Weaver of introducing the charge of racial harassment against Gates only after she became dissatisfied with the union's efforts to resolve the 'dispute', that is, after seeing and rejecting Day's 'report'. To accuse her of playing on her ethnic origins to try to achieve what she had not accomplished through Day's 'enquiry' was scraping the bottom of the barrel. NATFHE's submissions, following on from Day's 'report', were exercises in character assassination while elevating her harassers to Nietzsche's 'supermen' status. NATFHE had reproduced the stereotypical image of Black

people held by those, notably on the right wing of the political spectrum and also, it seemed, well represented on NATFHE's left flank, who embraced the view of Black people accusing as racists those White people with whom they were in conflict. By playing that particular card, NATFHE clearly demonstrated which side of the anti-racism struggle it was on and it certainly was not on the side of Black victims. This was the way NATFHE had acted, and was acting, 'honourably' towards Bis Weaver.

It was a shameful act to accuse a Black woman of using the colour of her skin to achieve what otherwise was unobtainable by 'fairer' means. * It was noticeable that the accusation against Bis Weaver of playing the *Race Card* ** was made in the submission to the OIT but did not mention it in the response to the CRE. Was this a deliberate omission on NATFHE's part because the CRE would also be well aware that this disgraceful accusation was usually spouted by people circulating in the realm of right wing politics but obviously not residing there exclusively? It also represents a tendency found among apologists for racism; or those whose knowledge of racism tended to be impressionistic; or had racist inclinations whether consciously formulated or not. Whatever the motivation for introducing this factor into NATFHE's defence; it was being used to deflect attention from alleged racist behaviour on to the alleged failings of the victim - vice not even draped in virtues raiment.

With their own 'long histories' waving from NATFHE's flagpole and saluted by a horde of flag-waving supporters in the West Midlands, NATFHE officials were accusing Bis Weaver of playing the *Race Card*. Yet all those accusing Bis Weaver of using the colour of her skin were fully aware of what was happening to her and they were now vigorously defending the perpetrators. NATFHE's own production of *Malice in Blunderland!*

NATFHE officialdom, backed by its lay officer 'elitist Leftist' acolytes had plunged into an abyss over the Weaver case and the only way out, or so it apparently thought, was to

* It might be argued that Triesman used his ethnic origins on the 12th June to score a point when he suggested that others might think I was anti-Semitic for being abrasive to him. Did he throw in this subtly-phrased accusation against me in order to gain an advantage over Bis Weaver by trying to devalue her complaint of racist harassment against Gates – a tactic that fell flat? A similar line to the one NATFHE was now accusing Bis Weaver of employing

** NATFHE adopted the political reactionaries' tactic of 'playing the *race card* used to belittle Black people when they make claims involving racism. NATFHE played the *race card* in two ways: (i) NATFHE was alleging Bis Weaver had deliberately and falsely accused Gates and others of being racists in order for her to gain some sort of an advantage; and (ii) NATFHE accused her of "playing the race card...in an effort to devalue and minimize [her] claim of racism"⁹

destroy the credibility of the victim in order to save its own. NATFHE, the toothless tiger when called upon to take on ‘all-conquering heroes’, had no difficulty in baring its fangs and using sharp claws when protecting officials and officers against a solitary Black opponent. Whoever had decided to use this ploy of playing the *Race Card* was not revealed and remains unknown. *

NATFHE’s apparatchiks had shown considerable determination in trying to minimise Bis Weaver’s claim of racism, over the previous sixteen months, by describing it as some kind of ‘interpersonal dispute’, but now, in a union claiming a vigorous commitment to anti-racism, officialdom was using the crudest mechanism available to dispose of her integrity with a few malevolently-chosen words. Day had opened the floodgates when he attacked her professional and personal integrity, which the compilers were denying he had done, and now NATFHE officialdom in its most hideous guise was thrusting itself well beyond those gates.

NATFHE’s compilers were using every devious trick available in the unwritten gospel of Hamilton House to try to extricate the union from the debacle created by the dynamic duo of Day and Triesman, who had: (i) failed abysmally to deal with Bis Weaver’s complaint after railroading the complainant into a siding where she and her complaint were expected to remain indefinitely, (ii) produced a situation where NATFHE’s derisory commitment to anti-racism was on the verge of being exposed to public scrutiny; and (iii) avoided implementing the CRE’s Code of Practice requesting unions to treat complaints of racial discrimination seriously.

Whoever set the standard upon which any NATFHE activists could claim a commitment to anti-racism had based it on an extremely low measure. Did NATFHE really believe the treatment Bis Weaver was subjected to over a lengthy period of time showed evidence of a ‘long and passionate’ commitment to anti-racism by any of the Bournville ‘trio’? If ‘long’ was the measure for determining levels of commitment to racism, then Gates, Cave and Hartland fell way behind Bis Weaver. Her particular ‘history’ commenced years before Gates left secondary school; or before Cave had left primary school; or before Hartland had even started school. Nor had these three ‘zealots of anti-racism’ carried out considerable research in this field nor shown any evidence of empathy with the difficulties

* Many years later, Triesman was accused of playing the *Race Card*. One journalist reported that “Watching Triesman pose as a power broker...was like gawping at a man tap dancing in lead-lined diving boots...He alienated potential allies, played puerile patriotic games and generally came across as a posturing buffoon. He broke protocol by playing the racism card” against Spain and Russia¹⁰

faced by Black people in the workplace; let alone experiencing racism as a victim. These flaws in the ‘experience, knowledge and understanding’ of the three seemed to have passed by NATFHE bureaucrats as well. Triesman, despite his own experience of anti-Semitism and whether or not he had ‘consciously formulated’ his dismissive attitude to Bis Weaver, had written off her ‘long history’ in the anti-racist movement and her long experience as a victim of racism. Perhaps, he did not even consider that she had one. He appeared to consider this when suggesting to her, on the 12th June 1986, that she was merely a victim of abrasiveness and not as she would have described it as a long period of harassment. This was another of Triesman’s inedible cakes for NATFHE to try to both eat and hang on to.

There was a sinister aura lingering around NATFHE - hardly an advertisement for the anti-racism policies NATFHE vigorously claimed to espouse. Figuratively speaking, NATFHE was *Dorian Gray*, outwardly still relatively unblemished but inwardly degenerating; a portrait soon to be taken out of the attic and hung in a public gallery to allow *Dorian Gray* to be seen in all his hideousness.

A commentator on racism, around this time, pointed out that complainants of racism were subjected to: (i) unfriendly or even hostile treatment and sometimes treated as though they were the attackers; (ii) complaints being treated as trivial; and (iii) racism being redefined by simply turning the facts upside down.¹¹ The author was writing on attitudes shown by police officers to victims of racism, although his comments could easily have applied to some of NATFHE’s officials and officers at head office and in the West Midlands. NATFHE had also adopted the rapid-fire response of the police when defining racist incidents as being ‘not racially motivated’ in its attempts to deflect attention away from racism within the police force. NATFHE’s submissions were clear illustrations that all terms and concepts in NATFHE were turned upside down when dealing with Black members.

NATFHE’s officials and lay officers had paid little attention to several points uttered by Triesman himself. In 1970, Triesman criticised the Conservative Party, who “consolidate Powellite racism into respectability.”¹² In 1986, NATFHE’s submission consolidated *Powellite respectability* within *NATFHEism* by displaying disdain for Black and Asian complainants. In 1980, Triesman’s declaration that “The ability to come to the assistance of those colleagues who are under the worst attack...is one of the hallmarks of trade unionism...It is the quality of selflessness.”¹³ Was this selfless quality only to be doled out to White members? A year later, in 1981, as NATFHE’s Inner London Regional Secretary, Triesman came to the assistance of North London Polytechnic staff members, who were

being put under unreasonable pressure from the polytechnic authorities for refusing to identify students picketing the polytechnic to keep out a student member of the National Front. Triesman warned the authorities that “If any of our members are sent to prison it will be a flashpoint for action.”¹⁴ Five years on and it appeared that assistance was doled out in limited quantities in NATFHE and only to specific groups of members. NATFHE had again rallied to the defence of staff members, at Bournville College, but on this occasion the beneficiary staff members were responsible for subjecting a Black woman member to “unreasonable pressure” in the college. Triesman’s more recent declaration of 1984 when he identified racism as “a White problem, not a problem of Black people” seemed to be a passing statement that had little significance to the orator or to his audience.¹⁵

NATFHE had disclosed the tactics it intended to use against Bis Weaver in order to ‘vigorously defend’ its indefensible policy and actions. NATFHE’s ‘anti-racist commitment’, which tended to concentrate on neo-fascist organisations or the police, refused to consider allegations of racism in its own ranks, or at least, was not prepared to tackle them when they were made against members of NATFHE’s ‘officer caste’. NATFHE’s submissions, hiding behind the inaccurate claim of following the policies of the trade union movement, were an absolute disgrace. * Its defence presented no real obstacles since considerable evidence was available to disembowel NATFHE’s own form of *Powellism*. ** NATFHE was well on the way to being hung by its own petard.

The Geoff Hall letter, received the same day, indirectly disclosed the findings of the LEA’s enquiry that would dispense with NATFHE’s claim of no merit; and the release of these findings would be of considerable value to Bis Weaver’s Industrial Tribunal case. Her principal worry concerned the possibility of the Industrial Tribunal centring solely on legal arguments about indirect discrimination in NATFHE’s policy. If the Industrial Tribunal addressed only this particular point of law the wealth of background material debunking NATFHE’s bogus claims might not enter into evidence and NATFHE’s spurious submissions would enter the public record and remain there.

It was only too obvious that NATFHE’s submissions had a purpose in addition to

* In 1988, when the Weaver case became public knowledge, leading figures in the trade union movement - markedly more powerful than Bis Weaver, condemned unions like NATFHE with their discriminatory policies and practices, thereby, giving the lie to another NATFHE claim that its policy on tenure was common to all trade unions. In fact, it was not even NATFHE’s policy but that was something not known to us at the time although it should have been known to NATFHE’s officials, especially Triesman, who was in charge of all casework dealt with by officials

** Demonstrators in the late 1960s/early 1970s against Enoch Powell’s racism used the slogan ‘Disembowel Enoch Powell’

that of defending NATFHE at the Industrial Tribunal. Another purpose was to create an impression for the CRE that NATFHE officials were as deeply committed to anti-racism as were those against whom Bis Weaver made her complaints. Was NATFHE seeking to portray Bis Weaver's complaints as vexatious and frivolous to induce the CRE not to support her? NATFHE had shown little reluctance in doing this with TUC Committees and the LEA in Birmingham. With its close contacts to the CRE in London it would indeed be frivolous to think that NATFHE would not try to influence that body into rejecting her application for support. Did NATFHE think that without CRE support, Bis Weaver, being on her own, would drop the case? Did NATFHE really believe this conjured up image of Bis Weaver wanting free advice for people of 'limited' means? If so, NATFHE had blinded itself to the possibility that Bis Weaver, who was set on justice, might be prepared to pay for legal representation in order to get that justice. The coming year showed this to be the case.

Bis Weaver did receive a direct communication from NATFHE that arrived simultaneously with the submissions. This was an acknowledgement of the Rule 8 complaint 'against S Pattinson' and advising her that it was on the Agenda for the 31st October sub-committee meeting and "warn[ing her] that Rule 8 complaints are generally taking several months to process."¹⁶ This was a most appropriate date for NATFHE to deal with something concerning Bis Weaver's case when the spooks, witches and demons come out to play tricks on mere mortals. She wrote back pointing out the complaint was against S Pattinson on behalf of the branch committee.¹⁷ The union could not even get that right!

(b) Cuckoos of a Feather.

In reply to Bis Weaver's letter following up the 'cloak and dagger' episode involving one of the city council's officers, Geoff Hall made a step towards revealing the findings of the hearing. In his letter, he urged her to "exercise caution" in reporting matters other individuals or bodies, as it was his responsibility "to keep them properly informed through [his] colleague, Mr Ahmed." Geoff Hall was unaware of her reluctance in having to 'write to these others' but in the circumstances she had little choice given: (i) her meeting with a city officer on the day of the hearing; (ii) the monitoring of her movements by city council officers; and (iii) her previous experiences. She was in the position of not knowing who to trust. He reaffirmed that had he not been able to establish at the enquiry that her "immediate personal difficulties were abated by the current secondment of the individual

concerned” and “the dispute with NATFHE was ‘contained’,...[he] “would have taken immediate action to rectify that” - confirmation of the LEA accepting Bis Weaver’s difficulties were caused by Gates and his fellow union cohorts. Hall announced his intention of reporting his conclusions in two weeks’ time after returning from the USA. He also disclosed an extremely significant and welcome piece of news that provided additional weight for her Industrial Tribunal case against NATFHE. He appreciated that she might “wish to use the results of [his] enquiry to assist” her in pursuing “the NATFHE handling of the matter.”¹⁸ This was a clear indication her grievance would be upheld, otherwise anything less than that would not be of much use in a case of racial discrimination against NATFHE. Geoff Hall’s revelation debunked NATFHE’s claim that her grievance lacked merit. * Geoff Hall urged caution because he knew the details and the reasons behind the monitoring of her movements as well as the identity of the person responsible.

