



The Durham Miner

No 7 DEC 2010

Knees Case Awaits Judgement on Limitations

by Dave Guy

In January 2011 His Honour Judge Grenfell will publish a judgment which will determine whether our action to gain compensation for our members suffering from osteoarthritis of the knees can proceed to trial.

His judgment will be based on a hearing at Leeds Crown Court in June of this year where our lawyers sought to persuade the Judge to use his discretion and waive the Limitations Act. Under this Act a claim for damages must be made within three years of the accident or in a case where an industrial disease has been contracted, within three years of the claimant becoming aware of the symptoms.

The task of our lawyers at this hearing was to show that our case was strong enough to proceed and that there were good reasons why the claims were not submitted within the time limits.

Evidence from eight claimants, selected

from a list of almost 1,000 cases, was presented to the Judge. Four of these 'lead claimants' were chosen from the list by our side and four were chosen by the lawyers representing the Coal Authority.

The medical experts from both sides were in general agreement that all of the lead claimants were suffering from osteoarthritis of the knees and that their condition was caused or contributed to as a result of working in the mining industry.

One reason for the time lapse between the hearing and the publishing of the judgment is that the Judge wanted to wait for a judgment from the court of appeal in the cases of the ex-servicemen who were claiming against the Ministry of Defence for alleged injury and illness caused as a result of exposure to ionising radiation during the nuclear testing in the Pacific in the 1950's. In these cases the veterans

were also asking the Court to waive the Limitation Act which made the judgment relevant to our case.

This judgment was handed down on 22nd November 2010 and on the issue of limitation the judges ruled that nine out of the ten test cases were out of time — in these cases Court refused to exercise their discretion to allow those cases to proceed. However, in making this ruling the Court of Appeal put great emphasis on the fact that the claimants would have difficulty proving that their medical conditions were caused by their exposure to radiation. In comparing the two cases it is clear that there are major differences particularly in that in our cases the medical experts largely agree that the knee conditions suffered by the Claimants have been caused or contributed to by their mining work.

There are still many problems to negotiate even if the New Year brings us the good news we all wish for, but whatever the outcome our members can rest assured that we are doing everything in our power to get justice for the men who are suffering from this painful condition.

To this end we have already committed £450,000 to fund this action and if we are unsuccessful we will have to bear our share of the Coal Authority's costs which may be many times this amount. Without the agreement of our members to donate a small percentage of their awards for vibration white finger and chronic bronchitis and emphysema we would not have had the resources to mount such a campaign.

We are therefore immensely proud of all our members who in the spirit of collective responsibility have remained loyal to the Durham Miners' Association.

Below Dave Guy chairing the Big Meeting 2010

Photo: DPS



Another Busy Year Fighting for Justice

The compensation department has been particularly busy this year supporting our members who are applying to the Department for Work and Pensions (DWP) for an assessment of their disability caused by osteoarthritis of the knee. We are pleased to report that there has been a fair measure of success in achieving awards above the 14% threshold which have resulted in men receiving a pension of £29.16 or more per week.

Many who have been assessed at a percentage lower than this threshold have been able to aggregate former assessments for other conditions such as VWF and CB&E which have resulted in a pension being awarded. If any of our members are suffering from painful knees and have not already made an application for an assessment they should contact the office without delay.

VIBRATION WHITE FINGER

The Association continues to give financial support to a number of our members whose VWF cases remain
Gala 2010 Photo: DPS

unresolved because either British Coal, a private drift mine owner or sub-contractor have denied liability for the damage sustained by their employees due to the use of vibratory tools. Some of these employers are showing particular resistance to settling cases where the services element is involved. (The services element compensates the claimant for their inability to do certain household tasks such as gardening and window cleaning without help).

I wish to remind members of the changes to the prescription of classification regarding Industrial Injuries Benefit for VWF which now includes loss of dexterity or tingling and numbness of their fingers. Members who were previously turned down when the criteria was based on the whiteness of their fingers (vascular impairment) may now re-apply citing these new symptoms as a cause of disablement.

CHRONIC BRONCHITIS & EMPHYSEMA (CB&E)

In the last edition of the *Durham Miner* I drew members attention to the injustice in the Social Security Legislation which prescribes that one litre of lung function loss is required before an award of a single percentage point can be given when assessing disability caused by CB&E.

