

## Transcript of interview of Michael Seifert by Chris Thomas, 2007 (803/17A)

Approximate timings given in minutes and seconds in various places. After preliminary remarks about filming arrangements, interview starts at 3:10.

### Summary

Subjects include (transcript paragraph numbers given in brackets): role of radical lawyers in defending arrested pickets (14, 36); bias of police and magistrates in favour of Grunwick and against the pickets (15-28); arrest of Arthur Scargill on the picket line and his acquittal because of extensive photographic evidence corroborating his own notes and his defence by a prominent prosecution barrister (28, 80-86); lack of support from trade unions for local members (39-42, 50); solidarity and dignity of the strikers (44); positive effect of the dispute on the attitude of white trade unionists to non-white workers (52); Seifert's conclusion from the Grunwick and other disputes that trade unions were most effective when they were assertive (54-64); fluctuating governmental attitudes to trade union rights from the 1960s onwards (68-74).

1. **CT:** Let's start at the beginning: how did you first get involved with Grunwick?
2. **MS:** I believe Tom Durkin<sup>1</sup> – Tommy Durkin and Les Burt rang me within a day or two of the strike starting and said "we've got this industrial action down here and we may need some legal advice. They were old friends of mine from the Communist Party, and I had a huge amount of admiration [for them]: Tommy Durkin, very charismatic trade union leader in the building industry, and Les Burt, a very strategic-thinking electrician, and I'd known them for years. They were Brent Trades Council people.
3. **CT:** Did you think it was going to be a tricky one?
4. **MS:** No, because you never know when a strike starts. I would give the example of the miners' strike in 1984 when Arthur<sup>2</sup> came to see me at the very beginning of it, you just have no idea what – some strikes that you think are going to last a long time cave in rapidly, and others that you think might be a short, sharp shock go on for months and even a year.
5. **CT:** When did you get your wake-up call?
6. **MS:** I think it was when it was clear that George Ward<sup>3</sup> was being – was involved with an organisation, an anti-trade union organisation. I think it was called the something league, the Freedom League.
7. **CT:** National Association for Freedom.
8. **MS:** National Association for Freedom. Well, then it looked as if it was more than just George Ward and his workforce, that external people were getting involved.

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<sup>1</sup> Chairman of Brent Trades Council.

<sup>2</sup> Arthur Scargill, president of the National Union of Mineworkers Yorkshire area at the time of the Grunwick dispute and national president in 1984.

<sup>3</sup> Owner of Grunwick.

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9. **CT:** And were you witness to any of the events on the picket line yourself?
10. **MS:** Oh yes, I saw a lot of quite rough – particularly at the beginning, when the police were very uncertain about what was going to happen and what they should or shouldn't do, and there was a lot of – quite a lot of violence early on, yes.
11. **CT:** I mean, were the tac –
12. **MS:** And it was mainly the police, I have to say. You know, perfectly frankly, the police were often out of order.
13. **CT:** And the consequences were?
14. **MS:** That people were hurt, and also people were arrested who shouldn't have been arrested, and there was a lot of defence work going on, and a lot of lawyers – there were rotas of lawyers going done there to witness what was going on, and NCCL – the National Council for Civil Liberties – was involved. What happened was, both sides in the industrial dispute sort of upped the ante: as the Freedom Association – or whatever they were called – upped the ante for the employer and anti-trade union group, so the trade unions and the left upped the ante on their side. And that was when it was clear that this was going to be more than just a local argument about recognition.  
**[6:00]**
15. **CT:** Some said that they were almost a company police. How would you describe [it]?
16. **MS:** What, the Metropolitan Police? Well, they certainly were not there for any purpose other than to protect the company and the employer, yes. And in fact, the law said that pickets should be allowed to argue with people who were going in, crossing the picket lines, and at least explain, but in this case the police were absolutely adamant that these buses that were taking the non-union labour in should go through, and nobody was allowed to talk to them. So they were – in a sense, the police were in breach of their own guidelines and the law.
17. **CT:** Why was this, do you think?
18. **MS:** Well, I think that, by and large, the police tend to side with the establishment in my experience. And I've been on marches and demonstrations – I was on the first Aldermaston march<sup>4</sup> when I was fifteen – and I think we've always felt that the police were for the establishment and the status quo, by and large, not invariably. That happens internationally as well.
19. **CT:** Was the intent of the policing tactic to intimidate people away?