Geoff Hall’s letter, dictated on the 8th October, was posted on the 16th October, which meant his ‘report back’ would be anytime between the 22nd and the 30th October. His conclusions had obviously been arrived at prior to the 8th October; reported to the city council’s chief executive; and to Labour group members on the various committees ** and to the Labour leadership. This might explain the obsessive attempts by Labour leaders, via the city council chief executive, to seek on four occasions *** whether or not Bis Weaver had permission to attend the two September meetings. Geoff Hall’s reply also indirectly confirmed that the city officer, who arranged the clandestine meeting at his home, was not acting on behalf of the panel but, if he was not acting on its behalf, on whose behalf was he acting? Was it local NATFHE officers, with whom he was in close contact through his role on the council, or Labour politicians or both? What seemed certain was the LEA’s report could do a lot of damage to: (a) the city council; (b) the Birmingham Labour Party riddled

* In September 1987 Bis Weaver asked a community council relations officer for assistance in obtaining a copy of the LEA’s report into her grievance, which had still not been released to her. She wanted it in order to submit it to the Employment Appeal tribunal. He approached an officer of the city council – the one who invited Bis Weaver to his home after the LEA hearing, and was allowed to read the report but not permitted to take notes. In his report back to Bis Weaver he was “satisfied that it [was] a case of racial harassment.” The enquiry had found in favour of Bis Weaver but the City Solicitor had recommended no action be taken against Gates et al, or the College or the LEA because there were flaws in the way the investigation was carried out and the fault was laid at Geoff Hall’s door.¹⁹ What was not recorded was that the flaws in the procedures – subverting the statutory grievance procedure, came at the instigation of NATFHE’s regional official through a contact in the city council.²⁰

** The Education Committee; Further Education sub-Committee and Race Relations and Equal Opportunities Committee

*** One more occasion was soon to take place

with serious discontent from Black and Asian councillors and those party members disillusioned with the pusillanimous approach to racism in the party; and (c) to NATFHE's claim of no merit in Bis Weaver's grievance - its main pillar of defence, which it would blow completely away.

The situation had changed dramatically for NATFHE officials, who were now performing in the arena on their own behalf and not as representatives for third parties in a grievance hearing. The role of prospective saviour to three of its members co-existed with extricating two of its officials from a finding of racial discrimination against the union. The welfare of three officers had ceased to be, if it ever was, a major concern for the union's actions; as the prime objective appeared to be to rescue Day from his iniquitous 'enquiry' and Triesman from the consequences of his emphatic declaration of union policy. NATFHE officialdom would become dependent on the Birmingham Labour council suppressing the LEA's findings otherwise NATFHE officials would be joining the three officers and they would hang together. *

Storm clouds were beginning to gather on the horizon; forebodings of what Bis Weaver would ultimately face from leading lights in the Birmingham Labour Party and similar self-interested allies of the Labour Party in NATFHE. NATFHE's way of dealing with an issue had revealed the ineffectiveness of its anti-racism policy and now Bis Weaver was to witness the governing Labour Party in Birmingham wallowing in the same sludge.

The Labour Council leadership, trying to recover from the effects of the Handsworth 'Black protests', ** was troubled by the prospect of the spotlight shining on investigations into city's colleges by the CRE as a result of the actions of three employees and a pusillanimous college management. The prospects of a race controversy providing more ammunition for the Birmingham Labour Party's Black Section coupled with the threat of possible union action in support of the 'Bournville three' put pressure on the Labour leadership to sink the grievance without trace, just as NATFHE had tried unsuccessfully to do with the original complaint. ***

The Birmingham Labour Party was to play its full part in NATFHE's dance with

* With apologies to Ben Franklin

** See the paper written by the author²¹

*** The cauldron of dissatisfaction within the Labour council over the Labour group's fainthearted approach to tackling racism in the city was soon to erupt. A couple of months later, the Labour group leadership sacked Phil Murphy from the Race Relations committee due to his stance on race issues, including the 'Bournville College racial harassment issue.' This was followed by his expulsion, albeit temporary, from the Labour group. The Labour group quickly found someone among the Black councillors to step into Phil Murphy's shoes

Diablo.

When Geoff Hall's findings found their way along the corridors of the city council; tarrying awhile at city council officers and committee chairpersons; before reaching the city solicitor and the incumbent of the 'Oval' office – the leader of the Labour Party in Birmingham, Dick Knowles, the monitoring was resurrected. But there was nothing original in its rebirth because it focussed on the same issue.

For the fourth time in nineteen days enquiries were made about Bis Weaver's attendance at the city council's Race committee meeting. The telephone call this time came from the top man in the LEA, Crawford, to the Bournville Principal asking the same question. Bis Weaver provided the information yet again and declared this was the last time she would do so. She was told she "had obviously annoyed someone in the Labour party...someone called Knowles", who was behind the request for information and whose name the college manager "did not recognise." The name was no mystery to Bis Weaver and she informed management he was "Leader of the Labour Group."²² The Labour group leadership seemed to be verging on 'insanity' by "Doing the same thing over and over again and expecting different results." *

The monitoring of her movements or, in popular parlance, spying on her, sponsored by the Labour party and using city employees to spy on another city employee to serve the interests of the ruling political party's hatchet men, should have brought fire and brimstone on the perpetrators from the victim's trade union. However, Birmingham NATFHE exhibited a partisanship against Bis Weaver that defied the basic tenets of trade union principle as local NATFHE officers showed themselves to be naught but hypocrites. They took no action whatsoever to follow up these 'police state' tactics of spying on employees and turned their backs on Bis Weaver by doing nothing to challenge the city council employers, whose actions violated everything trade unionists were supposed to believe in. Instead they chose to protect members of their own 'officer caste'. Had it been any other members exposed to the Labour group's insidious tactics, especially White members or, if Black, being subjected to this kind of treatment from a Tory council or the police, these *NATFHEists* would have union members marching in droves on Birmingham Town Hall or Bradford Street police station.

These 'radicals' – some describing themselves as revolutionaries or at least they did a few years before, were lining up to play a part, as would soon be shown, to assist the

* A definition of 'insanity' attributed to Albert Einstein

union and the Labour Party to come out unscathed. They were prepared to give short shrift to rights, justice and anti-racism when these principles came into conflict with the ‘narrower interests’ of the ‘brothers and sisters’, although the interests they were protecting were packaged as loyalty to the union or party patriotism sprinkled with the usual platitudes of universal ‘equality.’ The political perspectives of members of this ‘Leftist’ grouping may differ but they now shared a common objective and making a positive stand against racism figured nowhere in it. These ‘activists’ showed themselves not only incapable of fighting for principle but also unable to live up to the slogans they volubly espoused.

The bout of espionage conducted on her movements caused concern among some Labour activists and was raised at the District Labour Party's meeting in October. Councillor Knowles, the old trade union operator knew how to play a situation and he offered to take control of rooting out the perpetrator. This was merely a diversionary tactic since Knowles had no intention of allowing any metaphorical paper chase to end up at his desk. Knowles' ploy worked and no enquiry, formal or informal, ever took place but the origin of the monitoring was eventually traced to him by a Labour Party councillor. Knowles was less concerned with the city council's vicarious liability for allowing an employee to be harassed in the workplace than he was about the political implications. The Labour Council: (i) had been hit with several race issues in the recent past; (ii) was in a struggle with Black activists in the Black Sections; and (iii) worried about the forthcoming local elections where race issues might play a part.

Councillor Knowles knew Bis Weaver and would have recognised her at the September meetings. * He also knew of the grievance that posed difficulties for the administration. Knowles, like Day of NATFHE, had ‘cut his teeth’ on these kind of practices as a one-time hack in the trade union movement in the era when trade unionism virtually confined itself to pay and conditions for its members – predominantly male and White members; and without the ‘encumbrances’ of equal rights for women, Black people, gays, the disabled etc. Knowles, originally from Sheffield, was more ‘blade’ than ‘owl’ ** – preferring the knife to wisdom, and would not find it beyond his experience to seek ways

* Dick Knowles was no stranger to Bis Weaver or me. In 1975 when canvassing for election to the West Midlands county council, he was invited into our house and over a cup of tea he told us of his work helping to form trade unions for African workers in what was then Northern Rhodesia. Subsequently when we joined the Labour Party, we were in the same Labour Party ward (Weoley Castle) and attended many meetings alongside Knowles until we moved into the Selly Oak ward in 1980. Knowles was another person who had been in our house and was not averse to practicing dirty tricks when racism was involved

** The nicknames of the two Sheffield football clubs

of stifling the LEA's findings.

There was little doubt that NATFHE, in London and Birmingham, and the Birmingham Labour Group had mutual interests to protect. A union of enemies was being forged, whose objective was to prevent the release of the LEA's findings, which NATFHE, from its contacts within the city council, would be aware did not favour its three 'golden boys' or NATFE's own interests. The pressure on Bis Weaver from the top would inevitably be accompanied by pressure from grass roots acolytes in the union.

The Birmingham Labour Party leadership's 'neo-con' mentality in Birmingham had kindred spirits among NATFHE's 'activists', which was not altogether surprising. Many NATFHE officers were also active members of the Labour Party in Birmingham, enabling them to by-pass city council officers (employees) to get right to the 'big guns' in the local governing party. These close links between NATFHE lay officers and Labour councillors came from sitting together on ward, constituency, liaison and district committees within the Labour Party; or on school and college boards of governors throughout the city; or on other committees within the local authority. * As members of the Labour Party, we were not unaware of the connections that posed a threat to Bis Weaver's rights both as an employee and a union member. We were kept up to date with some of the developments by a number of contacts among the genuinely radical and independent-minded White and Black members of the Party. What we failed to anticipate was the extent of the *bonhomie* between NATFHE officers and local Labour Party councillors and the threats posed to her by this 'band of

* Najma Hafeez was about to stand for re-selection as Labour candidate for the Fox Hollies ward in the 1987 local elections, and Hartland, a member of that ward, would be campaigning on her behalf. Hafeez was chair of the city council's Further Education sub-committee; the committee responsible for local colleges, including Bournville College, and for overseeing the LEA's grievance hearing. She was also a Bournville governor and NATFHE member. Mackney was also a Bournville governor. Hartland and Hafeez were also members of the Labour Coordinating Committee (LCC) – a faction in the Labour Party. Hartland was also a delegate to the Sparkbrook Constituency Labour Party - the constituency that included the wards Dick Knowles and Najma Hafeez represented. ** She had also been delegated responsibility for pursuing the issue by the IWA.

One prominent member of the LCC and the Sparkbrook ward became secretary of the Birmingham Labour Party - a one-time Communist Party member in Birmingham, as was Gates. He was shortly to join Bournville College as a part-time lecturer and immediately attached himself to the *kernels* on the branch committee. He eventually left the Labour Party to become an activist in the British National Party.

** Najma Hafeez and Bis Weaver were members of the Indian Workers Association. The Association was aware of Bis Weaver's situation and Councillor Najma Hafeez, was delegated by the IWA to raise it in Birmingham city council;²³ which failed to accomplish anything positive as she lined herself alongside senior Labour politicians. In 1982, Bis Weaver had spent many hours canvassing alongside Najma Hafeez in Hafeez's unsuccessful attempt to get elected as a Labour councillor for the Selly Oak ward but Hafeez's later success in the political field seemed to dull her memory of this

brothers and a few sisters’.

There was still considerable mileage to run in the ‘sabotage handicap’ and while the Labour council would use its control of the stewards in seeking the result it wanted; the NATFHE ‘Left’ was to ‘dope the favourite’ with a series of injections in an attempt to bring it down before reaching the finishing post. The ‘Left’ exposed its partisanship and lack of commitment to anti-racism to a greater extent than it had already revealed. There appeared to be no end to the mendacity spreading down through a pattern of interconnecting strands from NATFHE head office, through the West Midlands REC to the Birmingham liaison committee and into Bournville branch committee drawing an ever wider number of officers and members into its orbit. NATFHE’s ‘doping technique’ would produce extremely destructive Machiavellian intrigues in the months leading up to the Industrial Tribunal hearing.

These intrigues may represent plots to bring Bis Weaver down for registering complaints against NATFHE officers and for submitting an application against NATFHE for racial discrimination; or be schemes to improve the efficiency and performance of NATFHE in its everyday activities; or may be merely coincidences coming at a time when the LEA report was about to be released and the Industrial Tribunal application was about to be heard. Whatever designation could be assigned to these events they were to bring considerable pressure to bear on Bis Weaver. The reasonable person can decide on the most appropriate classification for these activities.

NATFHE officials did not operate in isolation as NATFHE local committees were preparing to defend themselves from this ‘fearsome enemy’ confronting the union disguised as a lone Black woman in Bournville branch. There could be little doubt that Cave, Hartland and Gates, through the NATFHE apparatus, had been ‘tipped off’ to the findings as Bis Weaver, with her far fewer contacts in the city council, had been alerted to the findings. The branch executive met on the 23rd October to discuss what was described as “the mounting pressures faced by Branch Committee members and the membership as a whole.” Just as Gates, aided by Day, had identified the interests of the branch with his own interests to cover up a complaint of harassment, the *kernels* were identifying the impending release of the LEA’s report as action against the branch. A prospective investigation of the college was a convenient means to mobilise the branch behind the ‘trio’.

The calling notice offered up the prospect of a wide-ranging discussion of the role, structure and function of every aspect of union activity in the college branch. This

programme of action had suddenly been devised to enable “the Branch, Branch Committee, its officers and reps [to] effectively discharge their functions in safeguarding and improving the working conditions of the membership” - another myth acting as a cover to prepare the committee for active service in the cause of defending the ‘trio’ to the exclusion of Bis Weaver.

The agenda allowed “anybody who wished to add items” to contact “Branch officers before the meeting,” but the meeting was reserved exclusively for branch committee members – no observers had any place to witness the discussion. This was unnecessarily restrictive considering the objective was purportedly to improve conditions for members. However, the calling notice revealed its real purpose by stressing how important it was for committee members to attend “in order to determine a collective response to these pressures.”²⁴ There was no need to guess what those pressures were and who was feeling the pinch given that Geoff Hall’s conclusions and intentions had already been leaked. The branch executive appeared to be calling an exclusive meeting of committee members to tighten ‘discipline’ and to show a united front against the ‘pressures’. From now on another kind of pressure – the type used between January and June 1986 to crush Bis Weaver’s complaints, was resurrected in the branch and, as would soon be seen, also in the West Midlands REC and regional council. Bournville branch was to be used as a frontier post for the interests of NATFHE bureaucrats at the Industrial Tribunal and for three of its officers.

