

# UK High Court bans strike by 110,000 Royal Mail postal workers

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The High Court ban on strike action against Royal Mail is a political attack on the democratic rights of the working class that must be rejected. Postal workers across Britain who voted overwhelmingly to strike should proceed in defiance of the courts.

Last month, 110,000 Communication Workers Union (CWU) members voted by a 97 percent majority on a 76 percent turnout to mobilise against attacks by the Royal Mail Group (RMG) on their job security, terms and conditions.

The company was granted the injunction hearing, seeking to rule the ballot illegal on the grounds of voting “irregularities.” The RMG’s case was based on the spurious pretext that postal workers were “being encouraged [by the CWU] to open their ballot papers on site, mark them as ‘yes’, with their colleagues present and filming or photographing them doing so, before posting their ballots together at their workplace postboxes.”

The RMG submitted “evidence” to the High Court from at least 72 sites where it said this occurred, including footage of workers in a staff canteen in Swansea with their ballot papers in front of them.

Justice Swift ruled, “This was an interference that was accurately described as improper. Strike ballots should be postal ballots. Each voter should receive a voting paper at home.”

“What CWU did was a form of subversion of the ballot process. It was an interference with voting,” he declared. Swift refused the CWU permission to even appeal against the decision.

Swift’s decision is naked class justice. His ruling is motivated by fear in ruling circles of a growing militant mood in the working class in Britain and internationally.

Under conditions in which a general election is taking place in less than a month, media mouthpieces of the ruling class are warning daily of a possible “Winter of

Discontent.” As well as the postal strike ballot, academic staff in 60 universities and colleges voted to strike to demand better pay and conditions and in defence of pensions. Other education workers are striking at 25 sixth form colleges. Workers at two private rail franchises, South Western Railway and West Midlands Trains, are set to strike from this weekend, and ballots are under way on the London Underground and elsewhere.

Everything is being done to ensure that this escalation of the class struggle does not threaten the combined efforts of Boris Johnson’s Conservative government and the Labour Party under Jeremy Corbyn to confine politics to manoeuvres at Westminster.

Johnson’s concerns are obvious to millions of workers and youth wanting an end to Tory-dictated austerity. The *Sunday Times* warned that “militant unionism is gathering pace at a pivotal time, both politically and economically. For the first time since the Winter of Discontent, in 1978-9, when Britain was gripped by strikes, unions are preparing for mass industrial action. It comes just as voters head to the polls and the nation wrestles with Brexit.

“Unrest is spreading, particularly across former state-owned businesses.”

The *Sun*, also owned by Rupert Murdoch, noted that strikes are currently “at the sixth-lowest since records began in 1891. But Tory politicians warned that if the hard-left Labour boss [Corbyn] gets his hands on power Britain could return to the level of strike action not seen since 1978/79 and the Winter of Discontent.”

Swift agreed with the RMG’s lawyers that with a general election imminent, he had to take “the wider public interest” into account.

Despite the attacks of his opponents, the last thing Corbyn would want is to come to power on a wave of industrial militancy. He has spent the past four years since becoming Labour leader—based on a burning desire

among workers and young people to end austerity, militarism and war—suppressing the class struggle and protecting Labour’s Blairite right-wing from popular opposition. This is the basis of his pitch to the ruling class to lead a government that can “unite the country” and “heal the Brexit divide.”

The mechanism on which he has relied throughout is Labour’s relationship with the trade union bureaucracy. The claim that workers voted to strike because of the undue influence of the CWU is laughable. The strike ballot reflected overwhelming support for a fight back among workers against the attacks on jobs, terms and conditions with which the CWU has collaborated for years.

The postal workers sitting in staff canteens and voting at work were contravening reactionary legislation going back 35 years, to the 1984 Trade Union Act, illegalising workplace ballots and introducing secret pre-strike ballots. The aim of this Thatcher-era legislation was to prevent any collective discussion on industrial action in the workplace, but this was only possible because the Trades Union Congress (TUC) had reneged on its pledge to oppose the anti-union laws.

Today, it is now virtually impossible to mount a strike that cannot be legally challenged by the employers. The CWU told the court that not one member had complained over the ballot process, nor to the Certification Office responsible for legally overseeing the ballot process. Despite a battery of anti-strike legislation, it was understood that trade unions were still able to advocate support for a strike ballot they had called.

Not so. The High Court’s decision makes clear that democracy extends only to those forces openly opposed to strike action—Royal Mail, the Tories and the mass media.

In addition, Royal Mail is seeking “unlimited damages” from the union for even calling the ballot, after having demanded £250,000 in damages for CWU members taking *unofficial* strike action in Bootle last month. The CWU will not fight even this attack but will try to confine workers to appeals to the courts while holding out the possibility that electing a Labour government will meet their demands.

Royal Mail brought the legal action on November 8, more than three weeks after the CWU refused to call a strike—despite its huge mandate—and continued with mediation talks with the company and discussions with “individual shareholders” aimed at averting industrial action.

In the five-year period up to 2010, during the

Blair/Brown Labour governments, 36 injunctions were applied for by employers, with nearly all granted by the courts. In the last decade, even as austerity has left 14 million people in poverty, the unions and Labour have continued to accept anti-strike laws as an article of faith. The *Sunday Times* asked a Labour source if there would be any co-ordinated action by unions against the government and the employers. The source replied, “The unions would be far too cautious for that. ... Any whiff of that [co-ordination] would be slapped down by injunctions.”

The Rail, Maritime and Transport workers union added, “There is no co-ordination between us and the CWU.”

Following Wednesday’s ruling, CWU General Secretary Dave Ward said, “We appeal to the TUC and workers everywhere—in what is a call to arms—that it’s time for us to fundamentally shift the balance of forces in this country back to working people and remove these draconian laws once and for all.”

But Ward’s call is directed to the TUC, which has not lifted a finger in defence of the working class for decades, and to an incoming Labour government—not an appeal to workers to wage a unified class struggle.

If the anti-strike laws are to be opposed, this must be done in defiance of the trade union bureaucracy. Unofficial walkouts by postal workers must be organised and linked up with other workers throughout the delivery and communication industry and other sectors coming into struggle. The central issue facing postal workers is to take the struggle out of the hands of the CWU and form rank-and-file committees of action, armed with a socialist programme dedicated to ensuring decent pay and working conditions for all.



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