

The Durham Miner

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The *Durham Miner* is the magazine of the Durham Miners' Association, PO Box 6, Red Hill, Durham, DH1 4BB. General Secretary: Dave Hopper, President: Dave Guy. Tel: 0191 384 3515, Fax: 0191 386 6824, Email: admin@durhamminers.co.uk

Politicians Have Let Us Down - Badly



Dave Hopper

by
Dave Hopper

The world economy is teetering on the brink of disaster and Britain far from weathering the storm, as we were given to believe, is heading for recession with serious consequences for our working people. To date over 2.6 million are registered unemployed in Britain and this figure is rising at an alarming rate. As usual the North East is the worst affected but the most disturbing aspect of this statistic is that it includes over a million young people between the ages of 16 and 24 whose talents are tragically wasted while their hopes and aspirations are destroyed.

The politicians don't seem to understand the damage this is doing to people. The Tories arrogantly repeat like a broken record that the Labour Party is to blame while the Labour Party, who do bear some responsibility, offer no radical alternative. All Ed Miliband and the Labour Party call for is a small modification of the same strategy – a strategy which is based on the belief

that the poor, the disabled and the old must pay for a crisis caused by the rich, the powerful and the privileged.

The Durham Miners Association has spent the last year desperately

defending former miners suffering from work related illnesses who are being judged fit for work. They are told to find a job when every one knows including the Government that even if they were fit for work there are no jobs to be found.

While no money is available to support the sick and disabled there seems to be no lack of cash where war is concerned. While homage is paid to the dead of two world wars on Armistice Day the slaughter and maiming continues in Afghanistan. We may well ask for what cause are these men and women dieing? And for what cause did hundreds of thousands of innocent men, women and children die in Iraq? It must never be forgotten that this war which was engineered on the basis of lies and deception was voted for by many politicians who were happy to send men to their deaths while they fiddled their expenses.

Now we have to endure the fact that the potentially profitable part of

Northern Rock has been sold at a knockdown price while the bill for the debt laden part is left with the taxpayer many of whom are condemned by Cameron and Clegg for having the temerity to strike in defence of their meagre pensions. But on November 30 two million people did strike against this injustice and this we hope is only the beginning.

Jeremy Clarkson, who is paid over a £1.5m a year out of our licence fees to supposedly entertain us with his macho ignorance, says these strikers should be 'shot in front of their children'. He may now claim to have been joking but he accurately reflects an attitude which many rich people have to those who have not been fortunate enough to be born into upper class privilege. It is an attitude that sends young men and women to war, robs young people of their prospects, the disabled of their benefit, and the low paid of their pensions while rich bankers and millionaire politicians pay no price for the mess they created.

However, I believe the tide is turning. Men and women are no longer fooled by the platitudes of politicians. Let us band together and fight back against this capitalist system which is the real cause of the crisis.

I wish all our members a happy and prosperous New Year.



Dave Guy

The Fight Continues

by
Dave Guy

The Compensation Department continues to achieve a high degree of success with our members' applications for various Department of Work and Pensions (DWP) benefits. Our aim is to support all legitimate claims and ensure our members receive their full entitlement. I urge all members to let us appraise your situation and give you the appropriate advice. We know there are still members who have not yet applied for Industrial Injuries Benefit (IIB) for osteoarthritis of the knees or taken advantage of the new prescription for Vibration White Finger. David Hopper and our voluntary tribunal representatives are giving dedicated support to my department and I wish to thank them for their endeavours on your behalf.

Osteoarthritis of the Knee Legal Case

In the June issue of the *Durham Miner* I reported that our Association and the other funding bodies had won the right to appeal to the High Court to seek to have His Honour Judge Grenfell's ruling of January 10 2011 overturned. Judge Grenfell had ruled that the lead cases of former miners suffering from osteoarthritis of the knees which we had put before him were time barred and he refused to exercise his discretion and allow the cases to proceed.

When we were granted leave to appeal by three High Court Judges we were hopeful that the appeal would be heard in January 2012. However, we are now informed that the full hearing of the appeal has been delayed and will now be heard in February 2012.

There is some encouraging news in that the Legal Services Commission has committed some limited financial support to the appeal and in doing so they must have taken into consideration the merits of our case.

