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**Labour Relations and the Demise of London's**

**Upper Docks 1940-1981**

**Michael Barram**

**Submitted for the degree of Doctor of Philosophy**

**Birkbeck, University of London**

For my parents, Jim and Alice Barram

יא כבוד את אביך ואת אמך--למען יארכון ימיך על האדמה אשר יהוה אלהיך נתן לך {ס}

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I declare this thesis:

“Labour Relations and the Demise of London’s Upper Docks 1940-1981”

to be my own work.

(signed) .....(Michael Barram)

(date).....

Abstract:

This thesis takes advantage of the greater volume of archive material now available about dock labour and the Port of London which, combined with other published materials, allows for a more holistic appreciation of industrial relations in the port in the four decades after 1940, leading up to the final closure of the Upper Docks in 1980-81.

The historical context is established by a review of the earlier published materials, and consideration of the genesis of the Port of London Authority (PLA) with the structural and financial constraints of its formation. The social and economic environment of the docks workforce are exemplified by considering two London boroughs as representative of the wider docklands communities.

The impact of the second World War on the port and the communities is reviewed in terms of both enemy action and the effect of UK legislation leading to a statutory dock labour scheme. This is followed by a systematic review of strikes in the fifteen years after the War, in which a wider appreciation of industrial relations problems is developed. That encompasses the interactions between the workforce and employers, the complex structures for pay and conditions, the advantages and operational problems of the 1947 National Dock Labour Scheme, the involvement of the Government through official inquiries and ministerial pressure, and the role of trade unions and 'unofficial' activists.

The final chapters consider the impact of technological and structural changes in 1960-1981, with the formation of the National Ports Council and the implementation of decasualisation - seen to have a secondary effect of inhibiting effective workforce reductions. The growth of containerisation impacted on the Upper Docks by reducing conventional traffic and through collateral industrial disputes, but behind both of these the financial weaknesses of the PLA's funding arrangements meant that the docks were not economically viable.

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Abbreviations:

ACTSS	Association of Clerical, Technical, and Supervisory Staff
EW(DL)O	Essential Works (Dock Labour) Order
BTDB	British Transport Docks Board
CIC	(MLNS) Chief Industrial Commissioner
CPGB	Communist Party of Great Britain
CSU	Canadian Seamen's Union
DOE	Department of the Environment
GLC	Greater London Council
GPC	(PLA) General Purposes Committee
GRT	Gross Registered Tons
ILO	International Labour Organisation
KGV	King George V Dock
LCC	London County Council
LDLB	London Dock Labour Board
LMA	London Metropolitan Archives
LOTEA	London Ocean Trades Employers Association
MAF	Ministry of Agriculture and Food
MLNS	Ministry of Labour and National Service
NA	National Archives
NAPE	National Association of Port Employers
NASD	National Amalgamated Stevedores and Dockers (Union)
NDLB	National Dock Labour Board
NDLC	National Dock Labour Corporation
NDLS	National Dock Labour Scheme
NJCPTI	National Joint Council for the Port Transport Industry
NMC	National Modernisation Committee
NPC	National Ports Council
ODNB	Oxford Dictionary of National Biography
PLA	Port of London Authority
PLEC	Port Labour Executive Committee
PW	Price Waterhouse and Company
PWDC	Port Workers' Defence Committee
RCPOL	Royal Commission on the Port of London
RDW	Registered Dock Worker
SI	Statutory Instrument
SR&O	Statutory Rules and Orders
TEDCO	Thames Estuary Development Company
TGWU	Transport and General Workers' Union
TUC	Trades Unions Congress
TUR	Temporarily Unattached Register
WLTBU	Watermen, Lightermen Tugmen and Bargemens' Union

# **Labour Relations and the Demise of London's Upper Docks 1940-1981**

## **Chapter 1: INTRODUCTION**

This thesis is about the workers in the Upper Docks in London<sup>1</sup> and their relationship with the port owner and the employers, leading up to the closure of the last of those docks in 1981. The Port of London is not dead: nearly 40 years after the departure of the last ship from the Upper Docks, part of the port still lives, and another part is growing so that in the twenty-first century a successor port is thriving on the Thames.<sup>2</sup> Seen from a modern perspective the eventual demise of the Upper Docks was almost inevitable, and there can be no question that industrial disputes played a significant part in that demise, if only in impeding the ability of the port management to react to the challenges of change while competitor ports to developed ahead of London. But the closure of the docks was, essentially, a commercial decision, so the thesis also focuses on the financial and operational arrangements of the Port of London Authority (PLA) in addition to its roles and influences in relation to the workforce. This thesis thus considers both the reasons for the industrial problems in the docks and the commercial, financial, and operational difficulties that impacted on the Authority's role as the lead employer and the owner of the dock estate, leading up to the docks closures.

The estate that the Authority inherited upon its formation in 1909 had been developed piecemeal over the preceding century, and under conditions of intense commercial competition. Although there had been significant rationalisations and mergers of the old dock companies, nothing had been done to close loss-making or redundant facilities, so that by the end of the nineteenth century the docks were struggling to survive as commercial entities, and the establishment of the PLA was seen as the solution to the mutually competitive and commercially self-destructive structures. In contrast to its predecessors the Authority properly maintained the neglected docks but was for many years focused primarily on protecting its income by continually growing the port's traffic. It failed also to develop the strategic focus

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1 That is, from St Katharine dock at Tower Bridge to the Royal Group of Docks in Newham.

2 See <http://www.londongateway.com>.



that would allow it to confront the decreasing fitness for purpose of the smaller docks resulting from the continuing increase in ship sizes, and the associated need for greater mechanisation to handle the increasing volumes of cargo. Although owning the docks, the PLA paid little attention to the fundamental problems of industrial relations there or in the wider port. These were exacerbated by the huge number of employers (many small and with poor facilities) who showed little apparent regard for safety, or any investment in training or amenities for the workers; and the continuation of a massively complex system of piecework.<sup>3</sup> The Authority had also a number of systemic defects that adversely affected its operations, finances and competitive position as a dock operator. It was perhaps the very size of the dock estate and its perceived value as an engine of London's commerce that allowed some docks to operate for years beyond the point at which they were no longer commercially viable. Labour disputes were indeed an important contributor to the failure and eventual closure of the Upper Docks, but this thesis aims to put these problems and their part in the closure into the proper historical context.

### **What Historians and others have said**

The 'general' London historians with a time horizon of millennia, and wide socio-demographic and geographical perspectives have tended to view the causes of the demise of the docks in terms of the effect of containerisation, exacerbated by industrial disputes, with subsidiary impacts from the ending of Commonwealth preference and the greater access to State support enjoyed by Continental ports. Almost inevitably, there has been little in-depth analysis of these factors in those large-scale works: Inwood, reviewing almost 2,000 years of London's history in around 1,000 pages devotes five pages to the post war docks and the dock closures,<sup>4</sup> while Roy Porter uses only three paragraphs.<sup>5</sup> Twenty-first century historians have tended to follow this pattern, with Jerry White's almost surgical analysis from 2008 focusing more on the role played by industrial disputes as a malignancy within the docks body corporate.<sup>6</sup> Updated around the same time as

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3 R.B. Oram, *The Dockers' Tragedy*. (London: Hutchinson, 1970), p.109 states that "there are said to be over 40,000 scheduled piecework rates [in London]", but I could not substantiate that figure in my researches.

4 Stephen Inwood, *A History of London*. (London: Macmillan, 1998) pp. 840-1 and 900-902.

5 Roy Porter, *London: a Social History* (London: Hamish Hamilton, 1984) pp. 348-349.

6 Jerry White, *London in the 20<sup>th</sup> Century* (London: Vintage Books, 2008) pp.204-205.

White's publication, Weightman and Humphries's compendium volume has a little more space, but still uses only the equivalent of three pages to summarise the transition of the docks from a record throughput of 70 million tons in 1956 to the final closures in 1981,<sup>7</sup> and Francis Sheppard uses only a couple of paragraphs.<sup>8</sup> Those historians with a closer focus on London's East End identify other factors, with John Marriott seeing the closures being more due to the poor transport and communications infrastructure, coupled with a lack of investment,<sup>9</sup> and Alan Palmer demonstrating how the PLA struggled to maintain the upper river docks as the pattern of trade changed but was in the end forced to acknowledge the need to close and sell off the London and St Katharine docks.<sup>10</sup> He then shows how the Authority attempted to preserve the other docks, but faced union intransigence, and struggled with a plethora of strategic proposals from the PLA and the Greater London Council (GLC) that were either not implemented or failed.<sup>11</sup> In a similar vein, Fiona Rule's analysis brings together the challenges of containerisation and the problems of industrial action but also focuses on the lack of clear strategies within the PLA on how these should best be confronted.<sup>12</sup>

The views of the more specialised commentators on maritime trade and ports tend broadly to support the presumption that the key factors influencing the London closures were indeed containerisation and the problems of industrial relations, but each adds more texture. Marc Levinson's review of the growth and development of the container trade conveys little doubt that although the problems of industrial relations might have impacted on the development of Tilbury and facilitated the expansion of Felixstowe, the river approaches to the enclosed docks in the Thames were "difficult even for conventional ships to navigate" and simply not suitable for container shipping<sup>13</sup> - a view supported by el Sahli.<sup>14</sup> Two works in the late 1970s,

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7 Gavin Weightman and Stephen Humphries, *The Making of Modern London* (London: Ebury Press, 2007) pp. 341-3 and 352.

8 Francis Sheppard, *London: a History*, (Oxford: University Press, 1998) p.343.

9 John Marriott, *Beyond the Tower: a History of East London* (New Haven: Yale University, 2011) pp. 343-345.

10 Alan Palmer, *The East End: Four Centuries of London Life* (London: John Murray, 2000) pp. 159-161.

11 *Ibid.*, pp.162-3.

12 Fiona Rule, *London's Docklands: a History of the Lost Quarter* (London: Ian Allan, 2009) pp. 309-312.

13 Marc Levinson, *The Box: How the Shipping Container Made the World Smaller and the World Economy Bigger*. (Princeton: University Press, 2006). p.209.

14 Zouheir el Sahli, *Estimating the Effects of Containerisation on World Trade* (Unpublished PhD thesis, University of Nottingham, 2013) pp. 22-27.

by John Pudney,<sup>15</sup> and Douglas Brown<sup>16</sup> provide commentaries on how the PLA reacted to the challenges of containerisation through the closure of the older and smaller docks, greater mechanisation, and planning for the abortive Maplin seaport, while trying to resolve the problem of reducing the workforce without triggering potentially fatal industrial disputes. It is worth noting that London was not alone in facing these challenges, and Gordon Jackson shows how the docks in Liverpool, Hull and Glasgow all suffered closures along with many smaller docks and suggests that while “industrial relations may never have been very good...this had very little bearing on the long-term trend in which the militancy of the dockers....appear as very subsidiary influences.”<sup>17</sup>

Alongside the historical analyses run the works of the sociologists and economists, and particularly the commentators on industrial relations, with extensive material on workplace disputes. This is particularly marked in the period after the Second World War, where the London docks had a very high profile because of the number of strikes and their importance to the national economy as the UK tried to regain its pre-war primacy as a trading nation. Here it is possible to see a consistent and deep-rooted view of casual labour as the cause - and decasualisation as the cure - for industrial problems. As Phillips and Whiteside show, casual employment in the docks was recognised as both a social evil (from the mid-1800s onwards) and an economic inefficiency in the overall labour market through underemployment and “wasteful employment practices”.<sup>18</sup> Its effects were famously condemned by the Shaw Report in 1920 as being “injurious to the interests of the workers, the ports, and the public, and...discreditable to society”, and thus recommended for abolition.<sup>19</sup> William Beveridge also argued forcefully against casual employment on both social and economic grounds,<sup>20</sup> although not all may agree with the remedy he proposed whereby any surplus labour after decasualisation might “have no choice but emigration”.<sup>21</sup> The introduction of the National Dock Labour Scheme (NDLS) in

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15 John Pudney, *London's Docks* (London: Thames and Hudson, 1975) pp. 172-176.

16 R. Douglas Brown, *The Port of London* (Lavenham, Suffolk: Terence Dalton, 1978) pp. 178 -190.

17 Gordon Jackson, *The History and Archaeology of Ports* (Tadworth, Surrey: World's Works, 1983) p.152.

18 G.A. Phillips and N. Whiteside, *Casual Labour: the Unemployment Question in the Port Transport Industry 1880-1970* (Oxford: Clarendon Press, 1985) pp. 1-36.

19 *Report of the Court of Enquiry into the Transport Workers Wages and Conditions of Employment of Dock Labour* (Shaw Report 1920, Cmd. 936), paragraph 17.

20 W.H. Beveridge, *Unemployment: A Problem of Industry (1909 and 1930)* (London: Longmans Green, 1930) pp. 101-110, 204-207 and 315-323.

21 *Ibid.*, p. 205.

1947, which codified the wartime arrangements for compulsory registration of dockers and provided security of employment and a guaranteed minimum wage even when no work was available, may be seen as a halfway house towards decasualisation, even if its complicated birth brought total satisfaction to neither employers nor workers.<sup>22</sup> Even with those developments, casual labour was still regarded as a core component of industrial disputes in some of the more general works on strikes in the late twentieth century, with Knowles seeing it as a “key feature of the docker’s industrial background” supporting his assertion that “dockers have of all sections been the most ready to strike”.<sup>23</sup>

In the more analytical approach of the American authors Kerr and Siegel, the dock workers’ propensity to strike derived from a combination of toughness, independence and the vagaries of casual employment,<sup>24</sup> a theme echoed by their countrymen Ross and Hartman whose international comparisons include the influences of communities and dissatisfaction with union hierarchies<sup>25</sup> which Hugh Clegg underlines in seeing the failures of unions to recognise and adapt to the changing environment of work and social attitudes.<sup>26</sup> Recognising the richness and variety of all of this material, Cronin has attempted to interpret these theories in the light of the “British Experience” but, arguably, the result has been to identify patterns rather than causes.<sup>27</sup> In those terms the comprehensive study of post-War strikes by Durcan et al.<sup>28</sup> is useful in its analysis of disputes in that period, and especially in its consideration of the impact of the reforms proposed in the Devlin report of 1965.<sup>29</sup>

The period after the war up to Devlin’s recommendations on decasualisation in 1965, also provides a rich vein of official enquiries and reports that identify a range

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<sup>22</sup> See Michael Jackson, *Labour Relations on the Docks* (Farnborough: Saxon House, 1973) pp.25-36 for a narrative of the events.

<sup>23</sup> K. Knowles, *Strikes, a Study in Industrial Conflict* (Oxford: Basil Blackwell, 1952), p.174.

<sup>24</sup> Clerk Kerr and Abraham Siegel, ‘The Interindustry propensity to Strike – an International Comparison’ in Arthur Kornhauser, Robert Dubin and Arthur Ross (eds.) *Industrial Conflict* (New York: McGraw Hill, 1954) pp. 189-212.

<sup>25</sup> A.M. Ross and P.T. Hartman, *Changing Patterns of Industrial Conflict* (London: Wiley, 1960) pp.39-44.

<sup>26</sup> H.A. Clegg, *The Changing System of Industrial Relations in Great Britain* (Oxford: Blackwell, 1979) pp.39-40.

<sup>27</sup> James E. Cronin, ‘Theories of Strikes: Why Can’t They Explain the British Experience?’ *Journal of Social History*, **12**, 2 (1978), pp. 194-220.

<sup>28</sup> J.W. Durcan, W.E.J. McCarthy, and G.P. Redman, *Strikes in Post-War Britain*. (London: George Allen & Unwin, 1983).

<sup>29</sup> *Final Report of the Committee of Inquiry under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry* (Devlin Report 1965, Cmnd.2734).

of factors including the disciplinary arrangements in the NDLS,<sup>30</sup> and the vexed question of whether overtime was voluntary or compulsory under the Scheme.<sup>31</sup> They focus also on indirect factors such as perceived communist influences,<sup>32</sup> internal and inter-union tensions, and the role of the 'unofficials'.<sup>33</sup> There is almost a consistency of presentation for many of these – a 'Civil Service' style that attempts to define the reasons for the disputes and to identify faults that might then be fixed by rational actions on the part of the various parties. An (unpublished) internal report by a group of civil servants in 1950 epitomises this approach – the officials attempting to understand the psyche of the docker so that they might then comprehend why a scheme of employment devised by those same officials and endorsed by various eminent persons might still be a cause of unrest.<sup>34</sup> The mass of official reports is almost matched by commentaries from authors with a specific focus on industrial relations in the docks. For example, Knowles's review of strikes in the docks touches on many of the key tensions, but although his analyses and diagnoses reach to the heart of the problem, his suggested remedies are few.<sup>35</sup> The works by Michael Jackson,<sup>36</sup> Roy Mankelov,<sup>37</sup> Jim Phillips,<sup>38</sup> and some North American academics,<sup>39</sup> have more contributions from individual primary sources, and so provide more richness – but with the challenge of how it might be possible to scale up the motivating factors that they identify from those sources to provide evidence of the sentiments of the labour force as a whole, and thus indicate a clear path for future remedial actions. In another publication Jim Phillips views dockers as

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30 *London Docks Dispute 1945. Report of Committee of Inquiry* (Ammon Report) (London: HMSO, 1945), paras 19 and 31.

31 *Interim Report of a Court of Inquiry into a Dispute in the London Docks* (Evershed Interim Report, Cmd 9302, 1954) and *Final Report of a Court of Inquiry into a Dispute in the London Docks* (Evershed Final Report, Cmd 9310, 1954).

32 *Review of the British docks strikes 1949* (Isaacs report, Cmd 785, 1949) para 87.

33 *Unofficial Stoppages in the London docks. Report of a Committee of Inquiry* (Leggett Report, Cmd 8236, 1951).

34 National Archives file LAB 101/74. Report of a working party of officials from the Ministries of Labour and Transport chaired by C W K MacMullan, 1950

35 Knowles, K., 'The Post War Dock Strikes' *Political Quarterly* **22**, 3 (1951) pp. 266-290.

36 M. Jackson, *Labour Relations* op.cit.,

37 Roy Mankelov, 'The Port of London 1790-1970'. In S. Davies (ed.) *Dock Workers: International Explorations in Comparative Labour History, 1790-1970*. (Aldershot: Ashgate, 2000) pp. 365-385.

38 Jim Phillips, 'Decasualisation and Disruption: Industrial Relations in the Docks 1945-79'. In Chris Wrigley (ed.) *A History of British Industrial Relations 1939-79: Industrial Relations in a Declining Economy* (Cheltenham: Edward Elgar, 1996).

39 Jean Trepp McKelvey, *Dock Labor Disputes in Great Britain: a Study in the Persistence of Industrial Unrest*. Booklet No.23. New York State School of Industrial and Labor Relations, (Ithaca, New York: Cornell University, 1953); Vernon Jensen, *Hiring of Dock Workers* (Harvard: University Press, 1964), and Vernon Jensen, *Decasualisation and Modernisation of Dock Work in London*. (ILR Paperback no. 9 Ithaca, NY: Cornell University, 1971).

almost a race apart, who “might be regarded as a distinctive group, characterised by peculiarities upon which broader conclusions about the position of manual workers cannot be drawn” where he suggests that “industrial and social relations after 1945 [were] clearly shaped by arrangements, practices, and prejudices inherited from the 1920s and 1930s”.<sup>40</sup>

Linking to these are those publications that focus more on the dockers and their attitudes to the work and conditions of employment. Here, R.B. Oram has some special value in his long time-horizon reflecting his work in the docks as a clerk and a manager, showing the challenges for the PLA as an employer and in managing the docks. It provides some key nuggets – on the ‘deal porters’ who unloaded the softwood cargoes in the Surrey docks, and who were worn out at age 40, and the much reproduced comment that dockers in the West India docks could be brought out on strike by “anybody with a cap and a choker, on a bicycle...shouting ‘they’re all out in the Royals’”.<sup>41</sup> The works by Colin J Davis (another North American author) and Stephen Hill give more detailed and penetrating appreciations of the dockers at work, with Davis’s comprehensive analysis of the London ‘Zinc Oxide’ strike of 1948 examining not only the reactions of Government and the unions, but also the role played by the ‘unofficials’.<sup>42</sup> What is perhaps most interesting about Fred Lindop’s paper on unofficial militancy is that most of the impact of the unofficials was small-scale: a “direct reflection of the concern of the men – piece rates and other questions which rarely went beyond a section of the port”.<sup>43</sup> Arguably, then, the most high-profile and successful instance of unofficial power (the ‘Zinc Oxide’ strike) would have had only limited spread without the much wider and deeper sense of unfairness that the workers felt about the disciplinary penalties imposed.

The biographical material from Jack Dash<sup>44</sup> and Bill Hunter, while unashamedly partisan, gives a very good flavour of the experiences of the workers, and their perceptions of the threats posed by mechanisation and containerisation with Hunter, especially, showing how the Communist Party was focused on attacking both

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40 J. Phillips, ‘Class and Industrial Relations in Britain: the ‘long’ Mid-century and the case of Port Transport c.1920-70’. *Twentieth century British History* **16**, 1 (2005) pp. 52-73, p.56.

41 Oram, *Dockers’ Tragedy*, op.cit, p.21 and 42.

42 Colin J. Davis, *Waterfront Revolts: New York and London Dockworkers 1946-1961* (Chicago: Illinois University Press, 2003) pp. 108-140.

43 F. Lindop, ‘Unofficial Militancy in the Royal Group of Docks 1945-67’ *Oral History and Labour History* **11**, 2 (1983) pp.21-33.

44 Jack Dash, *Good Morning Brothers*. (London: Mayflower, 1970).

management and the Transport and General Workers' Union (TGWU).<sup>45</sup> There have been significant additions to those personal memoirs in recent years, including books by A. E. Smith and Henry Bradford and the material collected by al Naib, all of which add greatly to an understanding of the people involved, working conditions in the docks, and the levels of skills and expertise required.<sup>46</sup> David F. Wilson's book adds yet more to the canon of knowledge: written by a former labour correspondent of *The Observer*, it includes significant material from newspapers and court reports as well as the standard range of published works, and so provides a UK-wide perspective and close-up analysis of the problems of industrial relations as a continuing theme in the post-war docks. He also focuses on the inherent defects of the NDLS, the inter-union tensions, the problems associated with mechanisation,<sup>47</sup> and the difficulties in implementing decasualisation following the Devlin reports.<sup>48</sup> Stephen Hill provides perhaps the closest observation of London dockers in the literature, showing the extent and value of the relationships and interactions between workmen and foremen, the problems of mechanisation in the smaller and older docks, and the reaction to decasualisation, albeit coloured by his comment on the attitude of the PLA where, after his completing preparatory and pre-interview work with PLA foremen, "the PLA management decided that it no longer wished to provide me with research facilities".<sup>49</sup> On the other hand the study by Liverpool University seems less relevant to London both in its initial limited observations in the Liverpool docks and then its detailed studies in the port of Manchester, which had a very different organisational and management structure to London and where, in contrast to the PLA, the dock owners engaged positively with the study teams.<sup>50</sup>

The material on trade unions provides another rich resource, and feeds into the story of industrial relations in the docks: Llewellyn Smith cites the "waterside porters

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45 Bill Hunter, *They Knew Why They Fought: Unofficial Struggles and the Leadership on the Docks 1945-1989* (London: Index Books, 1994).

46 A.E. Smith, *London's Royal Docks in the 1950's: a Memory of Dock Work* (Amazon, Privately published 2008), Henry Bradford, *Tales of London's Docklands* (Thrupp, Gloucestershire, Sutton Publishing, 2007), and S.K. al Naib, (ed.) *Dockland: An Illustrated Historical Survey of Life and Work in East London*, (London: North East London Polytechnic, 1988).

47 Devlin Report 1965, op.cit.

48 David F Wilson, *Dockers: The Impact of Industrial Change* (London: Fontana Books, 1972).

49 Stephen Hill, *The Dockers: Class and Tradition in London* (London: Heinemann, 1979) p.10.

50 Liverpool University, *The Dock Worker: an Analysis of Conditions of Employment and Industrial Relations in the Port of Manchester*. (Liverpool: University Press, 1956) p.15.

who performed in former times the work now carried on by the dock labourers“ as far back as 1302,<sup>51</sup> and the emergence of the two main groups of *Tacklehouse* and *Ticket* porters in the seventeenth century – the former being employers, the latter being greater in number but “having no voice in the management” – in effect, prototype master stevedores and labourers.<sup>52</sup> He notes the emergence of a system of employing casual workers, and the use of piecework and the “overplus” system, which would be an important feature of the ‘Great’ dock strike of 1889.<sup>53</sup> That strike is often seen as a seismic event in the history of trade unionism for the masses (as opposed to the organised craft societies and guilds), and Terry McCarthy’s work on this provides a useful synopsis of the history of the docks with a strong social perspective.<sup>54</sup> He focuses on the significance of the change in the public perception of the dock workers, where Oram also provides an important context, showing that “dockers’ wages that in 1802 had been 5½d [i.e. less than 2.5p] an hour never rose beyond this figure until the titanic struggle of 1889...[and that] from 1828 until the prosperous 1870s wages were steady at 4d [2p]”.<sup>55</sup> John Lovell’s analysis of unionisation around the turn of the nineteenth century and, in particular the industrial unrest in the docks in 1911 and 1912 introduces the problems of industrial relations as a *leitmotif* for any narrative about the London docks after this time until their closure.<sup>56</sup> The extent to which the events of 1889 truly frame the story of trade unionism is incidental to this thesis but an important feature is that the mass of workers was able for the first time to demonstrate their power and gain the support of the middle classes, and presages the increasing recognition of the dock workers as sentient beings by the Shaw enquiry and by commentators such as Phillips,<sup>57</sup> rather than the *lumpen proletariat* (despised even by Marx as “the social scum, that passively rotting mass thrown off by the lowest layers of the old society”).<sup>58</sup> As Bullock and then Hill show, the history of the trades union movement in the docks in the twentieth century is complex, marked by the creation of the Transport Workers’ Federation by Tillet in 1911 and the subsequent welding of the Federation and

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51 H. Llewellyn Smith, ‘Chapters in the History of London Waterside Labour’ *The Economic Journal*, 2, 8 (1892), pp. 593-607, p.600.

52 *Ibid.*, p.600.

53 *Ibid.*, p.601.

54 Terry McCarthy, *The Great Dock Strike 1889* (London: Weidenfeld and Nicholson, 1988).

55 Oram, *Dockers’ Tragedy*, op.cit., p.94.

56 John Lovell, *Stevedores and Dockers*. (London: Macmillan, 1969).

57 J. Phillips, ‘Class’, op.cit., pp. 52-53.

58 Karl Marx, *Manifesto of the Communist Party 1848*, p.20.

<https://www.marxists.org/archive/marx/works/download/pdf/Manifesto.pdf>



other unions and societies into the TGWU under Bevin in 1922.<sup>59</sup> Almost immediately, however, a breakaway union was formed, which also attracted some of the stevedores and dockers, and the story is then of continuing tension and discord between the TGWU and the National Amalgamated Stevedores and Dockers (NASD), which at one point resulted in the expulsion of the NASD from the Trades Union Congress for poaching members from the TGWU.<sup>60</sup>

Peter Turnbull (with or without his collaborators) has been one of the most prolific authors on dockworkers and industrial disputes, and in one paper has analysed strike activity in the period covered by this thesis.<sup>61</sup> His purview has extended to the wider UK docks industry (and sometimes the international scene)<sup>62</sup> as well as the London docks, with a focus on linking theoretical approaches to strikes with the factors such as the relationship with employers and the regulatory and employment structures in different ports. With David Sapsford he has argued that the absence of any permanent employment relationships (a core characteristic of the system of casual labour) militates against the resolution of emergent (chronic) disputes or the settlement of sporadic (acute) problems.<sup>63</sup> It has to be noted, also, that some of Turnbull's other analyses relate to the period after the closure of the Upper Docks in the Thames.<sup>64</sup> Matching this material are the publications on the relationship between Government and the trades unions, with both Tomlinson<sup>65</sup> and Allen<sup>66</sup> considering the tensions between the unions and the new Labour administration of 1945, mediated to some degree by the emergence of the principle of tripartism, involving a partnership between the Government, employers and the unions to maintain high employment, low inflation and economic growth. The difficulties of sustaining that principle in periods of economic downturns for both the Labour

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59 A. Bullock, *The Life and Times of Ernest Bevin*. Volume 1 (London: Heinemann, 1960) pp. 180-220 and Hill, *Dockers*, op.cit., pp. 127-129.

60 J. Phillips, 'The Postwar Political Consensus and Industrial Unrest in the Docks, 1945-55' *Twentieth Century British History*, 6,3 (1995), pp. 302-19, p.313.

61 Peter Turnbull, Julia Morris and David Sapsford, 'Persistent Militants and Quiescent Comrades: intra-industry Strike Activity on the Docks, 1947-89' *The Sociological Review* 44, 4 (1996) pp 710-745.

62 Peter Turnbull, 'Contesting Globalization on the Waterfront'. *Politics & Society*, 28, 3, (2000) pp. 367-391.

63 P. Turnbull, and D. Sapsford, 'A Sea of Discontent: The Tides of Organised and "Unorganised" Conflict on the Docks', *Sociology*, 26, 2 (1992), pp. 291-309

64 P. Turnbull, and S. Weston, 'The British Port Transport Industry: part 2. Employment, Working Practices and Productivity'. *Maritime Policy and Management* 20, 3, (1993) pp. 181-95 (and) P. Turnbull, P. and V. Wass, 'The Great Dock and Dole Swindle; Accounting

for the Costs and Benefits of Port Transport Deregulation and the Dock Labour Compensation Scheme'. *Public Administration*, 73, 4 (1995), pp. 513-534.

65 J.D. Tomlinson, 'The Iron Quadrilateral: Political Obstacles to Economic Reform under the Attlee Government' *Journal of British Studies*, 34, 1 (1995), pp. 90-111.

66 V.L. Allen, *Trade Unions and the Government*. (London: Longmans, 1960)

Government in 1945-51 and the Conservatives in the early 1950s are well shown by Davis Smith,<sup>67</sup> Keir Thorpe,<sup>68</sup> and Nigel Harris.<sup>69</sup> Matching this external discord are the internal and internecine difficulties faced by the unions: Goldstein presents an almost unique picture of the internal struggles of the TGWU in maintaining an effective link between its paid (unelected) officials and the realities of the docks as a workplace.<sup>70</sup> The connection to the tensions between the TGWU and the NASD (and the systemic problems with the NASD's 'over-democratic' decision-making) have been well mapped and analysed elsewhere.<sup>71</sup> Much of this material is linear: apart from Colin J Davis and Stephen Hill, many historians and, in particular, the official reports, have tended to follow earlier works, with other commentators focusing on casual labour as a major determinant in industrial disputes, although I have argued elsewhere that decasualisation was not the universal cure for labour problems in the docks.<sup>72</sup>

Finally, there are commentators on the effects of the closures: where the demise of the London docks and the associated job losses have not been viewed in the same terms as the closure of coal mines in the United Kingdom and the impact on the mining communities, where the effects were more boundaried and visible, and where alternative employment was scarce. So in Kerr and Gibson's work we see only the sketchiest outline of the "great artificial docks", from which "the freight ships disappear" – with no mention of the thousands who once worked there.<sup>73</sup> But with the docks went not only the jobs of the dock labour force but those in the supporting industries such as ship repairing and provisioning together with the ancillary services such as shops, pubs, restaurants and other facilities supporting day to day living and recreation. That loss is difficult to quantify with any precision in a period when many other industries in East London were also closing, but on Rule's

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<sup>67</sup> Justin Davis Smith, *The Attlee and Churchill Administrations and Industrial Unrest 1945-55: A study in Consensus*. (London: Pinter, 1990).

<sup>68</sup> Keir Thorpe, "'Rendering the Strike Innocuous' the British Government's Response to Industrial Disputes in Essential Industries, 1953-1955' *Journal of Contemporary History* 35,4 (2000) pp.577-600.

<sup>69</sup> Nigel Harris, *Competition and the Corporate Society: British Conservatives the State and Industry 1945-1964* (London: Methuen, 1972).

<sup>70</sup> Joseph Goldstein, *The Government of British Trade Unions* (London: George Allen and Unwin, 1952)

<sup>71</sup> see, for example, Thorpe *Rendering*, op.cit., p.590, Wilson *Dockers*, op.cit., p.168 and M. Jackson, *Labour Relations*, op.cit., pp. 61-68

<sup>72</sup> Michael Barram, *Was the Decasualisation of the London Docks after the Second World War the Holy Grail or a False God?* (Unpublished MA dissertation, Birkbeck University of London, 2014)

<sup>73</sup> Joe Kerr, and Andrew Gibson, (eds.) *London from Punk to Blair* (London: Reaktion Books, 2003) p.15.

computation more than 150,000 jobs were lost “in the dock boroughs” between 1966 and 1976.<sup>74</sup> Weightman and Humphries suggest that there might have been three jobs lost outside for every job lost within the docks,<sup>75</sup> but any effort to quantify that impact would be lost in the maelstrom of job losses in the wider London area from the mid-1960s onwards. As Marriott shows, this was exacerbated by “policies to encourage the movement of industries and people outside of London”, and by the fact that “the industries of East London, however, belonged to a different age and were in many respects living on borrowed time [so that] in the period 1965-75, East London lost 24,000 jobs in traditional manufacturing industries”.<sup>76</sup> It was not only the docks and the East Enders that were affected since “between 1971 and 2001 London lost a staggering 766,000 jobs in manufacturing as well as 55,000 in energy and utilities...and 67,000 in construction”.<sup>77</sup>

### **The Port of London up to 1940**

The story of the London Docks and their workers between 1940 and 1981 is burdened with the history of the Port before that period. Indeed, the last 40 years cannot be understood without tracing out key elements of the Port’s history from the beginning of the 20<sup>th</sup> century. There is a caveat about some of the data and commentaries: as Konvitz notes “material from the interwar period illustrates the neglect of port studies and, by implication, calls attention to shortcomings in earlier decades”.<sup>78</sup> The Port of London was seen and lauded as a successful enterprise in the period between the First and Second World Wars, and by 1939 seemed to epitomise a hugely important and financially successful undertaking handling more than 63 million tons of shipping year, and with a gross annual income of more than £6 million. At its inception in 1909 the PLA had assumed responsibility for 2,700 acres of waterfront and dock estates and 69 miles of the river,<sup>79</sup> and in the intervening period had added the massive new King George V (KGV) dock with “approximately three miles of unbroken quay”,<sup>80</sup> had undertaken a remodelling of the Royal Victoria dock, and created extensive additional facilities at Tilbury, so that

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74 Rule, *London’s Docklands*, op.cit., p. 312.

75 Weightman and Humphries, *Modern London*, op.cit., p.352.

76 Marriott, *Beyond the Tower*, op.cit., pp.342-5.

77 Weightman and Humphries, p.353.

78 Josef W. Konvitz, ‘The Crises of Atlantic Port Cities 1880 to 1920 ’ *Comparative Studies in Society and History*, **36**, 2 (1994), pp. 293-318, p.298n.

79 Arthur Bryant, *Liquid History: to Commemorate Fifty Years of the Port of London Authority* (London: privately printed, 1960) p.43

80 G. Jackson, *Ports*, op.cit., p.145.

it had an impressive and modern docks estate. The Port offered employment to more than 30,000 workers in the docks, warehouses and wharves,<sup>81</sup> and to many others employed on the river craft, and in river conservation. To the outside observer, the Authority owned that success, but the continuing increase in the total tonnage of vessels using the port and the efficient and quiescent workforce concealed a series of problems and defects in the Authority, with fault lines in each aspect of the organisation and its operations, and in the docks estate, its facilities and most of the workforce.

The PLA was the conception of the Royal Commission on the Port of London (RCPOL)<sup>82</sup> and its rationale can be summarised as being primarily to preserve the docks while protecting the interests of the shareholders of the old dock companies. But the reasons for the commercial problems of the old dock companies lay to a large extent in the over-provision of dock space and the limitations of size, access, and layout of the smaller docks. In order to acquire those assets and to protect the interests of the former shareholders the PLA was saddled with nearly £22 million of long term debt.<sup>83</sup> The Authority was a new venture “a self-governing public trust – an Edwardian and typically British compromise between the Regency and Victorian ideal of unrestricted private enterprise and the still untried twentieth-century Socialist ideal of untrammelled public ownership”.<sup>84</sup> But the port was not one holistic body, it comprised hundreds of different employers in the docks and on the riverside, with thousands of workers including office staff, ‘permanent’ (but easily dismissible) labouring staff, warehouse workers, casual labourers and river workers including self-employed lightermen, with outmoded and restrictive practices (on both sides). The new PLA directors came from competing commercial organisations and from public bodies, where too many different interests had to be brought into balance at the expense of proper commercial and strategic decision-making.

The history of the London docks from the construction of the first (West India) dock in 1800 has been covered by many authors,<sup>85</sup> with a consensus that the most

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<sup>81</sup> Although the London County Council data shows that the daily number employed in the docks (excluding Tilbury) during 1938 never exceeded 12,619 (London County Council *London Statistics Volume XLI (1936-38)* (London: LCC, 1939) p. 329.

<sup>82</sup> See the *Report of the Royal Commission on the Port of London* (Hereafter RCPOL) (Cd. 1151, 1902)

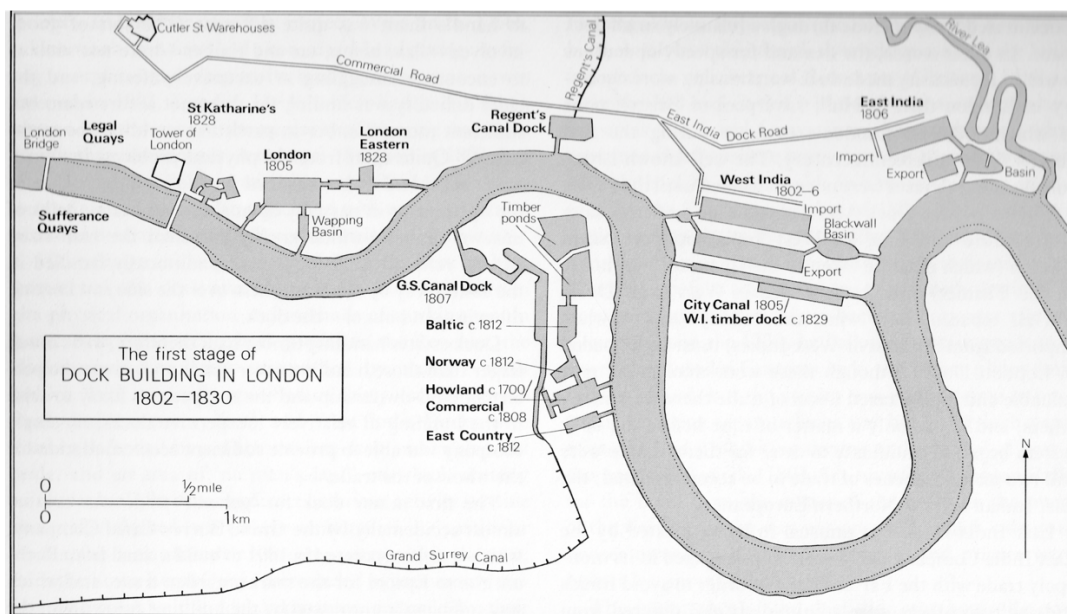
<sup>83</sup> Port of London Authority (Henceforth PLA) *Annual Report for 1910* (HC paper 318) p.21

<sup>84</sup> Bryant, *Liquid History* p.42

<sup>85</sup> In addition to those already cited, the seminal work is that of J.G. Broodbank, *History of the Port of London, Volumes I and II*. (London: Daniel O'Connor, 1921)

profitable period was the first half of the nineteenth century, when the trading position of the docks was protected by monopolies. The pattern of construction is shown below: ignoring the complex of docks on the south (Surrey) side of the river, which had more specialised trades, primarily in softwoods, the larger docks downstream handled the long-distance trade for the East and West Indies, which generally meant bigger ships. The smaller docks (closer to the merchants in the City of London) were more suitable for smaller ships and vessels of the coastal trade.

**Figure 1: London's Docks 1802-1830**



Taken from G. Jackson *The History and Archaeology of Ports* p.60

Perhaps the most obvious questions from this presentation are around the reasons for the construction of the St Katharine dock in 1828, which attracted much controversy about the demolition of properties and public buildings required for its construction, while the size and location of the dock were clearly disadvantageous. As early as 1862 Capper had noted that the dock “labours under a great disadvantage, in regard both to its water space and warehousing accommodation and...(because of the surrounding buildings) has no prospect of ever being able to

extend”,<sup>86</sup> while Jackson considers that the dock was “out of date before it was opened”.<sup>87</sup>

By the mid-1800s the docks companies faced the challenges of falling profits from the ending of their monopolies and of increasing ship sizes causing problems of access to the older docks, and so built new larger docks on greenfield sites with lower acquisition and construction costs, equipped with more efficient methods for handling cargo, whose operations also supported the financial burden of the smaller docks. The first of these was the 100-acre Victoria dock in 1855 which, with much easier access for larger vessels from the wider stream at Gallions Reach, was also better equipped to meet the new technological challenges by taking advantage of developments in areas such as the use of hydraulic power and the electric telegraph to improve communications. The next dock (the Millwall, 1864) was not a success: constrained operationally by being too far upstream, it “harassed existing companies without gaining much benefit itself”,<sup>88</sup> but was then followed by the Albert dock (87 acres, completed in 1880), next to the Victoria, and then the Tilbury dock (56 acres, completed in 1892): 20 miles further downstream and with excellent deep-water access. But, as Jackson shows, by the late 1890s London had too many docks, with fierce competition and price-cutting in the larger docks and with the older docks too small to handle the larger vessels that had come into service in the preceding decades,<sup>89</sup> so that the story is one of continually falling profits (with the London and St Katharine docks being the worst performers).<sup>90</sup>

At that time no moves seem to have been made to close or dispose of any of the smaller docks: this may have been because of the huge warehouses within the docks<sup>91</sup> which “contributed half of the gross revenues” of the London and India Docks company<sup>92</sup> and played an important part in storage for seasonal goods, or as a bonded facility for the entrepot function.<sup>93</sup> The warehouses also represented a competitive disadvantage in that the newer docks tended not to have warehousing

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86 C. Capper, *The Port and Trade of London: Historical, Statistical, Local, and General* (London: Smith Elder, 1862) pp. 161-2.

87 G. Jackson, *Ports*, op.cit., p. 62.

88 Pudney, *London's Docks* op.cit., p.95.

89 See G. Jackson, *Ports*, op.cit., p.73, and M. Ball and D. Sunderland, *An Economic history of London 1800-1914*. (London: Routledge, 2001) p. 223.

90 See Capper, p.163, and RCPOL *Report* p. 70 paragraph 147.

91 G. Jackson, *Ports*, op.cit., p.180 cites the St Katharine Dock as having 1¼ million square feet of storage and the London Dock as having 3½ million square feet.

<sup>92</sup> RCPOL *Report*, p.70, paragraph 146.

<sup>93</sup> Oram, *Dockers' Tragedy* op.cit., p.98.

facilities, so any goods unloaded there and requiring to be stored had to be taken (often in lighters owned by competitors) to the smaller docks. Alternatively, as Ball and Sunderland have suggested, the dock companies held onto their assets “more because of the sheer cost of converting the redundant dockland to any other urban use”.<sup>94</sup> From a current perspective, and with modern accounting practice, the dock estate inherited by the PLA was so diverse and so widely scattered that the obvious move would have been to rationalise it by closures. But the PLA preferred to maintain and preserve those huge assets, with the financing costs falling as interest charges on the Authority and thus on all of the port users irrespective of whether they used the facilities.<sup>95</sup> However, the Authority’s policy of investment in those facilities carried commensurate risks: the Tilbury dock extensions and passenger terminal cost nearly £3.8 million<sup>96</sup> but, as Jackson shows, the transatlantic liners, whose dimensions had defined the size of the facility were already destined for Southampton.<sup>97</sup>

There were other implications on ownership of assets: as Bird noted “even where the PLA and the shipping company have a long-term agreement over the use of a particular berth... the PLA retains the right to let the berth to other ships when the tenant’s vessels are not on the quay because the berths must be in use as continuously as possible”.<sup>98</sup> In addition, in the rare circumstances where the PLA leased facilities to the shipping companies this was generally on a (short) seven-year lease thus inhibiting investment by the shippers. In contrast, major users of Rotterdam were given long term (25 - year) leases that encouraged investment in facilities and mechanisation.<sup>99</sup> Nevertheless, prior to 1940 there had been some significant innovations in the London docks in the handling of specialised cargoes such as grain and frozen meat.<sup>100</sup> But more widespread mechanisation was difficult because of the variety of interests involved and the difficulty of obtaining consensus approval from shipowners and master stevedores – let alone the workforce.<sup>101</sup> Before leaving the question of capital investment it is salutary to note the

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94 Ball and Sunderland, *Economic history*, op.cit., p.8.

95 In this way London’s port charges would always appear to be higher than ports such as Rotterdam, which leased quay space to operators which then reduced the estate costs.

96 PLA *Annual Report for 1933*, (London: PLA, 1933) Accounts, p.6 table 5

97 G. Jackson, *Ports*, op.cit., p.146.

98 J.H. Bird, *The Major Seaports of Great Britain* (London: Hutchinson, 1963) p.366.

99 See R. E. Takel, *Industrial Port Development* (Bristol: Scientehnica, 1974) p.105: this represented the difference between Continental and British commercial practice.

100 See, for example, Asa Binns, ‘Mechanisation: mechanical handling of materials’, *PLA Monthly*, 6, (1931) pp. 207-213.

101 Hill, *Dockers*, op.cit., p.44.

construction of the PLA's massive headquarters building, opened by the Prime Minister on 17 October 1922. *The Times* contains two items about this event,<sup>102</sup> but neither has any reference to the cost of the new building, although later annual reports show the cost as being in excess of £1.3 million.<sup>103</sup>

In order to take over the assets of the old companies, the PLA was saddled with over £22 million of debt (£9 million at 3% interest, £13 million at 4%, all repayable in 90 years),<sup>104</sup> and with government control over a significant proportion of its revenues.<sup>105</sup> In considering how the new Authority should acquire the assets of the dock companies, the RCPOL had decided against raising capital to purchase them,<sup>106</sup> and recommended that the takeover should be funded by the issue of *Port Stock*, with interest guaranteed at such a level as to equate to the average total of dividends paid out by the three remaining companies in 1899-1901 (i.e. £690,605).<sup>107</sup> The stock would then be distributed to the shareholders of the dock companies so that "the pecuniary position of the present proprietors of the docks to be purchased should be rendered neither worse nor better".<sup>108</sup> At that time there were suggestions that the cost was far too high,<sup>109</sup> and there is a strong argument for that premise: the dividends paid by the companies had only been afforded by minimising expenditure on maintenance and repairs,<sup>110</sup> and by outsourcing labour costs.<sup>111</sup> In addition, the total sum of around £22 million gave a quasi-commercial valuation to the docks estate as a viable undertaking – a 'going concern' - but from another perspective the companies were close to bankruptcy, in which case the valuation of assets would have been very different. But whatever the true value of the docks, those interest payments would have a huge and continuing impact on the PLA's finances for the future because the first call on the Authority's income after payment of "working and establishment expenses", together with salaries and

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102 *The Times* 17 October 1922, p.13 'Port of London, a Great Public Building', and 18 October 1922, p.9. 'The Port of London, Opening of New Headquarters'

103 PLA *Annual Report for 1933*, Accounts, p.6 table 4.

104 PLA *Annual Report for 1910* p.4.

105 *Ibid.*, pp.9-10.

106 RCPOL *Report*, paras 278-281:

107 *Ibid.*, para. 286. Funding through Share capital would allow for discretion as to any dividends paid and would entail no liability for interest.

108 *Ibid.*, para. 278.

109 See Broodbank, *Port of London, Volume II*, op.cit., p. 339, and *Report of the Joint Select Committee of the House of Lords and the House of Commons on the Port of London Bill together with the Proceedings of the Committee, Minutes of Evidence and Appendices* (House of Commons Paper 288, 1908) *Question 1617*, 18 June 1908, and *Questions 5723, 5480 6093, 6132, and 6408*, 7 July 1908.

110 Broodbank *Port of London, Volume I*, op.cit., p.211.

111 RCPOL *Minutes of Evidence*, (Cd.1152, 1902) p.314, Question 5823.



superannuation was the interest on that debt.<sup>112</sup> In essence, the arrangements for financing the PLA provided a wonderful opportunity for investors to replace their holdings in company shares of very questionable long-term value, by an income stream that might offer a lower return – but at much lower risk.

The PLA had four main sources of income: dock Dues in the form of tonnage charges for vessels using the docks and the river; stevedoring and warehousing charges for goods loaded and offloaded over their quays, licensing charges for the lighters and barge operators, and port Rates, applied to all imports and exports. These last two charges represented a compromise solution to the financial impact of the ‘free water clause’, which is considered in more detail below, and needed to be agreed with the Board of Trade, and Parliament<sup>113</sup> – which of course allowed for any interested parliamentarian to intervene either on his own behalf or as representing some other interest – for example his constituents if he were one of the Members for the City of London.

The PLA was thus constrained in terms of both financing and income and, lacking the facilities enjoyed by commercial companies to issue equity shares, could only fund new capital works from internal revenues or by the issue of more Stock. Its commercial strategy would perforce have to be to seek to minimise operating costs while maximising volume and it would face particular challenges during any downturn of trade. Following this strategy the gross traffic of the port grew from 40 to 62 million tons between 1911 and 1938, although that ‘headline’ figure can be misleading in a number of ways, since it includes cargoes (including coal and, later, oil) which were not handled through the docks or (general) commercial wharves. A more relevant indicator is the tonnage handled in the docks, rivers and wharves, which (using PLA data) grew from 30 to 45 million tons in the same period.<sup>114</sup> Comparisons with national and international competitors are complicated by differences in the comparators: Bird, using data for ships arriving with cargo or in ballast, suggests that London handled about 31 million tons (mt) annually in 1936-38.<sup>115</sup> In contrast, Morgan’s table of international volumes in 1938, based upon data for imports and exports, show New York at 57 mt, followed by Rotterdam and

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112 Port of London Act 1908 (8 Edw. 7, Ch. 68) Section 21 (2).

113 Ibid., Section 13 (2) and Schedule 4.

114 *PLA Annual Reports for 1911* (HC Paper 341), 1925 (London: PLA, 1925) and 1938 (London: PLA, 1938).

115 Bird, *Major Seaports* op.cit., p.24.

London at around 42 mt, significantly ahead of Hamburg (26mt) and Antwerp (25mt).<sup>116</sup>

More significant for this study is the fact that although the docks handled about 60% of the traffic paying port dues in both 1911 and 1938 (with the remaining 40% handled by the (competitor) wharves), the volume handled by the PLA itself over its dock quays remained at around 3 million tons – i.e. decreasing from around 10% to 6% of the traffic paying port dues. But while there is a plethora of data about the finances and operations of the PLA as the owner of the Port, the labour force that handled the cargoes (whether employed by the PLA or by others) has little visibility, although Pudney suggests that the main workforce of registered dock workers diminished in numbers from 52,000 in 1920 to 34,000 in 1937.<sup>117</sup> At first reading this represents a significant increase in productivity, probably underpinned by some degree of mechanisation although there might also have been some benefit from a more quiescent workforce, bruised by the failure of the General Strike in 1926 and the depression of the early 1930s, which mustered only three industrial disputes in the decade.<sup>118</sup>

The PLA's financing arrangements were such that it had minimal capital reserves, so that funding works such as the KGV dock, its new Headquarters and the Tilbury extensions required the issue of more interest-bearing stock (reflected in increased charges to all the port users). In consequence, the lower costs that enabled the port to compete with its national and continental competitors necessitated continual downward pressure on the only other cost variable – that of labour. There was a further question of who would benefit from any capital works: if these were for general docks maintenance or improvement it would be appropriate for all users to meet the costs through the Port rates. But individual companies might argue that they would obtain no benefit from a specific project, a point that is particularly evident in relation to the lack of provision of toilets and washing facilities for workers that were so much criticised in later years.<sup>119</sup> Nevertheless, the port provided a huge range of jobs and incomes: by the late 1930s more than 30,000 workers were

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116 F.W. Morgan, 'Rotterdam and Waterway Approaches to the Rhine' *Economic Geography*, **24**, 1 (1948), pp. 1-18, p.3.

117 Pudney, *London's Docks*, op.cit., p.164.

118 See *The Times*, 16 June 1933, p.11, 'London Dock Strike settled'; 16 May 1934 p.13, 'Spread of London Dock Strike', 21 May 1934, p.10, 'London Dock Strike', 23 May 1934, p.12; 'London Dock Strike, negotiations for settlement', and 9 May 1935, p.18, 'London Dock strike settled'.

119 Leggett Report, paras 83-89

entered in the Register of dock workers, serving the docks and warehouses, working on the 350 tugs and nearly 9,000 barges and lighters, or employed in the hundreds of riverside wharves, from Brentford, 17½ miles above London Bridge to the huge oil jetties more than 30 miles downstream.<sup>120</sup> The continual growth of traffic had allowed the PLA to maintain and develop its estate (and masked the subsidisation of the older docks) and that period represented a high point in the work of the Port, with major improvements to the Victoria dock and in mechanised systems for handling bulk cargoes in addition to further new works at Tilbury.<sup>121</sup> London still retained its supremacy among UK ports: the only real competitor being Liverpool, but with London continually widening the gap in terms of exports, imports, and value of trade.<sup>122</sup> In addition, London also benefitted hugely from its functions as an entrepôt – that is where imported goods could be stored under bond and re-exported - and as one of the major centres of the international wool trade and for the blending and re-export of tea.<sup>123</sup>

The following table compares the main income streams for the PLA in 1911, 1925, and 1938 as a simple time series that ignores inflation or any effects of variations in world trade:

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120 Bird, *Major Seaports*, op.cit., pp. 393-398 and 422.

121 See Pudney *London's Docks*, op.cit., pp. 164-166, and Bryant *Liquid History*, op.cit., pp.47-49.

122 G. Jackson, *Ports*, op.cit., p.167

123 See Maizels. A., 'The Sources and Nature of Statistical Information in Special Fields of Statistics: The Oversea Trade Statistics of the United Kingdom' *Journal of the Royal Statistical Society*. Srs A **112**, (1949), pp. 207-223, p.210, and Douglas Brown, *Port of London*, op.cit., pp. 94-104

**Table 1: Comparison of traffic and finances for the Port of London 1911-1939**

	1911	1925	1939
<b>Volumes of traffic (million tons)</b>			
Total tonnage	39.5	45.4	62.1
Tonnage paying port dues	29.4	34.6	45.7
Shipping using river	11.3	12.6	19.4
Shipping using docks	18.1	21.8	26.3
Tonnage handled by PLA	2.9	3.0	2.8
<b>PLA financial data</b>	(£000)	(£000)	(£000)
Total Income	2,873	6,430	6,132
Total Expenditure	1,878	4,936	4,439
Surplus on operations	995	1,494	1,693
Interest on Port Stock	(810)	(1,184)	(1,210)
Other adjustments	(200)	214	(142)
Net Income	(15)	524	341

Source: PLA Annual reports 1911, 1925 and 1939

It is not possible to apply even the simplest of modern commercial performance metrics, such as 'Return on Investment' to the data because the original capital assets were held on the books at 1909 valuations, with other assets being held at the values when acquired, and no provision being made for depreciation. But at the lowest level, the PLA made only a few hundred thousands of pounds of net profit in each year up to 1939, while the stock holders gained millions, and if provision had been made for the costs of depreciation, the PLA would have shown a loss in every year.

