



The Durham Miner

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The Durham Miner is the newsletter of the Durham Miners' Association, General Secretary, Dave Hopper PO Box 6, The Miners Hall, Red Hill, Durham, DH1 4BB. Tel: 0191 3843515

Appeal Court Decision

Injured Miners Denied Their Day In Court

By
General Secretary Dave Hopper

On October 25 2012 we were notified that three Appeal Court judges, on a unanimous decision, have rejected our appeal against the ruling of His Honour Judge Grenfell that our claim for damages for miners suffering from osteoarthritis of the knee was 'time barred'. This hugely disappointing decision will deny compensation to our members suffering from this painful and debilitating condition despite the fact that both sides accepted that the damage to miners' knees was the result of their work in the mining industry.

These claims were initiated by the Durham Miners Association with the support of a number of other funding bodies and were first launched in 2008.

In the Summer of 2010 eight test cases were heard in the High Court at Leeds, including three from Durham. Judge Grenfell ruled that all of the claims had been brought too late and refused to use his discretion and allow the claims to proceed. He also refused to allow us to appeal his ruling. On the advice of our legal team we applied to the Court of Appeal for permission to appeal and this was granted in January 2011. The appeal was finally heard in London between April 30 and May 2 2012.

After our appeal was dismissed, the initial legal advice from our counsel was that there is no real prospect of success if we take our appeal to the

Supreme Court given the limited grounds available for such an action.

The DMA now faces huge legal costs the lowest estimate being £1.4 M which is, of course, a terrible blow to the DMA and the other members of the Funding Group. But it is a catastrophe for the miners who are suffering these painful symptoms. However, we believe that we were right to fight this case on behalf of all our members who after all had agreed to a seven-and-a-half per cent levy (up to a limit of £1,000) from previously successful claims won by our solicitors, Thompsons, in former coal compensation cases. Through Thompsons we won the highest overall compensation, outstripping by thousands of pounds, those cases handled by other solicitors and I would like to officially record our gratitude for their efforts and endeavours.

The biggest disappointment I have is that the Labour Government when in power did not accept the merits of our case and introduce a scheme to settle these claims which would have saved millions of pounds on legal fees.

It will also be interesting to know the views on this judgement of the local MP who advocated that our members should claim their contributions back and used parliamentary privilege to attack the DMA and its officials. It is important because there will be many ex-miners in his constituency



Dave Hopper

affected by this ruling. When we said that the returned contributions were to be used to fight the knees case he said that this was a 'red herring'. Perhaps he would like to now retract this statement.

On a final note, I would like to pay tribute to David Guy our late President, who was of course also the DMA's Compensation Agent. I am sure David's views would have echoed my sentiments, but I know he had great reservations when the National Union of Mineworkers and some of its areas did not join or endorse the Funding Group when it was initially set up. This decision, David thought, weakened our collective strength and played into the hands of our opponents.

No matter what the odds David always believed in supporting the people who matter most – our members.

Attacks on Members Benefit Continue

This vindictive Coalition Government of Tories and Liberals continue, at a pace, to deny the right to State Benefits for our sick-and-injured members many of whom are suffering from serious industrial diseases and injuries from their work in the coal industry and are in many cases very vulnerable.

We do not see this Government tackling their friends in big business who are avoiding taxation to the tune of billions of pounds. They would rather attack people who have worked all their lives and have religiously paid their taxes to the Exchequer.

As was explained in our July 2011 edition the Work Capability Assessments (WCA) introduced by this Government is seriously flawed. A disabled person is now medically

examined by what the system calls a Health Care Professional (HCP), who are not necessarily doctors, but people who sometimes have very limited medical expertise.

These HCPs now concentrate on what a claimant can do rather than what they are not capable of doing. When tested claimants are given a series of simple tasks which if completed are used to prove that the claimant can perform some form of work. He or she is then placed into the Work Related Activity Group and have to attend work-training courses the object of which is to declare them fit for work. The result is that disabled people are being deemed fit for work by the so-called 'Health Care Professionals', in a situation where there is no work available. They are then denied their benefits and have to rely on Job Seekers

Allowance - often with a severe financial loss.

Claimants who are placed in the Work Activity Group or deemed unfit to work will receive Employment Support Allowance (ESA) and this may lull them into a sense of false security. ESA will only last for 365 days after which they will have to apply for 'means tested benefits'.