Over the coming months, NATFHE turned the screws on Bis Weaver in Bournville College and in local committees; and several reprehensible offensives were to be etched on NATFHE’s monument to anti-racism. This was made possible by the Labour Group leadership, whose determination to prevent the release of the LEA’s report had left Bis Weaver vulnerable to NATFHE’s ‘dogs of war’ in the same way as Day’s *Whitewash* had given *carte blanche* to Gates twelve months before. The Labour leadership’s way of addressing racism in the workplace differed naught from that of NATFHE’s.

(c) Discrediting the Discreditors

The battle lines were clearly drawn and Bis Weaver had become increasingly isolated as some of the few who had shown some consideration for her difficulties gradually distanced themselves. Complementing this, a number of schemes were being developed to further discredit her in the run-up to the Industrial Tribunal hearing and to put pressure on anyone supporting her.

While these schemes were gestating, Bis Weaver had other things on her plate to deal with. The next steps for her to take were to: (i) rebut NATFHE's submissions by sending a detailed critique to the OIT and also to the CRE, for when it met on the 5th November, lest NATFHE's fabrications influenced the CRE not to provide her with *gratis* legal advice, as NATFHE implied was her principal aim; and (ii) scout for witnesses to rebut NATFHE's 'evidence' at the Industrial Tribunal hearing.

Bis Weaver had spoken to the branch secretary, shortly after receiving NATFHE's submissions, wanting to know when the secretary intended to act to restore her rights in the branch but that was a dead end as nothing constructive emerged. However, in changing the subject, the secretary revealed another feature of union patriotism. She thought Bis Weaver had a "good case in the union, [that might] get a policy change," which was something the region's women's group were "going to organise...to get rule changes." An interesting corollary to Bis Weaver's struggle was that the women's group, having done absolutely nothing for her throughout her ordeal, saw itself and those it 'represented' as likely beneficiaries of her struggle. Black women did have their uses after all!

Bis Weaver reminded her that two years ago attempts were made to change the rules but to no avail and it would take years to achieve anything through the union. Instead, Bis Weaver suggested that she appeared as a witness at the Industrial Tribunal to raise sexist discrimination as another facet of the policy on tenure. Even though agreeing that NATFHE did not have procedures and "has made a mess of" her case, the secretary said she "cannot go against NATFHE." Bis Weaver wondered how these anti-sexists were able to convince themselves they were also anti-racists. As she put it, "the so-called 'Left'...anti-racists will not...speak against injustice [directed] against a Black person...[They] are all full of words but no action."²⁵

Bis Weaver had also been trying to track down NATFHE's Birmingham anti-racism officer, who had not responded to any of her phone messages, and she eventually contacted him after a couple of weeks when she and I took a trip to the college where he worked. There were two purposes for getting hold of him. The first was for his account of the TUC Race committee meeting already described by Muff Sourani. The second was to ask him for a written account of Triesman's reasons for advising her to go to the CRE and waiving Rule 24 on the 12th June. On the second point, his version matched hers as he heard nothing about a libel case; or anything about organisations offering free legal advice; or her saying Gates should be dismissed.²⁶ He was in a strong position to confirm his account as he had taken notes of that meeting with Triesman. As for the first point, he denied making any

proposal for her pursue the issue through NATFHE and claimed to have sent a letter to Muff Sourani to this affect.

According to Dhesi, after Bis Weaver's letter was read out to the committee, Dhesi "asked the chair to clarify the role of the...Race Relations Group in relation to this case." The chair explained the group's role before advising "it would be inappropriate to discuss the case..." A delegate then suggested that the "Committee should advise Bis Weaver to persue (sic) her case through her own union" whereupon Dhesi disclosed that she had done that "without resolving the case...A number of contributions" were made and "it was suggested...to write to Bismillah Weaver explaining why her case could not be discussed..."²⁷

As NATFHE's local anti-racism officer, Dhesi had been given a golden opportunity by Muff Sourani to express the dissatisfaction of NATFHE's Black Lecturer's Group about the way the union dealt with these issues, even if he was subsequently ruled out of order, but, apparently, he chose not to do so. Instead, he asked for clarification of the committee's role. Dhesi's diffidence was all the more significant because he was advised that her case was likely to be raised at the meeting after she sent him copies of her correspondence to and from Muff Sourani in July and September. She and I wondered if Dhesi had sought advice from liaison committee officers on how to deal with the issue if raised at any non-NATFHE committees.

Muff Sourani had been extremely supportive of Bis Weaver from the time when he first heard of her case. Was his recent letter possibly tipping her off not to expect anything from Birmingham NATFHE? Dhesi's avoidance of Bis Weaver for a couple of weeks until confronted personally cast some doubts on Dhesi's 'explanation,' especially as future action by Muff Sourani over the Weaver case showed it unlikely for him to have mistaken the contents of the TUC meeting. *

NATFHE's anti-racism officer had for months, following the release of Day's 'report', been in close contact with her supplying information on events in the liaison committee. The liaison committee secretary had also performed this service but he was now wholeheartedly embracing NATFHE's cause. We were aware of the influence exerted on officers in NATFHE to toe the NATFHE line and the anti-racism officer would be no

* Muff Sourani dropped a note to Bis Weaver explaining the committee was purely advisory "formulat[ing] opinion on how to fight racism" and did not handle individual cases. He said he would "like to help in some way but [was] not in a position to do so."²⁸ Muff Sourani's later action showed his displeasure over the committee's response

exception to that kind of influence. This had the stamp of NATFHE officialdom's *dictat* to the Birmingham liaison committee and the REC not to involve themselves in the case, which was now extending to cover avenues outside the union. Had not Ms Welch done exactly the same thing at the West Midlands Regional TUC meeting?

Looking towards the Industrial Tribunal, we now had rebuttal evidence for Triesman's claims as to why Bis Weaver was advised to go to the CRE but there was also NATFHE's claim of 'merit as the determining factor' with the additional, albeit false, claim of racism not being mentioned until after the release of Day's 'report'. Bis Weaver's *aide memoire* was available as was the documentary evidence of her meetings with the branch chair, care of the branch's inefficient filing system, but an independent witness to authenticate the documents probably carried more weight.

One person appeared crucial to demolish NATFHE's defence; the ex-chair, Cynthia Deeson, who was now back in college. Bis Weaver arranged to meet up with her on the 24th October. The day the Labour group carried out its last known attempt at monitoring her movements.

Cynthia Deeson was apparently unaware of the Industrial Tribunal case, believing the case to be in the hands of the LEA. The grounds of the case against NATFHE and how it differed from the grievance, although linked, was explained to the ex-chair. Cynthia Deeson was familiar with NATFHE's policy on tenure as it was apparently raised at a NATFHE Conference in 1985 and a discussion had taken place about a case where NATFHE assisted a senior lecturer because the complaint put his tenure at risk (the Telford case). So much for Triesman's claim about NATFHE not offering assistance to senior lecturers against junior staff!

Bis Weaver then turned to the reason for requesting a meeting with the ex-chair. She asked if Cynthia Deeson could remember the reasons Bis Weaver gave her to account for Gates' behaviour. Ms Deeson recalled her saying "it was to do with race and possibly sex" whereas "Gates said it was a personal dispute." Ms Deeson also remembered questioning Bis Weaver's interpretation because she [Ms Deeson] thought Gates' "behaviour was normally direct." Ms Deeson recalled that Bis Weaver had responded to that comment by asking if she (Ms Deeson) could cite any examples where Gates "called someone a liar and swore at them in front of management..." or if he had done this to Ms Deeson herself and Ms Deeson confirmed she had said no. This was the first time Bis Weaver had heard of Gates' description of his behaviour, which was probably the genesis of all claims of 'interpersonal problems' or 'professional and personal dispute' or 'friction' spieled out by

Day, Ms Welsh, President Whitbread and even in NATFHE's submission. Ms Deeson went on to confirm that a written record of the meetings was made at the time and a questionnaire sent to Gates asking him a series of questions including one asking "if his behaviour was racist?"

The reason for asking for confirmation of the contents of their meeting was explained to Cynthia Deeson, and she was asked if she would attend the Industrial Tribunal hearing to confirm their initial discussion of the complaint. She agreed to attend on the understanding she was "not taking sides." Satisfied in having a witness to refute NATFHE's accusation of her playing the *Race Card*, she reassured Ms Deeson that she was not expecting her to take sides but to verify their discussion.²⁹ This was an important development. Ms Deeson had recollected the contents of their meeting and confirmed documentary evidence existed. One NATFHE officer appeared to have the courage to stand up for her convictions.

Ms Deeson's evidence appeared to solve one limb in the case even if the Industrial Tribunal hearing confined itself only to legal issues relating to NATFHE's policy on tenure as merit was a factor determining how the policy was applied. Ms Deeson's evidence did not establish if the complaint had merit but it confirmed that racism was mentioned early in the initial proceedings and NATFHE failed to investigate racism and had continually refused to do so. This raised the question of why NATFHE failed to investigate racism and why NATFHE categorised her complaint as having no merit.

With one witness prepared to testify to the truth, we set about debunking NATFHE's claims in its two submissions. Over the next few days, a great deal of time and effort was expended producing three detailed critiques – thirty three pages in total, to reach the OIT and, especially, the CRE before it met to decide on her application for assistance. *

The first document *Bismillah Weaver's Reply to NATFHE's Answers to the CRE's Questionnaire* covered the misrepresentations, falsehoods, fabrications, omissions and evasions together with the serious, damaging and unfounded allegations made against her in NATFHE's response to the Office of Tribunals – an exercise that had a considerable wealth of information to rely on as has been described throughout this account. At the end of the presentation, she dealt with NATFHE's "claim that the key service common to all trade unions is protection of tenure" by showing that NATFHE had given an unusual

* The content of these critiques came mainly from Bis Weaver's correspondence and conversations with Triesman, Dawson, Day and other NATFHE officers

interpretation of this claim. NATFHE was applying the policy to defend three members of NATFHE accused of harassing a Black woman, but this 'key service' had been ignored by NATFHE's regional official when using his position as investigator to recommend that union officers approach management to have the complainants post up-graded but to have someone other than the present incumbent appointed to occupy it.³⁰ Bis Weaver revealed that she had discussed Day's recommendation with an experienced trade unionist, who said "that in his experience trades unions have never recommended a member's responsibilities to be downgraded," which had been, in effect, Day's recommendation. *

The concluding point referred to NATFHE's claim of not accepting "that the three people...have shown any evidence of racism or discrimination." If that was the case then "NATFHE would have to explain on what basis it came to that conclusion because Mr Triesman...made it quite clear...that national officials...were not competent, as they did not possess the necessary knowledge, to draw conclusions on [her] allegations of...'racially' abusive and harassing behaviour."³¹

The second document *Bismillah Weaver's Reply to NATFHE's Submission to the Industrial Tribunal* was a three page account dealing with several of NATFHE's points. NATFHE's attempt to minimise the issue to a dispute between two colleagues over who should perform the role of Access coordinator was dismissed as she had a contract of employment as director/coordinator effective since October 1982.³² She suggested that it was because she "was a member of a racial minority that encouraged that...person (Gates) to dispute [her] right to carry out [her] contracted functions."³³ Details were also provided of several incidents occurring over a period of several months and not one incident as claimed in Day's 'report'.³⁴ A considerable part of the document dealt with her meeting with Triesman on the 12th June 1986.³⁵

Document 3 addressed NATFHE's playing the *Race Card* – the last refuge of the guilty, in a step-by-step account of her dealings with NATFHE officers and officials. Part 1 dealt with NATFHE knowing that Bis Weaver's complaint was one of racism (which covered thirty eight points) and Part 2 covered 'NATFHE evasions in investigating the racial implication in [her] complaint' (forty three points). This was a highly detailed account rebutting NATFHE's false claim that stated "it was as the dispute developed and the

Applicant became dissatisfied with the attempts of the Union to resolve it that the question of racial harassment was introduced." She used all the information: (i) in the

* She raised this point in a letter to Triesman,³⁶ who never replied³⁷

numerous letters sent to NATFHE officials and officers; and (ii) in conversations with appropriate people since the 10th June 1985, including Ms Deeson, Nedjat, Mackney and Day, until the completion of the ‘enquiry’. The subsequent attempts to have the union deal with the issue of racism raised in letters to Triesman and Dawson were raised as were her attempts to involve the ARNP and Black members in any investigating team. The fact that Dawson, after receiving her initial letter of dissatisfaction over Day’s ‘enquiry, had authorised the secretary of the ARNP (Triesman) to conduct an investigation with the panel’s chair was sufficient to show that “NATFHE was clearly aware of the racial aspects of [her] complaint.”³⁸

In the second part of the document, she showed that throughout the “attempts to get NATFHE to investigate...racial motivations...NATFHE kept changing the grounds for its failure to act in accordance with point 3.6 of the ‘CRE Code of Practice Recommendations for Trade Unions.’” NATFHE had also refused to explain its obligations under the Race Relations Act despite many requests for it to do so. She also described how head office officials and officers responded to her claims of race being a factor: (i) Mr Triesman admitted a lack of competence on his part to deal with race issues³⁹ and (ii) in a subsequent missive had stated that he had “no further comments and cannot continue to respond to correspondence, which, with respect, appears not to lead anywhere;”⁴⁰ (iii) the President of NATFHE (Ms Whitbread) dismissed it as a ‘dispute amongst and between members’ and (iv) there was “no formal provision in the Association’s rules” for a complaint of racial harassment;⁴¹ (v) the chair of the ARNP replied to her request for assistance by saying he would familiarise himself with the case⁴² but never contacted her again; and (vi) on two occasions when the case was raised at the ARNP for discussion the requests were ruled out of order.⁴³

In addition: (i) NATFHE had provided contradictory information and, as a means to prevent her obtaining information, the Bournville branch passed a motion preventing information being supplied to her by union members; and (ii) when the REC proposed an investigation of the case, in line with her request for Black involvement in the investigation, Triesman advised the general secretary to turn down the proposal.⁴⁴

These documents were sent to the Office of Industrial Tribunals and to the CRE.⁴⁵ She thought the documentary evidence cited in these documents would enable the CRE to recognise: (a) the falsehoods and misrepresentations in NATFHE’s submissions; (b) the relevance of racism in Bis Weaver’s grievance to the LEA; and (c) NATFHE officialdom’s discriminatory approach and practice to a Black complainant.