In addition to the docks, the PLA's responsibilities on the river included the licensing of the watermen, navigation and safety, including pilotage, dredging and pollution control, passenger transport and recreational usage. The initial reports of the Authority give no indication of how these facilities, people, organisations and responsibilities were to be brought together, although Oram's appreciation is that little formal integration took place.<sup>124</sup> Reflecting this wide spread of responsibilities, the governing body (the 'Authority' itself) originally comprised 28 members from two main groups – 18 "elected" members representing the shipowners, wharfingers and

<sup>124</sup> Oram *Dockers*, op.cit., pp. 6-7 and 11.

river users, and 10 “appointed” members from Government Departments, the London County Council (LCC) and the City Corporation, with one being a “representative of labour”.<sup>125</sup> The most obvious question arising from this structure is about the extent to which these persons would be able to separate their roles and functions within the PLA from their own personal or business interests. This may all be seen in the context of the rather simplistic statement by the Parliamentary Secretary to the Board of Trade (later to become Lord Devonport and first Chairman of the PLA) in the debate on the Second Reading of the PLA Bill in the House of Commons:

We do not want men to come and take a hand in the management and direction of the port merely as trade delegates and as representing sectional interests. We want them to come there imbued with the idea that it is their duty to contribute what they can in the way of management to the development of the port for the common good of all and in the interests of all trades.<sup>126</sup>

Precisely how the Authority’s members might achieve that aspiration is unclear, and in February 1920, in his evidence to the Shaw Enquiry, Ernest Bevin, the Assistant General Secretary of the Transport Workers’ Federation, was to use the example of the Chairman of the Authority to pick up on the question of separation of interests:

I am glad to have found a super-man who can abstract himself from his 280,000 shares in Kearley and Tonge and the International Tea Stores, and all that that means in money and in goods going to those firms passing through these ports—who can abstract himself from any of those influences and look after the interests of the great public.<sup>127</sup>

The minutes of the Authority’s meetings show how power was concentrated within such a large Board: the management of the organisation was undertaken through a set of Committees covering, for example, Works, Docks and Warehouses, and Finance,<sup>128</sup> whose recommendations were often approved by the Authority without recorded discussion. In 1911 a much more powerful committee – the General Purposes Committee (GPC) - was set up “to deal with broad questions of policy affecting the working of the undertaking, the development of facilities in the Port, the appointment of chief officers, and matters not specially delegated to other

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125 Port of London Act 1908, S.1 (5) and (6).

126 House of Commons *Hansard*, 6 May 1908, col 268-270.

127 *Shaw Report*, pp. 30-31.

128 *PLA Annual Report for 1910*, p.5.

committees”.<sup>129</sup> The members of the GPC were the chairmen of all the other Committees, making it by far the most powerful group within the management structure, and the Chairman of the Authority was the Chairman of the GPC.

The PLA Archives provide little actual evidence of how the Authority functioned as a business, but do indicate one area of concern to the financial managers, and why the PLA chased volume: a briefing note prepared for the Vice Chairman (apparently by the Chief Accountant) ahead of the meeting of the Finance Committee on 27<sup>th</sup> June 1938 reads:

the time is imminent when some consideration should be given to the long-term financial position of the Authority.... The current accounts show a debt service charge of £1,450,000 which is more than 25% of the total annual revenue and is, of course, considerably higher than one would expect in a commercial or trade undertaking. The ability to earn this large sum and its effect on the charges for handling goods and ships is to some extent offset by the revenue which the Authority receives from Port Rates<sup>130</sup>, but if the trade of the Port does suffer any decline this form of support (which is practically all net revenue) will likewise decline.<sup>131</sup>

There is no evidence in the minutes of either the Finance Committee or the General Purposes Committee that any action was taken on this note.

Watson notes that “the PLA was for decades a highly structured and hierarchical organisation [which] inherited many working practices and traditions from the old dock companies as well as the Thames Conservancy”, where former company loyalties and cultures still prevailed.<sup>132</sup> R B Oram, who worked in the PLA from 1912 to 1956, shows the PLA to have been an amalgam – i.e. a combination of diverse elements - rather than a merger of the dock companies, and asserts that “not until the Second World War were the traditional methods of the old Dock Companies finally eradicated”.<sup>133</sup> It would appear that the attitude of some staff towards modernisation almost mirrored that of the more obdurate dockers where: “modernisation of one major dock was apparently delayed for several years until the retirement of the incumbent dock superintendent, who was known to have little

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<sup>129</sup> PLA *Annual Report for 1911*, P.11.

<sup>130</sup> Estimated at that time as £810,000 p.a. (PLA *Annual Report for 1938*, Accounts, p.8)

<sup>131</sup> Folder in the copy of PLA *Annual Report for 1938* in MLD archives

<sup>132</sup> Watson, *Port of London Authority* op.cit., pp. 164-171.

<sup>133</sup> Oram, *Dockers' Tragedy*, op.cit., pp. 6-7.

appetite for it".<sup>134</sup> It is also possible to visualise the Authority acting almost in the manner of a traditional country landowner: Hill noted that the PLA "was a large bureaucracy which was only partly concerned with operational work in the docks. Its main tasks were to maintain the river and dock infrastructures".<sup>135</sup> And as Oram stated "I could count on the fingers of one hand the occasions when top management ever visited the docks to watch the activities over which they wrangled for so many hours in Leadenhall street".<sup>136</sup> One example may encapsulate the problem: the PLA's Annual Report for 1960 records the retirement of Captain Ion Hamilton Benn from the Authority. This is the same Hamilton Benn who was first appointed to the Authority in 1909, as evidenced by the statement that he had served for 52 years<sup>137</sup>. Benn was appointed by the Board of Trade as a person "having knowledge or experience of trade or shipping in the Port of London". He died at the age of 98 a few months after leaving the PLA.

There was a further systemic problem from the Act, the continuation of the "free water clause" that had been included in all of the nineteenth century statutes authorising the construction of docks in London. This guaranteed the rights of lightermen to "convey, deliver, discharge, or receive...goods to, or from on board of, any Ship or Ships, Vessel or Vessels" free from any rates or duties when in the docks<sup>138</sup> – and of course they paid no charges for using the river. This 'free water clause' was not seen as onerous in the early years of operation of the docks, but by the turn of the century was seen by the dock companies as a huge drain on their income. In evidence to the RC POL the dock companies estimated the costs of the free water clause as £234,083 p.a., based upon £50,000 for locking in and out, and £184,083 for the loss of quay dues.<sup>139</sup> A second and larger impact derived from a corollary of the Free Water clause: ships in the docks could load or unload overside into lighters which transported goods to or from the river wharves, rather than over the dock companies' quays. These riverside wharves, both the long standing Legal Quays<sup>140</sup> and the Sufferance Wharves established in the later centuries, multiplied in the second half of the nineteenth century with the relaxation of customs duties.<sup>141</sup>

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<sup>134</sup> Watson, *Port of London Authority* op.cit., p.53.

<sup>135</sup> Hill, *Dockers*, op.cit., p.10.

<sup>136</sup> Oram, *Dockers' Tragedy*, op.cit., p.188.

<sup>137</sup> PLA *Annual Report for 1960* (London: PLA, 1960).

<sup>138</sup> e.g. 39 Geo. 3 Cap.69, An Act for Rendering more Commodious, and for Better Regulating, the Port of London (1799) Clause CXXXVIII.

<sup>139</sup> RC POL *Minutes of evidence* p.313, Question 5785.

<sup>140</sup> Established following 1 Elizabeth c.11, An Act Limiting the Times for Laying on Land Merchandize from Beyond the Seas, and touching Customs for Sweet Wines.

<sup>141</sup> Following 16 and 17 Vic c. 107 Customs Consolidation Act (1853).

Being mostly land warehouses, few had required anything approaching the huge capital expenditure for construction of the docks, and were able to charge much lower rates. Although the RCPOL had no published data for this commerce, one witness estimated that the value of the wharves would be £13,141,233, and on the assumption that the wharves yielded a 5% return on that capital value he derived a figure for earnings of £657,051.<sup>142</sup> On a simple computation (and bearing in mind the uncertainty around both of those estimates) the potential loss of business to the PLA from the lighters and the wharves after its establishment would be around £900,000 p.a.

The RCPOL found itself unable to recommend the abolition of the Free Water clause, but the Port of London Act went some way to meeting the complaints of the dock companies in allowing the Authority to impose Port Rates on all exports and imports handled in the docks or on the river (subject to Parliamentary approval of the charges), and it was given control of the licensing of the barges used by the watermen so that they might “henceforth make a moderate contribution towards the revenue of the port...(and) the Authority might without undue pressure upon trade levy upon those barges a not inconsiderable sum”.<sup>143</sup> In the Authority’s Annual report for the year ended 31<sup>st</sup> March 1914, Port Rates yielded £343,550, and the licensing £13,026,<sup>144</sup> so that if the earlier estimate of the gross losses of revenue to the wharfingers and lightermen as around £900,000 p.a. was correct, there would be a significant hidden on-going subsidy, initially in excess of £500,000 p.a., to the PLA’s competitors.

The figure given most prominence in the PLA’s reports for many years was of the total tonnage of vessels through the Port, with frequent comparisons to the traffic of its international competitors, perhaps representing what would now be termed a key performance indicator. Part of the problem in attempting to establish valid international comparisons is the complexity of the data,<sup>145</sup> but using Morgan’s computations of sea-borne trade in 1938 noted above, London and Rotterdam were more or less equal at around 42 million tons.<sup>146</sup> Bearing those complexities in mind, a comparison with the data in the RCPOL report from 1902 appears to show that

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142 RCPOL *Minutes of Evidence*, p.123, Question 2591 and Appendices to Minutes of Evidence p. 217.

143 RCPOL *Report*, paragraph 303.

144 PLA *Annual Report for 1914*. p.19.

145 Morgan, ‘Rotterdam’ *op.cit.*, p.3.

146 *Ibid.*,



Rotterdam was handling approximately five times as much traffic in 1938 as in 1899, while London was handling less than three times as much.<sup>147</sup> The reasons for such a divergence are complex and manifold, in some respects reflecting the attractiveness to shipping of better access – the transit time from the North Sea to Rotterdam being less than two hours along a waterway with a minimum depth of 33 feet, together with a tidal rise of less than 6 feet<sup>148</sup> (compared to the twenty-mile transit from Tilbury and a mean tidal range for the Thames of 18 feet at London Bridge<sup>149</sup>) which removed any need for the locked wet docks necessary in the Thames. Other factors include the better cargo handling facilities constructed by shipowners on quay areas provided on long leases from the port Authority, and the transit trade to the developing Benelux and German domestic and industrial hinterlands via much larger barges (up to 3,000 tonnes)<sup>150</sup> compared to the Thames lighters' pre-war average of 112 tons and maximum of 400 tons).<sup>151</sup> In addition, as Kreukels and Wever point out, there was a perceived coincidence of interests in Holland between the port, the municipality and the nation that enabled a faster response to changes in shipping trends where “measures based on these trends were implemented fast...and were mostly supported by national government”.<sup>152</sup>

## Industrial Relations

Oram notes that “the [industrial relations] climate in the decade preceding the Second World War was favourable to discussion and compromise...[and] casual labour was in a more reasonable state of mind than that of the ten years immediately following the First War”,<sup>153</sup> a picture borne out by official data.<sup>154</sup> It is possible that there was indeed some degree of “discussion and compromise” but, as Wilson shows, the Depression of the mid-1920s had brought dockers' earnings back to the levels prevailing before the Shaw enquiry,<sup>155</sup> and the unions were facing

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147 RCPOL *Report*, pp.18-19.

148 Morgan, 'Rotterdam' op.cit., p.4.

149 Bird, *Major Seaports* op.cit., p.352.

150 Frans Posthuma, 'Rotterdam Europort' *Ekistics*, **28**, 168, (1969), pp. 345-347, p.345.

151 Bird, *Major Seaports*, op.cit., p.393 and John Jupp, 'Some personal reflections in London's lighterage Industry' in S.K. al Naib, (ed.) *Dockland: An Illustrated Historical Survey of Life and Work in East London*, (London: North East London Polytechnic, 1988), pp. 177-186, p.181.

152 Ton Kreukels, and Egbert Wever, 'Dealing with Competition: the Port of Rotterdam' in *Tijdschrift voor Economische en Sociale Geografie*: **87**, 4 (1996) pp. 293-309, p.299

153 Oram, *Dockers' Tragedy*, op.cit., p.134.

154 Ministry of Labour *Gazette* Vols. **43**, (1935) p.168; **44**, (1936) p.161; **45**, (1937) p.214; **46**, (1938) p.214, and **47**, (1939) p.160

155 Wilson, *Dockers*, op.cit., p.79.

challenges of amalgamation (TGWU) and splintering (NASD and the Scottish TGWU).<sup>156</sup> The quietude of the workforce may also have reflected the consequence of the introduction of State-funded unemployment pay following the National Insurance Act of 1911, and the relaxation of the stringent conditions of entitlement in 1928 that would have contributed to the reduction of hardship for casual workers unable to gain full time employment.<sup>157</sup>

The PLA was apparently more concerned with its real estate and with traffic volumes than its human capital, this being more or less a continuation of the management philosophy of some of the old dock companies. For example, in his evidence to the RCPOL, the Chairman of the London and India Docks Company, had explained that the reason why the company's wages costs had fallen compared to 10 years previously was that:

Up to the year 1890, we did all our discharging in the docks, and...worked the cargo out of every ship that came into the dock, [but then] we came to an arrangement with the steamship owners, under which we gave up all that work. We immediately threw over an enormous amount of labour, which we no longer paid.<sup>158</sup>

That "enormous amount of labour" was then (if lucky) employed either by the shipowners or by Master Stevedores – but almost entirely as casual labour. It is important to recognise that this was by a commercial choice rather than an inevitability: as Henderson and Palmer and then Makepeace have shown, it was possible for nineteenth century employers of labourers in the docks and warehouses to adopt employment practices that were paternalistic yet combined efficiency and discipline, and a concern for employee welfare.<sup>159</sup> Perhaps the real reason does lie elsewhere, for example in Ben Tillett's evidence to the Select Committee on Sweating in 1888, he asserted that responsibility for almost all of the docks work had been handed over to sub-contractors to avoid the liabilities of

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<sup>156</sup> Ibid., pp. 79-81.

<sup>157</sup> Sam Davies, "Three on the Hook and Three on the Book": Dock Labourers and Unemployment Insurance between the Wars' *Labour History Review* **59**, 3 (1994) pp. 34-43.

<sup>158</sup> RCPOL *Minutes of Evidence*, page 314, Question 5823

<sup>159</sup> Anthony Henderson and Sarah Palmer, 'The Early Nineteenth Century Port of London: Management and Labour in Three Dock Companies 1800-1825', in Ville, Simon, and Williams, David, (eds.) 'Management, Finance and Industrial Relations in Maritime Histories: Essays in International Maritime and Business History' *Research in Maritime History* **6** (1994) pp.31-50 and Margaret Makepeace *The East India Company's London Workers: Management of the Warehouse Labourers, 1800-1858* (Woodbridge: Boydell, 2010).

employers under the Employers' Liability Act,<sup>160</sup> because, in effect, sub-contractors were men of straw and could not be sued or prosecuted.<sup>161</sup>

Broodbank had shown prescience in regard to this fragmentation of responsibilities: "there will be no final solution of the dock labour problem until the Port of London Authority reverses the decision of the Joint Committee and again undertakes all operations in the docks, including the stevedoring work of loading ships as well as discharging ships."<sup>162</sup> But the PLA did not reverse that decision (until forced to do so when the stevedoring companies collapsed in the 1970s), and for decades was responsible for managing a port with hundreds of large and small operators employing thousands of workers. But different employers had different interests – the major shipowners might want investment in new berths or in automated handling, the warehouse owners might be concerned with security, transport or other "shore based" issues, and the smallest master stevedores would have only the limited horizon of a few jobs. This last group might also lack any form of personnel management skills or training, and perhaps be unfamiliar with emerging technologies. The key factor for them was that the system gave the absolute minimum of overheads – no costs for engagement or termination, training, administration or personnel management, and, finally, no pensions or sick pay. Indeed, as the Maclean committee showed, the costs of sick pay for casual dock workers had been handed over to the taxpayer,<sup>163</sup> and although in part this was seen as open to abuse by the dockers themselves,<sup>164</sup> it was also a means for the employers to maintain a reserve of casual labour at no cost.<sup>165</sup>

As the owner of the dock estate the PLA had a *de facto* lead responsibility within the docks in industrial relations. Although it employed only part of the London dock labour force, its stance as both a large employer and the owner of the dock estate made it the leader in industrial relations: a position exemplified in Lord Devonport's statement to the Shaw enquiry that "the whole of the employers of the port...have

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160 43 & 44 Vict. c.42 An Act to Extend and Regulate the Liability of Employers to make Compensation for Personal Injuries suffered by Workmen in their Service (1880).

161 *Second Report of the Select Committee of the House of Lords on the Sweating System, together with Minutes of Evidence 1888*, House of Commons Paper 448, p.117, Question 12600.

162 Broodbank, *Port of London Volume II* op.cit., p.259.

163 *Report of the Committee on Port Labour*, (Maclean Report) (London: HMSO, 1931).

164 Davies, 'Three on the Hook', op.cit., p.36.

165 Royal Commission on Unemployment Insurance: *Final Report*, (Cmd 4185, 1932), paragraph 143.

always looked to us as...the heavy father of the port".<sup>166</sup> But that was not necessarily a good paternalistic model: the Authority had inherited 5,314 permanent labourers from the old dock companies at its formation,<sup>167</sup> and an obligation under the 1908 Act to "take such steps as they think best calculated to diminish the evils of casual employment, and to promote the more convenient and regular engagement of such workmen or any class thereof".<sup>168</sup> The PLA's reaction was to implement a scheme in 1914 to meet that obligation by reducing the number of permanent workers to 3,000 plus an unspecified number of 'preference' labourers, and terminating any existing pension rights.<sup>169</sup> Those changes "would reduce casual employment to a minimum so far as the Authority are concerned, But further than that nothing beyond what is possible from the force of example can be done by the Authority [i.e. in respect of other employers] with their present limited powers".<sup>170</sup>

By 1927 the PLA's total labour force had grown to 5,820 out of a registered workforce of 52,000 in the docks, but with "the majority being on the Permanent List and employed in the Warehouses",<sup>171</sup> so that the port owner employed only about one-tenth of the dock workforce, and yet when those workers struck in 1924 over the proposal to reduce wages by two cuts each of 1s (5p) per day, "a meeting with representatives of the Union took place ...with Lord Devonport as President of the National Council of Port Employers in the Chair".<sup>172</sup> The PLA's attitude towards the labour force is also exemplified in the way that Lord Devonport (chairman from 1909 to 1925) "talked right up to his retirement in 1925 of having starved the dockers into submission (in 1911/12)".<sup>173</sup> That approach seems not to have changed much over time, so that in May 1939 "benevolent allowances" were "granted during pleasure" to 14 weekly paid employees – mainly permanent labourers – "who, by reason of old age or infirmity, are unfit for work", all in the sum of 7s 6d (37½p) per week.<sup>174</sup> This compares to the simultaneous awards to four Constables of the Royal Docks Police with average ages of 52, and length of service of 26¾ years, who were to receive an average pension of 32s 6d (£1.62½ p) per week.<sup>175</sup> The reluctance of

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<sup>166</sup> *Shaw Report, Minutes of Evidence*, p. 343.

<sup>167</sup> *PLA Annual Report for 1911*.

<sup>168</sup> Port of London Act 1908 Section 28 (1).

<sup>169</sup> The benefit for the PLA being that any allowances granted on retirement would be conditional upon good behaviour, and so could be withdrawn at any time.

<sup>170</sup> *PLA Annual Report for 1914*, (HC paper 422) pp.3-4.

<sup>171</sup> *PLA Annual Report for 1927*, (London: PLA, 1927) p.9.

<sup>172</sup> *PLA Annual Report for 1924*, (London: PLA, 1924) p.5.

<sup>173</sup> G. Jackson, *Ports*, op.cit., p.164.

<sup>174</sup> *PLA Archives Minutes of the Port of London Authority* 11 May 1939, p.40.

<sup>175</sup> *Ibid.*,

older dock workers to give up any chance of a day's work (as seen in later years in the 'ineffectives' strike)<sup>176</sup> might well have derived from this treatment.<sup>177</sup>

The context of the problem of industrial relations in the London docks is thus emerging: there were indeed some difficulties with the workforce both from history and culture, particularly in terms of the system of casual employment. But there was no evidence of any attempts to invest in the workforce, with real problems of casual management, and little to show the even the PLA regarded its own docker workforce as meriting investment or care.<sup>178</sup> Compounding these were problems with the system of piecework and its manifold separate rates, so that with these conditions, it would be likely – as in fact transpired – that although the PLA was both the custodian and main influence in the docks, it would fail to take any leadership role in developing strategies to counter the continuing problems of industrial relations after the War.

### **Summary: The Port of London in 1940**

In 1940 the Port of London appeared to be a successful and profitable organisation with extensive modern assets and a flexible, compliant, and effective work force. But the success was illusory in almost every respect, and the weaknesses would become very apparent when the port was faced with the challenges of the post-war era and, in particular, the industrial disputes that would erupt among the hitherto quiescent workforce. Some of those weaknesses were part of the very kernel of the port's owner: the PLA's governing body was large and unwieldy and the Directors were not picked for their skills in business but were elected by outside interests (often in competition with the PLA's interests), or appointed by Government or other bodies.

The Authority's funding arrangements were restrictive, with the requirement to meet interest payments on the Port Stock being paramount. The need to issue more Stock to fund major capital works involved increased interest costs, requiring an

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176 Leggett Report, 1951, p.37.

177 Colin J. Davis, *Waterfront Revolts*, op.cit., pp.180-183.

178 In considering the reasons for industrial disputes it is salutary to compare the PLA's approach to that of the Port of Rotterdam, as shown in Vernon Jensen, *Dock Workers*, op.cit., pp 217-250, where the municipality owned the port, but there had been significant private development of the dock facilities (p.218), and the central employment office, the *Centrale Voor Arbeidsvoorziening* was involved in medical care, training (p.241) and (after 1949) pensions (p.227). In addition, all firms employing more than 25 workers had to have Works Councils ensuring employee involvement in areas such as safety. (p.229).

uplift in charges (unless more traffic could be brought in) and a bearing down on labour costs. Alongside all of this the Free Water clause and the existence of the wharves ensured the commercial viability and continued existence of competitors within the port. The PLA's operational strategy focused on maintaining the size of the dock estate and chasing volume to increase revenue. But in protecting its fixed assets it failed to properly accommodate the developments in the shipping industry that had already shown how long-life structures were ill-adapted to such changes, and so resisted the closure of unprofitable areas. In part, this inertia may be attributed to the fact that the PLA lacked a dynamic Main Board that was tightly focused on commercial requirements and able to address the fundamental fact that London was over-docked and could only become efficient by reducing the dock estate.

In spite of its implied leadership role in industrial relations, the PLA gave little attention to the wider workforce where the employment structure was hugely complex and volatile: in particular its response to the statutory requirement to address the problem of casual labour may be seen as less than optimal for the workforce. It failed also to consider any of the difficulties arising from the surplus of registered workers resulting in endemic underemployment showing almost no interest in personnel management functions (evidenced by the abysmal provision for toilets, canteens, and washing facilities in the docks)<sup>179</sup> increasing the likelihood that the workforce would become and remain alienated from the core values of the business. London dockers and stevedores thus worked in a port where the organisation that owned many of the facilities, and which set the policies for the dock operations paid little overt attention to their needs and was controlled by Board members with conflicting interests and little strategic vision. That organisation was hampered by inefficient and restrictive financing, a focus on maintaining fixed assets and increasing income by growing its business. Against that background, problems in industrial relations were almost inevitable in a workforce with hundreds of small employers,<sup>180</sup> thousands of piecework rates, and a history of oppression.

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<sup>179</sup> Leggett Report, paras 83-89.

<sup>180</sup> The Leggett Report shows (para 8) that in 1950 there were 470 different employers in London and that "almost all dock work is paid by the piece" (para.16).

## Research Methodology and Structure of this Thesis

### Research methodology

Peter Turnbull has argued<sup>181</sup> that any consideration of industrial disputes in the docks should involve a wide spectrum analysis, covering both “macro-economic” factors (such as the level of trade) and “micro-economic” factors (such as labour demand). It would also need to take account of “institutional” factors such as the systems for collective bargaining and concepts such as the perceived “traditional culture” of the dock workers. I then extended that broad contextual approach to a consideration of the role and functions of the Port of London Authority (PLA) over the period of this review and leading up to the docks closures. In particular I considered the organisational structure and financial constraints of the Authority, and the impact of the introduction and growth in the use of containers. In the wider environment I also considered the statutory framework for the Authority, the dock workers and the parts played by civil servants in HM Treasury and the Ministries of Labour and Transport.

My initial research involved a wide-ranging review of the material from both general (London) historians and from those with a specialised focus on the docks, to establish their appreciation of the docks environment and whether there was general agreement on the reasons for the industrial disputes and the relationship between these and the dock closures. This was then extended to a review of publications from sociologists and economists, and from contemporary commentators and the news media.

From that background I was then able to define those areas that I wanted to consider in more detail, and how I might undertake that consideration. A key factor has been the increased availability of primary source material in the National and Trade Union Archives, and (to a lesser extent) in the PLA archives. This enabled me to test, contextualise, and expand the views of the contemporary and later commentators, but it also enabled me to suggest new perspectives – for example the calculations of working days lost in strikes. In some respects the research produced conflicting views – for example the criticism by civil servants of the PLA’s financial forecasting

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<sup>181</sup> Turnbull, Peter, Morris, Julia, and Sapsford, David, ‘Persistent Militants and Quiescent Comrades: intra-industry Strike Activity on the Docks, 1947-89’ *The Sociological Review* **44**, 4 (1996) pp 710-745

that are usefully exposed but cannot be substantiated objectively. In other areas it has been possible to move outside the strict historical review to consider (for example) the financial pressures upon the PLA, and to bring those aspects into my consideration of the reasons for the dock closures. Finally, as the use of containers has become established as the dominant feature of maritime transport, I have been able to assess the longer-term impact of those developments

### Structure of the Thesis

In my initial definition, the environment of this work comprised four main components: the port, the workforce, the industrial disputes, and then the challenges of legislative and technological change. I debated whether I should review each area in depth as a separate entity, and then bring these together for analysis and synthesis, but given the extent and complexity of the material, I believed that a more cohesive picture would emerge from a chronological narrative.

Each of the four main components was multi-layered and inter-related so that, for example, the definition of the port environment needed to be rooted in the history of the PLA, extended to identify the difficulties it faced as a quasi-commercial undertaking, and then linked to the challenges of technological change and the impact of legislative developments. Alongside each chronological element would be influences from the labour force – for example the Authority's role in its early years, the introduction of port Registers in the 1920s, living conditions in the 1930s, the problems of the post (Second World) War strikes and the effect of decasualisation and the introduction of containers. Matching these would need to be the relationships with hundreds of different employers and employment practices, the unions, and the statutory and regulatory environment.

The first chapter focuses on the PLA, which played a key role in industrial relations in the port, and eventually closed the Upper Docks. The historic literature and commentaries on those areas are reviewed, followed by a summary of the development of docks in London, leading up to the formation of the Authority to rescue the docks after the failure of the private dock companies. It describes the problems deriving from the PLA's structure, financing, and governance, with a business strategy focused on growth of traffic. And, while the PLA owned the docks estate, it was only one of a huge number of organisations employing registered dock workers (RDWs) in the Port.



Chapter 2 reviews the social and economic environment of the dockworkers from the late 1930s through to the end of the Second World War, focusing on two London boroughs, seen as representative of the docklands communities. It reviews the wartime legislation that prohibited official strikes and introduced compulsory registration and quasi-statutory employment schemes for dock workers. Many dockers would have joined the armed forces with very different experiences from their docks employments, and some families suffered financial hardship because of the poor wages paid to the lower ranks. The chapter closes with a review of the 'Control Point' strike of March 1945, and an analysis of the official (Ammon) report that identified weaknesses in the Dock Labour Scheme and suggested political influences behind the strike.

The third chapter covers the period between 1945 and 1960, first considering the working environment of the dockers to complement the earlier review of the social environments, and then the introduction of the 1947 NDLS that brought considerable benefits to the workers but was a flawed compromise with some problematical features from earlier schemes. The post-war years saw the development of a relationship between trade unions and the new Labour administration and the emergence of a consensus aimed at full employment linked to economic growth without excessive inflation. But in a worsening economic situation the unions' agreement to a Government request for wage restraint was opposed by many workers and, with the continuation of wartime legislation prohibiting strikes, may have led to a growth in support for the 'unofficial' activists. The chapter then analyses the major dock strikes in the 1940s and 1950s, when the London docks became characterised as a place of endemic industrial disputes. It reviews the reasons for those disputes, noting the increasing influence of unofficial groups and others cited in the Leggett Report of 1951, and considers why little or no action was taken on that Report's recommendations. It then looks at widespread (official) industrial disputes in the docks following the repeal of the wartime legislation banning official strikes in 1952, and the two major enquiries (Evershed 1954 and Devlin 1956) that identified systemic problems with the 1947 Scheme and problems of inter-Union discord.

Chapter 4 considers the period from 1960-1970, with major new challenges following the Rochdale review of UK ports in 1962 that identified a lack of investment, poor management, and chronically poor industrial relations in the docks.

The PLA was affected by both the accounting and organisational changes resulting from Rochdale and the wide-ranging recommendations of the Devlin reports of 1964/5 that proposed decasualisation as the solution to industrial unrest. With these the PLA recognised the need to close redundant docks and facilities, to modernise the port and to devise an appropriate business strategy – but was not able (or prepared) to develop this with the unions. In partial consequence the new container port at Tilbury could not be used because of an industrial dispute between January 1968 and April 1970.

The period from 1970-1980, covered in chapter 5, saw further challenges for the Port, with the Industrial Relations Act of 1971 bringing out tensions that fuelled increasing discontent about the impact of containerisation on dockers' jobs. Recognising that technological changes and the inexorable growth of ships sizes would have a massive impact on the traffic in the Upper Docks, the PLA focused on a proposal to develop a new seaport at Maplin on the Essex coast, but failed to secure the necessary funding for this. Meanwhile the other stevedoring companies in the Port were failing under the twin pressures of reduced traffic and a statutory Scheme that prevented them making workers redundant. Those surplus workers were transferred into the PLA which faced huge losses from the increased staff costs and the historic burden of interest charges but could not secure Government backing for the vital financial restructuring, leading eventually to the closure of the Upper Docks.

The final chapter concludes that the closure of the docks could be attributed in part to industrial relations difficulties, but that a closer analysis shows a wide range of other contributory factors. With this, and crippled by the financial constraints of its genesis, a focus on chasing volume, and employing only part of the workforce, the Authority failed to devise strategies for the development of the Upper Docks, or to secure funding for the major redevelopment necessary for handling containers. Nor was it able in the mid 1970s to implement its proposals for a seaport at Maplin. At the same time, the effects of a statutory Scheme (with no facility for making workers redundant) and the financial consequences of decasualisation led to extensive employer failures and transferred massive manpower costs to the Authority. Facing bankruptcy, the PLA had little option but to close the Upper Docks.

## **Chapter 2: DOCKLAND COMMUNITIES 1939 -1945**

The historic sufferings of the dockers before the Second World War have been referenced in official reports as factors that influenced docker attitudes and underpinned industrial disputes in the post-war period.<sup>1</sup> This chapter considers the data that is available on the social and economic conditions of two dockland boroughs in the pre-war period and the effect of under-employment on earnings in order to provide some evidence of these sufferings. It then extends this to considering the ways in which the Second World War and its consequences affected those workers and their attitudes and expectations.

### **The Dockland Communities before the Second World War**

Industrial disputes often affected all of the Port of London, but neither the port facilities nor their supporting communities were homogenous groups. The port comprised a huge complex of docks, warehouses and wharves, with hundreds of companies employing thousands of workers. Although the Port of London Authority (PLA) owned the docks and many facilities therein, and the National Dock Labour Board (NDLB) was the notional employer of the registered dock workers (RDWs) after 1947, there was no single body with overarching responsibility for the port and the workforce. In particular, there are few data on the riverside wharves and their workforces, because some were an integral part of manufacturing or processing, and thus outside the general dock environment.<sup>2</sup> But the wharves employed thousands of dockers,<sup>3</sup> and in some cases were the sources of port-wide industrial disputes.

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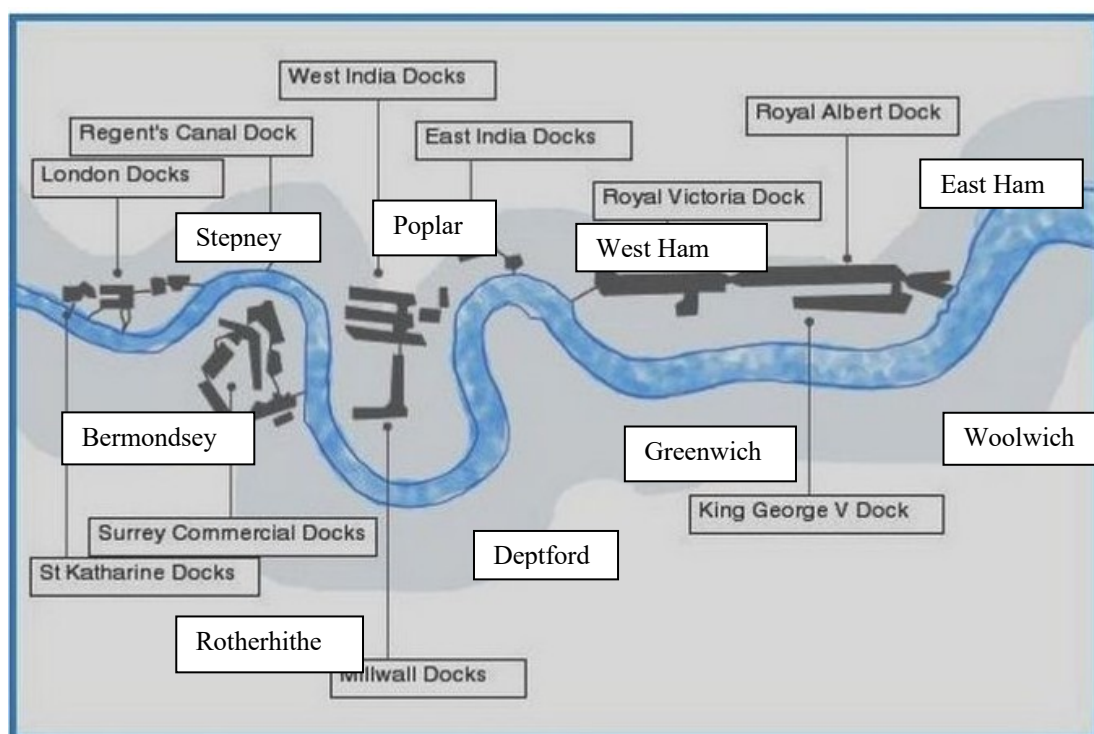
<sup>1</sup> For example, the Leggett report of 1950 (Cmd 8236, para 19) refers to the legacy of “suspicion and distrust” resulting from the pre-war conditions of employment in the docks, Evershed (Cmd 9310, para 15) connects the overtime dispute of 1953 with the pre-war “obligation to work overtime”, and in 1956 Devlin (Cmd 9813, para 29 (1)) noted that the dockers’ “sufferings before 1939 were more severe than most” and that “bitter memories have not gone”.

<sup>2</sup> I could find no single authoritative statement of the number of wharves. Frank Bowen’s *The Port of London, 1949*, (London: Dryden, 1949) pp.118-176 lists 193 wharves in all. The NA file BK16/1 NDLB Survey of Dock Amenities 1949 lists 139 (Schedule 2, appendices VI to VIII).

<sup>3</sup> See for example Hays Wharf at <http://www.exploringsouthwark.co.uk/hays-wharf/4588352949> and Mark Brown’s wharf at: <https://www.flickr.com/photos/londonmetropolitanarchives/9815408485>

The first part of this chapter focuses on two dockland boroughs north of the Thames - Poplar and West Ham - that are taken as representatives of the wider docklands community. As the map below shows, there were nine boroughs close to the docks, but of the two I have chosen Poplar lay within the London County Council (LCC) boundaries, and enclosed the India and Millwall docks, while West Ham was outside the LCC boundaries and next to the Royal group of docks. In essence, both were contiguous to the Upper Docks that are the secondary element in the theme of this thesis. While Poplar had not been directly affected by the “half a century of phenomenal industrial and slum development” experienced by West Ham,<sup>4</sup> it also suffered from overcrowded housing and extreme poverty,<sup>5</sup> exacerbated by the disruption caused by the building of the docks.

**Figure 2: The Upper Docks in London with the neighbouring Boroughs**



Source: <http://www.portcities.org.uk/london/server/show/ConImageMap.5/Londons-Docks.html>

The sources that help to define the social and economic environments of those boroughs are the reports of the Medical Officers of Health (and in some respects, in

<sup>4</sup> E Doreen Idle. *War Over West Ham* (London: Faber and Faber, 1943) p.13

<sup>5</sup> H Llewellyn Smith *The New Survey of London Life and Labour* (hereafter *NSOL*) *Volume III: Survey of Social Conditions: Eastern Area* (London: P S King, 1932) pp. 353 and 365

relation to Poplar, the reports of the Medical Officer of Health for the LCC), and Llewellyn Smith's *New Survey of London Life and Labour* based on data from around 1930.<sup>6</sup> In 1937 the population of West Ham was estimated to be some 259,500 persons, having risen more than 13-fold from 18,817 in 1851,<sup>7</sup> and they lived in 50,247 houses, giving an overall population density of 5.2 persons per house.<sup>8</sup> In contrast Poplar's population increased from 28,342 in 1851 to 134,400 in 1938,<sup>9</sup> living in 23,958 houses, and yielding a density of 5.7 persons per house.<sup>10</sup> Although some authors have commented on the poor standard of construction of many houses in West Ham,<sup>11</sup> the comparative figures for the number of houses condemned as unfit for human habitation show that Poplar, with 188 houses condemned had 14 times the percentage rate of those condemned in West Ham at 28 houses – that is 0.78%, compared to 0.05%.<sup>12</sup> Another indicator is the number of houses recorded as “overcrowded”,<sup>13</sup> which for Poplar was shown as 3,367 (i.e. 14% of the housing stock), housing some 21,490 persons,<sup>14</sup> and for West Ham 5,698 dwellings (11.3% of the stock) housing some 32,049 people.<sup>15</sup> The health data for West Ham show that the incidence of the main notifiable diseases such as scarlet fever, diphtheria, acute pneumonia, and erysipelas, was much higher in the southern Wards of the borough near the docks,<sup>16</sup> with a similar pattern for tuberculosis.<sup>17</sup> It is not possible to see such an impact in the dockland Wards of the Poplar (Poplar East and West, Millwall, and Cubitt Town), partly because the returns are separated into those for “Residents of Wards” and those in “Public Institutions” (such as hospitals) in the borough.<sup>18</sup>

<sup>6</sup> See also earlier material in the *Report of the Royal Commission on the Poor Laws and Relief of Distress* (Hereafter RCOPL) (Cd 4499, 1909) and in E G Howarth and M King *West Ham: a study of Industrial Problems; being the Report of the Outer London Survey Inquiry* (London: J M Dent, 1907).

<sup>7</sup> London Borough of Newham Archives: *Report of the Medical Officer of Health for West Ham for 1937* (hereafter RMOHWH), p.23

<sup>8</sup> RMOHWH p.23

<sup>9</sup> Wellcome Library: *Report of the Medical Officer of Health for Poplar for 1938* (hereafter RMOHP), <http://wellcomelibrary.org/moh/report/b18246102#?c=0&m=0&s=0&cv=0>, p.9

<sup>10</sup> RMOHP, p.46

<sup>11</sup> See Howarth and King, *West Ham*, pp. 9-15, and Idle, *War* p.17

<sup>12</sup> RMOHP, p. 52 Table II

<sup>13</sup> Under Section 58 (a) of Part IV of the Housing Act 1936, (26 Geo 5 and 1 Edw 8, Ch. 51) overcrowding occurs where “two persons ten years old or more of opposite sexes and not being persons living together as husband and wife must sleep in the same room”, or under Schedule 5 where the number of persons per room exceeds the stated maxima (e.g. 2 for 1 room and 10 for 5 rooms).

<sup>14</sup> RMOHP, p. 48

<sup>15</sup> RMOHWH, p.339

<sup>16</sup> RMOHWH, p.122, Table III

<sup>17</sup> RMOHWH, p.184, Table IV

<sup>18</sup> RMOHP, p.11, Table II

The West Ham medical report also provides information on areas that might be considered important in relation to dock workers, such as deaths from cancers (perhaps caused by handling materials such as asbestos or other carcinogenics), or from heart disease (perhaps indicating overwork), but does not separately record deaths by accident.<sup>19</sup> As before, the separation of data for deaths in public institutions confuses the picture for Poplar, where the number of “deaths from violence” other than suicide in those locations (totalling 53),<sup>20</sup> might have been significant. There are other gaps where information about the docks might be expected to have been found: although the Albert Dock Hospital in the heart of the Royal Group of Docks is mentioned on two occasions in the West Ham report,<sup>21</sup> there is little data on any of the treatments given. While the reports for England and Wales from the Registrar General do give more details of accidental deaths, those occurring in “Docks etc” are shown only nationally.<sup>22</sup> Finally, and perhaps again reflecting the PLA’s focus on traffic, the reports from the Medical Officer of Health for the Authority show only matters related to vessels and their crews, detailing, for example, the number of rats caught infected with plague, and the cases of communicable diseases among the crews.<sup>23</sup>

The *New Survey of London Life and Labour* contains maps that provide graphic illustrations of the poverty and overcrowding for these boroughs with, for example, the map of “Overcrowding in the London Survey Area” showing four blocks of streets in West Ham near the Royal Docks coloured dark red to show where there were 1.75 people or more per room (i.e. the highest density of overcrowding measured), and with a similar area in Poplar north of the West India dock:

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<sup>19</sup> *RMOHWH*, p.82 Table XXI

<sup>20</sup> *RMOHP*, p.11, Table II

<sup>21</sup> *RMOHWH* pp. 41-42

<sup>22</sup> *Registrar General’s Statistical Review of England and Wales for the year 1937* (HMSO, London, 1937) Tables 1: Medical, pp.331-337 Table 25 Violent Deaths 1937: England and Wales

<sup>23</sup> *Report of the Medical Officer of Health for the PLA for 1937* at ; <https://wellcomelibrary.org/item/b19884527#?c=0&m=0&s=0&cv=7&z=-0.1907%2C0.3891%2C1.142%2C0.6207>

**Figure 3: Detail of Poplar and the West Ham (South) area from Llewellyn Smith's map of overcrowding in the London Survey Area, 1931<sup>24</sup>**



Similarly, the map of “London Social Conditions” shows significant areas coloured black (“degraded or semi-criminal population”) and dark blue (“living below Charles Booth’s poverty line”) just to the north of the Victoria Docks with a marginally better profile for the houses in Poplar to the west of the East India Dock:

**Figure 4: Detail of Poplar and West Ham (north of Victoria Dock) from Llewellyn Smith's map of social conditions in the London Survey Area, 1931<sup>25</sup>**



<sup>24</sup> London School of Economics Archive (hereafter LSEA) NSOL 3/1 Survey Maps: Eastern Area, 1931.

<sup>25</sup> From NSOL 3/1 Survey Maps: Overcrowding, Map 7, 1931.

Taken together, these maps give an indication of the living conditions within the two boroughs: for West Ham Marriott also shows how extensive industrial development (and pollution) was facilitated by the Borough's location outside the London Metropolitan area and thus not subject to the "legislation to restrict the operation of noxious and offensive trades".<sup>26</sup> And yet, as he shows, there were paradoxically high levels of unemployment because of the endemic usage of casual labour.<sup>27</sup>

### Wages and Earnings

Apart from Llewellyn Smith's Survey, there are few published data on the earnings of London dock labourers in the inter-War period, but more detailed material can be found in the background papers of the survey in the London School of Economics archives, and in the individual record cards. The published volumes give a number of examples of the general levels of pay in the docks, noting firstly that "the minimum day wage for the lowest-paid dock labourer at the present time is 12s"<sup>28</sup> (which would equate to £3 6s for a five and a half-day week),<sup>29</sup> with an assertion that the PLA "and certain of the labour contractors in the port" employed permanent labourers on that basic wage of £3 6s per week, although "their average earnings, with piecework and overtime additions, are probably round about £5 per week".<sup>30</sup> His second indicator was based on the earnings of 256 workers, representing roughly 25% of those employed on "one of the South Bank wharves" whom, he calculates, earned 15s 10d for a day's work<sup>31</sup> – i.e. £4 6s 0d per week. Taking data for 126 of those workers,<sup>32</sup> he later calculates that the "mean earnings of the preference men at the wharf were about £3 per week and that those of the first preference men were about £4".<sup>33</sup> In addition, he describes how specialist workers such as meat and coal porters, "corn porters" and "deal [softwood] porters" could

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<sup>26</sup> J. Marriott, 'West Ham: London's Industrial Centre and Gateway to the World Part I: Industrialisation, 1840-1910.' *The London Journal*, 13, 2 (1988) pp. 122-142. As Marriott shows, (p.125) the 1844 Metropolis Building Act (7 & 8 Vict. cap 84) that restricted the siting and operation of offensive trades such as bone, tripe and blood boilers, and slaughterhouses did not apply in West Ham.

<sup>27</sup> J. Marriott, 'West Ham: London's Industrial Centre and Gateway to the World Part II Stabilization and Decline 1910-1939.' *London Journal* 14, 1 (1989) pp.43-58

<sup>28</sup> All monetary values for earnings are shown at historic £sd (pounds, shillings and pence) rates: these can be converted to approximate decimal (£p) values at 2.4d = 1p and 1s = 5p.

<sup>29</sup> Llewellyn Smith, H., *The New Survey of London Life and Labour Volume II: London Industries* (London: P S King, 1931) p.404

<sup>30</sup> *Ibid.*, p.405

<sup>31</sup> *Ibid.*, p.403

<sup>32</sup> Note that the selection of these workers was based on the alphabetical series of surnames, rather than any statistical randomness criteria.

<sup>33</sup> *Ibid.*, p.409 and p.424, Table VIII



earn much higher wages and “the factor which had the greatest influence in bringing about the wide difference in earnings is piecework”.<sup>34</sup> The following table compares piecework and hourly pay:

**Table 2: Numbers of workers and wage rates for selected groups of Port of London Authority Workers for the year ended 31 March 1930**

Basis of pay\type of worker	No of men	Total wages (£)	Average yearly wages (£)
<b>Piecework</b>			
Permanent	2,513	675,998	269
'B' list workers <sup>35</sup>	284	76,614	270
<b>Daily rates</b>			
Permanent	569	115,891	204
'B' list workers	87	18,257	210
<b>Total</b>	<b>3,453</b>	<b>886,760</b>	<b>256</b>

Source: LSEA file NSOL 1/4/8 Dock Labour – Employment and Earnings

From this table, it will be seen that the average earnings for PLA workers at £256 p.a. were indeed around £5 per week, with those on piecework generally earning around one-third more than those paid hourly. However, there are some qualifications for these data in the wider picture of earnings: they apply to PLA workers, who might expect to be employed regularly throughout the year (compared, say, to a smaller specialist firm handling seasonal produce), and they do not differentiate between workers at the wharves, on board ship, or on the quayside who would be paid at various rates. In addition, these are averages: as the table shows, of the 3,453 men in the sample, the 656 men (19%) paid a daily rate received an average of around £4 per week rather than the £5 “average”. None of these figures can necessarily be regarded as representative of the wider workforce: as the LSEA files show, the PLA had reduced the numbers of its “Permanent” labourers from 4,084 in 1922 to 3,090 in 1930, and its “B” workers from 4,599 in 1920 to 1,900 in 1930.<sup>36</sup> Even adding in the casual workers employed by the PLA

<sup>34</sup> Ibid., p.408

<sup>35</sup> As Broodbank shows (J G Broodbank, *History of the Port of London, Volume II*, London: Daniel O'Connor, 1921, pp. 447- 448), a system of classification was introduced by the London and India Docks Company after the 1889 London Docks strike whereby workers were classified into Permanent and 'A' list men (paid weekly), 'B' list men (numbered by seniority), who were to be given employment after the first two classes, and other casual workers (sometimes known as 'C' men) who would be employed after all workers in the preceding groups. E C P Lascelles, and S S Bullock, *Dock Labour and Decasualisation* (London: P S King, 1924), pp. 92-93 show that the PLA merged the first two categories and thus employed 'Permanent' men, and 'B' list men “entitled to preferential employment by the PLA when no permanent men are available”.

<sup>36</sup> NSOL 1/4/8 Dock Labour Employment and Earnings

(whose numbers ranged from a maximum of 1,124 per day to a minimum of 47 in the period June-November 1923) this represents less than 17% of the registered dock workers (RDWs),<sup>37</sup> or 23.5% of the number usually working in the docks. Nor do the LSEA files or the published survey indicate how many were employed on the wharves, so we have no idea of how representative the samples of 256 (or 128) for those workers were.

The survey data cards for individual households give another perspective: bearing in mind Simon Abernethy's discussion on the reliability of the survey's data collectors in West Ham,<sup>38</sup> my analysis of the data in the 800 "working class" survey cards for that borough identified 75 men who classified themselves as either dockers or stevedores, who received an average wage of £2 18s 1d for a "full week", and £2 11s for their most recent week of work.<sup>39</sup>

**Figure 5: Example of an NSOL Card: Number 1336 (serial 0321 in "Working Class" cards for West Ham) in LSEA file NSOL 2/4/5 (1930).**

Relationship: *Hastings*  
Name: *[Hastings] Waghorn*  
Address: *19 Adamson Road, West Ham*

Enquiry No. *1336 + 0321*  
File No. *604*  
WAGE EARNERS

Relationship	Age	Occupation	Employer	Place of Work	Cost of Transport Weekly	Last Week	Full Week	Last Week	Full Week	Insurance
<i>Husband</i>	<i>40</i>	<i>Labourer</i>	<i>Labourer at Albert Dock</i>	<i>R.L.A.</i>	<i>-</i>	<i>2/8</i>	<i>4/6</i>	<i>2/3 0</i>	<i>4/6</i>	<i>1/4</i>
<i>Son</i>	<i>16</i>	<i>Scupper ship's boiler</i>	<i>London Docking Co - Victoria Dock</i>	<i>Victoria Dock</i>	<i>-</i>	<i>-</i>	<i>4/6</i>	<i>4/6</i>	<i>4/6</i>	<i>1/4</i>

NON-WAGE EARNERS

Sex	Age	Relationship
<i>7</i>	<i>39</i>	<i>Wife</i>
<i>7</i>	<i>9</i>	<i>daughter</i>

HOME COMMERCE

<i>ML</i>	<i>2/9 4/6</i>	<i>2/9 6/6</i>	<i>7/1</i>
<i>WC</i>	<i>4/1 3/5</i>	<i>4/1 3/5</i>	<i>3</i>
	<i>3/11</i>	<i>3/11</i>	<i>4, 3 1/2</i>
			<i>2, 2</i>

<sup>37</sup> Lascelles and Bullock show (pp 96-97) that a voluntary registration scheme was introduced in London in 1920 as a means of limiting the number of men who might work in the Port, but that even though "special precautions were taken to avoid registering men who had no claim...the number of men registered exceeded 61,000, a total far above any estimate that had ever been made of the numbers seeking work in the port". By 1930 the number of men on the Register had been reduced to 36,000 (record of discussions between S K Ruck and the Secretary of the Port of London Registration Committee dated 13 October 1930 on LSEA file NSOL 1/4/8).

<sup>38</sup> Simon T Abernethy 'Deceptive data? The New Survey of London Life and Labour 1928 – 31' *University of Cambridge: Working Papers in Economic and Social History*, **16** (2013), p. 4 and pp.8-9

<sup>39</sup> LSEA NSOL 2/45 Record Cards, West Ham. The 75 cards include 10 men classified as PLA employees: removing them from the table makes only a marginal difference (less than 1%) to the averages

For Poplar there were 600 such cards showing 79 dockers or stevedores who averaged £2 14s for a full week and £2 6s 3d for their most recent week.<sup>40</sup> However, both the reliability of the card data and their wider extension is open to challenge: Abernethy has questioned the capabilities of some of the interviewers,<sup>41</sup> and the card reproduced above shows that the data on earnings would only cover the previous week and a notional full-time week, so could have no resilience in terms of seasonality of work or trade cycles. In addition, that card data would often have been re-interpreted by the person calculating the tables - in this case showing a daily rate of 12s 6d and a pencilled figure of 50/- for a four-day week (ignoring also the fact that the man reckons to have worked two hours over the normal 44-hour week). Notably also, from my analyses, 10 workers within the 75-card sample for West Ham had been paid less than the £2 a week (for Poplar 16 out of 79) which Llewellyn Smith noted as the weekly "poverty line for a man and wife and two children".<sup>42</sup> However, as Llewellyn Smith also points out, a married man not employed might also claim 4s a day and 4d per dependent child from the State.<sup>43</sup>

All of the above allows a comparison of wages received by some dock workers in London in 1929/30: for more richness, the table below also includes the theoretical value of a dock labourer's wages following the "dockers' tanner" strike of 1889, uprated to 1930 values taking account of retail price inflation movements.<sup>44</sup>

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<sup>40</sup> LSEA NSOL 2/33 Record Cards, Poplar. The total of 79 includes 21 classified as PLA employees: removing them from the table increases the amounts significantly (£2 16s 4d and £2 13s 0d).

<sup>41</sup> Abernethy, op.cit

<sup>42</sup> Llewellyn Smith appears to use two intersecting computations for his poverty line: firstly an update of "Charles Booth's income limit of 21s...for a moderate sized family....to about 40s., or (say) 90 per cent above the level of 1890" (*New Survey of London Life and Labour Volume I Forty Years of Change* (London: P S King, 1930) p.17), and secondly the level defined in Statutory Rules and Orders 1922 no 3 (*The Metropolitan Common Poor Fund (Outdoor Relief) Regulations 1922*) by the then Minister of Health (Sir Alfred Mond), and known as the "Mond Scale" which prescribed a weekly minimum income of 41s a week for a family with three children. (*NSOL Volume I* p.375)

<sup>43</sup> Ibid.,

<sup>44</sup> Based on data in J. O'Donoghue, L. Goulding, and G. Allen. 'Consumer Price Inflation Since 1750' *Economic Trends*, **604**, (2004) pp. 38-46

**Table 3: Wage rates for different types of labourers in London Docks at 1930 values**

Type of worker	Weekly wage at 1930 values
Labourer @ 6d per hour (48 hours) 1889 (£1 4s 0d)	£2 9s 5d
NSOL “lowest paid dock labourer” (12s/day – 5½ day week) <sup>45</sup>	£3 6s 0d
NSOL “Probable average” for PLA ‘Permanents’ <sup>46</sup>	£5 0s 0d
NSOL Wharfside “Preference men” median for “Summer Quarter” <sup>47</sup>	£3 0s 0d
West Ham dock labourer (non-PLA) full week from LSEA NSOL cards	£2 11s 0d
Poplar dock labourer (non-PLA) full week from LSEA NSOL cards	£2 16s 5d

This is all “snapshot” data and can provide only an indication of income at one point in time, and thus only the most general appreciation of levels of earnings and employment. However, while Llewellyn Smith asserts that “the average weekly income earned by a male worker in London...suffices to purchase nearly a third more of the necessities of life than [in 1886]”, this is based upon a computation of a 79% increase in the cost of living between 1886 and 1928 compared to a wage increase of 130% for non-dock industries.<sup>48</sup> From the table data, this assertion of a 130% increase would seem to hold good for few dock labourers, and indeed only the wages of PLA workers seem to have kept up with the increased cost of living. Llewellyn Smith further suggests that “only a tiny percentage of the 36,000 registered dock labourers can now be regarded as living under conditions of poverty”.<sup>49</sup> The West Ham data indicate that the percentage in that Borough might well be greater than “tiny” – perhaps even around 10% - which fits in with the percentage shown as “below minimum standard” for West Ham in the Borough summaries in the published volumes.<sup>50</sup> For Poplar, Llewellyn Smith states that the borough had a higher percentage of persons living in poverty (at 24.1%) “than in

<sup>45</sup> NSOL Volume II, p.404

<sup>46</sup> NSOL Volume II, p.405

<sup>47</sup> NSOL Volume II, p.424

<sup>48</sup> Note that this is based upon “the four industries for which comparisons are possible” (i.e. Building, Engineering, Printing and Boot and Shoe trades) and for which Llewellyn Smith asserts that “the average increase of real earnings ... [is] probably below the average for industries as a whole”. NSOL Volume I, p.20, and pp. 129-130

<sup>49</sup> NSOL Volume II p.411

<sup>50</sup> NSOL Volume III, p.412

any other borough of the Eastern Survey area”.<sup>51</sup> From my data some 14% of the Poplar dock workers actually in employment would fall into this category.

