

## Summary and transcript of interview of Greg Powell by Chris Thomas, 2007 (803/07 part 2)

Approximate timings given in minutes and seconds in various place (interview begins at 13:05).

### Summary

Subjects include (transcript paragraph numbers given in brackets): his joining the picket in solidarity with fellow APEX members (2); aggressive policing of the picket, including the role of the Special Patrol Group, and reasons for it (8-16); high conviction rate of arrested pickets in magistrates' courts arising from the state's desire to suppress disorder and police dominance of court procedure (18-28, 37-40); Labour government's attitude to the dispute (29-30); reasons for the defeat of the strike (32-34).

### Transcript

1. **CT:** OK, well, let's start at the beginning: how did you first hear about Grunwick?
2. **GP:** I was working in Thompson's, [the] country's largest union lawyers even then, back in seventy-five six, and we were members of APEX, which was the same union as the Grunwick strikers. And as members of APEX, to show solidarity – because they were in our same branch, I think, which was something like the North Middlesex branch – we would come down to picket when there was only two people on the gate, or one. And so we did this very, kind of, low-key picketing, prior to it becoming a *cause celebre*. So, what subsequently happened is I'd left Thompson's, we'd started this firm as Powell McGrath and Co back in [sic] the first of August seventy-seven, and just prior to that the mass picketing had started, in which we were also involved as pickets, even though we were also solicitors. And so having – we then started to take on individual cases of the pickets who got arrested, and that was some of the very first work that our firm ever did, which was the Grunwick picket cases.
3. **CT:** Were you some of the legal witnesses that were there just observing what the police were doing?
4. **GP:** No, never. We were actual pickets on some days, but once the cases got going we were then mostly concentrating on preparing and dealing with the cases.
5. **CT:** And just when was this, before the serious mass picketing started, or . . . ?
6. **GP:** No, we – I've still got a selection of files that I've kept since then, and they're all, they seem all related to a mass arrest that took place on the eleventh of July. So we would've started our firm on the first of August, and so the people who had been arrested on the eleventh of July were starting to come through the system and were being referred to us by – because we were one of the legal resources, I think, that were available for people to be defended.
7. **CT:** What was your view on how the picket was policed?
8. **GP:** The policing was really aggressive. I mean, nowadays we forget just how aggressive police officers were back in the seventies. And when you look back through the statements of the people arrested and the witnesses, which I've been doing the last couple of days, the level of violence is very high: people are being pulled out by their hair, they're being punched, kicked, grabbed in their private parts, and really being given quite a serious going over by police officers. So I think there

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was a – the police were, I think, very different in the seventies. The later reflection of all of this, probably, is the 1984 miners' strike, of course, where the same kind of police tactics were deployed.

9. **CT:** Why was it so heavily policed?
10. **GP:** I think it was a time of major social conflict. I think that there was a much more conscious element of class war; there was a much more combative attitude on the part of trade unions at that point, and on the police on the other side. And I think there was a tremendous determination not to let the pickets win, and so there was – and this was also the days of Special Patrol Group and the kind of élite police forces who were engaged in public order matters, and I think there was a culture of violence in the police force then which isn't so manifest now. [16:43]
11. **CT:** Why was the Special Patrol Group used?
12. **GP:** I think that it was the main arm of – the tactical arm of the police in order to maintain order in public demonstrations, and I think that they regarded themselves as an élite group, in the same way that perhaps the miners' union regarded themselves as the élite of the trade union movement, I think the SPG probably had that same attitude about themselves in relation to the Met[ropolitan] Police.
13. **CT:** Was [were] they designed to intimidate people from coming to the picket, do you think?
14. **GP:** No I don't – I never thought that. I think that there was such a tremendous wave of sympathy and empathy for the strikers that thousands of people turned up to the picket, and I don't think they were deterred by the prospect of a bit of roughness and potentially fighting, because the pickets themselves were coming from [a] highly organised trade union movement. And I think there was a lot of solidarity, so pickets wouldn't turn up individually, they would turn up on coaches because they were the AUEW<sup>1</sup> members from Birmingham, or they were miners from south Wales or Yorkshire; they were organised themselves. So I don't think – I don't know if that was ever an intention to intimidate, but I don't think if it was it was successful.
15. **CT:** On November the seventh of seventy-seven, which they called, it was a resurrection of the picketing as things quietened down from the Post Office workers were forced to withdraw their support, morale was low, and it was the sort of final last big picket, and that was when there was a particularly vicious attack by the SPG. Were you aware of that?
16. **GP:** I don't have any memory of that; it passed me by at this point, all melded into one!
17. **CT:** OK, just talk about the courts a bit. What happened when defendants showed up at courts?
18. **GP:** Well, there were so many defendants that they drafted in special district judges to sit in Barnet and hear case after case, day after day. This turned out to be a pre-runner of what happened during

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<sup>1</sup> Amalgamated Union of Engineering Workers

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the riots of the early Margaret Thatcher years, so that you see the state in action at its most naked at that point, which is that the purpose of the justices of the peace is to keep the peace, and from the state's point of view that involves coming down hard on the protestors. And so case after case after case after case was guilty unless we had unassailable photographic or film evidence, so we spent quite a lot of time trying to find the freelance photographers and film-makers to see if they had that particular moment of arrest captured so that we could show that to the magistrate, who then very begrudgingly would have to accept that the police evidence was nonsense. But all other cases they would simply say "we accept the police evidence," or he would say [indistinct] senior they were: male single district judges. And they would convict and routinely fine twenty-five pounds, thirty pounds with costs.