A few days later, on the 5th November, Bis Weaver had a meeting with ACAS. The ACAS officer was told that: (i) NATFHE's policy raised an important principle affecting members of racial minorities, which, according to NATFHE, operated in all trade unions; (ii) unless NATFHE admitted its policy was discriminatory and renounced it, reconciliation was not a plausible option; (iii) NATFHE would have to withdraw Day's partisan and inaccurate 'report' and publish the reasons for its withdrawal in the *NATFHE Journal*. Bis Weaver knew NATFHE would never comply with these requirements – its submissions were testaments to that assessment, as it would mean admitting to be at fault and having to display its ineptitude, amongst other things, to its membership. This was a price NATFHE officials were loath to pay. She gave the officer copies of the documents sent to the CRE and the OIT.⁴⁶

The same day as the meeting with ACAS, the Complaints Committee of the CRE met to discuss the application. Two days later, on the 7th November, another setback popped through her letterbox; the CRE regretted "to inform [her] that the Complaints Committee...decided not to provide further assistance."⁴⁷ This decision was almost incomprehensible considering the difficulties the CRE encountered in challenging discrimination and with the Weaver case raising important points of principle covering issues the CRE should have relished taking up. * The critique of NATFHE's submissions appeared to have no effect on the CRE even though it might reasonably be expected for the CRE to recognise NATFHE's crude use of the *Race Card*.

We suspected NATFHE had taken advantage of its links with the CRE to project itself as having a strong commitment to anti-racism; add a few smears that NATFHE officials were always prepared to throw in, and the day was won for NATFHE. NATFHE had exerted its influence on the LEA prior to and after the grievance hearing in September/October 1986; another smear campaign against her was about to be launched by local officers in Birmingham in November 1986, therefore, it would not stretch the imagination to consider that NATFHE would not miss an opportunity to use the same tactics on the CRE.

The 'thumbs down' from the CRE erected a number of hurdles that were almost insurmountable. The only way forward was to find a solicitor willing to take a case against a trade union. One thing Bis Weaver did not want was to instruct an anti-union legal

* Research had shown the difficulties faced by the CRE in getting support for its anti-discrimination policies.⁴⁸

representative, therefore, a solicitor with radical sympathies, prepared to take up the case as a matter of principle, was required. In the meantime, I would continue to act as her adviser and representative, and with a witness on hand to trump NATFHE's *Race Card*, or so we thought, my first piece of advice after the CRE had left her in the lurch was for her to get Ms Deeson's formal consent to appear as a witness and obtain a written statement of her evidence.

Expecting this to be a mere formality, she dropped Ms Deeson a note.⁴⁹ Ms Deeson, having reflected on her agreement to appear as a witness, wanted to be clear about her position before making a final decision. Therefore, she had contacted NATFHE head office to clarify "NATFHE's position regarding a member appearing at such a Tribunal." She hoped Bis Weaver "will appreciate that [she wanted] to be clear about the whole situation before [she makes] a decision..."⁵⁰ Apparently, truth and justice were secondary considerations to what NATFHE might think about her appearing at the Industrial Tribunal. There was no need for Bis Weaver to hold her breath in expectation of a favourable outcome of Ms Deeson's exploratory consultation with the union; she knew there was absolutely no chance of Ms Deeson appearing as a witness now as NATFHE officials were hardly likely to encourage her to give evidence that would bring down one significant pillar in NATFHE's defence – proof that racism was raised before Day's 'enquiry' began. Surely, Ms Deeson recognised that NATFHE would try to dissuade her from appearing.

With rebuttal evidence from Ms Deeson and the LEA's report unlikely ever to reach the Industrial Tribunal, a professional input to face the mounting difficulties was more than ever needed. We went off to see Tony Rust, who agreed to take on the case. He intended to contact the OIT to put back the date of the hearing, provisionally set for December, and move the venue from London to Birmingham. She accepted his advice to look at the possibility of bringing in a barrister to present the case⁵¹ - so much for NATFHE's not-so-hidden allusion that she was looking for 'freebie' advice and assistance. Leaving Tony Rust's office was like walking on air; a great weight was lifted from our minds. While we were floating on air, NATFHE was about to float an out of court offer but even this proposal appeared as a mask to cover up what NATFHE had in mind.

The day after Bis Weaver's principal witness had virtually excluded herself, Gates was in the college to attend a meeting of the Bournville College board of governors. Fifteen people attended the governor's meeting, including Geoff Hall; Olwen Cupid; Downey; Gates; an external delegate, who was a comrade of Gates in the Communist Party; another who was a Labour Party member from the same constituency as Phil Murphy; and the

student-governor, who alleged Gates tried to suborn his vote.⁵² One absentee with a specific interest in the Weaver case, having known of Bis Weaver's situation in the college since 11th June 1985 was Paul Mackney but he had decided to resign from the governing body and did so before this meeting. Perhaps, Mackney had more urgent issues to address or maybe he thought it might be a conflict of interests to express opinions on any action against a NATFHE Broad Left Coalition comrade.

Geoff Hall wasted no time in expressing "surprise that Mr Gates was in attendance...(as) he was on secondment for the 1986/87 Academic Year." Gates defended his presence with the claim that "it was the wish of his Teaching Staff colleagues that he should remain in office." How he came to that conclusion was difficult to assess because members of staff were not consulted about it. Fiction passed off again as fact. The chair of governors, a member of the ruling Labour Party and surely aware of the outcome of the LEA's enquiry and the serious issues it raised for the College, * not wishing "to disenfranchise Mr Gates" decided he should remain "pending an examination of the constitutional position." Was the chair of governors unable to see a conflict of interest staring him in the face? The chair should also have considered that it was the staff being 'disenfranchised' because Gates was hardly in a position to represent staff interests from up North or with a complaint of racism hanging over him. Gates' determination to retain his seat on the governors and to remain as chair of NATFHE's West Midlands REC had the trappings of a Columbo TV mystery where the offending party hung around the scene to keep an eye on things and to influence matters.

When the meeting dealt with matters in hand, Olwen Cupid was determined that the minutes of the 10th June meeting were changed to show the 'dispute' was between two full-time members of the teaching staff, not a dispute between a staff member and a trade union, and also involved a complaint of racial harassment. The minutes were partially amended but the issue of racial harassment and the concern expressed by Black Community groups did not get recorded.

Several governors "expressed concern at the apparent delay in releasing the LEA's report", which surely should have meant excluding Gates for this item irrespective of whether or not the rest of the staff wanted him there as their representative. Geoff Hall disclosed "it was not possible to make any detailed comment until an appropriate resolution

* A Black community group had written directly to the governors expressing its concern about racism at Bournville College.⁵³ The chair also knew of the student-governors allegations against Gates

of the matter had been determined.” This prevarication was due to an undisclosed meeting to be arranged with Day and Triesman to get their reaction to the LEA’s findings on the erring ‘threesome’. When hearing of Hall’s response, relayed by Olwen Cupid, Bis Weaver knew only too well the LEA’s report would not be released before the Industrial Tribunal and that significant rebuttal evidence challenging NATFHE’s defence of ‘no merit’ would not be available to her.

The branch chair, along with the branch secretary, attended part of the governor’s meeting to present the union’s side in a collective dispute between the branch and college management. After the union case was presented, the meeting was adjourned until the 2nd December ⁵⁴ – a date on which Gates would visit the college again and which coincided with another scheme to discredit Bis Weaver being put into effect.

Study leave up North had not diminished Gates’ influence in Bournville College or in the REC. There can be little doubt that Gates’ excursion to the college would not be complete without a discussion of the LEA’s findings with his co-defendants and others prepared to rally to their defence. There were plenty of recruits standing in the queue to defend the Bournville ‘trio’, as well as union officers and officials, and the plastic icon bearing the name NATFHE. From the confines of Hamilton House, NATFHE had used a legalistic sabre to slice through her case in the form of its deplorable submissions; and, if Bis Weaver still had the ‘bottle’ to carry on with the hearing, the time had arrived for NATFHE to mobilise the forces at its disposal to finish her off.

Cave and Hartland with the rest of the *kernel*s and a few new converts were to show an eagerness to play along with whatever was cooked up within NATFHE’s domain. The first scheme was about to be put into operation. As with all such schemes, this was carried out with the usual standard of guile associated with NATFHE but on this occasion Gates, Cave and Hartland played their carefully marked cards with a token joker in the pack. The joker appeared to have been included to direct attention from the scheming and to secure support from the branch under the pretext of ‘anti-racism’. Their usual approach of surreptitiously smuggling unfounded claims into management via the back door and then having to abandon them for lack of veracity was maintained but this all came unstuck when the LEA insisted on an internal enquiry into these new claims. As for branch and REC members, they were less concerned with requiring substantiation for any claims made by the ‘trio’ and more interested in going along with the flow by believing what they wanted to

believe. In the first week of December would blossom the grotesque fruit that had been planted and nurtured in the dark for several weeks.

(d) NATFHE Troops Move to the Front

When the ‘Left’ in the West Midlands became aware that Bis Weaver, with my support, had in *lingua NATFHE*, ‘betrayed trade union principles’ by using the bourgeois legal apparatus against the union we were awarded a new label - *enemies of the union*. But bourgeois or not, the Industrial Tribunal could not be any less discreditable than anything NATFHE had on offer. NATFHE had propelled her into taking ‘their’ union through ‘bourgeois’ legal channels to expose NATFHE’s discriminatory policy. The ‘Leftists’ should have been queuing up to denounce the union’s policy and those prepared to implement it, but instead it was the *whistle blowers*, who became the *enemies of the union*.

NATFHE’s Leftist assortment of Broad Left, ‘revolutionaries’ and ‘unattached Left’ – a combination divided on a whole range of issues, had found a common unifying cause by distancing themselves from the Weaver case and ‘justifying’ their opposition with a range of feeble excuses. This ‘patriotic’ attachment to the union was a necessary requirement for the ‘party or sect-like hacks’ to reinforce their own sense of ‘right’ for participating in, or openly supporting, the appalling deeds the union had, and was intending to, perpetrate against a Black woman refusing to *kow-tow* to the union’s plastic icon before which the union patriots metaphorically knelt.

Bis Weaver and I were characterised as more than enemies of the union; she was portrayed as the enemy of truth, principle and justice, who unscrupulously manipulated the situation for her own ends by using her ethnic origins as a weapon. NATFHE had set out its stall to sabotage ‘truth, principle and justice’ when forced to appear in, what was to NATFHE ‘radicals’, the loathed ‘bourgeois’ legal arena.

Our new *dog-tag* came into vogue among ‘revolutionaries’; ‘Stalinists’ and all types of ‘fellow travellers’ and the new identification label accredited to us may have some justification but in a different context to the one it was meant to convey. We were certainly enemies of: (i) officials or lay officers, who, in the name of the union, misused the power at their disposal; (ii) the ‘fellow travellers’ acquiescing in the unreasonable or unjust decisions of the powerful; and (iii) the *Frere Jacques* standing aside and remaining *Freire-neutral* in the conflict between the powerful and the powerless. These power brokers and their acolytes hid behind numerous variations of workers of the world unite and they might be

generous enough to loosen the chains a little if the workers did as they were told. This vanguard of the proletariat was the real *enemy of the union* and would remain so because only “an enemy who sees the error of his ways ceases to be an enemy”⁵⁵ - something these self-serving’ activists were incapable of recognising. NATFHE officials and officers, whether located in London’s *Tower of Babel* (Hamilton House) or North of Watford in the West Midlands, would continue to astound us with their duplicity right up until the Industrial Tribunal hearing and for a lengthy period of time afterwards when NATFHE’s dirty tricks brigade put reason to the sword having already dismembered principle, right and justice. Between October and December 1986, NATFHE scraped the barrel of deception demonstrating that the union with the glossiest anti-racism pack had the trashiest practices.

We had been working to dispose of an overriding sense of *Zen and the Art of Motor Cycle Maintenance* surrounding what was to become the *Weaver v NATFHE* case. Pirsig in *Zen*,⁵⁶ appeared to be searching for evidence to prove reason was a force in human understanding while being sceptical of its existence. We were looking for the existence of principle, right and justice in NATFHE but were convinced they did not exist.

The efforts of the big guns aided by local officers to secure a favourable outcome to the LEA’s enquiry in a manner acceptable to national and regional officials; or the suppression of its result if unfavourable, were about to be reinforced at branch and local committee level. These new tactics aped the activities of the February to June 1986 period but were more noxious than experienced during that period. But again to mimic Triesman, “what did she expect?”

The first hint came at a meeting of the WMARC. Unlike the BLCARC, which had ceased to exist, the WMARC still existed and we were curious to see what cards the REC/Broad Left Coalition would play. There was something definitely brewing in the witches’ kitchen managed by the REC/BLC but what would come out of the stew was difficult to assess as there were few of the cooks in attendance. At the WMARC meeting on the 29th October only seven people attended. Of the twelve REC appointed WMARC members, three attended, including Krishna Shukla and Gates. Of the four others attending, three were Asians and the other was me. Ms Frew, who attended the last meeting, was absent, and for the second meeting in a row, Krishna Shukla, originally prevented from standing as a candidate for chair, acted in that capacity in the absence of Ms Pattinson. For the first time, the anti-racist radicals had the edge when a vote was required.