### Regularity of Earnings

The question that follows from any determination of wage rates is how regular a docker’s earnings might be in trade cycles and in the various seasons: as the Royal Commission on Unemployment Insurance noted:

In some industrial employment and particularly in the dock industry, however, the fluctuations in the amount of work to be done are met by limiting the engagement of a proportion of the workers employed to a day or a half-day at a time, thus throwing on to society the burden of maintaining the reserve labour required.<sup>52</sup>

This was a systemic issue in the docks, where the Royal Commission report showed a level of “normal unemployment” of 30%.<sup>53</sup> As that report<sup>54</sup> and the subsequent parliamentary debate<sup>55</sup> show, there were still concerns about the level of payments and the burden this placed on the taxpayer – a concept underpinned, as Addison shows, by the Treasury orthodoxy of bearing down on public expenditure, which tended to dominate all other economic considerations in the 1930s.<sup>56</sup> Llewellyn Smith’s analysis is that the average unemployment in the “docks, harbours, and canals” in London in 1929 was 24%<sup>57</sup> but, as he then demonstrates, there were various factors which served to confuse the picture, including the fact that there were still numbers of unregistered workers around the port who obtained work either on the premises of waterside manufacturers, or by holding a union card – perhaps as many as 4,000 in total.<sup>58</sup> In attempting to provide more accuracy, he analysed a sample of dock workers claiming unemployment benefit, from which he calculated the number of dockers “not unemployed” as 30,000. By adjusting for

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<sup>51</sup> *NSOL Volume III*, p.365

<sup>52</sup> Royal Commission on Unemployment Insurance *Final Report* (Cmd. 4185, 1932), para. 143

<sup>53</sup> *Ibid.*, p.98, para. 167

<sup>54</sup> *Ibid.*, paras. 468-471

<sup>55</sup> House of Commons *Hansard*, 16 June 1933, col 456

<sup>56</sup> Paul Addison *The Road to 1945: British Politics and the Second World War* (London: Quartet Books, 1977)

<sup>57</sup> *NSOL Volume I*: p.356

<sup>58</sup> *NSOL Volume II*: p.396 Llewellyn Smith suggests (p.397) that there might also be as many as 4,000 “unregistered men who sometimes engage in dock work”, although “at the beginning of 1931” it was possible to track only 368 of those as having “regularly attended calls”.

factors such as sickness and voluntary absenteeism he arrived at a computation that in 1929-30 the daily average number of men working in the port was 26,000 against a Register of 36,000<sup>59</sup> – that is around 27.5% underemployment. However, two of his sources express reservations about the completeness and reliability of the data, with one pointing out that “a considerable number of unregistered men are employed daily but it is impossible to give any estimate of their numbers”. That source also noted that the Registration Scheme was voluntary and that while well over 90% of the employers were part of the Scheme, “most of those outside consist of very small employers”, and that also excluded were some larger manufacturers with their own wharves and permanent labour forces.<sup>60</sup> The second noted the existence of “numerous small undertakings included in the area whose individual employment capacity is small but, in aggregate, may have a considerable impact [although these] are not included either in the register or in the employment returns”.<sup>61</sup>

Again, these are computations of averages, and the reality of under-employment for the individual docklands family might well have been very different: descriptions of the workforce show that many highly skilled or otherwise favoured workers were able to pick both when they worked and also which higher-paid jobs they wanted.<sup>62</sup> The less favoured worker might be out of work for one week in four, a pattern that needs to be seen in contrast to Llewellyn Smith’s view (albeit from 1929):

Finally, we have the cases where the man is in regular work (including dock labourers who are assumed in these families to have four days’ work in a normal [six-day] week) but his wages, together with those of his family, if any are in work, are insufficient for his responsibilities. In 7 per cent of all full-time poverty cases in the eastern Survey area the earnings are insufficient to support three children...[and] a large proportion of unskilled men with families of four or more young children are in poverty.<sup>63</sup>

Much of the data in the *New Survey* was collected in 1929-1930, so some note also needs to be taken of the economic Depression of 1931-33. However, for that, the

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<sup>59</sup> Ibid., p.402

<sup>60</sup> Record of discussions between S K Ruck (of the Survey team) and the Secretary of the Port of London Registration Committee dated 13 October 1930 in NSOL 1/4/8

<sup>61</sup> Letter from L Bullock of the Ministry of Labour to S K Ruck dated 22 November 1930 in NSOL 1/4/10 Dock Labour - Tables

<sup>62</sup> See, for example, Stephen Hill, *The Dockers: Class and Tradition in London* (London: Heinemann, 1979) p.26

<sup>63</sup> NSOL Volume III p.87

general focus of commentators has been at the national or industry-wide levels, so that it is not possible to determine the effect on the docks or dock labour. Equally, there is a lack of data on any reductions in hourly or piecework rates in the docks during the depression, although Beenstock and Warburton assert that the effect of maintaining wage rates would be a decrease in employment – which would presumably have been felt most strongly by the casual labourer.<sup>64</sup> As noted in chapter 1, the PLA data on traffic volumes is not wholly consistent,<sup>65</sup> but Watson shows that total tonnages passing through the Port of London fell from 36.7 million tons in 1930 to 34.5 million tons in 1932.<sup>66</sup> It is not possible to estimate what the effect of a decrease of some 6% in traffic between 1930 and 1932 might have had on the workforce or wage rates – although it might be expected to have had a greater impact on those men who were not ‘Permanent’ workers.

The PLA *Annual Report for 1938*<sup>67</sup> shows that the traffic through the port rose continually between 1933 and 1938, and while the PLA data is not wholly consistent in those reports, there was clearly a substantial increase (although that does not necessarily translate into higher levels of employment or earnings). Some indication of the actual levels of employment can be obtained from statistics published by the LCC, although the data exclude Tilbury and show only figures from those wharves “making returns”. The picture of the numbers working in the docks in 1938 appears considerably different from that in 1930, and a snapshot from the later year indicates that the average number of workers actually employed was 11,366<sup>68</sup> against a total number on the Register – that is with the right to work in the docks – of 33,774,<sup>69</sup> and on this basis, around two-thirds of the registered dock workers might be unemployed at any one time, and a registered docker might thus work one

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<sup>64</sup> See H. W. Richardson ‘The Economic Significance of the Depression in Britain’ *Journal of Contemporary History*, 4, 4, (1969), pp. 3-19 and M. Beenstock and P Warburton ‘Wages and Unemployment in Interwar Britain’ *Explorations in Economic History*, 23, (1986) pp.153-172

<sup>65</sup> For example, the historical summary table on page 1 of the PLA *Annual Report for 1935* (London: PLA, 1935) shows traffic “from and to foreign countries and British possessions and coastwise” for 1931 as 56,074,556 tons, while the summary table in the PLA *Annual Report for 1939* (London: PLA, 1939) shows traffic “from and to British Countries and Foreign countries and Coastwise” in 1931 as 57,526,870 tons.

<sup>66</sup> Nigel Watson, *The Port of London Authority: a Century of Service 1909-2009*, (London: PLA, 2009) p.224

<sup>67</sup> PLA *Annual Report for the Year Ended 31st March 1938* (London: PLA, 1938)

<sup>68</sup> London County Council *London Statistics 1936-1938 Volume XLI* (London: LCC, 1939), p.328

<sup>69</sup> G.A. Phillips, and N. Whiteside, *Casual Labour: the Unemployment Question in the Port Transport Industry 1880-1970* (Oxford: Clarendon Press, 1985), p.215

day in three in the docks.<sup>70</sup> Assuming that the inclusion of Tilbury and other non-returning wharves might increase the numbers employed by, say, 20%,<sup>71</sup> this would give an average workforce of around 13,500 (compared to Llewellyn Smith's average of 26,000 in 1929-30 noted above), in which case a registered dock worker might be employed for three days a week. This would tie in with the picture represented by Davies in which many dockers at that time did in fact work for such periods,<sup>72</sup> but begs the question of whether this was voluntary or a reflection of the employers transferring costs to the state.

### Social conditions

Many of the 'general' London historians cited in the previous chapter commented on poverty and unemployment in the docklands but, partly because of the high incidence of casual labour where there are few records of those actually employed, the data on real levels of employment, or of the wage rates and earnings of dock workers, are very poor for the pre-war years. In all of this uncertainty Llewellyn Smith's figures have been used in a number of publications. For example, Phillips and Whiteside show detailed figures for earnings in Liverpool, but simply repeat Llewellyn Smith's estimate of earnings of £4 per week for "preference men on a London wharf"<sup>73</sup> – with that lack of detail for London earnings shared also by Davies.<sup>74</sup> The earlier standard work on dock and casual labour by Lascelles and Bullock is equally vague on London earnings,<sup>75</sup> and this is matched in Beveridge.<sup>76</sup> But the picture is also of under-employment and commensurately lower incomes than those generally accepted figures. Matching this is the lack of direct observations of the actual living conditions of the people, or of what "poverty"

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<sup>70</sup> Note that being a registered docker did not mean that the man had no other employment, but simply that he was included on the Register and thus eligible to work in the docks.

<sup>71</sup> A later return (1945) in NA File BK 2/1022 National Dock Labour Board: Head Office. Report of Inquiry into London Docks Dispute 1945 (Ammon Report) shows a total "Live register" for the workforce in Tilbury of 1,325 men.

<sup>72</sup> Sam Davies "Three on the Hook and Three on the Book": Dock Labourers and Unemployment Insurance between the wars' *Labour History Review* 59, 3 (1994) pp. 34-43

<sup>73</sup> Phillips and Whiteside, *Casual Labour*, p.212, although Llewellyn Smith actually used this rate only for "first preference men", who comprised 18% of the sample. The average for all "preference men" was £3 (*NSOL Volume II* p.409 and table p.424)

<sup>74</sup> Davies, 'Three on the Hook' pp. 37-39

<sup>75</sup> Lascelles and Bullock, *Dock Labour*, p.49. Interestingly, as the LSE archives show, Lascelles and Bullock undertook much of the data collection and analysis for the New Survey: see, e.g., NSOL 1/4/10

<sup>76</sup> W H Beveridge, *Unemployment: A problem of Industry (1909 and 1930)* (London: Longmans Green, 1930) pp.94-95



actually meant in the East End. What we do have is Titmuss's graphic word pictures of the appalling deficiencies in clothing and hygiene of some of those who were evacuated from the poorer areas of other cities during the War,<sup>77</sup> and an oblique reference in the fact that in 1938 the LCC's school nurses in Poplar and Stepney assessed only 13 per cent of the clothing and footwear of elementary school children as "good" compared to the LCC average of 54.6%.<sup>78</sup> Gillian Rose provides insight into both the direct effects of unemployment in Poplar and (more especially) into the role of women in supporting the families and their finances. She shows this contribution both in terms of "regular" work – for example employment in shops and light industries - and through incidental or part-time work, with which we might also associate the role of women in negotiating extended credit with local shopkeepers.<sup>79</sup> Other avenues would include the pawn shop or the money lender,<sup>80</sup> (where again we might attribute a significant role to women) although these paths would be more usable in times of industrial disputes because in the end the cargoes had to be worked, and debts could be repaid. In other times the main resort of those in distress might be to charities or churches, and then the Relieving Officer or (until their theoretical abolition in 1929) workhouses.<sup>81</sup> Even when the workhouses themselves had been abolished, the Government attitudes of the 1930s towards the poor – in effect, as Miller demonstrates, the philosophy of Neville Chamberlain<sup>82</sup> – were still dominated by Poor Law concepts, and the presence and influence of the Relieving Officer is presented in stark terms by the oral history evidence in Bundy and Healy,<sup>83</sup> and in Turner.<sup>84</sup> In the last resort an application would need to be made to the Public Assistance Committee, and the reports in 1937-39 from the West Ham Committee give some indications of the support provided to persons and families in dire need in the borough. In that period, there were at least 150 applications in each month, with those from the southern districts generally numbering some 50% more than in the north (and in November 1937 there being

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<sup>77</sup> Richard Titmuss, *History of the Second World War: Problems of Social Policy* (London: HMSO 1950) p.115

<sup>78</sup> *Ibid.*, p.117

<sup>79</sup> Gillian Rose, 'Locality-Studies and Waged Labour: An Historical Critique' *Transactions of the Institute of British Geographers*, New Series **14**, 3 (1989), pp. 317-328, pp. 323-325

<sup>80</sup> *Ibid.*, p.324

<sup>81</sup> Local Government Act 1929 (19 Geo V Ch.17) Part 1:

<sup>82</sup> Frederic R Miller 'National Assistance or Unemployment Assistance? The British Cabinet and Relief Policy, 1932-33' *Journal of Contemporary History*, **9**, (1974) pp.163-184

<sup>83</sup> Colin Bundy and Dermot Healy 'Aspects of Urban Poverty' *Oral History*, **6**,1 (1978), pp. 79-97, p.94

<sup>84</sup> Robert Turner 'The Contribution of Oral Evidence to Labour History' *Oral History*, **4**, 1 (1976), pp. 23-40

170 cases in the south compared to 56 in the north).<sup>85</sup> And, as Ford shows, a family seeking assistance in 1939 might be faced with applying to a score of separate agencies, each with their own methods of assessing means and entitlement.<sup>86</sup> In all of this there can be little wonder, that (as noted in my previous chapter), the workers in the docks were “quiescent” in the 1930s.<sup>87</sup>

With poverty might come ill-health, and one volume of the British *Official History of the Second World War* shows the constraints around access to healthcare:

Before the war it was often believed by many people who did not use the statutory health service that provision was free of charge. This was not so; for local authorities had the power (and sometimes the duty) to recover what they could from people who were helped [or their families]. In consequence, there grew up a bewildering variety of means test covering a large range of services [and] at least twenty tests were in common use by health authorities.<sup>88</sup>

The overall effect of this is shown particularly by Mowat,<sup>89</sup> although he provides only a snapshot of a community that in many ways might have epitomised the worst aspects of poverty and deprivation. Mackay puts this into context by contrasting the position of those who benefitted from the increase in real incomes in the inter-war period, with the “feelings of bitterness and marginalisation” of the poor and unemployed, often leading to “a general resentment towards a society that not only denied them the dignity of work but compounded the offence by imposing on them a means test”.<sup>90</sup> All this, then, needs to be borne in mind to inform the following passages: as has been noted on several occasions, “Dockers have long memories”.<sup>91</sup>

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<sup>85</sup> Newham Archives, Minutes of the meetings of West Ham Borough Council and Committees 1937-39; Minutes of the Public Assistance Committee

<sup>86</sup> P. Ford, *Incomes, Means Tests, and Personal Responsibility* (London: P S King, 1939)

<sup>87</sup> See R.B.Oram *The Dockers' Tragedy*. (London: Hutchinson, 1970) where he describes this as a period where “a healthy level of unemployment” ensured that “labour was in a more reasonable state of mind” (p.134).

<sup>88</sup> Titmuss, *Social Policy*, p.154

<sup>89</sup> C. L. Mowat, *Britain between the Wars 1918-1940*. (Chicago: University Press, 1955) pp. 480-521

<sup>90</sup> Robert Mackay, *The Test of War: Inside Britain 1939-1945* (London: Routledge, 1999)

<sup>91</sup> e.g. *Unofficial Stoppages in the London docks. Report of a Committee of Inquiry* (Leggett Report, Cmd 8236, 1951) paragraph 19.

## The Second World War

The War affected the dockland communities in many ways, but two key areas for this study are the effects of the Axis bombing raids and the consequences of the Government's emergency powers legislation. The raids in 1940/41 damaged or destroyed huge areas of docklands, and the direct effect on the population was exacerbated by the failure of national and local governments to respond in a timely and effective manner to that onslaught: in addition, in the longer term the cohesion of the dockland communities was affected both by the impact of war and the post-war dispersal of people to the New Towns. In the early years of the War powerful and wide-ranging legislation (mainly secondary and thus little debated) affected the conditions of employment of the dockers, the location of their jobs, their ability to strike, and the future structure of their employment.

Marriott describes the effect of the bombing of East London by the Axis powers between September 1940 and May 1941 ("the Blitz") as "massive", noting that:

figures are unreliable and estimates vary wildly, but in London roughly 100,000 homes had been destroyed or damaged beyond repair, and about a million damaged... West Ham lost approximately a third of [its] housing stock either through outright destruction or severe damage; along the Beckton Road near the docks in Canning Town the proportion rose to nearly a half and reached an astonishing 85 per cent in Tidal Basin at the western end of the Victoria Dock.<sup>92</sup>

The figures are indeed unreliable, and there appears to exist no single compendium that brings together the data from government Departments, Civil Defence, and Local Authorities – certainly for the initial period. The central records in the Ministry of Home Security (MHS) files at the National Archives include reports (in the HO 198 series) from the Ministry's Liaison Officers that are initially of very varying quality and detail, clearly reflecting the widespread disruption in the early weeks of the main bombing assault. The returns often simply record that bombs fell on an area – for example, the report of 11 September 1940 showing 85 casualties from "minor bombing" in Canning Town.<sup>93</sup> Another source, the MHS Research

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<sup>92</sup> John Marriott, *Beyond the Tower: a History of East London* (New Haven: Yale University Press, 2011) p. 320. Note that these are precisely those areas, as my figure 3 shows, with the highest levels of overcrowding.

<sup>93</sup> NA file HO 198/273 Chief Regional Officer's daily confidential reports: air raid damage and casualty reports; London 11 September to 1 November 1940

Department's tracings of bombs on the 1:25000 Ordnance Survey maps for London starts only from 7 October 1940 – i.e. a month after the main assault began.<sup>94</sup> The historic Local Authority records provide details that, even after more than seventy years, may be painful to assimilate: the street by street analysis for West Ham in the Newham Archives (which show both time and location of the individual bombs) show 177 high explosive or incendiary bombs as having fallen on the night of 7 September 1940 alone,<sup>95</sup> and the impact on the population of that first night of terror can only be a matter of conjecture.<sup>96</sup> A different perspective, no less harrowing is given by John Hock's detailed analysis of fatalities from the bombing of Poplar on the night of 7/8 September 1940 that indicates some 92 deaths in the Borough.<sup>97</sup> That latter review can be linked to both Mick Lemmerman's monograph on the bombing of the Isle of Dogs<sup>98</sup> and also to the detailed records of "occurrences" in the Tower Hamlets archives which contain extensive records from the Air Raid Precaution (later Civil Defence) service:

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<sup>94</sup> NA file HO 193/1 Ministry of Home Security Research and Experiments Department. Bomb Census Maps, London Area 7 to 21 October 1940

<sup>95</sup> Newham Archives "West Ham World War II Bomb Incidents"

<sup>96</sup> Although Peter Stansky's focus on the events of the day (Peter Stansky: *The First Day of the Blitz* (Yale: University Press, 2007) uses many first-hand accounts to provide some indication of that impact.

<sup>97</sup> John Hook. *The Air Raids on the London Borough of Tower Hamlets, 1940-45: a chronological listing of the fatal casualties*. Monograph in Tower Hamlets Local History Library and Archives

<sup>98</sup> Mick Lemmerman. *The Isle of Dogs During World War II* (Privately published, 2015). Copy in Tower Hamlets Library and Archives

Figure 6: ARP Record for the Bombing of Devas street, Poplar (for which Hook shows 14 Fatalities) on the night of 7 September 1940.<sup>99</sup>

A.R.P. M.2.

**Message Form for Use at Report Centres.**

(For "IN" Messages. For the text of messages other than reports of Air Raid Damage only the "Remarks" space should be used.)

Date 7/9/40	Time at which reception of message was completed 22.30	Initials of Receiving Operator H.P.
AIR RAID DAMAGE	Designation of Reporting Agent (e.g., Warden's Post No.) D105	
Position of occurrence DEVAS ST		
*Type of bombs. H.E. Incendiary/Poison Gas/		
Casualties:—Approx. No. —	Whether any trapped under wreckage 3 FIREMEN	
Fire. (If reported, write word "FIRE") YES		
*Damage to Mains:—Water/Coal Gas/Overhead Electric Cables/Sewers		
Names of any roads blocked DEVAS ST		
Position of any unexploded bombs NIL		
Time of occurrence (approx.) 22.30		
Services already on the spot or coming:— NIL		
Remarks 06.19. Warden from 123 reported with main tunnel. No action		
*Delete those NOT reported.		Serial No. of Occurrence (This No. will be inserted in the Control Room) 54

The Civil Defence files in the London Metropolitan Archives (LMA) contain reports that are similarly sporadic and unstructured for the initial periods, but have a separate value in that they contain much more narrative (presumably derived from telephoned reports), and are thus close to contemporary eye-witness accounts. For example, the report of 7 September 1940 records that Poplar was "savagely bombed" and that in West Ham "north of Victoria Dock there is about one square

<sup>99</sup> Tower Hamlets Archives, file L/PMB/CB/4/2, night of 7/8 September 1940, Occurrence number 54 out of 100 on that night.

mile of fires involving warehouses".<sup>100</sup> The level of detail in the LMA material improves for October and November, and by the turn of the year more data is available in the London Civil Defence Region reports, with the first consolidated report showing that between November 1940 and July 1941, 61,808kg (60.83 tons) of bombs fell on Poplar and 53,724kg (52.88 tons) on West Ham – in addition to whatever quantities had fallen in the two months before the summary period.<sup>101</sup> Collier, using data from German sources, shows that the aggregate weight of bombs dropped on London between 7 September and 13 November 1940 was some 13,651 tons (or 13 kilotons in the modern terminology of atomic weapon power):<sup>102</sup> even if only 1% of that fell on Poplar and West Ham, that would have been equivalent to the tonnage of the following eight and a half months. The Civil Defence tables show that the assaults between November 1940 and July 1941 resulted in 1,525 and 1,660 serious casualties in the two boroughs,<sup>103</sup> and in the destruction of around 2,700 houses in Poplar and 7,300 in West Ham.<sup>104</sup> The figures for houses "damaged but repairable" are given for Poplar as 48,228,<sup>105</sup> making a total damaged or destroyed of 50,928, i.e. more than 75% of the pre-war housing stock. The data for "nine severely bombed boroughs" in one report (which included Poplar) gives an average of 2,328 houses demolished and 24,294 as damaged but repairable – i.e. a ratio of approximately 1:10, although those boroughs were all inner-city, so that it is not possible to extend that ratio to West Ham which had some areas with much lower density of housing. Similarly, the graphic representations of the effect of the bombing in the LCC bomb damage maps show only Poplar, so that while it is possible to see the widespread effects of bomb blast in that borough,<sup>106</sup> no such representation is available for West Ham. Understandably, the picture is unclear, but the various files and publications provide an indication of the scale of the damage and number of casualties – although in the chaos it is possible that

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<sup>100</sup> LMA file LCC/CL/CD/2/1 Civil Defence: Reports on Air Raids and War Damage covering the period from 25 August to 24 September 1940

<sup>101</sup> NA File HO 186/952 Ministry of Home Security: Air Raids: London region: Report Number 28 (28 January 1942), page 2

<sup>102</sup> Basil Collier, *History of the Second World War: Defence of the United Kingdom*. (London, HMSO, 1957), Appendices XXVI pp. 494-495, and L, p.528. Note that according to Daryl Kimbal ('The Hiroshima and Nagasaki Bombings in Pictures', *Arms Control Today*, **35**, 6 (2005) p.14, the Atomic bomb dropped on Hiroshima on 6<sup>th</sup> August 1945 had a yield of 15 kilotons.

<sup>103</sup> HO 186/952 Report Number 28, dated 28 January 1942

<sup>104</sup> Figures extrapolated from the numbers of houses demolished per 1000 houses recorded in report Number 28 dated 28 January 1942 in HO 186/952.

<sup>105</sup> HO 186/952, Report Number 31, dated 25 March 1942

<sup>106</sup> Ann L Saunders *The London County Council Bomb Damage Maps 1939-1945* (London: London Topographical Society and London Metropolitan Archives, 2005) pp. 64-65 and 77-78, p.64

whole families may have been killed either in their homes or in the shelters, and in some cases, all traces of the victims may have been destroyed.

The history and social consequences of the Blitz have been covered by many authors: the contemporary accounts by Ritchie Calder<sup>107</sup> and Doreen Idle<sup>108</sup> overlap to some extent, but each contains trenchant criticisms of the failings of both national and local government and, particularly, West Ham Borough Council, overlaying the injuries and suffering caused directly by the bombs. While accepting that criticism, it is also clear from the archival material that the assault in the first phase was on such a scale as to have overwhelmed any rational plans or precautions – how might West Ham have devised a system to cope with 177 bombs on that first night? But that could not have given much comfort to those affected: writing much closer to the time of the events, Idle provides a vivid description of the chaos and confusion of the early days of the Blitz, where “it was ... five or six months after raids began before public shelters were made decently habitable, and at the opening of the Blitz...no satisfactory system of coordinating services (e.g. transport, billeting, and information) had been prepared”.<sup>109</sup> And whereas in East Ham the various local authority offices dealing with those who had been bombed out were grouped in one location; in West Ham, the residents of the southern part (the most heavily bombed area) were “very likely to have to travel a distance of several miles...in order to reach the essential departments concerned with billeting, replacement of ration cards, evacuation, etc.”.<sup>110</sup> Among the post-war authors, Arthur Marwick<sup>111</sup> combines first-hand accounts and photographs to provide a vivid impression of the experiences of those who suffered. Marwick also lets his photographs of the plight of the evacuees, the people in the shelters and the bomb damage say as much or more than his prose.<sup>112</sup> Backing these up, Geoff Dench, uses material from nearly 800 inhabitants of Bethnal Green to highlight both the sufferings of those affected by the bombs and the strong sense within the community that their sufferings and their contributions to victory would be recognised: that “promises were being made that could be relied upon”.<sup>113</sup>

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<sup>107</sup> Ritchie Calder. *The Lessons of London* (London: Secker and Warburg, 1941)

<sup>108</sup> Idle, *West Ham*, op.cit.

<sup>109</sup> Ibid., p.62

<sup>110</sup> Ibid., p.67

<sup>111</sup> Arthur Marwick *The Home Front: The British and the Second World War* (London: Thames and Hudson, 1976). Incidentally, Marwick's illustration on page 48 shows just how poor was the quality of the construction of some houses in the East End.

<sup>112</sup> Ibid., pp. 45-68

<sup>113</sup> Geoff Dench, Kate Gavron, and Michael Young. *The New East End: Kinship, Race and Conflict* (London: Profile Books, 2006) pp189-196

This is not a history of the Blitz, and it is only possible to summarise some of the main failings that have been noted by Titmuss: these included both the paucity of central planning and the problems of implementation of such plans as had been drawn up – for example those relating to the (inaccurate and exaggerated) forecasts of the damage and likely casualties from bombing, and the evacuation of people from the cities,<sup>114</sup> together with those areas where little or no planning had been undertaken, and where the authorities' reactions were initially of paralysis. That having been said, it is difficult to imagine what planning might have been possible to prepare for the fact that between the middle of 1938 and mid-1941 more than 155,000 persons had left West Ham (and more than one and a half million had left the LCC region).<sup>115</sup> In some respects such failings can be seen as the consequence of sensitivities about the responsibilities and relationships between central and local government (and between local authorities), underlined by the Treasury's parsimony. Titmuss shows that the British learned and applied many lessons from the Blitz after the initial raids: but a different perspective can be adduced from Beck's account of the massive preparations made by the German authorities prior to the War and in advance of the British bombing raids on Cologne on 30 May 1942, and the huge efforts made to repair the damage and support the population after the raid.<sup>116</sup> Admittedly, such actions might be that much easier to undertake in a totalitarian state although (as shown below), huge powers of compulsion and direction were available to the UK government, but the extent of the work before and after the raids indicates the importance attached by the German leadership to the morale and well-being of (at least some of) its citizens.

## **Wartime Legislation**

Even before the Blitz began, legislation was being passed that would have a fundamental impact on the adult population of Britain and provided the basis for further statutes that directly affected the current and future employment of the dockers. The primary enabling legislation (the Emergency Powers (Defence) Acts

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<sup>114</sup> Titmuss, *Social Policy*, Chapter II (pp.12-22) and Chapters III, (pp. 23-44), XVIII (pp. 355-369) and XXI (pp. 424-441)

<sup>115</sup> NA File HLG 7/608 Ministry of Health: Evacuation and Homeless: Population statistics for the London Region

<sup>116</sup> Earl R Beck. *Under the Bombs: the German Home Front 1942-45* (Kentucky: The University Press, 1986)



passed in 1939<sup>117</sup> and 1940<sup>118</sup>) provided a framework for the government to control both the property and actions of the people of the United Kingdom. The first of these allowed “for taking of possession or control...of any property or undertaking”,<sup>119</sup> and the second permitted the requiring of “persons to place themselves, their services and their property at the disposal of His Majesty”.<sup>120</sup> In effect, as Hancock and Gowing note, the latter legislation encompassed “something new and important - industrial conscription”.<sup>121</sup> Apart from the specified purpose of the legislation, the most important feature was that both Acts allowed for delegated legislation in the form of Defence Regulations to be made by Orders in Council and then for Statutory Rules and Orders to be made under those Regulations.<sup>122</sup> The primary legislation was so framed as to give the Executive almost limitless powers “notwithstanding anything inconsistent therewith contained in any enactment other than this Act”<sup>123</sup> subject only to the requirement that “every Order in Council containing Defence Regulations shall be laid before Parliament as soon as may be after it is made”, with the possibility of annulment by a Resolution of either “House of Parliament within the next twenty-eight days”.<sup>124</sup> As Carr notes, the system of ‘children’ (Defence Regulations) and ‘grandchildren’ (Statutory Rules and Orders) of the primary legislation meant that powers entailed “in the copious orders, the grandchildren of the Act...were sometimes more important to the obedient citizen than the regulations that were the children of the Act”, while the Defence Regulations “played havoc with the statute-book, suspending, amending and restricting Acts of Parliament right and left”.<sup>125</sup>

Some details of the progression of those Regulations and Orders, and their impact on both male and female workers in Britain during the War are covered in a report

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<sup>117</sup> 2 and 3 Geo VI, Ch. 62 Emergency Powers (Defence) Act, 1939 (hereafter EPDA 39), commencing 24 August 1939

<sup>118</sup> 3 and 4 Geo VI, Ch. 20 Emergency Powers (Defence) Act, 1940 (hereafter EPDA 40), commencing 22 May 1940

<sup>119</sup> EPDA 39, Section 1 (2) (b)

<sup>120</sup> EPDA 40, Section 1 (1)

<sup>121</sup> W.K. Hancock and M. M. Gowing, *History of the Second World War: The British War Economy* (London: HMSO, 1949)

<sup>122</sup> In fact, 150 such Regulations were made on 25 August 1939 under Statutory Rules and Orders (henceforth SR&O)1939, no. 927 The Defence (General) Regulations, 1939

<sup>123</sup> EPDA 39, Section 1 (4)

<sup>124</sup> EPDA 39, Section 8 (1) and (2)

<sup>125</sup> Cecil T Carr ‘Crisis Legislation in Britain’ *Columbia Law Review*, **40**, 8 (1940), pp.1309-1325, pp.1322-1323

by the Ministry of Labour and National Service (MLNS) issued in 1947,<sup>126</sup> and a number of these Instruments had a specific impact on the dock workers. The first of these was Defence Regulation 58A of 22 May 1940 (i.e. the same date as the passing of the 'parent' Act) giving the MLNS powers "to direct any person in the United Kingdom to perform such services as may be specified by that direction".<sup>127</sup> Under this Regulation was then issued the Dock Labour (Compulsory Registration) Order on June 18 1940, enforcing the introduction of dock labour Schemes under which ports were required to maintain Registers and confine employment "as far as possible to men registered under the Scheme".<sup>128</sup> Regulation 58A was followed by Regulation 58AA on 10 July 1940, prohibiting, *inter alia*, both strikes and lockouts and establishing tribunals "for the settlement of trade disputes".<sup>129</sup> This was in turn expanded into a comprehensive statement of practice and principles as the "Conditions of Employment and National Arbitration Order 1940" – the much cited 'Order 1305',<sup>130</sup> which replicated the general prohibition on lock-outs and strikes and established a National Arbitration Tribunal to which disputes could be referred for resolution.<sup>131</sup> Under this Order, official strikes (that is, strikes recognised and supported by trades unions) were banned – which was possible because the legislation could be used to prosecute the unions or their officials, but the corollary was that it was almost impossible to ban wildcat or unofficial strikes. The MLNS ledgers show that between 1941 and 1945 there were 178 strikes in the "Transport-Docks" sector, with the loss of some 239,100 working days,<sup>132</sup> although only three of these resulted in prosecutions.<sup>133</sup> However, as Wigham notes, towards the end of 1941 the Cabinet agreed to undertake what became "a classic example of the futility of mass prosecutions" at the Betteshanger colliery in Kent. The court case resulted in three union officials being sent to prison and more than 1,000 miners being fined – but within a few days the officials were released, and most of the fines were never paid.<sup>134</sup> Although the power of prosecution was little used thereafter, the legislation

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<sup>126</sup> MLNS *Report for the Years 1939-1946* (Cmd. 7225, 1947). This notes (p.2) that "by mid-1942 the total number of unemployed had been reduced to less than 100,000 and it did not rise above that figure until after the end of hostilities in Europe."

<sup>127</sup> SR&O 1940/781, Defence Regulation 58A, section 3

<sup>128</sup> SR&O 1940/1013, The Dock Labour (Compulsory Registration) Order, 1940

<sup>129</sup> SR&O 1940/1217, Defence Regulation 58AA section 6

<sup>130</sup> SR&O 1940/1305 The Conditions of Employment and National Arbitration Order 1940

<sup>131</sup> MLNS *Report 1939-1946*, p.278

<sup>132</sup> NA files LAB 34/56 to 34/60, MLNS: *Trade Disputes Record Books, 1941-1945*

<sup>133</sup> NA file LAB 10/173 MLNS: Prosecution of strikes under Order 1305

<sup>134</sup> Eric Wigham. *Strikes and the Government 1893-1974* (London: Macmillan, 1976) pp. 91-93

remained in effect until 1951, and provided a background for continuing suspicion and disaffection.

Whilst Order 1305 applied to the whole of the British industrial sector, dock workers were also affected by a further Order dated 15 September 1941 – the Essential Work (Dock Labour) Order 1941 (EW(DL)O),<sup>135</sup> which contained a number of provisions that would have both an immediate impact and, by providing the model for post-war dock labour legislation, would affect the working conditions of dockers for more than three decades. Under that Order, dock workers who were not in permanent employment<sup>136</sup> by one of the shipping, stevedoring or wharfingers companies were to be employed by a new National Dock Labour Corporation (NDLC), which was to be responsible for the administration of all the new arrangements. The NDLC was “a Company limited by guarantee, and not having a share capital” set up by the National Joint Council for Dock Labour.<sup>137</sup> This mechanism was presumably used to avoid the need for formal legislation to create such a body, but that process would also have avoided any possibilities of open discussion or consideration of the structure, powers, and responsibilities of the Corporation (the first mention of the NDLC in Hansard for either House is in May 1942).<sup>138</sup> The Corporation’s Certificate of Incorporation is dated 15 September 1941, and its Memorandum and Articles of Association show that four union officials were among the Subscribers to the company upon its inception.<sup>139</sup> Following the EW(DL)O, the NDLC became the employer of all Registered dock workers not in permanent employment, who would be allocated work by ‘operational employers’ and upon completion of that specific job would return to a ‘reserve pool’ in the employment of the NDLC. This meant that, for the first time, all registered dock workers would receive either wages or stand-by payments: in the words of the Explanatory Memorandum they would “cease to be casual workers and will always be in employment”<sup>140</sup> – although, of course, that did not mean the end of casual

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<sup>135</sup> SR&O 1941/1440 The Essential Work (Dock Labour) Order 1941

<sup>136</sup> Bearing in mind that ‘permanent’ – certainly for PLA labourers - meant only that men were employed on a weekly rather than daily basis, and had preference of work. They were dismissible without notice.

<sup>137</sup> MLNS *Dock Labour Schemes: Explanatory Memorandum*, (London: HMSO, 1941) p.1

<sup>138</sup> House of Lords *Hansard*, 13 May 1942 Col. 997

<sup>139</sup> These were: Arthur Deakin, the Acting General Secretary of the Transport and General Workers’ Union (TGWU); David Large, the Acting General Secretary of the London Docks Group of the TGWU; Daniel Milford, the National Secretary of the TGWU; and Bill Turner, the General Secretary of the National Amalgamated Stevedores and Dockers (NASD).

<sup>140</sup> MLNS *Dock Labour Schemes* op.cit., para 14

labour - the workers were in effect on zero-hours contracts with a retainer, were required to sign-on at the docks twice daily and on Saturday mornings, and had no guarantee of actual work.

A second consequence was that a dock worker became liable “to accept any work of which he was capable, and to transfer to other ports as required”.<sup>141</sup> For a London docker this led to the possibility that he might have to work in small docks furthest upstream, the Royal group of docks or even Tilbury – 20 miles away – although in fact skill specialisation might inhibit his working in areas such as softwood handling. In the final resort, the NDLC could transfer a worker to a port in another town – Hodson quotes the example of London dockers being sent to work in Cardiff,<sup>142</sup> and one London Dock Labour Board (LDLB) file records the transfer of 44 men to the Clyde in February 1942 following “similar arrangements to Bristol a year ago”.<sup>143</sup> Such arrangements might not be wholly seamless or trouble-free: the LDLB file notes that the 44 men sent to the Clyde should be kept together rather than being dispersed among other workers.<sup>144</sup>

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<sup>141</sup> MLNS *Report 1939-1946*, p.50

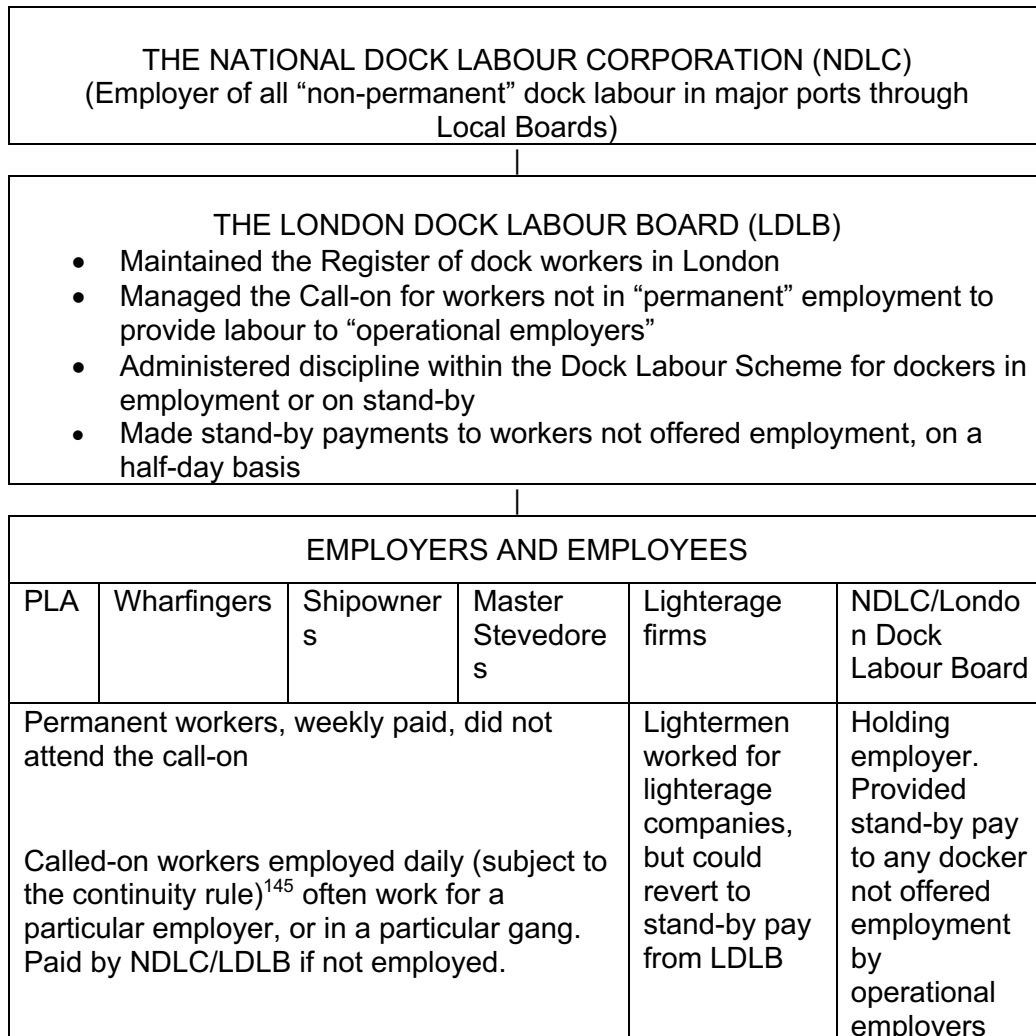
<sup>142</sup> J L Hodson *Home Front* (London: Victor Gollancz, 1944) p.103

<sup>143</sup> NA file BK 32/14 London Dock Labour Board: Establishment and Administration of the Scheme

<sup>144</sup> *Ibid.*,

The employment arrangements for dock workers in London are perhaps better seen diagrammatically:

**Figure 7: Structure of dock worker employment in London, 1942-47**



There was a third factor that was also important in the longer term, as the Minister of Labour and National Service was to point out in 1949 in relation to another labour dispute:

the [London] Dock Labour Board [that is, the local agent of the NDLC] are not themselves employers of labour. They are the suppliers of labour to the master stevedores, master porters and others, but they also provide the machinery by which payment is made both in respect of the work done and in respect of periods when no work is available.<sup>146</sup>

<sup>145</sup> The continuity rule ensured that once engaged for a specific job the man would be employed until that job finished

<sup>146</sup> NA file CAB 129/35/35 Cabinet Papers 1949 Cabinet Paper CP (49) 145 of 6 July 1949

The fundamental flaw in these arrangements was that since the NDLC was not the actual ('operational') employer for many of the men, there was no clear allocation of responsibility for areas such as training, health and safety, and toilet and washing facilities or for establishing systems for good industrial relations. This situation was exacerbated by the separation between the 'holding employer' (the NDLC) and the 'operational employer', who might be one of the larger stevedoring companies, but could equally be a small – or even a one-man - firm. This, together with the continuation of the system of short-term engagements inhibited any development of good employment conditions or of any lasting relationship between the worker and the employer. For London dockers there was yet another complication, the fact that the docks (and most of the facilities and amenities) was owned by the PLA. This led to difficulties, for example, about the provision of amenities for washing and eating, because the shipping and stevedoring companies were not only not prepared to provide facilities for general use, but also objected to the provision of such facilities by the PLA where the cost would ultimately be reflected in increased Port Rates. Such impediments were not unique to London, however, and in 1941 the government intervened so that (in London) the PLA was required under section 3 of the Docks (Provision of Canteens) order,<sup>147</sup> to provide canteens and suitable facilities for washing at all of its docks at a final cost of £84,078.<sup>148</sup>

#### Disciplinary processes in the docks

Overshadowing the wartime Scheme and its post-war successors were the disciplinary procedures defined in the Essential Work Order. These procedures, drafted in the context of a desperate struggle for national survival, became enshrined in many respects in post-war legislation and formed a source of continuing unrest for years. The main procedures were contained in Section 18 of the Dock Labour Scheme for London,<sup>149</sup> covering the following aspects:

18 (a) Any port transport worker whilst in the Reserve Pool [i.e. while not working for a specific employer], who fails without adequate cause [to attend the Call On, to accept any offer of suitable work, or to travel to any other port as directed] or fails to comply with any lawful order given to him by or on

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<sup>147</sup> SR&O 1941/202 The Docks (Provision of Canteens) Order 1941,

<sup>148</sup> PLA Annual Report for 1947 (London: PLA, 1947), p.8

<sup>149</sup> There were various versions of these Orders for each Port. The quotations are from the Dock Labour Scheme for the Port of London shown as version 3/42 in NA file LAB 10/567 Report of the Committee of Inquiry into the London Dock Dispute of March 1945 (Ammon Report)

behalf of the Corporation shall not be entitled to any payment in respect of his employment by the Corporation during that pay week.

And;

18 (b) Any port transport worker who, when in employment, fails without adequate cause [to carry out the rules of the 'port or place', and to work as and when required including overtime periods]<sup>150</sup> or behaves in such a manner as to impede the work, or fails to comply with any lawful orders given to him, shall be returned by his employer to the Reserve Pool, and subject to a right of appeal, shall not be entitled to any payment in respect of his employment by the Corporation during that pay week.

Section 18(c) specified the penalties for a breach of these procedures as suspension without pay (for an unspecified period), summary dismissal, or dismissal on seven days' notice. The procedure for appealing against such penalties was defined in sections 18 (d) and (e), requiring the lodging of an appeal within 72 hours, and allowing the appellant to appear in person before the Appeal Tribunal "whose decision if unanimous shall be final".

Section 18 (f) contained a provision for any *employer* (my emphasis) who failed "to carry out the conditions of the Dock Labour Scheme, or to make any payments which he is required to make to the Corporation" to be removed from the register of employers. This was little used: certainly, by March 1945 the Ammon Committee noted that there was "no evidence of any such cases" where this had been done.<sup>151</sup>

In times of war, these procedures may not have seemed totally unreasonable, but even then they were shown to produce some problems in operation<sup>152</sup> and, because the Scheme applied nationally, if a worker were dismissed in London he could not work in any other port under the control of the NDLC. Furthermore, any disciplinary issues arising between the worker and his operational employer could not be dealt with between the two parties and had to be resolved by the Labour Board because the disciplinary powers lay with the Scheme employer (the Board) rather than the effective employer (e.g. the master stevedore).

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<sup>150</sup> The requirement to work overtime as required by the employer was to prove particularly contentious.

<sup>151</sup> *London Docks Dispute 1945. Report of Committee of Inquiry* (Ammon Report) (London: HMSO, 1945) paragraph 44

<sup>152</sup> NA file LAB 34/58 (Trade Disputes 1943) shows that two minor dock strikes in London (2 September and 31 December 1943) were about stoppage of attendance pay.

## Service in the Armed Forces

Apart from the problems of survival during the Blitz and the new conditions of employment, those dockers who volunteered for, or were conscripted into, the Armed Forces will have encountered another difficulty: as Calder shows, the Government created “a new class of poor from the wives and dependants of servicemen. It paid a private’s wife seventeen shillings a week, plus five shillings for the first child, three shillings for the second, two shillings for the third, one shilling for any subsequent child”.<sup>153</sup> These rates have to be seen in the context of the average rent from the *NSOL* West Ham data cards of 9s 2d per week and the amounts that parents of children who had been evacuated from danger areas were expected to pay for their children’s board and lodging - 10s 6d per week for the first child, and 8s 6d a week for each child where two or more were billeted.<sup>154</sup> Former dock workers in the armed forces would not all, of course, have been private soldiers: the Staff Supplement that the PLA issued to its monthly magazine notes the case of G W Eade, who rose from the rank of Corporal in the December 1939 edition to be shown as a Lieutenant in April 1946 upon demobilisation, and the issue of March 1946 shows (inter alia) the details of twelve permanent labourers who had reached the rank of sergeant or above.<sup>155</sup> Bill Hunter is one of the few who manages to provide some real flavour of the feelings of dockers who were in the Armed Services, quoting specifically the reactions of Joe Cubbin who became a Sergeant-Major in the Royal Engineers, and the “desire for change after the War”.<sup>156</sup> The PLA permanent labourers referred to above would have been a minority of those working in the docks, so that the actual numbers of non-commissioned (or even commissioned) Officers who were former dock workers could well have been higher. In any case, virtually all those returning from the War would have experienced very different conditions of engagement with regular pay, training, and rations.

Along with these events was the disruption caused by the bombing and the evacuation programme to the routines of family and school life and the scattering of “family and kinship groups”, exemplified by higher levels of absenteeism from

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<sup>153</sup> Angus Calder *The People’s War: Britain 1939-1945* (London: Jonathan Cape, 1969) p.53

<sup>154</sup> Titmuss, *Social Policy* p.156

<sup>155</sup> PLA Archives: *PLA Monthly Staff Supplement* March 1946, Issue 231, p.4

<sup>156</sup> Bill Hunter. *They knew Why They Fought: Unofficial Struggles and the Leadership on the Docks 1945-1989* (London, Index Books: 1994) pp. 10-21



schools and a commensurate impact on educational achievement and behaviour.<sup>157</sup> In his chapter on “Unfinished Business” Titmuss suggests that there was a paradigm shift in the public (and official) attitudes during the War, with a recognition that “it was a proper function” of Government to “ward off distress and strain among...almost all classes of society”, and an acceptance that the sacrifices made by all peoples merited recompense.<sup>158</sup> Marwick argues that British society - or rather, “the state of British society in the 1930s” - did change as a result of the War,<sup>159</sup> and the Blitz and its repercussions must have had a huge impact on the social attitudes of the East Enders. However, there appears to be little hard evidence around this: apart from Dash (who entered the docks in June 1945), the commonly quoted “voices” of the period are from the Mass Observation survey respondents and diarists who tended to be “lower-middle-class [of whom] few had gone to university” and where the “typical occupations of men and women were clerk and schoolteacher”.<sup>160</sup> At a wider level, Sibley suggests a range of possible factors for the shift in public attitudes represented by the outcome of the General Election in July 1945, both historical – the “unfulfilled pledges” from the First World War, and recollections of “the depression in the 1930s” – and the contemporary “common experiences of the war, with...the emergence of a new egalitarianism”. Coupled with this might be the contribution of Labour ministers in the coalition government of 1940-45 and their support of the Beveridge Report,<sup>161</sup> and a “decreasing fear of government or state intervention”. Whatever the causes, “what was really fundamental was the long-term movement of opinion between 1940 and 1945”,<sup>162</sup>

Again, at the national level, McKibbin senses a change in the sentiments of the working classes who had been the Conservative party’s “largest single constituency by some way”,<sup>163</sup> and a greater acceptance of Labour’s fitness for Government – and this would seem to have been reflected in the docklands. So, in the parliamentary constituency of Plaistow in West Ham, which included the docks, the

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<sup>157</sup> Titmuss, *Social Policy*, Chapter XX *Families in Trouble*, pp. 404-423

<sup>158</sup> Titmuss *Social Policy*, pp. 506 -538

<sup>159</sup> Marwick *Home Front*, p.11

<sup>160</sup> Penny Summerfield ‘Mass-Observation: Social Research or Social Movement?’ *Journal of Contemporary History* **20**, 3, (1985) pp.439-452

<sup>161</sup> Report by Sir William Henry Beveridge *Social Insurance and Allied Services*. (Cmd 6404, 1942)

<sup>162</sup> Richard Sibley ‘The swing to Labour during the Second World War: When and Why?’ *Labour History Review*, **55**, 1, (1990). Pp. 23-34

<sup>163</sup> Ross McKibbin *Parties and People: England 1914-1951* (Oxford: University Press, 2010) p.122

Labour vote rose from 73.32% in 1935 to 87.57% in 1945, while the Conservative vote fell from 26.68% to 12.43%<sup>164</sup> representing a swing of about 14%,<sup>165</sup> compared to the national average of 12%.<sup>166</sup> The swing was slightly greater in Poplar South where the Labour vote rose from 73.17% to 89.23%, and the Conservative vote fell from 26.83% to 10.77%,<sup>167</sup> representing a swing of about 15%. In simple numbers of votes the change is even more dramatic: in 1945 only 1,403 people voted Conservative in Poplar South and 2,463 in Plaistow.

### **The 1945 'Control Point' dock strike**

Just before the end of the War in Europe a dispute occurred that seemed to indicate a return to pre-war attitudes on the part of management and which can also be seen as a warning of future problems for the operation of the Dock Labour Scheme. Unfortunately for the future of labour relations in the docks the warning was not heeded, and because this was so important for the later periods of this thesis I want to deal with it at some length.

On 1 March 1945 the Control Point at the Royal Victoria Dock, where men attended for the daily Call-On was moved from outside the dock gates to a new location inside the dock perimeter, following a decision by the LDLB, after minimal formal consultation with the unions. Although dock workers who were members of the TGWU began to use the new Point on that day others, mainly members of the NASD, refused to accept the change and went on strike. The strike quickly spread among the docks, and eventually involved some 9,000 men with a computed loss of 72,000 working days.<sup>168</sup> It attracted wide publicity, and troops were called in to move essential supplies: but following a decision to set up a Committee of Inquiry on 8 March, the strike was called off, and there was a full resumption of work on 9 March. The establishment of the Inquiry was announced by the Minister of Labour

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<sup>164</sup> <http://www.politicsresources.net/area/uk/ge35/i15.htm> for 1935 and [/ge45/ge45index.htm](http://www.politicsresources.net/area/uk/ge45/ge45index.htm) for 1945

<sup>165</sup> 'Swing' here calculated using David Butler's methodology of adding the increase in the percentage of votes for one party to the decrease in the percentage for the other party, divided by two. (see, for example, S. J. Stray and M. S. Silver 'The Measurement of Change in the Popularity of Governments in United Kingdom By-Elections' *Political Methodology* 8, 4 (1982), pp. 93-106)

<sup>166</sup> Sibley, 'Swing' p.23

<sup>167</sup> *Politics Resources* Op.cit.

