

The miners' strike

Magistrates' penalties vary

By Peter Evans, Home Affairs Correspondent

Varying treatment of miners by magistrates in different areas is disclosed today by the bulletin of the Legal Action Group, which campaigns for improved legal services.

A defendant in South Wales might expect a fine of £30 for a public order offence but it could be £170 before a northern bench.

It is becoming more common in South Wales, and elsewhere, to defer payment of a fine until the miners' dispute is resolved, and in some cases until three months after that.

But in Nottinghamshire one young miner who pleaded guilty to criminal damage was fined £20, and ordered to pay £20 compensation and £33 costs.

He is married with two children, has a total income of £45 a week for the family and they are in debt. The bench ordered fortnightly payments of £2 and declined to defer payment.

● The "sustained campaign of lawlessness" by the National Union of Mineworkers was without precedent in Britain, Mr Leslie Curtis, chairman of the Police Federation, said in Llandudno yesterday.

He said that the campaign was "even worse than the inner city riots of 1981 because they were not planned or master-minded".

Mr Curtis told a meeting of the federation, which has 120,000 members up to the rank of chief inspector: "What we face now is something more insidious, dangerous and ominous."

"There has been deliberate and sophisticated organization behind the violence we have seen in recent months. In the last few weeks it has accelerated with people setting out with the deliberate objective of destroying as much property and wreaking as much havoc as they can".

Arrests total 6,427

Arrests arising from the miners' dispute reached 6,427 up to September 4, according to latest Home Office figures. The number of individuals charged totals 5,378. The number of cases dealt with is 1,346, with 1,142 people convicted.

People arrested on suspicion of offences include: 2,811 suspected of breach of the peace under the Public Order Act; 1,348 obstructing police; 632 obstructing the highway; 552 criminal damage; 9 arson; 349 assault on police; 252 assault causing actual bodily harm; 23 grievous bodily harm; 103 theft; 17 resisting arrest; 25 offensive weapons; One hundred and forty-seven conspiracy under the Protection of Property Act, 1825 (intimidation); 6 burglary; 1 handling stolen goods; 70 breach of the peace (common law); 26 breach

of bail conditions; 15 attempts to commit various types of crime; 63 drunkenness; 276 unlawful assembly; 8 trespass on railways; 24 affray; 116 riot; 2 incitement; 3 reckless driving.

Magistrates' court figures show there have been 21 custodial sentences, the longest nine months, two detention centre orders and nine people detained in police custody (they can be held up to a week). The longest of nine suspended sentences was six months.

The range of fines is: six people under £10; 65 between £10 and £24; 92, £25-£49; 148, £50-£74; 194, £75-£99; 137, £100-£149; 37, £150-£199; 38, more than £200.

Other penalties include one community service order, two probation orders, 114 conditional or absolute discharges, and 421 bound over to keep the peace.

Pit cases stretching courts

At Chesterfield magistrates' court yesterday 23 striking miners and two women appeared briefly on charges arising out of an incident the previous day near the home of a working miner.

By the time they had been remanded - four to prison for a week - Mr Alan Fowler, the magistrate's clerk, had already estimated that dealing with them would add about two weeks to the backlog of cases associated purely with the miners' strike.

The increasing number of such cases led him to appeal to the Lord Chancellor for the services of a professional stipendiary magistrate - to take some of the burden off the 100 lay magistrates available to the three courts in the Chesterfield division.

The Lord Chancellor has made available ten stipendiaries in rotation to sit alone in magistrates' courts in Rotherham and Chesterfield. Others, including Mansfield and Nottingham, are expected to make requests for their own "flying magistrates" in the near future.

Mr Fowler, aged 34, is now seeking the services of two clerks from other areas so that he can keep the maximum number of courts sitting. He has estimated that even if the miners' strike ends now, it will take at least until February to deal with cases arising from the dispute.

Because the £27,000-a-year "stipes" are professional lawyers and can sit alone, they are

From Craig Seton, Chesterfield ideal for the increasingly large number of long and legally complex magistrates' hearings involving miners, which have posed a burden on lay magistrates, who have other jobs and commitments.

Mr Fowler said the Chesterfield stipendiary had not been called in to deal simply with mining cases. "In Chesterfield he has dealt with far more cases which have nothing to do with miners and he will take whatever comes before him".

Of the miners' strike cases before the Chesterfield division, only 120 have been fully dealt with, and 600 people have entered not guilty pleas.

"There would be little difficulty if all we were doing is remanding, or if we had the

usual proportion of guilty pleas, but the miners' dispute is producing a very high proportion of not guilty pleas - over 90 per cent - and they are very time consuming," said Mr Fowler.

In the last week, 50 men have appeared before the court charged with riot, arising out of two alleged incidents in the Chesterfield area, and eventually they will go to Crown Court.

Six courtrooms a day are in operation and Mr Fowler estimates that one defendant pleading not guilty can take two hours to deal with. "The 25 arrests we have had today wipes out two weeks of completed business".

Power men refuse support

Union leaders representing 28,000 power station engineers took a hard line stance yesterday against becoming involved in action to support the miners. In doing so they have opened up differences with other moderate unions.

The unions in the electricity supply industry are to meet on Monday to discuss the call from last week's Trades Union Congress for support for the miners' dispute.

A meeting of the six unions in the steel industry, which was due to take place today, has been called off because of uncertainty over the outcome of the miners' peace talks.

● The National Coal Board reported yesterday that 45 pits were fully producing coal with a further 9 producing some coal. It said that 120 pits were producing no coal.

Figures released by the board indicating the number of men previously on strike who returned to work are as follows:

Week ending	Strikers returning to work
August 3	29
August 10	151
August 17	39
August 24	212
August 31	123
Sept 7	177

No funeral grant for strikers

By Nicholas Timmins
Social Services Correspondent

The families of striking miners are being refused grants to pay for funerals under supplementary benefit rules that came into force three years ago, the Department of Health and Social Security confirmed yesterday.

The decision, which has been applied in at least two cases recently, was bitterly attacked yesterday by Labour MPs.

The families of a 12-year-old mentally handicapped boy and of a 14-year-old boy have both been told they cannot receive supplementary benefit payments towards a basic funeral because the head of family was a striking miner, Mr Michael McGowan, Labour Euro-MP for Leeds, said yesterday.

In one case, a 14-year-old boy from Upton, near Wakefield, died while picking coal out of a spoil tip which collapsed, he said, while at Ferrybridge a 12-year-old physically and mentally handicapped child died from pneumonia. In both cases the families were refused help.

Mr McGowan said: "This is another example of the vicious attack and pressure our mining families are having to face."

A spokesman for the DHSS said that before 1981 funeral payments in such circumstances were discretionary. Since then families where one member was involved in an industrial dispute were not entitled to supplementary benefit single payments, which include funeral expenses.

Local office staff were told to direct families to the local health authority or local authority if a funeral had not been arranged, or to refer them to voluntary organization or charities if funeral arrangements had already been made.

In the village of Upton, where a door-to-door collection has been held to pay for the boy's funeral, Mrs Iris Knight, of the local miners' support group, said the village was disgusted at the ruling. The husband had been on strike for six months and had no money or savings.

Shields ban

South Yorkshire police have been banned by Mr Peter Wright, their Chief Constable, from "tribal" banging of riot shields when facing picketing miners. Senior officers said the beating was provocative and any policeman disobeying the ban could face disciplinary action.

The move comes after complaints from miners and parish councillors at Kiveton colliery that the beating of police batons on riot shields could incite violence.

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