In a report back from the REC, it was disclosed that the “matter concerning D Clarke had not been satisfactorily resolved yet” but would be discussed at the next REC

meeting. With the Clarke issue apparently being dealt with by the REC, Bis Weaver need not hold her breath in expectation of anything positive for her coming from that quarter. Gates also announced that “the small attendances at the [WM]ARC meetings was discussed at the last [Regional] Executive meeting...[adding] this matter was on the agenda for the next Executive meeting...” The attendance at the last WMARC meeting was the same as at the first WMARC meeting that Bis Weaver and I attended in February, which would have been two less had we not heard of the existence of such a committee. Apparently, the attendance in February had been usual for the committee and the May meeting was abandoned because of the low attendance. So why was the REC concerned now? Was the proposed discussion at the REC to encourage REC-appointees to attend the WMARC to ensure the committee followed its previous ‘armchair theory’ prescription for dealing with racism? No depth of thought was required to establish that the so-called low attendance at the September meeting, and now in October, was due to absenteeism among Broad Left Coalition members. Their absence seemed merely a ploy to raise the ‘attendance’ issue at the REC in order to reinforce the idea that attendances were low as a result of some new factor. *

Krishna had attended the October REC meeting but had no idea that the ‘WMARC attendance’ was to figure in its next agenda as the proposal was not raised until just before the end of the meeting after he had left. The deliverer of the REC’s proposal did not reveal another decision, taken by the REC, affecting the WMARC. The REC required a report of the WMARC’s activities to be presented at the November REC meeting; nor was Krishna, as secretary of the WMARC, told about the required report he was expected to produce for almost another month.⁵⁷

The main business of the WMARC meeting concerned the Black Lecturer’s Group’s proposed development of an alternative anti-racism policy document, ‘Support for Black Staff’ - providing active support in the work-place. This new document was intended to replace the present tokenism displayed in NATFHE’s insipid Anti-racism Pack. When the

* The real reason for discussing the WMARC was entirely different from the purpose stated and only became known to Bis Weaver, Krishna and I, and other non-Broad Left Coalition members of WMARC in January 1987. The REC/Coalition was setting the scene for a direct attack on Bis Weaver and I with the knives also out for Krishna Shukla. Krishna had committed the unpardonable offence, in the minds of Coalition members and fellow travellers, of supporting Bis Weaver. The REC’s decision to discuss the WMARC was taken shortly after the LEA’s findings were informally disclosed and the prospective Industrial Tribunal case became known to NATFHE officers in the West Midlands – another coincidence!

latter item was addressed, a new member, * had found a haven to express his views where support was available from some of its members and he would not have to face being ignored. He described the ostracism he still faced from his college colleagues, some of whom were members of other unions, following his industrial tribunal victory against the LEA two years before. The speaker was fortunate in that NATFHE supported his case but his case was different in that it was against the employer rather than action against another employee.

Bis Weaver suffered the same reaction at Bournville College but in her case it was solely attributable to NATFHE members, who not only failed to support her but had removed her rights. When she called on NATFHE, during the meeting, to support Black members as “the Branch did not provide support when [she] was in serious difficulties”, Gates criticised her by claiming she was making “an unfounded allegation.” The master of unfounded allegations did not echo the call for ‘support for Black members’ but called on Bis Weaver “to withdraw that remark.” After she referred to the removal of her rights in response to the ‘unfounded allegation’ retort from Gates, he asked why she had not taken out a complaint about it. Had Gates not heard of the recent Rule 8 complaint submitted to the union on a related matter? **

Like other NATFHE officers and officials, Gates lived in a world where myth overshadowed reality but maybe Gates had another reason for trying to provoke Bis Weaver into some kind of reaction. However, there seemed to be no benefit for Gates by doing that so it was marked off as par for the course for his behaviour but, on this occasion, in a manner less crude than the norm. *** The WMARC, on this occasion, was one arena that Gates did not dominate and Krishna, as Chair, confirmed that point by making it clear that Bis Weaver was entitled to put her points just as Gates was entitled to put his.

Various suggestions were made for tackling problems faced by Black members. One Coalition member, not closely identified with Gates but still prepared to stand on the same platform at elections, suggested NATFHE spoke to the union whose members were ostracising the committee’s co-opted member; obviously having learned little from Bis Weaver’s experience at Bournville. She was not really in tune with the way union members, including NATFHE’s, generally treated those Black and ethnic minority members, who

* The member who was co-opted at the previous meeting

** The Rule 8 complaint taken out by Bis Weaver concerned the branch chair’s statement

*** Future events at Bournville College suggested there might have been a particular reason for Gates’ attempt to provoke a response from her of a different type to the one she made

were not prepared to live on a diet of humble pie. Others thought of inviting Black community organisations, whose members shared similar experiences, to join WMARC as this was a way for Black and ethnic minority people to get effective support. Gates recommended a different approach by proposing affiliation to the Campaign Against Racism and Fascism. For ethnic minority members of this committee to feel it necessary for outside bodies to join NATFHE's WMARC to combat discrimination experienced at work from their co-trade unionists showed the reality of NATFHE's 'anti-racism'. During the discussion I formally advised the committee of the Weaver v NATFHE Industrial Tribunal case and that the case might attract wide publicity. This forecast proved to be more prophetic than realised at the time.⁵⁸

On the 12th November, the day after Gates attended the Bournville governors meeting, Bis Weaver met one of the *kernel*s, Downey, also present at the governors meeting. Their meeting was to deal with college-related matters. When the business had been concluded Downey entered into what was, in the light of prevailing circumstances, an unusual conversation with her because since September 1985 Downey had shown considerable hostility to her and, on several occasions when she came into contact with him, not a word passed between them on anything to do with the union. Therefore, she was surprised when Downey brought up the union's proposed action against management over remission for lecturing staff – the issue raised with the governors the day before. She was not impressed by this new-found recognition that she, too, was a fully-paid up member of the union and that union issues, sometimes, affected her as much as other members.

By bringing up union interests, Downey had opened the gates for her to make it clear that "it is difficult...to feel part of the union" without full rights and when no one seemed concerned to doing anything about it. She also raised certain matters that Downey had refused to answer. One item referred to the way the branch committee was invoked by Gates when accepting Day's 'report' and giving the impression of writing on behalf of the committee. Downey's previous reluctance to comment openly about her situation went by the board as he jumped to Gates' defence. He rejected the claim of Gates writing on behalf of the branch, which was not what she had said. She had referred to it as an 'impression' given by Gates of 'writing on behalf of the Committee' not that he was actually writing on its behalf, i.e., he used the branch committee's name to give authority to his comments. Nonetheless, Downey thought "it was in order for [Gates] to say that the Report would be useful for [the] Branch Committee." Downey seemed incapable of appreciating that by identifying his own interests as if they were the interests of the branch committee, Gates

had turned it into a committee versus Bis Weaver issue to be used as a means to oust her from her post as Access coordinator.

After making his point, Downey changed direction to explain why “he had not acted [on her complaint, which was] because he did not think that [her] complaint was anything to do with racism” - another NATFHE officer passing himself off as a ‘specialist’ on racism and prepared to make definitive conclusions without examining the evidence or taking the context into account. Notwithstanding Downey’s less than adequate presumption, his claim was misleading because he had in fact acted in matters concerning the complaint and these actions were definitely against her interests. Raising the pros and cons of her complaint was another unusual deed for Downey as he had remained mute on it since September 1985 and it was to that date Downey cast his mind back to justify his claim of not having any involvement. Downey reminded her of a conversation at a party in early September 1985 when, in Downey’s version, she “made it quite clear to him that Gates’ behaviour may be sexist but was not racist” – although it did seem from Downey’s ‘recollection’ that he was prepared to accept that an allegation of sexist harassment did not warrant anything other than a preliminary-cum-final enquiry conducted by a regional colleague of Gates and with no right of appeal.

Downey had overlooked he was talking to Bis Weaver, a party to that September conversation and not one of his usual audience who appeared to believe anything told to them by a *kernel*. She had made no such statement and pointed out that Downey’s claim lacked reason. She explained that having made it clear to Cynthia Deeson in June 1985 and to Day in August 1985 that she thought “Gates’ behaviour was motivated by [her] racial origins...there would be no reason...to change her mind when [she] spoke to [Downey] in September 1985.” Downey professed to having “a good memory and at no time...did [she] say that Gates’ behaviour was racism.” Digging into her memory, she reminded Downey that in a conversation (some time before Gates began his campaign of harassment against her) Downey had referred to the behaviour of a member of management as “sexist and that a sexist would [also] be a racist.” She had not agreed with Downey’s sexist = racist perspective but had resurrected it to show how lacking was Downey’s understanding of racism and sexism. She also reminded him of a remark he made to me (Gordon Weaver) during that September conversation. I had commented on Cave’s “small-minded and childish” behaviour whereupon Downey retaliated by saying “Cave was a friend...and he (Downey) would not stand and listen [while] a friend...[was] criticised” in his absence. She had then interjected to tell Downey she “hoped that he would respond as quickly to the

defence of [her] interest...when [she was] attacked and criticised” in her absence. She then referred to the time Downey chose not to approach her after he was led to believe she “accused him of being a careerist.” Instead, he accepted that lie without question. In the days before Downey became enmeshed in the *kernels* and its all-pervading ideology of self-interest, he may have considered Bis Weaver to be a close friend. Yet on that occasion, he was prepared to listen to what was said and accept it as true. Different standards always seem to apply when dealing with *kernels* and fellow travellers.

She raised another important issue, in the 12th November discussion, or one that should be important to any trade unionist worth his or her salt. This was the pressure Bis Weaver was put under by the city council monitoring her movements. Downey did not follow this up as would be expected from a union officer by asking for details, but he responded in what she considered to be a very dismissive manner. He chose to relate an occasion when it happened to him as if the monitoring of staff’s movements during work hours was of no consequence. Downey’s recollection was a figment of his imagination because had he been a victim of this kind of surveillance the Bournville branch would still be reverberating from the *kernels*’ denunciations of the city council. Downey’s reaction to her plight was all too typical of what other NATFHE officers in Birmingham had displayed and would continue to do so on this and any other issue affecting Bis Weaver’s interests.⁵⁹

After this discussion, she wondered why Downey mentioned the union and was so insistent that she had not mentioned racism as a factor. Downey was reproducing NATFHE’s line to the OIT. Could it be that with the Industrial Tribunal expected to be held in December, the union was lining up Downey as a witness and was it an attempt to provoke her into an incautious response as Gates’ appeared to have been seeking at the WMARC meeting? After all, Downey was a one-time close friend of the Weavers and was viewed as a responsible liaison committee officer by the union. Perhaps it was just coincidence, although there had yet to be a mere coincidence in anything concerning Bis Weaver in NATFHE. Downey, having attended the governors meeting, knew the LEA was about to take steps on outstanding issues prior to releasing its report. However, any claim of Bis Weaver allegedly not mentioning racism had no mileage for the outcome of the grievance procedure as the findings had already been arrived at. But it was relevant to the Industrial Tribunal hearing as NATFHE’s defence depended on it to some degree.

The time would come in the not too distant future when Downey’s reference to racism and other NATFHE schemes still in the pipeline would fit neatly into place. Bis Weaver had plenty on her plate and soon enough that plate would receive a further helping

of NATFHE's toxic waste. But whatever NATFHE officials and officers had in that pipeline would need to be implemented sooner rather than later because in two days' time, on the 14th November, the OIT informed the parties the Industrial Tribunal hearing had been scheduled for the 17th December in London.⁶⁰

NATFHE's overall strategy had been a brainchild of head office as shown over the months when everything went under its control, including directives to local officers not to answer Bis Weaver's correspondence or in any way remain involved in the Weaver case. There were important outposts in the West Midlands region, dominated by the Broad Left Coalition; and at Bournville College, overseen by the *kernel*-dominated branch executive and committee with close links to the Coalition. In the forthcoming months it would be difficult to tell where these particular groups ended and where they began, so close to each other did their activities become. Their partisanship towards the Bournville 'trio' and towards the iconic identity of the union became an illustration of how so-called anti-racists dealt with harassment and how they interpreted anti-racist and anti-sexist policies.

The Bournville branch executive, which had engineered the removal of her rights, appeared to have recanted and decided, in early November, to allow the branch committee to discuss the 'rights' issue. This came about after a letter was sent to the branch secretary followed by two oral discussions with her. In the subsequent discussion, the committee agreed to call Bis and Gordon Weaver to a special branch committee meeting but this intention was subsequently abandoned.⁶¹ Consequently, the branch's discriminatory policy against Bis Weaver was allowed to continue. Along with me, as I was her representative, she was to remain in a situation that no other member of the branch had ever faced before – severe restriction on union rights! * She eventually heard of the branch committee's discussion from the branch secretary when they met in one of the college corridors – the

* In a conversation with a SWP member of the branch committee over the rights issue, he said "It is not a racial issue because your rights, a White, were taken away as well." The fact that "my rights were taken away because I was supporting this Black woman" in a racial harassment complaint, which under the Race Relations Act Part 1 section 2, constitutes an offence, did not enter into his consciousness. Nor apparently did the possibility enter into his assessment that my rights were taken away to give the impression that the action against Bis Weaver (removal of her rights) was not racially motivated. Nothing was ever 'racial' to these 'activists' unless associated directly with the National Front. When I told him "a lot of Black people (activists)...consider it racially discriminatory and had written to NATFHE about it, he just dismissed it. The White dogmatic Left, of whatever denomination, was always extremely reluctant to accept that Black people might be able to identify what constitutes racial discrimination; and attributing to Black people less competence in understanding matters directly affecting them. The two SWP revolutionaries on the branch committee were about to line themselves up with the kernels⁶²

usual way now for Bis Weaver to get information on branch executive/committee decisions affecting her personally. She was also told that the liaison committee was aware of the monitoring but it, too, chose to do nothing.⁶³

NATFHE bureaucrats and the Broad Left Coalition ‘anti-racists’ did nothing to protect a Black member from this form of intimidation – surveillance from the employer, but not all NATFHE activists in the Birmingham Labour Party were prepared to allow the local Party’s version of tackling racism to be used against Black members. Some Black and White anti-racists in the Labour Party did not sit back but took up the issue.