We urge all of our members to use the appeals process against these decisions. If your benefits are under attack contact the Durham Miners Association who will help and advise you.

You have paid your taxes and national insurance contributions all your life. Make sure you resist these vicious attacks on what is rightfully yours.

MPs Early Day Motion Calls For 'End To This Brutality'

The following early day motion was tabled on June 28 2012 by Labour MP John McDonnell and signed by 116 MPs

That this house deplores that thousands of disabled constituents are experiencing immense hardship after being deprived of benefits following a work capability assessment carried out by Atos Healthcare under a 100 million-a-year contract; notes that 40 per cent of appeals are successful but people wait up to six months for them to be heard; deplores that last year 1,100 claimants died while under compulsory work-related activity for benefit and a number of those found fit for work and left without income have committed or attempted suicide; condemns the International Paralympics Committee's promotion of Atos as its top sponsor and the sponsorship of the Olympics by Dow Chemical and other corporations responsible for causing death and disability; welcomes the action taken by disabled people, carers, bereaved relatives and organisations to end this brutality and uphold entitlement to benefits; and applauds the British Medical Association's call for the work capability assessment to end immediately and to be replaced with a system that does not cause harm to some of the most vulnerable people in society.

**If you, or any member of your family have been injured in an accident or you require legal advice on any matter concerning you or your family contact the Area Office on:
0191 384 3515
or write to:
Durham Miners Association, PO Box 6,
Red Hill, Durham DH1 4BB.**

***Durham Miners' Gala
July 13 2013
See you on the 'course !***

128th GALA – BIGGEST FOR 50 YEARS

The 128th Durham Miners' Gala was the best attended for fifty years with an estimated 100,000 people taking part. From 8 o'clock in the morning 35 brass bands and over 90 banners marched into Durham in a lively and colourful display of community spirit. Alongside the miners' banners almost every other trade union was represented from schoolteachers to firemen, many carrying placards protesting against the Government's austerity measures giving this year's Gala a powerful political focus.

At noon, a huge crowd gathered around the speakers' platform to hear Durham Miners' Association General Secretary Dave Hopper open up the proceedings.

Dave explained that this was the first Big Meeting that he had chaired. For the last 26 years this had been the duty of DMA president Dave Guy who was unable to attend due to serious illness.

Dave said, "Many people know David is fighting a very brave battle at this time against a very serious illness. He is in the RVI in Newcastle receiving palliative care and it's the first time he's missed chairing a Gala in 26 years. It will be a very, very sad day for him and it's a very sad day for me but I am sure David is wishing us well today in our endeavours."

In introducing the first speaker, Tom Watson, the Member of Parliament for West Bromwich, Dave paid tribute to his work on the Select Committee for Culture, Media and Sport and in particular his efforts to expose Rupert Murdoch and "his scumbag organisation News International".

Tom Watson explained that he was born into a family of trade unionists, socialists, communists and campaigners for justice. He had been told as a child about the Durham Miners' Gala and the emotions it created amongst those who participated.

"They told me I would never forget the feeling when the bands blows its first note and sure enough the hairs on the back of my neck stood on end this morning. I felt an immense sense of history I felt the power of a century and a half of working class solidarity welling up watching over me, and is there any one on this field who hasn't fought back a tear to recall great friends and family who are no longer with us today but in whose footsteps you are proud to follow."

Tom continued, paying tribute to Dave Guy who he described as an "inspiration to us all".

He urged the Labour Party not to distance itself from its "parents", the trade union movement, and drew applause from the crowd when he told those inside the party who were advocating such a policy to "shut it".

He condemned the coalition cuts and contrasted life faced by the privileged to that faced by the working class. "Their kids," he said, "aren't stuck on the dole, their houses aren't being repossessed, their elderly parents haven't gone back to switching off the heating."

He said that he was under no



Dave Hopper

illusions that it was the stand he had taken against Murdoch that was the reason he had been invited to speak. He described Murdoch as, "the octogenarian embodiment of capitalism gone crazy. A billionaire who owns everything but still spends his every waking hour trying to own more."

"He got so powerful he could

Tom Watson



even buy his own policeman and politicians and for generations trade unionists were systematically vilified... Working people as a class were patronised and ridiculed but it was for the trade unions and their leaders that he reserved their most bitter bile, their most shameless lies and their most perverted persecution."