A claimant with a loss of 0.99% of a litre can be considerably disabled, finding it difficult to walk, climb stairs and pursue day to day activities, but receives nothing. This does not compare favourably with the percentage awarded for the loss of an index finger tip (without loss of bone) which receives an automatic assessment of 5%. Given that it has been

determined in a court of law that CB&E is caused by wind borne coal and stone dust and that a miner is two and a half times more likely to suffer from this condition than workers in other industries it is unacceptable that the threshold is placed so high.

We also informed you in the Spring edition that the DMA and the Durham Mechanics have commissioned a report from Professor Rudd, an eminent expert on respiratory diseases, to examine the method used by the DWP for calculating loss of lung capacity. We are concerned that the high threshold of one litre discriminates unfairly against miners of small stature and particularly older miners.

We are, however, also concerned that when the standard of one litre loss was established some 20 years ago it was assumed that most people already had sustained a loss of function due to smoking. Since the number of smokers, particularly amongst young miners, has decreased dramatically in recent years this assumed loss of function penalises the non smokers.

Professor Rudd's report has been forwarded to the Industrial Injuries Advisory Council who conduct research and give advice to the Government Departments responsible for occupational diseases. The Council considered our submission at a sub-committee on 16th September and we await the result of their deliberations on this contentious issue.

PNEUMOCONIOSIS

It is now seventeen years since the last mine in County Durham closed but the legacy of the deadly dust is still with us and again I have to report a shocking increase in cases of pneumoconiosis particularly amongst relatively young ex-miners. Since the working life of these men coincided with the incentive scheme it is impossible to avoid the conclusion that there is a causal link between these two issues.



President's Compensation Report

Young and old flocked to the Gala this year.

Right: The Banner of Greenside Lodge in Old Elvet. Photo: DPS



Employment and Support Allowance – Damning Report

In October 2008 the Department for Work and Pensions (DWP) stopped paying Incapacity Benefit (IB) for new claimants and introduced Employment and Support Allowance (ESA). This change involved a new method of assessing the degree of disablement by concentrating on, 'what people can do rather than what they can't do'. This process is called the Work Capacity Assessment (WCA) which divides the claimants into three categories.

1. Those who are unable to work who are placed into the Support Group.
2. Those who are able to do some work who 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.

The assessment process is managed by Jobcentre Plus and after the claimant has filled in the application form and submitted medical evidence they may, if the evidence is strong enough, be assessed without an examination. Since the scheme began only 3% have been assessed in this way. All the other applicants have to attend a medical

assessment conducted by a 'medical professional' from a company called Atos. The results of this assessment are then submitted to one of Jobcentre Plus's 'decision makers' who determine which category is deemed appropriate. According to the DWP statistics, up to February 2010 only 6% of those applying qualified for the Support Group, 15% for the Work Related Activity Group, 39% were deemed fit for work and 36% of the cases were closed before the assessment was completed. Four per cent of claims were still ongoing.

An independent review of the WCA has made some damning criticisms of the system. They have found that:

The Jobcentre Plus decision makers, 'do not in practice make decisions but typically rubber stamp the advice provided through the Atos assessment.'

'Claimants interaction with Job Centre Plus and Atos are often impersonal, mechanistic and lack clarity.'

In assessing the impact of mental illness, 'Some of the descriptors used in the assessment may not accurately measure or reflect the full impact of such conditions on the individuals capability for work.'

'The communications and feedback between the different agencies and organisations involved is often fragmented and in some cases non existent.'

These comments are particularly disturbing as the scheme from October this year has been extended to those who were receiving an Incapacity Benefit award prior to October 2008. This includes those who were on Incapacity Benefit, Severe Disablement Allowance and Income Support paid on the grounds of illness.

We are already dealing with the impact of this measure and advise our members to seek our assistance if they are instructed to attend an assessment.

I wish you all a Merry Christmas and a Prosperous and Healthy New Year

**If you change your address
ring 0191 3843515
for the Durham Miners' Association
If you have a case running ring
Thompsons on 0191 26 90400
Mineworkers pension Scheme
0845 606 4444
Fuel Office: 0845 75 90 529
Cash in Lieu: 0845 759 1562**



Dave Guy Chaiman of Big Meeting

Dave Guy, President of the Durham Miners Association, in welcoming everyone to the biggest gathering of Durham's mining communities since the 1960s warned that we were facing a bleak outlook.

The austerity measures, he said, would be borne by the most vulnerable in society. £11 billion was to be cut from benefits 600,000 jobs in the public sector and badly needed schools would not be built.