Chronic Bronchitis and Emphysema

On June 23 of this year the Durham Miners continued their campaign to have the threshold, which is employed to determine whether a claimant suffering from Chronic Bronchitis & Emphysema (CB&E) qualifies for Industrial Injuries Benefit (IIB), lowered. To this end we attended a conference of the Industrial Injuries Advisory Council (IIAC), which advises the Government on the classification and prescription of industrial diseases.

We had already submitted a report by Professor Rudd commissioned by the Durham Miners' Association and the Mechanics' Trust and we were able to supplement the report with our practical experience of the way the current lung function test discriminates against some claimants. We made our opinion clear to the Council and it is hoped that they will, in due course, make a favourable recommendation to Parliament.

However, in the present economic climate we cannot help but feel we will have an uphill struggle to get this Coalition Government to agree a measure which will make it easier for miners to be paid the benefit they are justly entitled to.

Work Capability Assessment Fatally Flawed

The DMA is winning many appeals tribunals where our members have been assessed as capable of work by the Work Capability Assessment (WCA) scheme. As we have

explained before anyone who has been declared incapable of work by their GP must be assessed to determine which of three categories they qualify.

WCA concentrates on what the patient is capable of rather than what they are incapable of. The claimant is asked to do a series of simple tasks after which the results are fed into a computer which calculates a score which determines in which category they are to be placed.

The categories are:

1. Those who are unable to work are placed into the Support Group.
2. Those who are able to do some work are placed into the Work Related Activity Group where they are 'helped' into work and have to attend training courses.
3. Those who are declared fit for work and have to rely on Job Seekers Allowance.

These assessments are carried out by Health Care Professionals (HCP) who are not usually doctors and more often people with limited medical backgrounds such as nurses, physiotherapists or medics. As a result a disabled person suffering from mental illness may be assessed by an HCP who has no expertise in that particular disability. Consequently when the case is taken to an appeals tribunal where the appellant is examined by a qualified doctor there is a high possibility that their appeal will be successful.

The chance of success is further enhanced if the appellant can strengthen his case with independent medical evidence.

However, a successful appeal is not the end of the matter. Such are the numbers appealing that the system is becoming log-jammed and there are long delays before an appeal is heard. By that time the appellant is due for another assessment by an HCP who then, more often than not, declares the

President's Compensation Report

claimant fit for work. Consequently a continuous revolving door has been created where the disabled are bounced from HCP to tribunal and back again. As a result the cost of the scheme is out of control and to date has cost £80m – and rapidly rising.

The Inhumanity of the DWP

No issue exposes the sheer inhumanity of the DWP than the decision they have taken with regard to patients undergoing treatment for cancer.

Cancer charities have long complained that whereas cancer patients who were receiving chemotherapy intravenously were assumed to be too debilitated to work, those receiving oral chemotherapy and radiation were having their degree of sickness challenged. This anomaly was highlighted in Professor Malcolm Harrington's annual review of the processes. He recommended that both sets of cancer patients should receive the highest Employment and Support Allowance and should not therefore have to go through face-to-face work capability assessments.

The DWP accepted that both sets of cancer patients should be treated the same but instead of exempting both, callously changed the regulation so that **all** cancer patients will now be subject to both the employment support allowance process and the work capability assessment.

Only someone like myself who has endured week after week of both types of treatment know just how cruel this judgement is.

The point of chemotherapy is to load the body with sufficient poison to kill the cancer without killing the patient. Its side effects are unpredictable but almost always cause vomiting, nausea, headaches, diarrhoea, muscle weakness and the inability to withstand bright lights. The immune system sinks to its lowest ebb and the patient has to be isolated from family and friends in case they catch an infection. Peripheral neuropathy starts to affect the fingers and feet, limiting the use of hands and impairing the ability to walk. It takes a superhuman effort to get out of bed each morning never mind go to work.

This whole affair has once again demonstrated that we are dealing with a Government which is totally bereft of compassion.

Beware of the 'No win No Fee' Scams

I receive numerous phone calls from members and their families who have suffered injuries or developed occupational diseases through no fault of their own and who often encounter a bewildering array of organisations which claim they can recover compensation for them.