Tom explained how the Murdoch empire had turned its guns on him. How they broke into his garage and rifled through his rubbish in an attempt to discredit him and how "at this his darkest time" it was the people of the labour and trade union movement that supported him.

"And that, brothers and sisters, is what we really mean by solidarity and I want to take this priceless opportunity to thank you for it." Tom returned to his seat to loud applause and cheers.

The next speaker was the human rights lawyer and Director of Liberty – The National Council for Civil Liberties (NCCL), Shami Chakrabarti.

Shami drew laughter and applause from the crowd when she said,

Shami Chakrabarti.



"You're very brave people to stand here for a few minutes to listen to me because you are looking at someone who the *Sun* newspaper once called the most dangerous woman in Britain."

She explained what a great honour it was to speak at the Gala and how she was very conscious of its long history and the generations who had stood on this ground before her. The National Council for Civil Liberties, while not as old as the Gala did, however, stretch back to 1934.

"Internationalism is not just for bankers and businessmen"

"It was", Shami said, "A group of young lawyers who formed the NCCL after they witnessed the beating that the Hunger Marchers received from the Metropolitan Police. "And," she added in a heavily ironic tone, "that [the beating from the Met] would not, of course, happen today."

Shami said that basic human rights, which include trade union rights and the right to justice, are more important than ever and she argued that the Spanish miners, who were being suppressed with rubber bullets, showed the need for international solidarity.

"Internationalism is not just for banks and businessman and governments and global empires. Internationalism has got to be about ordinary people and their values and aspirations ... I have learnt in the last so many years, and I am learning it standing here in front of all of you right now, that the universal values of human dignity, equality and fairness can never be ground down for too long.

"Look around you. Look at your families. Look at the young people who have come here today. They want to look forward. They didn't crunch

the credit. They didn't warm the planet. They didn't start real wars and metaphorical wars at home and abroad. But if we're not careful they will pay the price. But with our help – I say this as a grumpy middle-aged woman – with our help they will do better than we did as long as their struggles are our struggles. As long as we can unite around long held values to shape and win a more just tomorrow for them. I wish you a wonderful day. Thank you so much".

The third speaker, John Hendy QC, was introduced as "a great supporter of the miners, an expert in employment law and industrial relations and the standing council for eight trade unions including the NUM".

John began his speech saying that he had been cautioned by Dave Hopper not to give a law lecture but, since he could not give any other kind of a speech, he said to laughter and applause: "The next prime minister is sitting here, I'll direct my law lecture to him, the rest of you can talk amongst yourselves. Ed sharpen your pencil."

John first dealt with the question of unfair dismissal tribunals. He said that last year there were only eight employers in out of 49,600 cases who were told that they had to re-engage an employee who had been dismissed unfairly. But unlike injunctions against unions, those employers did not have to obey the re-engagement order.

The average compensation, he said, was only £4,500 and after one year of compensation being awarded 31 per cent of claimants had not been paid. The qualifying period to gain the right to a tribunal had been raised from one year of employment to two years and the cost of applying for a tribunal is to be raised from £150 to £1,500.

"What worker," John asked, "having just been sacked is going to risk hundreds of pounds incurred in fees for a chance of getting a £4,500 compensation order which may not be paid and when he has next-to-no

chance of getting his job back.

“That’s the problem with individual employment rights. Here today and gone tomorrow. What we need are trade-union rights. In particular, they need the right to strike, (Applause and cheers). Trade unions look after their members

“The truth is collective bargaining without the right to strike is no more than collective begging.”

by collective bargaining. In order to have collective bargaining unions need the power to take industrial action. No employer is going to give workers a slice of the profits without the threat of industrial action. The truth is collective bargaining without the right to strike is no more than collective begging.”

John then explained that the repressive legislation passed by the Thatcher government had ended 75 years of consensus by Liberal, Tory and Labour governments that trade unions could represent their members by collective bargaining. Thatcher had taken away the right to strike by putting so many legal pitfalls in the process that it made a legal strike impossible to achieve.

“Tony Blair,” he said “refused to reverse that legislation. On 31st March 1997, just before taking office and a week after going for lunch with Rupert Murdoch, he wrote an article in Murdoch’s *Times* newspaper declaring that the legislation

wouldn’t be repealed and that only trifling changes would be made and these were his words: ‘Even after the changes we do propose, British laws on trade unions will remain the most restricted in the western world.’”

