

BLACKLIST BLOG

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Spycops inquiry chair faces legal challenge by blacklisted union activist

Legal papers applying for a Judicial Review have been submitted against the chair of the undercover policing inquiry by blacklisted union activist Dave Smith.

The application, to be decided on by a High Court judge, is hoping to overturn the “unreasonable” and irrational” decision by Sir John Mitting not to allow Smith to give oral evidence at the public inquiry in November.

Smith is the secretary of the Blacklist Support Group, the justice campaign set up after the exposure of the construction industry blacklist, and co-author of the best selling book: *Blacklisted: the secret war between big business and union activists*.

Years of campaigning by the Blacklist Support Group (BSG) led to Operation Reuben – the police investigation into blacklisting – concluding that allegations that Special Branch and the security services supplied information about union activists to multinational construction companies and to the blacklisting organisations; the Economic League and the Consulting Association were “proven”.

Investigating the role of the police in blacklisting is one of the stated aims of the spycops public inquiry.

Smith is one of a number of blacklisted union activists granted core participants in the spycops inquiry, after it was found that unions were infiltrated by undercover police who reported on activists from the 1960s to the 2010s.

After 10 years of the inquiry, the blacklisted workers are finally scheduled to give oral evidence in November and December this year. The chair of the inquiry has however made a decision not to call Dave Smith to give evidence.

The Judicial Review application notes “not a single police witness has faced more than one or two perfunctory questions about their role(s) outside of the SDS, or of their knowledge of sharing intelligence with third parties.”

It adds “not a single word on blacklisting or vetting appeared in the 109 pages of the UCPI Interim Report. In the Claimant’s submission failing to address these matters leaves a significant gap in the Public Inquiry, hindering the full understanding of the truth and the Inquiry’s ability to examine the matter comprehensively”.

The application argues that:

“if the position remains as it is, namely that the Claimant will not be called, the Inquiry will have heard from state actors only in circumstances where there is challenge to that evidence... The refusal to call the Claimant will render that process unfair and, it is submitted, be in breach of the Claimant’s legitimate expectation that he would be able to challenge the evidence of police witnesses”...

“no other Core Participant in the Inquiry will have the knowledge or expertise to challenge the police narrative. Accordingly, without the Claimant giving oral evidence, findings by the Inquiry relating to blacklisting will be based primarily on evidence from the police witnesses”.

Dave Smith commented: “When we first spoke about police spying on unions and blacklisting, we were ridiculed as conspiracy theorists.

“Through our collective campaigning, it is now an acknowledged fact that blacklisting is a real life conspiracy; orchestrated by big business, the police and security services which has decimated lives and, on occasions, taken them.

“The spycops inquiry’s intention to restrict the evidence of blacklisted workers, while at the same time relying on police accounts, is against natural justice and the public interest. The irrational decision makes the inquiry look like an establishment cover-up.

“We refuse to meekly accept the decision and have had no choice but to legally challenge it. Our lawyers at Imran Khan and Partners have today issued judicial review proceedings in the High Court against Sir John Mitting, the Chair of the Inquiry to force him to change his mind.”

Blacklist Support Group

book: <http://newint.org/books/politics/blacklisted-secret-war/>

video: <https://www.youtube.com/watch?v=eNcgrNs6pB8>

facebook: <http://www.facebook.com/groups/blacklistSG/>

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