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<sup>4</sup> Campaign for Nuclear Disarmament march to Atomic Weapons Research Establishment, Aldermaston.

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20. **MS:** I don't know if it was that, but it was certainly to stop proper discussion and information being given to people who were crossing the picket line.
21. **CT:** And the role of the SPG<sup>5</sup> that was eventually brought it? [7:28]
22. **MS:** They were brought in to intimidate people, there's no question about that. They bang their shields with their truncheons, they look as if they are looking for a fight, and very often they are.
23. **CT:** Now, what was your experience when you started to represent people that were arrested in the local courts?
24. **MS:** Not exactly sympathetic. I have to say the magistrates were not – putting it mildly, unsympathetic. If a police officer said – asserted – that somebody had sworn or lashed out at them, even if ten people – perfectly respectable printers or taxi drivers or bus drivers – came and gave evidence that they hadn't done it, the magistrates tended to believe the one or two police officers.
25. **CT:** Do you believe they were told to come down hard?
26. **MS:** The police?
27. **CT:** No, the courts.
28. **MS:** The courts? No, they didn't need to be told; that was their natural instinct. I mean, one of our very few – or, in my case, very few successes was when Arthur Scargill was arrested on the picket line. He was president at that time of the Yorkshire miners, and he'd come down with a large body of Yorkshire miners. In those days you could have secondary picketing, and he brought them down to join the picket lines. And very early on, when they were actually at the picket line, he was pulled out and arrested by senior police officers and taken off to the police station. And we managed to get him acquitted in bizarre circumstances, it was just luck. When he was in the coach being taken to the police station, he was writing notes, he was seen, and lots of people said he was writing notes in a small notebook with a pencil. When he got to the police station they clocked that notebook in as part of his possessions. At the same time, there was a *Morning Star* photographer called Pat Mantle who sort of intuitively thought that something was going to happen, and he just went on clicking from the minute he saw Arthur in the crowd to the minute Arthur was led away. So he had about twenty or thirty photographs consecutive, almost like a film. And when Arthur was released and I sort of had my first interview with him, I got his notebook and I compared what he'd written down with Pat Mantle's photographs, and it was uncanny. Arthur's notes of what happened – and he was pushed from behind and the police sort of dragged him – were absolutely accurate, they coincided completely. But getting those magistrates to listen to even that sort of case I needed to get an ace card, and my ace card was a chap I knew for many years who was a QC, one of the two or three leading police prosecution QCs, called John Marriage. I went to see John Marriage and said

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<sup>5</sup> Special Patrol Group.

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“could you take this on?” I showed him the evidence and he said “well, I’m pretty sure Mr Scargill’s innocent.” And then I took Arthur down to meet him the next day. They hit it off, John Marriage represented him and the magistrates were so astonished to see this eminent police-oriented QC in their court: “Mr Marriage”, you know, they were – not even the Old Bailey, he was in a magistrates’ court. And so they listened, they had to listen, and the case was overpowering and Arthur was acquitted. [11:02]

29. **CT:** Extraordinary, I mean –

30. **MS:** It was extraordinary because of all the people you wouldn’t have expected to be acquitted by those magistrates. In fact, it was in Hendon, because the courts in Willesden – the ordinary courts locally – were overflowing with defendants, I mean, they were arresting so many people.

31. **CT:** But nevertheless, the very fact – wasn’t it a provocative act to arrest Arthur Scargill?

32. **MS:** Absolutely.

33. **CT:** Wasn’t that designed to crank things up even further?

34. **MS:** I would have thought so. I would have thought they would have hoped that the miners would have broken ranks, but they didn’t realise how disciplined and serious-minded these Yorkshire miners were. So they were not going to be lured into a provocation, even if their leader was arrested.

35. **CT:** But the lesser fry who didn’t have QCs.