<sup>168</sup> NA File LAB 101/35 MLNS: Docks Industry: Summary of Principal Stoppages 1945-58

and National Service (Ernest Bevin) in the House of Commons, wherein he stated that:

The immediate cause of the dispute was the transfer of the place of proof of attendance to an office inside the Royal Docks. The existing huts used for this purpose were regarded as unsuitable. Another question which has caused grave anxiety throughout January was the increase of absenteeism at the Royal Docks and it became necessary for those responsible to deal with it.<sup>169</sup>

If the passage is deconstructed there are two separate issues – the relocation of the Control Point, and the need to manage absenteeism - but as written, there is an inference that absenteeism had reached such a level in the Royal Group of docks (that is, the Victoria, Albert and King George V docks) that the Control Point needed to be relocated to tackle this. As will become clear, there were no obvious reasons why that relocation should have achieved any reduction in absenteeism, which had in fact decreased in the weeks before the new arrangements were implemented. There were certainly problems with the huts that were used as Call-On points – apart from anything else they were far too small for the dock managers to carry out their work effectively - and that reason formed the basis of the decision recorded in the minutes of the LDLB meeting on 19 February 1945:

as the huts at the Connaught Road Royal Albert Dock<sup>170</sup> control point are unsatisfactory for the purpose for which they are required, being too small and inconveniently planned, and as it has been found impossible for the Ministry of Works to get labour or material allocated to effect the necessary structural alterations it has been decided, following agreement with the TGWU and the NASD to close the huts after 28<sup>th</sup> February and that on and from 1 March 1945, proof of attendance would be taken at the Sector Office, Albert Dock, where arrangements could be made to deal with the men more expeditiously than at the huts.<sup>171</sup>

In fact, agreement had been reached only with the TGWU by 19 February. The Port Manager had indeed written to both the TGWU and the NASD on 10 February informing them of the proposed closures and transfer, and the TGWU had replied on 12 February, suggesting a detailed variation in the Call-On arrangements, but

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<sup>169</sup> House of Commons *Hansard*, 8 March 1945, Col 2197

<sup>170</sup> The Connaught Road cuts between the Victoria and Albert docks and there seems to be some confusion in the files about the precise locations of the huts. Presumably, dockers could sign on for either dock at the huts.

<sup>171</sup> NA file BK 1/239 *National Dock Labour Corporation: Closure of Huts outside Royal Docks* Minutes of LDLB meeting, Minute 1382 19 February 1945

otherwise not objecting to the change. No reply was received from the NASD until 26 February because of the internal systems within the NASD (of which the Port Manager must have been well aware) under which the officers of the union had to clear any significant policy decisions with the union's Executive Committee – and often with the wider membership. In their letter of 26 February the NASD said that “the Stevedores’ Executive Committee are of the opinion that the reasons you have submitted for the closure of the Port Hut at Connaught Road are not justified”.<sup>172</sup> The LDLB must have known that a similar proposal to move a control point in the Surrey Docks in November 1944 had resulted in a Stevedore's strike.<sup>173</sup> In the meantime, however, and following the LDLB Board meeting on 19 February, the Port Manager had written to all workers in Sector 4 (i.e. the Royal group) on 22 February to notify them of the change, and to advise them that it would be implemented on 1 March.

On 3 March, after the strike had been in progress for two days, the NDLC issued a press release, stating that the strike had resulted from the relocation of the huts that was seen as a “trivial incident” which had been “discussed and agreed with the unions long beforehand”. The press release also stated that “around this incident has been focused other grievances” and gave a résumé of statistics about absences and penalties imposed, arguing that the unauthorised absences had seriously impeded the work of the docks, but had been dealt with by firm action on the part of the NDLC. In any event, following the announcement of an Inquiry, the strike ended. The Chairman of the Inquiry was to be Lord Ammon, the Chairman of the NDLC (the parent body of the LDLB), and a former trade union official,<sup>174</sup> and comprised two other members of the Corporation, with representatives of the Port Employers (one of whom was the Chairman of the PLA), and of the two unions. Both sides submitted evidence to the Committee, which also received a written submission from the NDLC, and it soon became apparent that the main areas of contention were absenteeism and the disciplinary procedures within the London docks Scheme.<sup>175</sup> From the submissions it is clear that the unions and the NDLC

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<sup>172</sup> This is at odds with the wording in the final paragraph of the NDLC Press Notice of 3 March 1945 (copy on BK2/1022), which concluded with the words “this change of site of the office was discussed and agreed with the Unions long beforehand”.

<sup>173</sup> See *The Times* 30 November 1944 p. 2 ‘Inside the Gates or Outside’

<sup>174</sup> ODNB: *Ammon, Charles George, Baron Ammon* (1873-1960) by Alan Clinton. A former Post Office union official, LCC member, and MP. He was appointed Chief (Government) Whip in the Lords in August 1945.

<sup>175</sup> Which was itself based upon a model scheme from the Essential Works (Dock Labour) Order, SR&O 1941/1440.

wanted to focus on the problems with the disciplinary arrangements within the Scheme, and how this might be improved, but the Civil Service advice to the Minister was that this would be resisted by the (London) employers who would “regard this as a very wide extension to the Inquiry to which they committed themselves”, and would also inhibit the speedy production of any report.<sup>176</sup>

The ‘headline’ issues for the strike were thus the relocation of the Control Point and the problem of absenteeism. The proposed relocation of Control Points in London had long been contentious, as shown by Howarth and King,<sup>177</sup> and central to disputes in 1911 and 1912.<sup>178</sup> In those disputes, a significant objection had been that if the Point were outside the docks, trade union and other worker representatives could approach the men, and mass meetings could be organised or held. If the Point were inside, men would be subject to docks discipline inhibiting such mass meetings, and also prohibiting smoking and allowing the right of search by the docks police. In more practical terms, the NDLC had a good case for the change: the Corporation’s evidence shows that the old Control Point consisted of two huts each 12 by 8 feet in dimensions (3.65m x 2.43m) outside the Victoria Dock gate where “sometimes the [Local] Manager has had to deal with several hundred men at these huts which are capable of holding not more than five men at one time”.<sup>179</sup> Even where everything flowed smoothly, and men were called-on expeditiously with few left waiting to ‘prove attendance’ there would have been pressures in those offices. On other occasions, several hundred men might be requiring their books to be stamped to prove attendance, and the press of persons is not hard to imagine. In such circumstances, the inadequate facilities and consequent delays might lead to men simply drifting away and failing to prove attendance – and thus be shown as “absent”, but this was a manageable problem rather than a systemic defect. In essence, the issue of the relocation must be seen as a trigger, rather than as a matter of substance: certainly, the limited analyses of the causes of absenteeism in the submissions and evidence provided to the Committee do not contain any clear indications of how the relocation of the Control Points might have improved matters.

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<sup>176</sup> NA file LAB 10/580 Report of a strike at the London Docks involving the Transport and General Workers Union and the Stevedores Union. Letter of 9 March 1945 from the Chief Industrial Commissioner of the MLNS.

<sup>177</sup> Howarth and King, *West Ham*, p.202

<sup>178</sup> John Lovell, *Stevedores and Dockers: A Study of Trade Unionism in the Port of London 1870-1914* (London: Macmillan, 1969), pp. 172-174

<sup>179</sup> BK2/1022, Statement submitted by the NDLC to the Committee of Inquiry into the circumstances of the London Dock Strike. (Henceforth “NDLC Statement”) paragraph 4

## Absenteeism

The arguments around absenteeism comprised two main elements: the employers' concern to reduce absenteeism, and the workers' grievance about the form and application of the disciplinary procedures under the London Dock Labour Scheme. The latter revolved to some extent around the penalties imposed for absenteeism but related also to sanctions for other alleged misdemeanours. For 'pure' absenteeism, the evidence to the Inquiry shows that this was not to be seen as a simple matter, either in its representation or its cause. The NDLC's presentation of the data on absences was in the form of a table detailing absences in the third week of February 1945 and summarising the first eight weeks of 1945. The data for February 1945 show that absenteeism in the Royal group averaged 4.3% per turn (morning/afternoon shift), more or less in line with the whole port, but that for the first five weeks of 1945 the Royals averaged 11.96% per cent, with a peak in week 5 of 13.5%. However, for the next three weeks (i.e. up to 24 February 1945), absenteeism averaged 5.6%, and in the final week of that period (as noted above), and before the relocation of the Control Point, the Royal group had a figure of 4.3%, the same as that for St Katharine dock and compared to a high figure of 5.1% for the Surrey docks and 2.0 % for Tilbury.<sup>180</sup>

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<sup>180</sup> NDLC Statement, Appendix 2 "Unaccounted return for week ending 24th February 1945", serial 2

Figure 8: NDLC Table of Absences as presented to the Ammon Inquiry

8/45

ABSENTEEISM IN LONDON AREA  
Week ended Saturday, 24th February, 1945

TURN	POOL		KATHERINES		SURREY		INDIA		ROYAL		TILBURY		LIGHTHOUSE		APPL.	
	No. of men	%	No. of Men	%	No. of Men	%	No. of Men	%	No. of Men	%	No. of Men	%	No. of Men	%	No. of Men	%
1 9 4 5																
Monday 19th February	60	4.7	70	4.7	153	8.6	45	3.1	252	8.3	22	2.2	1	.1	603	5.2
Tuesday 20th	58	4.5	68	4.6	152	8.5	45	3.1	250	8.6	24	2.3	1	.1	612	5.3
Wednesday 21st	68	5.3	68	4.6	125	7.0	47	3.1	58	1.9	23	2.2	7	.5	384	3.3
Thursday 22nd	45	3.5	61	4.3	53	2.9	45	3.1	68	2.2	23	2.2	7	.5	378	3.3
Friday 23rd	22	1.7	42	2.9	60	3.3	40	2.7	119	3.9	25	2.4	1	.1	296	2.6
Saturday 24th	28	2.2	63	4.4	58	3.2	39	2.7	157	5.2	14	1.4	2	.1	361	3.1
TOTAL MAN-TURNS	531		689		1,007		509		1,445		224		26		524	
AVERAGE PER TURN	48	3.8	65	4.3	92	5.1	46	3.1	131	4.3	20	2.0	2	.1	402	3.5
REVS. LIS: known	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(inc. above) Inferred	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1945 Week 1 (11 turns)	68	5.3	89	5.8	117	6.8	61	4.0	306	12.4	44	4.5	12	.8	779	6.7
" 2 "	64	5.0	93	6.1	89	5.3	73	5.0	403	12.8	31	3.2	11	.7	764	6.5
" 3 "	56	4.4	90	6.2	112	6.6	65	4.6	352	10.7	26	2.8	13	.8	714	6.2
" 4 "	82	6.5	93	6.5	60	3.5	64	4.6	333	10.4	33	3.3	11	.7	676	5.9
" 5 "	77	6.1	107	7.6	100	5.8	55	3.8	409	13.5	31	3.2	11	.8	790	7.0
" 6 "	65	5.0	74	5.1	60	3.6	44	3.1	197	6.4	21	2.2	5	.4	466	4.1
" 7 "	61	4.7	75	4.8	80	4.8	53	3.9	190	6.1	12	1.2	2	.1	476	4.2
" 8 "	48	3.6	63	4.3	92	5.1	46	3.1	131	4.3	20	2.0	2	.1	402	3.5
1944 I Quarter	54	4.0	36	2.5	77	4.8	45	3.1	290	9.7	32	4.3	5	.3	539	4.9
" II "	53	4.1	30	2.1	91	5.6	44	3.2	218	7.3	9	1.0	4	.3	449	4.1
" III "	67	5.1	64	4.3	93	5.6	60	4.0	414	12.9	10	1.0	15	.9	723	6.2
" IV "	37	2.8	63	4.0	64	3.8	46	3.1	206	6.1	16	1.5	8	.6	440	3.6
Year	53	4.0	49	3.3	62	4.9	49	3.4	285	9.0	17	1.8	8	.5	543	4.7

P.T.O.

Source: NA file BK 2/1022<sup>181</sup>

<sup>181</sup> NDLC Statement "Absenteeism in London Area"

The NDLC statement covers the causes of absenteeism in only three paragraphs, noting first (and subsequently reiterating) that one reason was the dockers' resistance to the change to more structured employment that "deprived them of their freedom to work where and when they will".<sup>182</sup> In addition to these, the NDLC noted problems resulting from:

- High earnings
- The desire to hold back because of the knowledge of a good job in a few days' time
- The need for a rest after arduous work
- The easing of war strain which makes work seem less imperative,

And that "these, and countless domestic and private reasons, good, bad, and indifferent, contribute to absenteeism".<sup>183</sup> The NDLC's views were not accepted wholeheartedly in the Inquiry: on the possible effect of high earnings, the TGWU representative pointed out that the workers at Tilbury had higher pay and less absenteeism than other London dockers.<sup>184</sup> The suggestion that some men actively avoided work (and even left without proving attendance) was not easily determinable: as the TGWU evidence noted, different employers would have different ways of working, some men might want to work (or not want to work) for a particular company, some gangs wanted to keep together, and other men would follow a particular shipping line.<sup>185</sup> Finally, the strongest or most able workers might well be willing to sacrifice one or two days stand-by pay if that would allow them to get a much better-paid job later in the week. There might thus be a number of reasons for intermittent absences, and the lack of any management initiatives on these may be seen as one of the disadvantages of the LDLB acting as a labour provider rather than an employer, inhibiting the development of the relationship that would normally be expected between employer and worker.

The penultimate premise provided grounds for considerable discussion, wherein it became clear that the arrangements in London for granting time-off were less than optimal. Although not stated specifically in the Scheme rules:

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<sup>182</sup> Ibid., paragraph 30

<sup>183</sup> Ibid., paragraph 31

<sup>184</sup> Evidence to the Ammon Committee Day 2 p.16 in BK 2/1022

<sup>185</sup> Ibid., Day 1 p.16



In the explanatory circular issued by the Corporation...it is laid down that 'on completion of a job involving heavy work or long hours, the Manager may give the men time off without forfeiture of attendance money'.<sup>186</sup>

The Committee saw "cases of undoubted hardship" in the operation of the procedures for granting such time off, and questioned whether "the existing machinery, even if it is fully used, is adequate or needs improving".<sup>187</sup> Clearly, these are indications of areas where the Local Board should have been able to apply some flexibility. In the strict application of the rule, a docker might be required to undertake heavy manual work for a seven-day week (with compulsory overtime) and would not automatically be allowed time off to recover, but would have to attend a Call-On and then apply for the time off. In reality, the man would surely see little logic in having to attend his place of work at 7.45 a.m. to ask for time off for that day. Ammon clearly recognised the inequity here, commenting that "the onus for applying for leave...should not fall entirely on the men themselves...it should not be impossible for both sides...to establish satisfactory arrangements" to improve the situation.<sup>188</sup>

The remaining NDLC points about the "easing of war strain" and other miscellaneous causes were not considered in much detail: arguably these were so general as not to be susceptible of proof or disproof, and as adding little of real value to the Committee's deliberation. In any case, the NDLC submission concluded finally that:

Facts should not be over-stated. Taking the port as a whole, absenteeism is probably no higher than in other industries, but in the Royal Docks it was serious, and however much the action of the manager may be resented – as was only to be expected – absenteeism has been reduced to reasonable proportions.

This was all to some extent academic: in evidence to the Committee, the NDLC's General Manager stated that:

the figure which is commonly referred to as absenteeism is in fact a balancing figure. We know the size of the Register each day; we get employers' returns showing the number of men who are at work; we know the number of men who have proved attendance; we know the number of

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<sup>186</sup> Ammon Report, para. 28

<sup>187</sup> Ibid., para. 29

<sup>188</sup> Ibid., para. 30

men we have excused attendance; and those three figures are added together, and the difference between the result of that calculation and the effective register becomes the unaccounted figure for that day. If the employers' returns are incomplete or inaccurate, that will tend to boost the unaccounted figure and thereby produce a larger figure for absenteeism than in fact exists.<sup>189</sup>

If there is added to this uncertainty the fact that the NDLC data shows that 12,605 men were transferred between dock sectors in a 13-week period between 8 December 1944 and 3 March 1945, and that a summary table for the fourth quarter of 1944 shows 4.9% of men in London as "unaccounted for" (i.e. not in employment, having proved attendance or been excused), there have to be real questions about the validity of the NDLC's data<sup>190</sup> – or the strength of its argument on absenteeism. With this, as the Inquiry report later noted, the NDLC's figures also included "those who may be absent through sickness or other legitimate cause" where "owing to the very heavy nature of dock work and the conditions under which it is performed, the dock industry inevitably has a high incidence of sickness and accident".<sup>191</sup> However, given the nature of employment in the docks, nothing would be known of short-term sickness or injury until the man returned to work (although a man on longer-term sick absence would presumably have sent in a certificate by post). Finally, there must have existed the possibility that the attribution of absences to the Royals might have been necessary because the balancing figure for absences would have been too high to be absorbed in any other Sector. In essence, then, absenteeism might have been a significant problem – but one that could not be precisely quantified in the conditions of the time.

The lack of clarity on either the numbers of men absent, or on the reasons for absence, is reflected in the NDLC press release, which noted that during February 1945, there were at least one thousand cases in the Royal Group of "men who had been absent without permission on two or more days" which has to be seen in the context of a "live" register for the Royal Group of 4,004 men. Of these, action had been taken against only 81 men "who had been absent without reasonable cause during four consecutive weeks": the inference must be that some significant level of absenteeism was routinely tolerated. The obvious question - not asked at the Inquiry - is how any organisation could have let that situation arise (or perhaps

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<sup>189</sup> BK2/1022, Evidence, day 3, pp. 64-65

<sup>190</sup> It would also seem unlikely that returns had been submitted by all of the dozens of wharves and all of the lighters and barges.

<sup>191</sup> Ammon Report paragraph 27

continue) without examining the circumstances and reasons for those absences and developing a plan to manage the problem. If, however, it is remembered that the NDLC saw itself as a manpower provider rather than employer, it becomes clear that it would not have been able to devise any strategy to manage absenteeism (for example through 'return to work' interviews) and so could only resort to using its disciplinary powers to bear down on absences.

#### Other problems in the Scheme

Given the complexity and lack of clarity on absences, the trade union reaction was to focus on some of the other problems of the Scheme – perhaps accepting that the various Essential Works Orders constrained the Port's freedom to confront the real difficulties facing both men and management. Certainly, in their written evidence the trades unions had reflected the concerns expressed by their members about the disciplinary procedures, and in particular the question of the 'break in guarantee':

There is also severe criticism against the power of the Port Manager to break the man's guarantee without right of appeal. This has been one of the weakest points of the Dock Labour Scheme since the first Scheme was introduced....in 1942.<sup>192</sup>

The matter of automatic break of guarantee is perhaps one of the Scheme's more arcane areas but was a matter of considerable importance to the men. If a worker failed to turn up to a Call-On, to accept any offer of suitable work, or to travel to any other port if so directed, 'without adequate cause' he could be liable to suspension without pay – thus 'automatically breaking the guarantee of employment'. In fact, as the disciplinary procedures show, more serious penalties were available; the man might be given seven days' notice of termination of employment, or summarily dismissed.<sup>193</sup> As Ammon pointed out, the requirement for the workers to prove "adequate cause...puts the men in the position of being regarded as prima facie guilty so they have to prove their innocence".<sup>194</sup>

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<sup>192</sup> BK2/1022: TGWU and NASD Statement of evidence submitted to the Court of Inquiry appointed to inquire into the causes of the recent stoppage at the London Docks which commenced on 1<sup>st</sup> March 1945. (Henceforth "TGWU and NASD statement") paragraph 15

<sup>193</sup> Dock Labour Scheme for the Port of London version 3/42 Clause 18 (c) op.cit

<sup>194</sup> Ammon Report, paragraph 34

So much, then for the “headline issues”: when the Inquiry Report was issued on 23 April 1945 it confirmed that although the proximate cause of the strike was the relocation of the Control Point, the real causes of the unrest were a number of systemic and operational problems perceived by the workers in the operation of the Dock Labour Scheme. As an introductory paragraph notes:

The strike originated in the men’s feelings of resentment against the alleged harsh exercise of discipline under the Port of London Dock Labour Scheme. It was brought to a head by the transference...of the Royal Docks Control Point...inside the Dock Gate.<sup>195</sup>

On the first day of the Inquiry the two unions submitted a statement of evidence and notes on 20 cases comprising a selection from “letters and statements from a large number of men” – presumably those where the unions considered that there was a strong case for appeal. In their opening paragraph, the unions stated that:

For some time, we have received complaints from the men in London, to the effect that the administrative machinery of the National Dock Labour Corporation was operating against them unfairly, particularly in connection with alleged offences arising out of their employment.<sup>196</sup>

The Committee interviewed a number of the complainants: many of the cases were complex with some relating to problems of communication between the workers and local managers, while others reflected the problems of administering a statutory scheme where the codified rules allowed little room for flexibility, and where the only recourse for the men was to appeal to a Tribunal.<sup>197</sup> The written and oral evidence confirmed the difficulties of operating these systems: Appendix V (in the NA file BK2/1022, but not published) shows that in the five months between October 1944 and February 1945, there were nearly 2,000 cases requiring action, of which 1,285 were dealt with by a disciplinary interview and 694 resulted in either suspension (646) or dismissal (48). Nearly half the men penalised (330) appealed against the penalties imposed, and of those 79 appeals were allowed, while others had penalties reduced.<sup>198</sup> One specific problem was identified in the evidence to the Inquiry where a union representative on the Tribunals stated that

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<sup>195</sup> Ammon Report paragraph 9.

<sup>196</sup> TGWU and NASD Statement of evidence paragraph 1

<sup>197</sup> Membership of the Tribunals consisted of one representative from each side of the industry with a secretary from MLNS.

<sup>198</sup> BK2/1022

there is an impression in the minds of the Tribunal that it weakens the Manager altogether if they wipe out the penalty, and I am indicating that if the action was taken before the Manager had committed himself, then the Manager's dignity would not be involved.<sup>199</sup>

The difficulties here are echoed by the NDLC submission, which outlined the problems of operating the scheme and acknowledged that "under such conditions the Manager has little chance of administering the scheme fairly and some injustice is almost inevitable".<sup>200</sup> The issue of Indiscipline while in employment was seen to have many implications, for example raising the question of why the NDLC should be given the responsibility of adjudicating in a dispute between a worker and his operational employer and then imposing and administering any penalties, where the dispute might be about the interpretation of industrial agreements – for which there would often be agreed consultation procedures in the Industry. Here the Committee was clear: such cases were not suitable for review under the disciplinary arrangements within the Scheme.<sup>201</sup>

#### Ammon's conclusions

The main themes of the Ammon report are of how the disciplinary procedures had been applied in managing absenteeism, and in particular the problems relating to the automatic break of guarantee, and indiscipline in employment.<sup>202</sup> The report did not resolve the problems and difficulties: these had existed as a source of discontent in the London docks since the inception of the London Scheme, and (continued in the later National Scheme) remained a key issue in industrial unrest for years afterwards. In the introductory section to the report there is an acknowledgement that "there is often a feeling amongst men against whom disciplinary action has been taken that the Corporation's Officers are acting arbitrarily, harshly and unsympathetically"<sup>203</sup> and, as noted subsequently:

It is clear from the evidence submitted to us that in London the Corporation is not really regarded – and perhaps may not regard itself – as an integral part of the Industry but as something apart. There is...a tendency for the Corporation to overlook the need for taking every opportunity to carry the

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<sup>199</sup> Ibid., Evidence, day 2, p. 34

<sup>200</sup> NDLC Statement paragraph 11

<sup>201</sup> Ibid., paragraph 40

<sup>202</sup> Ibid., paragraphs 17-42

<sup>203</sup> Ibid., page 6 paragraph 19

industry with it...and to make sure that it can at no stage be said to be ignoring the industrial machinery or local or practical experience.<sup>204</sup>

One person who might have set the tone for the poor relations between local managers and the workforce, and perhaps for the “undoubted hardships” in the applications of the rules noted in Ammon’s paragraph 29 was Mr M C Halliday, who was recruited as the Port Manager for London when the Dock Labour Scheme was introduced in 1942. Halliday had been for many years an employee, and latterly the Manager, of the major private stevedoring company of Scruttons Ltd.<sup>205</sup> Halliday was no admirer of the new Schemes as is shown in a letter he wrote (as the LDLB’s port manager) about the extension of the Dock Labour Scheme to the Clyde in 1942:

The trouble with the men is the direct result of Government schemes and inclusion of the men in either Scheme will not solve the problem. The [present] conditions on which these men are employed place a premium on industry and a tax on indolence. The Government schemes do the opposite.<sup>206</sup>

Given the fact that he was prepared to commit those feelings to paper on file as a matter of record, it is hardly surprising that the workings of the London Scheme were less than harmonious. Senior officials in the PLA also had concerns about Mr Halliday’s capabilities, as shown in a letter from the Chief Accountant to his Chairman:

Whatever success Halliday may have had as an Administrator of a going concern, he is out of his depth as an Organiser of a new undertaking.<sup>207</sup>

In spite of this, Halliday had been given free rein in establishing the new systems, as shown in the evidence to the Inquiry from Mr J K Swire, representing the Port of London Joint Committee:

in the earlier stages...Mr Halliday was then our Port Manager [and] ...there is no doubt that at that time Mr Halliday was left pretty much to

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<sup>204</sup> Ibid., page 7 paragraph 21

<sup>205</sup> A.E. Jeffery, *The History of Scruttons: Shipbrokers and Shipowners 1802-1926: Stevedores, Master Porters and Cargo Superintendents 1890-1967* (London: privately published, 1971) p.63

<sup>206</sup> BK 32/14, Letter from M C Halliday dated 16 February 1942 to F G Thomas, Assistant General Manager of the NDLC

<sup>207</sup> BK 32/14 Letter from T Haworth to Sir Douglas Ritchie, 21 February 1942

himself...The Head Office had not got established; it was not built up; they were leaving it to the Port [i.e. the Port Manager] to get on with the job.<sup>208</sup>

Presumably, then, Halliday would have been able to appoint men of his own sentiments as local managers, and with this, it is not surprising that there were tensions between the workforce and both the Port authorities and the employers. The Ammon Committee also commented:

It is, however, our unanimous view that the experience of working the Scheme for the past three years in London shows that there is a need to review some of the disciplinary and other related arrangements so as to make for smoother and more efficient running.<sup>209</sup>

Two final matters were considered by Ammon. Firstly, the existence of a theoretical system for disciplining employers, which had never been used. The Committee accepted that in considering a question of indiscipline in employment there might be circumstances where the employer was at fault and suggested that improvements to the Scheme might be needed for this.<sup>210</sup> Secondly, the Committee noted the difficulties faced by the representatives of the NASD who “appear to have no power of entering into binding arrangements and have to go back to seek authority from their Executive, with the result that all agreements reached are conditional only”.<sup>211</sup>

The report was published on 26 April 1945, and seems to have attracted little publicity (perhaps overshadowed by the imminent end of the war in Europe), meriting only 390 words in *The Times*,<sup>212</sup> with no apparent further correspondence or comment thereon (and with no mention in *Hansard* for either House of Parliament in April or May). While noting that the committee was “unanimously of the opinion that the strike was wholly unwarranted and all the more regrettable because of the established machinery which is fully capable of considering and dealing with any matter in dispute”, the article in *The Times* notes that “some of the disciplinary and other arrangements need review”.<sup>213</sup> Unfortunately, little immediate action appears to have been taken on the Ammon recommendations: the MLNS file shows that

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<sup>208</sup> BK2/1022, Evidence, day 2, p. 28

<sup>209</sup> Ammon Report, para. 24.

<sup>210</sup> *Ibid.*, paragraphs 44 and 45

<sup>211</sup> *Ibid.*, paragraph 52. This ‘over-democratic’ point was a problem that would recur in labour disputes in later years. The TGWU was hierarchical with paid officials, who were able to commit the union to a course of action, while the NASD executive was more directly answerable to its wider membership, with Officers’ negotiating position subject to overrule by its members

<sup>212</sup> *The Times* 27 April 1945, p. 2 ‘London Dock Strike Unwarranted’

<sup>213</sup> *The Times*, *op.cit.*

officials in the Ministry did indeed note the need for follow-up action on the recommendations on “disciplinary and other related arrangements and to establish satisfactory arrangements for entitling men to leave of absence subject to the labour requirements of the port and completion of a job involving heavy work and long hours”, but also shows that these matters were all remitted to a new Standing Joint Committee set up by the National Joint Council for the Port Transport Industry,<sup>214</sup> – and then (presumably) overtaken by the proposal for new legislation in 1946.

As a coda to this chapter, there is one final area that needs to be explored, which is the influence of the Communist Party of Great Britain (CPGB), a consistently recurring theme in official thinking about the causes of labour disputes in the docks. The first indications of this are in paragraph 20 of the Ammon report (on Discipline), which reads:

Over and above these considerations there is the influence of a small subversive political section, most of whose supporters are new to the industry, who have tried to spread trouble by exploiting the real or alleged grievances...<sup>215</sup>

There is little evidence in the NA files of the “influence” noted in the paragraph, although one NA file contains a note of a flyer from the “Progressive Committee Surrey Docks Sector” giving “The Case for the Port Worker” and criticising the NDLC for maladministration - “the facts are that since its inception the NDLC has been disciplining and suspending hundreds of port workers for the most trivial offences”.<sup>216</sup> The existence of the Progressive Committee was also noted in the evidence to the Inquiry from Jack Donovan of the TGWU docks group:

It is not an official committee. My experience, Sir, in each of the dock strikes in the country during the past two or three years is that the moment it starts there is an unofficial committee thrown up. There are two political Parties which are interfering in each one of these strikes, the Communist Party and the Independent Labour Party....in every case there has been an attempt to take charge of the dispute and take it out of the hands of the officials of the

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<sup>214</sup> LAB 10/567

<sup>215</sup> Ammon Report page 6, paragraph 20,

<sup>216</sup> BK 1/239 Note dated 5 March 1945



Union [and] my experience is that a fair number of [the members of the committee] are very new people to the industry.<sup>217</sup>

In reality the influence of the CPGB in this dispute might well be seen to have been overstated, and it would seem that the Party played little, if any, part in either fomenting or supporting the 1945 docks dispute. As Nina Fishman shows, there had long been divisions within the party on whether the emphasis should be placed on increasing the CPGB's influence inside the trades union movement, or on fostering activism amongst the rank and file workers.<sup>218</sup> Given that "by 1945 [Henry] Pollitt and [Johnny] Campbell had achieved their ambition to make the Communist Party an important force inside the official trade union movement" it would seem unlikely that there could have been any formal Party support for the unofficials in the 1945 dispute, although that is not to say that there would have been no informal encouragement from Party members.<sup>219</sup> But the Party (certainly in England) appears to have developed its most active and significant branches among the London busmen and the coal miners, and in the electrical and mechanical engineering industry.<sup>220</sup> The CPGB was in any case almost certainly deeply penetrated by the British Security Services, as may be seen from Cabinet Papers of 1942 and 1943,<sup>221</sup> and the lack of any comment in Cabinet Papers around March and April 1945 further suggests that the CPGB was not a significant player in the dispute.<sup>222</sup> It is perhaps easier to see that the Party was used as a scapegoat for internal trade union tensions, apathy, or inefficiencies (as Goldstein suggests),<sup>223</sup> or as being seen by senior trades unionists as a threat to the power of organised labour.<sup>224</sup>

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<sup>217</sup> BK2/1022 Evidence 5<sup>th</sup> day, pp.47-48

<sup>218</sup> Nina Fishman *The British Communist Party and the Trade Unions 1933-1945* (Aldershot, Hants, Scolar Press, 1995), Chapter 4: In Pursuit of the Real United Front, pp. 66-82

<sup>219</sup> Although as Hunter 'They Knew' shows, the position was markedly different in 1948

<sup>220</sup> See, for example, John McIlroy 'Reds at Work: Communist Factory Organisation in the Cold War, 1947-56' *Labour History Review* **65**, 2, pp.181-201

<sup>221</sup> NA file CAB 66/23/48, Cabinet memorandum 24 April 1942 contains reports of a "secret" Communist party meeting, and CAB 66/35/9, Cabinet memorandum 13 March 1943 provides a detailed briefing of CPGB meetings and correspondence between the Party and the Comintern.

<sup>222</sup> i.e. in NA file series CAB 65 Cabinet Minutes 1939-1945

<sup>223</sup> Joseph Goldstein. *The Government of British Trade Unions* (London: George Allen and Unwin, 1952) pp. 61-62

<sup>224</sup> See, for example, A. Bullock, *The Life and Times of Ernest Bevin*. Volume 1 (London: Heinemann, 1960) p.527

## Summary

This chapter has brought together data from several sources to provide an indication of the experiences of dockers and their communities, prior to and during the Second World War, that have been seen as influencing docker actions in industrial disputes. It is no more than a qualitative indication of the factors and their possible effects, so no direct relationship with the disputes is attributed, but the material suggests that fear and anger about deprivation may well have conditioned the reactions of dockers to the port authorities and the employers, and played a significant part in the unrest.

From a study of two dockland boroughs, the legacy of the 1930s can be seen as underemployment, poverty, industrial pollution, and poor housing; compounded by deprivation and poor health. Llewellyn Smith's (1930) suggestion of real improvements in disposable income for "male workers" such that they would be able to purchase nearly a third more of the "necessaries of life" than in 1886 seems not to hold up in terms of the limited 'hard' data available from that time, and it would appear that even if the pay rates that some workers enjoyed around 1930 were sustained into the latter part of the decade, under-employment would have severely depressed real earnings in the docks. The evidence from the Medical Officers of Health also serves to underline, in part, that the overcrowding and social deprivation in the docklands areas shown in the New Survey maps led to a greater incidence of disease.

The advent of war in 1939 may be seen to have further compounded the suffering of the docklands, with the terrors of the Blitz exacerbated by inefficiencies and incompetence of some of the authorities. The data on the early months of the Blitz is poor, but we might postulate that at least 1,000 bombs fell on the two boroughs in September-November 1940. The later reports record the huge weights of bombs that fell in the latter part of the assault, and the bomb damage maps for Poplar show that damage was massive and widespread, which must also have been the case for the West Ham Wards near the docks with both areas suffering huge numbers of casualties.

Dockers were also affected by the series of statutory regulations that brought relief from casual underemployment at the expense of stringent controls on the dockers'

conditions of employment. The introduction of the London dock labour Scheme and attendance pay ensured that all dock workers finally received a guaranteed income but had to accept a requirement to transfer to other ports, with disciplinary procedures that were wide-ranging and stringent. In and around this time the workers conscripted or recruited to the armed forces will have experienced very different lifestyles, while their families will generally have suffered financially.

The dockers were not unique in their suffering, in how they were affected by industrial and armed forces conscription, or in their contribution to the War effort, but the seemingly advantageous new employment arrangements imposed by the Essential Work orders had inherent defects that surfaced in the 'Control Point' dock strike of March 1945. That dispute exemplifies how some important aspects of responsibility for industrial relations in the port of London had moved from the PLA to the London Dock Labour Board, with the Board's actions seemingly reflecting pre-war attitudes and treatments of dockers (particularly in the obfuscation about absenteeism), and this dispute being a precursor of many of the strikes over the following fifteen years.

In parentheses, it can be seen that the official (Ammon) report on the strike represented a real opportunity for the consideration of problems in the operation of the Dock Labour Scheme in London and for its revision and improvement. The report made a number of recommendations that, if implemented, would have led to such improvements. The obvious conclusion would be that any rational employer of dock labour would have recognised the need to tackle these problems, and defined some longer-term solutions, but the NDLC did not see itself as the "employer" in such terms. In consequence, as will be seen from the next chapters, those defects lay as an infection within the body of the Scheme and provided a ready source for industrial disputes for some years.

## Chapter 3: THE DOCKS AND INDUSTRIAL DISPUTES 1945-60

The period between 1945 and 1960 saw high levels of industrial unrest in the London docks reflected in strikes following workplace disputes, political agitation, inter-union rivalries and internal union discord. These were matched by (often uncoordinated) actions and reactions by the National and London Dock Labour Boards (NDLB and LDLB), as pseudo-employers,<sup>1</sup> the 'operational employers' both collectively<sup>2</sup> and as the hundreds of individual companies,<sup>3</sup> and the PLA. There were also interventions by the Government in the use of troops to work ships, or by the appointment of courts of inquiry, with efforts also being made to analyse and understand the causes of the unrest. In this chapter I consider the work environment of the dockers and the factors that influenced the industrial disputes, with a particular focus on the statute-based National Dock Labour Scheme (NDLS) of 1947, and the trade union environment. The last of these is also important because although the docks were not formally a 'closed shop', in reality no-one could work in the London docks without being a member of a trade union.

### The Environment and Work of the Docker

No single publication considers the docks environment and dock work in full detail from the first encounter with the ship to the final clearance. This section provides a short review to give some background to the work and working conditions (although further compromised in focusing only on the work of unloading ships: the loading operations would have a different set of dynamics). Ship arrivals in London would be known in advance: information on ship movements would be available from a number of sources – the offices of the shipping companies, the importers,<sup>4</sup> and the local

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<sup>1</sup> The NDLB, although the nominal employer of all dockers, did not control any dock operations, and paid only those dockers not actually in work (see the *Report of a Committee to inquire into the Operation of the Dock Workers (Regulation of Employment) scheme, 1947* (Devlin Report 1956, Cmd 9813, London: HMSO, 1956), paras 49-60). Nor did it set terms and conditions of employment, including rates of pay, which were agreed by the National Joint Committee for the Port Transport Industry (NJCPTI) (*ibid.*, para 7).

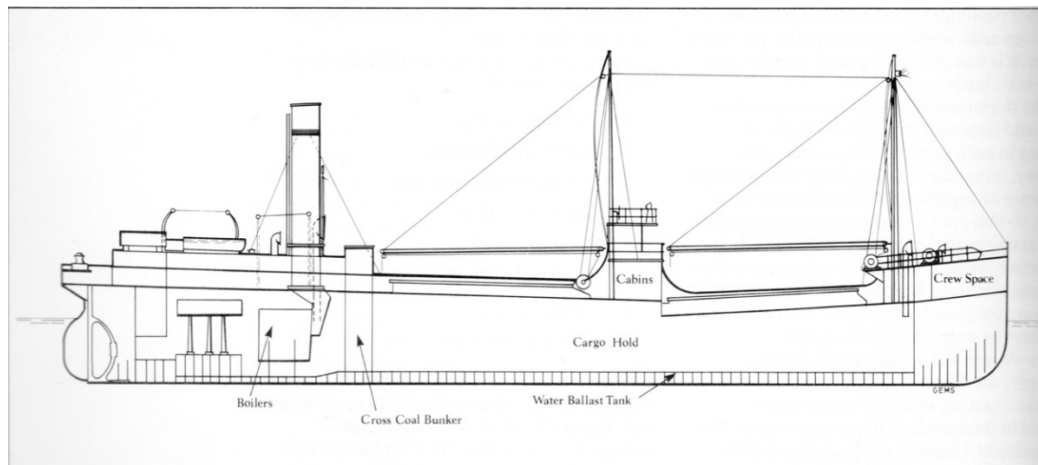
<sup>2</sup> Through organisations such as the National Association of Port Employers (NAPE)

<sup>3</sup> Devlin report 1956, para.6 puts the number at 440. A return in NA file BK 5/30 NDLB Welfare Committee Agenda and Papers 1950-1952, paper NDLB/F/487 dated 13 May 1948 shows a total of 773 employers in the port, indicating that there was a substantial number of other employers of non-registered workers in London

<sup>4</sup> "Inside clerks" working in shipping offices would have received a copy of the ship's manifest before its arrival and would liaise with the importers to ensure that barges or road transport were available to receive the off-loaded cargoes. See A E Smith *London's*

press,<sup>5</sup> and under the Scheme “top line” workers<sup>6</sup> might well decide to forego one or more day’s attendance (stand-by) pay to await the arrival of a ship where they knew the work would be highly rewarded. Ships docking in London ranged in size from a few hundred tons to perhaps 20,000 tons, exemplified by two ships central to strikes considered in this chapter: the *Theems* (557 Gross Registered Tons (GRT)), at the centre of the ‘Zinc Oxide’ strike of 1948 and the *Beaverbrae* (8,000 GRT) around which developed the ‘Canadian Seamen’s’ strike of 1949. Alan Pearsall’s illustrations of ship plans give some idea of what the layout of those vessels might have been: the cargo hold of a typical small coaster might be a single large box, perhaps 3-4 metres high and up to 30 metres long:

**Figure 9: Typical Coaster 1900-30<sup>7</sup>**



and at the upper end of the scale might include ships such as the *Provence*:

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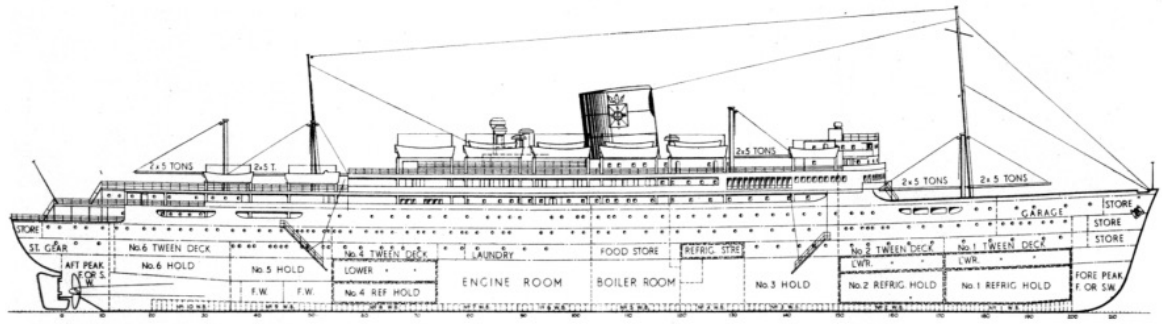
*Royal Docks in the 1950s: a Memory of the Docks at Work.* (Amazon: Privately Published, 2008), p.152

<sup>5</sup> A weekly list of known arrivals in the London docks would be published in the *Stratford Express*. The edition of 11 August 1939 shows details of ship arrivals in London over the next seven days in terms of the vessels, port of departure, and the destination dock – e.g. “Baghdad (New York) Millwall”

<sup>6</sup> The status and privileges of such men is explained in detail in Liverpool University, *The Dock Worker: an Analysis of Conditions of Employment and Industrial Relations in the Port of Manchester*. (Liverpool: University Press, 1956), p.59.

<sup>7</sup> Taken from Alan Pearsall, ‘The Development of the Ship’ in S.K. al Naib (ed.) *Dockland: An Illustrated Historical Survey of Life and Work in East London*, (London: North East London Polytechnic, 1988), p.128

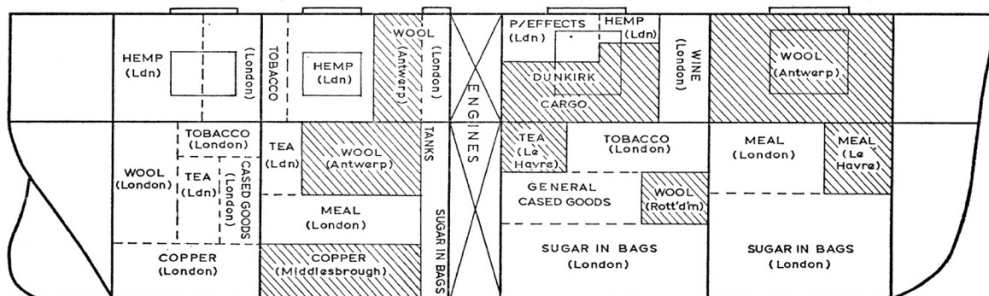
**Figure 10: SS Provence, 15,889 GRT**



Source: *Tyne Built Ships* <http://www.tynebuiltships.co.uk/P-Ships/provence1951.html>

This ship, like the *Beaverbrae*, was able to carry both passengers and cargo, with six holds and substantial storage areas in the multiple “tween decks” spaces. In general, as Pearsall shows, ships of up to 6,000 tons could berth in any of the docks – although it would be rare for larger ships to berth in the smaller docks, and vessels above that size would generally berth in the Royal group of docks<sup>8</sup> or Tilbury.<sup>9</sup> The illustration below shows the way in which a typical tramp steamer from South and East Africa might have been loaded: the cargoes for other ports such as Antwerp might be off-loaded to be re-shipped in smaller vessels or to allow unloading of the London cargoes.

**Figure 11: Cargo plan of MV Molfetta.**<sup>10</sup>



Cargo plan of M.V. *Molfetta*.

Access to the cargoes would be through hatches, covered by either wooden forms and tarpaulins, or mechanically operated steel shutters. The docker A.E. Smith provides vivid examples of the various problems that might be encountered where “a tall restricted hatchway opened out to a wide cavernous hold,” or where the

<sup>8</sup> The Royal Victoria and Royal Albert Docks and the King George V dock.

<sup>9</sup> Pearsall, ‘The Development of the Ship’ op.cit.,

<sup>10</sup> R. B. Oram, *The Dockers’ Tragedy*. (London: Hutchinson, 1970) pp 101-102

hatchway had to cut through passenger accommodation<sup>11</sup> and Colin J. Davis picks up on the dangers of working in the open hold as cargoes were swayed up.<sup>12</sup> Oram's representation shows the holds neatly packed, but cargoes would usually be wedged in and covered by "dunnage" - pieces of wood in various sizes. As the cargoes were unloaded, the dunnage would accumulate in the holds, producing (at the very least) trip hazards.

Dock workers were paid either on a time rate, or 'by the piece' – so much for each ton, or parcel of goods handled. By far the majority of work in London was piecework, and each class of goods would have its own rate: Michael Mellish notes that there were more than 5,000 different rates negotiated by the Ocean Shipowners Group Joint Committee,<sup>13</sup> while Stephen Hill, records that there were more than 1,000 standard PLA piecework rates.<sup>14</sup> The PLA Archives also contain details of "Contingency Payments" or "Cons" representing additional payments for 24 different categories for specialist workers such as "Barge gunwale hands" or operations such as "rebanding packaged timber",<sup>15</sup> with more than 500 other folders showing the negotiations about new or varied rates for problems with access or damaged cargoes.<sup>16</sup> A file in the Modern Records Centre (MRC) at Warwick records 150 different rates for handling timber and more than 250 rates for handling wool.<sup>17</sup> The condition of the cargoes on arrival would be dependent upon the strength and integrity of the hatch closures, the weather conditions of the voyage, and the quality of the loading (since a badly stowed cargo might easily come adrift during a sea passage). Problems might also arise from the nature of the cargo: Leggett cites "cotton seed cake...in which flies and insects had bred", "formaldehyde in drums, some of which had leaked during voyage, filling the hatch with fumes", and "250 tons of spelter" [crudely cast zinc], stored under "100 tons of peanut butter" which had melted and run onto the spelter.<sup>18</sup> Another docker, Henry Bradford describes

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<sup>11</sup> Smith, *Royal Docks*, op.cit., p.34

<sup>12</sup> Colin J. Davis, *Waterfront Revolts: New York and London Dockworkers 1946-1961* (Chicago: Illinois University Press, 2003) pp.46-7

<sup>13</sup> Michael Mellish, *The Docks after Devlin* (London: Heinemann, 1972) p.18

<sup>14</sup> Stephen Hill, *The Dockers: Class and Tradition in London* (London: Heinemann, 1979), p. 118

<sup>15</sup> PLA Archives Box 172 *Piecework rates 1946-1969*, unindexed folder "Contingency Payments".

<sup>16</sup> PLA Archives Folder Q2378, contains 100 cases of negotiations on "awkward cargoes"

<sup>17</sup> Modern Records Centre (MRC) file MSS.126/TG/RES/D/27/2 TGWU London Docks (1928-1969)

<sup>18</sup> *Unofficial Stoppages in the London Docks. Report of a Committee of Inquiry* (Leggett Report, Cmd 8236, 1951) p.5, paragraph 17.

unloading whale meal<sup>19</sup> and the embedded population of rats in the foetid cargo.<sup>20</sup> Some cargoes were notoriously problematical: the PLA archives in the Museum of London Docklands contain a photograph of a roadway at the North Quay of the West India dock known as 'Blood Alley' – “the nickname given to the roadway between the transit sheds and sugar warehouses because handling the sacks of sticky West Indian sugar badly chafed and cracked the dockers' skin”.<sup>21</sup> Smith's *bêtes noires* were carbon black and flour: both of which stuck to clothes and skin. For unloading, cargoes would normally be moved from the various parts of the hold and brought into the “square of the hatch”, to be hoisted up in nets or slings by either the ship's gear or by quayside cranes. Smith describes the unloading of bags of sugar<sup>22</sup> and in this and other areas great care would be needed to ensure that the loads ('sets') being lifted were secure and properly balanced for hoisting – no easy job where, for example, the cargo was frozen carcasses or iron girders – before being lifted and deposited either onto the quays or into barges. For much of the initial period after the war no overalls or protective clothing were supplied, as the picture below shows, dockers worked in their everyday clothes.

**Figure 12: My father James Edward Barram (aged 49) in 1957 handling flour.**



<sup>19</sup> That is, whale meat from which the oil has been extracted

<sup>20</sup> Henry T Bradford. *Tales of London Docklands* (Stroud, Gloucestershire: Sutton, 2007)

<sup>21</sup> PLA Archives Photograph 000002 “Blood Alley c.1930”

<sup>22</sup> Smith, *Royal Docks*, op.cit., pp.26-28



**Figure 13: Death certificate of J.E. Barram showing that he died from a fractured skull and lacerated brain through falling to the bottom of a hold**

a search fee is payable in addition.

Registration District **WEST HAM**

1960. Death in the Sub-district of **WEST HAM SOUTH** in the **COUN**

Columns:—						
1	2	3	4	5	6	
No.	When and where died	Name and surname	Sex	Age	Occupation	Cause of death
204	Twenty third October 1960 Albert Dock Hospital, Albion Road, Custom House, E.16.	James Edward Barram	male	51 years	of 12 Cistamson Road Custom House E.16. a Dock Labourer	Died from fractured skull and lacerated brain sustained through falling to the bottom of a hold in which he was working in a ship. Misadventure.

I, *R.E. Hughes*, Registrar of Births and Deaths for the Sub-district of **WEST HAM SOUTH**  
do hereby certify that this is a true copy of Entry No. 204 in the Register Book of De  
Book is now legally in my custody.

Dock work has traditionally been seen as unskilled – work that anyone could drift into, called out of a crowd of feral men, but in reality many jobs needed handling skills or a dexterity that often took months to acquire, and even at the most basic level no job was altogether simple. In his seminal work on the Port of London Sir Joseph Broodbank notes that “to wheel a truck along a smooth quay is the simplest form of work until it is tried, and the experimenter will learn that even this elementary operation is not as mechanical a one as are multitudes of operations in factories”.<sup>23</sup> Anyone visiting the Museum of London Docklands in the old West India Dock will see that the “smooth quay” is in fact flagstones or cobblestones, and may perhaps imagine how difficult such wheeling of an iron-tyred truck might be for a worker wearing hobnailed boots in wet weather or icy conditions. In addition to dexterity, dockers would also need to know how to manage their work patterns: as Maier shows, proper timing of manual effort significantly affects the onset of fatigue and the amount of work that can be done in a period.<sup>24</sup>

There are few comprehensive accounts of dock work in twentieth century literature: Oram’s ten pages<sup>25</sup> are very much an overview, and the classic study of dock work

<sup>23</sup> J.G. Broodbank, *History of the Port of London Vol II*. (London: Daniel O’Connor, 1921) p.425

<sup>24</sup> N R Maier *Psychology in Industry* (3<sup>rd</sup> Edn.) (London: Harrap, 1965) pp. 489-505

<sup>25</sup> Oram, *Dockers’ Tragedy*, op.cit., pp. 95-104

by Liverpool University in 1950-51<sup>26</sup> is based mainly upon interviews rather than direct observation of the work. Hill's substantive work on dock labour was based on studies undertaken between 1969 and 1971 in a period of transition after the initial decasualisation of dock work, the closure of most of the upper river docks and "nearly all the riverside wharves".<sup>27</sup> His studies were mainly focused on Tilbury and the West India/Millwall docks, where he "spent three months with twelve foremen, watching and recording what happened during the working day", and "interviewed 139 men".<sup>28</sup> Much of his analysis of actual work was seemingly structured to enable him to relate his observations to Martin Meissner's study of work processes (in spite of the fact that Meissner's work is primarily focused on processes in factories, and that his review of dock work comprises four paragraphs based on "fragments of information" taken from the Liverpool University study).<sup>29</sup> To facilitate that link, Hill conflates dissimilar sets of dock labour activities, ranging from "unmechanised work", through operations with fork-lift trucks and palletized cargoes and then to the work in container berths.<sup>30</sup> He groups all of these as "*transfer* operations" which, in Meissner's terminology, are less skilled than, for example, *conversion* operations.<sup>31</sup> Nevertheless, Hill's detailed description of the way in which dock workers actually handled cargoes in the hold is illuminating, although the "much wider hatches" that he noted in the more modern ships which "greatly simplified and expedited cargo-handling" would have not have been common in the years immediately after the war.<sup>32</sup> Hill supports Meissner's view that dock work requires no differentiation of tasks (i.e. any worker can do any task), to have low attention requirements, and to require no cooperation or mutual influence.<sup>33</sup> More recent publications about dock work cast doubt upon that analysis: certainly in the days before wholesale mechanisation the various tasks were indeed differentiated, required different skill sets, demanded close attention in the operations and significant problem-solving skills with close team-work, so could not be undertaken by an unskilled worker. George Adams provides examples of the technical challenges of operating the

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<sup>26</sup> Liverpool University, *The Dock Worker*, op.cit.

<sup>27</sup> Hill, *Dockers* op.cit, p.2

<sup>28</sup> Ibid., p.38 and p.8

<sup>29</sup> Martin Meissner, *Technology and the Worker, Technical Demands and Social Processes in Industry* (San Francisco: McGraw-Hill, 1969), pp.54-55. Note that Meissner's work was criticised in a number of reviews, for example Marshall W Meyer 'Review of Meissner's *Technology and the Worker*' *Social Forces* 50, 2 (1971) pp. 272-273, and Joseph W McGuire, 'Review of Meissner's *Technology and the Worker*' *Administrative Science Quarterly* 15 2 (1970) pp.265-266

<sup>30</sup> Hill, *Dockers*, pp.44-52

<sup>31</sup> Meissner, *Technology*, op.cit., pp. 16-18

<sup>32</sup> Hill, *Dockers*, op.cit., pp. 45-47

<sup>33</sup> Meissner, pp. 59-60 and pp. 204-206

complex systems for lifting and transporting cargoes,<sup>34</sup> and an illustration of the work of the “deal porters” in handling softwood prior to the introduction of pallets.<sup>35</sup> Smith’s very personal accounts take us very much into the work, the environment, and the challenges of handling different cargoes,<sup>36</sup> and of the problems of working in unlit holds strewn with dunnage.<sup>37</sup>

Oram, writing in the late 1960s, shows the progress of mechanisation after the war, both in terms of the heuristic ways in which improvements were developed, the fortuitous availability of discarded machinery from the American forces, and the equally unstructured way in which the changes were implemented – often without any consultation with the workforce.<sup>38</sup> And while the Working Party on Turn-round of Shipping in the UK (WPTRS) could see “many examples of successful mechanisation”, port authorities and other employers were reluctant “to invest capital in plant, on which they believe for various reasons they will not obtain a reasonable return”.<sup>39</sup> A team from the Working Party examined the particular aspects of London and noted in relation to mechanisation that:

The provision of.....mechanical aids such as mobile cranes, electric trucks, and tractors is at present regarded as the responsibility of individual employers who undertake the actual operations and there are wide differences in the practice of firms in this respect. Some have mechanised their operations to a large extent while others provide only hand trucks.<sup>40</sup>

## Health and Safety

With or without mechanical aids, the work was hazardous, and Colin J. Davis describes the risks to workers through accidents or from handling hazardous cargoes.<sup>41</sup> The NDLB annual reports show that in the 14 years between 1948 and 1960 the NDLB’s medical centres provided 1,811,420 “treatments” for Registered

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<sup>34</sup> See <http://generalcargoship.com/cargo-handling-gears.html> for translation of the technical terms

<sup>35</sup> George Adams ‘Cargo Handling’ in al Naib, S K. (ed.), *Dockland: An Illustrated Historical Survey of Life and Work in East London*, (London: North East London Polytechnic, 1988) pp.97-110

<sup>36</sup> Smith, *Royal Docks*, pp. 95-146

<sup>37</sup> *Ibid.*, p.36

<sup>38</sup> Oram, *Docker’s Tragedy*, op.cit., pp 157-172

<sup>39</sup> NA file AN 13/1976 Working Party on Turn-round of Shipping: Port of London, paragraphs 43-46.