19. **CT:** And these were lay magistrates or stipendiary?
20. **GP:** Stipendiary magistrates. Yes, I'm calling them district judges because that's their current term, but in those days they would have been stipendiary magistrates.
21. **CT:** And they were who?
22. **GP:** I'd have to go and look in my little files.
23. **CT:** Oh no, not the individuals names, but it's just they are actually –
24. **GP:** They would be London stipendiary magistrates, I think. Whether they were drafted in from elsewhere I can't now remember, but they were certainly entirely prosecution-minded. We had a re-run in those early days of the riots. There was a riot in west London, in Acton. It wasn't really a riot, it was more youths running down the street and breaking a few windows and shouting. But there was a particular day in Acton magistrates' court where there were something like thirty defendants, and they were all remanded in custody, having been arrested the night before, regardless of their individual circumstances. So I think that the state reacts when public disorder takes place in the harsh manner, to just give everyone else the message. **[20:59]**
25. **CT:** How many people do you know that were eventually . . . ?
26. **GP:** I don't know the statistics. Of the five files I have here that I kept, one was acquitted and four were found guilty.
27. **CT:** And how many pickets did you defend in court?
28. **GP:** I can't remember now. I would think that it was probably around a couple of dozen.
29. **CT:** Now, at the time there was a Labour government in power, there was a Labour Home Secretary therefore, and that didn't seem to have any influence over the way the police was picketed [picket was policed]. Why do you think that was?

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30. **GP:** You're right about the fact that there was no influence, as far as anyone could judge. I think that there was probably a strong political view that this was undesirable, that the issue should be forced by what was regarded as illegal action on the part of the Post Office workers eventually by the judges, and by picketing. And this was the aftermath of *In place of strife*<sup>2</sup>, I think, which was the failed attempt at industrial relations reform, so I think that the Labour government at that point didn't have any particular desire that the dispute should succeed by virtue of the methods that were having to be adopted, which was the mass picketing and the unofficial actions of grass-roots trade unionists, particularly in the Post Office. [22:36]
31. **CT:** Why do you think the dispute was lost?
32. **GP:** Essentially because it was impossible to sustain the mass picketing to prevent labour entering the factory. The only other way of winning the dispute would have been to interrupt the economic flow of business at the factory, and that essentially was in the Post Office where the photographic material was being processed. And once that became untenable for the Post Office workers, because I think they were threatened by sequestration and individual financial attack, and in those days I think probably imprisonment, then there was just no method of being able to secure the rights of those, of those people who had been dismissed.
33. **CT:** Do you think the trade union movement was boxing below its weight? Did it actually pulled its punches when it was most required?
34. **GP:** I think there's always a limit to what any trade union leadership is prepared to do within the law. They don't wish to break the law; they certainly don't wish to get themselves on the wrong side of injunctions and other legal measures. And, whilst there was sympathy, there's always a certain amount of rivalry too and internal politics as to who owns a dispute and who gains from its resolution. And APEX as a union was a relatively insubstantial white-collar union with a right-wing leadership and no particular history of militancy, and it's ironic that it found itself in the focal point of this incredibly serious industrial dispute, because it didn't ever want to be. So I think that that was a – there are limits to what trade unions can do and I think that this uncovered those limits, it exposed them.
35. **CT:** How important . . . ? Did you get to know any of the strikers at all?
36. **GP:** We did when – no, not the strikers, the pickets we were representing pretty well, I think, during the course of their representation, but we weren't directly connected to the strikers at all.
37. **CT:** Can you just talk us through, talk me through in detail of any particular case that springs to mind that sort of, you know, suggest the general in terms of how things went in a court in terms of when a picket was actually brought to, brought to court, defendant was brought court?

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<sup>2</sup> Government White Paper of 1969

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38. **GP:** Yes, the police officers would turn up with their notebooks. They would uniformly give the same evidence – their evidence was always ‘Snow White-like’: they’d never done anything wrong whatsoever, the wild picket had assaulted them, and they’d attempted in a reasonable manner to restrain him and any injuries that he might have suffered would have been caused by himself. And the picket would come along and give evidence, sometimes supported by witnesses that we’d been able to trace, that usually what happened is the crowd surged at various points, and the police would then pluck people indiscriminately from the crowd, usually by their hair and, or by the throat. [?I’ve a] very nice photograph in one of these files of a man being lifted off his feet from behind with a police officer grabbed him round the neck. And then they were given a little bit of a battering just away from the picket line, just as a lesson not to be there. And then they would – and so that would be the evidence from the picket’s side, and then the district judge or stipendiary magistrate would then say “[I accept] the police evidence and convict you,” unless we had that photographic evidence, that was generally how they went. We tried very hard; we had – we worked extremely hard to find witnesses and take lengthy witness statements and obtain the evidence, but the stipendiary magistrates just weren’t having it.

39. **CT:** So what was the conviction rate?

40. **GP:** I would think that it was probably over ninety per cent; it was extremely high. It was just routine rubber-stamping of police evidence. And again, in those days I think less scepticism and much greater acceptance of police evidence. These were courts that in those days were called police courts; these were courts staffed by police who called the list, police officers who ran the cells, police officers dominated every case. And they came with their own individual cases to present evidence, and so police courts was the correct name for them. What people don’t recall now is that the 1984 Police and Criminal Evidence Act really revolutionised the rights of people in custody, and the concurrent civilianisation of magistrates’ courts means that they have become rather very different places to what they were in the seventies.

41. **CT:** Terrific. Let me just change the cassette here.