The Labour Party’s Ethnic Minority Liaison Committee (EMLC) circulated a letter to all members of the Birmingham Labour group and to the secretary of the District Labour Party registering “grave concern” over the monitoring of an employee of the LEA, who was also a member of the EMLC, and that “As a result of this ‘policing’, Ms Weaver was prevented from representing this Committee at a meeting of the Birmingham Labour Group.” Referring to rumours identifying the person behind the monitoring as a “prominent member of the Labour Group,” the EMLC called for an enquiry “to establish which member(s) was/were responsible for instigating this form of ‘McCarthyite’ intimidation of a member of the EMLC.” This episode was put into context by mentioning “other events happening in the City...” and the committee asked, “How many other members of the Labour Party are being monitored [by] their employers [and] How many other Black members of the Labour Party are being monitored?”⁶⁴ There were two other purposes behind the letter: (i) to show the underhanded way the Labour group operated against Black members, who, even in a non-Party capacity – a complainant of harassment against another employee of the city, was an indirect threat to the Labour group’s low level of commitment to end racism in city institutions; and (ii) to curtail Labour group pressure on Bis Weaver. The latter objective was achieved to a certain extent in the short term because NATFHE took over the role of putting pressure on her. Labour Party membership was a great asset for the local NATFHE *aficionados*.

The EMLC’s membership consisted of White and Black anti-racists without restrictions on numbers – it was open to all anti-racists. Yet White NATFHE officers, also members of the Birmingham Labour Party, were noticeable by their absence. Perhaps, they were too busy doing their anti-racism work in NATFHE or did not like open membership that gave the committee a significant ethnic minority presence in determining policy and action. A vast difference existed between the way the Labour Party and NATFHE anti-racism committees operated; but there was a considerable similarity in the

way the Birmingham Labour group leadership and NATFHE leadership at various levels of the union operated. While Black activists were struggling against right wing elements in the labour movement, the 'White Left' in NATFHE/Birmingham Labour Party was lining up with the right wingers on this crucial race issue whatever rhetoric happened to fall out of the mouths of these 'Leftist activists'.

Active outside the West Midlands arena, NATFHE's legal team pursued a different track to the one 'vigorously expressed' in the submission to the OIT. Or was this vigour just a front to show the OIT how keen NATFHE was to resolve the issue and how reasonable and honourable had been its intentions in the Weaver case all along? NATFHE's solicitor, Hugh Pierce, contacted ACAS in London seeking an out-of-court settlement and ACAS put this proposition to her. As Bis Weaver was now represented by a solicitor, he was directed to her representative but not before I provided an account of NATFHE's actions as described in the rebuttals to NATFHE's submission, which he had not seen.⁶⁵

The flip-side of NATFHE's 'feelers' for a settlement was shown by the considerable resistance put up by the union to prevent a change of venue and a postponement of the hearing. Trying to prevent a change of date was definitely in NATFHE's best interests to dispose of the application in case the LEA decided to release the report. A change of venue made little difference unless its officials were worried about the expense of staying over in Birmingham or perhaps what bothered them was the thought of staying among those North of Watford barbarians located in Birmingham. Whatever the reason, the schemes being incubated within NATFHE itself were organised for a December hatching in Bournville College.

Two schemes were actually being organised: one in Bournville college by the *kernels*; another in the REC by the Broad Left Coalition. The first to unfold served up a dish that was extremely unsavoury; the other remained under cover until the New Year but was well under way in November.

In Bournville College, one of the new cogs in NATFHE's wheel of misfortune was spinning away in pitch with the rest of NATFHE's manoeuvring. Bis Weaver met up again with Downey, who thanked her for the anti-racism training provided by her for staff in his section. This led on to a discussion of the merits of this kind of training. She expressed some reservations because the people taking this training were not necessarily ready to teach on anti-racism courses. Downey agreed and thought it "dangerous to think that after one anti-racism training session people could consider themselves as experts." She referred

to the difficulties for White people, without having experienced racism, to teach on these courses. Her position was that “only those who have experienced [racism] can recognise a racist situation” * and saw parallels with the situation of women, who “will not accept that they have to prove to men that any one situation is sexist...” Downey interjected to say that there was “not an homogeneous group with one view.” She continued to complete what she had started by stating that “...and most Black people will recognise racists and racist situations...[and in] any given situation...will know whether it is racist or not.” Downey’s point was undoubtedly true on a number of issues but while women activists might differ on the means of combating sexist harassment, most would not accept dissentient views provided by men on what constituted sexist harassment or on whether or not a woman had been the victim of sexist harassment. Although there was a caveat to this observation as NATFHE feminists in the West Midlands made an exception to that ‘rule’ when it concerned a Black woman making a complaint against a partner of one of their own but that was more to do with political expediency than protecting women from harassment. Women in general, who had been harassed, had no difficulty in defining harassment as shown by contributors to the Birmingham harassment survey conducted by NATFHE/NUT feminists.

Downey did not ask her why she held this view he just simply disagreed. She put Downey’s inflexibility down to the difference between what Downey ‘believed’ and what she ‘knew’. Downey described this as “a very clever intellectual shift” on her part but, undeterred, she explained it was a matter of her “own subjective feelings as a Black person and...he cannot know [that] because he was not Black.” It was the difference between believing and perceiving (Downey’s position) and experiencing and knowing (her position). Bis Weaver’s understanding of harassment was made prior to three important legal decisions and a European Commission definition. **

The discussion reached an impasse and was virtually at an end when out of the blue Downey referred to Gates as not being a racist. Not going to be drawn into any discussion about Gates with one of his principal allies, she used a standard response of the “complaint

* Bis Weaver was not referring to blatant racism expressed by racist terminology and direct racially discriminatory acts but more subtle forms where racism was the covert motive utilised to serve other aims. The method that had been applied against her

** Future decisions in cases of harassment where words or conduct “undermined the victim’s dignity at work;”⁶⁶ included the victim’s “subjective perception” and the alleged discriminator’s understanding, motive and intention. This was left to the “recipient (victim) to decide what [was] acceptable to them and what they regard as offensive”⁶⁷ - a definition that was in line with the one produced by the European Commission.⁶⁸

in the City [LEA] is about possible racist harassment.” Downey repeated “Dave Gates is not a racist and...[he] was not convinced” that he is a racist. She let him know that she was “not in the business of convincing anybody” and that included Downey, whom she described as “a biased person as shown by certain of [his] actions.”

She moved the discussion away from Gates to settle on Downey’s involvement in the union’s procedures when, by his own previous admission, he was not speaking to her. She revealed that she knew of Downey telling Nedjat, who was dealing with the procedures, to support Gates, and witnesses were available to confirm that conversation. Downey, his partisanship truly exposed, merely repeated he would not support her because Gates was not a racist but an anti-racist - a slogan, apparently, indelibly printed on Downey’s brain as if he had been practising it. Bis Weaver had not finished and, referring to an unnamed reliable source, confronted Downey with the response of two liaison committee delegates allegedly boycotting Gates because of comments made “about the possibility of having a Black woman Chair of Liaison.” Downey asked “what is wrong with a Black Chair of Liaison,” giving the comment a positive slant. She answered by saying ‘precisely’, indicating to Downey, if he had not seen the real implication behind the remark, that it was meant to convey a negative image as both those delegates had detected and acted upon. *

She resurrected, from their discussion of nine days before, Gates’ “use of the Branch Committee’s name to accept the report,” which Downey had previously cut short before she could explain what that ‘acceptance’ really meant. Downey again cut her short to claim legitimacy for Gates’ action because, according to Downey, it was “not the same as speaking on behalf of the Branch Committee [and]...Gates was merely saying that certain things in the report would be beneficial to the Branch Committee.” It was difficult to see what Downey was getting at since, under this umbrella ‘of beneficial to the Branch’, the purpose was to mobilise the branch committee to remove Bis Weaver from her job!

At times Downey showed a predisposition to confine himself to extremely narrow interpretations. On this occasion he was unsuccessful as she played on Downey’s mythical image of that issue to point out that her complaint was against Gates as an individual not the branch committee and “by putting his interests as coincident...with the Branch Committee, [Gates had] alienated [her].” She pointedly asked Downey “why [was he] so

* Downey had resigned alongside Gates and Ms Pattinson when liaison committee refused to support the Bournville April motion

defensive.” Downey seemed fixated with the idea that “the union had given [her] a fair hearing;...that [she] had agreed to the procedures and should have accepted [the outcome].” Downey was certainly trapped in the mythical and oblivious to the reality – a reality, to some extent, he had helped to create with his support for Day’s involvement. Downey was told that her “objections have been about *not* having a fair and just investigation..., which [she] did not get...[as] the procedure carried out was not the one outlined to [her].” She mentioned the Day-Gates advisory discussion on the 15th June 1985 and pointedly asked Downey if he knew “when [he] sat on the Branch Committee and recommended Day [to conduct an enquiry] that Gates had already spoken to [Day].” Downey denied knowing of that discussion, which brought the quip from her “Well at least I know the answer to one of the questions you have refused to answer.”⁶⁹

When reflecting on this conversation which began with anti-racism training and ended with Gates, she reflected on Downey’s thrice-spoken assertion of Gates not being a racist on which she had refused to be drawn. She was well aware of Downey’s undisguised partisan attitude to his *kernel* comrades and his antagonistic prejudicial attitude to her but why was Downey so persistent in proclaiming Gates not to be a racist? Was this persistence an act of ‘loyalty’ to his comrade aimed at prompting an equally direct and emphatic response to the contrary from her? But, if so, what purpose was behind getting her to say Gates was a racist, after all, in the grievance that was the principal motive put forward by her for Gates’ behaviour? Two weeks hence and a possible reason for Downey’s persistence came to light and it showed the *kernels* and their advisers were master scriptwriters in the art of the shameful.

Bis Weaver suspected that NATFHE might be up to something but familiarity with what NATFHE had conjured up in the past was not enough to prepare her for the vicious attacks about to unfold on her and her few allies. The script being drafted in Bournville college was for a new bit-player to star in a new drama produced by the college’s ‘biting dogs’ as they began grinding their teeth to tear another piece out of Bis Weaver’s integrity and reputation.

The other scheme being hatched by the Broad Left Coalition was about to get formal recognition from the REC at the 26th November REC meeting under the pretext of ‘low attendances at WMARC.’ The REC scheme was thickening although several weeks would pass before we found out and recognised the coincidences or the interlinked aims behind both schemes.

A week before the REC met, a letter went from the Chair of WMARC, Ms Pattinson, to the regional secretary. The chair, “belatedly after much deliberation as to [her] role on this Panel (sic) and reflection on the two meetings (June and July) [she] previously attended,” had decided to resign as chair and “will no longer attend these meetings either as Chair or as an individual NATFHE member.” The reason for her decision, as she put it, was her belief in being “subject to varying degrees of abuse and harassment and [was] no longer prepared to tolerate that position.”

The chair wrote of the physical and mental pressure affecting her ability to carry out her role on the committee she hoped the decision would free her “mentally and physically to better concentrate [her] efforts elsewhere in NATFHE.” An apology was proffered for not attending REC meetings due to the heavy demands of the course she was taking.⁷⁰

Did the chair ever consider Bis Weaver’s state of health during many months of abuse and harassment when the physical consequences were witnessed by everyone in Bournville branch? The decision of the chair to pursue her “efforts elsewhere in NATFHE” was an extra-curricular option available in compensation for vacating the WMARC chair’s position; but no such alternative was available to Bis Weaver when Gates and the *kernels* tried to oust her from her job. Had they successfully achieved this objective, it would have meant back to the starting line for Bis Weaver in what was a very uneven race for Black lecturers. Furthermore, challenges to Ms Pattinson’s nomination and election to a lay-officer’s post in the union while trying to cope with full-time studies and, as a consequence, missing REC meetings was considerably different to the situation faced by Bis Weaver at Bournville when, not only in committee meetings but also elsewhere in the college, she was constantly put under pressure and undermined in her professional vocation. Bis Weaver’s situation was no union side-line and she was in no position to skip her responsibilities just because her work load was heavy. In Bis Weaver’s case that would mean being out of a job as there was no security of tenure covering her difficulties. As an influential feminist on the West Midlands women’s panel, the chair displayed an absence of empathy with the plight of a harassed woman shown by adopting the term ‘abuse and harassment’ to describe her very dissimilar situation.

The chair commandeered the term used by Bis Weaver to define Gates’ behaviour, and had converted it into a description to cover the comments made when a challenge was made as to the suitability of her candidature for the post of chair of an anti-racism committee. How could those critical comments made about her actions at Bournville

College be considered as ‘abuse and harassment’? How could the response to her nomination for the post of chair of WMARC be compared with the behaviour of certain members directed at Bis Weaver? If an objection to a person’s proposed candidature in the hustings amounted to ‘abuse and harassment’ what term would be appropriate to describe the twenty-one months continuous harassment of Bis Weaver – surely not NATFHE’s most favoured term of ‘interpersonal dispute’.