Chris Baugh

Chris Baugh, Assistant General Secretary of the Public and Commercial Service Union (PCS) thanked the Durham Miners for the honour of

Gala Call to Fight Cuts

Largest Crowds for 50 years

speaking at the Gala. He said that working class solidarity was not a dream but a powerful force to direct against the idea that the working class must pay for the crisis.

His union and the Tax Justice Network had identified a staggering £125 billion pounds a year which is lost to the Treasury as a result of uncollected taxes, tax evasion and tax avoidance measures. But instead of closing the tax loopholes and dealing with this problem the very department responsible for collecting these taxes is on the receiving end of arbitrary office closures and PCS members were consequently facing dismissal.

He closed with a plea to use the united strength of the trade union movement to 'defend our unions and our class.'

'Fight' he said, 'for tax justice, for running the banks in the national interest and bringing utilities back under public ownership.'

Adla Khalaf, a Palestinian post graduate student in the last year of her PhD at Durham University made a passionate plea on behalf of the Palestinian people.

She described how in Gaza 1.5 million Palestinian people continue to be denied their basic human rights and live in misery. Israel, she said with United States support was getting away with war crimes and all protests have been to no avail.



Adla Khalaf

She said that the international community speaks fine words but the United Nations resolutions have not been implemented and by all its actions Israel shows that it does not want peace. She advocated a boycott similar to that which was imposed on South Africa to make an impact on Israel's policies and called in the name of humanity for the international community to act urgently to bring justice to Palestine.

'We are,' she said, 'entitled to a home land. To have freedom and independence. The support of the British trade union movement keeps our hopes alive.'

Jeremy Corbyn, MP for Islington

Gala Report



Jeremy Corbyn

North, who was a stalwart supporter of the Miners during the 1984/85 conflict said to applause,

‘Heed the call from the sister from Palestine they need our support. Give them our support. Sanctions against Israel will bring about peace.’

On the economic crisis he said,

‘The economic medicine which is being imposed on Europe now is the same medicine which has been imposed on sub-Saharan Africa and Latin America for decades where they have been forced to pay unpayable

debts. Where they have been forced to privatise public services. Forced to destroy all they hoped they had gained by independence.

‘Are we going to accept this economic orthodoxy that creates poverty, creates misery and creates division or are we going to fight back. Are we going to stand up for the values of the Labour Movement for Socialism, for peace for justice, for the need for education housing and everything else.

‘We lost the election for many reasons one of which was the deception and dishonesty with which we were led into the war in Iraq and the current massive



Len McClusky

expenditure on the war in Afghanistan. We have to be a Labour Party and a Labour movement dedicated to international law, to human rights, peace and justice not lawless invasions.’

Len McClusky, Assistant General Secretary of UNITE said,

‘The Durham Miners Gala is the most important event in the whole of the labour movement. A celebration of solidarity and community spirit. We meet at a time when that spirit is needed more than ever. The attacks of the Coalition Government are no more than a declaration of class warfare and we have to be prepared to respond to that class warfare.

‘The community spirit that is so palpable here to day can be replicated throughout the country. So comrades let us use this platform to proclaim the Durham Miners Gala Declaration of Intent — our intent to defend our services and our communities. Our intent to save our jobs through industrial action and mass demonstrations. Our intent to demand a fairer society and to reclaim the Labour party for our values and kick the cuckoos of New Labour out.

‘Comrades I want to thank the Durham Miners for this fantastic event which serves to recharge our commitments and our values and beliefs. ‘Comrades keep the faith — justice will prevail.’





Ken Livingstone speaking on the race course

Photo: DPS

and Wear. He praised former mine worker Dave Anderson MP who not only retained his seat in Blaydon but doubled his majority through his dedicated work for people.

On the leadership election he thought that it was not so much a new leader that was needed as a new direction. Whoever became leader, and he was not advocating any one for the job, would have to be a leader and not a dictator like Blair. It was the duty of those on the platform and the members present to make sure that the leadership reflected the views of the membership. New Labour leaders had refused on 17 occasions to address the Gala and this showed a contempt for working people.



Dave Hopper

In closing Dave paid tribute to Dave Guy for his courage and commitment over the past three years in his fight against serious illness. He hoped he would be here for many years to come.

He closed with these words,

'Let's unite with our comrades and brothers in Spain, in Greece in France, where ever workers are fighting. Workers of the World Unite. Let's get started. Let's get stuck in and let's turn back the tide.'

