



Volume 31 No. 4 December 2003

FIRE FIGHTER

Bethlehem besieged

Report on Israel's Apartheid Wall

GENERAL SECRETARY

THIS year has been a testing one for us all. The coming one is likely to be challenging too. But if this view sounds a bit too familiar, it is worth remembering just how far we've come these past 12 months.

Late December 2002, the FBU were in the midst of an almighty national industrial and political storm. We, a Union of just 52,000 members, were facing an onslaught from the British Government and its powerful friends in the capitalist media, the likes of which hadn't been launched against any group of British workers since the miners' strike of 1984.

We were still reeling from having seen the basis of a pay deal vetoed, recklessly, by Whitehall. We had been out on the picket line, solid and unified, helping bring the National Employers back to the negotiating table. But subsequent talks proved fruitless. The cards appeared heavily stacked against us.

And look at where we are today. We all know we didn't get everything we were demanding. But, as many colleagues in fellow trade unions have confirmed, we have got significantly more than most private or public sector employees could hope of obtaining in the current political and economic climate.

Retained members have now achieved parity. Emergency fire control staff have just gained pay rises totalling 10%. And by July 2004, firefighters will be earning at least £25,000, or a rise of at least 16%. Beyond that, a pay formula links FBU members' wage rises to those of other professional workers. In short, we have gone a long way towards meeting the four pillars of our pay claim.



ANDREW WARD/REPORTPHOTOS.COM

OUR UNITY KEEPS OUR UNION STRONG

But of course, there's much to do.

The Union, after members responded with great maturity to the employers' recent shenanigans, will be pulling out the stops to ensure there is no more backsliding in the timetable for pay-outs through to the summer.

And we will have to do battle in Parliament and outside of it to ensure the White Paper produces a Bill and eventually legislation that creates a framework for the Fire and Rescue Service of the future that enhances its reputation as Britain's finest public service.

Above all, we will need to be ready to engage at a local level to ensure that under the new integrated risk management plans (IRMPs) fire cover is not only maintained but improved to the benefit of members and the public.

We are in a strong position to counter any IRMPs



FIREFIGHTER

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(most of which have been completed in draft form) that seeks to downsize fire stations and to go for other such "quick wins".

Our local officials have been attending the Union's own IRMPs education and training programmes and are clear that the FBU's goal is one of zero tolerance of fatalities – that is, **Zero Fire Deaths**.

The challenges of change in the Service also means working together with other trade unions, our many friends and supporters within the Labour Party, community groups and other non-governmental organisations, who all have a vested interest in defending the Fire and Rescue Service.

And, from time to time, we will no doubt be called upon by those same colleagues in the labour and progressive movement who have been so supportive to us in the recent past to aid them in their struggles and to join them in promoting an agenda of peace and social justice for all.

But for now, as this year draws to a close and another beckons, I want to pay tribute to members and activists for your sense of responsibility, your resilience, your solidarity and your unity. These are the qualities that have carried us through our tremendous campaign for professional pay and will ensure that in 2004 the FBU will be, as ever, a fighting Union.

Wishing you all a Happy New Year,

Yours fraternally

Andy Gilchrist

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COVER PICTURE: PALESTINIAN DEMONSTRATORS AT ESF DEMONSTRATION IN PARIS. JESS HURD/REPORTDIGITAL.CO.UK



FBU CONFIDENTIAL FREEPHONE HELPLINE

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FAIRNESS AT WORK is about treating others as we would wish to be treated ourselves – with respect

NEWS ROUND-UP

Union survey reveals extent of domestic violence

IN JUNE 2003, the Government published a consultation document *Safety and Justice*, which detailed their proposals for amending legislation to support victims of domestic violence – both adults and children.

The TUC and several trade unions were very keen that their members should make a contribution to the responses that would be submitted to the Government in September 2003.

Following a meeting between the trade unions and some Labour MPs, the TUC drew up a survey based around the key areas of the consultation document which trade unions could distribute to their members.

The key findings were:

- 51% of respondents had

experienced domestic violence

- 59% had children – of these, 44% said their children had witnessed the violence

- 44% relied on friends and family when leaving a violent relationship, with 8% using a refuge

- 46% stated that domestic violence had affected their ability to do their job, with 49% saying they had taken time off work because of domestic violence

- 66% had not told their employer and 79% had not told their union about their experiences of domestic violence

- 17% said their employer did have a domestic violence policy and 40% did not know.

- 45% said their union had a campaign to highlight domestic violence.

EMPLOYERS PROFIT FROM £23bn UNPAID OVERTIME

PEOPLE at work in the UK will do £23 billion pounds of unpaid overtime this year, according to TUC figures.

The average amount done by the more than 5 million workers performing unpaid overtime was 7 hours 24 minutes a week, worth £4,500 a year in extra salary. All the figures are taken from official statistics, and exclude employees who do less than one hour of unpaid overtime a week.

More managers than any other group do unpaid overtime (more than 1.5 million), but of the workers who do unpaid overtime, professionals do the most (9 hours 36 minutes a week), worth £9,000 a year.

The figures show that even workers in jobs where paid overtime might be expected, are putting in unpaid work above their normal hours. Nationally more than 150,000 craft workers are putting in an average of six hours extra, worth nearly £3,000 a year and more than 70,000 plant and machine operatives are doing an additional 5 hours 36 minutes on average, worth more than £2,000.

For more information see:

www.worksmart.org.uk/itsabouttime/compare.php

Thousands cheated of minimum wage

OVER four and half years after the minimum wage was introduced, the TUC has calculated that thousands of workers are still being cheated out of the minimum wage by dishonest employers.

The TUC figures on the numbers of people who are being paid hourly rates less than the legal minimum are based on Government figures which suggest that 330,000

people are not getting the adult rate and 170,000 of these are not receiving it for any legitimate reason.

Workers being cheated out of the minimum wage are in clothing, footwear and retail, or work as hairdressers, domestic workers or housekeepers. Many migrant workers are also being cheated out of the minimum wage.

To try to track down

employers who deliberately avoid paying their staff £4.50 an hour (or £3.80 if they are aged 18-21), the TUC and the Low Pay Network have published a new edition of their enforcement guide to the minimum wage.

Enforcing the National Minimum Wage sets out in plain and simple terms how union and advice workers can make sure all workers are

earning at the very least the minimum wage.

The guide is available at: www.tuc.org.uk/extras.minimumwage.pdf

■ The TUC, in evidence to the Low Pay Commission published on 21 November, called for the introduction of a national minimum wage for 16 and 17 year olds. Currently only those 18 and above are eligible for the minimum wage.

The FBU's voice in Parliament



Walking away from the Labour Party would only play into the hands of the Union's opponents, argues MP John McDonnell

AT THE start of the pay dispute last year I wrote to all Labour MPs in the House of Commons to seek their support for the establishment of a Firefighters Support Group in Parliament. The aim was to set up a group of MPs who would work together to provide firefighters with a voice in Parliament.

The group met weekly throughout the dispute receiving briefings from the Union and planning interventions in Parliamentary debates, questions and arranging lobbies of Ministers. We made sure that every MP received regular updates on the dispute, often countering the propaganda put out by the employers, the Government and the media.