<sup>40</sup> *Ibid.*, Interim report by the visiting team, para 20

<sup>41</sup> Davis, *Waterfront*, op.cit., pp. 44-50

Dock Workers (RDWs), an average of 129,387 per year, for an average workforce of 74,686 – nearly two incidents per RDW in each year.<sup>42</sup>

**Figure 14: Number of treatments in NDLB medical centres 1947-60**

APPENDIX 10

**PORT MEDICAL SERVICES — NUMBER OF TREATMENTS, 1947-60**

Year	Number of Ports Served	Number of Centres	Number of Treatments		Total
			Dock Workers	Others	
1947	3	11	—	—	128,148
1948	5	14	64,059	77,514	141,573
1949	10	18	78,436	97,603	176,039
1950	14	24	88,327	111,413	199,740
1951	18	31	123,901	119,223	243,124
1952	21	36	125,374	89,759	215,133
1953	24	42	143,826	63,694	207,520
1954	25	44	159,427	57,108	216,535
1955	25	44	179,405	58,150	237,555
1956	26	45	171,697	60,385	232,082
1957	27	47	173,824	61,283	235,107
1958	27	47	165,336	61,140	226,476
1959	27	47	171,241	64,150	235,391
1960	27	47	166,567	63,276	229,843

Source: NA file BK 3/43 NDLB Annual Report for 1960

More information is available in the NDLB Welfare Committee papers where the return for 1951 shows that London had 3,259 “accidents”, and thus 10.2% of its total workforce of 30,419 injured, so that, on average, about one in every ten dockers sustained an injury at work in London in that year.<sup>43</sup> I could find no definition of what constituted an “accident” in the Committee papers: the preceding file<sup>44</sup> shows that the returns were developed over a period of time after the Committee was established in 1947. A later survey of accidents to PLA workers in London in 1956 by Dr W J Shaw<sup>45</sup> gives more data on that limited area. He shows that for around 4,000 PLA workers, there were 1,909 accidents severe enough to be recorded on the Authority’s accident report form, 466 of which led to absences of more than three days.<sup>46</sup> The NA file<sup>47</sup> shows that the paper was seen by the NDLB officials but

<sup>42</sup> NA files BK 3/42 and BK3/43, NDLB Annual Reports 1947 to 1960

<sup>43</sup> NA File BK 5/31 NDLB Welfare Committee: Agenda and Papers. Paper NDLB/F/2464 considered by the Committee on 29 January 1952. Workforce numbers from NA File BK 3/42 NDLB Annual Report 1951

<sup>44</sup> NA File BK 5/30 NDLB Welfare Committee: Agenda and Papers, 1947-1950

<sup>45</sup> W J Shaw ‘A survey of Dock Labour Accidents in the Port of London’ *International Cargo Handling Coordination Association Symposium on Accident Incidence and Multiplicity of Markings*, 28 October 1958. Based on ‘A survey of Dock Labour Accidents in the Port of London’ *British Journal of Industrial Medicine*, **13**,1 (1956) pp. 59-69

<sup>46</sup> *Ibid.*, p.60 tables 1 and 2.

<sup>47</sup> NA File BK2/119 Port Medical Services, Industrial Accidents, London.

given limited circulation because of a lack of copies. It seems not to have been circulated to the PLA or NDLB Boards, and there is no indication of any follow-up action on the file, although Shaw picks up on areas such as the large number of accidents through the use of the docker's hook, the problems of fatigue, and the low number of accidents in mechanised operations. He cites other sources, including studies by Vernon<sup>48</sup> that provide useful material for any consideration of managing manual work, but no action or follow-up is shown on any of those aspects.

Under pressure from the Ministry of Labour and National Service (MLNS) the NDLB commissioned a survey of dock amenities in 1949 where, while many lavatories were found to be satisfactory, with seats and some degree of privacy, "the majority are historic. The 'trough' type is common... [and] may almost be regarded as the norm in some ports - it is modern compared to some other lavatories described in the Report". Unsurprisingly, "some members of the survey committee... were amazed and nauseated by what they saw and smelt on their own docks. It is not surprising that the men avoid the lavatories whenever possible and have a real fear of infection".<sup>49</sup> The maintenance and cleaning of lavatories was seen to be the most immediate problem: where the port authority provided the facilities, the arrangements for maintenance and cleaning were satisfactory, but "there are many other interests on the Estates which make little, if any, such arrangements". The facilities were often badly lit, and "artificial light is seldom provided", and there were frequent references to "repairs that were urgently required such as broken pans, water pipes, windows, etc."<sup>50</sup> As the Leggett report noted for London: "we could not find evidence of any provision of washing facilities for men working on dirty cargoes beyond the crude provision of buckets for which hot water can be obtained only from the ship".<sup>51</sup> The NDLB survey report also notes the comment from an officer of the Port of London Health Authority that "in his opinion 90% of the existing conveniences were obsolete and the general condition of the lavatories and urinals

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<sup>48</sup> H.M. Vernon *Accidents and Their Prevention*, (Cambridge: University Press, 1936). p.91. If this is linked to Trist and Bamforth's studies of work in coal mines: (E. L. Trist and K. W. Bamforth 'Some Social and Psychological Consequences of the Longwall Method of Coal-Getting' *Human Relations* 4, 3 (1951), pp. 3-38) and contrasted with the lack of similar studies in the docks and of any follow-up on Shaw, the lack of engagement by the NDLB in the docks industry criticised in the Devlin Report of 1956, (paras 59-60) is emphasised.

<sup>49</sup> NA File BK 16/1 NDLB Surveys and Reports of Dock Amenities 1948-49 Tyne to the Medway Report, paras 16-18

<sup>50</sup> *Ibid.*, paras 20-22

<sup>51</sup> Leggett Report, para. 88

was very unsatisfactory [and] there is approximately one cubicle for [every] 400 men."<sup>52</sup>

**Figure 15: Extract from a Return Showing Toilet Facilities in the Royal Victoria Dock 1949**

Royal Victoria Dock (cont'd)		
Between Nos.1 and 2 Sheds	Brick lavatory containing 5 stall urinal 8 pedestal W.C.'s - partitioned - no doors 4 pedestal W.C.'s - lockable cubicles	Dock Workers 3 reserved for P.L.A. Staff and Ships' Officers 1 reserved for Females
Between Nos.2 and 3 Sheds	Brick lavatory containing 6 stall urinal 6 pedestal W.C.'s - partitioned - no doors 3 pedestal W.C.'s - lockable cubicles	Dock Workers Reserved for P.L.A. Staff and Ships' Officers
East of Bulk Grain Office	Brick lavatory containing 5 stall urinal 8 seat trough lavatory - partitioned - no doors - automatic flushing	Dock Workers

Source: BK 16/1, London Dock Amenities Schedule 1 Lavatory Amenities, p.3

Note that "East of Bulk Grain Office" the lavatory provision was for an "8 seat trough lavatory partitioned – no doors – automatic flushing" but as the report notes:

The condition of the troughs in most of the W.C.'s is bad. They are old and automatic flushing is not strong enough to clear the contents. The seats are fixed hardwood pads and many of the pads are missing.<sup>53</sup>

From the returns on the file, out of a total of 94 sites in the London docks, 25 contained trough-type lavatories,<sup>54</sup> and throughout the London docks there were only 37 cold water wash basins and one drinking fountain.<sup>55</sup> There are similar comments in the Report for the wharves where, again, examples of good and bad conditions are given, although for one area "most of these conveniences were in a poor condition, many were of an obsolete type with poor natural lighting. In one

<sup>52</sup> BK16/1 London Docks Report and Observations, p.2

<sup>53</sup> BK16/1, London Docks Report and Observations, p.3

<sup>54</sup> Ibid., London Docks Lavatory Amenities, Schedule 1 pp. 1-13.

<sup>55</sup> Ibid., London Docks Washing facilities Schedule 1 pp. 15-16. Of the 37 wash basins, 18 were restricted to users of certain specified sheds in the Victoria dock.

case there were three latrines in a condemned building which was badly lighted”.<sup>56</sup> In considering the provision of canteens, the file shows that the canteens provided by the PLA catered for a total of 1,500 users for meals, with mobile facilities catering for another 500 for meals and provision for tea and sandwiches for 6,000 with other contractors providing for 1,650 meals (for a work force of more than 20,000),<sup>57</sup> The former servicemen returning to work in the docks, and using those facilities would have been mainly ex-soldiers, (the Army being by far the largest of the Armed Forces) and, as Oram shows, some had been in the Docks Groups of the Royal Engineers.<sup>58</sup> In writing about the challenges that the British Army faced in expanding from its pre-war “colonial policing” role to a force 3.8 million strong, Geoffrey Field notes the army’s adaptation to an enhanced political awareness and the development of a wider consciousness of the need for change.<sup>59</sup> Such a development might well have been experienced by those returning soldiers,<sup>60</sup> but there is little general literature about demobilisation, and almost nothing about the docks: as Alan Allport notes, “the demobilisation experience...has curiously vanished from our collective memory”.<sup>61</sup> After their return, the ex-soldiers will have encountered food rationing, having perhaps “experienced a much better diet in the Forces than they had ever enjoyed in pre-war civilian days”,<sup>62</sup> and may have struggled to re-integrate with families they had not seen for years.<sup>63</sup> And while legislation specifically protected the rights of ex-servicemen to return to their former work,<sup>64</sup> this was not always straightforward – Field cites the case of the man “who had left as a junior of eighteen and now returns as a man of twenty-two”<sup>65</sup> – and it is surely likely that some equivalent transformation will have happened to some dockers.

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<sup>56</sup> Ibid., Report and Observations, p.10

<sup>57</sup> Ibid., London Docks Canteen facilities Schedule 1, pp.12-14. In addition, canteen facilities were provided by three large stevedoring companies for 1,500 men and by private contractors for 150.

<sup>58</sup> Oram, *Docker’s Tragedy*, op.cit., pp. 147-151

<sup>59</sup> Geoffrey Field, “‘Civilians in Uniform’: Class and Politics in the British Armed Forces, 1939-1945’ *International Labor and Working-Class History*, **80** (2011), pp. 121-147

<sup>60</sup> Oram, *Docker’s Tragedy*, p.135, gives just one example of “a Company Serjeant-Major, an expert stevedore from a London wharf” and his forebodings about the conditions he would meet upon his return.

<sup>61</sup> Alan Allport, *Demobbed: Coming Home after the Second World War* (New Haven: Yale University Press, 2009)

<sup>62</sup> Field, ‘Civilians’, op.cit., p.129

<sup>63</sup> Allport, *Demobbed* op.cit., p.65

<sup>64</sup> 7 and 8 Geo VI c.15. The Reinstatement in Civil Employment Act of 1944

<sup>65</sup> Field, ‘Civilians’, p.137

Some other problems for the returning dockers are demonstrated by the report of an Inquiry chaired by Sir Charles Doughty in June 1946.<sup>66</sup> At the end of the war there were three categories of men with a right to work in the London docks: those on the Main register who had worked in the docks before the commencement of hostilities, and were in current employment, those on the Dormant register who had been employed prior to September 1939, but had joined the Armed Forces, or had been posted to other ports, and retained the right to return to London, and those who had started work after September 1939, and been placed on a Supplementary register. In order to protect the rights of men on the Dormant register to return, it had been agreed that no man employed before 1939 could be considered for dismissal until all those on the Supplementary register had left.<sup>67</sup> Coincident with this, following the inception of the Essential Works (Dock Labour) Order (EW (DL) O) in 1942,<sup>68</sup> and the consequent introduction of the various dock labour Schemes, the previous system of voluntary registration had become formalised, so that (for example) the arrangements in London whereby registration books for Stevedores were handed on from a (deceased or retired) father to a son no longer applied. These developments led to a dispute in London between the TGWU and the NASD, with the latter arguing that a set number of places should be allocated to its members as the Register was re-built after the war.<sup>69</sup> At that time the total number of places on the permanent Register was to be limited to 24,000 – covering both stevedores and dockers - but within this space had to be made for (Dormant register) workers returning to London. It was eventually agreed that 150 places would be allocated to stevedores and 450 to dockers.<sup>70</sup>

## **The post-war Management and Repair of the Port of London**

In January 1946 Sir John Anderson (later Viscount Waverley)<sup>71</sup> was appointed Chairman of the PLA,<sup>72</sup> and for the first time the PLA had a Chairman with no direct experience of commerce or the ports, (although Anderson was to be supported by a

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<sup>66</sup> NA File BK 29/11 Inquiry into a claim by the National Amalgamated Stevedores and Dockers: recruitment (Doughty Inquiry)

<sup>67</sup> NA File BK 29/8, Report of a Fact-Finding Committee on the Dock Labour Force, 1946. Confirmed in a decision of the NDLC National Board recorded in Circular 1/126

<sup>68</sup> SR&O 1941/1440: The Essential Work (Dock Labour) Order 1941

<sup>69</sup> Although most stevedores were in the NASD, and most dockers in the TGWU, this was not an inviolable rule.

<sup>70</sup> BK29/11

<sup>71</sup> ODNB: *John Anderson, Viscount Waverley* (1882-1958) by G C Peden

<sup>72</sup> See, for example, *The Times* 4 January 1946 p.6 'PLA Appointments: Sir John Anderson as Chairman'



Deputy Chairman who had been the Authority's General Manager). However, the new Chairman was an eminently powerful politician: still a Member of Parliament, he had been Home Secretary and Chancellor of the Exchequer in the wartime Coalition and Interim Governments until June 1945. Characterised as "the greatest administrator of his age",<sup>73</sup> Anderson's appointment might perhaps have been in recognition of the need for his organisational skills to get the port working again, but his earlier achievements were not in that arena. He had shown both courage and resolution in troubled times as a senior Civil Servant in Ireland prior to the creation of the Irish Free State in 1921 and as Governor of Bengal (1932-37), but there is little evidence of empathy with the populations of those areas or sympathy to or understanding of the working classes. In February 1946 he led for the (Conservative) Opposition on the second day of the debate in the House of Commons on the repeal of the 1927 Trades Dispute and Trades Unions Act, to which Ernest Bevin<sup>74</sup> retorted:

I can understand the depth of feeling and regret which the parent of the child experiences when he sees his child dying. I think that the right hon. Gentleman who has just spoken is the father of this [i.e. the 1927] Act. He designed it after the general strike of 1926 with the help of other Departments. I imagine how regretful he feels, at this late stage of his life and mine, that we are now to proceed to the funeral of what he thought might prove a healthy child.<sup>75</sup>

John Wheeler Bennet's<sup>76</sup> description of Anderson as the PLA Chairman highlights his work in publicising the Authority, although his requirements for a salary of £7,500 and a chauffeur driven car, "a cuisine acknowledged to be one of the best in the City" and his extensive use of the PLA yacht for entertainment might well have been seen less favourably by the workforce.<sup>77</sup> Irrespective of what the workforce's feelings might have been, work on rebuilding the port continued: writing in 1959, Leslie Ford the PLA's General Manager noted that:

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<sup>73</sup> Peden, *Anderson*, ONDB,

<sup>74</sup> ODNB: *Ernest Bevin*, (1881-1951) by Chris Wrigley.

<sup>75</sup> House of Commons *Hansard*, 13 February 1946, col 399

<sup>76</sup> John Wheeler Bennet, *John Anderson, Viscount Waverley*, (London: Macmillan, 1962), pp. 354-361.

<sup>77</sup> In contrast, a table in the NDLC statement to the Ammon committee in NA file BK2/1022 National Dock Labour Board: Head Office. Report of Inquiry into London Docks Dispute 1945 (Ammon Report) shows the "Average weekly earnings of all men on the pay roll" in London for the three months ended 27 January 1945 to have been £7 13s 0d, i.e. just under £400 p.a.

The damage sustained from aerial attack, mines, flying bombs and rockets was heavy....the port was left with the task of replacing war damage assessed on a pre-war basis at £13,500,000, making good the lack of maintenance during the war, and then [having] to provide the facilities demanded by the new age that comes at the end of every successive war.<sup>78</sup>

According to Douglas Brown, it took “five years after the end of the war” to clear “the wrecks and other obstacles ...accumulated in or near the channels used by shipping”,<sup>79</sup> and a Cabinet report shows that London had lost 3.75 million square feet of port warehousing (out of a total of 11 million) during the Blitz. But by September 1948 only some 666,650 square feet had been reinstated, with a further 285,700 under construction, while projects totalling 801,469 square feet were being deferred for lack of steel.<sup>80</sup> The WPTRS, while rehearsing the impact of the bomb damage and the steel shortages, also noted that:

to this damage must also be added the accumulative arrears of maintenance. Where transit sheds are inadequate, deep-water berths insufficient, quay surfaces bad and equipment old or obsolescent, the working of ships is inevitably delayed,

and:

the port authorities are hampered in their efforts to overcome these defects and in new development work by the shortages of labour and materials which retard much of our post-war reconstruction...<sup>81</sup>,

The needs of the port need to be seen in the context of the financial and economic difficulties facing Britain immediately after the War, and the IPC papers give a comprehensive picture of the difficulties of prioritising and allocating funds and materials to rebuild the manufacturing capacity and infrastructure of the UK, as well as meeting the need for construction and repair of public facilities and buildings. In addition, the new Labour Government’s massive programme of nationalisation, together with the costs of implementing the social reforms of healthcare, pensions, and education<sup>82</sup> placed huge demands on the public finances. In any event, even though the progress of reconstruction

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<sup>78</sup> Leslie Ford ‘The Development of the Port of London’ *Journal of the Royal Society of Arts*, **107**, 5040 (1959), pp. 821-835

<sup>79</sup> R. Douglas Brown. *The Port of London*. (Lavenham, Suffolk: Terence Dalton, 1978) p.118

<sup>80</sup> NA File CAB 134/448 Investment Programmes Committee Working Party, paper IPC (WP) (48) 198, dated 30 October 1948

<sup>81</sup> *Report of the Working Party on Turn-Round of Shipping in UK ports*. (London: HMSO, 1948), paras 11-12

<sup>82</sup> Implemented through the National Insurance Act 1946 (9 & 10 Geo VI c.67), the National Health Service Act 1946 (9 and 10 Geo VI c.81), and the 1944 Education Act (7 & 8 Geo VI c. 31).

was slow, trade still grew: the WPTRS's successor, the Ports Efficiency Committee recorded as late as 1952 that:

...nearly seven years after the end of the war damage done to berths and to sheds has still not been repaired....the consequence is that where most damage has been done to the ports, and in particular London and Liverpool, those responsible for the administration of the ports have been faced with the problem of handling a greatly increased trade with insufficient berthage accommodation and decreased port facilities.<sup>83</sup>

But with this there are few acknowledgements of the efforts of the workforce to handle that "greatly increased trade" with worn out equipment in damaged facilities.

### **The National Dock Labour Scheme of 1947**

As the port owner, the PLA had for many years been a major player in relation to industrial relations in the London docks, but with the introduction of the wartime London Dock Labour Scheme, and its replacement by a national Scheme in 1947 the PLA's role was much diminished.<sup>84</sup> The new Scheme was a requirement of the Dock Workers (Regulation of Employment) Act 1946,<sup>85</sup> but the transition was not straightforward, and required a number of official inquiries before a compromise system was devised and accepted by both employers and workers. The first inquiry was undertaken by Sir John Forster, but his conclusions and recommendations<sup>86</sup> resulted in a draft Scheme that fully satisfied neither side: the first recommendation, the principle of joint control of the Scheme by both employers and workers, was a continuing source of irritation to the employers, and was to lead to yet another inquiry a decade later.<sup>87</sup> After objections to Forster's draft by both the employers and trade unions, another inquiry was held by Sir John Cameron.<sup>88</sup> Following his report a revised draft Scheme was published on 31 May 1947, followed by yet another inquiry, into the calculation of the guaranteed wage (i.e. the attendance

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<sup>83</sup> *First and Second reports of the Ports Efficiency Committee* (London: HMSO, 1952), paragraphs 1 and 2. But there is no indication of whether the handling of those higher volumes of traffic reflected increased productivity.

<sup>84</sup> Except that as an MP, Sir John Anderson, the PLA chairman, could contribute powerfully to any consideration of London docks or NDLB matters in the House of Commons.

<sup>85</sup> The Dock Workers (Regulation of Employment) Act 1946, 9 & 10 Geo. VI, c.22

<sup>86</sup> *Report of Inquiry held under Paragraph 1(4) of the Schedule to the Dock Workers (Regulation of Employment) Act, 1946* (Forster Report) (London: HMSO, 1946)

<sup>87</sup> Devlin Report 1956, op.cit

<sup>88</sup> *Report of Inquiry held under paragraph 5 of the Schedule to the Dock Workers (Regulation of Employment) Act, 1946* (Cameron Report 1947) (London: HMSO, 1947)

payments under the Scheme when men had no work), by Sir Hector Hetherington,<sup>89</sup> but in any event, under the timetable in the 1946 Act, a substantive Scheme was promulgated in June 1947.<sup>90</sup> Even then, the story was not complete: yet another inquiry was held under the chairmanship of Sir Charles Doughty on seven other areas of contention, starting in March 1946 but not finishing until June 1948.<sup>91</sup> It is not possible to make a direct comparison between the 1947 Scheme as finally defined in SR&O 1947/1189 and the earlier Schemes, because while the 1947 Scheme applied across the whole of the UK, the Schemes implemented under the EW (DL) O in 1942 had local differences. But it is important to identify those aspects that led to tensions in the operation of the new Scheme.<sup>92</sup> The first of these was the requirement in both Schemes to maintain the dock registers, but where the earlier Schemes allowed for removal from the register on the grounds of redundancy,<sup>93</sup> the 1947 Scheme allowed for a worker to be removed “in accordance with the provisions of the Scheme”<sup>94</sup> – superficially a much wider facility, but in fact the wording was so imprecise that termination of employment was extremely difficult except in conjunction with the disciplinary procedures. In addition, the financing arrangements under the new scheme meant that the NDLB was under continual pressure from the employers’ representatives to reduce the size of the Registers. Important, also, was the failure to agree on a clear definition of “reasonable overtime”, so that while the earlier Schemes contained a provision for requiring workers “to work as and when required including overtime periods,”<sup>95</sup> the 1947 Scheme (as recommended by Cameron) contained a requirement for a man to “work for such periods as are reasonable in his particular case”.<sup>96</sup> What is ‘reasonable’ is, of course, a subjective consideration: Victor Allen outlines the differing aspirations from each side, and concludes that the wording was a compromise:

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<sup>89</sup> *Report of Committee of Inquiry into the amount and basis of calculation of the guaranteed wage to be made to Dock Workers under the Dock Workers (Regulation of Employment) Scheme 1947* (Hetherington Report, London: HMSO, 1947)

<sup>90</sup> SR&O 1947/1189, *The Dock Workers (Regulation of Employment) Order 1947*.

<sup>91</sup> *Report of the Committee for the Review of Industrial Arrangements under the Chairmanship of Sir Charles Doughty KC* (Doughty Report 1948) (NJCPTI: London, 1948) The seven areas were: Mobility of Labour, Shift working, Port differentials, Commodity differentials, Overtime and Fresh Starts, Manning, and Piece working.

<sup>92</sup> The schemes are those as set out in Appendix B to the *MLNS Explanatory Memorandum on Dock Labour Schemes* (London: HMSO, 1941) – the “1941 Scheme”; and in SR&O 1947/1189 – the “1947 Scheme”

<sup>93</sup> SR&O 1941/1440, *op.cit.*, Appendix B, Clause 2 (e)

<sup>94</sup> SR&O 1947/1189, *op.cit.*, Clause 1(e)

<sup>95</sup> SR&O 1941/1440, Appendix B, Clause 6 (5) (ii)

<sup>96</sup> SR&O 1947/1189, Clause 8 (5) (b)

For the unions it was preferable to specifically mentioned compulsory overtime and for the employers an implicit mention of overtime was preferable to complete omission.<sup>97</sup>

Doughty was unable to resolve this dichotomy, and so decided to refer the matter to the National Joint Council for the Port Transport Industry (NJCPTI) who decided that it should be left to “each port to determine what hours of work it requires”, and “should outline what constitutes reasonable overtime”.<sup>98</sup> For London, given the position of the PLA, the fragmented nature of the various employers’ groups and the lack of unity amongst the trade unions, this could only have been a most ambitious aspiration, and so the seeds of later disputes were sown.<sup>99</sup>

While the problems of the register and overtime were contributing factors in later disputes, a more contentious area in the early years of the Scheme was the question of discipline: fundamentally, the Scheme required workers to observe the “obligations of the Scheme”<sup>100</sup> subject to the disciplinary sanctions. There were two main sets of circumstances in which the disciplinary code applied:

- (a) At the call-on where, if a worker failed to comply with the requirement to work by turning down a job offered or by absenting himself from the call-on, he would forfeit any attendance payments for that pay week.<sup>101</sup>
- (b) Where a dock worker was working for an employer. Under the 1941 Scheme, a worker who failed either to “carry out his duties in accordance with the rules of the port or place” or “work as and when required including overtime periods” would face sanctions.<sup>102</sup> But the 1947 Scheme extended the catchment area to include a requirement to comply with “any lawful orders given to him by his employer”.<sup>103</sup>

It will be appreciated that the “lawful orders” might be to instruct a striking worker to continue working, and so render him liable to a disciplinary penalty.

There was an escalating scale of penalties for both areas (although the triggers for these were not specified) where the worker could be suspended without attendance

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<sup>97</sup> V L Allen *Trade Unions and the Government*. (London: Longmans, 1960) p.194

<sup>98</sup> Doughty report 1948, paragraph 28 (iii)

<sup>99</sup> See below, the ‘Overtime’ strike in 1954

<sup>100</sup> SR&O 1947/1189, Clauses 8 and 9

<sup>101</sup> SR&O 1941/1440, Appendix B, Clause 9(1) and SR&O 1947/1189 Clause 15(1)

<sup>102</sup> SR&O 1941/1440, Appendix B, Clause 6 (5) (i) and (ii)

<sup>103</sup> SR&O 1947/1189 Clause 15 (2). In theory the last sentence meant that an employer could discipline a worker for withdrawing his labour – i.e. going on strike

pay for seven days, or dismissed summarily, or at seven days' notice. In addition, dismissal from employment would be effective across the whole of the industry.

The 1947 Scheme thus had weaknesses in three areas – discipline, overtime, and the register - and each led to major disputes in the first years of its operation. Apart from those problems, the structure of management of the Scheme was extremely complex, as I have already shown in relation to the London docks, where the main players were the NDLB/LDLB as the holding employer and controller of the register of dock workers,<sup>104</sup> the PLA (as the Port Authority, and the owner of the docks estate and some wharves and warehouses), and the shipowners, other wharfingers, stevedoring and lighterage companies (with the PLA) as the 'operational employers'. The membership of the NDLB comprised "an independent chairman and vice chairman appointed by the MLNS,<sup>105</sup> and eight other members appointed on the nomination of the NJCPTI, four from each side of the industry".<sup>106</sup> When the Board was first established, two of the workpeople's side places were allocated to the TGWU, one to the NASD, and one to the National Union of General and Municipal Workers, but following the 'Ineffectives' dispute of April 1949 (see below), where the NASD representative led the strike while still a member of the Board, the NASD representative was replaced on the NDLB by a representative from the Scottish TGWU. In overall terms of union representation for the docks this would not seem to be hugely significant, but the NASD was a key union in London, and in certain of the docks represented the majority of the RDWs so (as events showed) this lacuna was always likely to be a source of problems. The London Board comprised ten members nominated by the Port Labour Executive Committee (PLEC), with the union side comprising three representatives from the TGWU, one from the NASD, and one from the Watermen, Lightermen, Tugmen and Bargemen's Union (WLTBU). The Board elected its own chairman (usually a member of the employers' side).

The new Scheme affected all employers of registered dock workers (RDWs), and Devlin records that in 1956 there were 440 separate employers of dock labour in London, ranging from the PLA "which, with an average figure of over 6,000 is the

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<sup>104</sup> Although the general wage rates for daily workers and for attendance pay were determined by the NJCPTI, and not the NDLB

<sup>105</sup> In practice, as the Devlin Report 1956, para 50, shows, these would normally be men of experience from the trade union and employers' sides.

<sup>106</sup> Devlin Report 1956, para 15. The employers consistently opposed the principle of dual control - see also Forster Report 1946, op. cit., and Devlin Report 1956 paras 72-76

largest employer in the country” through a variety of dock-based companies including shipowners, stevedores and porters, the wharfingers handling a variety of goods and produce, or using a wharf as part of their main business such as timber importing, and then the lighter and barge operators. The smallest master stevedores might not be in continuous work and “active only when the ship for which they are employed comes in”.<sup>107</sup> The Scheme laid down no formal requirements for the registration of employers, only that the Board should maintain a register “entering or re-entering therein the name of any person by whom dock workers are to be employed”.<sup>108</sup> The duties of an employer are described in Clause 9<sup>109</sup> and the circumstances under which they might be removed from the register are set out in Clause 16(1). In 1945 Ammon recorded that no action had ever been taken against employers under the disciplinary arrangements in the earlier Scheme<sup>110</sup> and, similarly, neither Leggett nor Devlin could see any evidence of penalties being imposed for infringements by employers under the Scheme.<sup>111</sup>

Under the Scheme the Board was charged with “facilitating the rapid and economic turn-round of vessels and the speedy transit of goods through the port”.<sup>112</sup> Arguably, this might have suggested greater mechanisation, but the attitudes of the employers to this are provided in the report of the Executive Committee of the NAPE for 1950 in the NA files:<sup>113</sup>

considerable progress has been made in some ports, with reasonable cooperation from the workpeople, and in other cases the NJC [PTI] has been able to effect settlements satisfactory to the employers concerned. At the same time, it has become increasingly evident that opposition to mechanisation, insofar as it entailed any displacement of men, was hardening in certain labour quarters.<sup>114</sup>

The NAPE’s proposal that the “displacement” resulting from mechanisation “should be taken care of by natural wastage allied by regulation of recruitment” was opposed by the trade unions at the NJCPTI, but the unions’ suggestion that a

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<sup>107</sup> Devlin Report 1956, para 6

<sup>108</sup> SRO 1947/1189 Clause 3(1)(d)

<sup>109</sup> Essentially, the need to meet administrative requirements on matters such as record keeping and payments to the Board.

<sup>110</sup> *London Docks Dispute 1945. Report of Committee of Inquiry* (Ammon Report) (London: HMSO, 1945), paras. 44 and 45.

<sup>111</sup> Leggett Report, para. 58, and Devlin Report 1956, para. 113

<sup>112</sup> SRO 1947/1189 Clause 3 (1) (a)

<sup>113</sup> NA File LAB 101/73, National Association of Port Employers. Report of the Executive Committee for the year ended 31 December 1950.

<sup>114</sup> *Ibid.*, para. 9

“solution to the problem might be found in the institution by the industry of a pension scheme” was “particularly deplored” by the NAPE.<sup>115</sup> In spite of the Association’s apparent wishes for further mechanisation, the report of a joint visit to the USA sponsored by the MLNS to study the mechanisation of freight handling indicates a strong element of ambiguity. The (sole) NAPE representative had been unable to join the team until half way through the visit, and the report demonstrates a generally negative view of such studies where “incidentally it is likely that no further visits of this sort will be made after 1951”.<sup>116</sup>

The Industry’s record on training may be similarly criticised: the number of injuries in 1951 in London noted above must surely have indicated the need for better training of the workforce and indeed SR&O 1947/1189 required the NDLB to make “satisfactory provision for the training and welfare of dock workers, including port medical services...in so far as such provision does not exist apart from the scheme”.<sup>117</sup> But the final words would have allowed the employers’ side to argue against the Board providing any training on its own account as long as there was even the most minimal of formal training by an employer, and the balance of representation on the Board meant that the employers could oppose any extension of its functions. In addition, as Devlin showed in 1956, the NDLB (not deeming itself to have an active role in the management of the workforce)<sup>118</sup> could easily argue that safety and training was a matter for the port authority (as owning the facilities) or the operational employers. So the NDLB annual accounts show only “payments during approved training courses” averaging £3,566 p.a. for the twelve years from 1948 to 1960 (i.e. around 5 pence per year for each RDW in the UK).<sup>119</sup> And it was not until 1961 that the PLA began “a pilot scheme to train new entrants to the industry”, and only in 1963 that it ran its first “Accident Prevention Course”<sup>120</sup>

## **The Dock Unions and their Relationship with Labour Government 1945-50**

The unions faced a number of challenges under the new Scheme, including their relationships with the Government, their role on the NJCPTI and National and Local

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<sup>115</sup> Ibid., para. 11

<sup>116</sup> Ibid., para. 15

<sup>117</sup> Ibid., Clause 3 (i) (g).

<sup>118</sup> Devlin Report 1956, paras 59-60

<sup>119</sup> NA files BK 3/42, 3/43 and 3/44, NDLB Annual Reports 1947 to 1966. It was not until after the Devlin report of 1965 that the figure rose to more than £100,000 a year.

<sup>120</sup> *PLA Monthly*, **38**, (1963), pp 167-170), and **40**, (1965) pp 288-290).



Boards, and the rise of the unofficial movements within the workforce. In addition, although the nationalisation of the docks was included in Herbert Morrison's<sup>121</sup> speech in the House of Commons in November 1945 outlining the Government's legislative plans, it was not actually proceeded with.<sup>122</sup> Taylor also emphasises the key role played in industrial relations behind the scenes by Bevin who had been appointed Foreign Secretary,<sup>123</sup> with George Isaacs<sup>124</sup> (as the Minister of Labour and National Service) and Arthur Deakin<sup>125</sup> (as the Acting General Secretary of the TGWU) as his surrogates<sup>126</sup> although the former "had neither the intellectual capacity nor the force of character to lead an important ministry"<sup>127</sup> and the latter, while a hugely competent and forceful leader, initially lacked Bevin's power to dominate and control the constituent factions of the TGWU – in particular the dockers - as the events of the 'Zinc Oxide' strike, below, demonstrated. The TUC had long campaigned for the repeal of the 1927 Trade Disputes Act,<sup>128</sup> and this was achieved when the new Labour Government passed the Trade Disputes and Trade Unions Act in May 1946.<sup>129</sup> However, a number of pieces of war-time legislation were to remain in effect including, in particular, 'Order 1305',<sup>130</sup> which prohibited official strikes. As with much wartime legislation, this should have been repealed at the end of hostilities, but the power of prosecution of strikers was more honoured in the breach,<sup>131</sup> and Allen asserts that one of the reasons that its continuation was not opposed was that some union leaders wanted to retain the provision for reference to arbitration, and that Deakin was a "most ardent supporter" of the Order.<sup>132</sup> In more practical terms, while the new Government's social legislative programme was welcomed by the TUC, it would present a series of challenges as to how best to

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<sup>121</sup> ODNB: *Herbert Morrison (Baron Morrison of Lambeth)* (1888-1965) by David Howell

<sup>122</sup> House of Commons *Hansard*: 19 November 1945, Cols 34-39. Herbert Morrison stated that "Dock and harbour undertakings will be brought within the scope of the national scheme. The most suitable form of public ownership is under examination, as is also the question of including certain appropriate ancillary activities."

<sup>123</sup> See Bevin's paper on "Wages Policy" of 10 April 1946 in NA file CAB 128/8/48 Cabinet conclusions 8 July 1946

<sup>124</sup> ODNB: *George Isaacs* (1883-1979) by Hugh Pemberton

<sup>125</sup> ODNB *Arthur Deakin* (1890-1955) by V. L. Allen

<sup>126</sup> Robert Taylor, *The Trade Union Question in British Politics: Government and Unions since 1945* (Oxford: Blackwell, 1993) pp. 38-39

<sup>127</sup> Eric Wigham. *Strikes and the Government 1893-1974* (London: Macmillan, 1976) p.100

<sup>128</sup> 17 and 18 Geo V c.22. The Trade Disputes and Trade Unions Act 1927

<sup>129</sup> 9 & 10 Geo. VI c. 52. The Trade Disputes and Trade Unions Act 1946

<sup>130</sup> SR&O 1940/1305 The Conditions of Employment and National Arbitration Order 1940 ('Order 1305')

<sup>131</sup> In fact, the Labour Government's use of 'Order 1305' to prosecute Gas workers (October 1950) and Dock workers (February 1951) showed how difficult it was to make the Order work in legal practice, and it was replaced by SI 1951/1376, The Industrial Disputes Order 1951 in August 1951.

<sup>132</sup> Allen, *Trade Unions, op.cit.*, p.269

support (or seek to amend) that legislation and it transpired that there were practical difficulties with finding appropriately able union representatives for the nationalised industry Boards, with unions unwilling to lose their best officials to those roles.<sup>133</sup> For its evolving industrial/economic policy, the new Labour administration embraced the concept of Tripartism,<sup>134</sup> while also seeking to use some of the fabric of planning and controls that had seemed to operate so effectively during wartime.<sup>135</sup> However, Tomlinson argues that the Government would still determine the agenda for any consultations with two main purposes: “on the one hand, to disseminate information about the economy and about their policies and intentions, and on the other hand, to get feedback on certain proposals that had been tentatively arrived at”.<sup>136</sup> Hence, “the obstacles to more radical economic reform under the Attlee Government were not just ones of political doctrine and assumptions. The compelling macroeconomic problems forced attention onto short-run issues”.<sup>137</sup>

Parallel to these problems ran the Government’s social reform legislation and the necessity to fund a nationalisation programme that, according to Chester, would cost some £2,639 million by the time that the final sector (iron and steel) was nationalised in 1951.<sup>138</sup> The Government’s management of the economy was disrupted by the extreme winter of 1947, and the worsening economic situation later in the year led to it asking the TUC to consider wage restraint. The failure of the TUC to agree led to Attlee’s public call for restraint, published as a White Paper in February 1948,<sup>139</sup> which the TUC endorsed on the condition that the Government took action to reduce profits and prices.<sup>140</sup> As McKelvey points out, the combined effect of the White Paper and the union concurrence resulted in an apparent moderation of pay increases, and was “a remarkable example of the way in which union leaders could adopt policies which took national rather than sectional interests into account”.<sup>141</sup> But those policies became increasingly under strain with the devaluation of the pound in September 1949 and the associated increase in the

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<sup>133</sup> Ibid., p.273

<sup>134</sup> This required that unions, employers, and Government should work together to achieve economic growth with full employment and low inflation.

<sup>135</sup> J. D. Tomlinson ‘The Iron Quadrilateral: Political Obstacles to Economic Reform under the Attlee Government’ *Journal of British Studies*, **34**, 1 (1995), pp. 90 -111, p.97

<sup>136</sup> Tomlinson, p.98

<sup>137</sup> Tomlinson, p.110

<sup>138</sup> Norman Chester. *The Nationalisation of British Industry, 1945-51* (London: HMSO, 1975), p.1017

<sup>139</sup> White Paper: *Statement on Personal Incomes, Costs and Prices* (Cmd 7321, 1948)

<sup>140</sup> Allen, *Trade Unions*, op.cit., p.286

<sup>141</sup> McKelvey, Jean Trepp ‘Trade Union Wage Policy in Post-war Britain’ *Industrial and Labor Relations Review* **6**,1 (1952) pp. 3-19, p.8

price of imports, and the TUC finally voted against wage restraint in the autumn of 1950. In reviewing those events it is possible to see two interpretations: McKelvey would salute the success of a policy where the unions were able to make sacrifices in the national interest, while Weiler would argue that the interests being protected by those sacrifices were those of “a revived British capitalism...[with] very specific institutional and ideological structures”,<sup>142</sup> and that the dock strikes described later in this chapter were a recognition of that reality. Allen neatly summarises the dilemma facing UK unions, as represented by the TUC, in their support of the Government: while possessing status and (theoretical) influence on policy as part of Tripartism, and enjoying the twin benefits of high levels of union membership and full employment, they had an internal vulnerability arising from the attitudes of “rank and file members who saw all problems in their local context”.<sup>143</sup> This is seen also by Dorey as a fundamental weakness of British trade unions in that “while trade unions were almost universally portrayed as being too powerful...in one crucial respect British trade unionism was too weak....characterised by considerable decentralisation, with bargaining over terms often conducted at local level”.<sup>144</sup> For the London docks, these structural weaknesses were compounded by factors such as inter-union rivalries, the multiplicity of docks and wharves in London, (many with their own customs and practices), hundreds of different employers, a lack of coherent or cohesive leadership from the NDLB, and with the piecework system providing daily opportunities for disputes.

The main union protagonists in the London docks were the TGWU and the NASD, with the WLTBU tending to follow the lead of the NASD.<sup>145</sup> The TGWU had problems deriving from its genesis, and Bullock shows how hard Bevin had to work to create the combined union in 1921/22,<sup>146</sup> Furthermore, as Francis Williams notes, Bevin was an absolute adherent to the principle of “the democracy of the trade union in which the line of authority runs clear....from the branches up through

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<sup>142</sup> Peter Weiler, ‘British Labour and the Cold War: the London Dock Strike of 1949’. In James E Cronin and Jonathan Schneer (eds.) *Social Conflict and the Modern Order in Britain*. (London: Croon Helm, 1982) pp. 171-172

<sup>143</sup> Allen, *Trade Unions*, p.281

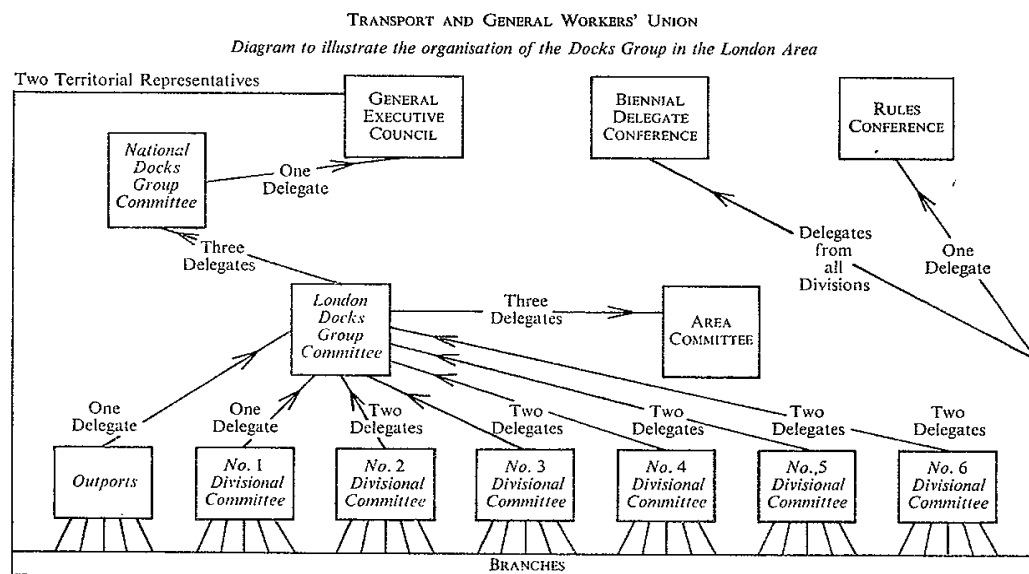
<sup>144</sup> Peter Dorey, *Wage Politics in Britain: the Rise and Fall of Incomes Policies since 1945* (Sussex: Academic Press, 2001) p.4

<sup>145</sup> Devlin Report 1956 (para.7) gives the respective memberships as 17,000, 7,000, and 4,000.

<sup>146</sup> Alan Bullock, *The Life and Times of Ernest Bevin*. Vol. 1 (London: Heinemann, 1960) pp. 183-190

every level of the organisation to the executive".<sup>147</sup> Although Phillips senses that the TGWU was constructed upon "foundations that were historically flimsy",<sup>148</sup> there can be little argument that, while Bevin was its General Secretary and later, while Minister of Labour and National Service in the Churchill Coalition Government, the organisation he had constructed on those foundations stood strong. The real weaknesses only came to light when Deakin was unable to dominate the union as had Bevin. In addition to the pressure from the activists, the union's position on the NDLB and the local boards could be characterised as its being allied with management rather than the workforce, where "many union members could not understand how a trade union could 'gang up' with employers, the traditional enemy, to discipline dock workers".<sup>149</sup> The fact that TGWU officers were appointed rather than elected can only have increased that sense of separation, and Leggett's illustration of structure of the London TGWU Docks Group provides an indication of how difficult it might be for any one worker to feel any sense of influence of purpose:

**Figure 16: Organisation of the TGWU Docks Group in London**



Source: Leggett Report, p.44, Appendix III

Joseph Goldstein also analyses the tensions within a London branch of the TGWU, where the sheer size of the branch membership meant that if all members attended, "effective participation would be impossible". But in fact only a minority of activists attended, who "assume apparent control...and undermine the representative

<sup>147</sup> Francis Williams, *Ernest Bevin: a Portrait of a Great Englishman*. (London; Hutchinson, 1952) 92

<sup>148</sup> Jim Phillips, *The Great Alliance: Economic Recovery and the Problems of Power, 1945-1951* (London: Pluto Press, 1996) p.58

<sup>149</sup> M. Jackson, *Labour Relations on the Docks*. (Farnborough, Hants: Saxon House, 1973) p.68

character of constitutional bodies at all higher levels of organization". In consequence the paid official ("the union civil servant") undertook the "policy-determining functions assigned in theory to elected representatives".<sup>150</sup>

The NASD had different difficulties deriving from its 'over democratic' method of working. Hill links this to the roots of the union in the Stevedores League, whose members "practised a skilled and dangerous trade and typically worked in very small firms".<sup>151</sup> In 1923 the stevedores union had also attracted some dockers - perhaps those who preferred a smaller union, or were antipathetic to the bureaucratic structure of the much larger TGWU.<sup>152</sup> Historically, stevedores had been responsible for loading cargoes, dockers for unloading, with the stevedores believing that their work required more skill. However, over time the differences had diminished, and in some London docks dockers also loaded vessels, and indeed worked alongside stevedores – although with minor differences in working arrangements. The key differentiator of the NASD was that its model of 'union democracy' differed from that of the TGWU, in that all of its officers were elected, while Bevin believed that the TGWU model by which officers were appointed was far preferable to a system of election where "popularity and vote-catching would count far more than ability".<sup>153</sup> Irrespective of that, the NASD model meant that in negotiations the union officers might only be able to agree matters in principle, subject to ratification by the membership. This had been criticised in the Ammon report of 1945<sup>154</sup> noting that the union's officers might be forced to retract an apparent agreement after leaving the negotiating table. It was exemplified in 1949 when the union's General Secretary was forced into the impossible position of leading a strike (the 'Ineffectives' strike, considered below) while opposing it as a member of the NDLB, and the union's place on the NDLB was given to the Scottish TGWU. A second example arose in the 'Overtime' dispute of 1954 (see below), where a mass meeting of the union members decided to ban overtime working, and this became a binding decision on all NASD members but, as Evershed showed, was in breach of formal agreements that such disputes should be referred for

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<sup>150</sup> Joseph Goldstein. *The Government of British Trade Unions: a Study of Apathy and the Democratic Processes in the Transport and General Workers Union* (London: George Allen and Unwin, 1952) p.269

<sup>151</sup> Hill, *Dockers*, op.cit., p. 130

<sup>152</sup> And in 1954 led to accusations of poaching (see Jackson, *Labour Relations*, pp.62-63)

<sup>153</sup> Bullock, *Bevin*, op.cit., p.226

<sup>154</sup> Ammon Report, para. 52

conciliation before any strike action.<sup>155</sup> The tensions between individuality and democracy surfaced in other ways: given the relatively small size of the union, any powerful group of activists might easily sway the mood of a dock-gates meeting, or in voting at branch meetings.<sup>156</sup>

Although members of the two main unions were often doing the same range of jobs, there were still some differences in working arrangements: the TGWU men adhered (at least in principle) to the continuity rule – a local (London) arrangement under which a gang that had started a job were both able and required to continue it to completion. In one sense this protected a gang from being replaced, but also prevented them from leaving a job early (perhaps to get higher paid work on another ship). The NASD men did not see themselves as being bound by this rule and insisted that each man be allowed to attend the morning call-on to be re-engaged.<sup>157</sup> In a wider context, Leggett recorded that there had been “recurrent strife and hostility between the unions since the breakaway in 1923...both among the leaders and among the rank and file” and attributed some industrial unrest to those tension although without specifying any examples.<sup>158</sup>

Aside from any problems affecting the unions and their discords lay the influences of the ‘unofficials’ and the Communists that developed as important issues in the mid to late 1940s. Allan Bullock emphasises how Bevin (and through him, the TGWU) had a long antipathy to unofficial movements where he “broke up the dissident organisation [of the rank and file movement] inside the London Bus section”,<sup>159</sup> and Williams notes his “implacable contempt” for Communism.<sup>160</sup> Allen shows that Deakin was very much of the same mind, being “best known to the general public for his campaign against Communists in trade unions”.<sup>161</sup> The rise to significance of the ‘unofficials’ may be seen as a collateral effect of ‘Order 1305’:

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<sup>155</sup> *Final Report of a Court of Inquiry into a Dispute in the London Docks* (Evershed Final Report, Cmd 9310, 1954) para. 39

<sup>156</sup> Although Penrose’s early work on this (L. S. Penrose ‘The Elementary Statistics of Majority Voting’ *Journal of the Royal Statistical Society*, **109**, 1 (1946), pp. 53-57 ) has been modified – see for example, Andrew Gelman, Jonathan N. Katz and Joseph Bafumi, ‘Standard Voting Power Indexes Do Not Work: An Empirical Analysis’ *British Journal of Political Science*, **34**, 4 (2004), pp. 657-674 ), there is clear evidence that well-focused voting has considerable leverage in larger undecided constituencies.

<sup>157</sup> Smith, *Royal Docks*, op.cit., p.56

<sup>158</sup> Leggett Report, para. 64

<sup>159</sup> Bullock, *Bevin*, op.cit., p. 525

<sup>160</sup> Williams, *Bevin*, op.cit., p.93

<sup>161</sup> V L Allen *Trade Union Leadership Based on a Study of Arthur Deakin* (London: Longman, Green, 1957) Chapter XVII: ‘A Campaign against Communist Trade Unionists’, pp 270-288, p. 270

although it was possible to prohibit official strikes by law, that prohibition would not automatically put an end to industrial disputes, so a vacuum came to exist that would be (partially) filled by unofficial action. As noted in chapter 2, there were some 178 strikes in the docks/transport sector between 1941 and 1945, the majority being unofficial. It is therefore unsurprising that the unofficial movement increased its influence, and was certainly more visible in the 'Control Point' strike of March 1945, where Ammon commented on "the influence of a small subversive political section....who have tried to spread trouble by exploiting the real or alleged grievances of the men instead of encouraging them to proceed through the normal Trade Union channels".<sup>162</sup> By the time of the 'Dockers' Charter' strike in November 1945 the unofficial movement had much greater visibility, but the 'official' view seemed already to be developing that the movement was being led – or at least heavily influenced by - Communists. I have touched on how much the Communist influence can be validated from published material in chapter 2, and Phillips considers this in some detail in his chapter on "Communist conspiracies",<sup>163</sup> drawing on both TGWU and Government sources.<sup>164</sup> He suggests that, in part, the official focus on external political influences was a useful way of concealing the real issues behind the strikes,<sup>165</sup> and the ineffectiveness and remoteness of the TGWU officials.<sup>166</sup> Lindop, using much oral material, gives a sense of the individual docker's attitudes and the tensions implicit in the Scheme, rather than any overt political or Communist alignment. As a consequence, in many of the strikes in the "late 1940s the union officials were unable to force their members to accept their advice or the decisions of local and national boards".<sup>167</sup>

## The Dock Strikes 1945-1960

There is no obvious pattern to these strikes and, interestingly, although neither Evans and Creigh<sup>168</sup> nor Nicholson and Kelly<sup>169</sup> see the docks disputes as hugely

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<sup>162</sup> Ammon Report, para. 20.

<sup>163</sup> Phillips *Great Alliance* op.cit., Chapter 4: 'Communist conspiracies, the allegations and reality' pp. 78-104

<sup>164</sup> See also Allen, *Deakin*, op.cit.

<sup>165</sup> Phillips *Great Alliance*, p.85

<sup>166</sup> *Ibid.*, p.95

<sup>167</sup> F. Lindop, 'Unofficial militancy in the Royal Group of Docks 1945-67' *Oral History and Labour History* **11**, 2 (1983) pp. 21-33, p.22

<sup>168</sup> E. W. Evans and S. W. Creigh 'The Natural History of the Strike in Britain' *Labour History*, 39 (1980), pp. 47-61

<sup>169</sup> Nigel Nicholson and John Kelly. 'The Psychology of Strikes' *Journal of Occupational Behaviour*, **1**, 4 (1980), pp. 275-284

significant factors in the overall patterns of strikes in the UK, those in the docks seem to fit all of the various categories defined by the latter commentators (that is, as protest, warfare, as a group process, and as organizational change).

#### The 'Pay and Conditions' strike, 1945

The first dock strike after the final cessation of hostilities in World War II lasted from 24 September until November 1945 and seems to have attracted little attention in the litany of dock strikes, although it resulted in the loss of more than 1,100,000 working days.<sup>170</sup> Possibly this was because it was a slow burn: as Phillips notes, it was “prefigured by a ten-week old pay and conditions dispute (in a number of docks) which the Labour Government inherited in July 1945”, where troops had been used to unload cargoes in all of the docks. The dispute arose following the TGWU National Docks Delegate Conference on 24 August 1945 which adopted a ‘Dockers’ Charter’ seeking an increase in the daily minimum pay from 16s to 25s,<sup>171</sup> together with a number of other benefits such as two weeks paid holiday and a pension scheme. This was submitted to the NJCPTI but the employers stalled on this, and another pay dispute on Merseyside in September grew into a national strike for the Charter, so that by 24 October, 45,720 men were on strike. Under ‘Order 1305’ an official strike would have been illegal, and (formally) any disputes needed to be referred to the MLNS for consideration and possible reference to arbitration. But (even if not initiated by them) this strike was promoted by unofficial groups: the NA file contains a copy of a leaflet from the “London Central Strike Committee” (LCSC) that summarises the Charter claims, “handed by Members of the London Strike Committee to Cardiff Dockers this morning [26 October 1945]”.<sup>172</sup> According to Lindop, the LCSC attacked the TGWU leadership who responded that there was “definite evidence” of political motivation.<sup>173</sup>

The strike was discussed by the Cabinet on 15 October, and Isaacs got Cabinet agreement not to have an enquiry:

As this was an unofficial strike it would be undesirable to offer to appoint a Committee of Enquiry, since this would tend to weaken the normal

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<sup>170</sup> But note that I demonstrate later the unreliability of these ‘total days lost’ computations.