There is now a whole industry of claims handlers who advertise in every conceivable place from daytime television to twitter and claim they are personal injury 'experts' and 'specialists' in all manner of injuries and diseases. A typical tactic is to send unsolicited texts and recorded voice messages to mobile phones which often suggest that they know the recipient has had an injury and they may be due to a sum of money typically £3,250. They then claim to offer a 'no win no fee' service.

Our members should be warned that these 'no win no fee' organisations do not tell the truth about the hidden expenses, often medical report fees and insurance premiums which the claimant may be personally liable for.

Most of these organisations are merely parasitic middlemen who sell the claims to lawyers and have little or no interest in supporting the injured person.

The practice is particularly rife where road traffic accidents are concerned.



Information about road accidents is routinely sold to claims handling organisations and even motor insurance companies themselves sell the details of injured persons to claims management firms who in turn attempt to sell the claim to lawyers.

Even more concerning is the fact that insurance companies themselves sell claims direct to law firms with whom they are connected. Such law firms are therefore not independent and can't be trusted to press for maximum compensation for claimants.

My advice is to ignore the sales propaganda. As members of the DMA you have access to genuine high quality, independent and expert legal advice and support through Thompsons Solicitors. We have a genuine interest in providing the best service for our members and will take on the difficult cases which other claims handling organisation would not touch. They are only interested in the easy claims which will provide a quick turnover and maximum profit for themselves. Our only interest is to get the maximum compensation for our members no matter how long it takes.

Members need to know they are under **absolutely no obligation** to use solicitors nominated by insurance companies. These solicitors are the insurance companies choice not your choice and the best course of action is to always get legal advice through the Durham Miners.

If you or a member of your family have been injured or have developed an occupational disease please contact our Area Office on 0191 384 3515 or contact your local branch official. Remember you only have three years in which to process your claim before it becomes time barred so act as quickly as you are able.

Miners' Concessionary Fuel Tax

As yet there has been no development on the recommendation by the Office of Tax Simplification to tax concessionary fuel and cash in lieu payments. There are however still three years of austerity measures to be announced and implemented. I will keep you informed of developments.

I wish you all and your families the very best for the New Year.

The Biggest Gala for 60 Years



Dave Guy, President of DMA

‘There can be only one focus as far as this year’s Gala is concerned, and that is the attacks on public services and the welfare state. Whether it be jobs, education, pensions, welfare benefits or the National Health Service, it will be the most vulnerable people in society who will suffer. Not just today, not just tomorrow, but for the foreseeable future. The cuts must be fought and to that end the TUC is to be congratulated in bringing together the Public Sector Alliance to coordinate a strategy.’



Chris Kitchen, National Secretary NUM

‘Many banners you see today carry messages that are as true now as they were in the past: united we stand, divided we fall; an injury to one is an injury to all; the past we inherit, the future we build. Comrades, let us build our future together.’

Gala 2011



Cathy Jamieson MP

‘Although I am proud to be a Scot, I tell you comrades, I will always have more in common with a miner from Durham than I do with a Tory from Dumfries’



Bob Crow, General Secretary RMT

‘If they can find billions of pounds to bomb Libya and destroy society, they can find billions of pounds to construct society. I believe in a society called socialism and I’ve fought for it since I was 16 and I’ll continue to fight for it till the day I die.’



Carlos Bugueno Alfaro with his interpreter Alex Tilly holding the umbrella

‘Greetings, brothers and sisters. I am Carlos Bugueno Alfaro and I am a miner from Chile. Last year we suffered an accident when a roof fall in our mine left me and 32 of my comrades trapped 700 metres underground. We were trapped there in the darkness of the mine for 69 days and we were then miraculously saved. That is why I can be here today with you in your marvellous celebration.

I would like to thank you for your support and solidarity and for having invited me as your guest to this beautiful gala. I would especially like to thank the Durham Miners’ Association, its President David Guy and General Secretary David Hopper.

I hope this celebration continues for many more years. Viva la Gala!’

