



www.stopthewitchhunt.org.uk

Democracy v Unelected Bureaucracy

# DEFEND THE FOUR HISTORIC VICTORY FOR WITCH-HUNTED FOUR

**After five and half years the union leadership have thrown in the towel over a vicious witch-hunt against four Unison activists and Socialist Party members. The four branch officers Suzanne Muna Tenant Services, Glenn Kelly Bromley, Onay Kasab Greenwich, and Brian Debus Hackney, were falsely accused of racism for producing a leaflet featuring a cartoon of the 'three wise monkeys'. The union leadership has spent over £100,000 and have been prepared to lose thousands of defecting members and many good activists.**

## THREE WISE MONKEYS INNOCENT

In January 2011 an Employment Tribunal (ET) Judgement (under Employment judge Ms H Grewal) forcefully rejected the allegation of racism. "All four claimants are committed anti-racists and have fought against racism. They quite reasonably assumed that anyone who saw the leaflet would understand the cartoon to be saying that the SOC was out of touch in closing its minds to and ignoring issues that concern the membership."

Unbelievably, Unison filed an appeal

in the Court of Appeal against the ET and an Employment Appeal Tribunals' decisions. Then on 17 July 2012, Unison demanded the right to claim costs if they won the appeal. But the Unison leadership's demands were thrown out of court with Lord Justice Elias calling Unison "shabby". **"The judge ordered that UNISON could not claim costs, even if they win in court in December"**.

Only on 20 November 2012 did the union leadership do a complete U-turn. They have written to the court to withdraw their appeal. In doing so the union has now accepted the previous courts' decision that they acted illegally. So for nearly 2 years an illegal ban and the continued regional control of the Bromley and Greenwich branches carried on.

**At the very least there should now be a public apology to the four and all their branch members and at this year's National Delegate Conference.** A hearing will now be called to determine the compensation that the union will have to pay to the four.

The four have now set legal history in defending the right of union members to defend themselves from being attacked by union bureaucracies seeking to silence them.

## 2007: THE BACK STORY

5.5 years ago four London branches Bromley, Greenwich and Hackney and Housing Corporations branch (it later became the Tenant Services Branch) sent motions to conference calling for regular elections of Senior paid officials of Unison and speeding up the process of balloting for strike action.

They were charged with unintentional racism and challenging the integrity of the Standing Orders Committee (SOC) for the use of the cartoon of 3 wise monkeys to indicate injustice on a leaflet to depict the SOC who had barred the motions.

In 2010 for this heinous crime four branch officers Glenn Kelly, Onay Kasab, Brian Debus, and Suzanne Muna were barred from holding any office in UNISON for between 2 and 3 years. Not content with the banning orders they took three of the branches out of control of the members and into regional administration in March 2010.

## £500,000 DOWN THE DRAIN

Although the bans on Onay Kasab and Glenn Kelly ended in March 2012 the

Greenwich branch had to wait another 6 months for elections and in Bromley their AGM will now take place in March this year the first for four years. So for 2.5 years and 3 years these branches were still run by unelected regional officials of Unison with no lay member control. Consequently over a 1, 000 members left Unison and joined Unite representing £150,000/year in lost subscriptions.

Unison must have spent over £200,000 in legal fees, plush hotels and untold hours of officers' time on this case. The two ET judgements and the



## DEMOCRACY V UNELECTED BUREAUCRACY

costs hearing taken as a whole are a devastating indictment of the role of some of our union leaders and the influence unelected and unaccountable paid officials in UNISON have, usurping democracy to retain their positions of power and influence.

It is a pity that the same commitment

## 24-HOUR GENERAL STRIKE NOW!

and energy was not devoted to a fighting strategy to defend our pensions, prevent the four year pay freeze by this government and stopping the hundreds of thousands of job losses. We need a UNISON leadership to fight all the cuts to our members' jobs and pensions, and defend all the services they rely on for a decent life.

What we need is a fighting Unison Leadership to carry out the policy of the TUC Congress to coordinate with other Unions for a 24 hour General Strike to drive this weak Government out of office.

The NEC elections are an opportunity to rid ourselves of those that allowed such a travesty to take place. We call on you to support the reclaim the union candidates

including ensuring Glenn Kelly wins back the seat that was illegally taken from him.

## DEFEND THE FOUR

**Please do some of the following:**

- 1. Pass the model motion in the box on this leaflet through your union branch and send to National Delegate Conference.**
- 2. Campaign for the election of officials and democratic control over all UNISON structures.**

**MODEL MOTION:**

This branch AGM/National Delegate Conference welcomes the decision of Unison Nationally to withdraw its High Court Appeal against Brian Debus, Glenn Kelly, Onay Kasab, and Suzanne Muna. This has probably saved the Union close to £100,000. They were previously senior lay officers in their respective branches until they were banned from office in March 2010.

An Employment Appeals Tribunal (EAT) on 22nd February 2012 upheld the unanimous judgement of an earlier employment tribunal (27th January 2011).

The ET judgement in 2011 rejected false allegations of racism against the four and found that the real reason for disciplinary action was that they had issued a

leaflet criticising the Standing Orders Committee, and the union leadership of preventing discussion on issues of union democracy.

On the same day that the bans were imposed 'Bromley' 'Greenwich' and the 'Tenant Services' branches were taken into Regional supervision, which means there is no lay member control. This has meant that all the members of these branches were punished. The bans on Glenn Kelly Bromley and Onay Kasab Greenwich were for two years yet the Supervision was in place for 2.5 years in Greenwich and is not due to end until March 2013 for Bromley 3 years.

We call for a lay member led review into the way Senior Officers have been:

1. Allowed to waste large sums of money challenging legal decisions of a Tribunal,
2. Using regional supervision against branches as a form of mass disciplinary action.

The review to draw up any necessary rule changes that flow from this.

The Unison rule book under the Heading "UNION DEMOCRACY" point 2. states.

"To promote and establish a member-led union and to carry out and fulfil decisions made by members in a spirit of unity and accountability."

This motion can be a small step in enhancing this rule.

**Video link to the Defend the 4 film:**

**Historic victory for witch-hunted four <http://youtu.be/HDdKmGNAYLw>**

**To keep up to date with the campaign email [info@stopthewitchhunt.org.uk](mailto:info@stopthewitchhunt.org.uk) and visit the website [www.stopthewitchhunt.org.uk](http://www.stopthewitchhunt.org.uk)**

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