36. **MS:** Didn’t have this wonderful, you know, Pat Mantle photographs, which were fantastic. It was very difficult to get them acquitted. I can’t remember – I think one or two, where the police evidence was so contradictory. And we had very good young, progressive barristers; it just wasn’t appropriate for Arthur, that was the thing. And Mike Mansfield obviously, now [an] eminent QC, Stephen Sedley, now Lord Justice Sedley in the Court of Appeal. There were numerous highly eminent people – who are now highly eminent people – who were young radical lawyers then and were very happy to come and defend these strikers and the pickets. [12:28]

37. **CT:** How did it develop in your eyes? When did you think that this is going to be, you know, it wasn’t looking too rosy, the dispute?

38. **MS:** Well, it was always against the odds. I mean, the odds – it was against the odds because George Ward kept that business going, and he kept it going by bringing in non-union labour, and the non-union labour got in by police – heavy police tactics to get them in. So it never looked as if the business was going to – and he also – and George Ward also had a lot of other businessmen behind him, and they were determined. And on the trade union side it was – the trade union involved – and I don’t want to sort of go into details – but it wasn’t the union that would have had the sort of determination to see something like this through.

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39. **CT:** There was also the issue of the internal pressure applied to the local postman who were doing the crucial blacking of the post.
40. **MS:** Absolutely right.
41. **CT:** Want to talk that through?
42. **MS:** Well, I'm not the best qualified to – I mean, I know what happened. Certainly that would've closed him down had that been allowed to go ahead. But the pressure – the union itself did not support its own members locally, and the members locally were virtually unanimous in supporting the strikers and wanting to help them, but the union came down like a ton of bricks on their own members, and this was shameful. And in fact – you probably have interviews with some of the people involved, because I know some of them are still around – and they were magnificent people. The local postmen and the local trade unionists were fantastic, really good. [14:16]
43. **CT:** If you have a positive memory, one positive memory when someone says "Grunwick", what is it?
44. **MS:** It's the fantastic solidarity of the strikers themselves, who were really up against it. Although we hadn't got the Thatcher laws which stopped them drawing supplementary benefit and social security, they were able to, but they were subsisting on very, very little money. They were people who weren't used to this kind of thing; they weren't people with a long trade union background, and yet they were so honourable, so – that they were defending their dignity and their decency, and that is very moving, because they were prepared to go through anything and face any kind of provocation, any kind of intimidation. And they stood up to it, and this was because they were dignified people who believed in human dignity. And I really have to say I learned a huge amount from those people, and I thought I knew quite a lot before but, believe me, meeting those people – Mrs Desai<sup>6</sup>, of course, is the symbolic wonderful person – and she recently got this gold medal a few days ago I read in the papers – but there were others as well, and they were magnificent people, wonderful people, [a] privilege to meet them and to work with them. [15:42]
45. **CT:** Do you think the trade union movement boxed below its weight ultimately?
46. **MS:** It almost always does. In fact, I can't think – if it boxed its weight the whole system would be brought down. If the trade union movement boxed its weight, even during the miners' strike – any of these disputes – we'd win, we'd win every time. I've never known a trade union movement box its weight, and it's a tragedy.
47. **CT:** Absolutely. I mean, we'd be living in a different country.
48. **MS:** We would.

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<sup>6</sup> Jayaben Desai, treasurer of the Grunwick strike committee.

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49. **CT:** The negative, the sadness. What's the memory, you know, if that's the positive, the downside is?
50. **MS:** The downside is – and it wasn't really, when the strike had to end, and when it was – it wasn't sad, it was dignified. Obviously, it'd been seen coming for quite a long time that we weren't going to win it, but I think the saddest thing was the trade unions themselves lacking the bottle, particularly the postmen's union, but also at times APEX, just didn't have the bottle to see their members right. And these were people who needed guidance, they were people who were, as I say, untried and tested, they'd never been through a trade union dispute before, and I think they were badly let down and that was really sad. When you see decent people let down that's about as sad as it gets.
51. **CT:** Was it a turning-point, do you think, in trade union political history? Was the future going to change because of it?
52. **MS:** I think it made a huge impact on the labour movement, partly because of the racial side of it. It showed white working-class male, generally, trade unions that Asian women could be wonderful brothers and sisters, sisters and brothers with them, that there was no reason to doubt the integrity and the fortitude of Asian workers. Because there had been some difficulties over the years, and there were after, but I think this was a turning-point, I think this was an example that could be shown to workers who felt iffy about supporting black workers or, "look at Grunwick." And I think for years afterwards it was a magnificent example. [18:18]
53. **CT:** But was it an example for bosses? Did they take heart from it?
54. **MS:** I don't think so because I don't think anybody in their right mind would want to go through what that company went through. I mean, he went through it, George Ward, because he was fighting a battle, an ideological battle that he believed in.
55. **CT:** But he was supported by the right-wing of the -
56. **MS:** He certainly was.
57. **CT:** - of the Tory Party, the John Gorsts, they were all the people that were grooming Thatcher in the background, and they were wanting to bring in anti-trade union legislation.
58. **MS:** Absolutely.
59. **CT:** And this was a wonderful case that they could prove: "do we want this kind of anarchy on the streets? This is what you have with secondary picketing. We've got to stop all this." And it was the momentum to push that forward that culminated in the miners' strike four years later.
60. **MS:** Well no, I wouldn't put it like that. I would say that it was the pusillanimous attitude of some of the trade unions that encouraged that line of thought. If the trade unions stand up and are counted,