No MP could argue that they did not have the information upon which they could make up their minds on the merits of the firefighters case. On the floor of the House of Commons, members of the Firefighters Support Group led the debates so that we could use the Commons as a vehicle to help get the truth out to the general public about the claim. In many of the debates it was often only members of the Firefighters Support Group who spoke. The only MPs speaking against our

case were either the Ministers Nick Raynsford and John Prescott, or aspiring Ministers. The MPs in the Firefighters Support Group went further in organising visits to picket lines and meetings in our constituencies or meeting with firefighters who were visiting Parliament.

When the dispute ended I took the decision to maintain the Firefighters Support Group because the key period for the Fire Service is now the implementation of the settlement and the White Papers recommendations. We kept the group active because the Fire Services Bill represented a major threat to the right of firefighters to take industrial action if a fire station was threatened with closure or pumps were to be moved as a result of the new powers given to the Secretary of State by the Bill.

Lords Wedderburn and McCarthy and Baroness Turner had spotted that the normal legal protection afforded a union during a dispute is to be taken away because any station closures or pump movements would be undertaken as statutory duties imposed by the Bill. Unions are not protected in law from breaches of statutory duties, and if industrial action takes place the Union could be dragged before the Courts by employers or anyone who wanted to attack the Union.

Working closely with Lord Wedderburn, members of the Firefighters Support Group were able to secure statements by Ministers, made in the Commons Chamber and for the record, which spelt out that the Bill did not put the Union at risk. This provides the Union and firefighters with some protection but not complete security.

In the coming months the Firefighters Support Group will be working together as a team, with the Union, to monitor the implementation of the pay settlement and the translation of the Fire Services White Paper into legislation.

If the pay settlement is not implemented we will be going back on the offensive in Parliament. As the White Paper evolves into new Fire Service legislation we will work closely with the Union to examine the minute detail of any new Bill in order to amend any section of the Bill which we consider is not in the

interests of firefighters, the Fire Service and thus the communities we all serve.

In the critical period that Firefighters now face it is vital that the Union is best placed to influence the way in which the Fire Service is shaped by the White Paper and the new Fire Service Bill. We need to use every vehicle of

In the critical period that Firefighters now face it is vital that the Union is best placed to influence the way in which the Fire Service is shaped. We need to use every vehicle of influence, argument and campaigning we can lay our hands on.

influence, argument and campaigning we can lay our hands on. This includes developing the Firefighters Support Group in Parliament to maintain a strong voice for the Union in Parliament. It also means using our influence within the Labour Party and Trade Union movement by developing alliances with other unions and Labour Party members and organisations to press forward our



John McDonnell: stay in and get stuck in

vision for the Fire Service through Labour Party and Trade Union structures.

There is a real depth of support for the firefighters case within other trade unions and amongst the rank and file of the Labour Party. It is too easy to vent our anger against the Government by simply walking away from the Labour Party. That is what many of the opponents of the Union would be pleased to see. We need to organise our support more effectively in order to present an overwhelmingly united front to win our claim. So my message is stay in and get stuck in!

John McDonnell is Labour MP for Hayes and Harlington and Chair of the Socialist Campaign Group of MPs

BROADCAST UNION VOTES TO KEEP LABOUR PARTY LINK

MEMBERS of BECTU, the union for broadcasting, film, theatre, entertainment, leisure, interactive media and allied sectors, have voted to retain the union's affiliation to the Labour Party. In a postal ballot of almost 26,000 members more than two thirds of those voting supported the union's link with Labour.

The turnout in the ballot, just over 30%, was the highest in any membership-wide ballot conducted by the union in recent years and 72% of participants accepted a recommendation from BECTU's leadership that the affiliation should be retained.

Disenchantment with Labour had been voiced by many delegates to the union's annual conference in May 2003, leading to a vote which instructed the NEC to research the possibility of alternative Parliamentary representation and then conduct a ballot on BECTU's affiliation to Labour.

Welcoming the result General Secretary Roger Bolton said: "I'm pleased that members have voted to stay with Labour, and especially pleased that a record number took part in the ballot. However, we can't ignore those that voted against the affiliation and Labour should not be complacent about its relationship with the unions."

HEALTH & SAFETY

Rogue bosses face fines and prison thanks to a ground breaking legal case led by the FBU, explains Frank Maguire, solicitor advocate and partner in Thompsons solicitors

New laws empower unions

THE LAW TURNED

NEW health and safety laws that could see bosses face tough fines and prison came on stream in October. The new laws mean that, for the first time, unions can directly enforce health and safety laws against employers – backed up by the force of legal penalties if they fail to comply.

The move turns health and safety law on its head with greater powers of preventive action rather than simply power to punish after accidents have happened. It paves the way for unions to take legal action to force employers to make risk assessments, up to now a power only available to the Health and Safety Executive.

Unions will be able to seek injunctions to stop work from starting until risk assessments are carried out. They will also have the power to seek injunctions to halt work until risk assessments have been carried out. Failure to comply with such court



ON ITS HEAD

injunctions can result in unlimited fines and prison. Where accidents have already happened failure to have carried out risk assessments will automatically bring a finding of negligence where injured workers are seeking compensation.

The Health and Safety Executive is playing down the move as an administrative tidying up of obscure legal regulations. But the HSE and Government have fought the new regulations for 11 years and opposed a complaint from the Fire Brigades Union to the European Commission.

Only the threat of referral to the European Court of Justice forced the Government to change the regulations to allow direct legal action by unions. FRANK MAGUIRE, a leading health and safety lawyer who represented the FBU before the European Commission, says the powers are formidable.

JUST under two months ago, on October 27, the Management of Health and Safety at Work and Fire Precautions (Workplace Amendment) Regulations 2003 came into force. Regulation 6 of those regulations removed the exclusion of civil proceedings which had applied to the Management of Health and Safety at Work Regulations 1999 (formerly 1992). This meant that up until now employees had no rights in respect of a breach by an employer of these regulations.

The regulations are key to the whole of the UK health and safety legislation. They arise out of the Framework Directive 89/391 from the European Commission. Prior to the directive, health and safety law in the UK was a patchwork of judicial decisions, and various inconsistent statutes over different industries and not others. It was also very much an "after the event" jurisprudence. The law was only changed by judicial decision and/or statute, after injuries or disasters had occurred.

The fundamental principle behind the framework directive was to force all employers to take action in the workplace before exposing the employees to any risk. The employers were to carry out risk assessments and then take specific measures to prevent and/or minimise the risk to employees in the workplace.

The British Government was forced to implement the framework directive and published the Management of Health and Safety at Work Regulations 1992. Somewhat surprisingly for such a key directive, the regulations only provided for criminal sanctions for breaches of these regulations and specifically

HEALTH & SAFETY

excluded civil proceedings. The same exclusion was maintained in Management of Health and Safety at Work Regulations 1999.

Since criminal sanctions were the only means of enforcing these new regulations, the responsibility for protection of employees fell to the Health and Safety Executive and not employers or trade unions.