In thanking the Durham Miners for the honour of speaking, Ken Livingstone former Mayor of London, said that to speak at the Durham Miner's Gala was,

'More than an honour but a pleasure. When I watched those banners coming through Durham I realised that it was not just celebrating the history of the labour movement but celebrating the culture of the working class.

'I am often asked what was the biggest mistake I made when I was Mayor and I realised as I watched those banners it was in not inviting the Durham Miners Gala to come to London and to march through Oxford Street and Hyde Park and show the people of London that working class culture that you have kept and defended and the solidarity it gives and the strength it gives to communities that could crack some of the problems we have in London.

'They tell us that we have to cut because of the debt but this debt is only a third of what we had at the end of World War Two. But it did not stop the Labour Party establishing the Welfare State and then to pay the debt off over a reasonable period of time.'

Referring to the Labour leadership contest he said,

'I don't just want to hear from the candidates for the leadership of the Labour party that it was wrong to go to war in Iraq but why Labour didn't repeal Thatcher's Anti-Trade Union Acts'.

'Did they think it was right that year on year they repeated Thatcher's policy of not building council houses. In London

a third of a million people are in need of housing and are on waiting lists.

'We will not solve the crisis to come without planning, without sharing and without redistributing wealth within nations and between nations. I say to the young people here you will achieve triumphs if you have the courage and the will to dwarf what your parents and your grand parents have achieved and if you fail then maybe no human society can continue. Everything is in play, everything is at stake and what we require is the political courage and confidence to seize this moment to set an agenda and generally create a new world.'

In thanking the speakers Dave Hopper, General Secretary of the DMA said that the Gala had a vital role to play in the attacks that we will be exposed to in the immediate future.

'The real stars of the Gala,' he said, 'Are the people from the 43 mining communities and mining groups from Durham, who have come here this morning in a great show of solidarity.

'Over 70 banners in attendance in a show of strength at a time vital to the Durham Miners and all of the working class.'

He condemned the £10M a week which had been expended on the Iraq war and asked what Britain was doing in Afghanistan where he thought more terrorism was being created than prevented.

He said that the people of the North East had returned a Labour candidate to every seat in County Durham and Tyne

Robert Saint Remembered

Recognition at last for the man who
created the miners' hymn



Robert Saint

Most miners will be familiar with the beautifully haunting strains of the miners' hymn *Gresford* but few will know much of its composer Robert Saint.

Robert Saint was born in Hebburn in 1905 and when he left school at the age

of 14 he became a pitman at Hebburn colliery where he worked until it closed in 1932. He was an accomplished bandsman and was the leading trombonist in a local dance band with the unlikely name of the Kensington Dance Orchestra.

On September 22 1934 Gresford colliery exploded killing 264 men and boys and devastated the small community in north east Wales. Robert was so moved by this terrible disaster that he decided to compose a musical memorial to the victims.

Robert had escaped unemployment by joining the army where he played the trombone in the battalion band and he finally completed the composition while on leave in Hebburn in 1936.

Gresford was first played at the Gala in 1938 by the Brancepeth Prize Colliery Band and received such a favourable reception that the following year Robert conducted the massed bands of 13 collieries playing the hymn on the Palace Green prior to the traditional Cathedral Service.

Despite the huge popularity of the hymn Robert, who died at the age of 45 in 1950, received no visible recognition in his home town of Hebburn. All this is now to change thanks to the efforts of Michael Laffey from DMA Solicitor's Thompsons.

Michael who was



Dave Guy, DMA President, back left and Dave Hopper, DMA General Secretary back right with Michael Laffey holding the blue plaque

born and still lives in Hebburn was surprised when informed by an item on the BBC news program *Look North* that Robert Saint was born in his home town. This news item featured a new book written about Robert Saint by the journalist Peter Crookston called *The Pitmen's Requiem*. In the course of the programme the *Look North* news team showed some footage of a flat above a chip shop where, they reported that Robert had written the score of *Gresford*. Inspired by this image Michael thought the least that could be done was to have a blue plaque erected on the outside wall of the flat.

As a solicitor, however, he was used to checking the facts and discovered that the flat shown on the *Look North* programme was 100 yards away from 301 Victoria Road which was where Robert Saint lived in 1936. What was worse, in Michael's eyes, they had identified a flat just over the Hebburn town boundary which was in fact in Jarrow. As Michael said, 'They got the wrong flat in the wrong road in the wrong town'.