<sup>171</sup> The rate of 16s a day was that agreed by the Shaw Committee in 1920 (*Report of the Transport Workers Court of Inquiry* (Shaw report, Cmd 936, 1920) para. 45 (i))

<sup>172</sup> See NA File BK 1/105 National Dock Labour Corporation: Dock Strike, Dockers’ Charter

<sup>173</sup> Phillips *Great Alliance*, op.cit., pp. 53-59



procedure of negotiations between the duly accredited representatives of workers and employers. The position in this respect would, however, be different if the terms offered by the representatives of the employers were rejected. On the whole, he [Isaacs] thought that the right plan would be to watch the position for the next two or three days.<sup>174</sup>

In any case, greater events were happening, with Herbert Morrison's adumbration on 19 November that the docks might be nationalised, and an enquiry was quickly set up under Mr Justice Evershed, which recommended an increase in the minimum wage to 19s per day from 28 November 1945, whereat the strike ended.<sup>175</sup>

### The 'Zinc Oxide' strike of 1948

On 27 May 1948 a group of workers known as "Coe's Gang"<sup>176</sup> was engaged by the Grand Union (Stevedoring and Wharfage) Company Ltd to load 100 tons of Zinc Oxide from canal barges into the SS *Theems*, berthed in the Regent's Canal dock, at a rate of 3s 4d (16½p) per ton. After loading about 25 tons the men claimed the cargo was obnoxious<sup>177</sup> and refused to continue unless the rate was increased to 5s (25p) per ton. Such claims were not unusual, and disputes about piecework rates were normally resolved by a View Committee which included representatives from a union (usually the TGWU) and the employers. The committee met on 28<sup>th</sup> May and concluded that the rate of 3s 4d per ton was correct:<sup>178</sup> however, the men still refused to load the remainder of the cargo, and the ship sailed. The company notified the port Manager of the men's refusal, and in accordance with the disciplinary procedures of the 1947 Scheme the men were penalised for failing to

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<sup>174</sup> NA file CAB 128/1/24 Cabinet conclusions 15 October 1945.

<sup>175</sup> *Report of a Committee of Investigation on a Difference Between Employers and Workpeople Regarding the National Minimum Wage and the Piece-workers' Minimum Guarantee* (Evershed Report 1945) (London: HMSO, 1945)

<sup>176</sup> Coe's Gang consisted of 11 men who were all members of the TGWU. The NA files record little about the men, although there is some indication that one, Joe Bloomberg had a fiery temper, having been in trouble with the Police and summonsed to Court for threatening behaviour. Against that, Bloomberg's autobiography (Joe Bloomberg. *Looking Back: a Docker's Life* London: Stepney Books, 1979) reveals different sides of a complex character.

<sup>177</sup> Zinc Oxide is a white powder, inhalation of which can lead to nausea, fever, headaches, blurred vision and breathing difficulty, and some of the men complained of breathing problems while handling the cargo. The UK National Poisons information service indicts such inhalation as a cause of "metal fume fever" with known fatalities ([www.inchem.org/documents/ukpids/ukpids/ukpid87.htm](http://www.inchem.org/documents/ukpids/ukpids/ukpid87.htm))

<sup>178</sup> Although according to Philips (*Great Alliance*, p.59) the TGWU Official had agreed the rate "from his office" without actually inspecting the cargo.

carry out their duties “in accordance with the rules of the port or place” where they were working.<sup>179</sup> In those terms the ‘offences’ committed by the gang were that:

- (i) They had refused to finish the job after a view committee had agreed the rate.
- (ii) When the *Theems* returned on Saturday 5 June 1948 the gang again refused to complete the job.
- (iii) After another view committee had been set up on 8 June, and once more confirmed the rate the gang again refused to do the work. (Although the gang was later persuaded complete the job by their colleagues)

In view of those three refusals to obey instructions from their employer, the LDLB suspended all the men on 9 June 1948 for 7 days without pay and suspended their right to attendance pay for 13 weeks.<sup>180</sup> This second penalty was not as harsh as it might appear: the file shows that the men were high earners who usually had full employment, and little recourse to attendance pay: in the 13 weeks following the strike most of the gang averaged less than one day a week in the Reserve Pool. However, this was the first time that penalties of this magnitude had been imposed, and the action appeared harsh: this led to agitation at the Regent’s Canal dock and a strike started there on the morning of 14 June, spread to the London and St Katharine docks in the afternoon and, in spite of the TGWU’s efforts, to the other upper river docks by 16 June. Meanwhile, the men had appealed against the penalties, but the appeal tribunal on 15 June was unable to agree on the action to be taken.<sup>181</sup> A second tribunal under Sir Robert Aske KC on 17 June agreed to reduce the suspension to two days and the disentitlement to attendance pay to two weeks. The agitators (known as the ‘unofficials’ or the ‘no name’ committee) seem to have come together or been formed with a common purpose to organise protests against the punishments on 12 June, but by 17 June had transformed into a strike committee. It contained some Communists and union activists, but also some men who were not known to be either.<sup>182</sup>

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<sup>179</sup> SR&O 1947/1189, Clauses 8 (5) (a) and 14-17.

<sup>180</sup> NA file BK 2/72 NDLB Discipline, Strikes, London Dock. Circular letter from F P Hogger, Port Manager, dated 12 June 1948

<sup>181</sup> Appeals Tribunals usually comprised a representative from each side and a secretary from the MLNS

<sup>182</sup> NA file LAB 10/783 London Dock Labour Board and Transport and General Workers’ Union: strike caused by disciplinary action taken against eleven men who refused to load zinc oxide. The identities of all of the Committee were known and recorded in the in a memorandum headed “Secret” of June 1948. None of Coe’s gang appeared on the list.

By 25 June 1948, 19,622 men were on strike in London, and troops were brought in to unload perishable cargoes: on 28 June the strike spread to the Liverpool docks, so that more than 9,000 men were on strike there. At that point the Government sought to have a State of Emergency declared, and the Prime Minister (Clement Attlee) broadcast to the nation on that evening. He spoke about the fact that the strike was unofficial, was affecting the UK's needs for food and trade, and was taking place in spite of the availability of negotiating mechanisms. He was able to cite his personal experience of the living and working conditions in docklands, and to remind the strikers of the benefits of the Dock Labour Scheme – primarily of continuity of employment - and that the dispute was over the handling a cargo “that was a little dirty”. The ‘unofficials’ apparently recognised that the effect of the broadcast and the declaration of a State of Emergency would be such that they could not continue the dispute and called a meeting at Victoria Park on 29 June where a resolution for a return to work was passed, and the men returned to work on 30 June. There were two aspects of this strike that are noteworthy: firstly, that it was not a dispute in the normal sense against the employer, but more an action in protest at the perceived unfairness of the penalties imposed. In addition, it presented specific challenges to the TGWU, because under ‘Order 1305’ it was not possible for the union to call an official strike and also in any case the TGWU had a formal role in the discipline and appeals procedures.

Subsequent events and actions presented even more complexities and complications: the NA file contains a comprehensive note covering the legality of the penalties: in summarising clauses 14, 15, 16 and 18 of the Dock Labour Scheme, the MNLS’ solicitor noted that the Board dealt (wrongly) with the matter under clause 16(2) (discipline) of the scheme rather than under Clause 15 (i.e. the men should have been returned to the reserve pool), and that the gang should have been allowed to work at a day rate when they refused to work at the piecework rate. In addition, it appeared that two penalties had been imposed under Clause 16(2) whereas only one was allowed, and it was also noted that there were issues around whether this was in fact a trade dispute with the NDLB under ‘Order 1305’, because the dock workers when in employment (and not in the reserve pool) were not employed by the NDLB.<sup>183</sup> There must be little doubt that in a less deferential and more litigious age there would have been significant legal challenges to the Board’s

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<sup>183</sup> LAB 10/783 Note by the MLNS solicitor dated 21 June 1948

actions and the penalties.<sup>184</sup> As noted above, the identities of the ‘no name’ Committee were known, and the MLNS Regional Industrial Relations Officer (RIRO) commented that:

The organisation is a very mixed bag indeed and includes, I am told, people who are not extremists. Whether there is enough organising ability to produce a breakaway union I am unable to say but Deakin has taken a very nasty knock over this business...<sup>185</sup>

In reaction, the TGWU summoned the members of the ‘unofficial’ group before a Special Committee on 24 August 1948. The Committee concluded that:

“it is established, on their own admission, that the seventeen members...were members of the unofficial body that was set up in connection with the London Dock Strike of June 1948. By their action the Members were in breach of the rules and constitution of the Union. We have however taken note of the assurances given that the Unofficial Strike Committee is no longer in existence....[and] recommend that no action of a disciplinary nature be taken against the Members.<sup>186</sup>”

The Committee did indeed no longer exist: it had been resurrected as the Port Workers Defence Committee.

The ‘Zinc Oxide’ dispute brought together two combustible elements – the system of piecework payments and the way in which the National and Local Boards had to implement the disciplinary penalties of the Scheme. In this particular case the cost of meeting the increase sought would not have been excessive (and obviously far below the consequential costs of the dispute to both sides and the nation), and many cargoes were classed as (and indeed were) “dirty”, and thus meriting increased payments.<sup>187</sup> The problem was that of precedents and the knock-on

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<sup>184</sup> NA file BK 3/11 NDLB Annual report for 1956 shows that there was such a challenge in 1956 (see *The Times*, 6 December 1956, p. 2 ‘System of Dismissing Dock Labourers Illegal’) and where Lord Keith noted that “I find it difficult to co-relate the provisions of Clauses 15,16,17, and 18 and to be satisfied in my mind on how they are intended to interact as between each other,”

<sup>185</sup> LAB 10/783 Letter from the RIRO to the MLNS Industrial Relations Department dated 23 June 1948.

<sup>186</sup> MRC file MSS.126/TG/447/24/5 TGWU: Unofficial Disputes

<sup>187</sup> NA file LAB 101/6 NJCPTI agreements 1920-1964 Paragraph H (Differentials: ‘Dirty’ money) of the 1947 agreement shows that “the normal practice is that each port operates a list drawn up by the parties locally, specifying the particular commodities which carry a payment, usually on a time basis and as an addition to piecework earnings, because of their dirty or obnoxious character.”

effect, so the employers would be very concerned to avoid rate drift.<sup>188</sup> The disciplinary code of the 1947 Scheme was also a key factor: in this instance, the imposition of the full penalties available under the Scheme triggered a strong reaction amongst the men. Along with this emerged dissatisfaction with the role of union officials on the NDLB, where they could be accused of being on the side of 'management' rather than the workforce, and this, with the sheer size of the TGWU led to a feeling of alienation, resulting in the coalescence of groups to form the 'unofficials' and the 'no names', and to challenge to the power of the union. Finally, the fact that the Prime Minister had been forced to intervene led to the matter being considered in Cabinet, where:

The Cabinet were informed that in all sections of the London Docks that morning there had been signs that larger numbers of men were willing to resume work ....[but] there was evidence that in some sections of the London Docks the managements had not been prepared for this change in the situation and had not been ready to take on men who were willing to resume work. This confirmed the view, held by some Ministers, that the Dock Labour Corporation (sic) was not working effectively. The Foreign Secretary (Ernest Bevin) undertook to make enquiries and to discuss with the Ministers of Labour and Transport what changes were required.<sup>189</sup>

This presented two problems, firstly that the NDLB was seen as a scapegoat for the failures of the Scheme (which was of course the progeny of Bevin's original schemes of 1941), exacerbated by the fact that the Government could not change the composition of the Board in mid-term.<sup>190</sup> Secondly, the fact that it was Bevin who was being given charge of any reformation, implied that no major revisions would take place.

#### The "Ineffectives" strike of April 1949

The NDLC/NDLB records show that the docks were continually pressing for more workers in 1943 as the war effort neared its peak, and by April 1945 the "revised

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<sup>188</sup> As William Brown shows: *Piecework Bargaining* (London: Heinemann, 1973) pp.115-118 piecework agreements are prone to "rate drift" over time as rates are amended and re-negotiated.

<sup>189</sup> NA file CAB 128/13/5 Cabinet conclusions 29 June 1948

<sup>190</sup> Under Clause 4(3) of SR&O 1947/1189 the Minister could appoint (but not dismiss) members of the National Board, so any changes could only be made at the end of a member's term of office. Similarly, the National Board could appoint but not dismiss members of local Boards.

sanctioned strength” for London had been increased from 17,796 to 19,650.<sup>191</sup> However, by 1946, with the successful demobilisation of large numbers of men from the Armed Forces, the NDLC (and later the NDLB) was under pressure to reduce the size of the workforce, because “the continuing heavy surpluses...had resulted in an average deficit of £17,000”.<sup>192</sup> This derived from the fact that the NDLB’s income from the port employers was based upon a percentage of the total wages paid by those employers: workers not in employment would receive attendance pay from the Board, so that any substantial surplus of workers receiving such pay would lead to a commensurate deficit in the Board’s finances. By September 1947 the LDLB had reached a position where “251 men with poor work records [had been] removed from the Register since November 1946”,<sup>193</sup> but on 26 November 1948 the NDLB nevertheless directed local Boards to “examine critically the Workers’ register and remove therefrom” those men who for health or other reasons were “unable to meet the minimum requirements...or are not carrying out to the full their obligations under the Scheme”.<sup>194</sup>

A table submitted to the NDLB on 8 February 1949 showed that 47 men from the London register (of 26,871) were regarded as falling within the Board’s categorisation for removal, but that a sub-committee appointed to consider these cases had been “unable to reach agreement”.<sup>195</sup> The NASD then held a mass meeting on 9 March at which it rejected “the intention of the local board in this matter”, and the NDLB was notified of this.<sup>196</sup> However, the NDLB persisted with its pressure, and following another review at which all 47 men were interviewed, it was decided that 33 were not capable of carrying out the obligations required of them under the Scheme. 21 men appealed against the decision, but only one appeal was allowed, and on 8 April notices were issued to 32 men, whereupon the NASD men struck.<sup>197</sup> On 11 April 1949 the TGWU London Docks group issued a circular

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<sup>191</sup> NA file BK 2/98 NDLC Transfers of Labour, Circular 1/107 23 April 1945

<sup>192</sup> BK 29/8, op.cit., Undated memorandum “submitted by the Chairman (Lord Ammon) to the Minister of Labour and National Service”,

<sup>193</sup> NA file BK 2/202. Size of the Work Force: Ineffectives. Note “Bad Work records” dated 10 September 1947

<sup>194</sup> Ibid., Circular N.B. 19/2 dated 26 November 1948

<sup>195</sup> Ibid., The details of the sub-committee’s consideration are in a minute dated 8 March 1949 on file

<sup>196</sup> NA file BK 2/1120 NDLB: Size of the Labour Force: Ineffectives. Letter from Barrett, NASD to Thomas of the NDLB dated 9 March 1949

<sup>197</sup> NA file LAB 10/831 MLNS: Dispute regarding discharge of Category ‘C’ dockers. Minute from the RIRO dated 11 April 1949 noting that the NASD Executive Committee had decided that the union should “resist any discharges of port workers until such time as a pension scheme was introduced.

summarising the events, and reiterating that the policy of the TGWU was to abide by the negotiating machinery set up under the Dock Labour Scheme, that each member had had the opportunity to present his case, and that the strike (which started on 11 April) was unwarranted: this was not a question of redundancy, but “whether a man was an effective port worker or not”.<sup>198</sup> The NDLB issued a press notice on 12 April 1949 noting that the strike had been called by the NASD although “only a few [of the men under notice of dismissal] are members of the NASD”, adding that “this strike, inspired by the [NASD] and exploited by the communists, threatens the welfare and stability of the nation.”<sup>199</sup>

On 13 April 1949 the MLNS Chief Industrial Commissioner (CIC) chaired a meeting with the NASD to examine the problems, in the course of which he pointed out that the strike was illegal under ‘Order 1305’. The question begged here is why the Ministry had not summoned both the employers and the union (for which there was in any case already a mechanism in the NJCPTI). The meeting may actually be seen as a *de facto* recognition that the employers were legion – the Port Authority, the shipping and stevedoring companies and wharfingers that were the operational employers, and the NDLB – who had no specific common purpose. Part of the answer presumably lies in the Cabinet Paper of 12 April 1948, indicating the level of Ministerial interest (and thus, presumably, pressure for some action by the ministry):

This strike creates a precedent in the post war period - It is official in that it has been called by the Executive of the National Amalgamated Stevedores and Dockers, which we are informed is Communist controlled. Since the procedure laid down in the Conditions of Employment and National Arbitration Order [i.e. Order 1305] has not been followed it is illegal. We were informed that this is the first strike since the making of the Order which is both official and illegal. There might be a case for instituting criminal proceedings in respect of breach of the Order, but the [Emergencies] Committee do not consider such a step would be advisable, at any rate at the present stage.<sup>200</sup>

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<sup>198</sup> BK 2/202, TGWU Area No. 1 Docks Group Notice “To all Members” dated 11 April 1949

<sup>199</sup> NA file BK 2/1085 NDLB Discipline, Strikes, London, Ineffectives

<sup>200</sup> NA file CAB/129/34/18 Cabinet Paper CP (49) 88 Memorandum: The London Dock Strike by James Chuter Ede

Although the strike was officially opposed by the TGWU, many of its members joined the action, but following a broadcast by Isaacs, the strike ended on 14 April. At a further meeting with the MLNS on 21 April the NASD agreed to accept the 32 dismissals but said that they would resist any further reductions in the register, and even if the dispute went to arbitration they would still go on strike. The key feature in all of this was the wish of the unions to institute some form of pension scheme for dock workers where, in the main, none existed. Even the mighty PLA was less than generous to its long-serving workers: in 1946, as the Authority minutes show, a Permanent Labourer with 54 years' service was awarded a "Benevolent Allowance" of 20s per week, a Deal Porter with 40 years, 15s per week, and a Permanent Labourer with 26 years' service 12s per week.<sup>201</sup> One day's attendance pay, even at a rate of 12s per day,<sup>202</sup> would be more than their weekly pension for many ex-PLA dockers, and few (if any) other dock employers gave any form of pension to their workers. The actions of the NDLB are questionable from another aspect: given the huge amounts of work effort lost in London through sickness and injuries noted above, the pressures to get rid of some few men – far less than 1% of the workforce, and drawing minimal amounts of attendance pay - seems extreme, and any strategic analysis of the benefits and risks of such an initiative should surely have recommended a more cautious approach.

#### The 'Canadian Seamen's' strike of 1949

The story of the strike is complex and is covered in a 47- page report from the MLNS.<sup>203</sup> The fundamental cause was a dispute between members of the Canadian Seamen's Union (CSU) and the (Canadian) Shipowners, which led to a strike (in Canada) that began on 31 March 1949 but had ended by 5 May. Action in support of the CSU began in Liverpool on 1 April, spreading to London on 4 April.<sup>204</sup> In a broadcast on 11 June 1949, Isaacs unequivocally attributed the strike to Communist influence: "the plain fact is that this Canadian dispute is being used....by the Communists in this country to dislocate our trade and thus retard our economic recovery."<sup>205</sup> Following negotiations and various interventions, the strike in Liverpool ended on 13/14 June, and work resumed in London on 24 June, following a meeting

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<sup>201</sup> PLA Archives: PLA Staff Committee Minutes. Minutes of 16 April, 6 June and 4 July 1946.

<sup>202</sup> McKelvey, Jean Trepp. *Dock Labor Disputes in Great Britain: a Study in the Persistence of Industrial Unrest*. Booklet No. 23. New York State School of Industrial and Labor Relations, (Ithaca, New York: Cornell University, 1953) p.30

<sup>203</sup> *Review of the British Docks Strikes 1949* (Isaacs Report, Cmd 7851, 1949)

<sup>204</sup> *Ibid.*, pp. 8-10

<sup>205</sup> *The Times*, 13 June 1949 p. 4 "Appeal to Strikers"



between the CSU and representatives of the (Canadian) employers at the offices of the Canadian High Commission. Work stopped again on 27 June following the issue of two pamphlets alleging *inter alia* that the employers had “repudiated their promise of settlement”.<sup>206</sup> Shortly afterwards, an “unofficial ‘Lockout’ committee” was formed, and “by intensive propaganda...managed to persuade a number of dockers...to stop work”.<sup>207</sup> Service personnel were brought into London on 7 July to unload some ships: Isaac’s line on the role of Communists was reiterated by the Attorney General and in slightly less specific terms by Aneurin Bevan, the Minister of Health, on 9 July,<sup>208</sup> followed by the proclamation of a State of Emergency on 11 July. On 19 July 1949 the NDLB issued a “statement to dock workers”:

the National Board hereby orders all dock workers now on strike to resume work at 7.45 a.m. on Thursday 21 July 1949...failure to return to work will jeopardise the very existence of the Scheme which former Dock workers and many present Dock workers have struggled to achieve.<sup>209</sup>

This was not a good move: as soon as the strike ended, the parliamentary Opposition used an adjournment debate to challenge the NDLB threat, during which the Home Secretary repudiated the notice,<sup>210</sup> and this was followed by Lord Ammon’s resignation from his post as a Government Whip (but not from his chairmanship of the NDLB). Interestingly, this episode does not feature in the MLNS report on the strike which attributes the strike primarily to a plan by the CSU to involve British dockers, but also cites the role played by (CSU) members of the Communist party, in “lies, misrepresentation ...propaganda [and] violence”.<sup>211</sup>

There were no obvious causes for this strike: the superficial reason for the stoppage was that it was in support of a dispute between the CSU and the Canadian Shipowners, and the generally received view was that it was fomented by Communists<sup>212</sup> but, as Peter Weiler has pointed out, “such a charge cannot explain why 15,000 men stayed on the streets for a month in a dispute that would bring them no financial benefit”.<sup>213</sup> A more cogent argument might be that the strike was a reflection of increasing dissatisfaction by the dockers with the operation of the

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<sup>206</sup> Isaacs Report, p.44, Appendix XI,

<sup>207</sup> Ibid., p 21.

<sup>208</sup> *The Times*, 11 July 1949, p.2 ‘Communist Aim in Strikes’ and ‘Malignant Forces’: Bevan asserting that “the one enemy of Fascism and Communism is a strong Socialist democracy”

<sup>209</sup> NA file BK 2/76 NDLB Head Office: Canadian Seamen’s Dispute

<sup>210</sup> House of Commons *Hansard*, 26 July 1949, column 2279

<sup>211</sup> Isaacs Report, p.27

<sup>212</sup> Ibid., para 87 (3)

<sup>213</sup> Weiler ‘British Labour’, op.cit., p.149

Scheme, together with a growing disconnect between the rank and file and the union hierarchy, coupled with a failure by the NDLB (which, after all, was the only body with any authority in all of the affected ports) to intervene other than with threats. Weiler sees the genesis of the dispute in somewhat wider terms that are nevertheless valid: the increasingly authoritarian attitude of Ammon, the Chairman of the NDLB, the position of the TGWU on the NDLB which the dockers saw as the union now becoming the “enforcer of traditional work discipline, and a sense that the Labour Government was more concerned to recognise the position of the trade union leadership as the only recognised spokesmen for the working class”.<sup>214</sup> In consequence, as both Weiler and Davis suggest, the unofficials/Communist interconnection grew stronger and – at least for a period at the end of the 1940s – they became an important force in the docks.<sup>215</sup>

#### The ‘Expulsions’ strike of 1950

This strike was a reaction against the action taken by the unions – primarily the TGWU - to punish the ‘unofficials’ who had been most active in the Canadian Seamen’s strike: one of the first documents in the NDLB file on the dispute is an analysis of “dock workers who were prominent during the Canadian Dispute”, identifying 20 “Members of the Strike or Lockout Committee”, and 12 “Others”.<sup>216</sup> With this is a copy of the TGWU “Report of the Special Committee” established on 15 December 1949<sup>217</sup> that recommended the expulsion of Messrs Dickens, Constable and Saunders (all labelled as Communists in the NDLB analysis),<sup>218</sup> with Dickens “undoubtedly the big figure behind all this trouble”, Constable “to the forefront in every dispute” and Saunders as an “opponent of most things...always associated with unofficial movement in dockland”. Four others were debarred from holding union office, and the TGWU committee also recommended that the Port Workers Defence Committee (PWDC) be declared a subversive body created and fostered with the object of sabotaging the constitutional procedure and policy of the union.<sup>219</sup> All of those sanctioned appealed against the penalties, with the appeals

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<sup>214</sup> Ibid., pp.154-162

<sup>215</sup> Davis, *Waterfront revolts*, op.cit., p. 188 and Weiler, p.171

<sup>216</sup> NA file BK2/1086: London Dock Strike 1950: Expulsion of Three Dockers from TGWU

<sup>217</sup> The Committee met on 26 and 27 January 1950 (MRC file MSS.126/TG/447/24/5 Unofficial Disputes) The (77 page) transcript of the meetings shows the high levels of emotion and tensions, and the key role played by Deakin.

<sup>218</sup> BK 2/1086 table “Dock workers who were prominent during the Canadian Dispute”. The three recommended for expulsion had been among the group called before the Special Committee in 1948 after the ‘Zinc Oxide’ strike.

<sup>219</sup> NA file LAB 10/955 Stoppage at work at London Docks over expulsion of three members of the TGWU, notes that the PWDC was composed of “extremists, members of both the

scheduled to be heard on 12 April, but in the meantime the PWDC called a meeting (26 March) “attended by about 350 port workers” which resolved to demand the reinstatement of the three men, implementation of the Dockers charter, and an overtime ban. The ban was initially effective, with some 2,872 men refusing to work overtime, but support quickly fell off and full work resumed on 3 April.<sup>220</sup>

The appeals were not upheld, and an all-out strike was called at a mass meeting on 19 April. It was not a hugely effective: the NDLB files shows that on 20 April in the Royal group of docks – the most severely affected area - 65% (4,679 men) were on strike, but over the whole port the ratio was much lower, with a total of 6,118 men (22% of the total active Register) striking. But it is clear from the files that the NDLB’s attitude was hardening, although this was not necessarily fully supported by the MLNS: after the NDLB had issued a Press Notice warning that “men should make themselves available for work by a given date or they will be summarily dismissed”, the CIC wrote to the NDLB on 21 April to say that:

The Minister feels sure that your Board will appreciate the necessity of avoiding any statement that might have the effect of embarrassing the Government in the steps that it considers necessary to safeguard the vital interests of the community.<sup>221</sup>

Nevertheless, the reaction by both Government and the National and London Boards was robust: troops were sent into the docks on 24 April, and the LDLB’s appeal to the strikers contained the veiled threat that it had “decided against applying forthwith the disciplinary measures which could be put into place against those men on strike and who thus could be considered as failing to comply with the conditions of the Scheme” – i.e. could be dismissed. However, on the 27 April the NDLB authorised the LDLB to write to all workers to say:

The London Dock Labour Board hereby informs you that unless you report for work at the usual call place on Monday morning next, 1<sup>st</sup> May, you will be deemed to have terminated your service with the Board, owing to your continued absence from work without authority. If you have not returned to work by the date indicated your registration will be cancelled accordingly.<sup>222</sup>

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NASD and the TGWU [and] became active following the unofficial stoppage in support of the Canadian Seamen. During this stoppage its members operated under the title of the London Central Lock-out Committee but following the collapse of the strike continued its subversive activities under the title of the Port Workers Defence Committee “.

<sup>220</sup> NA file LAB 10/940 Embargo on overtime in protest against the Unions summoning eight men before the Special Committee in connection with the Canadian Dock Strike of last May.

<sup>221</sup> BK 2/1086

<sup>222</sup> Ibid.,

The strike had peaked on 28 April, with 14,349 men out and 11,140 working, but the MLNS file notes that the PWDC had:

failed to appreciate the signs of re-action revealed at their mass meeting on 26<sup>th</sup> April.<sup>223</sup> Hitherto they had been quick to appreciate when their influence was at its peak and had retained the initiative by calling off the strike at the psychological moment on apparently their own terms. On this occasion they realised the true situation too late, and the officials of the TGWU were quick to take the initiative.<sup>224</sup>

The men returned to work on 1 May 1950, but it is clear from the Cabinet papers that Ministers had been struggling to define the most appropriate action to be taken during the strike, with both the Attorney General and the Home Secretary acknowledging the complexities of the situation and the difficulties of taking legal or disciplinary measures where the strike was not an industrial dispute but action against a union.<sup>225</sup> This led to an almost farcical situation where, as the Conclusions of the Cabinet meeting held on 21 April show, the Cabinet:

Agreed that the Government should not endeavour to influence the London Dock Labour Board in any decision it might reach later that day on applying the disciplinary provisions of the Dock Labour Scheme.<sup>226</sup>

Whereas at the meeting on 27 April the Cabinet:

Invited the Minister of Labour to arrange for the London Dock Labour Board to be informed that, in the view of the Government, it would be untimely for them to approach the National Dock Labour Board for advice on the handling of the situation.<sup>227</sup>

The best that can be said here, perhaps, is that this is an object lesson in how not to handle difficult problems in industrial relations.

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<sup>223</sup> NA File HO 45/25539 Threatened Strike at the London Docks April 1950 contains a minute dated 26 April from K E Hughes, headed "Secret" with a report from the Special Branch of a mass meeting called by the PWDC where the men "showed no enthusiasm" and the resolution to continue the action "was not in accordance with the men's wishes".

<sup>224</sup> LAB 10/955

<sup>225</sup> NA files CAB 129/39/27 Cabinet Office: Memorandum by the Attorney General, and CAB 129/39/34 Cabinet Office: Memorandum by the Home Secretary

<sup>226</sup> NA file CAB 128/17/23 Cabinet conclusions 21 April 1950

<sup>227</sup> NA file CAB 128/17/26 Cabinet conclusions 27 April 1950

## The Question of Revising the 1947 Dock Labour Scheme

It was clear now that whatever stance Bevin might take, the Scheme had to be reviewed, so that in Cabinet:

There was general agreement with the view of the Emergencies Committee that there should be a thorough investigation into the underlying causes of the recurring labour trouble at London Docks, and that means should be devised to bring the unrest to an end.<sup>228</sup>

The necessity for this was underlined in by a debate in the House of Commons that confirmed that there were real problems with the structure and operations of the Dock Labour Scheme (and particularly the disciplinary procedures within it), and also with the role and functions of the NDLB.<sup>229</sup> There was also continual pressure from the employers for the ending of the system of dual control where both employers and union officials were members of national and local dock labour Boards. The matter was considered in Cabinet in July 1949 with a paper from the Minister of Transport suggesting a comprehensive revision of the scheme,<sup>230</sup> and a rejoinder from Isaacs arguing for an internal review where:

If these matters are examined I would suggest that they should be considered in the first place by officials of the Ministry of Labour and the Ministry of Transport in consultation with officials of the National Dock Labour Board.<sup>231</sup>

Phillips shows that this was, in essence, also Bevin's view, a "refusal to countenance even minor changes to the scheme"<sup>232</sup> – confirmed in a later note by the Cabinet Secretary (Sir Norman Brook).<sup>233</sup> The resulting internal enquiry was led by C W K Macmullan of the Ministry of Transport, who (in his preliminary assessment of the case) noted that:

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<sup>228</sup> NA Files CAB 128/15/27 Cabinet conclusions 13 April 1949, and PREM 8/1085 Prime Minister's Office: Correspondence and Papers – material relating to the "Ineffectives" strike.

<sup>229</sup> House of Commons *Hansard* 26 July 1949 Cols 2263-2335

<sup>230</sup> NA file CAB 129/35/35, Cabinet Paper CP (49) 145: Memorandum: The Dock Labour Industry and the National Dock Labour Board. By Alfred Barnes

<sup>231</sup> NA file CAB 129/36/1 Cabinet Paper CP (49) 151 *Memorandum: The Dock Labour Industry and the National Dock Labour Board* by George Isaacs

<sup>232</sup> Phillips *Great Alliance* op.cit., p.100

<sup>233</sup> NA file PREM 8/1534 Prime Minister's Office Reorganisation of National Dock Labour Board: proposal to appoint a working party to review Dock Labour Scheme; investigation into labour conditions in the docks; report of Committee of Inquiry contains a memorandum by Norman Brook dated 5 May 1950 noting that in July 1949 the Foreign Secretary "expressed strong opposition to the holding of any enquiry into the decasualisation scheme as such".

I believe that the present Dock Labour Scheme is so full of defects and weaknesses that it is operating badly (at any rate in some areas) and may at any time create trouble, in which case further defects will become operative and make the trouble more difficult to deal with.<sup>234</sup>

In more detail, he noted the limitations of the internal structures within the scheme where there was “minimal power of the Minister over the NDLB, of the NDLB over local Boards, and local Boards over employers” and hence “a pretence of an organisation which is no organisation at all”. As a result, the Scheme could not be changed except by consensus and the making of a new Scheme and (perhaps more important politically) Ministers could not dismiss Board members (although they could choose not to re-appoint them) and “it was by sheer good luck that the [National] Board was only appointed for one year, with the result that it was possible to get rid of Mr Barrett [General Secretary of the NASD] who acted in a completely unconstitutional manner”. In addition, when the scheme had been drawn up, no consideration was given to what would happen in the case of industrial disputes. In such cases the Board was “bound to disintegrate because the dispute is between one side and the other”, and if the dispute was unofficial some of the workers’ representatives might choose to support the strike, others to oppose it. And if the employer then returned the men’s registration books to the Board (which was the usual practice) the Board then became the employer – at a point where it was disintegrating – and had to decide on and enforce any penalties. In any case, Local Boards consisted of equal numbers of both sides so “where the sides differ, no decision can be arrived at”, and in consequence “the Board is blamed for everything”.<sup>235</sup> Macmullan’s analysis is supported by McKelvey:

The...feature which the disputes had in common was the way in which attention was shifted from the original grievance to an attack upon the disciplinary powers of the Board. As a result, dissatisfaction became focussed on the Board.<sup>236</sup>

That the Scheme should have had such defects is not surprising, given the speed with which Bevin had moved to have the 1940 Emergency Powers (Defence) Bill debated and passed,<sup>237</sup> and then to implement ‘Order 1305’ (July 1940), to conclude a National Dock Agreement and arrange for the laying of SR&O 1941/1440 in July 1941 to implement the generic dock labour Schemes. The material for Macmullan’s

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<sup>234</sup> NA file LAB 8/1707 MLNS: Informal inter-departmental enquiry into the provisions of the National Dock Labour Scheme. Memorandum from C W K Macmullan dated 23 August 1949

<sup>235</sup> *Ibid.*,

<sup>236</sup> McKelvey, *Dock Labor*, op.cit., p.40

<sup>237</sup> See Williams, *Bevin*, op.cit., pp. 219-220

enquiry included a study by R W Lynton and S D M King of the British Institute of Management that may be seen as a reflection in miniature of the way in which dockers were seen, with similarities to a social anthropological study:

Our data consists of the descriptions and attitudes of the dock workers and people closely concerned with them, not as yet, of data derived from first-hand study of the docks at work. The descriptions and attitudes may sometimes not really represent the facts of the situation to which they relate.<sup>238</sup>

In essence, Lynton and King (and then Macmullan) were seeking to analyse and understand the problems from a dock worker's perspective – but without any actual experience of the environment and working conditions of the dockers. In the event the report of Macmullan's group<sup>239</sup> was not published: Phillips records the negotiations and discussions following the Cabinet Secretary's minute of 5<sup>th</sup> May 1950 (and particularly Bevin's fear that "any kind of inquiry would ill reward his beloved TGWU after its strenuous efforts to support the Government"),<sup>240</sup> that led to the compromise solution of an inquiry under Sir Frederick Leggett.<sup>241</sup>

### **The Leggett Report**

Leggett's report, published in May 1951,<sup>242</sup> can be seen as having been influenced to some extent by Macmullan in that his focus was primarily on the problems of dockers and the operation of the Dock Labour Scheme, which he saw as the main causes of the disputes, rather than any structural problems of the Scheme or the docks industry, or failings on the part of management. Although, for example, he noted the existence of "about 470 separate employers in the Port",<sup>243</sup> and the complexities of the piecework system,<sup>244</sup> his conclusion was that there was "ample joint machinery for settling all differences without interruption of work" – even when he also acknowledged that there was often a need to resolve problems as a matter of urgency before a ship sailed.<sup>245</sup> In his summary of Main Findings he criticises the

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<sup>238</sup> NA files LAB 101/43 MLNS London Docks, a Framework for Study: Research in the London Docks by R P Lynton and S D M King

<sup>239</sup> NA File LAB 101/74 MLNS Report of a working party of officials from the Ministries of Labour and Transport

<sup>240</sup> Phillips *Great Alliance* op.cit., p.115

<sup>241</sup> ODNB: *Sir Frederick Leggett*, by Rodney Lowe

<sup>242</sup> Leggett Report

<sup>243</sup> *Ibid.*, para 5

<sup>244</sup> *Ibid.*, pp. 4-5 paras 16-18

<sup>245</sup> *Ibid.*, p. 4 para15

“casual attitude” of the men, the activities of the “unofficials”, some aspects of the operation of the Dock Labour Scheme,<sup>246</sup> and the trade unions. But apart from some scathing comments on the lack of amenities in the port,<sup>247</sup> for which his remedy was that “legal standards should be....established” and control “concentrated under a single authority”,<sup>248</sup> the report contains almost no criticism of the functions or performance of the NDLB/LDLB, the port employers, or the PLA. On the other hand, Leggett has 21 paragraphs of comment, criticism and advice for the trade unions,<sup>249</sup> referring to the challenge represented by the ‘unofficials’, inter-union “friction”, and the position of union officials, followed by extensive consideration of the TGWU’s organisation, information and publicity, and its need to engage with “the men”.<sup>250</sup> Issue should perhaps also be taken with a specific passage in Leggett where he refers to being:

Given repeated instances of men stopping work automatically with little or no idea why they were stopping. In the words of one witness, himself a dock worker, all that was needed was for a man to go round the docks shouting ‘all out’ and waving the man off the ships, and out they would come.<sup>251</sup>

This has strong resonance with the passage in Oram:<sup>252</sup>

In 1948, a period of intense stoppages, I was told by a union official of the TGWU that anybody with a cap and a choker, on a bicycle, could ride around the West India docks shouting ‘they’re all out in the Royals’. Men would come trooping off the ships with no questions asked, no regard to agreements or the current work.<sup>253</sup>

These comments are not borne out by the evidence in the MLNS files: in 1948, the year cited by Oram, the only port-wide strike was the major ‘Zinc Oxide’ strike

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<sup>246</sup> Although, as his report shows, the Inquiry took evidence from wide range of interests, his conclusion that “individuals who persistently show themselves unwilling to observe the conditions of the scheme...should be dismissed from the industry” flies in the face of the developing thinking that such penalties could not be applied *en masse*.

<sup>247</sup> Leggett Report, pp. 29-33 paras 83-89

<sup>248</sup> *Ibid.*, p.2

<sup>249</sup> *Ibid.*, paras 61-82.

<sup>250</sup> Arguably, vindicating the *ODNB* comment that in his role as CIC at the MLNS, “any lasting settlement had accordingly to be built up from below by the parties directly concerned”.

<sup>251</sup> Leggett Report, para 23. That passage is repeated in the Devlin report 1956, para 29 (2)

<sup>252</sup> Although Oram is not shown as having given evidence to the Committee in NA file LAB 10/1041 Leggett Committee on Unofficial Stoppages in the London Docks: correspondence with individuals and organisations who may give evidence.

<sup>253</sup> Oram, p.42



considered above.<sup>254</sup> In the period from 1948 to 1953, out of a total of 68 strikes in London shown in the MLNS ledgers 50 strikes were single issues, generally resolved the same day, 12 involved more than 1,000 man-days, and only 6 were port-wide.<sup>255</sup> To some extent the narrative in Leggett is self-contradictory, for he argues that if two or more men left a gang, it would be unable to continue its work, and if a gang stopped work, gangs working other holds of the ship would be unable to continue lest the ship became unstable.<sup>256</sup>

There seems little evidence that Leggett's report was recognised as the answer to the problems of unofficial strikes: *The Times* contains only one narrative article on the Report, and no further analysis or comment.<sup>257</sup> The report itself was not the subject of any formal consideration in either House of Parliament, although reference was made to some of the findings in a debate on cargo handling in the Lords in March 1952 when (unsurprisingly) there were no voices to represent the workmen's views.<sup>258</sup> In line with his underlying thesis that the primary causes of industrial disputes lay in the attitudes and behaviour of the workforce, rather than any systemic problems within the industry,<sup>259</sup> Leggett devotes seven paragraphs to the activities of the "unofficials", arguing that their ultimate aim was the destruction of "the constitutional machinery which...has gained for the dock workers the substantial advantages which they now enjoy".<sup>260</sup>

#### The 'Pay award/Seven dockers' strike of 1951

While Leggett was still deliberating another strike occurred, which is an example of a minor strike that might easily have been allowed to die a natural death, but where an over-reaction on the part of the authorities led to a much larger stoppage. The MLNS file shows that a minor strike began on Merseyside on 1 February 1951 as a protest against a pay award recommended by both sides of the NJCPTI.<sup>261</sup> On 8 February the London RIRO reported that "attempts have been made by unofficial

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<sup>254</sup> NA File LAB 34/63 *Trade Disputes Records Books, 1948*

<sup>255</sup> NA Files LAB 34/63-69 *Trade Disputes Records Books 1948-1953*

<sup>256</sup> Leggett Report para 23

<sup>257</sup> *The Times* 19 May 1951 p.6 'Report on Dock Strikes'

<sup>258</sup> House of Lords *Hansard*, 11 March 1952, Cols 608-658

<sup>259</sup> So that he states categorically (Leggett Report, para 30) that "the nature of dock work is such as to give rise to almost unlimited opportunities for disputes to occur", rather than noting any structural or organisational factors.

<sup>260</sup> Leggett Report, paras 30-36.

<sup>261</sup> NA file LAB 10/1019 MLNS: National strike of docks in Great Britain in protest against wage increase

elements in the last two or three days to provoke a stoppage in the London docks in support of the strike action taken by Merseyside dockers, but in the main the attempts have been unsuccessful”, and subsequent memoranda on the file show that the strike was gradually losing support.<sup>262</sup> However, on that day seven dockers were arrested<sup>263</sup> and charged with “conspiring with others to take part in illegal strikes”.<sup>264</sup> This apparently ill-timed intervention by the authorities had been foreshadowed in Cabinet a year earlier: in his paper of 21 April 1950 the Attorney General had noted that:

I have hitherto refrained from proceeding under the Order [1305] owing to the fear that action might simply exacerbate the strike situation. I think it has to be recognised that the ordinary processes of the Criminal law are ineffective to stop large-scale strike action, but while this very explicit Order remains in existence I find it increasingly difficult to refrain from operating it, since it is impossible to allow the law to be consistently and contemptuously flouted. As at present advised I am inclined to direct prosecutions in the next suitable case...<sup>265</sup>

The minutes of that meeting show considerable reservations on the part of the Cabinet about such a prosecution,<sup>266</sup> but a year later these reservations seem not to have been of such importance, and the arrests went ahead. This immediately led to further industrial action, with large numbers of London dockers joining the Merseyside strikers.<sup>267</sup> In the event the jury returned self-contradictory verdicts to the three counts within the indictment,<sup>268</sup> and the Attorney-General was given leave to abandon the case.<sup>269</sup>

### The ‘Tally Clerks’ strike of 1951

The Leggett report was followed within less than a month by a strike of Tally Clerks, the last major strike in the London docks before the General Election of October 1951 that led to a Conservative administration. The strike affected a relatively small

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<sup>262</sup> Ibid.,

<sup>263</sup> Four from Merseyside and three from London, of whom two (Constable and Dickens) were in the course of being expelled from the TGWU

<sup>264</sup> *The Times* 21 February 1951 ‘Seven dockers in court’

<sup>265</sup> CAB 129/39/27 Memorandum: Stoppage in the London Docks

<sup>266</sup> Possibly because of the impending General Election (23 February 1950)

<sup>267</sup> *The Times* 10 February 1951 p.6 ‘6,700 London men join dock strikers’

<sup>268</sup> Reflecting on the one hand the difficulty of using the legislation as a weapon and on the other the complexities of the working arrangements of the Scheme

<sup>269</sup> *The Times* 19 April 1951, p.3: ‘Seven Dockers Discharged’

group of key workers – tally clerks (a specialism unique to deep sea trade vessels in London) track the movement of cargoes, and without them ships can be neither loaded nor unloaded – and here the strike revealed problems with the operation (rather than the rules) of the Dock Labour Scheme. The strike ended after assurances were (apparently) given to the clerks, but the solution only provided a temporary fix: disputes with similar causes were to recur in 1957 and 1960. The primary cause of the dispute was a decision by the LDLB to recruit an additional 80 tally clerks as part of an overall increase of 1,500 men for the London register.<sup>270</sup> For various technical reasons (including an objection by shipowners to the use of part-qualified dockers as relief clerks and some regulatory changes), the proportion of tally clerks to the overall register had increased significantly,<sup>271</sup> and the proposal by the Board to further increase the number of clerks led to concerns that this might both dilute their earnings (which had become inflated with the increased work load and with overtime) and lead to redundancies if trade later dropped off. The clerks' secondary concern was that they had little effective leverage in industrial negotiations because they were very small contingents within their "parent" unions (the TGWU and the NASD) and their interests would often be subsumed within or displaced by wider agreements.<sup>272</sup> An indication of the extent to which this was a real issue is demonstrated by the notes on the NA files that NDLB officials had refused to meet a group of clerks on 10 May 1951 because it was not a formal TGWU/NASD delegation,<sup>273</sup> and a similar response was given when the group approached the MLNS.<sup>274</sup> The likelihood of a dispute was well signposted, with press reports in *The Times*, and other national newspapers,<sup>275</sup> but neither the NDLB nor the MLNS appeared prepared to tackle the issue at that point: the MLNS view being that "the difficulty can be attributed to the Port Workers Committee (sic)",<sup>276</sup> and it was also noted that the TGWU had set up an "advisory committee" of tally

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<sup>270</sup> NA file BK 2/1088 NDLB: Discipline, Strikes: Ocean Shipowners' Tally Clerks. Memorandum from the LDLB to the MLNS Chief Industrial Commissioner dated 7 June 1951.

<sup>271</sup> Rising from 3.8% in 1947 to 5.3% in 1951

<sup>272</sup> In fact, Tally Clerks in the TGWU were represented by the Administrative and Clerical trade group rather than the (much more powerful) dock workers group.

<sup>273</sup> BK 2/1088 The Clerks were represented by both unions, with about three quarters being TGWU members.

<sup>274</sup> NA file LAB 10/1046, MLNS: Dispute between London Docks and the Transport and General Workers' Union and National Amalgamated Stevedores and Dockers: threatened strike by tally clerks over decision to increase clerical register.

<sup>275</sup> *The Times*, 11 May 1951 p.6 'Strike Threat by Tally Clerks' Similar articles appeared in the *Daily Herald* and the *Daily Worker* on that day.

<sup>276</sup> LAB 10/1046 Minute from Andrews dated 11 May 1951

clerks to consider the matter. With no notice being apparently taken of their concerns, the men did indeed go on strike on 4 June.

At its peak the strike involved 1,470 clerks and rendered around 10,000 other men idle but because the clerks handled only the deep sea trade, other parts of the port worked as usual. Once again, an intervention by the MLNS was required to resolve the dispute by bringing both sides together: the record of a meeting between the Minister and representatives of both employers and unions is illuminating,<sup>277</sup> showing that the Minister was looking to “allay the men’s fear and suspicions” while Deakin of the TGWU is reported as having said “that it would not be possible to maintain the normal course of industrial relations in the industry if recourse was continually made to the Minister”.<sup>278</sup> In the event, “there was a full resumption of work on Wednesday 14 June [after] assurances given that there would be some form of consultation with the lay members of the ships clerks in advance of further future recruitment”.<sup>279</sup> A leading article in *The Times* half-way through the strike was generally supportive of the clerks’ “genuine sense of grievance”, arguing that they called off the planned strike in May because “they believed there would be further discussion by the Board before any new clerks were engaged” – but that the Board went ahead with the recruitment. The leader further argues that the TGWU had failed in its responsibilities “both to speak for its members and to explain proposed innovations to them”.<sup>280</sup> But irrespective of all of this, and in line with almost all of the previous disputes and reports, once the strike was settled, no follow-up action was taken.<sup>281</sup>

Following the formation of a Conservative Government in October 1951, Churchill appointed Sir Walter Monckton<sup>282</sup> as Minister of Labour and National Service. Alongside his abilities in other fields, Monckton was widely recognised as a skilled and effective conciliator,<sup>283</sup> and proved to be most effective in that role. For the

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<sup>277</sup> ODNB: *Alf Robens (Lord Robens)* (1910-1999) by Geoffrey Tweedale

<sup>278</sup> LAB 10/1046: record dated 11 June 1951: this would be in accord with the ODNB view of Deakin where “he believed in the sanctity of majority decisions and was intolerant of those who opposed them. He attacked minorities in his union and in the Labour Party with invective and organizational measures.”

<sup>279</sup> Ibid., minute from RIRO dated 19 June 1951

<sup>280</sup> *The Times* 9 June 1951 p.7 ‘Another Dock Strike’

<sup>281</sup> Apart from in respect of the amenities, where significant improvements were made: but the fundamental difficulty about the numbers of clerks was not addressed, leading to further disputes later.

<sup>282</sup> ODNB *Walter Monckton (Viscount Monckton of Brenchley)* (1891-1965), by Martin Pugh

<sup>283</sup> See Pugh *Monckton*, ODNB entry, and Justin Davis Smith *The Attlee and Churchill Administrations and Industrial Unrest 1945-55* (London: Pinter, 1990), pp 110-113.

docks, some idea of his emollient effect may be seen in the fact there were only some 20 disputes in the UK docks recorded in the MLNS ledgers in 1953, resulting in the loss of 33,163 man-days, compared to 26 disputes and 452,207 days lost in 1951.<sup>284</sup> The corollary of his focus on conciliation was, however, that there was little progress towards longer-term structural changes<sup>285</sup> with the consequence that as wartime controls (and rationing) eased, and price rises led to increasing levels of industrial unrest, there were few other strategies to ease the strain on the tripartite systems.

#### The 'Overtime' strike of October 1954

This strike can be seen as the point at which Monckton's 'sticking plaster' approach was beginning to fail. The strike, and its associated 'constitutional issue', was the subject of two reports by a committee under Sir Raymond Evershed<sup>286</sup> that were considered in detail by Jim Phillips in 1996.<sup>287</sup> I have noted earlier that the 1948 Cameron committee had been unable to find a satisfactory form of words to define the conditions under which overtime should be worked as part of the negotiations following the introduction of the 1947 Scheme. Allen also shows the difficulty faced by the unions in negotiating a compromise form of wording (for what was seen as a key issue by the employers), eventually agreed by the TGWU and supported by the NASD.<sup>288</sup> Evershed reviewed the background and the nature of voluntary or compulsory overtime in ten paragraphs before concluding that:

The question of the exact nature of the obligation imposed by clause 8 (5) (b) of the Scheme had equally been left undetermined by the PLEC and the NJC[PTI]<sup>289</sup>

In the absence of a clearly agreed definition, both the TGWU and the NASD maintained that "in principle overtime is voluntary" and this had been the accepted working arrangement since the inception of the Scheme.<sup>290</sup> In reality, however, the problem was a running sore, so that in the year ended 3 April 1954 London

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<sup>284</sup> LAB 34/67 and 34/69.

<sup>285</sup> See Davis Smith, *Attlee and Churchill*, op.cit., p.112 and John Ramsden, *The Age of Churchill and Eden* (London: Longman, 1995) p.259

<sup>286</sup> *Interim Report of a Court of Inquiry into a Dispute in the London Docks* (Evershed Interim Report, Cmd 9302, 1954) and Evershed Final Report, Cmd 9310, 1954)

<sup>287</sup> Jim Phillips 'Inter-Union Conflict in the Docks, 1954-55'. *Historical Studies in Industrial Relations* 1 (1996) pp. 107-130.

<sup>288</sup> Allen, *Deakin* op.cit., p.194

<sup>289</sup> Evershed Final Report, paras 19-30

<sup>290</sup> Evershed Interim Report, para 4(D).

employers had reported 813 men to the Board for refusing to work overtime,<sup>291</sup> although only 115 men had been penalised.<sup>292</sup> All of these cases were dealt with under the disciplinary provisions of the Scheme, and penalties imposed by the LDLB, although the workers' refusals, by definition, would have been in relation to the operational employer, rather than the Board. There had also been at least 17 minor disputes and refusals to work overtime in ports throughout the UK between July 1947 and January 1955.<sup>293</sup>

The London strike arose following the suspension of eight dockers in September 1953 for one day, for failing to work overtime. One of the eight was an NASD official (J E Knight): his appeal (with three others) was disallowed on 8 January 1954, and the NASD began an overtime ban on 18 January. 'Constitutionally' this ban should not have been implemented: the dispute had been referred for conciliation under an agreement between the NAPE and the unions, and one of the constituent working parties produced a compromise formula in early February.<sup>294</sup> On 24 February the employers responded: while being prepared to "deal with the matters arising from day to day operations" they refused to discuss "matters of general policy" – i.e. the definition of overtime.<sup>295</sup> The issue dragged on without any indication that either side would give way, with what must have been losses of income or profit for both sides: but it also highlighted another weakness in the Scheme: as the NA file shows, by 4 October 1954 a total of 85,675 penalty notices had been issued to RDWs but because as early as 25 March the NDLB had decided that no action should be taken "in respect of complaints lodged by employers"<sup>296</sup> the notices had no punitive value, and simply demonstrated once again how the disciplinary procedures within the Scheme failed in mass applications. Further complications arose in this already confused situation when a dispute arose about new arrangements for handling cargoes of meat after the end of rationing in July,<sup>297</sup> and the employers (while agreeing new arrangements with the TGWU) refused to negotiate with the NASD.<sup>298</sup>

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<sup>291</sup> Vernon Jensen *Hiring of Dock Workers*, (Harvard: University Press, 1964) pp 209-211 explains the process in some detail, including the use of the form "D.8" to record alleged infringements of the Scheme

<sup>292</sup> Evershed Final Report, para 30.

<sup>293</sup> NA file BK 2/64 NDLB Discipline: refusal to work overtime

<sup>294</sup> NA file BK 2/83 NDLB: Ban on Overtime 1954. "Note for the File 4/20/50" dated 3 February 1954 records that the "PLA Group Joint Committee...had evolved a formula"

<sup>295</sup> Evershed Final Report, para 41

<sup>296</sup> BK 2/83; Minute 3141 of NDLB meeting 4 November 1954

<sup>297</sup> Note that the ending of rationing had been announced more than four months earlier (see *The Times* 18 February, p. 8, 'Meat Rationing ends in July'), providing ample time for the negotiations.

<sup>298</sup> Evershed Final Report, paras 56-57

The situation once again required ministerial intervention, and Monckton set up the Evershed Court of Inquiry on 16 October: its final report on 28 October facilitated a return to work by the men on 1 November. As Phillips records:

While asserting that the NASD's actions had been unconstitutional, Evershed provided grounds for a settlement by asking employers to refrain from declaring overtime compulsory until the NJC [PTI] had settled a new and unambiguous formula.<sup>299</sup>

Although nominally affecting only NASD members, the collateral impact on TGWU members was huge, and the strike resulted in the loss of more than half a million working days.<sup>300</sup> While Evershed dealt only, as it were, with the evidence before him, Phillips locates this dispute and the subsequent conflict between the TGWU and the NASD on 'poaching' firmly in the "tradition of casual employment in the docks".<sup>301</sup> But it is also possible to see that the overlapping responsibilities of the port employers and the NDLB, together with the influence of the MLNS and the complex structure of organisations and committees noted earlier, militated against any clarity and cohesion to resolve the problem. The presumption would then be that one single body, responsible for the smooth operation and ongoing survival of the London docks could have resolved the overtime (and the meat handling issues) long before these got to the point of such huge losses of man days. As Evershed noted in relation to overtime:

It is plain that the issue is a narrow one. It is moreover one which, according to the general view...is readily capable of settlement.<sup>302</sup>

But, clearly, little had changed in the attitudes of both sides since the Cameron fudge.