FIREFIGHTER NICHOLSON

It was found, however, as the safety of firefighters were concerned, that the Health and Safety Executive were not enforcing compliance of the Management of Health and Safety at Work Regulations 1992. This became apparent following the Nicholson case.

Firefighter Nicholson was asphyxiated while trying to rescue two workers trapped in a silo. No risk assessment had been done by the Fire Brigade for such a situation, even though prior to this a Fire Brigade had encountered a firefighter being injured in a very similar incident involving a silo. Furthermore, risk assessments had not even been carried out for the workers trapped in the silo firefighter Nicholson had been rescuing.

So the Union raised the issue of risk assessments throughout the Fire Service. They discovered from HM Inspector reports that no risk assessments, especially of dangerous premises, had been carried out in Scotland. On instructions from the FBU, Thompsons wrote to all the Firemasters, drawing this to their attention. They admitted no risk assessments had been done and could give no adequate explanation other than cost considerations for this not being carried out.

HSE INEFFECTIVE

These breaches of the regulations were communicated to the Health and Safety Executive. But it did not appear to be worried – even though, as the Nicholson case demonstrated, employees were still at risk because of the failure to carry out risk assessments. It stated that it was aware that risk assessments had not been carried out, but they were monitoring the situation and awaiting the deliberations of various committees which were looking into the question of risk assessments.

So five years after the regulations came into force there still had been no risk assessments. Indeed, the gap is more like eight years, since the framework directive was dated 1989 and the European Commission expects EU member states to take preparatory measures in advance of new regulations under framework directives.

The attitude to risk assessments must be seen in a broader context. There have been few prosecutions in the UK by the Health and Safety Executive over employer failure to carry out risk assessments since 1992. Furthermore, the vast majority of cases involving major injury – including fatalities – have not even been investigated by the Health and Safety Executive. And of those cases that were investigated between 1997 and 2001/02, enforcement notices did not increase while the number of charges and convictions were very small. At the same time, there



has been no reduction in fatal or major injuries in the UK.

So here we had an employer failing to comply with a statutory duty and the enforcing authority, namely the Health and Safety Executive, doing little to ensure compliance and even accepting or condoning continued non compliance. At the same time, firefighters were being put at risk.

EUROPEAN CHALLENGE

Thompsons researched the matter further for the Union and concluded that the UK Authority's implementation of the Management of Health and Safety at Work Regulation 1992 was in breach of community law, because, by excluding civil proceedings, the framework directive had not been properly implemented.

On behalf of the Union we submitted a written complaint to the European Commission and thereafter appeared with the Union before them. The European Commission accepted the Union's complaint and raised it with the UK. Britain resisted and we made further written submissions and appearances before the European Commission. The European Commission rejected the UK Authority's position.

The matter was subsequently considered by the UK Health and Safety Commission, who eventually recommended that the



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exclusion should be removed. The UK Authority notified the European Commission that it was going to remove the exclusion. However, it failed to do so despite an opportunity in subsequent legislation.

So we went to the European Commission again, complaining that the UK Authority had not complied with its undertaking. The European Commission issued a reasoned opinion of the Advocate General, which was the next step in proceedings against the UK Authority for failure to comply with Community law. The UK Authority had two months from the issuing of that opinion and failure thereafter would entail the European Commission taking the matter before the European Court of Justice. The UK Authority finally conceded and introduced the regulations removing the exclusion.

CIVIL REMEDIES

There has long been a civil right for an employee who has been injured to claim against an employer for negligence and breach of statutory duty. However, until now, an employee could not claim for damages for injury because of a failure to carry out a risk assessment where the failure of a risk assessment had contributed or caused the accident giving rise to injury. Now they can. They can also use the civil procedures available in pursuit of such an

action, such as obtaining an order for discovery of documents relevant to the question of risk assessments.

Civil proceedings do not only encompass a right to damages. They also mean an application can be made to order a specific performance of statutory duties, such as the risk assessments. The court can also attach such conditions and penalties to the making of the order, including fine and imprisonment in the event of it not being implemented.

In England there is a civil remedy of interdict (or injunction) to an employers' continued actions or omissions which endanger an employee and which would have been addressed by a risk assessment or other measures in terms of the Management of Health and Safety at Work Regulations 1999.

With the removal of exclusion of civil proceedings it is now open to any employee to seek an interdict from the court against an employer to force an end to conduct which was likely to lead to injury pending the risk assessment. The court, as with all interdicts and injunctions, would also consider the balance of convenience – that is weighing up the risk to the employee or employees and the impact on the employer and the public.

For example the employer's specific duties in terms of the Management of Health and Safety at Work Regulations 1999 has procedures for serious imminent dangers and for danger areas. If any employer had failed to carry out a risk assessment and implement the procedures in terms of regulations then one can see that could weigh heavily with the court in considering the balance of convenience.

The court also has considerable sanctions where interdict or injunctions are not complied with. These include fines or imprisonment.

There would also be no obstacle in all of these remedies being combined. If an employee has been injured because a risk assessment had not been done and there was a clear risk of injury to other employees by the continued failure to carry out the risk assessment, an order could be sought to order the employer to comply with the statutory duty, and then interdict meanwhile pending compliance.

EMPLOYERS' DEFENCES

In seeking to defend non-compliance, an employer may concede that they have failed to carry out a risk assessment but they may argue that the balance of convenience lies in not granting an interdict/injunction because of particular circumstances. But any application for interdict/injunction would invariably be combined with an order for specific performance of their duty. So even if the court does not grant an interdict/ injunction, it may grant an order for performance of the statutory duty within a certain period after which the employee could return to the court.

Another potential defence is the employer may refer to Section 47(2) of the Health and Safety at Work Act 1974 which states: "Breach of duty imposed by the Health and Safety Regulations ... shall, insofar as it causes damages, be actionable

HEALTH AND SAFETY

except insofar as the regulations provide otherwise." An employer may fasten on to the qualification "in so far as it causes damage" and contend that while they are in breach of the Management of Health and Safety at Work Regulations 1999 in failing to carry out a risk assessment and continuing to be so, an employee cannot make an application to force a risk assessment to be done because no damage has occurred.

If this was found to be correct, then the employer could contend that the damage would have to have occurred to an employee before any employee could come to the Court to force compliance of a duty which would have prevented the accident in the first place. They could also argue that such a restriction would also be contrary to the Framework Directive since it is essential for a civil remedy to have a preventative measure available. However, we also understand that the Health and Safety Commission is of the view, having taken legal advice, that such an injunction/interdict defence may not be tenable.

While the civil remedies may be the ultimate recourse for an employee, the threat of them is already having a wider beneficial knock-on effect out of court. An employer now must make the choice of complying with the regulations or going before the court to defend non-compliance in the face of a clear statutory obligation to do so with the prospect of an order against them to comply and/or interdict/injunction and the accompanying sanctions and the expense.

FIRE AND RESCUE SERVICE

The Fire and Rescue Service has so far taken the out of court route. Shortly after we raised the complaint with the European Commission for the UK Authority's breach of Community Law, the Scottish Executive of the Scottish Parliament and the Civil Service took action to ensure that risk assessments were carried out within a matter of months of the complaint. A similar exercise took place in England and Wales.