All the various interested parties have given their consent to the plaque being installed. Robert Saint's descendants still living in Hebburn are particularly enthusiastic knowing that at last their grandfather is to receive some of the recognition he deserves for composing a hymn which has become so important to our mining heritage.



Who Was Charles Bradlaugh ?

Extracts from *The History of Durham Miners' Gala*
by Dave Temple



Charles Bradlaugh

Charles Bradlaugh was chosen by ballot of the Durham Miners' lodges to speak at the Gala 11 times between 1874 and 1890. Bradlaugh was a militant atheist, a republican, a champion of women's rights, a campaigner for birth control and a passionate believer in Irish independence. He advocated land reform and opposed all imperial wars.

Bradlaugh was born in 1833 the son of a solicitor's clerk and a former nurse maid. He left school at the age of eleven and ran errands in the east end of London.

It was as a teenager that Bradlaugh began to question the existence of God and consequently came into conflict with his parents. Unable to reconcile their differences he left home and joined the army.

He was posted to the Ballincollig Barracks, in Co. Cork, Ireland where he and his fellow soldiers were ordered to evict poor Irish families from their homes and destroy their turf cottages during a harsh winter.

One night when Bradlaugh was on sentry duty a woman who they had evicted earlier that day appeared outside the barracks holding her dead baby to her breast. She had been driven insane.

Of this tragic incident Bradlaugh wrote,

'If you had been a brother to such a woman, a son of such a woman, a father of such a woman, would not rebellion have seemed the holiest gospel you could hear preached?'

After serving for three years an aunt left him a legacy in her will and Bradlaugh used the money to buy himself out of the army.

In 1858 he formed the Secular Society of which he was made president and in 1859 he lectured to a packed audience at the Blaydon Mechanics' Institute

much to the disgust of the local Methodists.

He first spoke at the Gala in 1874 where he put forward the argument that if trade was bad and miners wages had to be reduced why did this not apply to landlords who had consistently raised rents. He then rounded on the Royal Family — 'Why did they get richer and richer every year?' 'Why had the giving always to be on one side and the taking on the other?'

'Why were there millions of acres of land in Britain lying idle when those who wanted to cultivate land were forced to emigrate to hostile climates?'

Finally he declared, 'Men who held land had no right to it the moment their ownership conflicted with the rights and happiness of those around them.'

Charles Bradlaugh was elected to parliament in 1880 as the Liberal member for Northampton but because he was an atheist he refused to swear the Oath of Allegiance and asked to affirm instead. This was refused and when he tried to take his seat in the house he was arrested and imprisoned in the clock tower.

His seat was declared vacant and when the by-election was held he stood again and won. Again he refused to take the oath and again was prevented from taking his seat.

At the 1880 Gala he was received 'with great enthusiasm'.

He spoke against the House of Lords for opposing measures to compensate poor farmers in Ireland who were being evicted from their farms. He condemned the Lords for opposing the Hares and Rabbits Act, an act which would allow tenant farmers to kill hares and rabbits on their farms without first gaining permission of the landlord.

He called for the impeachment of Lord Beaconsfield, Sir Bartle Frere, Lord

Lytton and the late Conservative government for the famine in North West India. He condemned the Cape War in South Africa and the war in Afghanistan which had led to the massacre of 1,200 British and Indian troops at the battle of Maiwand near Candahar on July 27 1880 just 4 days before the Gala.

At the next Gala in 1881 a resolution 'to alter the law to admit men into parliament who may conscientiously object to take the oath,' was debated.

Speaking to this resolution Bradlaugh said, 'It is not the question of the battle for Northampton alone but the battle of every free constituency, not disqualified by the law, to elect its own representative. 'Conservatives, weak-kneed Liberals, old fashioned Wigs if they had a right to shut me out of the House of Commons, so far as I know they could do so. They might break me — for no man knows what strength he has to go through a battle with — but they should not bend me.'

When he asked those who were in sympathy with him to demonstrate their support by holding up their hands nearly all those present held up their hands and he pledged himself, 'as far as a man might,' that he would do nothing to make them ashamed of the confidence they had given him.

The people of Northampton elected Bradlaugh four times in succession before he was finally allowed to take the oath in 1886. In 1888 a law was passed allowing members without faith to affirm.

On January 30, 1891, Charles Bradlaugh died at the age of 57 worn out by a life of constant campaigning. Three thousand people attended his funeral.