#### The 'Stevedores recognition' strike of 1954

Even as those disputes were being settled, another difficulty was arising in a dispute between the TGWU and the NASD. In the course of an unofficial strike in Hull in September 1954, a number of TGWU members had applied to join the NASD although such a switch of unions was not allowed under the TUC's 'Bridlington'

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<sup>299</sup> Phillips, 'Inter-Union Conflict', p.111

<sup>300</sup> NA file LAB 34/70 *Trade Disputes: Record Books, 1954* shows a loss of 530,230 working days. But as I show later, there should be some question as to the precision of these data.

<sup>301</sup> Phillips, 'Inter-Union Conflict', p.108

<sup>302</sup> Evershed Final Report, para. 36.

agreement.<sup>303</sup> In spite of the fact that Barrett, the NASD General Secretary, opposed accepting those applications, the over-democratic model of the NASD meant that the union's Executive could not prevent it, and the switch was followed by similar actions by men on Merseyside and in Manchester<sup>304</sup> so that within six months the NASD in the northern ports claimed a membership of around 10,000.<sup>305</sup> Following complaints to the NJCPTI, the NASD had been expelled from that body in October although, as Phillips notes, the employers were not wholeheartedly behind the expulsion.<sup>306</sup> In any event, the NASD members began a strike on 23 May 1955 to achieve re-admission to the NJCPTI, and Barrett resigned on 21 June.<sup>307</sup> Although the strike ended on 4 July, the rancour and legal complications persisted for many months, culminating in the NASD's suspension from the TUC in November 1958, and expulsion at the 1959 Congress.

The mid -1950s were a period of considerable change in politics and the dock environment: Anthony Eden<sup>308</sup> had replaced Churchill as Prime Minister on 5 April 1955 and Deakin had died in harness on 1 May. Frank Cousins, Deakin's eventual successor as General Secretary of the TGWU, although having worked with both Bevin and Deakin, was not in their mould in many respects, being a "left-wing radical" who "consistently resisted any form of state control over pay".<sup>309</sup> On the Conservative side Eden appointed the combative Iain Mcleod to replace Monckton in December 1955.<sup>310</sup> Eden himself resigned in January 1957 and was replaced by Harold Macmillan.<sup>311</sup> At this point in time, nearly ten years after its inception, it might well have been seen that problems in the structure and operation of the Dock Labour Scheme had been contributory factors to some of the strikes.<sup>312</sup> However, as

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<sup>303</sup> A set of rules adopted at the TUC congress in Bridlington in 1939 designed to minimise disputes between unions over membership questions. See "Historical notes on the TUC disputes principles and procedures" at

[https://www.tuc.org.uk/sites/default/files/DPP\\_2016.pdf](https://www.tuc.org.uk/sites/default/files/DPP_2016.pdf)

<sup>304</sup> Bill Hunter, *They Knew Why They Fought: Unofficial Struggles and the Leadership on the Docks 1945-1989* (London, Index Books: 1994) pp. 24-26 gives a good account of the events leading to this.

<sup>305</sup> Phillips 'Inter-Union Conflict', pp.113-114.

<sup>306</sup> Ibid., Coupled with the NASD's expulsion from the NDLB in 1949, that union had no longer any formal position on any of the operational or policy-making bodies within the Dock Labour Scheme

<sup>307</sup> Barrett was already arguing for a more federal structure for a larger NASD – see Michael Kidron. 'Interview with Dick Barrett' *Socialist Review* 4 5 (1955) pp. 1-2 &4

<sup>308</sup> ODNB: *(Robert) Anthony Eden (Earl of Avon)* (1897-1977) by D R Thorpe

<sup>309</sup> ODNB: *Frank Cousins* (1904-1968) by Geoffrey Goodman

<sup>310</sup> ODNB: *Iain Mcleod* (1913-1970) by David Goldsworthy

<sup>311</sup> ODNB: *(Maurice) Harold Macmillan (Earl of Stockton)* (1894-1986) by H D C Matthew

<sup>312</sup> Although the Ammon Report did note some problems with the dock labour Scheme this was the 1942 London Scheme rather than the 1946/47 National Dock Labour Scheme.



both the Isaacs and Leggett reports<sup>313</sup> had shown, the received view was that the disputes did not reflect such problems, but arose much more from the attitudes and behaviours of the workers.<sup>314</sup> The same can be said about Evershed: his final report of 1954 has only a circumstantial reference to the structure of the Scheme.<sup>315</sup> Implicit in any of these reviews of the disputes ought surely to have been some recognition of the problems in the structure and operation of the Scheme, the failure of the NDLB to consider or propose changes to its role, and indecision at Government level about any reform. It is not that there were no voices expressing other views: after the publication of the Leggett report, one of the Committee members (Garrett) wrote to the Minister (Alf Robens) saying that:

I was so struck with the absence of skilled advice throughout the docks on so many questions of practical modern labour relations that I seriously considered a short minority report on the point.<sup>316</sup>

Eventually, the long-term discord in the docks led to pressure in both the Press and in Parliament for a more far-reaching inquiry onto the workings of the scheme,<sup>317</sup> and an inquiry was announced in April 1955,<sup>318</sup> where Monckton asked Mr Justice (later Lord) Devlin:

To inquire into the workings of the Dock Workers (Regulation of Employment) Scheme 1947 and to advise what alterations, if any, should be made in the terms of the Scheme.<sup>319</sup>

In his report Devlin swiftly concluded that the “main business” would be:

to consider a proposal by the National Association of Port Employers...that the Scheme should be the subject of a major alteration.<sup>320</sup>

With this, he saw “the big questions that we must try to answer” as being:

(a) Whether the Scheme, because of its present character, has caused or contributed to unrest in the industry; and if so,

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<sup>313</sup> Isaacs and Leggett Reports.

<sup>314</sup> Leggett devoted only four paragraphs (out of 90) to the NDLB’s role and functions, (Leggett Report, paragraphs 37 to 40): compare this to the seven paragraphs (83-89) on the amenities in the London docks )

<sup>315</sup> Evershed Final Report para 37

<sup>316</sup> NA file LAB 10/1039 Leggett Committee on Unofficial Stoppages in the London Docks: report. Letter from Sir Wilfrid Garrett to Robens 18 June 1951

<sup>317</sup> See, for example, House of Lords *Hansard*, 16 November 1954, cols 1550-1570

<sup>318</sup> House of Commons *Hansard*, 21 April 1955, col 15

<sup>319</sup> House of Commons *Hansard*, 28 July 1955, cols 218-9

<sup>320</sup> Devlin Report 1956, para 1

(b) Whether the alternative proposed by the Employers would remove or diminish this unrest.<sup>321</sup>

Devlin considered the employers' proposal in some detail, but effectively dismissed them,<sup>322</sup> so that the major deliberative part of the report is about the Scheme and the role and functions of the NDLB. He noted that since the inception of the Scheme in 1947 there had been six major strikes, but that three<sup>323</sup> "had manifestly nothing to do with the Scheme," while the other three<sup>324</sup> were not about the Scheme, but "the method of its application".<sup>325</sup>

He identified a number of "the underlying causes of industrial unrest", identified in previous reports<sup>326</sup> and then focused on two areas of the operation of the scheme – the use of the disciplinary procedures as means of countering strike action, seen in those terms as "mass indiscipline",<sup>327</sup> and then the role of the NDLB as an employer and provider of labour for the operational employers. For the first of these, Devlin noted that none of the Board's actions had proven to be truly effective: if the most extreme option of suspending or abolishing the scheme were to be adopted, some other mechanism would need to be put into place to furnish the necessary labour for the docks. On the other hand, "the scheme cannot deal with offences by thousands of men" (as had been shown in the overtime ban), so that the only logical course of action would be to focus on persistent troublemakers who "persistently incited unconstitutional action". In reality, however, if the men thought that the cause was just none would "allow their leader to be singled out and punished".<sup>328</sup>

Devlin then considered the character and actions of the NDLB: while noting that the Board had made good progress in areas - such as training and welfare and the provision of medical services – where it had a statutory responsibility, in terms of its functions as the "general employer" of dock labour the Board:

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<sup>321</sup> Ibid., para 19

<sup>322</sup> Ibid., paras 21-23, and part IV (paras 72-89)

<sup>323</sup> The 'Canadian seamen's' strike, the 'pay/seven dockers' strike, and the 'Stevedores recognition' strike.

<sup>324</sup> The other three were the 'Zinc Oxide' strike, the 'Ineffectives' strike, and the 'Expulsions' strike.

<sup>325</sup> Devlin Report 1956, para 28

<sup>326</sup> Ibid., para 29. These were: Past History, Solidarity, Large Ports, Communist Influence, Trade Union organisation, Inter-Union rivalry, Resistance to obligations under the Scheme, and Impersonality and remoteness

<sup>327</sup> Ibid., paras 30-36: note that Leggett had already recorded (Leggett Report, para 50) how difficult it was in practice to use the disciplinary code provisions when large numbers of men were involved.

<sup>328</sup> Ibid., para 35

“[deals] only with matters on which fundamental policy is [already] agreed...and is strictly confined to the administration of the Scheme. The evidence is that all decisions of industrial policy are arrived at by the National Joint Council [for the Port Transport Industry] and no contentious issue is even discussed by the Board”<sup>329</sup>

He suggested two areas where the Board could have been more active, first in the allocation of work, where it only became involved after the foremen had finished selecting their own gangs,<sup>330</sup> and then in considering whether there was a real need for a second call-on in the afternoon, but noted that the Board considered these to be “industrial matters and thus outside its competence”.<sup>331</sup>

Devlin shows that the main interaction in terms of pay and conditions took place at the NJCPTI,<sup>332</sup> but while the national pay rates would have been established there, negotiations on pay and piecework rates for the various ports took place locally: for example, the PLA Archives contain the minutes of the “Joint Piecework Sub-Committee” meeting of 8 December 1969, covering the piecework rates for discharge of “bales and bundles”.<sup>333</sup> Devlin saw the National Board “simply as a body in which both sides of the industry sit together...[and] never goes beyond what can be made common ground”, and it therefore dealt “only with matters on which fundamental policy is [already] agreed” [by the NJCPTI].<sup>334</sup> To the ordinary docker, although the Board was “the general employer...most men will spend the greater part of their working lives with one, perhaps many, operational employers” and, in consequence this created “a doubt in the mind of the average worker as to who his employer really is”. His final comment points to a fundamental weakness in the Board’s attitude and indicates at least a probable reason for why there were so many disputes:

the Board does not regard itself as at all concerned with the causes of industrial unrest. All of its present members believe that any contribution towards the solution of industrial problems would be unwelcome and think the Board has no role to play in the general affairs of the Industry...<sup>335</sup>

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<sup>329</sup> Ibid., para 51

<sup>330</sup> Which could have been addressed under Clause 3 (i) of SR&O 1947/1189 where the Board had the statutory duty of “ensuring the full and proper utilisation of dock labour for the purpose of facilitating the rapid and economic turnround of vessels and the speedy transit of goods through the port”

<sup>331</sup> Ibid., paras 58-59

<sup>332</sup> Ibid., para 7

<sup>333</sup> PLA Archive Box 172 “Piecework Rates 1946-1949”

<sup>334</sup> Devlin Report 1956, para 51

<sup>335</sup> Ibid., para 60

Devlin was also critical of the protestations by the NAPE that their proposed model of a “National Dock Labour Employers’ Corporation” would be a better model for managing the docks, extending the beneficial works of the NDLB and “building an organisation which will command the loyalty of the men”. Devlin would have none of this: the Employers’ corporation (i.e. the NAPE) had “nothing to identify it except that it stands for employers in general...it cannot even consist of employers whose working lives are all bound up in the industry”, and would be just as remote and anonymous an employer as the NDLB.<sup>336</sup> A leading article in the *Times* noted that Devlin had “concluded, not unreasonably, that the form of the scheme itself has contributed to the failure to improve relations and has even introduced new causes of disharmony”.<sup>337</sup> The key structural (rather than operational) problem was seen by the leader writer as the interposition of the [National] Dock Labour Board as “a third party between employers and workers”, but the article criticised the report in recommending the continuation of the separation of “legal” and “operational” employers, and suggesting that “difficulties might be eased...through new initiatives by the Board” without considering other (more drastic) options.

The NDLB saw itself, in effect, as an employment agency, but its powers to discipline the workforce and the employers meant that it had functions outside that limited role. The NDLB/LDLB could also, for example, prevent employers from taking on unregistered workers to break deadlocks,<sup>338</sup> and by not actively disciplining workers refusing to do overtime might have had a calming effect in the overtime dispute. But generally, in regard to both employers and workers, the NDLB had only persuasive rather than mandatory powers. Moreover, as I have shown, both the National and London boards were also subject to Government influence and interference. Although, for the first time, a major report had been able to take an holistic view of the industrial relations problems affecting the docks, the strategic outcomes of the report were very limited: given Devlin’s definition of the “big questions”, it is unsurprising that the *Times* article focused on the continuation of the principle of dual control.<sup>339</sup> In any case, the report itself was very restrained, stating that:

It is disappointing that the Board has not matured into a more positive force and has not been able to make a greater contribution towards curing the malady in the industry...

But noting that:

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<sup>336</sup> *Ibid.*, paras 81-83

<sup>337</sup> *The Times* 27 July 1956, p.11 ‘Dock Labour’

<sup>338</sup> SR&O 1947/1189 Clause 10 (1)

<sup>339</sup> *The Times*, 27 July 1956: p. 7 ‘Principle of Dual Control in the Docks Upheld’

Both sides...regard themselves as competent to run [the Scheme] by themselves without interference...<sup>340</sup>

Given that sentiment, and since the NDLB and the NJCPTI were the main influencers of Government and Civil Service opinion, no action was taken to follow up the report. As Lord Ammon noted in June 1957:

considering that is two years since this Committee were appointed, and over twelve months since they reported, is it not time that the Government did something - either accept the Report or reject it, but at least make up their mind on the matter?<sup>341</sup>

In fact, it was not until 18 December 1957 (two days before the House rose for the Christmas recess) that the Minister (Iain McLeod) informed MPs that:

I have decided that, in the interests of the development of the work of the National Joint Council, the functions of the Board should not be extended, and the Board will continue as at present. This decision is in accordance with the views that have been expressed to me by the interests concerned.<sup>342</sup>

The 'interests concerned' were primarily the NDLB and the NJCPTI.<sup>343</sup> *Plus ça change, plus c'est la même chose*: the weakness of the NDLB had been recognised as early as 1949,<sup>344</sup> but nothing had been done to change that situation: as the Cabinet minutes show that "there was general agreement that this was not an appropriate time at which to launch a formal enquiry into the operation of the Dock Labour Scheme".<sup>345</sup> The relationships and functional overlaps between the NDLB and the NJCPTI were replicated by the arrangements for negotiations within the Port, as shown in the following diagram:

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<sup>340</sup> Devlin Report 1956, paras 90 and 95

<sup>341</sup> House of Lords *Hansard*, 6 June 1957, col 233

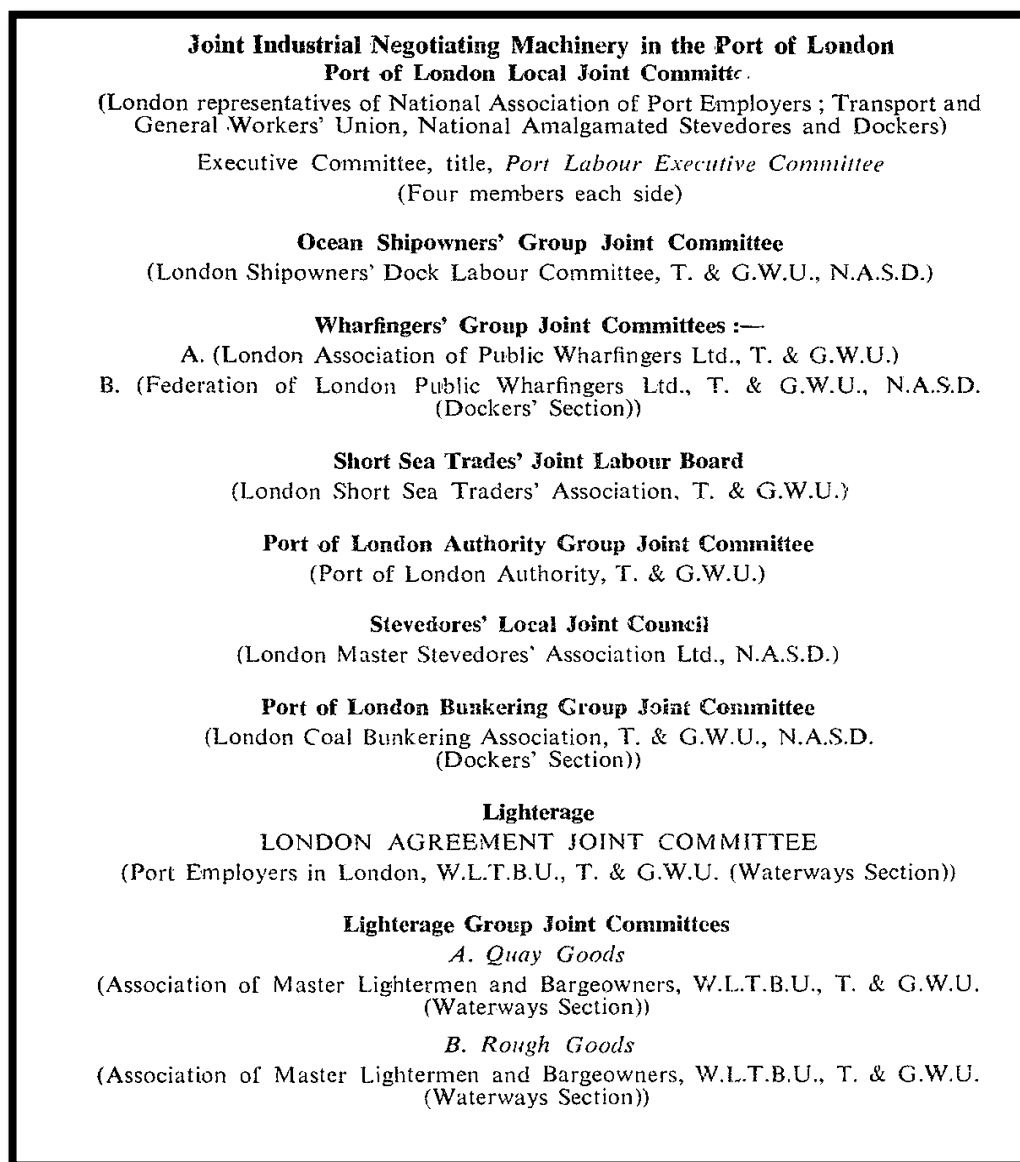
<sup>342</sup> House of Commons *Hansard* 18 December 1957, cols 424-428

<sup>343</sup> LAB 101/73 Note also that the real discussions, negotiations, and (often disagreements) took place in the Executive Committee rather than the full Council.

<sup>344</sup> NA file CAB 128/16/3 Cabinet conclusions 18 July 1949, minute 6: "The Minister of Labour said that he was not satisfied that the troubles in the docks arose primarily from the operation of the Dock Labour Scheme. Admittedly, the Board had not imposed strict discipline, but the decision to rely on persuasion rather than discipline had been taken with the full agreement of the employers' representatives on the Board. Most of the unofficial strikes in the past year had related to disputes about pay and conditions of service and these were matters for the National Joint Council for the Port Transport Industry, rather than the National Dock Labour Board. "

<sup>345</sup> *Ibid.*, note (2)

**Figure 17: Joint Industrial Negotiating Machinery in the Port of London in 1950**



(Taken from Leggett Report, Appendix I, p.34)

The diagram shows only the local arrangements for London: in practice there would be some influence from the national negotiating body (the NJCPTI), but there is (once again) no indication of any involvement by the National or London Dock Labour Boards. In general, within this structure, “employers and workpeople are in practice represented equally”,<sup>346</sup> but it is difficult to see who among the front line workforce (as opposed to a union official) might fully comprehend the complexity of

<sup>346</sup> Evershed Final Report, para 21

the management structure of the port, or of the organisations within which he or she worked, or which element of management might be responsible for resolving any difficulties. In terms of a system for industrial relations, there are simply too many possible points of failure.

#### The 'Covent Garden' and 'Smithfield' sympathy strikes 1957-58

Two substantial strikes in the following 18 months reflect back to Devlin's criticisms of the NDLB's reluctance to become involved in industrial disputes. Faced once again with strikes that, like the Canadian Seamen's dispute, arose from events outside the docks, the NDLB seemed minded neither to intervene directly nor to develop solutions. The first strike was in support of workers in Covent Garden, where a strike began on 15 July 1957 when proposals by the market tenants for the rationalization of handling produce by unifying the labour force of pitchers (unloaders) and porters (loaders) were to be implemented. On 24 July workers in the West India dock began to refuse to handle produce destined for Covent Garden, but initially there was little direct conflict in the dock. However, by August 6 the NDLB attitude was hardening, and "eight men who refused to handle produce for Covent Garden were sent back to the labour pool", and this resulted in "more than 2,000 dockers...in wharves in the Tooley street area" stopping work. By 12 August the number on strike had risen to 4,932, but the intervention of Frank Cousins on 14 August appeared to facilitate a resolution of the main dispute with effect from the following Monday (19 August) although the number of dockers on strike actually increased to 12,016 on 15 August.<sup>347</sup> The LDLB was clearly placed in a difficult position again, with only a limited number of options for action, because it was clear that application of the disciplinary penalties was likely to exacerbate the dispute: in the circumstances, the early intervention of the TGWU had perhaps saved the Board's face.

However, a similar dispute in May of the following year in support of a strike by meat delivery drivers from Smithfield market in London proved more difficult although, as a subsequent report showed, that initial strike could almost certainly have been avoided (and ended much earlier).<sup>348</sup> Once again, a key feature was the inability on the part of either the London or the National Boards to develop a clear plan of action to resolve the dispute. The actual strike began on 20 May 1958 in the wharves and

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<sup>347</sup> *The Times*, 16 August 1957, p.8 'Over 12,000 dockers out and 100 ships idle'

<sup>348</sup> *The Times*, 8 July 1958, p.8 'Smithfield stoppage 'Flagrant Violation' of Machinery'

cold stores that had the closest connections with the Smithfield men. At first localised, the dispute spread when one of the wharfingers affected by the strike used unregistered men to unload meat so that by the afternoon of 22 May it affected the whole port. The numbers on strike fell back over the next few days when the unregistered men were withdrawn, but when such men were again used on 29 May the whole port was once more affected. The NA file shows that the LDLB was under constant pressure from the wharfingers and other employers to formally approve the use of unregistered workers under Clause 10 of the Scheme (which allowed for the use of such labour where “dock work is urgently required to be done and it is not practicable to obtain a registered docker for that work”).<sup>349</sup> The correspondence and copies of NDLB minutes in the files show clearly the inability of the local Board to reach a decision on this: the LDLB view was that “it was not the intention that [this Clause] should operate in circumstances such as now obtain”, and so referred the matter to the National Board. The NDLB considered this request on 31 May but was unable (or unwilling) to offer any constructive suggestions, so that:

After a lengthy discussion it was decided to inform the London Board that agreement had not been reached on the application of the provisions of Clause 10(3) of the Scheme in the circumstances reported but that the National Board would continue to keep the situation under close review.

In other words, neither Board could decide how to react to a sympathy strike.<sup>350</sup> Once again action by the TGWU helped the Boards: the union made strenuous efforts to have the strike called off, but the strike only ended on 23 June when the Smithfield dispute was settled following the setting up of inquiry under Professor D T Jack.<sup>351</sup>

#### The Tally Clerks strike again- 1957 and 1960

Even though Devlin had given a sympathetic hearing to the Clerks in 1956,<sup>352</sup> he had suggested no substantive changes in their conditions of employment or their representation, and two strikes by Tally Clerks in 1957 and 1960 show that the

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<sup>349</sup> SR&O 1947/1189 Clause 10 (3) (a) (i) and (ii)

<sup>350</sup> NA file BK2/1091: Ministry of Labour: Supporting Smithfield strikers and use of non-registered labour. Letter from LDLB to NDLB dated 30 May 1958

<sup>351</sup> *The Times*, 19 June 1958, p.10 ‘Meat Drivers Vote to Go Back’

<sup>352</sup> Devlin Report 1956, paras 69-71



tensions in that area were still unresolved.<sup>353</sup> The 1957 strike, which involved the loss of more than 77,000 man days,<sup>354</sup> began after work was transferred from the Upper Docks to Tilbury, and the Tilbury clerks objected to the use of office staff for some aspects of the clerking work that had apparently been acceptable in the Upper Docks. The strike began on 9 January and ended on the 15<sup>th</sup> when it was agreed that all future work would be handled by tally clerks, but the clerks struck again from 25 March to 9 April, when the employers agreed to recruit more clerks. The 1960 strike has very strong echoes of the 1951 strike: no additional clerks had been recruited since 1955 and the number of clerks had fallen from 1,748 to 1,522 by natural wastage. So when, as in 1951, the general dock labour force was being increased, a number of additional clerks were required. This was initially met by recruitment, but in September the LDLB decided to increase the workforce further and invited “volunteers from among those men who had been regularly performing docker-checker duties to fill 50 vacancies”, and the clerks went on strike.<sup>355</sup> Their fears included the fact that significant additions in both 1951 and 1955 had resulted in redundancies as trade diminished in later years. Although the Minister of Labour announced on 4 October 1960 that a Court of Inquiry would be established under Mr Lloyd Williams, the strike dragged on until 17 October. Two aspects of the strike are worth noting: firstly, the NA files contain 17 letters from the public and certain organisations to MPs and Ministers indicating a strong public reaction, although it is not possible to say whether this was some form of orchestrated protest.<sup>356</sup> The Prime Ministerial files give an indication of a more realistic attitude, with the premier’s Private Secretary noting that:

The position now is that Mr Cousins...has been leaning heavily on his Union officials to find a solution [and] they have been working on a formula with the TGWU element of the strikers<sup>357</sup> ...which is roughly on the lines that the Board will see that this sort of thing doesn’t happen again. It is thought that the Board should be able to swallow this since they would not be so silly as to get themselves into a similar sort of mess again.<sup>358</sup>

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<sup>353</sup> BK 2/1088 shows that there had also been a strike threat in 1954, where the Board wished to recruit more Clerks at Tilbury.

<sup>354</sup> LAB 34/73 records a loss of 77,730 man-days

<sup>355</sup> *Ocean Shipowners’ Tally Clerks. Report of a Committee appointed by the Minister of Labour to consider the difficulties which have arisen in the Port of London.* (Lloyd Williams Report) (London: HMSO, 1960) pp. 4-5

<sup>356</sup> NA file LAB 43/355 MLNS Private Office Papers: Selected Case files: Strike of Tally Clerks at London Docks 1960

<sup>357</sup> Bearing of course in mind that a significant number of clerks were NASD members

<sup>358</sup> NA file PREM 11/4001 Prime Minister’s Office: correspondence and papers 1951-64. Strikes and Industrial disputes unofficial strike of Tally Clerks in Port of London. AJ Phelps to Prime Minister 13 October 1960

That sense of realism in Downing Street seems not, however, to have permeated beyond the Board, because the employers demanded punitive action against the returning strikers, causing this reaction from Macmillan:

It is an old dispute: most of the employers are reasonable and would take the men back on the same terms as before. Lord Sanderson and one or two others wish to alter the terms, substituting a daily employment for a weekly (one) unless they apply in writing. This is merely a foolish, old fashioned and petulant attempt to score off them”<sup>359</sup>

The NA files also reveal the long-established feelings among the clerks that because they were in a non-dockers section of the TGWU (the Clerical Workers Group) their views were ill-represented in discussion on LDLB or NDLB.<sup>360</sup> The Lloyd Williams report changed very little for the longer term: it listed but then dismissed the clerks’ complaints:

At this stage all we would wish to say about these contentions is that the LDLB was well aware of all the factors enumerated...and had in addition made itself fully conversant with the views of the tally clerks before taking [its decision].<sup>361</sup>

and:

we have been unable to see that the tally clerks had any valid or reasonable grounds for grievance.<sup>362</sup>

### **The Strikes reviewed**

As a precursor to this section, it is worth noting that the Cameron report of 1958<sup>363</sup> provides a useful insight into the attitudes of the employers towards pay negotiations, and the extent to which they were aware of the probable consequences of their actions. On 11 April 1958 the workpeople’s side of the NJCPTI submitted a claim for a ‘substantial increase’ in the daily wage rate with a proportional increase for piecework rates.<sup>364</sup> This was formally rejected by the employers’ side on 6 May and again on 23 May after the workpeople’s side had

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<sup>359</sup> PREM 11/4001 Letter from Macmillan to John Hare, Minister of Labour, 14 October 1960

<sup>360</sup> NA File LAB 101/99 Evidence by three Tally Clerks to Devlin Committee of Inquiry 1956.

<sup>361</sup> Lloyd Williams report, p.6

<sup>362</sup> *Ibid.*, p.14

<sup>363</sup> *Report of a Court of Inquiry into a Dispute between employers who are members of the employers’ side and workpeople who are represented on the workpeople’s side of the National Joint Council for the Port Transport Industry (Cameron Report 1958, Cmnd 510, 1958)*

<sup>364</sup> *Ibid.*, para. 12

convened a delegate meeting that gave its representatives “wide authority to take such steps as was necessary to pursue the claim to its conclusion”. Senior MLNS officials met both sides separately, but “no mutually acceptable way of resolving the deadlock was found”, and the Court of Inquiry was set up on 24 July. The report (12 August) recommended an increase of 7s 6d<sup>365</sup> and was reported without comment in the *Times*.<sup>366</sup> There are two important points from this report (which received far less coverage than earlier reports): it summarised succinctly the division of responsibilities between the NDLB and the NJCPTI; and concluded that:

The possible case for the Workers’ Side received less consideration than it deserved at the meetings of the National Joint Council, while the completely negative attitude of the Employers was not fully justified either by the arguments which they used at the Council or in any additional contentions which they put before us....[and] we feel also that an opportunity may have been lost in the interest of good labour relations between employers and employed....in the failure to explore, in the National Joint Council, the possible introduction or improvement of those benefits or amenities which the Workers’ Side have in the past made efforts to secure...<sup>367</sup>

And:

we think that the negative attitude adopted by the Employers was taken up by them with a full sense of the responsibility they might incur and of the probable consequence of their attitude...[and] that these consequences might be very serious indeed.<sup>368</sup>

In those few words Cameron encapsulated two factors that had not hitherto been highlighted in relation to the industrial disputes: the intransigence of the employers and their wilful use of ‘brinkmanship’ – in the (presumed) knowledge that the dockers were commonly seen as at fault, and would be blamed for any strikes. In the same vein, and almost by definition, strikes that did not happen or spread attracted minimal (positive) publicity, and it is thus worth noting an occasion where a strike did **not** occur. This was in relation to mechanisation: the NDLB file contains two newspaper reports that in May 1958 the TGWU had agreed to the use of stacker trucks, “where three men could do the work previously done by eight”, and even though an “unofficial dock leader” addressed a meeting of some 1,000 men (out of 8,000) from the Royal group on 24 May, the men then returned to work.<sup>369</sup>

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<sup>365</sup> In the recognition that average wages had fallen by 6s per week in the previous year, and that the consumer price index had risen by 6% (Cameron Report 1958, para. 46)

<sup>366</sup> *The Times* 20 August 1958, p.8 ‘Court suggests 7s 6d rise for Dockers’

<sup>367</sup> Cameron Report 1958, para. 46

<sup>368</sup> *Ibid.*, para. 43

<sup>369</sup> NA file BK 2/1084 NDLB Head Office Strikes: London. General

The major strikes (costing more than 40,000 man-days) between 1948 and 1960 (i.e. in the currency of the 1947 Scheme) were as follows:

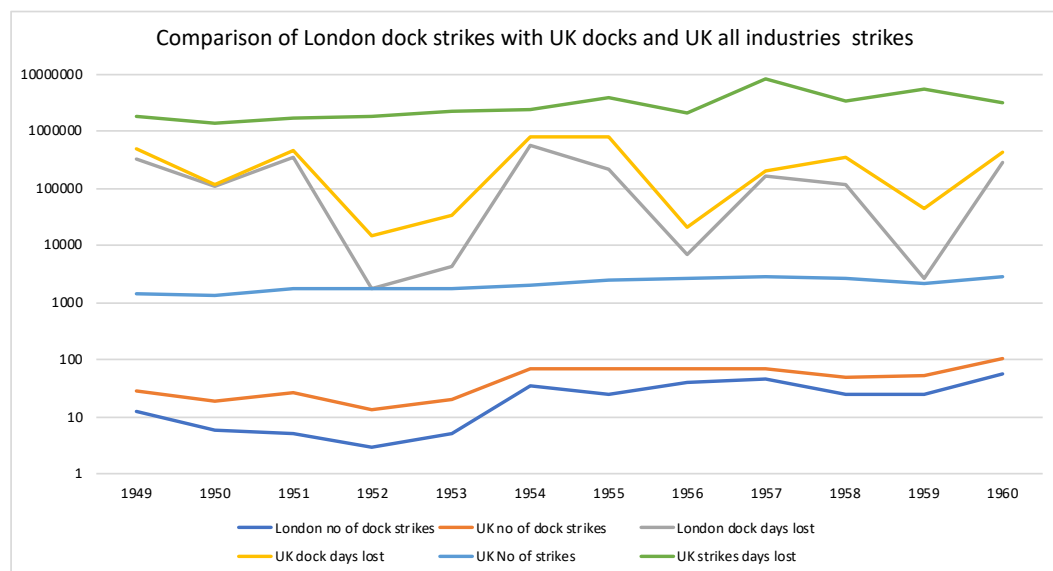
**Table 4: Major Strikes in the London docks 1948-1960**

Year	Strike	Number of working days lost
1948	Zinc Oxide	64,500
1949	Ineffectives	49,000
1949	Canadian Seamen	264,000
1950	Expulsions	103,000
1951	Pay dispute	227,000*
1951	Tally Clerks	70,000
1954	Overtime ban and meat sorting	530,230
1955	NASD recognition	208,747
1957	Tally Clerks	77,730
1957	Alleged return of workers to pool who refused to handle 'black' cargo	69,900
1958	Support for Smithfield workers	110,000
1960	Tally Clerks	210,300

\*(National figure) Source: MLNS ledgers in LAB 34/64 to LAB 34/

A graph gives some wider context.<sup>370</sup>

**Figure 18: Comparison of London and UK Dock Strikes and UK All Industries strikes 1949-1960**



Data from NA Files LAB 8/2614 and LAB 34/63 to 34/77,<sup>371</sup> and Smith et al.<sup>372</sup>

<sup>370</sup> This graph has a logarithmic scale for the x-axis, so the values can be compared in terms of patterns.

<sup>371</sup> NA File LAB 8/2614 Dock Workers (Regulation of Employment) (Amendment) Order 1961: Appendix III of submission to Rochdale Inquiry May 1961; and LAB 34/63 to 34/77,

<sup>372</sup> CTB Smith, Richard Clifton, Peter Makeham, S W Creigh and R V Burn *Strikes in Britain: a Research Study of Industrial Stoppages*, (Department of Employment Manpower Paper No. 15, 1978).

The graph demonstrates the way in which London dock strikes dominated the number and cost (in man-days lost) of UK-wide dock disputes. The UK-wide picture for all industries seems to reflect the same variability in the period 1955-1957, but all data show a steady increase in the number of strikes both in the docks and across the UK over the period. In terms of the Leggett assertion about the way dock strikes spread,<sup>373</sup> the MLNS data shows that between 1948 and 1960, out of a total of 348 strikes in the London docks, 168 (or 42%) lasted for one day or less – i.e. did not spread throughout the docks. In general these represented a failure to agree an increased rate for handling dirty or awkward cargoes, or for higher manning levels for a specific cargo. It is again arguable that a major employing organisation should have reviewed these and put more flexible and efficient systems in place to facilitate agreements and avoid recurrence – if only there were not more than 400 different employers.

There is also the question of whether the strikes can be related to social or economic changes: James Cronin considered whether there might be any underlying features or patterns in UK strikes, noting that:

British strikes tend to fluctuate together in all industries, to cluster and bunch up in several, relatively short, periods of time.<sup>374</sup>

And that

“between 1950 and 1967 workers struck when their wage expectations were disappointed, that is, when the pace of real wage increases slowed down”<sup>375</sup>

I would argue that although that might be the case in overall terms (and indeed the graph shows that there was a gradual increase in the number of dock strikes through the 1950s), the main feature is the number of ‘one-off’ strikes (and the recurring Tally Clerks’ strikes) that would have provided clear signals to any involved employer of the need for a systematic review of the problems and consideration of what improvements might be made.

Underneath (but germane to all of this) is the question of the reliability of the data: the strikes in 1949-1960 seemed to involve huge losses of man-days, but on examination of the underlying material, the basis of calculation of the number of man days is questionable, both from the MLNS ledger and the NDLB data sheets.

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<sup>373</sup> Leggett Report, para 23

<sup>374</sup> James E. Cronin ‘The Peculiar Pattern of British Strikes since 1888’ *Journal of British Studies*, **18**, 2 (1979), pp. 118-141

<sup>375</sup> *Ibid.*, p.126

The MLNS ledger identifies the number of men involved, and the duration of the strike, multiplies one by the other to show the number of man-days lost. But taking the example of the 'overtime ban and meat sorting' strike between 28 September and 30 October 1954 considered by Evershed, the MLNS ledger<sup>376</sup> recorded a loss of 530,230 man-days for London, for a dispute lasting four weeks. This is based on a total of 26,475 men in the workforce multiplied by four weeks (= 20 days) (although the precise arithmetic would make a total of 529,500 working days lost in the 20 days). A note in the MLNS ledger shows that "the number of workers originally involved was about 200 but increased to about 26,500 by 18 October", so the total man days lost cannot have been the 530,230 or 529,500, since both would be based on the whole workforce being on strike from the first day. Assuming some form of exponential (rather than linear) growth from the initial number of 200, and supposing the number of men on strike doubled each day, the MLNS figure of 26,500 would be reached on the eighth day, and the total man days lost would be 318,000. Furthermore, as the Evershed report shows, the average number of men "on the payroll" <sup>377</sup> in the London docks in the last two quarters of 1953 was 15,600. So the MLNS figure of 530,230 is an unachievable absolute for a 20-day strike. Using the 'Evershed average', the maximum number of days lost would be 312,000 if the whole port was on strike from day one. Applying the growth calculations that I have postulated, the 'Evershed average' workforce total is reached between the seventh and eighth days, and the number of days lost would be 238,200 – i.e. less than half the published total.

As has been shown above, the LDLB/NDLB calculations of absenteeism were not based upon specific returns but by a much more generalised review of the nominal totals of persons working in the various docks, and the same general approach was used for strikes. The position in 1955 was set out in a letter from Haddock of the NDLB to the secretary of the Devlin inquiry of 1955/56, relating to the numbers of strikers:

My comments have dealt only with daily workers, and it will be seen that even here we are dependent on the accuracy of information received from individual employers of the number of men in employment at the time; particularly in a port like London or Liverpool the large number of employers gives added scope for inaccuracy in this respect. Turning to the position with regard to weekly workers it will be appreciated that we are almost entirely dependent upon information obtained from employers. Quite apart from

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<sup>376</sup> LAB 34/70

<sup>377</sup> Bearing in mind that the NDLB was the paying agent for all RDWs.

these considerations, there is scope for wide variation arising from the first day of a dispute when it cannot be stated with accuracy at what stage individual men have withdrawn their labour.<sup>378</sup>

The data sheet for 7 June 1958 (the ‘Smithfield’ strike) shows the picture in more detail, indicating that a total of 6,444 men were in work or had proved attendance, 550 were excused and 3,070 were on the dormant register – on long-term absence or working in other ports, making a total of 10,064. This was then subtracted from the nominal Register of 29,538 to give a total of 19,474 men on strike.<sup>379</sup>

**Figure 19: NDLB Strike data, 7 June 1958**

PORT/SECTION	LABOUR								SHIPS				
	Men Working			Proved Attendance	Total Available for Work	Excused & Normal Unaccounted	Suspense & Dormant	In Dispute	Workers' Register	Idle at Berth	Under-manned	Working	Awa De
	Daily	Weekly	Total										
1	2	3	4	5	6	7	8	9	10	11	12	13	14
<b>LONDON</b>													
Surrey	900	39	939	192	1131	150	439	2198	3917	7	1	9	
Pool	8	62	70		70	4	180	3299	3553	4			
Tilbury	34	117	151	59	209	39	248	1667	2162	9			
Northfleet	80	121	201	1	202	5	40	135	392	2		2	
Royal	112	86	198	182	380	40	906	6929	8255	34			
W.India	182	203	485	341	826	271	358	2090	3545	20		3	
London & St.Kaths.	7	106	113		113		308	3085	3506	30			
Lighterage	1763	972	2735	778	3513	42	592	71	4218				
Total:	3186	1706	4892	1552	6444	550	3070	19474	29538	106	1	14	
<b>MERSEYSIDE</b>													
Liverpool A													
" B													
" C													
Birkenhead													
Bromborough													
Total:													

Source: NA File BK 2/1091

There are two important points in relation to this presentation. Firstly, the figures include data from some wharves (shown under “Pool”) but the wharves extended for miles above and below the Pool of London and, secondly, in almost all circumstances there would never be a case where every man on the Register would have been employed: the basis of the system was that sufficient men would always be available to work the maximum number of ships, and Devlin noted that in 1954 “the maximum daily requirement was twice the minimum” – although without giving any indication of the frequency distribution for those requirements. Evershed

<sup>378</sup> NA File BK 2/1252 NDLB: Strikes: statistics, 1947-61, letter from Haddock to Treganowan dated 8 December 1955

<sup>379</sup> BK 2/1091

indicates that on a national basis the average time when a docker worker attended a call but no work was available was 5.6 hours per week in a 42.74 working week<sup>380</sup> – i.e. 13%. So in any week in London, some 13% of the register (be that 26,475 or 31,045) would be idle –so that between 17,208 and 20,180 man days would be lost, giving annual totals of between 894,816 and 1,049,321 days lost: such is the arithmetic of underemployment in the Port of London. At a different level, the data in the MLNS ledgers has also inconsistencies in other respects: as already noted, the totals for ‘man days lost’ are approximations when the numbers on strike and affected by the strikes increases or decreases during the dispute. But there are also significant omissions from the data for strikes by tally clerks, where the industrial classification is not Transport/Docks – because the clerks are regarded as clerical workers - and so the number of strike days for the clerks themselves is absent from the larger totals for the docks.<sup>381</sup>

### **The End of the Period**

The turn of the decade did *not* mark a watershed in the affairs of the dockers and the NDLB, although in theory Devlin’s report of 1956 had provided just that opportunity, and the NA files allow us to trace the reaction to the report and subsequent discussions to show why no substantive changes were made to the 1947 Scheme. Iain Mcleod’s announcement in the House of Commons on 18 December 1957 gave the *quietus* to Devlin’s aspirations for greater involvement by the NDLB, and the Board’s submission to the Minister of July 1957 focuses very much on the details regarding discipline and omits to include any suggestion for greater involvement or action.<sup>382</sup> After a number of meetings to frame the proposed amendments, these were submitted to the NDLB in September<sup>383</sup> and shared with the industry. In October 1959 rumours of the proposed amendments began to circulate, with newspaper articles and unofficial leaflets, and a formal statement was issued by the NJCPTI on 22 October summarising the proposed amendments, including the retention of the principle of dual control. The NA file shows (generally favourable) comments from workers in various ports, including one from a London worker: “about time that some official notice was given out”.<sup>384</sup>

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<sup>380</sup> Evershed Final Report 1954, p.6, para.17

<sup>381</sup> See MLNS ledgers for 1951 (LAB 34/67), 1957 (LAB 34/73), and 1960 (LAB 34/76).

<sup>382</sup> NA file BK 2/362, NDLB Head Office: Dock Labour Schemes. Amendments. Paper NDLB/FG/5486, dated 19 July 1957, (Board paper 619)

<sup>383</sup> BK 2/362 NDLB Board paper 743 dated 11 September 1958.

<sup>384</sup> NA file BK 2/363 NDLB Head Office: Dock Labour Schemes. Amendments, further inquiry



The draft Statutory Instrument (SI) amending the 1947 Scheme was put out for comment in February 1961.<sup>385</sup> Lord Forster of Harraby reviewed the comments received, and in his report<sup>386</sup> recommended *inter alia* that the system of dual control should continue, and the revised scheme<sup>387</sup> came into effect on 1 December 1961.<sup>388</sup> The Explanatory Note to the SI summarises the changes as being to include new provisions empowering local Boards to delegate certain functions (delegations which, under the 1947 Scheme had been wrongly used and overturned by the Courts), and revising the provisions as to the constitution of a majority vote on the Boards, on the use of unregistered dock workers and as to the ports included under the Scheme. So the revised Scheme improved some areas where the original Scheme had proven defects, but did not change the way the Boards operated.

## Summary

This chapter first builds on the review in Chapter 2 of the social and economic conditions of the London docklands and the workers that was seen as the backdrop to industrial unrest in the port. It describes the working environment of the dockers and the nature of work on ships together with the problems of health and safety and abysmal amenities. In the wider context it notes the physical conditions of the port of London at the end of the Second World War and the implications for the docks of absorbing returning servicemen and others. In parallel to these, the narrative notes the problems around the definition and implementation of the National Dock Labour Scheme of 1947, identifying weaknesses in three areas of the Scheme (discipline, overtime, and the register of dock workers) that are seen to have contributed to industrial unrest in its early stages. It considers also the difficulties in the structure and organisations of the major dock unions, the changing relationship of trade unions with the Labour Governments of 1945-51, and the emergent influence of the 'unofficials'.

These factors define the background against which the strikes of 1945 to 1960 are reviewed and, as part of this review, I consider commonalities or themes that were

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<sup>385</sup> The draft Dock Workers (Regulation of Employment) (Amendment) Order 1961

<sup>386</sup> *Port Transport Industry. Objections made to the Draft Dock Workers (Regulation of Employment) (Amendment) Order 1961. Report of inquiry held under paragraph 5 of the Schedule to the Dock Workers (Regulation of Employment) Act 1946.* (Forster Report 1961) (London, HMSO, 1961)

<sup>387</sup> SI 1961/2107, The Dock Workers (Regulation of Employment) (Amendment) Order 1961

<sup>388</sup> Note that an earlier Statutory Instrument (SI 1960/2029) introduced a pension scheme for dock workers with effect from 7 November 1960.

not brought out in the various official reports, and which might have indicated possible courses of action on the part of government, employers, or the docks owner to reduce industrial conflicts. It is clear that certain defects in the 1947 Scheme were a significant factor in some early disputes, even though problems with their earlier manifestations had been identified by the Ammon report of 1945. For example, Ammon's criticism that "in London the (National Dock Labour) Corporation is not really regarded – and perhaps does not regard itself – as an integral part of the Industry" foreshadows almost exactly Devlin's criticisms in 1956<sup>389</sup> highlighting the lack of any single body that might have been able to take an holistic view of London's hugely complex port transport industry and its industrial relations. Equally, the problems with the structure and application of the disciplinary system of the earlier scheme<sup>390</sup> were replicated in the 'Zinc Oxide' strike. Other defects, such as the failure to agree a satisfactory definition for overtime working provided flashpoints for unrest and contributed to a sense of unfairness that partially overrode the perceived benefits of the Scheme. But, as has been shown, there was strong opposition to any early revision of the Scheme

There were also problems with both of the major trade unions: again, Ammon had been prescient about the difficulties that could arise from the over-democratic model of the NASD (which was borne out by the actions of union members in the 'Overtime' and 'Stevedores Recognition' strikes of 1954/55). As well as its part in the inter-union rivalry with the NASD, the TGWU had its own weaknesses and difficulties: complex structures, the advantages and disadvantages of size, and the continuing activities of 'unofficials' within its membership. Further difficulties may have arisen from the sense of remoteness and lack of recognition of identity occasioned by the labyrinthine structures of organisation and representation, and the lack of clarity in lines of responsibility which are demonstrated by the structural diagrams.<sup>391</sup>

While this chapter has an initial focus on the docks environment to provide a background to the analysis of the docks strikes between 1945 and 1960, it is clear that reasons for industrial disputes in the London docks were far more complex than the attitudes and behaviours of the dock workers and the working conditions: account needs also to be taken of the defects in the structure and operation of the

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<sup>389</sup> Ammon Report para. 21, and Devlin Report 1956 paras 57-59

<sup>390</sup> Ammon Report, paras 36 and 40

<sup>391</sup> Chapter 2, p.68 and pp. 115 and 149, above.

Scheme, the hugely complex and dispersed nature of the port operations, and the actions of the employers, the unions, and the port authority. In some areas remedial action such as less punitive disciplinary procedures, and the clarification and agreement of the arrangements for overtime might have led to significant improvements in industrial relations. Against this, it is possible to see the recurring problems of the 'tally clerks' disputes, with the complexities of union representation and multi-employer working arrangements as epitomising the reasons for the continuing unrest in the docks.

Fundamentally, in spite of the various inquiries and reports, there seems to be little evidence of any determination on the part of employers, workers, unions, or the port authority (or the dock labour Boards) to come together to identify, agree, and implement measures that would produce a satisfactory and lasting solution to the problems of industrial relations in the London docks. From that perspective, poor industrial relations and intermittent and costly disputes seem to have been an accepted part of the costs of doing business in the port.

## Chapter 4: 1960-1970: THE CHALLENGE OF CHANGE

[Dock employers] have for decades found it convenient and profitable to pay only for work done, and to accept little or no responsibility for the dignity or for the welfare and security of the families of the men on whom they relied...[and did not] foresee the predictable changes in cargo handling methods and the equally predictable social changes which were to expose the casual system of employment as a stupid and uneconomic practice.<sup>1</sup>

This chapter deals with the period from 1960 to 1970, primarily covering the major structural changes in conditions of employment and working methods in the docks, known as Devlin Phases I and II, following the Devlin Report of 1965,<sup>2</sup> which (for London) concluded with the signing of an agreement covering the London Enclosed Docks on 21 September 1970. The narrative also brings in the emergent challenges from containerisation and problems with the financial and organisational structure of the Port of London Authority (PLA).

### Searching for a Solution to the Problem of Industrial Unrest

In the years before 1960 there had been an increasing public focus on industrial disputes: in 1957 some 8,412,000 working days had been lost as a result of strikes in the UK: the highest level in the 20 year period after the second World War,<sup>3</sup> and with the resulting pressure upon the pound in the foreign exchange markets<sup>4</sup> the Government began to question how this unrest was to be seen in the context of tripartism, which had been at the core of all UK Government economic policies since the late 1940s. A Council on Prices, Productivity and Incomes was

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<sup>1</sup> Extract from a presentation by G H B (George) Cattell, Chairman of the National Modernisation Committee in January 1970, entitled: *Devlin Stage II – a tragedy in the modern style*. In National Archives (NA) File LAB 107/117 National Modernisation Committee for the Port Transport Industry: minutes of meetings and papers.

<sup>2</sup> *Final report of the Committee of Inquiry under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry* (Devlin Report 1965, Cmnd. 2734, 1965) para 128

<sup>3</sup> Dwarfed by the disputes in the period 1970-1980, which averaged 12,788,000 days lost in each year (Internet: Office of National Statistics, History of Strikes in the UK) <https://visual.ons.gov.uk/the-history-of-strikes-in-britain>

<sup>4</sup> Eric Wigham. *Strikes and the Government 1893-1974* (London: Macmillan, 1976), p.117

established under the chairmanship of Lord Cohen in 1957, effectively (in the words of the ODNB) “to devise an incomes policy”.<sup>5</sup>

The underlying aim of tripartism (the Government, employers and unions working together) was defined in the Council’s terms of reference as: “the desirability of full employment and increasing standards of life based on expanding production and reasonable stability of prices”. The Council was charged “to keep under review changes in prices, productivity and the level of incomes (including wages, salaries and profits) and to report thereon from time to time”.<sup>6</sup> While no formal legislative measures resulted from the Council’s reports, Harris’s contemporary perspective was that the Government’s underlying philosophy was that trade unions should themselves decide whether to accept that the price of excessive pay increases might be rising unemployment.<sup>7</sup> It is not obvious that this message was in any sense communicated through the unions down to their members, but apart from two major strikes in 1960-61 (one by Tally Clerks, resulting in the loss of more than 200,000 man-days, and the other a protest against the use of unregistered labour, costing 90,000 man-days) the first four years of the 1960s saw relatively little unrest in the London Docks: the average number of days lost in each year was 17,124 – i.e. less than one day per year for each registered worker.<sup>8</sup> However, in his 1965 report Devlin identified those two strikes as the point at which both sides of the docks industry accepted that the only lasting solution to the continuing problems of unrest would be the introduction of decasualisation. He then describes the events leading up to the issue of a policy directive by the National Joint Committee for the Port Transport Industry (NJCPTI) in October 1961,<sup>9</sup> calling upon local joint committees to study and report by January 1962 on the practicability of introducing decasualisation in their ports.<sup>10</sup> This very ambitious timetable was not met,<sup>11</sup> but the Rochdale report of September 1962<sup>12</sup> roundly endorsed the proposal for decasualisation while identifying a number of potential problems. After noting that the timing of the introduction of the new arrangements was an important

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<sup>5</sup> ODNB: *Cohen, Lionel Leonard, Baron Cohen (1888-1973)* (no author attribution)

<sup>6</sup> Council on Prices, Productivity and Incomes, *First report*, (London: HMSO, 1958)

<sup>7</sup> Nigel Harris. *Competition and the Corporate Society: British Conservatives, the State and Industry, 1945-1964* (London: Methuen, 1972) pp. 163-164

<sup>8</sup> Data from NA files LAB 34/76 to 34/81: Trade Disputes: Record Books 1960 to 1964

<sup>9</sup> Reproduced in *Report of the Committee of Inquiry into the Major Ports of Great Britain* (Rochdale Report, Cmnd 1824, 1962), pp. 262-265 (Appendix N).

<sup>10</sup> Devlin Report 1965, para 129

<sup>11</sup> In fact, decasualisation had been trialled in Liverpool in 1963-64, but had not worked (mainly because of inter-union tensions) – see Devlin Report 1965, paras 218-219

<sup>12</sup> Rochdale Report paras 382 et seq.

consideration (a permanently engaged workforce was seen as advantageous to workers when trade was slack, and to employers when the ports were busiest), the report emphasised the need to reduce the number of employers, and to strengthen the controls on entry to the employers' register.<sup>13</sup> Rochdale also identified a factor that would contribute to the demise of the upriver docks in the 1980s, where he noted the increasing use of containers but also that there were "a number of difficulties to be overcome before the container system can be adopted more widely here".<sup>14</sup>

## **Devlin's Inquiries**

Contemporaneously with the NJCPTI's initiative there had been negotiations between employers and the unions about pay and conditions of service: in May 1962 the employers had agreed to an increase in the hourly rates of pay, with corresponding adjustments to piece work rates, and a reduction in the working week from 44 hours to 42 from August 1962 (to be further reduced to 40 from July 1964). By 1964, in a period of regular wage increases in other industries the unions sought an increase in pay to coincide with that second reduction in hours.<sup>15</sup> In response, the employers offered an interim increase, to be tied to changes in working practices, but this was rejected by TGWU members at a national delegate conference in October, which also authorised a national strike, deferred when an Inquiry under Lord Devlin was set up in November. As Devlin noted, "there were about this time unofficial strikes at several of the big ports. These arose to some extent over difficulties in the application and interpretation of the 40-hour week agreement".<sup>16</sup> The docker Jack Dash shows in some detail the work of the unofficial Liaison Committee in fomenting this unrest, and how this was tied in with the wider concept of an updated 'Dockers' Charter'.<sup>17</sup> Arguably, the position and influence of the 'unofficials' was strengthened by the employers' use of delay as a negotiating

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<sup>13</sup> A key constraint in any consideration of decasualisation was that the smaller employers would have insufficient capital reserves to pay permanent workers in periods of reduced trade. A table in the NA file BK 2/1231 (Joint Special Committee on the Ports Industry (Jones/Aldington Committee): report, May 1974) shows that of the 73 London stevedoring firms that closed between September 1967 and June 1972, 32 had fewer than 10 employees, with the smallest (F P Steward) consisting of only one person.