However, doing a risk assessment once does not guarantee compliance. The employer must keep the risk assessments under review and be aware of any new changes in circumstances arising which would necessitate fresh or new Risk Assessments under Regulation 3(3) of the Management of Health and Safety at Work Regulations 1999.

The Fire and Rescue Service is also changing with the White Paper. There may also be changes under local integrated risk management plans. The changes could affect operations within the fire service in terms of responsibility, prioritisation, allocation or resources. The Union may therefore wish to scrutinise any draft legislation and how it may impact on the duties of an employer in terms of their health and safety obligations. It may also consider the subsequent impact on health and safety of the measures to be implemented by such legislation once enacted.

COST CONSIDERATION

In our discussions and representations to the European Commission, it informed us that it was looking into the qualification of "reasonably practicable" in the UK Health and Safety legislation.

There are the 'daughter directives' to the Framework Directive 89/391. The daughter directives gave rise to the Personal Protective Equipment Regulations, Provision of Use and Work Equipment Regulations, Workplace (Health, Safety and Welfare) Regulations and the Manual Handling Operation Regulations. Many of the provisions in these regulations are qualified by the term "reasonably practicable". The framework directive or the daughter directives dealing with specific regulations do not contain any qualification of "reasonably practicable". It is not a term recognised by the European Commission.

It is instead a term which has been used in the context of UK health and safety law in statutes prior to the framework directive and has also been the subject of judicial definition as far back as 1949. It essentially provides for an economic test for the risk of injury to any employee.

The European Commission requested comment on this related question and we duly submitted written comment and representations. The European Commission subsequently, in addition to challenging the UK Authority as being in breach of

Community law for exclusion of civil proceedings, included in their reasoned opinion the position that the UK Authority are in breach of Community law by importing the term "reasonably practicable" into its legislation contrary to the directive. The directive does not provide for an economic or cost benefit analysis to be done in relation to implementation of its Articles.

The Commission is currently awaiting a reply from the UK to the reasoned opinion and the UK has requested an extension of the time limit within which to do so. While therefore the UK Authority is not challenging the reasoned opinion in respect of the exclusion of civil proceedings the position is not yet known regarding the term "reasonably practicable". If it does not concede within the time limit, then the European Commission can bring the UK before the European Court of Justice.

HEALTH AND SAFETY LAW

With the removal of exclusion of civil proceedings from the Management of Health and Safety at Work Regulations 1999, one fundamental obstacle to improved health and safety for firefighters and other employees in the UK will have been removed. If the economic or cost benefit test is removed, then another hurdle will have been cleared too.

With the removal of exclusion of civil proceedings from the Management of Health and Safety at Work Regulations 1999, one fundamental obstacle to improved health and safety for firefighters and other employees in the UK will have been eliminated

DISCRIMINATION

Wrong genes, no job?

Firefighters could soon find themselves victims of a new form of discrimination, argues Helen Wallace, Deputy Director of GeneWatch UK

COULD a new type of discrimination soon be seen in Britain? Genetic discrimination is a hot topic in the USA, where a new law to prevent it has just been passed by the Senate and is awaiting debate in the House of Representatives. GeneWatch UK, the TUC and the British Council of Disabled People (BCODP) recently warned that changes to the law in the UK are also needed urgently to prevent employers from refusing people jobs on the basis of genetic test results.

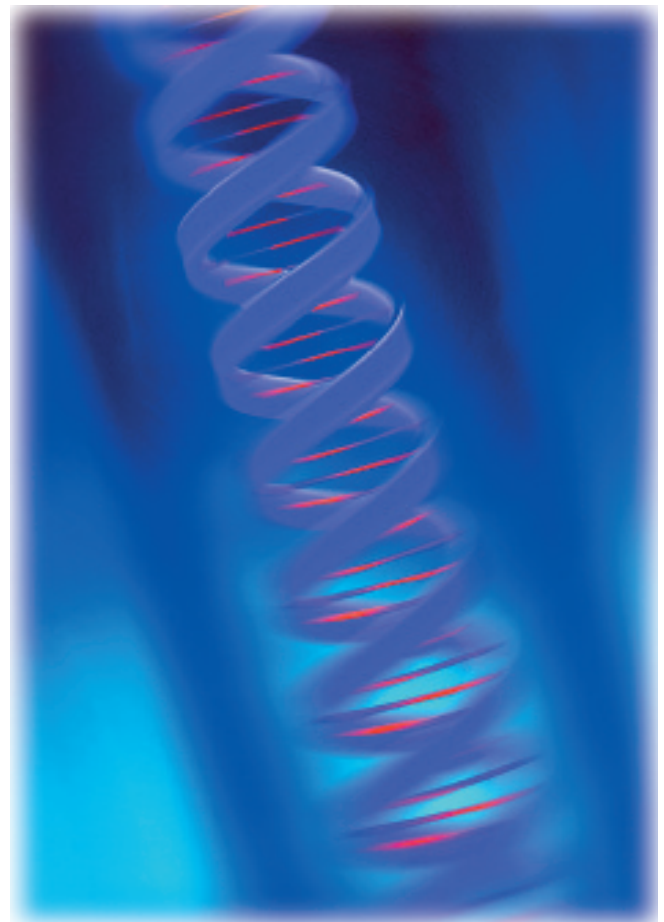
Firefighters are frequently exposed to toxic chemicals which may threaten health and increase the risk of cancer, asthma, heart disease or other illness. What if employers could pick and choose a workforce that they believed was more resistant to these hazards in the hope of cutting sick leave, pension costs or compensation claims?

A new GeneWatch UK report, *Genetic Testing in the Workplace* reveals that:

- Genetic tests cannot accurately predict which workers will suffer future disability or illness. Many false test results are likely.
- Despite their poor predictive value, many employers wish to use genetic test results and many research projects are seeking to identify people who are 'genetically susceptible' to workplace hazards.
- If genetic tests were used, large numbers of people would need to be excluded from employment to try to prevent a single case of workplace illness. Workplace hazards affect everyone – not just people with 'bad genes' – so the remaining workers would still be at risk.
- People with adverse genetic test results but no symptoms are not protected by the existing Disabilities Discrimination Act.

BOSSES BACK GENE TESTING

A survey conducted by the Institute of Directors in 2000 found that 50% of employers who replied were in favour of testing workers' genes to identify those at risk from occupational hazards. If this sounds like a good idea, think about the implications for the 'genetic underclass' that might be excluded from employment. The impression that genetic tests can predict in advance who will get ill – and thus be good for health – is false. Genetic tests are in fact extremely poor predictors of an indi-



vidual's future health and give no indication of whether or not someone is able to do a job safely. Worse, they provide what the TUC calls a 'false option' for controlling risks – a poor alternative to improving the level of protection for the workforce as a whole. The workplace and work situations should be made as safe as possible for everyone, not just those deemed to have the right genetic make-up.