Gala 2011



Dennis Skinner MP

‘Let’s recapture the spirit of one of the greatest reforming governments we ever had. In 1945 we had an economic problem ten times bigger than what it is today. The country was skint and Nye Bevan said, “let’s build the Health Service, build the Welfare State”. We can do anything if we’ve got the guts and the desire (applause) and the imagination to do it. That’s the spirit we need (applause). We get it all here. Let’s call it the New Durham Manifesto!’



Len McClusky

‘The flame lit by the miners in 1926, 1972 and 1984 is still burning in our communities and in our hearts. It’s a flame not just of resistance, of fighting back – it is a spirit of collectivism, a spirit of socialism, that says more than simply stop the cuts, that says it is not just the banks that are bankrupt but the whole capitalist elite that is bankrupt. That says away with the Murdochs! That says it’s time that the ordinary people of Britain control their own destiny.’



Dave Prentis

‘This is a special day in our calendar, it is a special day in our hearts. On this day we remember those who went before us and on this day we celebrate their struggles, the victories they won, the trials they endured and the hopes that they kept alive. But today is not just about the past, today the struggle continues, because again today working people, our people, are under attack.’



Dave Hopper

‘As socialists we have to be internationalists.... We are internationalists and we always will be. We come from a breed of men who fought all their lives and who believed that if you don’t leave the world when you go out of it in a better state than when you came in, then you have not done your job. So it’s our duty to carry on that battle and struggle for workers all across the world. It’s been a great demonstration today and I wish you all a safe journey home.’

Book Review

by
Carol Robertson

No book could ever capture the spirit of Durham Miners' Gala, the shared pride in being part of the greatest demonstration of working class solidarity in the world, the reverence felt for the banners with our history emblazoned on both sides, the tangible warmth among the crowds in the streets of the old city, the way the brass bands find an echo in the pit of the stomach.

Part political meeting, part family outing, part renewal of old acquaintance, part celebration of the past and part hope for the future.

No book could ever capture all that – or could it?

David Temple comes as close as it is possible to get with his comprehensive new book, *The Big Meeting – A history of the Durham Miners' Gala*. For those poor souls who have never been, he paints a vivid picture of what they have been missing and for the rest of us, he rekindles memories of Galas we attended and tells the story of Galas long ago, setting them in the political context of their time and the battles fought by the union for better conditions, from the first heady success of ending the hated bond tying a man to a pit right up to today's fight for compensation for sick old miners.

Above all, Temple captures the deep sense of belonging felt by all who take part in the Gala.

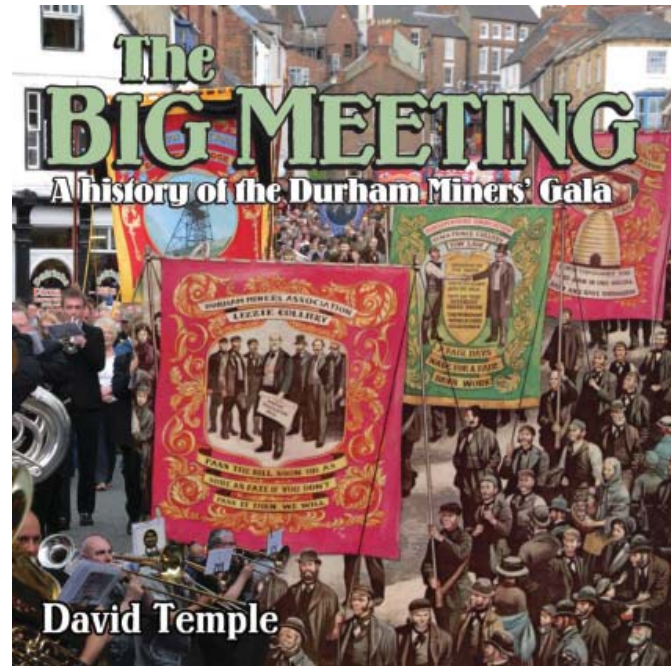
Like every child in the pit villages of County Durham, I remember the

shiver of excitement in waiting for the band on its parade of honour from the pit to the village before setting off for the Gala. Opening the book for the first time brings the same sense of anticipation. There are pages full of great pictures, and a text that cannot be put down. It's a book to go back to, again and again, looking for favourite snippets from speeches. Temple never short-changes his readers on history, but this time he has covered a monumental workload.