Asbestos Victims Cheated out of Compensation

Many families who have suffered a death due to the asbestos related disease mesothelioma may now be denied their due compensation as a result of a ruling by the Court of Appeal.

In a bid to avoid paying compensation the insurance industry have for several years conducted a legal campaign to shift liability from the insurers who were insuring a company at the time when the victim was exposed, to the time when the fatal disease developed — a period which could be as long as 40 years. This controversy became known as the 'Trigger Issue'.

In 2008 the High Court ruled that insurers should pay compensation in mesothelioma cases if they provided cover to the employer at the time of the exposure to asbestos. When the Insurance industry appealed this decision the Court of Appeal determined that the question of liability rested on the exact wording of the insurance policy.

In the ruling which was published in November this year the three Appeal Judges decided unanimously that: insurance policies which use the words '**disease contracted**' are triggered by exposure to asbestos during the period the policy covered.

And they decided by a majority of 2:1 that insurance policies which use the words '**sustain injury**' do not trigger liability because a mesothelioma sufferer does not sustain injury at the time of the exposure to asbestos. That only happens decades later when the disease actually occurs — by then no insurance exists.

Ian McFall of Thompsons Solicitors said, 'The muddle produced by the Court of Appeal creates a fundamental gap in the protection that employer's liability insurance was intended to provide and will result in the exact words used in every individual employer's insurance contract now having to be examined.'



Ian McFall

'Mesothelioma sufferers and their families will face delay and some will be deprived of their compensation altogether. Insurers may also attempt to apply the decision to other types of industrial disease claims such as deafness, vibration white finger and occupational cancers.'

Permission has been granted to appeal to the Supreme Court which Thompsons is pursuing with the backing of the union Unite.

Durham Miners' Gala Book

We would like to thank everyone who ordered an advanced copy of the *History of the Durham Miners Gala* by Dave Temple which will be published in June 2011. By sponsoring the book in this way the Durham Miners' Association is able to judge accurately how many copies to print.

The book will cover the whole history of the Gala from the first Gala in 1871 to the present day. It will explain who the speakers were and how they reflected the changing politics of the Durham coalfield over the years. The later years will be illustrated with full colour photographs and the book will contain a catalogue of the banners of the Durham lodges old and new.

There is still time to sponsor the book and have your name recorded in the book under the list of sponsors. Some members have requested the name of a loved one to be recorded in memoria. If you have not already ordered a copy you may do so by filling in the form below. If you require a receipt please enclose a stamped addressed envelope.

Please note that the book will be posted to you in June 2011 and it will make a great Christmas present in December 2011

Softback £17.00 inc. p&p

Hardback £23.00 inc. p&p



Old Tommy Ramsey, Pioneer of the DMA who paid for the cannons to be fired at the second Gala in 1872

I would like to buy the following advance copy/copies of the Durham Miners' Gala Book:

☐

Hardback copy/copies of the Gala Book and/or

☐

Softback copy/copies of the Gala Book

I enclose a cheque / Postal order for £ _____ made payable to: **Durham Miners' Gala Book Project**

Please send the book(s) to the following address:

Name:..... Address:.....

Post Code.....Name(s) to be printed in book.....

Return to: Durham Miners' Gala Book Project, PO Box 6, Red Hill Durham DH1 4BB

What Thompsons Have Done For Us

Thompsons Solicitors have produced the highest average compensation awards for vibration white finger and chronic bronchitis and emphysema in the country. This means that a Durham miner who had a claim for both of these conditions received on average over £4,000 more than a miner whose case was handled by the next best performing solicitor. The table below gives the figures published in December 2009 after the vast majority of claims had been settled.

We have published these figures before but it does no harm to remind ourselves of the debt we owe to Thompsons who are trade union solicitors and have our interests at heart.

Solicitor	Average Damages		Combined Averages
	VWF	CB&E	
Thompsons	£16,379	£9,202	£25,581
Watson Burton	£17,106	£4,346	£21,452
Hugh James	£11,319	£7,261	£18,580
Raleys Solicitors	£12,405	£5,990	£18,395
Browell Smith .	£10,854	£6,538	£17,392
UDM	£10,607	£3,097	£13,704
Beresfords	£10,399	£2,559	£12,958
Graysons	£15,537		
Towells	£12,468		
Moss	£10,514		
Mark Gilbert Morse		£7,535	
Barber and Co.		£2,832	
Avelon		£2,375	

Free Criminal Law Service

If you are asked to attend a police station, or you are arrested for a criminal offence don't make the mistake of thinking you can handle it yourself. Too many people think that because they are innocent they don't need a solicitor. Nothing is further from the truth.