Genetic tests might also be used to exclude or otherwise discriminate against people on the grounds that they are at high risk of common illnesses. The Institute of Directors' survey found that 34% of employers were interested in testing their employees for susceptibility to heart disease. Employers may hope that excluding such workers will cut pension or early retirement costs.

REAL DANGER

There is also a real danger of discrimination against people who have a genetic disorder which may affect their health in future. Once symptoms appear, such people are protected by the Disability Discrimination Act but, ironically, if they do not yet

DISCRIMINATION

show any symptoms, they are not covered by the law. Discrimination by employers could easily occur based on false assumptions about how a future illness might affect an employee's ability to do their job.

How likely is this 'Brave New World' where firefighters and other workers are selected for having the right genes? Dozens of cases of genetic discrimination have already been reported in the USA. In one case, a company tested a group of employees without their knowledge or consent. Their aim seems to have been to try to avoid paying out a compensation claim on the grounds that the workers would have developed their health problems anyway. Although genetic testing without consent is of questionable legality, employees may feel they cannot refuse to take a test if they become a routine part of pre-employment checks. At least one UK employer has already argued that it should be allowed to use genetic tests on the grounds that they have a 'duty of care' to employ only those workers who are less susceptible to certain hazards.

Another future possibility is that genetic testing becomes more widespread in the NHS and employers then seek access to these health records. The Government has recently made a highly controversial proposal that all new-born babies in the NHS should have their DNA collected, stored and tested. Marketing by some genetic testing companies is already leading to many misleading claims about the predictive value of genetic tests, which are currently unregulated. Pressures from the insurance industry to cut rising levels of compensation pay-outs might be another factor that increases employers' interest in genetic testing.

GENETIC SUSCEPTIBILITY

Researchers are now studying 'genetic susceptibility' to many hazardous chemicals and to radiation. The chemicals being studied include those produced in fires, such as PAHs and dioxins, and some that might be encountered when cleaning up a spill, such as vinyl chloride. In Britain, the planned genetic research project, 'UK Biobank', is also interested in seeking access to the occupational health records of the half a million people they want to donate their DNA. The Biobank's aim is to try to link these workers' health problems with differences in their genes. GeneWatch argues that a legal ban on genetic discrimination should be adopted before this type of study goes ahead. If not, those workers deemed to be more vulnerable are more likely to be harmed than helped by this research.

New laws are urgently needed to prevent genetic discrimination by both insurers and employers. Unions can make a difference by supporting the campaign for legislation, which is already backed by the TUC, the Disability Rights Commission and many disabled people. A valuable first step would be to gain commitments from employers, both locally and nationally, not to use genetic tests to decide who gets a pension or a job.

■ GeneWatch's report "Genetic testing in the workplace" can be downloaded for free from: www.genewatch.org, or ordered for £5 (£20 for organisations) by calling 01298-871898.

EDUCATION

National school – up against the state machine

IN THE light of the recent pay dispute, the Union organised at Wortley Hall a National Political School that would have a different purpose and aim from preceding national schools. It was to provide a forum for the activists and leadership to express their views on the most controversial issues facing the Union: the tactics and strategy of the dispute and Labour Party affiliation. This debate was to be placed in the broader context of an examination of the constraints imposed on the labour movement in Britain and internationally by the political, economic and ideological forces at work in capitalist society. More specifically, the aims were:

- To analyse the links between economics, politics and ideology
- To look at historical patterns of strike activity and other forms of industrial action in Britain and examine the recent FBU dispute in this context
- To discuss the forms of working class political representation as they developed historically
- To analyse the "New Labour" project
- To examine the trade union link with the Labour Party and the role of the political fund
- To give meaning to the FBU's concept of the "politics of change"

As a result of employers' moves over Stage 2 of the Pay Agreement, the leadership of the Union was unable to attend the School. It was also thought that a sober reflection of the tactics and strategy of the dispute was inappropriate at a time when the dispute potentially could have kicked off again. Nevertheless, delegates agreed to stick to most of the School's agenda.

The School started on a Sunday afternoon and ended Wednesday afternoon, under the guidance of course leader Professor Mary Davis, Head of the Centre for Trade Union Studies at London Metropolitan University. It started by examining questions that set the scene of the recent dispute.

WHO RULES BRITAIN?

Mary introduced a key opening debate on Who Rules Britain? by arguing that "if you don't know what you are up against you never



A delegate sketching Britain's power structure (left) and Professor Mary Davis (right)

have any proper strategy to defeat it". As with all the following debates, delegates split off into a number of small groups and then everyone returned to the main hall to report back. The conclusions were:

- The EU, some of whose laws override UK laws, and US, "effectively ruled" Britain, while the IMF, with its constant demands of cuts to public expenditure, was a constraining factor against the FBU's pay claim.
- Big business was extremely powerful, able to topple former Tory leader Ian Duncan Smith by threatening to withdraw funding from the Conservative Party, and with some companies bigger than nation states. The Iraq war was led by oil interests. Many delegates were not sure whether that meant multinationals ruled.
- People were at the bottom of the pile, but what was the people's potential power? The massive anti-war marches over Iraq failed to budge Government policy. The poll tax demonstrations showed how the people can change Government policy.
- The Prime Minister was part of the ruling elite and although limited in his room for manoeuvre by the EU, he still managed to cherry pick European laws, such as those on employment.
- Parliament worked within the constraints of capitalism, while parliamentary parties often just followed the whips and the Cabinet was run by a small clique.
- The Queen had nominal power and potentially a lot of power. She can dissolve Parliament, must give permission to form a Government and that Blair could have taken us to war under the Royal Prerogative.
- Civil servants, it was concluded after the revelations of the Hutton Inquiry, wield a massive amount of power.

Mary said that on the whole delegates had failed to identify the state – the civil service, the army and other agencies:

"The state is an unelected power that gives the same kind of advice to whatever Government." Marx, Mary pointed out, saw the state as "a joint stock company for managing the affairs of the bourgeoisie". The state has repressive apparatus: "When class antagonisms reach fever pitch you get a naked show of force. You get fascism." It also has ideological apparatus – the education system and the media, which ensures there are no "positive

images of trade unionists in struggle" and "we are infected by racist, sexist and homophobic ideas".

There were, however, divisions in capitalism, for example, within the Tory Party and potentially within Labour, or between the European Union and America. "We need to study the divisions in the ruling class," Mary said, for they have allowed the working class to make gains.

WHY HAVEN'T WE ACHIEVED MORE?

After hearing a talk from Mary, delegates were asked to consider whether and how capitalism, the state and trade unions had changed over the past 200 years, what the labour movement has achieved and why it hasn't achieved more. They concluded:

- The state has different faces, but the same aims.
- Capital was global, not local anymore. Industrialisation transferred the wealth from landowners to industrialists while finance has grown into a huge sector.
- Trade unions now operate on a "more even playing field", more integrated into the political and industrial machinery.
- Achievements? Health and safety, welfare state, the vote, political representation through the Labour Party, legal rights for trade unionism, defending working conditions from the worse. "Some say we've won lots. Others say only when in the interests of capital," one delegate commented, pointing to a shorter working week as a prime example since it leads to higher productivity.
- Why have we not achieved more? Disunity, racism, sexism, sectarianism, compromised trade union leaderships. "We have not combined properly and when we have, the state has combined to keep us in our proper place," said one delegate.