“At the Leveson enquiry, where I represented the National Union of Journalists, I won’t say I had the pleasure, I had the experience, of questioning Rupert Murdoch as to whether this was part of a price demanded for Murdoch newspapers to support Labour in 1997, he denied it. I am reminded of the words of Mandy Rice-Davies In a case long ago – ‘He would say that wouldn’t he?’

“...Let’s find an economic case for collective bargaining and the necessary trade union rights that underpin it. Collective bargaining increases wages, increases demand in the economy, increases tax revenue, increases the welfare budget and promotes job growth. It forces employers to compete in technological advance investment and efficiency rather than reducing terms and conditions. That’s why the strong and efficient economies of Germany, Sweden, Norway and Denmark have extensive collective bargaining underpinned by trade union rights.”

John made a powerful case arguing that the lack of trade union rights created huge inequality in society and all the attendant social ills of drug abuse, early death and increased rate of infant mortality. “These rights,” he said, “are fundamental human rights,



John Hendy QC

– this is not the view of a partisan which I am – it is a statement of international law.

“... Now what you need to know is that most of the top judicial bodies, which supervise these treaties, have over many years condemned the UK for its trade union laws...As a lawyer I do not find it tolerable that this country should be in an international lawbreaker flouting the human rights treaties it has ratified and I’m fed up with losing industrial action cases. (Laughter and applause).

Turning to Ed Miliband, he said, “Ed will not do a dirty deal with media interests to sell out the basic human rights of ordinary people and he knows too that today there are still 6.5 million trade union members in the United Kingdom and that’s more than one in every 10 human beings that live in our Island. Men women and children, old age pensioners, the sick and the disabled. Many of those people used to vote Labour and no longer do so. So commitment to them to the restoration of our fundamental trade union rights could help to bring them back and, Ed, you now have an unambiguous respectable overwhelming legal argument in favour of implementing these rights. Thank you for the honour of listening to me.”

John sat down to cheers and applause.



Paul Kenny opened his speech by appealing for a huge cheer for Dave Guy to which his audience responded.

He said how much he enjoyed the Gala. “This is a great day, this is a fantastic day, I love this day, I love being in Durham, but you know there were a couple of things missing today? Did you notice them? There were a couple of banners missing. I was particularly looking out for the Barclays-bankers-against-tax-cuts-and-bonuses banner, (laughter), there would have been a hell of a crowd behind that one”.

He continued, attacking the tax evaders who were in fact stealing money from the people at the same time as talking about taking winter fuel payments from pensioners.

Paul condemned a wide range of government measures that were aimed at the poor and infirm and particularly those that affected the young: “I can’t think of a bigger crime to hang around the neck of any government than that it should turn its back on giving young people a future and hope – it’s a disgrace and it’s a shame”. (Applause).

“if you want to change society, you have to stand up and fight for it”

On the question of the Remploy workers who were fighting the closure of factories for the disabled he declared to applause and cheers that “if you want to change society, you have to stand up and fight for it. And they have been fighting all their lives for justice and more power to your elbow and you keep fighting we’re all with you.

“Tory Britain (is) where you get six months for stealing a bottle of water but when you steal billions in bank rate swindles you get a knighthood and a bonus. Tory Britain is where they want to hire cheap and fire cheaper: if they don’t like the look of your face, your gender, your race – or maybe you’re a trade unionist – they want to be able to say it’s not working out, you’ll have to go.

“There is only one option that we understand in the trade-union movement; there is only one option which is you have to fight. You can’t lay down. You have to fight and you fight on an industrial basis with all of the difficulties.

“And there’s a political fight and we need a Labour Party that’s in touch, winning the next election. Some Tory-like approach ain’t gonna work. It’s not what people want. We want change. (Cheers and applause). And I tell you something else – I make no apologies for saying this – we want more people who come from working life experiences to be MPs in the House of Commons at Westminster, (Loud cheers and applause), because, you know, I think if we had a few more of them we wouldn’t be making the wrong decisions at critical times.

“...I will say this. I am very pleased I voted for Ed Miliband. Really, really pleased because I think for the first time for a very long time we have got someone with the courage to actually stand up and say, ‘the Party needs to change, we need policies that connect with people and we are going to win an election because people will support [that policy]’. (Applause).