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then nothing could stop them. We saw that, actually – I've said that they usually let people down but in fact during the Pentonville dockers<sup>7</sup> we [have] seen that when dockers were imprisoned for deliberately breaking Tory laws – that was under Heath, of course – and the trade union movement demanded their release, and the TUC threatened a general strike, they were released immediately.

61. **CT:** But it was also –

62. **MS:** So we know that the right wing is encouraged by the trade union movement looking timid and retreating, not by the trade union movement being active and positive [20:03]

63. **CT:** That's very true. But nevertheless, I was just thinking that there must be a lot of small employers who were thinking "oh, we're not going to have any problems with unions round here anymore."

64. **MS:** I don't think so. I think they found that one of the lessons was that you can have a workforce that nobody would associate with traditional trade unionism. If you treat them badly, and if you really bully them enough, they will stand up and fight, and they'll find friends in the trade union movement, which they did, as well as being let down badly, it's true, by some trade unionists. And then, of course, you had afterwards this chap whose name I forget – the print, the free press up in –

65. **CT:** Eddie Shah.

66. **MS:** Eddie Shah, yes. So you get these kind of maverick types standing up with their own ideology, you know, I'm not saying they're dishonest or anything like that, they follow their own ideology, but they have the contrary ideology to the trade union ideology and the socialist ideology.

67. **CT:** Well, that's right. Was there a re-aligning of forces and laws going on then that centred, or the fulcrum of which was Grunwick?

68. **MS:** It was a long process; it had gone back to – well, I mean you could start with the Trade Disputes Act 1906 and you could say there's been a balance shifting, a see-saw shifting between rights for trade unions and clamping down on them. And in the beginning of the sixties you had Rookes and Barnard<sup>8</sup>, which was an attempt to strip the unions of their immunity from being sued for damages, and that started a modern phase which again shamefully ended at that point with *In place of strife*<sup>9</sup>, which was – [you] mustn't forget that Harold Wilson and Barbara Castle tried to put in a bill that took rights away from trade unionists – leading to the Heath government which then took it further. But then Heath took on the miners and lost, and then Wilson had to row right back and give back in

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<sup>7</sup> The 'Pentonville Five', shop stewards who were imprisoned in Pentonville Prison in 1972.

<sup>8</sup> A legal case concerning the enforcement by threatened strike action of a closed shop by draughtsmen employed by the British Overseas Airways Corporation.

<sup>9</sup> Government White Paper on industrial relations, 1969.

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1974 lots more trade union rights. So it's been a see-sawing thing and then Thatcher, five years later. So it's a constant struggle.

69. **CT:** Resolved it forever.

70. **MS:** Except now the Trade Union Freedom Bill is there.

71. **CT:** Hovering there, but I can't see Brown<sup>10</sup> giving that the thumbs-up, can you? [22:24]

72. **MS:** No, but I can't see Brown as being the ultimate end of human history. You know, we may have to put up with Brown or Cameron<sup>11</sup>, but eventually the trade unions will get their act together and punch their weight, and get that trade union – and the key thing now is the Trade Union Freedom Bill, that is the most important issue on the agenda, and I think half the candidates – or at least one or two –

73. **CT:** But none of the trade unions supported the one candidate who originated it in the first place. That's the irony, isn't it?