Mary rounded off the discussion by commenting that "capitalism had always gone outside its own borders to where the rate of return was higher" – that was the essence of imperialism. She argued that the state has "greater access to our minds than ever" with the mass media proving a much more powerful tool than the church of the 19th century. And she added that the state got nastiest, imposing anti-union laws, for example, when the trade union movement was strongest and "when people see through the lies".

EDUCATION

THE INTERNATIONAL CONTEXT

Before coming to the central debates of the School, delegates looked at the broader international context today. John Kelly, professor of Industrial Relations at the London School of Economics, looked at capitalism and the 21st agenda. He found:

- Declining economic importance of the West and the USA in particular
- Declining but still massively important role of the West in investing abroad.
- Widening income gap between developed and developing countries and within countries.
- Disproportionate number of the world's largest multinational corporations based in America and Europe
- Today's transnational capitalist class, including "globalising bureaucrats" (UN, EU Commission) and "globalising media" (Murdoch).

Delegates then considered how unions should respond to this capitalist class, suggesting:

- Look beyond the fire station doors
 - Boycott goods
 - Educate the public
 - Lobby shareholders to prick their conscience
 - Bad publicity – publicise atrocities/human/labour rights abuses
 - Wipe out developing country debt
- John's suggestions were for unions in the West and included:
- Campaign on conditions of work rather than wages
 - Help develop union organisations in developing countries

John then went on to talk about the fight back in Europe among trade unions. He explained how trade unions in the 1980s and 1990s had often been involved in wide-ranging pacts covering welfare, working times and pensions with Governments of the Left and Right, but that there had been a rise in public sector strike activity across Europe over the past four years, largely against cuts to pensions and labour market deregulation.

Asked to compare and contrast with Britain, delegates agreed that the general lack of official strike activity in the UK recently was down to Thatcher's anti-union laws as well as loyalty to the Labour Government.

LABOUR OLD AND NEW

How did delegates see the nature of Old and New Labour and the role of Trade Unions with relation to the Party? Some of the conclusions were:

- Labour "flirted" with being a socialist party immediately after the Second World War, with the creation of the welfare state, the council house building programme, the NHS and the nationalisation of industry. But "reformism and socialism do not mix".
- The Labour Party was never socialist, but has always had socialists as members.
- On the transition to New Labour, delegates identified: the abandonment of Clause 4 and unilateral disarmament; Tony Blair's presidential style and the obsession with image and spin;



Professor John Kelly (far right) talks on today's international capitalists

weakening internal party democracy; the distancing from trade unions and embrace of Middle England; the adoption of Thatcherite policies of privatisation.

- Trade unions were "foot soldiers" and a "money machine" for the Labour Party.
- They should be more influential and more pro-active at a local level and more effort should be made at changing the party's constitution and working more closely with Labour Party members. Some thought there was no hope of unions regaining any clout.

Mary argued that the Labour Party after the Second World War often sounded more socialist than it was. She pointed out the flaws in the programme of bringing the coal and rail industry into public ownership, where privateers were massively compensated and failing private sector bosses were brought in to manage state enterprises while workers never got a seat on the board.

She also reminded delegates that it was Neil Kinnock (1983-1992) who ended the commitment to higher taxation, nationalisation policies and unilateral disarmament, while his successor, John Smith, was the first to move to cut the influence of trade unions by removing the block vote and introducing one member one vote (OMOV). And significantly, trade unions at that time failed to fight back against this move and the general "ideological drift" of the Labour Party, she said. This helped pave the way for Tony Blair and Peter Mandelson and the abandonment of the Labour heartlands.

DEBATE: POLITICAL FUND

There then followed a debate on FBU affiliation to the Labour Party in which three delegates sat on the top table, one arguing to maintain affiliation, one arguing for disaffiliation and one arguing for total freedom of choice, or "democratising" political party affiliations:

AFFILIATE: Gives you a voice, access to Labour Party councillors who you can talk to before making decisions in meetings. Through them you can have an influence on what employers are doing. As affiliates you influence who is Prime Minister, take part in the policy-making process, speak at conference. Disaffiliation

turns us from a decision-making group to a lobbying group. Disaffiliation aids extreme right-wing parties and parties that split the Labour vote but don't win power, letting the Tories in. It isolates trade unions from politics and puts big business centre-stage.

DISAFFILIATE: Labour Party treated us with utter contempt – not a single anti-union law repealed. The Fire Services Act was brought in even though it violated the European Charter and ILO conventions. The Labour Party and the Trade Union movement are too different. They are kicking our heads in and we give them a few bob for it. Disaffiliation does not stop us being political. It won't stop you from supporting MPs and councillors. Disaffiliation will not stop the political process, it will stop us being subservient.

DEMOCRATISATION: It's the members' choice. They should use the political fund as they want.

From the audience, delegates bemoaned the fact that only 29 Labour MPs opposed the Fire Services Bill. Others said that by disaffiliating the FBU would "let down" these MPs and many "fantastic" ordinary party members who had supported the Union during the dispute. Some argued that independent councillors can have influence, such as in Middlesbrough, where two firefighters stood and won in elections. Others argued that it was crucial that the Union continued to play a strong role in the Labour Party to fight for changes in policies that, for example, bolster public services, promote social justice and deliver secure employment.

Mary Davis said whatever the trade union movement does with the link, it should "do it as a movement, do it together. Otherwise we will get picked off one by one".

THE DISPUTE: AN INDEPENDENT VIEW

Professor Frank Burchill, independent Chair of the NJC, gave his perspective of the pay dispute. At one stage, he met civil servants from the Department of Trade and Industry who had been told by Whitehall colleagues dealing with the Fire Service that they would "crush the union". He told of a Government that had painted itself into a corner and "couldn't be seen to move any significant way from Bain." Professor Burchill added: "I thought the FBU should regroup intact ... If you try to take on the Government, they won't let you win. My view is actually you had a lucky escape. You still have things to do and you are still intact to fight."

Pressed by some delegates about what tactics the Union should have used to "prevent things going so badly," Professor Burchill, who has more than 30 years in industrial relations, asked: "What makes you think you got it wrong?" He added that he saw no tactics or strategy producing an outcome that would have been better from the Union's point of view.

Mary said: "When you are up against the state machine, you need to think very carefully about tactics and strategy." Drawing the conference to a close, Mary reminded delegates that "knowledge is power ... The better we understand the world, the more we can change it."

FBU Gay and Lesbian Annual School

THE Annual Gay and Lesbian School, held at Wortley Hall on October 17, was the first to be organised jointly with gay and lesbian members from the train drivers union ASLEF.

After the usual registration and welcome to members, a brief history of the gay and lesbian section was given, providing information on how the group had formed and evolved. We had a mixture of experience from the FBU as well as ASLEF members. It was hoped that the group would gain both a better understanding of why and how the group had developed as well as what issues we covered and achievements we had made.

Later, a summary of the future plans for the Fire Service and information on the modernisation agenda. This included integrated risk management planning and other current topics.