Was it merely coincidence that the chair’s resignation came at a time when: (a) a scheme was about to unravel at Bournville College; (b) a Rule 8 complaint had been submitted against Ms Pattinson and the branch committee: and (c) the REC/BLC was in the process of launching a scheme against Bis Weaver and two of her supporters in WMARC? People less sceptical than Bis Weaver or I might detect a link between these three factors.

The situation had been inverted - not untypical in harassment and discrimination cases and this was a way to deflect attention from the reality of the situation facing Bis Weaver. NATFHE officials followed this line in the submissions now it was being played out in the West Midlands region by its officers. We were deemed the reactionaries – the *enemies of the union*, but NATFHE officials and officers played that role with greater ease. We did wonder when Bis Weaver was accused of playing the *Race Card*, how long it would be for someone to come forward and claim to be the real victim of harassment. That time had apparently now arrived.

While the *kernel*s and the REC/BLC were putting the finishing touches to their interconnected schemes, the women’s panel showed its mettle on the anti-sexism front. Nine members turned up for the November meeting although Ms Pattinson was absent for the second time; the pressure of work seemed to be affecting her involvement in the women’s panel as it had with her REC and WMARC activities.

Under the heading ‘sexual harassment’, the panel agreed on training for members wishing “to give support and advise members where to seek further help.” Ms Welch reported that the previous year’s motion covering this proposal “had met with resistance” and “it was agreed by the panel...[to] continue with this motion which must be accepted as a national issue.” * Rule 8 was also recognised by the panel as inadequate and needed

* Bis Weaver had forecast in a discussion with the Bournville branch secretary five weeks earlier that it would take years for NATFHE to make changes through its procedures and that looked to have been a reasonable assessment.

widening. *

Ms Welch circulated a paper on sexist harassment replete with definitions of behaviour covering sex discrimination, sexual and sexist harassment, to be sent to all branch secretaries and a pack for members was to be produced, discussed and sent to branches.⁷¹ This pack, like the anti-racism pack, was never discussed at Bournville branch, so the chance never came to see how harassment differed from *IPDism*.

A proposal was mooted for the Women's Panel sub-committee to meet three times a term and for open membership.

Local officers continued with the myth of NATFHE having anti-discrimination policy-making bodies while NATFHE's low level commitment to anti-racism was to be exposed yet again. The REC met, two days later, on the 26th November at Worcester College, to authorise what was, in effect, the second scheme. The meeting was held without a number of prominent members. Gates attended as did the regional official, Day, but Ms Pattinson was absent as was the regional secretary. ** The agenda included the *Hereford and Worcester* industrial dispute that had considerable coverage in the media at the time; the women's anti-sexism pack for branches; and the selection of REC delegates to the various liaison committees. *** The item on the WMARC, supposed to have been postponed by the regional secretary, went ahead as he had failed to tell his colleagues, either through inadvertence, inefficiency or design, that he had similarly failed to inform the WMARC secretary that a report was required on the WMARC for this meeting. ****

The minutes recorded the comments made on the WMARC 'issue' and the spirit within which any debate would be conducted. Item 331 of the minutes stated that "The

* They did not have much success with improving Rule 8 since in 2000 Paul Mackney, as NATFHE's general secretary, issued an apology to a member subjected to racist discrimination and he acknowledged that Rule 8 needed to be looked at.⁷² This was belated action because Mackney had referred to the inadequacy of this rule in a letter of April 1986 sent to D Evans & others, including Bis Weaver.⁷³

** Attending the meeting were – A Henry; D Gates; M Smith; J Frew; T Hancox, B Lovejoy; M Turner; D Andrewes; D Osbourne; R Kett; J Ashcroft; and A Day, the regional official; Apologies from – P Welch, P Mackney; R Doughty; D Evans; S Pattinson; B Downie; R Longden; D Edwards; G Horton; K Shukla

*** Ms Pattinson, who cited a heavy work load preventing her from attending REC meetings, was appointed to the Staffordshire and the Walsall committees. Other members of the WMARC, who never attended or had stopped attending were appointed to Liaison committees - Clarke to Warwickshire; Lovejoy to Herefordshire & Worcestershire; Mackney to Solihull

**** The regional secretary did not send out the information to Krishna Shukla until the day of the REC meeting, therefore, Krishna was kept in the dark of what was required from him until after the REC had met

apologies of the Equal Opportunities Officer were noted in the light of the request for a report into the workings of the Anti-Racist Committee. (Item 296 of the REC Minutes 22.10.86)” This came over as a rather snide comment against Krishna Shukla suggesting his reason for not attending this meeting was to avoid complying with the REC’s request. * It looked as if Krishna was being set up as one of the scapegoats for the ‘fall off in attendance’ when the real reason for turning the spotlight on him had more to do with him committing three cardinal sins: (i) for not providing advice to Gates, in July 1986, to use in his defence at the LEA’s grievance hearing; (ii) for actively supporting Bis Weaver; and (iii) for his part in promoting an active role for the WMARC as an anti-racism committee. Krishna, now seen as a ‘Weaverite’, was on the list of recipients for the REC/BLC’s underhand practices award. Bis Weaver was not the only one intended for NATFHE’s pressure cooker.

Item 332 was a statement on the WMARC chair’s resignation. The REC expressed concern “about the resignation of the Chair of the Committee due to alleged harassment.”** The accusation was accepted without question by members of the Broad Left Coalition. On previous occasions, comments flowed freely from the mouths of Coalition members when the accused were not there to rebut them. This was the order of things in the REC and other NATFHE committees in the region. The possibility that ‘the Pattinson harassment’ might be nothing more than IPDism was not taken into consideration and was another incident involving a member of the REC/BLC and a rank and file member dealt with by satisfying the requirements of a Coalition member. IPDism was the definition for use when rank and file members made complaints of harassment against Broad Left officers; whereas abuse and harassment described complaints made by Coalition members against rank and file members. How they rallied to the cause of fellow officers.

The WMARC Chair’s letter was the perfect lead in for what was to follow – the script was well drafted; little doubt of it being a co-operative measure. In Item 332 “it was...noted that the working of the Committee may have been affected by the complex case of alleged Racism which involved members of the committee.”

* This comment in the minutes was not lost on Krishna when he saw them at a later date

** The news of the WMARC chair’s resignation first came to the attention of the secretary of the WMARC when the *Frew report* was presented to the REC on 21st January 1987. On the 29th January 1987, Krishna wrote to Evans seeking a copy and on the 3rd February 1987, Evans sent a copy to Krishna, and also apologised for not having the minutes of the REC meeting of the 26th November available. Krishna immediately sent a copy to Bis Weaver. The secretary of the WMARC had not been given notice of the chair’s resignation for over two months

This discussion took place while Gates, one of the parties involved in what was in effect ‘a less than complex case of possible racism’, vacated the chair as he did at the liaison committee in May 1986, after declaring an interest. However, he was not to be left out of the proceedings and made his contribution to the ‘debate’. This was par for the course for the esteemed chair, enabling him to exert influence on any discussion in which he had a direct personal interest. It was interesting to see the complaint of harassment against Gates being used to explain difficulties in the WMARC. Gates had previously applied this approach when using the results of Day’s *Whitewash* ‘enquiry’ as a benefit to the branch committee, which according to Downey and Nedjat was completely acceptable. Given the REC’s composition this variation on a theme might be successful in mobilising the committee behind Gates.

As for the reduction in WMARC’s attendance, this was more to do with Broad Left members boycotting the committee and nothing else as the committee was at the point of attracting new members. In citing this as the reason, the hounds could be released and set on Bis Weaver, Krishna Shukla and me to curb the anti-racist direction the WMARC was taking while putting additional pressure on Bis Weaver.

The contributions to the debate were not recorded in the minutes but the REC resolved that (a) “in the light of the failure of the Equal Opportunities Officer to produce a report to the REC for this meeting [and] (b) In the light of the contents of the letter of resignation of the Chair of the Anti-Racist Committee; two regional officers should investigate the difficulties in the working of the Anti-Racist Committee and report back for the next REC.”⁷⁴ The two investigating officers were Ms Frew * and Henry.

Not all REC members were aware of the hidden agenda behind these proposals although they were well briefed as to what went on in the Bournville branch from Bis Weaver’s letters of the 17th May and 18th June 1986. The REC/Coalition faction had primed the REC for an attack on three WMARC members fashioned in the form of the witch-hunt tactics of the US McCarthyites. **

The day after the REC meeting, Krishna Shukla received a letter from the regional secretary dated the 20th November. The letter contained minutes of the October REC meeting, recording that Krishna was required to produce a “full report of the Anti-racism

* J Frew, who carried out the REC investigation, and other REC members at the meeting, would see another side to Gates, at NATFHE’s 1987 Annual Conference in May, than the one they rallied behind.⁷⁵

** See Chapter XII Sect (c)(ii)

Committee” for the 26th November meeting. The regional secretary, on the 20th November, recognised this request was somewhat late “but if [Krishna] could produce something...it would be appreciated,” adding that if Krishna was unable “to be there for any reason, let him know and [he would] arrange to have the item postponed.” This was mere window dressing because the regional secretary knew the report could not be presented as Krishna had already sent in his apologies for the next meeting. The situation was made impossible for Krishna to comply with anyway as the regional secretary did not send out the letter until a week after it was typed, that is, on the day of the meeting. On the bottom of the letter in handwriting the regional secretary apologised for having “forget(ten) to post this last week so it’s obviously too late for you to do anything about it for the 26th November.” The regional secretary knew it was too late for Krishna to do anything but the item was not removed from the agenda.

The regional secretary had something more to say and drew Krishna’s attention to Regional Standing Order 8.3.3 – an order stating that regional committee’s should meet “once a term or more frequently with the approval of Regional Executive” and, the secretary pointed out, the WMARC had already met at least twice this term without REC approval. He added he was sure the REC would approve more meetings “if convinced that there is worthwhile business to be conducted.”⁷⁶ He had overlooked the announcement by Bob Carter at the 18th June WMARC meeting, which he attended, that future meetings will be held at four to five weekly intervals. Nor did he refer to any restrictions on the number or frequency of meetings when the committee met three times in the previous term: once when Bis Weaver tried to get the committee to offer her assistance against the regional official when it met without informing her; and twice when it had sufficient REC/Broad Left Coalition members to get Ms Pattinson elected as chair and ward off subsequent challenges.*

The regional secretary’s rebuke just about summed up the arrogance of the REC – approval to meet might be given if the WMARC had ‘worthwhile business’ to conduct. Anti-racism was not only a 9 am to 5 pm activity in NATFHE it was now to be restricted to one evening per term into the bargain. Could the reason for the regional secretary and other members of the Broad Left Coalition not attending the WMARC be due to the committee being in breach of regional rules? And here we were thinking it had something to do with

* Four days after Evans wrote this reproach to Krishna Shukla, the West Midlands Women’s Panel, on the 24th November, adopted a proposal to meet three times a term

the WMARC taking an active stand against racism. One thing about being a member of a union of lecturers it certainly put rank and file members on a learning curve.

Enclosed with the letter was a contribution from the anti-apartheid spokesperson, Deryk Clarke. The regional secretary had contacted Clarke about the anonymous return of letters and Clarke had decided to address “a report from the Anti-racist Committee.” Clarke did not have the courtesy to send copies of the letter to the Anti-racism committee or to the aggrieved member.

Mr Clarke believed the complaint from the Anti-racism committee was ill-founded and, “Without entering into the minutiae”, felt it necessary to “point out the following views.” Relying on the hackneyed NATFHE description of “a possible dispute between members”, Clarke offered up the following reasons: (i) “before possible formal and informal remedies have been exhausted it would be most improper for other members to allow themselves to become embroiled [and]...all received correspondence on the matter have been returned unread. *” He also thought (ii) “perhaps B Weaver has not realised that by increasing the number of people involved, those available to participate in an independent and objective hearing – whether formal or informal – are correspondingly limited”; ** and (iii) “since the correspondence is unsolicited, [he is] “at a loss to appreciate in what way there has been any discourtesy on [his] part.” In what appeared as an afterthought, almost a postscript, the asterisk inserted by Clarke after the word ‘unread,’ was explained in a hand-written comment at the bottom of a typewritten letter. The additional handwritten comment was an interesting insight since Deryk Clarke did not take responsibility for returning the letters himself but claimed his “wife has opened all correspondence and looks only at the name of the sender.”⁷⁷ Clarke had directed the issue away from himself on to ‘his wife’ – not even giving her an identity in her own right other than as ‘wife’. Wonder what the Women’s Panel would make of that? The ‘afterthought’ was undoubtedly inserted because his explanations under (i) and (ii) did not make sense as how would he know the letter(s) were to do with the ‘Weaver case’, and seeking to embroil others, if the letter had been returned unread. Furthermore, as the correspondence was obviously not ‘spam’, how did Mrs Clarke, by merely looking at the sender’s address and

* This asterisk was in Clarke’s letter

** Did Clarke not realise that no one on the West Midlands REC could participate in any enquiries dealing with Gates and Day because of the likelihood of bias entering into the proceedings, therefore, informing Clarke or any other member in the West Midlands did not affect an ‘independent and objective hearing’?

not reading the contents, assume 'B Weaver' was trying to 'increase the number of people involved' and how did she draw the conclusion that the contents were not for Clarke's eyes without passing it on to Clarke to see or to consult him to determine whether or not it passed the 'spam' test.

Clarke must have read the first letter in order to make points (i) and (ii), and, therefore, he would have seen the efforts Bis Weaver made to get "an independent and objective hearing" in NATFHE and how the procedures had been 'stitched up' from the beginning. Clarke came over as another NATFHE 'anti-racist' who thought Bis Weaver incapable of understanding the course of action she was taking. But even if Clarke, spokesperson for anti-apartheid, had not the slightest interest in an issue affecting a Black union member in the UK, why return the letters unstamped and do so in a manner aimed at remaining anonymous by not including a covering note? Clarke failed to address that salient point or was his reference to Mrs Clarke implying that she was the one using the ruse of anonymity. Moreover, why did he or Mrs Clarke not throw these unsolicited letters with content unknown into the waste bin where Clarke obviously thought they belonged? Clarke's explanation was feeble to say the least and was certainly not thought through. Was Clarke trying to invent a new dimension to *Freire* neutrality?