Some favourite stories are scotched. The 1925 gala remembered as the time the bishop was thrown in the river? It was a case of mistaken identity; the "bishop" was the dean and he didn't end up in the water. The euphoria of nationalisation? "It was the dawn of a new era, but at the Gala that year, the new era got a strange reception." The Gala that year played out to a background of shortages of food, shortages of houses undamaged by war – and shortages of beer. And stony silence was the response to Hugh Dalton's speech on public ownership – the miners disliked the terms.

Temple charts the pit closures of the postwar years, whatever Government was in power, and the consequent fluctuations of the Gala. Then came Arthur Scargill's 1980 Gala speech warning of massive closures – but the reality under MacGregor's chairmanship of the NCB proved even worse.

The 1984 Gala in the middle of the year-long strike fighting for pits and



communities drew for the first time on support from the wider trade union movement, massed at The Sands to march together into the city (and what a day it was!) and this has remained the case today. Against all odds, the Gala has survived as a beacon for all working people and old pit communities parade new banners with old messages as relevant now as in the past. But whoever would have thought in those early years that one day there would be no working pits left in Durham with millions of tons of coal left in the ground at a time of energy crisis?

Carol Robertson, now retired, was a specialist writer with *Sunderland Echo* and is the author of several books on local history.

***The Big Meeting* consists of 244 pages, 148 photographs and illustrations plus a catalogue of 100 banners in full colour.**

The Big Meeting can only be obtained from the Durham Miners' Association. To purchase a copy please fill in the form below and send it to: The Durham Miners' Association, PO Box 6, Red Hill, Durham, DH1 4BB, making a cheque or postal order to: The Durham Miners Gala Book Project.

For further information email: dmapress@aol.com

A hard back copy will cost £19.50 + £4 p&p (£23.50) Soft back copy £14.50 + £3 p&p (£17.50)

I would like to buy the following copy/copies of the *The Big Meeting*:

Hardback copy/copies

Softback copy/copies

I enclose a cheque for £..... made to: Durham Miners' Gala Book Project

Name:Address:

.....Post Code:

Contact telephone No:.....email:

THE COAL INDUSTRY SOCIAL WELFARE ORGANISATION (CISWO)



**Did you, or your partner,
work in the Coal Industry?**

Among the services offered by CISWO are:

- Confidential home visiting service.
- Benefits advice and assistance with applications.
- Practical and emotional support at times of difficulty.
- Access to funds for those facing financial hardship.
- Advice on disability issues and mining related illnesses.
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For further information about us or to access our services please contact us:

By Post 6 Bewick Road, Gateshead
Tyne & Wear NE8 4DP

By Telephone 0191 477 7242
Website www.ciswo.org.uk



Charity Registration No: 1055581

CISWO is a national charity providing services within mining communities to recreational charities and more specifically, through its social work service, to individual mining beneficiaries. In 2010 the Organisation had 11,024 referrals requiring 6,726 home visits. Income maximisation of £2,534,191 was achieved for these clients and in addition CISWO provided grants from its own resources of £628,781.

The services provided to mining beneficiaries, however, often do not include financial assistance but involve a wide range of advice and support. Individual grant aid is also provided to the dependants of miners and former miners who wish to study at degree level and through its relationship with a number of regional convalescent charities recuperative breaks are enjoyed by mining clients through a number of convalescent homes.

CISWO's priority is to utilise its resources through enhancing the range and level of services provided and is currently engaged in a profiling exercise to ensure that mining beneficiaries are aware of the organisation's role should they, at some time either in the present or the future, wish to avail themselves of those services.

Vincent Clements, Regional Manager says, 'We can do more and want to do more to help those who were employed in the industry and who might need our help, perhaps this is you. If you feel you may be able to benefit from any of the services we provide, please contact us for further details.'

David Guy, the Chair of the North East Region of CISWO encourages beneficiaries who may be facing financial difficulties when replacing essential home equipment such as cookers, fridges etc. or require essential repairs to their homes to contact the Regional Office of CISWO on 0191 477 7242 as grants may be available. The only qualification being you need to have been in the coal mining industry for ten years or more.

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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