Day two started with a workshop on building confidence, followed by sessions on workplace issues. Both proved to be areas within which more work and information could take place in the future.

Later in the day employment law within the gay and lesbian community was covered by a visiting guest. We were brought up to date on rights for gay and lesbian people as well as what the future might hold.

The day finished with a talk from an organisation called Broken Rainbow, who deal with domestic violence as far as it affects the lesbian, gay, bisexual and transgender (LGBT) community. This session highlighted a gap currently within the LGBT community when help related to domestic violence is needed.

Day three kicked off with guest speakers from the Department of Trade and Industry women's and equality unit. They delivered a presentation on the new arrangements being prepared for civil partnerships, providing the group with lots of interesting information and plenty of food for thought for the future.

We finished with a look at an international issue. Gerard Kelly from NATFHE, the university and college lecturers' union, gave a presentation on Colombia, focusing on the lack of human rights for trade unionists. This session had a real impact on the group and was very thought-provoking.

The general feedback from the school was good. It is hoped that everybody gained something positive by their attendance.

Thanks to everyone who helped to make this annual event a success, including all our guests from the regions and sections.

Richard Moore, Education Officer, Gay and Lesbian Section



INTERNATIONAL

'Another world is possible'

Alex Gordon from the RMT was one of many British trade unionists who recently attended a 'university of the streets' in Paris, the European Social Forum

THE second European Social Forum (ESF) took place in Paris from November 12 to 16 2003 and in the neighbouring towns of St Denis, Bobigny and Ivry. Delegations from several British trade unions (including RMT railworkers, CWU postal workers and UNISON local government workers) joined the estimated 50,000 participants from 60 different countries, who descended for four days of intense debate, discussion, music and theatre, culminating in a 100,000-strong demonstration through Paris on Saturday afternoon.

For anyone unfamiliar with the ESF, try imagining a cross between Glastonbury Festival and a massive conference of trade unionists, community activists and political campaigners all trying to talk at the same time in 12 different languages. If that sounds like a recipe for chaos and confusion, the World Social Forum which next meets in Mumbai (Bombay), India, January 16–21 2004, promises to be even bigger and more diverse than the ESF. In fact the atmosphere of general goodwill, genuine enthusiasm for exchanges of ideas and experiences and the translation network "Babel" staffed by over-worked volunteers, means that this fantastic event becomes a real "university of the streets".

Social Forums are still a novelty in Britain, but have proved popular in Europe, Asia and Latin America. The ESF is an open meeting place for all kinds of civil society groups and movements, from trade unions to pensioners' and tenants' organisations. They are brought together by shared opposition to neo-liberalism (privatisation and de-regulation) and to a world dominated by capital and imperialism, in order to generate democratic debate and formulate proposals, share experiences and plan effective action around the slogan: "Another World is Possible!"

In Paris this year 55 plenary sessions (some with over 2,500 participants, others had to be turned away), over 270 seminars and countless workshops covered an incredible variety of topics. You could take your pick of international discussions from: The War on Iraq, Third World Debt, Privatisation of Public Services, Trade



British trade unionists at the ESF demonstration in Paris in November

Union and Employment Rights, Social Dumping, Sexual Equality, Tax Havens, Sustainable Agriculture, Education, Fortress Europe and Discrimination Against Refugees, Chechnya, Kurdistan, Children's Rights and Youth Unemployment.

Here, delegates could listen to speakers such as José Bové (the French farmers' union leader, a national hero in France for driving his muckspreader through McDonald's) or George Galloway MP (famous for doing something similar to New Labour). And the best speakers weren't all on the top table. Metalworkers from Bosnia and Italy vied with pensioners, teachers, railworkers and campaigners for asylum rights, the Tobin Tax or environmental concerns to give their experiences of neo-liberal, capitalism and globalisation and to argue for different alternatives.

The RMT's delegation of 26 branch and regional representatives played a full part in ESF 2003, co-organising with French, Italian and Spanish unions seminars on several areas of concern to our members, including: 'Call centres: new organisation of work' and 'Transport, the Environment and Safety'. Far from being mere talking shops, these can lead to positive initiatives. This year's discussion on the looming threat of European Commission Directives on rail privatisation led to a proposal from several European railworkers' unions for a 'Manifesto: In Defence of Public Ownership and Against Rail Privatisation'. The French newspaper *Le Monde* reported that "... in the debate on transport, the English 'model' of privatisation, is held up as the bogeyman... a 'massively unpopular' experience, because of its outcome for safety and 'negative consequences for workers'. 'Ideally, we need to organise a European-wide general strike.'"

In 2004 the ESF has been invited to come to London by the Mayor, Ken Livingstone. For trade unionists this will be a major challenge and a massive opportunity. We need to be involved at the start in the organisation process of the ESF to ensure that our members' concerns are fully represented in the debates about the future of public services. The ESF presents us with a chance to make new links with young people and social campaigners both domestically and internationally. Together in London the voices demanding 'Another World' will be deafening and hard for Tony Blair to ignore.

Alex Gordon is on the National Executive Committee of the RMT transport union

■ For more on the ESF and the World Social Forum visit www.fse-esf.org and www.forumsocialmundial.org.br

Bethlehem besieged

Betty Hunter from the Palestine Solidarity Campaign explains how Israel's Apartheid Wall is destroying the lives of Christian and Muslim Palestinians

IF THE shepherds tried to reach the nativity in Bethlehem this Christmas they would have great difficulty and would probably have no lambs to present as gifts. Israel is building an eight metre high Apartheid Wall across the shepherds' fields. Palestinian land is being destroyed and farmers and shepherds are being separated from their orchards and grazing lands. In some areas the Israelis are allowing Palestinians who have obtained permits to visit their own property to get to the fields. But they refuse to allow their livestock through to graze. The shepherds' flocks are in danger of dying of starvation.

Gerald Kaufman MP after a recent visit to the Occupied Territories spoke in Parliament on this issue: "The Israeli military order states: 'No person will enter the Closed Zone' (the space between the wall and the 1967 border) and no one will remain there. Free access to the Closed Zone will only be granted to Israelis.

"The Order requires Palestinian residents of the Closed Zone to obtain permits to live in their houses, farm their land and to travel. Palestinians not residing in the Closed Zone but whose agricultural lands are within the Closed Zone will also be required to apply for a permit to farm their land. The order effectively grants any Jew in the world the right to freely travel throughout the Closed Zone, while denying the same rights to the Christians and Muslims who live on, farm and own the land."

He went on to describe the effect of the Wall on Bethlehem: "The Wall will divide the city of Bethlehem and siphon access to the city through narrow access points, totally controlled by the Israeli army. That will severely hinder access to the Church of the Nativity and to the Church of Christmas and will almost completely prevent access to all but Jewish visitors to Rachel's tomb and to the Bilal bin Rabah mosque and the adjoining Muslim cemetery.