74. **MS:** That is disgraceful, that is shocking. John McDonnell not being given the support he needed, and the real cowardice of these Labour MPs with nothing to fear, I mean, for God's sake, you can nominate somebody and have a contest!

75. **CT:** And in fact he was telling me yesterday – because I did a film with him.

76. **MS:** Oh, he's a magnificent man, he's been at it for years. I knew him, I represented him and his constituency party thirty years ago. He's a good man.

77. **CT:** I did a film for schools called *Your MP* about the life and times of an MP, and I did it on John, so it's all about his campaign.

78. **MS:** That's brilliant, yes.

79. **CT:** So we were just nattering yesterday because he was down in Brighton, and he was saying that it was the guy that really shafted it – I'll stop this because we are off the – [break]

80. **MS:** Well, they weren't all published in the *Morning Star*.

81. **CT:** No, no, but they had one or two, I seem to remember, at the time being pulled out of the crowd.

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<sup>10</sup> Gordon Brown, then prime minister.

<sup>11</sup> David Cameron, then leader of the opposition.



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82. **MS:** Yes they did. I mean, there's other bizarre aspects of it: they had a – when Pat took photos of somebody behind Arthur, who appeared to be pushing him, and they asked the Yorkshire miners if they knew this guy, and they said “no, we don't,” so we assumed he might have been a police provocateur – provocateur. But they published on the front of the *Morning Star* “who is this man?” with this guy's face, and he turned out to be a leading communist in the Kent miners' union. He was furious! He was livid with me! He came to see me, he said “how dare you?” I said “we did it in good faith, none of the Yorkshire miners could identify you.” Anyway, it was a Kent miner [laughs]. But that was by the by.
83. **CT:** That was their first bid for the presidency!
84. **MS:** Yes! [laughs]
85. **CT:** Anyway, how Arthur got arrested and the subsequent story: what happened on the picket line to Arthur?
86. **MS:** Arthur was grabbed out of the picket line by two very senior police officers. Now, it was unusual to have two senior police officers at one point on the picket line. They'd obviously come down and they knew he was there. He then was put in a coach, and he was writing notes in a small notebook which was then confiscated and noted down at the police station among his possessions. At the same time, the *Morning Star* photographer, Pat Mantle, just went on clicking and clicking and clicking; he saw Arthur in the crowd and just clicked and clicked and clicked. Pat's continuous images linked up completely with Arthur's notes, and it looked as if in a normal court Arthur would be acquitted. However, being Arthur Scargill and being in a magistrates' court at the time of the Grunwick strike, we needed an ace up our sleeves, and the ace was a chap called John Marriage, who was a prosecution QC, very well-known to the police and the magistrates as a prosecutor. And I went to see him, showed him the evidence and he was convinced that Arthur was innocent and said he'd be happy, delighted to defend him. So we turned up at the magistrates' court with overwhelming evidence: the photographs and the notebook plus John Marriage, who the magistrates could not dismiss as a leftie or a weird young lawyer. They had to listen to him, and Arthur was acquitted. [26:26]
87. **CT:** And how often did that happen?
88. **MS:** Very rarely. The coincidence of the notes, the photographs and having a top prosecuting barrister defending Arthur Scargill was unique.
89. **CT:** Terrific. Michael, that's brilliant.
90. **MS:** Is that OK?
91. **CT:** Go on, go on, go on.

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92. **MS:** Well, we've been having an interesting discussion about this but there was a lighter side to all this, and remember, we were all very much younger thirty years ago. And I remember a young tearaway called Jack Dromey<sup>12</sup>, who's now, I believe, some eminence in the trade union movement, pointed out a police officer to me who some print workers had said had been extremely violent and very unpleasant towards some of the pickets. So Jack and me went over and we attempted to effect a citizen's arrest of this police officer. And Jack sort of said "I'm a citizen, I'm going to arrest this police officer," and I said "I must warn you, officer, that anything you say will be taken down and may be used against you."

93. **CT:** And what happened?

94. **MS:** I think he told us to piss off [laughs]. So there was a lighter side to all this.

95. **CT:** Terrific, terrific.

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<sup>12</sup> Secretary of Brent Trades Council at the time of the dispute.