“... Thank you for a fantastic honour speaking at the Gala. I just want to say one thing, one final thing, we are here today because people didn’t give up. We stand on the shoulders of those who have gone before us. We are here today because people stood up and fought and we’ve got a political, industrial and organisational fight to make and I’m saying I’m up for it, are you?” (Applause and cheers).

The next speaker was Mark Serwotka, the General Secretary of the Public and Commercial Service Union, who was born and brought up in the mining town of Merthyr Tydfil. He opened his speech by bringing



Paul Kenny

greetings from the members of the PCS to the Gala: “I say it’s a particular honour for me as PCS General Secretary to address such a fabulous labour movement event. It’s an honour to be here but I also want to say it’s an honour because of the people I represent. PCS members, are some of the lowest paid, hardest working, public sector workers”.

Mark invited the audience to be angry: “...Now, why should we be angry? We have a million young people unemployed, we have young people forced on welfare schemes, exploited by employers and we see some of them sleeping out rough under London Bridge when they are supposed to be providing security for the Olympics.”

“... We are seeing pay frozen for millions, jobs cuts for hundreds of thousands and local services being decimated. And let’s not forget our people in our communities who are unfortunate enough to be on welfare because, I tell you what makes me sicker than anything, it’s when politicians say those on welfare are scroungers and they are getting an easy ride.



“Let me tell you this: managers in the DWP [Department of Works and Pensions] issued an email a number of months ago telling us that we should prepare ourselves for more suicides as the despair of those claimants being thrown off incapacity benefit begins to hit home. Only two weeks ago, a claimant leaving the job centre in Birmingham

Mark Serwotka



chained himself to the railings, doused himself in petrol and set himself alight. This is the reality of Tory Britain.

“Attack the millionaire landlords and cap the rents if you want to save them money on housing benefits”

“Tax cuts for millionaires and those with the least being thrown onto the scrap heap and what little they have being taken away. We see people in London told they have to move 200 hundred miles because the housing benefit is getting too expensive. Well here’s a suggestion: don’t force people out of their homes. Don’t force people out of their communities. Attack the millionaire landlords and cap the rents if you want to save them money on housing benefits (Cheers and applause).

“... The Secretary of State [for Works and Pensions] went to Merthyr and started attacking people for being workshy. He said that the people of Merthyr had to understand there is more to life than getting up from the bedroom and walking to the living room. Ian Duncan Smith said ‘they should get on the bus and look for work’. Well, let me tell you

something about Merthyr – 1,500 people are unemployed and in the job centre today there are 39 vacancies. Comrades, the answer here today is not to attack those who have nothing and have no jobs. It’s to recognise that until jobs are available, we should provide a decent Welfare State for those who need it and not attack them,” he said to applause.

“...I want to finish on this one: what do we do when we are being attacked? What do we do when our people are suffering in a way many of us never thought we would see? We have to fight. We have to fight like lions in every community and recognise that if we lose now our children will suffer for decades to come.

“And that means we’ve got to be united, united in the unions, united in the Parliament and we have all have to unite to say we going to stop it. And that means all of us recognising that when people go on strike, it is our job to support them and not to criticise them. (Cheers and applause) And we should support them wherever they are, whether its cleaners on the Tyne and Wear Metro who have been striking as RMT members, whether it’s the Remploy workers of Spennymoor, whether it’s the PCS workers for the Department of Transport, or the Home Office

or, at the moment, perhaps most graphically, our comrades from the Spanish miners who are fighting a life and death battle to defend their communities". (Applause).

"We should tax the rich and we should stop asking old people with the least to pay for those with the most."

"Comrades," he continued, "it also means that on October 20th when the TUC call a demo in London we should have a million people on the streets telling Cameron where he can stick it and tell him that we are going to fight. Comrades, let me leave you with this: if we are going to be united, if our politicians and our unions and our community campaigners are going to be united, we have to be clear on what basis it is. That means when the Tories attack welfare our job is to say they are wrong and we are going to oppose them. When the Tories freeze the pay of 6 million people we should not say, 'they are right', we should condemn them and say 'it is wrong for public sector workers and for the economy'. And, when the Tories cut our jobs and our services, we should not say, 'we agree'. We should say, 'cuts are the wrong answer' and we should oppose all cuts in our communities wherever they fall. (Cheers and applause).

