

Prison officers strike in England and Wales in defiance of High Court injunction

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Some 20,000 prison officers in England and Wales ended their first national strike on Thursday, following an agreement between the Prison Officers' Association (POA) and the government to hold new negotiations over pay.

The POA represents 28,000 prison officers and has never held a national strike in its 68-year history. The association represents staff employed throughout the prison service, including storemen and night patrol staff, up to principal officers responsible for managing entire wings.

The strike action began the day before at 7 a.m. and lasted for about 12 hours. All 129 non-private prisons were disrupted. During the stoppage prisoners were locked in their cells for the day as managers were instructed to distribute meals. Visitors waiting to see prisoners were told to return home. Police cells were used to incarcerate some 900 inmates who could not return to their allocated prison after court appearances or who had been newly sentenced.

The POA said it proceeded without giving notice in order to avoid a court order being used against it. The Prison Service was banned from striking by the previous Conservative government under section 127 of the 1994 Criminal Justice and Public Order Act. Labour lifted the ban when it came to office, but made a voluntary no-strike deal with the POA in return for accepting that pay would be determined by an independent review body.

The prison officers struck to protest the government's breaking this agreement. Most prison officers start on pay of around £17,700 per annum, rising to £32,000 for principal officers. The review had called for a 2.5 percent increase in the salaries of prison officers across all grades from auxiliary staff to principal officers. Instead, then chancellor Gordon Brown determined to

implement the pay increase in stages—with 1.5 percent in April and the remaining 1 percent from November.

The POA opposed the introduction of the increase because it would result in a below inflation deal over each year, with the total increase being reduced in real value to about 1.9 percent. The association said the strike was the result of “two years of frustration and two years of below-inflation pay awards.” Under the last 10 years of the Labour government prison numbers have risen to more than 81,000 and are now at 100 percent capacity. Such an increase in the prison population has coincided with an under-resourcing in the numbers of prison officers being recruited to handle such numbers.

In June of this year the POA informed the government that they intended to withdraw from the no-strike agreement. However, under its terms the association is required to give 12-months' notice. In August the POA held a national ballot on pay and conditions resulting in 87 percent of its members supporting industrial action up to and including a strike.

Justice Minister Jack Straw immediately applied for a High Court injunction against the Prison Officers' Association and condemned the strike as illegal. The injunction was granted by High Court judge Mr. Justice Ramsey. He stated that there had been an “overwhelming case” that a legally binding agreement had been broken. Despite the High Court upholding the injunction prison officers continued their action, with many refusing to return to work.

The general secretary of the association, Brian Caton, said of the action, “If they gave us back our rights and put us under the restrictions that every other trade union is under, then they would have had that notice. After a day of what we describe as somewhat traumatic times in the history of the union, we will lead our

membership back to work and we will do that in an orderly fashion and that is regardless of any court injunction.”

The POA said on Thursday that it did not rule out further industrial action pending the outcome of talks with Minister of Justice Jack Straw and Prison Service officials. Asked by BBC News whether the union would stage further industrial action, Prison Officers’ Association Chairman Colin Moses said, “If I say that, I will end up in court.”

The strike evoked a bitterly hostile response in the media, including from those who would normally view the prison officers extremely favourably, due to overriding concerns within ruling circles that an example was being set for workers throughout the public sector facing cuts.

A leader in the *Daily Telegraph*, entitled “Ban prison officers from striking,” attacked the POA “as one of the last of the old-fashioned, unreconstructed militant trade unions.” Calling on the government to crack down on the POA and to prepare similar attacks on workers involved in disputes in the public sector, it concluded, “When the no-strike agreement was reached in exchange for removing the statutory ban, the Government said it would reimpose a legal prohibition if public safety and prison security demanded it. It will be a test of Mr. Brown’s resolve in the face of a number of looming public sector disputes how he handles the resurgence of union militancy in the prisons.”

The *Times* of London urged the government that “accepting confrontation would be a considerably more shrewd move than appeasement.... The strike—especially the 24-hour wildcat strike—is a relic of another (much worse) era in industrial relations. This conflict is, in essence, the successor to that fought with the Fire Brigades Union (FBU) five years ago. A firm response then all but broke the FBU and its leadership. Mr. Straw must be willing to ensure that the POA endures the same fate.”

Prime Minister Gordon Brown was anxious not to disappoint the media and his big business backers. On Thursday he said that the government’s policy of delaying part of the pay rise in the public sector this year was “an essential part” of its economic policy. “We have succeeded in tackling inflation and having a stable economy because of discipline in pay over the

last ten years,” Brown said. “That discipline will have to continue. We will do nothing, nothing, to put that at risk. It is an essential element of maintaining discipline in the economy.”



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