There are now strict rules governing police procedure and without the help of a solicitor to guide you, you may make fatal errors that can have a lasting effect on your later life.

Thompsons provide a free Criminal Law service to any member of the Durham Miners Association or a family member, who is arrested or who is asked to attend a police station for questioning.

Thompsons solicitors are on call 24/7 and on all days of the year.

Remember you have a right to be represented by a solicitor.

To get a solicitor to represent you, and who will be at the police station in no more than 45 minutes, all you need to do is to tell the custody officer that you wish to be represented by Thompsons or ring 07813684998.

Durham Miners' Association 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

Don't Miss the Big Meeting

Durham Miners'

Gala

July 9 2011



George Galloway

Thomas Hepburn Commemorative Service

It was standing room only at this year's Thomas Hepburn Commemorative Service when on October 9 over 200 packed Heworth Church. The address was given by George Galloway who said that because of his broadcasting commitments he usually refused engagements on Saturdays. However, when asked by friends from the DMA and Gateshead Labour Party who had stood by him 'in his hour of need' he could not refuse to come.

George gave a comprehensive address covering the life of Hepburn — how he had fought for the interests of the Pitmen at a time when they were condemned to a life of servitude and when infants were working in mines up to 16 hours a day. In the 1831 strike Thomas led the Durham miners to victory reducing the hours of children to 12 hours a day.

George explained that the following year the owners under the leadership of Lord Londonderry had forced the men on strike and smashed the union. It was done he said out of sheer vengeance and hatred of working class organisation. This was not dissimilar to the motivation of Thatcher who engineered the miners strike of 1984 to pay the miners back for the successful strikes of 1972 and 74.

After the service wreaths were laid on Thomas's memorial in Heworth church yard and at the reception afterwards Dave Hopper General Secretary of the DMA made a call for George Galloway to be reinstated in the Labour Party.

In reply George said, 'Today I have felt that I was part of a Socialist family and I have not felt that for a long time.'



Tories Never Change Their Spots

By Dave Hopper

Like the leopard the Tories never change their spots so we should not be surprised that they are now conducting the biggest attack on living standards made for several generations. They are aided and abetted by the Liberal Democrats who have sold their souls for a share of power. These opportunists have dumped all their pre-election promises and are now totally exposed for what they are — just another bunch of power hungry politicians.

This unholy alliance is attacking the poor and vulnerable while making the pathetic claim that 'we are all in it together'. How can a cabinet in which there are 23 millionaires, claim that they will suffer the same as a disabled man or woman faced with the loss of their meagre benefit?

The truth is the working class are being made to pay for the parasites - the speculators, gamblers and bankers who created this financial mess.

Billions of taxpayers money has been paid to prevent banks collapsing and the Government has subsequently acquired a huge financial stake in these organisations but still fail to exert any control. Consequently the

bankers continue to be paid obscene bonuses. This is Cameron's 'Big Society' where bankers are rewarded with billions while the social fabric at the bottom end of society must be held together by unpaid volunteers. This is not a big society but it is a Capitalist society and it is the Capitalist system that makes banks more powerful than governments and this is the root of the problem.

Working people create wealth — all banks do is accumulate the wealth working people have created.

We can not allow these attacks to succeed and for the sake of ourselves and future generations we must defend our people and our communities. We are going to have to fight and fight hard.

The students have made a start and they are correct - higher education is a right and not a privilege. Those who received their education free at the taxpayers expense or in the case of most of the cabinet as a result of the inherited wealth of their parents

have no right to deny the youth of today higher education without the worry of debt.

It is the duty of the TUC and the trade union leaders to organise a campaign of resistance which doesn't stop at words of condemnation but coordinates united action throughout the country.

The Tyne and Wear Left Unity have shown the way by forming a group of dedicated trade unionists and left activists who are actively campaigning against the cuts.

Let us tell the Tory Coalition if they want to cut the deficit they can withdraw from Afghanistan now, get rid of those useless Trident missiles and above all collect the £125 billion taxes each year that are either evaded, avoided or just not paid by their rich friends in industry and commerce. That is a real and practical alternative to the cuts.

**I wish you all a Merry Christmas
and a Happy New Year**

Dave Hopper speaking at the Gala 2010