"And in a week where Bob Diamond, that symbol of failure, that symbol of capitalism, has had a two million pounds pay off— that is 30,000 times what people on job seekers allowance are going to get – we should say this: 'There is another way. Austerity is not working. We should tax the rich' and we should stop asking old people with the least to pay for those with the most. Solidarity, comrades, and forward to the people's government". (Cheers and applause).

Dave Hopper, introducing Ed Miliband, the leader of the Labour Party, said, "We now come to the part of proceedings that you have all been waiting for...I personally have been waiting for 23 years". He explained that the Durham Miners supported Ed Miliband: "I am urging everyone here to get behind him. Give him a fair crack of the whip. There is a war to be won and I hope it's Ed Miliband who wins that war for us".

Ed Miliband opened his speech with this tribute: "Let me start by saying that it is a privilege to be here with you today. I come here to honour the traditions of the Durham Miners' Gala. I come here to honour the traditions of the North East. I come here to honour this great Labour tradition".

"I also come here humbled by the history of this great Gala. And the names of the people who have spoken to this gathering echo down the ages. Keir Hardy, George

Lansbury, Manny Shinwell, Clement Atlee, Nye Bevan, Jim Callaghan, Harold Wilson, Barbara Castle and so many great leaders of our movement. Friends I am proud to follow in their footsteps. I am proud to be with you here today. (Applause).

"Let me also pay tribute as others have done to someone who cannot be with us today, your President, David Guy: David Guy who went down the mines at 15. David Guy who rose up through the ranks of the trade union movement. David Guy who every day of his life has fought for justice in the mining communities of this country. Let us all send our good wishes to him". (Applause).

"We've seen one rule for those at the top of society and another rule for everyone else"

He continued, paying tribute to the MPs of the region and the trade unions who were represented at the Gala, "And friends it was a trade union that founded this great event, to fight for wages for the miners. Today, I honour that heritage and let me say this also: coal is not just an important part of our heritage, clean coal must be an important part of our future as well. (Applause).

"I fought for clean coal as part of the last Labour Government. I promise you that as Prime Minister I will fight for clean coal as part of the next Labour Government as well. (Cheers and applause).

"...100 years ago at a gathering like this Keir Hardy came and spoke to the people and he said, in that speech, that neither the Conservative party nor the Liberal Party could be trusted to advance the interests of working people. Friends, It was true then and it is true today as well.

"Remember what the Tories said. They said, 'We all in this together'. And what have we seen? We've seen one rule





Ed Miliband

for those at the top of society and another rule for everyone else. They cut taxes for millionaires and raise taxes for pensioners. It's business as usual for the banks and small businesses are going under. And, the cruellest thing of all, the cruellest thing of all, is what this government is doing to our young people, what, this government is doing to young people the length and breadth of Britain.

"I grew up in the 1980s. I remember the 1980s. I remember the lost

generation of young people in the 1980s. We said then we would never go back to those days, but that is what is happening under this Government. So friends, let us take a vow today to our young people: we will never leave you without hope. We will never leave you without work. We will never leave you without a future. (Applause).

"...And what does this Government want to do? All it wants to do is divide our country. Divide our country between public sector and

private sector. But you know, I know, we are not the public sector and the private sector. We are not the public economy and the private economy. We are one economy. We depend on each other. (Applause).

"And friends, they tried to divide our country between rich and poor. Between north and south. There are the same old Tories, not building for the future but ripping up the foundations. Not healing our country but harming it. Not uniting our country but dividing it.

"And, then, think about the values of the people at this great Gala. One of them, who has come here today, wrote to me this week. His father and his grandfather were miners. He lived in Meadowfield. Today, he is a full time carer for his mother aged 91. He knows the values of compassion. He represents the great values of this Gala and of the Durham community...looking out for each other, never walking by on the other side. Friends, these are the values of the people of Durham, these are the values of the people of the North East but, let me tell you something else, these are the values of the people of Britain as well, the values of the people of Britain, South, North, East and West. They are not Tory values.



They are our values – values of compassion, values of care, values of community, values of looking after each other. (Applause).