The day Krishna Shukla received Evans' letter, the Bournville scheme began to roll in to action. On the morning of the 27th November, Bis Weaver went to see the Access coordinator to invite her to a CRE conference to be held on the following Saturday. The coordinator was out of the office but a young Asian man in there asked if she was Bis Weaver and she answered in the affirmative. The Access coordinator then returned with some students and was busy dealing with them so Bis Weaver waited until she was free. In the meantime, the man, who was completely unknown to her, told her he was to teach ethnic relations on the Access course as a temporary replacement for Hartland. The stranger spoke of the course being very good and heard she had set it up.

She broke off the conversation, temporarily, to invite the coordinator to the conference. The stranger apparently wanted to keep the conversation going and spoke of hearing about her and the Access course from people at Warwick University, where he was doing research on the Sparkbrook area and he referred to Bis Weaver's research. The conversation focussed on Warwick University and she mentioned a course she would be teaching there starting in January for about ten weeks, on *Racism and Social Work Practice*. He said he would like to attend the sessions and then, perhaps it was the use of the word 'racism' that triggered what was to come next, he said, with a smile gracing his face, that

“he knew of [her] problem...in the College.” When “asked...how he knew,” he did not reply directly but said, accompanied by another smile, that he knew “Dave Gates [as] he was his tutor and...he knew Norman Cave.” He obviously knew something, which did not surprise her because her ‘problem’ was known in many arenas around Birmingham. She described it as “a complaint of possible racial harassment and went on to talk about research on racism and ethnic relations.” He returned to talking of his research and, although he lived locally with his family, claimed to know few people in the area and was looking for some assistance. In the course of the conversation, he mentioned something that did not register with her at the time but caused her to think about it later. He said he had seen her in the Pizza House in Birmingham the previous week. The comment passed her by and she carried on discussing his research.

She knew a number of people in the Sparkbrook area and as she was to attend a meeting of the Birmingham Labour Party Black Sections at the Council House on Sunday, 7th December, she offered to introduce him to some Asian and African-Caribbean members. The Access coordinator then came across to take him to the classroom to introduce him to the students.⁷⁸ The conversation had been casual, short – about ten minutes, and as far as she was concerned that was the end of it.

When she returned to her office, she reflected briefly on two points in the stranger’s conversation. The first was the revelation of seeing her in the Pizza House. He was spot on about the location, which must have been on the 20th November when she went there with a couple of friends, but it was an unusual observation for someone who had never met her before. How did he recognise her in the Pizza House? He also knew about her research and her ‘problems’. The second curious point was the ‘knowing’ smiles accompanying his reference to Gates and her problems.

Bis Weaver’s experiences over the previous twenty months, nurtured in the fetid atmosphere generated by the Bournville branch, the West Midlands region and NATFHE officialdom, made her suspicious of loose ends, so when she returned home, she raised the stranger’s comments with me.

I was not altogether sure there was anything of relevance as the stranger might be ingratiating himself to get assistance with his research. Nonetheless, his ability to identify her in the Pizza House without ever having met her suggested someone might have pointed her out to him but for what purpose. As many other things were on our minds, it was pushed to one side after a note was made of “stranger mentioned Gates – said complaint of possible racial harassment – that was it.”

Bis Weaver's premonition of something suspect about this stranger was well founded as would be shown during the coming week. The remaining veneer covering the branch's so-called commitment to anti-racism was rubbed off and the real face was exposed when a false version of the 'stranger's' conversation with Bis Weaver was reported to management by Cave and Hartland and, subsequently, was relayed in the same way around the branch by the *kernels*. Between the 27th November and the 10th December in the run-up to the expected Industrial Tribunal hearing on the 17th December, a sequence of events unfolded which the reasonable person might consider were part of a scheme; and resulted in the barking and biting Bournville dogs being transformed into a rabid pack of hounds stretching from the branch through the Birmingham liaison committee and into the REC. *

NATFHE's counter-insurgency programme in the West Midlands appeared to have involved the Bournville *kernels*; the Broad Left Coalition and a few hangers-on, who acquiesced in these activities as they always had done but instead of supporting the powerful by adopting *Freire neutrality* that pretence was dropped as there was now no claim to any form of neutrality. Day had been in the front line manoeuvring with Birmingham city council officers to change the statutory procedures and while doing so had 'advised' Triesman how things were done in the West Midlands. He had also attended the REC meeting when the McCarthyite inquisition into the WMARC was approved. With the Industrial Tribunal in the offing it seemed unlikely for Day not to inform Triesman, occupying the command post in these operations, about on-going events, especially as Triesman had virtually dominated activities involving the Weaver case in Birmingham and the West Midlands since January 1986.

In the midst of these manoeuvrings, the OIT, having already acceded to the request to change the venue to Birmingham, put forward a tentative date for the 14th January 1987.⁷⁹ On the day Bis Weaver was informed of the change, the 6th December, the Bournville scheme had already been put into gear. This scheme would create considerable pressure for her and, if the Tribunal not been postponed, the weight of the new attack would have accompanied her to the hearing. Someone seemed to know how to create stressful situations and successfully arrange them to meet with the union's requirements.**

* Without Krishna at the meeting, the manoeuvrings did not reach our ears until the 17th December. When they did it explained much of what happened in the ten days following the REC meeting

** Similar situations would arise on several occasions just prior to re-arranged Tribunal hearings. The Industrial Tribunal hearing was postponed four times for one reason or another. The hearings were arranged for 17th December 1986; 14th January 1987; 3rd February 1987; 30th March 1987; each of which was postponed, and the 8th June 1987 when the application was heard

- ¹ DTr to BW 12 Jun 1986 File Q 43; Referred to in BW's response to NATFHE's CRE Questionnaire p 12 pt 18, 2.4 Nov 1986, Weaver v NATFHE at www.theplebeian.net p 102
- ² NATFHE IT Submission, 15 Oct 1986 NATFHE IT Bundle 7 – 10
- ³ NATFHE to CRE/BW 15 Oct 1986 BW IT Bundle 90
- ⁴ BW to PD 11 Jun 1985 sent by HO to AD 14 Jun 1985 NATFHE IT Bundle 161
- ⁵ Ibid
- ⁶ DTr to BW 8 Jul 1986 BW IT Bundle 79
- ⁷ Industrial Tribunal Report, Weaver v NATFHE no 4/297/225, 8 – 10 June 1987, Birmingham, p 9 s 5 (g)(v)
- ⁸ SD statement 21 Oct 1986 File E 20
- ⁹ Dei, Sefa G J, & Karumanchery L L New York [2004] *Playing the Race Card: Exposing White Power and Privilege*, Peter Lang, New York
- ¹⁰ Calvin M, D Mirror, 10 Oct 2009
- ¹¹ Gordon P [1986] Racial Violence and Hostility, Runnymede Trust, 1986, London, pp 21/22 & 39
- ¹² Times 15 June 1970
- ¹³ Debate on the Conservative Government's 'Employment Bill', NJ June/July 1980
- ¹⁴ TES 1 June 1981
- ¹⁵ NJ Mar 1984
- ¹⁶ NATFHE to BW 16 Oct 1986 File E 16
- ¹⁷ BW to NATFHE 18 Oct 1986 Rec'd Del V 404323File E 17
- ¹⁸ GH to BW dictated 8 Oct 1986 sent out 16 Oct 1986 File N 28 - 29
- ¹⁹ CRC officer to BW & GW 24 Sep 1987 File N 36
- ²⁰ AD to RJ 11 Aug 1986, NATFHE IT Bundle 185
- ²¹ Weaver G J [1980] Political Groups and Young Blacks in Handsworth, Univ of Birmingham, Series C No 38. Revised version at www.theplebeian.net
- ²² T/p conv JC to PMT disclosed in conv Mgt & BW 21 Oct 1986 File V 27
- ²³ Note IWA Mtg 7 July 1986 File Y 4
- ²⁴ BCtte calling note undated Oct 1986
- ²⁵ Conv BW to HS 20 Oct 1986 File R 25
- ²⁶ SD statement 21 Oct 1986 File E 20
- ²⁷ SD to MS 20 Oct 1986 File E 18 - 19
- ²⁸ MS to BW 6 Nov 1986 File E 23
- ²⁹ Conv BW & CD 24 Oct 1986 File W 45 - 46
- ³⁰ Day's Report p13 pt 6 (vi) BW IT Bundle 14
- ³¹ BW Rebuttal Doc 1 p 17 pt 25 at p 107
- ³² BW Rebuttal Doc 2, pp 1 – 2 pts 1 & 2 at pp 108 - 109
- ³³ Ibid p 1 pt 1.8 at p 108
- ³⁴ Ibid p 2 pt 5 at p 109
- ³⁵ Ibid pp 2 - 3 pts 6 & 7 at pp 109 - 110
- ³⁶ BW to DTr 4 Feb 1986 BW IT Bundle 35
- ³⁷ BW Rebuttal Doc 1, pp 16 - 17 pts 24 to 24.1.1, Weaver v NATFHE at www.theplebeian.net, at pp 106 - 107
- ³⁸ BW Rebuttal Doc 3 pp 1 – 5 pts 1.1 to 1.38 at pp 111 - 115
- ³⁹ DTr to BW 18 Feb 1986 BW IT Bundle 42
- ⁴⁰ DTr to BW 18 Apr 1986 BW IT Bundle 61
- ⁴¹ NW to BW 11 Apr 1986 BW IT Bundle 56
- ⁴² DB to BW 18 Apr 1986 BW IT Bundle 60
- ⁴³ BW Rebuttal Doc 3, p 9 pts 2.19 at p 119
- ⁴⁴ Ibid pp 6 – 13 pts 2.1 to 2.43 pp 116 - 123
- ⁴⁵ BW to OIT & CRE 1 Nov 1986 Weaver v NATFHE at www.theplebeian.net pps 91-123
- ⁴⁶ ACAS to BW 24 Oct 1986 File E 21; Meeting ACAS & BW/GW 5 Nov 1986
- ⁴⁷ CRE to BW 6 Nov 1986 File W 28
- ⁴⁸ Brown C & Gay [1985] *Race Discrimination: 17 years after the Act*, Policy Studies Institute, London
- ⁴⁹ BW to CD 10 Nov 1986 File E 24
- ⁵⁰ CD to BW 10 Nov 1986 File E 25
- ⁵¹ Conv BW, GW & AR 12 Nov 1986 File Y 6
- ⁵² Mins, BCFE Govs Mtg, 11 Nov 1986 File W 29; Conv OC & BW 6 Feb 1987 File Y 10
- ⁵³ BWG to BCFE Govs 28 Oct 1986 File Y 6
- ⁵⁴ Agenda, BCFE Govs 11 Nov 1986 Appendix F2
- ⁵⁵ Levi, Primo, [1987] *The Truce*, Abacus, London, p382

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- ⁵⁶ Pirsig RM [1974] *Zen and the Art of Motorcycle Maintenance: An Enquiry into Values*, Bantam Books, New York
- ⁵⁷ DE to KS 20 Nov 1986 File E 27
- ⁵⁸ Mins & Notes WMARC Mtg 29 Oct 1986 File Z 15 and File U 19 - 20
- ⁵⁹ Conv BW & RDwy 12 Nov 1986 File R 26
- ⁶⁰ OIT to BW 14 Nov 1986 NATFHE IT Bundle 14
- ⁶¹ Convs GB & BW 17 Nov 1986 File Y 14; Conv HS & BW 2 Dec 1986 File R 37 – 38; BW/GW to BSec/BCtte 2 Dec 1986 File E 32 - 33
- ⁶² Conv DS & GW 7 Nov 1986 File Y 6
- ⁶³ Conv HS & BW 2 Dec 1986 File R 37 - 38
- ⁶⁴ EMLC to BLP 18 Nov 1986 File N 37
- ⁶⁵ T/p Conv ACAS & GW 20 Nov 1986 File Z 16
- ⁶⁶ *Whitley v Thompson* EAT/1167/97, 14 May 1998
- ⁶⁷ *Driskel v Peninsula Business Services* [2000] IRLR 151; (1) Reed and (2) Bull Information Systems Ltd v Stedman [1999] IRLR 299
- ⁶⁸ European Commission Code of Practice [1993] p25
- ⁶⁹ Conv BW & RDwy 21 Nov 1986 File R 28 - 29
- ⁷⁰ SP to DE 20 Nov 1986 File U 21 - 22
- ⁷¹ Agenda & Mins WMWP 24 Nov 1986 File X 13 - 15
- ⁷² NATFHE Lecturer, Feb 2000
- ⁷³ PMc to DE & others 8 April 1986 BW IT Bundle 55
- ⁷⁴ WMREC Mins 26 Nov 1986 File E 29
- ⁷⁵ Reg Sec Rept on Annl Conf to WReg Cl 20 Jun 1987 Item 11 File H 22; T/p Conv KS to GW 29 May 1987 File Z 32
- ⁷⁶ DE to KS 20 Nov 1986 File E 27
- ⁷⁷ DC to DE 8 Nov 1986 File E 28
- ⁷⁸ Notes of Conv BW & HB 27 Nov 1986, recorded 5 Dec 1986 File R 30 - 31; Verbatim Notes, BW Evidence at Beider Enq, 8 Dec 1986 File S 14 - 18
- ⁷⁹ ROIT Listing 3 Dec 1986, *Weaver v NATFHE* at www.theplebeian.net p 126; AR, BW & GW Mtg 6 Dec 1986 File Y 7