"The wall...will isolate the whole of the northern part of Bethlehem, inhabited by 4,000 people...Thousands of additional acres of Bethlehem's valuable agriculture land north of the wall will accordingly not be accessible to its owners to benefit from or

INTERNATIONAL

even to reach. The wall will close the single bottleneck entrance to Bethlehem used by visitors and pilgrims. Tourism constitutes 65% of the citizens' revenue and the construction of the wall will choke the town ... It will close the major historical, traditional and religious entrance of Bethlehem, violating the status quo arrangements abided by for centuries and deny freedom of movement on the main road as stated in article 7 of the Oslo accords."

This is a courageous condemnation of the Wall from a prominent Jewish public figure of the latest offensive in Israel's continuous annexation of Palestinian lands, destruction of agriculture and property and violation of human rights. Not only does the Apartheid Wall threaten to desecrate Christian and Muslim holy sites, it bites deep into the heartland of Occupied Palestine, stealing up to 60% of the most fertile lands of the West Bank, including the Jordan Valley. It is part of Israel's attempt to slowly ghettoise and ethnically cleanse the Occupied Territories.

UK RESPONSIBLE

Alongside Israel, the US and UK Governments must be held responsible for this act of war. Despite Tony Blair's promise of a "viable Palestinian state", the British Government has remained largely silent about the Apartheid Wall that is now carving up the very land which must be part of any viable future Palestinian state. The Government's response to Gerald Kaufman's demand for action was simply a reiteration of pious words.

It said: "We consider the building of the wall on Palestinian land to be illegal ... We are not alone in holding that view. The United Nations General Assembly and leaders of all the European Union member states at the European Council clarified their

'Despite the constraints of occupation, the Palestinian people have been engaged in discussions about reform determined by the Palestinian people themselves'



Demonstration in London in November

opposition to the route of the fence. President Bush and Secretary of State Colin Powell also consider the route of the fence to be a problem and have urged the Israeli Government not to build it on Palestinian land, but along the green line between Israel and the Palestinian territories. There is a significant degree of international consensus and cross-party consensus in the House, on the issue."

However, the vote in the UN General Assembly came only after a Security Council resolution calling for action to stop Israeli construction of the Wall was vetoed by the US, with a cowardly abstention from Britain. The UN General Assembly resolution, carried by 144 votes to 4, with 12 abstentions, condemns the "separation fence" and demands that the project be brought to a halt. But this is largely symbolic since the Assembly has no power to act.

Israel, meanwhile, continues to act with disregard for the law or international opinion. Deputy Prime Minister, Ehud Olmert told Israeli Radio: "The fence will continue being built and we will go on taking care of the security of Israel's citizens." Israel has declared there are no limits, no international laws to which it will adhere in reference to the Palestinians. Perhaps the next step will be accelerated ethnic cleansing. At what point will the West react?

The Israeli Government calls the Apartheid Wall a "security fence" and talks of "separation". It claims that its purpose is to



stop suicide bombers. But it is using the Wall to annex the illegal settler colonies. The security the Israelis seek will not be achieved by the tightening of the noose around the Palestinian people. What do they expect the thousands of young people prevented from attending school, university or work to do with their time?

By using the language of separation, Israel adopts the very language of South African Apartheid. The war crime of Apartheid is defined in international law as "a system of institutionalised racial segregation and discrimination for the purpose of establishing and maintaining domination by one racial groupover another and systematically oppressing them." The Wall is a monstrous and tangible manifestation of this, dividing people along racial lines by the creation of "reserves" or ghettos, controlling movement just like South African Apartheid with ID cards and restrictions but with the added repressive military apparatus of checkpoints, curfews and closures. The real separation is between the Palestinians and their lands, villages and towns. The Wall will also affect access to education, health services, employment.

Both the Israeli Labour and Likud parties support the Wall. They say that it will prevent Palestinian attacks on Israeli civilians. A poll in June 2002 showed that 69% of Israelis agree with it. Only an international outcry will convince Israeli society that

'The Wall must be dismantled immediately if we are to prevent the creation of the biggest ghetto the world has ever seen'

their security can be guaranteed only by recognition of the legitimate human and national rights of the Palestinians to live free from occupation and exercise self-determination.

In the ten years since Oslo, the Palestinian people have seen no peace, only a doubling of the illegal coloniser settlements, the strengthening of the military occupation, increased repression and total fragmentation of the 22% of their land they had agreed to accept when they recognised the state of Israel.

During the intifada, a legitimate Palestinian resistance to occupation, the Israelis pursued a policy of collective punishment, destroying Palestinian civil infra-structure and impoverishing the people. Factories, farms, and workshops have been particularly targeted to destroy the economy which was slowly being rebuilt after Oslo. The "roadmap" has been used by the Israelis to consolidate their illegal occupation. Assassinations, home demolitions and expansion of settlements have continued unchecked alongside the construction of the Wall.

But despite the constraints of occupation, the Palestinian people have been engaged in discussions about reform which will be determined by the Palestinian people themselves and not imposed to suit the demands of the occupier. They seek real democracy and self-determination. Trade unions, women's organisations, local community and civil organisations all provide forums for discussion and activity but this is limited by the inability to travel even to the next town.

INTERNATIONAL PRESSURE

Only pressure from the international community will oblige Israel to recognise its moral and legal obligations and end its illegal occupation, its racism and its aggression. Since governments refuse to act, the general public must play the vital role, as they did in opposition to Apartheid in South Africa by lobbying our Government, boycotting Israeli goods and institutions and demonstrating their solidarity with the Palestinian people.

This Apartheid Wall should be our focus. In November thousands of Palestinians in the Occupied Territories marched against the Wall while actions and demonstrations took place all around the world in the first international day of protest to Stop the Wall. It must be dismantled immediately if we are to prevent the creation of the biggest ghetto the world has ever seen.

You can help the PSC to continue helping the Palestinians by joining us. Individual membership is £15. Affiliations: local £25, regional £50, national £100. You can contribute to help the shepherds of the Occupied Territories by making cheques payable to PSC, marked Shepherds' Fields Appeal on the back.

■ For further information visit www.palestinecampaign.org and www.stopthewall.org.

25 YEAR BADGES



Berkshire Control Member Alan Webster
receiving his 25 year badge from Cliff
McFadden, Brigade Membership Secretary



Bill Bryan receives his 25 year badge from
Division Secretary Paul Greaves



Billy Anderson receives his 25 year badge



Danny Wilkinson receives his 25 year badge
from Division Secretary Paul Greaves



David Lynch receives his 25 year badge



David Scanlon receives his 25 year badge



Firefighter David Dufty receives his 25 year badge
from union rep Michael Round with white watch at
C02 Woodgate Valley, West Midlands Fire Service



Dessie McDaid receives his 25 year badge



Joe Morrison receives his 25 year badge



Martin Carlin receives his 25 year badge



Terry 'Jock' Houston receives his 25 year badge



Terry Morrison receives his 25 year badge



Trevor Rapson receives his 25 year badge from
Branch Rep Steve Cottey, both of area 12
Dorking in Surrey



William 'Winkie' Spence receives his 25 year
badge



Pete Kerr, Phil Abraham, Paul Collins, Bob Kerley, Kevin Case, Dave Armstrong and Steve Mant
receive their 25 year badges