“These Tories, these Tories, want to blame everyone else for what is happening in our country but here is the truth: the problem of Britain is not a Government being let down by the people. It is the people being let down by its Government and

this is the task for the next Labour Government – as it was in 1945 as it was in 1964, as it was in 1997– to rebuild Britain, to rebuild Britain for working people in this country and that is the task that will start on Day One of the next Labour government.

Tax the bankers’ bonuses and put our young people back to work and get our young people working again. (Cheers and applause). Break up our

banks so that instead of having a country serving these banks we have banks that serve the country once again. (Cheers and applause).

“Break the power of Rupert Murdoch, as Tom Watson has so brilliantly done, so that no organisation can ever exercise that power ever again in this country. End the rip offs by our energy companies so the pensioners don’t have to choose between heating their homes and having food on the table. That is the mission of the next Labour Government.

“Wherever there is power, we should challenge it. Wherever there is injustice, we should tackle it. Wherever there is unfairness, we should fight it. And to anyone who says, and there are a couple of them here today, who says it can’t be done let us remember our history. A hundred years ago, they said there would never be a Labour Government. We fought the Tories and we won. Then, they said there could never be a National Health Service and Nye Bevan fought the Tories and we won. (Cheers and applause).

“Then, they said education would only be for the elite and we fought for the principle of education for all and we won. Then, they said there could never be a minimum wage and people would be paid 50p per hour. We fought for the minimum wage. We fought the Tories and we won. Labour is coming together. We are inspired by our traditions. We take courage from the battles we have won and we understand our task for the future is to rebuild our country on the values of the people of Durham, on the values of the people of the North East, on the values of the people of Britain. Responsibility, community, fairness, equality and justice – that is my mission. That is our task. That is the battle we can win together. Thank you very much”. (Cheers and applause).





*Above: José Luis Villares addresses the Durham Miners Gala 2012
Left: Andrés Avelino Gutierrez ends his speech with a clenched fist salute*

Honoured International Guests

The Gala welcomed two honoured guests from the mining unions of Spain who, at the time of the Gala, had been on strike for 50 days against the Spanish right-wing government of prime minister Mariano Rajoy. During the course of their strike, the state had employed rubber bullets, teargas and baton charges to stop the miners' tactics of organised mass marches, colliery occupations and civil disobedience.

In introducing the first Spanish miner, Dave Hopper said he had been sickened watching images of the Civil Guard firing rubber bullets and teargas canisters at "Our Comrades in Spain" and called for a massive international campaign in support of their strike, emphasising the Durham Miners' long history of internationalism.

José Luis Villares, representing the Federación de Industria de CCOO, was greeted by cheers when he opened his speech by bringing greetings from the miners of Spain. He explained the circumstances that had provoked their action. In the face of the serious economic crisis in Spain, the Rajoy government had reneged on an agreement to support the coal mining industry, a move which would lead, he said, to the closure of their mines and the loss of 30,000 jobs, in the their industry and those industries connected with it. This would devastate communities and cause hardship in areas already suffering badly from the effects of the crisis.

Spanish unemployment, José said, was the highest in Europe and was particularly high amongst young people. "The Government claims that there is no money to support the coal industry but there are 100,000 million Euros available to support the banks" José said.

Concluding his speech, José added, "The support we have received can make history. We have received thousands of encouraging words from workers that don't belong to the mining industry. They ask us to continue the fight and to be an example of how to defend the interests of the workers. (Applause).

"I am a miner and the father of a miner and I will give the last drop of my blood fighting for justice." (Applause). With your support we will continue our struggle defending our jobs, defending the mining of coal and the survival of the mining communities". (Applause).

"Long live the workers' struggle! Long live the miners!" (Applause and cheers).

The second Spanish miner, Andrés Avelino Gutierrez, from the Unión General de Trabajadores (UGT), thanked the Durham Miners for the invitation to speak and brought greetings from his union. "We have been," he said, "50 days on strike, 50 days on the streets, with 12 of our comrades occupying a mine in Asturias more than 600 metres below ground...the intentions of this right-

wing government are to condemn us to misery. They want to destroy the labour movement.

"How is it possible that they can give 100,000 million Euros to the banks while they close the coal industry, the only producer of energy for Spain, while Germany is opening up more mines and energy production in the future will be more dependant on coal. These cutbacks affect everybody in Spain and it is time to change the economic model of our society. It is time for every worker in every society to work together and fight together against injustice.

"Long live the working class! Long live the miners!"

Dave Hopper, thanking the two Spanish striking miners, next announced that the National Union of Mineworkers was donating £5,000 to help them and this figure would be matched by a further £5,000 from the Durham Miners' Association. He also pledged the full support of the Durham Miners who would, he said, give the miners in Spain all the assistance they could muster. He then gave notice of two public meetings, one in Middlesbrough and the other, in Newcastle to raise funds for the comrades in Spain.

(In the weeks that followed, the Spanish Miners Solidarity Committee – sponsored by the Durham Miners' Association – raised and sent over 30,000 Euros to help the Spanish miners and their families).

David Guy 1946 – 2012



Dave Guy chairing the 2011 Gala

Only 11 days after the 128th Gala DMA President Dave Guy lost his brave fight against cancer. On Thursday August 2 2012 over 500 attended a service at St Magdalen Church, Seaham Harbour in celebration of the life of this outstanding miners' leader. The following tribute was printed on the funeral card:

David was born in Seaham on May 3 1946, one of the seven children of Alfred and Matilda Guy. His father Alfred was a miner at Vane Tempest colliery and David's early life was typical of those who grew up in a community dominated by the coal industry.

He was educated at St Joseph's Roman Catholic school in Seaham until the age of 15 when he started work at Dawdon Colliery. From an early age, he developed a strong sense of duty to his community and took an active part in the business of the Dawdon NUM miners' lodge, where for many years he served as the lodge treasurer. He was a

convinced socialist and an active member of the Labour Party.

In 1985, he was elected to the position of President of the National Union of Mineworkers (Durham Area). In the aftermath of the Great Miners' Strike, it was a difficult time to take office but he was immensely proud to be elected and considered it a real privilege to represent the mining communities and working-class people in general. However, it was a role which took David and his family away from the community he loved to Durham City where he never really settled. He later returned to Seaham to be amongst his people who he often described as 'the salt of the earth'.

David had many qualities. He was a deep thinker with a keen analytical mind and a determined will. He was an inspiring orator with the ability to interact and engage with people in any arena, whether professionally or socially. He was a caring and compassionate

man, his values undoubtedly influenced by his upbringing and his experience of day-to-day life at the coal face.

His innovation and determination secured millions of pounds compensation for injured mineworkers changing the lives of many thousands. Sustaining and presiding over the Durham Miners' Gala was his passion and a further example of his excellent leadership.

Family and friendship were very important to David and an integral aspect of his life. Those closest to him experienced his unconditional love, generosity, patience and support. Socialising presented David with a release from the duties of office and those who have been fortunate enough to have spent time in his company will pay testimony to his warmth and humour. He also enjoyed music, sport, travel and current affairs, including the current form on the turf!

Despite David's high public profile he was a very private and modest person and would almost certainly be surprised by the amount of attention his passing has generated.

He was a true gentleman who will be sadly missed but he leaves us in the knowledge that his contribution, professional and personal, has been huge. His value base, determination for social justice and equality lives on through all those his life has touched and, in particular, those who bear his name.

David leaves behind a dear wife Christine and two children Stephen and Maria from his first marriage to Joan and much loved grandchildren.

Gala Photo Gallery









Photographs: Tony Griffiths page 4. Ken Rowley: pages 6,7,8,9,10,12,13,14,15 and 16. Mark Harvey: page 11(top left). Dave Temple: page 11 (top right).



Durham Miners' Beneficial Membership

Membership of the DMA will entitle you to the following benefits of membership:

Legal Support

Through the Association's solicitors, Thompsons, the Association can offer expert support on the following issues:

Legal advice and representation where deemed appropriate in any litigation concerning an injury or disease incurred or contracted whilst working as a miner in the Durham coalfield.

Legal advice and representation where deemed appropriate for you and the members of your family if you suffer injury in a road accident, whether as a driver, passenger, cyclist or pedestrian.

Legal advice and representation where deemed appropriate in any other litigation concerning an injury or disease incurred or contracted outside the workplace.

Free initial legal advice on any matter.

A free will for you and your partner.

Low cost conveyancing.

Representation

Through our network of branch representatives and full time officials we can provide expert and experienced support and assistance with:

Mineworkers Pension Scheme entitlements.

Social Security entitlements including representation before Social Security and Medical Appeal Tribunals.

Advice and representation on any issues relating to concessionary fuel and cash in lieu

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