<sup>14</sup> Rochdale Report, paras 331-332

<sup>15</sup> See *First Report of the Committee of Inquiry into Certain Matters Concerning the Port Transport Industry* (Devlin Report 1964, Cmnd. 2523, 1964), para 13 notes that in the preceding two years "all the other great industries had received at least one pay increase, and many more than one".

<sup>16</sup> *Ibid.*, para 18

<sup>17</sup> Jack Dash *Good Morning Brothers* (London: Mayflower, 1970), pp.120-124

tactic: given the structure of the casual system, there was no concept of “back pay”, so any delays in the award of a pay increase represented a saving for the employers and a loss for the workers – although in the event of a strike, dockers might regain some of their lost wages through working vessels that had been affected by the dispute. Devlin recommended a pay award that, in his computation, represented an increase of 6.5% in pay but which, with the effect of the reduction in the working week, represented an overall increase of more than 10% in the wages bill,<sup>18</sup> and on this basis the claim was settled in November 1964.

In addition to the pay and hours dispute, Devlin’s remit was to consider “decasualisation [and] causes of dissension in the industry and other matters affecting the efficiency of working”.<sup>19</sup> His “final report” shows that he regarded these as two sides of the same coin, and considered the background in two main narrative sections; the first dealing with “Dissension and Inefficiency”<sup>20</sup> and the second with the “History of Negotiations”.<sup>21</sup> Many of the 116 paragraphs in the first section of the Devlin report include some indication of either collusion on the part of management or at least shared responsibility for inefficiencies – for example the “continuity rule”<sup>22</sup> was introduced at the request of management in 1944,<sup>23</sup> and “preferential treatment”<sup>24</sup> can only be implemented in collaboration with employers. Other problems were seen to arise from the existence of “casual management”, which was seen as “a cause of both inefficiency and dissention”,<sup>25</sup> and the lack of provision of welfare services and amenities where “not nearly enough has been done” but also where employers “were reluctant to allow” the NDLB to make improvements.<sup>26</sup> But, in all, these ‘other problems’, occupy only 18 paragraphs out of the 116,<sup>27</sup> and almost all the remainder focuses on problems under headings such as “irresponsibility”, “time-wasting practices”, “excessive manning”, “overtime”

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<sup>18</sup> Devlin Report 1964, para 36

<sup>19</sup> Devlin Report 1965., para 4

<sup>20</sup> Ibid., paras 6-122

<sup>21</sup> Ibid., para 123-238

<sup>22</sup> See Devlin Report 1965, paras 29-38, and Stephen Hill, *The Dockers: Class and tradition in London* (London: Heinemann, 1979), p. 20

<sup>23</sup> A copy of the original agreement dated 10 January 1944 in the Modern Records Centre (MRC) file MSS.126/TG/RES/D/27/2 (*London Docks 1928-1969*) shows that the Continuity Rule was agreed initially as a “War Measure”, and that the main intention was to ensure that men did not leave a job once started.

<sup>24</sup> See Devlin Report 1965, paras 13-15 on the preferential treatment of “regulars” and “blue-eyed boys”, and Hill *Dockers*, pp 18-24

<sup>25</sup> Devlin Report 1965., para 24

<sup>26</sup> Ibid., paras 23-26 and 83-87

<sup>27</sup> Ibid., paras 22-27, 37, 41,48, 52-53, and 81-87

and “trade union difficulties”,<sup>28</sup> so that the balance of the narrative is that the responsibility for dissention and inefficiency lay with the workers and trade unions.

The second narrative section of Devlin’s 1965 report summarises the history of the Dock Labour Scheme but focuses mainly on the complexities and intricacies of the negotiations and discussions that had taken place in the industry’s attempts to implement the NJCPTI’s 1961 directive. Considering only the case of London, the narrative covers some 28 pages, with different approaches by separate groupings of workers (dockers, stevedores, lightermen, and tally clerks), three unions (the Transport and General Workers’ Union (TGWU), the National Amalgamated Stevedores and Dockers (NASD) and the Watermen, Lightermen, Tugmen and Bargemen’s Union (WLTBU)) and various organisations or individuals representing employers. In essence, there were positions of deadlock with the dockers in August 1963, stalemate with the lightermen in December 1964,<sup>29</sup> and on a point of absurdity with the Tally Clerks in February 1965.<sup>30</sup>

Devlin attributed this lack of progress to the fact that NJCPTI’s directive:

- (1) ...allowed for too little in the way of decasualisation and too much in the way of abolition of restrictive practices,

[and that]

- (2) Neither side had put itself in a position to negotiate and carry out the sort of reform that was needed, the employer’s side because they were still burdened by the dead weight of casual employers and the trade union side because they had not as a body done enough to prepare their membership for the reception of new ideas.<sup>31</sup>

The text of the directive confirms the first of these criticisms: in only one sub-paragraph is there any indication that employers might need to change – and that only related to a reduction in the number of firms.<sup>32</sup> An alternative presentation

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<sup>28</sup> Ibid, para 16-21, 28, 39-51, 68-80 and 88-122

<sup>29</sup> Ibid., pp 51-79, and paras 157 and 180 respectively

<sup>30</sup> Where Devlin notes that “there is no division of interest between the [TGWU and NASD] tally clerks...the distinction between the two bodies on this issue is no more significant than if 400 men wore blue suits.... and the other 1,100 wore grey; and the point now reached is absurd” (Devlin Report 1965, para 205)

<sup>31</sup> Ibid., p.125

<sup>32</sup> NJC 1961 Directive, para 5 (ii)



might have focused on the multiplicity of ports and employers - Rochdale notes the existence of more than 300 ports in the UK that handled cargo, and shows that the 15 largest ports had 972 different employers<sup>33</sup> - or how the employers might have become more 'professional' in their approach to management.<sup>34</sup> However, the validity of Devlin's second criticism would become only too apparent as the decasualisation initiative progressed.

#### Devlin's (1965) List of Actions required

The core of Devlin's proposals was a list of "things that will have to be done before there is peace and efficiency in the docks".<sup>35</sup> Devlin proposed decasualisation – based upon an update of the NJCPTI's original directive - as the first part of a "new settlement", with a package of measures to improve efficiency as the second part.<sup>36</sup> His list provided a framework for a 'change programme' that comprised short term actions, improvements to the working environment, and then a series of measures to improve efficiency, that in many ways replicates the spectrum of changes to management, working methods, and the work environment championed by Beckhard around that time for managing 'organisational change' throughout a company.<sup>37</sup>

The introduction of decasualisation aimed to resolve two items of Devlin's list of things to be done: the "introduction of a scheme of regular employment" and the

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<sup>33</sup> Ibid., para 4 and Table 16, p.35

<sup>34</sup> See the criticisms in *Unofficial Stoppages in the London docks. Report of a Committee of Inquiry* (Leggett Report, Cmd 8236, 1951), paras 83-89, and *Report of a Committee Appointed on 27th July 1955, to Inquire into the Operation of the Dock Workers (Regulation of Employment) Scheme*, (Devlin Report 1956, Cmd 9813, 1956) paras 57-59

<sup>35</sup> The Devlin Report 1965 (para 239) lists these as:

- (1) The elimination of the casual employer and of casual management.
- (2) The introduction of a scheme of regular employment.
- (3) Strong and effective trade union membership.
- (4) The obtaining of greater mobility of labour.
- (5) The improvement of welfare facilities.
- (6) The revision of the wage structure.
- (7) The abolition of time-wasting practices.
- (8) The acceptance of firmer discipline, particularly in the matter of time-keeping, and in respect for decisions of the board.
- (9) The review of manning scales to take into account increasing mechanisation and changing methods.

<sup>36</sup> Ibid., pp.125-126: the measures were the abolition of restrictive practices, the fullest possible use of mechanical aids, and the adoption of a shift system of working.

<sup>37</sup> Beckhard, R, *Organization Development: Strategies and models*. (Reading, Massachusetts: Addison-Wesley, 1969), pp. vii-viii

“obtaining of greater mobility of labour”. Devlin produced a “Plan of Action”<sup>38</sup> that was agreed by the NJCPTI, which on 2 September 1965 issued a national policy directive on the modernisation of the docks industry, to be implemented through a National Modernisation Committee (NMC), with membership from both sides of the industry, but with an independent chairman. The requirement for such a third national body, alongside the NJCPTI and the NDLB becomes apparent in the light of Devlin’s comments in an earlier report about the relationship between the NJCPTI and the NDLB.<sup>39</sup> From this it is clear that Devlin would not have considered either the NJCPTI (with “many matters upon which the two sides do not agree”) nor the NDLB (which “never goes beyond what might be made common ground”) as the appropriate body to drive through such changes.<sup>40</sup> The chairman of the new committee was to be Lord (William) Brown (1908-1985),<sup>41</sup> an experienced industrialist whose knowledge of piecework and interest in human behaviour in the workplace<sup>42</sup> would have appeared to make him eminently suitable for such a position. The first step was to be the introduction of permanent employment, with a number of subordinate elements neatly summarised by Wilson as being that:

...modernisation would not lead to the discharge of men from the industry. Employers would be licensed, pensions reviewed, and sick pay introduced. Of the clauses relating to working practices, only those that were essentially a feature of casualism would be abolished, inter-company transfer was accepted as was work-sharing, in principle.<sup>43</sup>

After (inevitably) yet another inquiry to allow for objections to the proposed changes,<sup>44</sup> the necessary legislation to accomplish these was encapsulated in the Docks and Harbours Act 1966,<sup>45</sup> which thus opened the way for decasualisation (and, *inter alia*, the licensing of employers). The more immediate question to be settled was the level of the weekly wage to be offered to the workers upon decasualisation: given the huge variation in types and rates of payments across the

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<sup>38</sup> Ibid., pp 125-129

<sup>39</sup> Devlin Report 1956, para 49 “the Board is a section of the NJC”

<sup>40</sup> Ibid., paras 49-51

<sup>41</sup> *The Times* March 27, 1985, p.18, obituary ‘Lord Brown’

<sup>42</sup> See his works *Piecework Bargaining* (London: Heinemann, 1962) and *Explorations in Management* (New York: John Wiley and Sons, 1960)

<sup>43</sup> David F Wilson *Dockers: the Impact of Industrial Change* (London: Fontana, 1972) p.181

<sup>44</sup> *Port Transport Industry - Report of Inquiry under paragraph 5 of the Schedule to the Dock Workers (Regulation of Employment) Act 1946*. (Honeyman Report 1966) London: HMSO, 1966)

<sup>45</sup> Docks and Harbours Act 1966, Elizabeth II Ch.28

industry and, in London, between different employers and in different workplaces, this would not be simple to resolve. The NMC were unable to agree what this weekly wage should be and commissioned a survey by management consultants to assist them in this. In the words of a civil servant managing this process:

In discussion the consultants were extremely critical of the chaotic wages structure and the general standard of management in the docks.... there was virtually no management supervision of operations on the dock side...[and] standards in the PLA were deplorable.<sup>46</sup>

When the two sides of the NMC were still unable to agree, a further enquiry was set up under Devlin, which reported on 13 August 1966,<sup>47</sup> suggesting that the new arrangements should lead to an increase in productivity but that “what is immediately to be considered is a payment on account for what has not yet been delivered”.<sup>48</sup> The key recommendations were that all dockers would receive a basic rate of £11 1s 8d a week, with a special addition of £2 as a “modernisation payment”<sup>49</sup> with a guaranteed minimum wage of £15, and an expectation of average earnings of £25 a week.<sup>50</sup>

## **Devlin I – Decasualisation**

The way was now clear for decasualisation to proceed, but the general climate was not felicitous: Wigham outlines the struggles of the Labour Government to control prices and incomes<sup>51</sup> that resulted in five White Papers and three Acts in 1966-69,<sup>52</sup> matched by a significant increase in the number of industrial disputes noted by

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<sup>46</sup> NA file LAB 10/2737 National Modernisation Committee: investigation into pay of dock workers by Management Consultants Association. Note for the file by C F Heron, dated 15 December 1965.

<sup>47</sup> *Report of the Committee of Inquiry under Lord Devlin into the Wage Structure and Level of Pay for Dock Workers* (Devlin Report on Wages, Cmnd 3104, 1966).

<sup>48</sup> *Ibid.*, para 22

<sup>49</sup> *Ibid.*, para 33. The important point here was that the *basic rate* was the basis of calculations of overtime rates and holiday pay. The ‘modernisation payment’ was not consolidated into the basic rate, and thus did not affect overtime rates.

<sup>50</sup> *Ibid.*, para 34

<sup>51</sup> Wigham, *Strikes*, pp.138-142

<sup>52</sup> White papers: *Prices and Incomes Standstill* (Cmnd 3073, 1966), *Prices and Incomes Policy: Period of Severe Restraint* (Cmnd 3150, 1966), *Prices and Incomes Policy after June 1967* (Cmnd 3235, 1967), *Productivity, Prices and Incomes Policy in 1968 and 1969* (Cmnd 3590, 1968) and *Productivity, Prices and Incomes Policy after 1969* (Cmnd 4237, 1969), and the Prices and Incomes Acts 1966 (Elizabeth II, Ch. 33), 1967 (Elizabeth II, Ch.53) and 1968 (Elizabeth II, Ch.42).

Durcan et al,<sup>53</sup> with the unrest regarded by Taylor as stemming “primarily from the decentralising tendencies inside Britain’s collective bargaining system”.<sup>54</sup> Those tendencies might well be evidenced by the emergence of the ‘unofficials’ – represented by Jack Dash and his ‘Liaison Committee’ - as key players in the Port of London docks, primarily in Dash’s ability to mobilise support from his ‘home’ (Royal group) docks. But while Devlin attempted to analyse the ‘unofficials’ political and social imperatives, and the interactions with the unions, he failed to consider the third leg of the *tripus* – the failure of either the employers or (more appropriately), the NDLB, to actively counter their propaganda. This is exemplified in the contrast between the way in which strikes were reported by the NDLB and the Ministry of Agriculture and Food (MAF): the MAF file includes much fuller narrative reports by teleprinter, with commentaries that show that the observers physically followed the workers around,<sup>55</sup> whereas the NDLB file contains shorter typed or manuscript reports that appear to have arrived by post, and rarely show any events outside the docks.<sup>56</sup> Dash’s autobiography also shows that much of the strength of his position lay in his focus on single issues such as the (still) contentious issue of overtime.<sup>57</sup> For Dash and the ‘unofficials’ decasualisation was both an opportunity and a threat: it provided a single point focus against which his efforts and rhetoric could be directed, but the changes in the working arrangements and employer relationships threatened to reduce the opportunities for discord in the longer term. The final difficulty was the timing of the introduction of the new arrangements: as the NA file shows, the NMC was pressing for a common date,<sup>58</sup> and Wilson records that “both sides of industry wanted to introduce Decasualisation quickly and risk a once and for all showdown with the militants”.<sup>59</sup> The relevant Statutory Instrument was laid in August 1967,<sup>60</sup> with an effective date of 18 September, and the ‘unofficials’ duly reacted, with the Liverpool workers striking for six weeks, but with

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<sup>53</sup> J.W. Durcan, W.E.J. McCarthy, and G.P. Redman, *Strikes in Post-War Britain*. (London: George Allen & Unwin, 1983) p. 114

<sup>54</sup> Robert Taylor *The Trade Union Question in British Politics: Government and Unions since 1945* (Oxford: Blackwell, 1993)

<sup>55</sup> For example, there are 45 telexes dated 18 and 19 September 1967 in NA file MAF 394/4 Docks decasualisation: unofficial strikes September 1967, reporting on strikes around the country, and accurately describing the meetings in the London docks, a mass meeting on Tower Hill and Dash’s procession to the Ministry of Labour and the TUC. There are no comparable reports in the Ministry of Labour or NDLB files.

<sup>56</sup> See NA file BK2/1535 NDLB: Dock Labour Schemes: further decasualisation.

<sup>57</sup> Dash, *Brothers*, pp. 82-83 and 100-102. The Dockers’ Charter (pp. 117-120) provided a menu of such individual foci.

<sup>58</sup> NA file LAB 10/2617 National Modernisation Committee for the Port Transport Industry: minutes and Committee papers.

<sup>59</sup> Wilson, *Dockers*, p.185

<sup>60</sup> SI 1967/1252 The Dock Workers (Regulation of Employment) (Amendment) Order 1967.

only sporadic and short-lived strikes in London. However, as Wilson records, a conflict between post-decasualisation flexibility and the continuity rule<sup>61</sup> provided Dash with just such a single issue that best suited his rhetoric,<sup>62</sup> and on 4 October he was able to lead the Royal group dockers out for nearly eight weeks before his grip weakened with the approach of Christmas,<sup>63</sup> and the men voted to return to work.<sup>64</sup>

The unrest also reflected the tensions between the unions (in effect, the TGWU) working with Government and facing the realities of change, and the activities of the 'unofficials', as shown in the Cabinet minutes of December 1967:

...the T & GWU were determined to secure the increase because they believed that only by showing results on this issue could they reassert their precarious control over their membership in the face of threats by the unofficial elements in London to resume industrial action from 1st January if their demands were not met.<sup>65</sup>

The tensions within the unions in part reflected the wider problems of the lack of communication within and between all parties in the docks, which can be seen as a *leitmotif* in most of the official reports on industrial disputes as far back as Ammon in 1945,<sup>66</sup> and more than 20 years later Devlin was still reiterating the need for improvements, especially in the case of the TGWU needing to "convince the members" of the value of its policies and achievements.<sup>67</sup> This was exacerbated by the NDLB's reluctance to engage in industrial matters: as shown above, the reports from the MAF officials were much more informative and provided far more analysis than the reports from the NDLB 'port managers' – on which in any case no direct action was taken. Lord Brown, as chairman of the NMC appears to have been fully seized of the need to communicate with the workforce, but the difficult negotiations between the Ministry of Transport and the Treasury on how the 'Docks Bulletin'

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<sup>61</sup> Wilson, *Dockers*, p.189

<sup>62</sup> *The Times* 17 November 1967 p. 8 'Dockland's Trusted Orator without Fireworks'.

<sup>63</sup> There were no other obvious reasons for the strike to end, but one of the possible weaknesses of arguing against a single issue is that unless the target changes (for example, as with the Canadian Seamen's strike in 1948), there are only so many arguments to be advanced before the audience tires of the approach.

<sup>64</sup> *The Times* 28 November 1967, p.2 'Dockers Vote to go Back to Work'

<sup>65</sup> NA file CAB 128/42/74 Conclusions of a Meeting of the Cabinet held on 21 December 1967

<sup>66</sup> See *London Docks Dispute 1945. Report of Committee of Inquiry* (Ammon Report) (London: HMSO, 1945) para 53 (6)-(8). But see also Leggett Report, paras 78-79,

<sup>67</sup> Devlin Report 1965, paras 121-122

(which informed workers on progress towards decasualisation) was to be funded provide a perfect example of how the penurious attitude of Treasury officials, with a deep-seated fear of establishing unfavourable precedents, militated against the provision of extra funds for this. Seen objectively, the costs of around £6,000 would surely have yielded good value if only one day's strike had been avoided.<sup>68</sup> Finally, given that yet another body (i.e. the NMC) had been introduced into the arena, there can be no doubt that communication should have been a major concern of the three bodies.

### **The Working Environment Challenges after Decasualisation**

By December 1967 decasualisation *per se* could be regarded as complete, in that all workers were assigned to employers, or placed upon the temporarily unattached register, so that the Call-on no longer existed, but Devlin's remaining list of "things that have to be done before there is peace and efficiency in the docks" presented huge challenges for progress towards, and completion of, the second phase of his proposals. This was predictable: for example, 48 local modernisation committees were needed to implement Phase I,<sup>69</sup> and the agenda for Phase II was much more extensive.

#### The Casual Employer

Devlin also noted a series of more general actions required to complement the changes to pay and conditions. These were the elimination of the casual employer (and casual management), strong and effective trade union membership, and the improvement of welfare facilities. To these should be added technological changes: an area of which Devlin was well aware,<sup>70</sup> but to which he gave little attention in his report. As Devlin showed, even the first of those general actions was far from easy: for example, in proposing a reduction in the number of employers in London he cites firstly a total of 318 employers (in itself a decrease of 71 from the 389 shown in Rochdale), but then shows a total of only "76 employers in London" (35 in the enclosed docks and 41 employers of Tally Clerks) that are to be reduced to 10 and six respectively.<sup>71</sup> The discrepancy is explained by one of the few analyses that

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<sup>68</sup> NA file T224/1753 Docks National Modernisation Committee

<sup>69</sup> NA file BK2/1530 NDLB National Modernisation Committee, minute dated 30 June 1967.

<sup>70</sup> Devlin Report 1965, para 55-56

<sup>71</sup> *Ibid.*, paras 137 and 279, and Rochdale, p.35 Table 16

actually lists the employers in the various locations in London, that is the review of welfare amenities by the Management Consultants Association in 1966.<sup>72</sup> This shows that a majority of the employers in London were wharfingers (152), and lighterage companies (86) rather than companies in the enclosed docks. In considering “casual management” Devlin contented himself with making some general assertions about the deficiencies of the casual employer.<sup>73</sup> He might well have produced a more comprehensive statement showing how the practices of casual employers encompassed a multitude of deficiencies – no concerns about recruitment or retention of workers, no provision for training<sup>74</sup> (relying on workers learning skills from co-workers), failure to invest in mechanisation, appalling washing and toilet facilities, little concern for health and safety except where failings might lead to litigation or prosecution, and no sick pay or pension schemes. He might equally have repeated some of his earlier criticisms of the failings of the NDLB as an employer.<sup>75</sup> In 1970, George Cattell, then Chairman of the NMC (Director of Manpower and Productivity Services at the Department of Employment, and formerly a senior executive in the motor car industry), produced a coruscating criticism of the shortcomings of employers in January 1970,<sup>76</sup> but all *The Times* report (of 40 words) noted was his forecast that the number of dock workers would need to be reduced.<sup>77</sup>

### Effective Trade Unions

The question of effective trade unions was equally problematical: Devlin had previously noted the problems of the TGWU being seen as “unwieldy [and] that its officials are out of touch”,<sup>78</sup> and in his 1965 report (Cmnd 2734) focused strongly on the problems within the docks unions,<sup>79</sup> recognising that modernisation of the

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<sup>72</sup> NA Files BK16/19, Survey of Dock Amenities: Port of London, BK16/20 (Appendices), and BK16/21 (Schedules)

<sup>73</sup> Devlin Report 1965, para 24

<sup>74</sup> TUC archives at the London Metropolitan University, Folder HE 551-559 Harbours and Docks General to 1969, contains a report by the OECD European Productivity Agency, *EPA project no 5/10-11 of 1961*, comparing training programmes for dock workers in the USA, Netherlands, Germany, France, Denmark, Belgium, Italy, Sweden and Norway. The only reference to the UK is to the details of training shown in the Liverpool University study (Liverpool University, Department of Social Science. *The Dock Worker: an Analysis of Conditions of Employment and Industrial Relations in the Port of Manchester*. (Liverpool: University Press, 1956))

<sup>75</sup> See Devlin Report 1956, paras 57-59

<sup>76</sup> Cattell, *Devlin*, Op. Cit.

<sup>77</sup> *The Times*, 14 January 1970, p.189 ‘Cutback in Dock Labour Forecast’

<sup>78</sup> Devlin Report 1956, paras 29 (5) and (6)

<sup>79</sup> Devlin Report 1965, paras 88-122 and 282-290

unions was essential to the modernisation of dock labour. He criticised the TGWU as having “on too many issues failed to develop any clear cut policy of its own” and, where a policy had been developed, of making “too little effort to put it into practice or to convince the members of its virtues”.<sup>80</sup> He then defined a series of both short and longer term actions for the unions, primarily the TGWU, including more full-time staff of higher quality, a much more active involvement in the modernisation process, and the appointment of shop stewards.<sup>81</sup> Any reading of the references to the NASD in Cmnd 2734<sup>82</sup> indicates that Devlin had little belief in the ability of its Executive to formulate or implement any cohesive and consistent policies, and “the lack of firm Government within the Union enables a tiny group of astute men to use or abuse the democratic process to enforce their will”.<sup>83</sup> Finally, he defined the other main need as either “a settlement between the two unions (TGWU and NASD) or the exclusion of the latter “from all areas of the docks other than...London”<sup>84</sup>. Perhaps in those respects he might have refreshed his Webster:

As if a man should spit against the wind,  
The filth returns in's face.<sup>85</sup>

Devlin stressed the urgency of these changes but, as Wilson points out, there were additional problems arising from the conflation of the proposed changes in the TGWU with the election of shop stewards, who were to act as a link with the union officers “not only for talking over problems which have arisen in the course of their work...but also for discussion of general union policy”.<sup>86</sup> In 1952, Joseph Goldstein had noted the lack of engagement of TGWU members in branch business,<sup>87</sup> exacerbated, as Wilson notes, by the mismatch between branch structures and their geographical distribution as the docker communities dispersed.<sup>88</sup> Given this, it was hardly surprising that, as Dash records, most of the Liaison Committee members were able to get themselves elected as shop stewards – reflecting once again the fleet-footedness of the activists. That opportunism brought some uncovenanted rewards: the TGWU was forced to modify its (1949) ban on Communists holding

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<sup>80</sup> Ibid, para 122

<sup>81</sup> Ibid., paras 282-289

<sup>82</sup> Ibid, paras 88-107

<sup>83</sup> Ibid., para 107

<sup>84</sup> Ibid., para 290

<sup>85</sup> John Webster, *The White Devil*, (1612) Act 3, scene 1(Internet: Project Gutenberg EBook, 2004)

<sup>86</sup> Devlin Report 1965, para 288 and Wilson, *Dockers*, 1972, pp.198-199

<sup>87</sup> Joseph Goldstein. *The Government of British Trade Unions* (London: George Allen and Unwin, 1952), pp 195-268

<sup>88</sup> Wilson, *Dockers*, pp.196-197



“any office within the Union, either as a lay member or as a permanent or full-time officer”.<sup>89</sup> Wilson spells out the impact of this on morale, and describes the efforts by the TGWU to adapt its structure and improve communications<sup>90</sup> – and the extent to which it failed to achieve the latter aim, thus “losing the battle for decasualisation”.<sup>91</sup> But in the end, it would seem that the concept of shop stewards was a success: Dash closes his own narrative in 1968 by noting that “we” – that is, the liaison committee – “have done all we possibly can....to get the shop stewards committee working”.<sup>92</sup>

### Welfare facilities

The problem of poor welfare facilities was by no means the least of the ‘working environment’ issues: Devlin had recorded that some of his Committee had been “appalled by some of the things they saw” when inspecting the amenities in London and Liverpool,<sup>93</sup> and rehearsed the criticisms made by Leggett in 1951 and Rochdale in 1962,<sup>94</sup> further describing some recent proposals for the provision of hot and cold running water as a “pitiable document”.<sup>95</sup> While Devlin was, to some extent sympathetic to the complexities of the problem, he asserted that “if there had been a real will to do so, a way of cutting through” the problems would have been found.<sup>96</sup> Given the Treasury’s parsimony in relation to finding some few thousand pounds for the Docks Bulletin, it is unlikely that they would have been prepared to provide additional taxpayers’ funds for what they would have seen as the industry’s own problem. In any event, the 1966 Docks and Harbours Act laid a duty on the NDLB to prepare a scheme of “such welfare amenities as the Board thinks ought to be provided” for each port in Schedule 1 of the Act, and to specify who should provide and maintain those amenities.<sup>97</sup> The resulting survey by the Management Consultants’ Association did indeed show how little had been done in the first two decades of the 1947 Scheme, in spite of the statutory obligations laid upon the

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<sup>89</sup> Ibid., p.198. See also V L Allen *Trade Union Leadership Based on a Study of Arthur Deakin* (London: Longman, Green, 1957) p.284 for the introduction of the ban

<sup>90</sup> It should be noted that in 1967 the PLA (which was at that point becoming much more business-focused) introduced a free newspaper *The Port* that was a significant move forward in communications with the workforce.

<sup>91</sup> Wilson, *Dockers*, pp 202-203

<sup>92</sup> Dash, *Brothers*, p.173

<sup>93</sup> Devlin Report 1965, para 81

<sup>94</sup> Leggett Report, paras 83-89 and Rochdale Report, paras 416-417

<sup>95</sup> Devlin Report 1965, para 85

<sup>96</sup> Ibid., para 85-87

<sup>97</sup> Docks and Harbours Act 1966, Elizabeth II Ch. 28, Section 25

Board.<sup>98</sup> The report aimed to provide a quantitative assessment of the adequacy of the facilities in terms of the expected usage, rather than a qualitative assessment of the condition, although it is particularly critical in relation to lack of information regarding medical services.<sup>99</sup>

### Mechanisation

The final 'working environment' challenge was the progression of mechanisation and technological change: as the dock owner the PLA was the prime mover in any major developments, and articles in *PLA Monthly* track some of the progress of mechanisation between 1962 and 1966,<sup>100</sup> but although significant investments were made, these had been mainly in areas such as frozen meat and grain where the Authority worked with a major shipowner or operator to develop an integrated cargo handling facility.<sup>101</sup> As the diagram below shows, part of the problem was the fact that the London docks encompassed a complex mix of organisations and functions, with no single operator having a monopoly of responsibilities in any one area:

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<sup>98</sup> See BK16/19 (Survey of Dock Amenities), BK16/20 (Appendices), and BK16/21 (Schedules)

<sup>99</sup> BK 16/19 p.67 Medical services Para 322: "The analysis of medical and allied services in the port was more than usually hampered by the lack of appropriately organised, readily accessible and adequate information." And Para 323: "It was impossible to establish the exact number of trained First Aiders in the port or the total number of ambulance and hospital cases there have been in any one year."

<sup>100</sup> A total of 14 articles in *PLA Monthly*: **37**, (1962) pp. 126-129, 'London's Softwood Timber Trade'; **38**, (1963) p.86, 'Packaged Lumber', p.114, 'New Ford [cars] method of loading', and pp. 362-363, 'Timber: palletised loads'; **39**, (1964) pp 44-45, 'Timber: old and new' pp. 158-164, 'The Timber Industry', pp.204-207, 'Exports – via London' and pp. 321-2 'Mechanised meat discharge'; **40**, (1965) 48-52, 'PLA in the News', pp 168-171, 'Mechanised Discharge of Meat Cargoes', p.317, 'Modernisation of King George V dock' and pp 414-419, 'The Tilbury Modernisation Plan Takes Shape'; Volume **41**, (1966) pp.2-7, 'Modernisation at Millwall Dock', and pp. 453-456 'Acquiring New Skills'

<sup>101</sup> As the Port Efficiency Committee noted - NA file BK2/1266, Reports of the Ports Efficiency Committee: *Second Report of Port Efficiency Committee* (PEC (52) 45) dated 7 August 1952, paragraph 21:

..."mechanisation in the ports has been a matter of gradual development...on the one hand the employer, whether he be a port authority, a stevedore contractor, or a shipowner, needs some assurance that the mechanical appliances will be fully used and, in practice, prove beneficial in the saving of time or cost, and on the other hand, labour needs an assurance that mechanical appliances will not only save physical labour but will provide more, or at least not less, earning capacity. It cannot be overlooked that whereas a large amount of mechanisation has taken place in industrial establishments generally, it has been disappointingly slow at the ports."

Clearly, a small shipping or stevedoring company would be less likely to consider any significant investment in mechanisation.

**Table 5: Cargo Handling in the Port London**

Docks	Discharge of Ships	Loading of Vessels	Quayside Handling <sup>§</sup>
Surrey Commercial	Shipping companies or their stevedoring contractors	Shipping companies or their stevedoring contractors	Port of London Authority Shipping companies or their stevedoring contractors*
Tilbury	Shipping companies or their stevedoring contractors	Shipping companies or their stevedoring contractors	Port of London Authority Shipping companies or their stevedoring contractors*
Royal Group	Shipping companies or their stevedoring contractors	Shipping companies or their stevedoring contractors	Port of London Authority Shipping companies or their stevedoring contractors*
West India and South West India	Port of London Authority	Shipping companies or their stevedoring contractors	Port of London Authority
Millwall	Shipping companies or their stevedoring contractors	Shipping companies or their stevedoring contractors	Port of London Authority
East India	Port of London Authority	Shipping companies or their stevedoring contractors	Port of London Authority
London and St Katharine	Port of London Authority	Shipping companies or their stevedoring contractors <sup>#</sup>	Port of London Authority

Notes:

§ Any goods received from land conveyance, sorted to ports of destination and stowed in transit sheds or in the open and tendered to the ship's side over the quay were handled by the PLA, using its own labour for this work.

\* "Over-side" conditions and "Quay and Shed Space Agreements" apply. When working over-side a vessel could discharge cargo on to the quay, and incur appropriate PLA charges, with the Authority providing quay labour from its own labour force or under contract with a firm of Master Stevedores, or direct over-side to receivers' craft. Under a Quay and Shed Space Agreement the ship-owner was entitled to land, sort and re-deliver to craft any goods properly claimed for over-side delivery ex-ship to barge without such goods incurring the Authority's charges on goods (the shed being, in effect, regarded as an extension of the ship). The ship-owner or his contractors provided the labour in the vessel and also the quay labour to carry out the receiving, sorting and redelivery of over-side goods temporarily landed. All goods claimed from ships by the PLA and delivered to rail truck, regardless of the conditions under which ships discharge, were tallied by clerks supplied by the Authority. There were some exceptions to this arrangement for specific commodities. For example, the discharge of bananas in Royal Albert Dock was undertaken by the PLA (a comprehensive port model). Other commodities were handled under more complicated arrangements. Meat imports in the Royal Victoria Dock, for example, were discharged by a Master Stevedore (under subcontract with the ship-owner) and the PLA would subcontract quayside handling to the same Master Stevedore. The sole exception was Canary Wharf where a berth was leased to Fruit Lines in 1937, allowing the company to undertake its own work at this berth.

# Exceptions applied for specific commodities. Wine in bulk, for example, was pumped direct from the ship, or from tanks discharged ex-ship, into storage vats in a quay installation, with the complete operation undertaken by PLA staff.

Source: Professor Peter Turnbull, personal communication.

But whereas some progress had been made on mechanisation,<sup>102</sup> this was constrained by both dock layout and ship sizes, and the smaller London and St Katharine docks were unsuitable for large-scale mechanisation, so that although Rochdale had envisaged the closure of these docks in 1962,<sup>103</sup> the actual decision was not taken until 1966. While many of the changes proceeded smoothly, the Wilson report of 1966<sup>104</sup> is an indication of the difficulties of implementing the new systems, where a new facility had been built at Millwall dock (a 'Stevedoring' (NASD) dock) to handle work previously undertaken in the West India Docks (a 'Docker' (TGWU) dock). Both unions claimed the right to work the new facility (although there was concurrently an initiative towards the formation of a 'common register', eliminating the distinction between the two categories),<sup>105</sup> but an arbitration panel set up by the NJCPTI had ruled in favour of the TGWU, whereupon the NASD members went on strike. Wilson recommended that progress towards the common register be expedited, but that the arbitration panel ruling should apply. In many ways this case is an exemplar of later problems: there were multiple layers of management involvement (the PLA, the Port Labour Executive Committee, the Executive Committee of the NJCPTI, as well as the companies directly concerned - i.e. Fred Olsen lines, and the stevedoring company of Smith Coggins); and failures of strategic vision and communication, as well as unwillingness to compromise on the part of the unions.

## **The Organisational and Operational challenges for the PLA**

While Devlin had seen the need to embrace mechanisation as part of his proposals,<sup>106</sup> he made little mention of the other challenges facing the port of London. At that time the management structure of the PLA was broadly flat, imposing a huge range of responsibilities on the Director General, and indicating also how difficult it might have been to achieve cross-company collaboration

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<sup>102</sup> Some stevedoring companies, and in particular Scruttons, had used motorised trolleys and fork lift trucks for quay work, and Oram (R. B. Oram, *The Dockers' Tragedy*. (London: Hutchinson, 1970, p.159) records the use of ex-US army fork lift trucks at Tilbury, but that mechanical aids could only be used on board larger vessels with suitable cargoes.

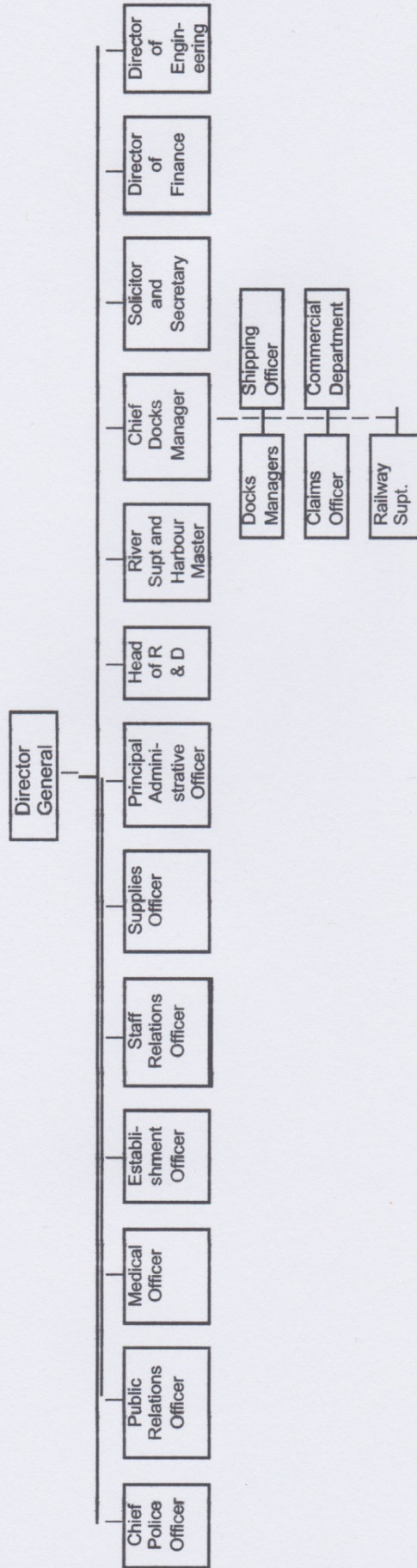
<sup>103</sup> Rochdale Report paras 501– 522

<sup>104</sup> *Report of a Court of Inquiry into the Causes and Circumstances of a Strike by Members of the National Amalgamated Stevedores and Dockers in the Port of London and into Practices Relevant thereto*. (Wilson Report, Cmnd 3146, 1966).

<sup>105</sup> Although, as the Wilson Report shows (paras 61 and 89) this had not been considered at all by Devlin.

<sup>106</sup> Devlin Report 1965, paras 54 -57

Figure 20: Port of London Authority Organogram 1964



Source: Professor Peter Turnbull, personal communication, adapted from Adams, J., Organisation of the British Port Transport Industry (London: National Ports Council, 1973) p.34,

A second omission was that Devlin did not consider the emerging challenge of containerisation that had been noted by Rochdale in 1962.<sup>107</sup> But in 1966 the magazine *PLA Monthly* had carried an article by the director-general of the PLA on the challenges of containerisation,<sup>108</sup> and the Authority's 1967 PLA Business Plan<sup>109</sup> shows the Authority trying to plan ahead to meet the challenges of the new methods of handling cargoes. At this point in time the Authority had implemented roll-on/roll-off systems at Tilbury and had handled some containers through the Royal docks.<sup>110</sup> For the future, the plan was that the London, St Katharine, East India and Surrey Commercial docks would be closed, that Tilbury would handle all container traffic, and that the India, Millwall and Royal group docks would be modified to increase throughput using high efficiency methods and absorb traffic from the closures.<sup>111</sup> But the plan also identified some significant obstacles in the form of opposition from the local authorities, concerned at the impact of the closures on local communities already affected by Government regional development initiatives that had encouraged industries to move out of London, and unwilling to cede land to provide the huge areas necessary for mechanised cargo handling. In any case, the modifications to the enclosed docks would have involved significant extra costs, and the PLA was already struggling with the constraints of its funding arrangements: between 1960 and 1970 its total debt increased from £37 million to £80 million, mainly to fund the expansion of Tilbury, and the interest payments over that period totalled just under £30 million, having risen to an annual rate of about £5 million.

The way in which additional capital expenditure resulted in increased interest charges is shown in Figure 21, below:

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<sup>107</sup> Rochdale Report, paras 331-333. To be fair to Devlin, this was just three paragraphs in 661 in a report of 231 pages and 13 Appendices in a further 33 pages.

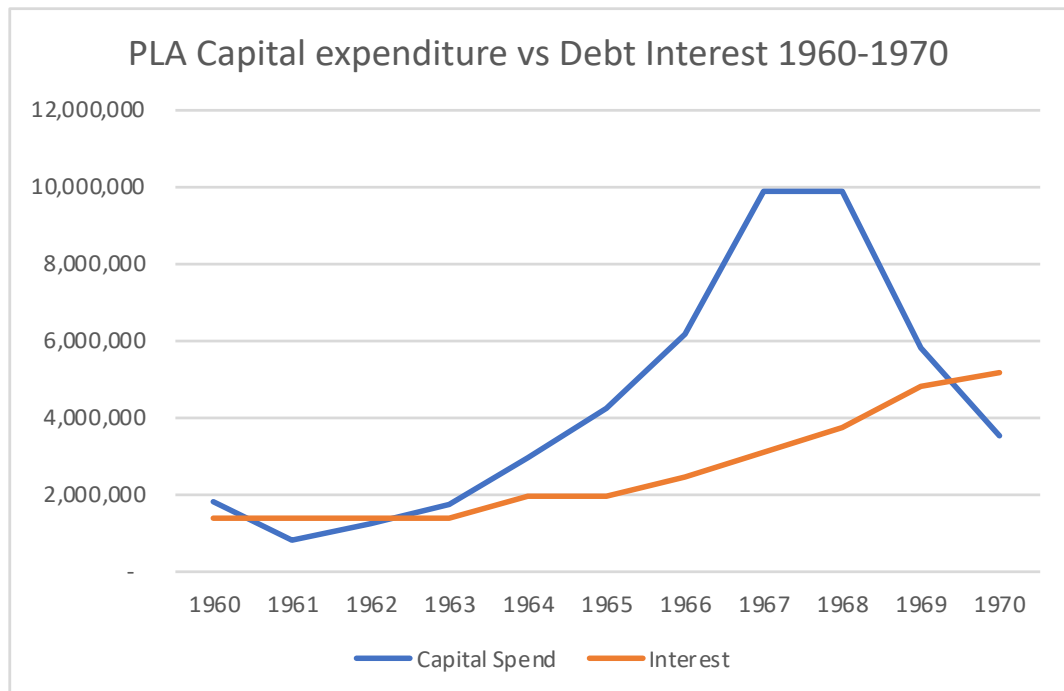
<sup>108</sup> *PLA Monthly* **41**, (1966) pp. 232-239. 'The Role of the Port Authority in the Container Age'.

<sup>109</sup> PLA Archives: *PLA Business Plan 1967*

<sup>110</sup> Wilson, *Dockers*, p.138

<sup>111</sup> *PLA Monthly* shows significant investments 1967 in 'P' berth at Millwall – 'Modern methods at Millwall docks' (**42**, (1967) p. 228), and "'M" shed at the West India docks' (**42**, (1967) p.467).

**Figure 21: Port of London Authority, Capital Expenditure and Interest Charges 1960-1970**



Source: *PLA Annual reports 1960-1971*(London: PLA)

A restructuring of the PLA governance in 1967<sup>112</sup> replaced the former Authority (with its varied and often competing interests) by a much smaller Board that could at last focus on running the PLA as a business. Meanwhile, a report by the management consultants McKinsey and Co for the British Transport Docks Board (BTDB) in 1967<sup>113</sup> outlined potential productivity gains from containerisation of 20 times – even at the most conservative calculations (only 40% labour utilisation, and each berth handling only 1,800 containers per week). Using that multiplier, London’s docker requirement would fall from around 25,000 to under 1,500, and although any such impact was far distant, the arrival of the *American Lancer* at Tilbury in June 1968 must have sent a clear signal to both shipowners and the workforce, and in August a single traffic officer, one foreman, and 13 dockers unloaded 4,181 tons from that ship in under 12 hours. In a strange parallel, the report on the *American Lancer* in August was followed by an article noting the send-off of the 74 dockers who received the PLA’s first severance pay.<sup>114</sup> London was not alone in encountering

<sup>112</sup> Following the passing of the PLA Constitution Revision Order 1967 (SI 1967/1197)

<sup>113</sup> *Containerization: the key to low-cost transport*; a report by McKinsey & Company, Inc. for the British Transport Docks Board, June 1967.

<sup>114</sup> *PLA Monthly*, 43, (1968) p. 232 ‘The First of Many’, p.362 ‘Container handling speeds boosted’ and p.365 ‘Dockland send-off for severance men’. The new developments would also have a huge impact of the lighterage trade: between 1963 and 1970 the

these challenges: Levinson shows how the development of containerisation in the USA proceeded apace between 1965 and 1970 with the impact on the New York's waterside and workforce presaging the closure of the London docks and the effect on the local communities,<sup>115</sup> but in this period the Port of New York Authority began to develop its new facility at Newark, New Jersey in effectively, greenfield sites.<sup>116</sup>

In 1967-68 the Authority closed the East India, St Katharine and London docks. Although the first of these was actually downstream of the large India and Millwall docks, it was much smaller, had suffered huge damage from the wartime bombing, and was never fully reconstructed: it was closed with almost no publicity in 1967. The two other docks were also small, and further upstream: the economic case for maintaining them was that their operations had been mainly subsidised by their warehouses. But those warehouses had specialised markets and storage facilities – for example, tea, wines, and wool, as well as exotic goods such as ivory and mohair. As fashions and marketing systems changed the warehouses were becoming underused, and the case for closure of the two docks was incontrovertible: a later article in *PLA Monthly* noted that “the decision to close [the London and St Katharine docks] is not a sudden one. As long ago as 1965 it was known that all operations except those at the Bulk Wine berth were unprofitable”.<sup>117</sup> In fact, the proposal for closure had been in the public domain since 1966:<sup>118</sup> the closure itself attracted little attention in the press<sup>119</sup> and seems not to have resulted in any industrial action.

## Devlin II - Modernisation

The ‘working environment’ challenges were huge and matched in complexity and in duration by the third element of Devlin's list: the ‘modernisation’ initiative, outlined in the NJCPTI's new policy statement of December 1968 (reproduced as Annex 2 to

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tonnage handled by lighters fell from just over 13 million tons a year to less than 6 million tons, and the number on the Lightermen's register from 3,327 to 1,734. (Wilson, *Dockers*, p.244)

<sup>115</sup> Marc Levinson. *The Box: How the Shipping Container Made the World Smaller and the World Economy Bigger*. (Princeton: The University Press, 2006). p.94

<sup>116</sup> The Rochdale Report noted (para 331) that “the Port of New York Authority is already spending some \$275 million on container facilities”.

<sup>117</sup> *PLA Monthly* 43 (1968) pp 96-100 ‘History and Closure of London Dock’

<sup>118</sup> *The Times* 26 September 1966, p.11 ‘Preservation difficulty over docks scheme’

<sup>119</sup> *The Times* 23 January 1968 p.15 ‘PLA planning to close two docks’ gives no indication of union opposition. The Tower Hamlets Local History and Archive Press Cuttings folders 964.5 (London dock) and 964.6 (St Katharine dock) have no material about those closures in 1967-70



the Pearson report of 1970).<sup>120</sup> The tasks were “the revision of the wage structure” and “the abolition of time-wasting practices”, coupled with the “acceptance of firmer discipline, particularly in the matter of time-keeping [and] in respect for decisions of the board”. These would accompany a “review of manning scales to take into account increasing mechanisation and changing methods”.<sup>121</sup>

Wilson maintains that:

the Decasualisation strikes marked the beginning of three years of increasing industrial strife in the docks.... the industry had been charged with the reform of its institutions, the identification and removal of important wasteful practices and the ultimate reform of the wages structure. However well these tasks were accomplished, the effects could not manifest themselves overnight....<sup>122</sup>

The Ministry of Labour data does not bear this out for London: as the following table shows, although there was an increase in the number of man-days lost through disputes in London in 1969, the overall picture is one of relative calm in a period of some wider discord.

**Table 6: Man-days lost in industrial disputes for London and UK docks and UK (all industries) 1968-1970**<sup>123</sup>

Sector	Total Man Days Lost		
	1968	1969	1970
London Docks	26,510	65,092	9,053
All UK Docks	112,335	417,060	201,848
London as % of all UK docks	23.6%	15.6%	4.4%
All UK Industries	4,690,000	6,846,000	10,980,000
Percentages: London docks vs all UK Industries	0.56%	0.95%	0.08%

There were in fact two major disputes in London – one lasting for more than two years that prevented the PLA from bringing new container berths at Tilbury into

<sup>120</sup> *Report of a Court of Inquiry under The Rt. Hon. The Lord Pearson, C.B.E., into a dispute between the parties represented on the National Joint Council for the Port Transport Industry* (Pearson Report, Cmnd 4429, 1970).

<sup>121</sup> Devlin Report 1965, para 239

<sup>122</sup> Wilson, *Dockers*, pp.189-190

<sup>123</sup> Data from NA files LAB 34/93, 34/95 and 34/97 Trade Disputes Record Books, for data on London and UK docks, and Durcan et al. *Strikes* (op.cit) p.178 for UK wide data.

operation<sup>124</sup> (but did not cause any loss of man-days), and a national dock strike in 1970. In this period the Donovan report of 1968<sup>125</sup> identified the tensions between “two systems of industrial relations”: formal, industry wide negotiations; and the informal systems of negotiations at factory or shop-floor level,<sup>126</sup> noting that industrial disputes often arose when both systems converged and clashed – as was the case in the docks.<sup>127</sup> The activities of the ‘unofficials’ clearly exemplify the increasing influence of the shop-floor, and were a significant factor in some areas of negotiations towards the Phase II agreement, but the two disputes also reflected local intransigence. The PLA’s construction of the major new container handling facilities at Tilbury was the Authority’s first major dock project for nearly 40 years,<sup>128</sup> and was heralded as having cost £30 million:<sup>129</sup> the ban on the use of some of the new berths was imposed in January 1968 at the behest of the TGWU’s No 1 Docks Group<sup>130</sup> and lasted until April 1970. The discussions at the NMC show that the Docks group were using the ban to try to address a wide range of concerns; primarily to register their fears about the growth in container usage, and to ensure that negotiations on modernisation agreements were not held up (as has been shown, the employers had in the past used delays as part of their negotiating tactics).<sup>131</sup> But there were wider and longer term considerations, with the workers trying to prevent employers from removing ‘traditional’ dock work to premises outside the docks.<sup>132</sup> The fact that the Tilbury ban was a refusal to use the new facility, rather than a strike, allowed the dispute to drag on, but the reputational damage to the port was huge, as was the economic impact of loss in business at a key point in container base development in the UK and Europe.<sup>133</sup>

The Tilbury dispute reflected yet another weakness of the docks industry in London: the dockers, rightly or wrongly, were taking action to try to protect their future: and their actions primarily affected the PLA which, although powerful, was only one of

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<sup>124</sup> See Wilson, *Dockers*, pp. 239-242 for a fuller analysis of these events.

<sup>125</sup> Royal Commission on Trade Unions and Employers’ Associations 1965-1968 (Donovan Report, Cmnd 3623, 1968)

<sup>126</sup> *Ibid.*, para 143

<sup>127</sup> *Ibid.*, para 1007

<sup>128</sup> After the construction of the King George V dock in the 1920s. The construction of the Tilbury Passenger terminal, although a major project was not a dock (and was not a commercial success)

<sup>129</sup> See *PLA Monthly* ‘The Tilbury Modernisation Plan Takes Shape’, **40**, (1965) pp 414-419 and ‘The Role of the Port Authority in the Container Age’ **41**, (1966) pp 232-239

<sup>130</sup> That is, the 13 delegates from the six London Divisional Committees.

<sup>131</sup> See *The Times*, 9 January 1970, p.19 ‘Dockers will get fresh pay offer’

<sup>132</sup> MRC file MSS/126/TG/447/G/4/1 NMC Minutes of 41<sup>st</sup> meeting on 24 April 1969, p.3 statement by T O’Leary, TGWU National Docks Secretary

<sup>133</sup> See *The Times*, 8 May 1969, p.23 ‘Container ships: UK’s loss Rotterdam’s gain’

the major employers. Much as the Authority might wring its hands at the 'blacking' of its huge investment, and loss of future business, the wharfingers and other stevedoring employers were not directly affected, and shipowners were still free to load and unload containers outside the port and to implement containerisation outside London, and were thus only partially affected by the ban. The denouement of the container ban was complex: Wilson shows that the ban was partially lifted after Fred Olsen<sup>134</sup> himself talked to the dockers in late 1969 and explained the likely consequences of their actions, and this led to a gradual withdrawal of the ban – but not without a continuing loss of container trade to other ports.<sup>135</sup>

Meanwhile, the use of containers was growing, and led to more conflicts over the definition of dock work and port areas. Although dockers recognised that containers might be loaded and unloaded ('stuffed' and 'stripped') at a manufacturer's facility, they regarded 'groupage' stuffing and stripping (where a company assembled and packed or unpacked mixed container loads) as equivalent to dock work undertaken in ports, and held that these functions should be undertaken by registered dock workers. Under the 1947 Dock Labour Scheme, the definition of dock work and port areas had been the responsibility of the NDLB, which adjudicated upon any disputes, and against whose decisions there could be no appeal.<sup>136</sup> This position was altered by Section 51 of the Docks and Harbours Act 1966,<sup>137</sup> under which an NDLB decision could be appealed to an Industrial Tribunal – and then the High Court and ultimately to the House of Lords. But the obvious problem was that whereas the NDLB had been able to ensure cohesion in its decisions,<sup>138</sup> the various Industrial Tribunals could have different understandings of what constituted 'dock work'. To resolve this problem, a committee with representatives from both sides of the industry was established in 1969 under the chairmanship of Peter Bristow QC, tasked with providing a clear definition of dock work, and of port boundaries for London. Although the committee's report was not published, duplicated copies are

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<sup>134</sup> Olsen's were a major importer of softwood and had pioneered the use of palletisation in the port.

<sup>135</sup> Wilson, *Dockers*, pp. 239-248

<sup>136</sup> Under Clause 2(I) of The Dock Workers (Regulation of Employment) Order, 1947 (S&RO 1947/1189) "Dock work means operations at places or premises to which the Scheme relates, ordinarily performed by dock workers of the classes or descriptions to which the Scheme relates"

<sup>137</sup> Elizabeth II 1966 Ch. 28, Section 51 "References of disputes about the meaning of 'dock work' to a tribunal".

<sup>138</sup> And, because of the strength of the union membership on the Board, could be expected to ensure that the dockers' views were well represented, and to block any major changes.

to be found in the NA files.<sup>139</sup> After summarising the position in law, and the views of each side, the Committee produced a definition of “dock work” and defined the boundaries of the Port of London to be within five miles of mean high water on the Thames, five miles upstream from Teddington lock and fifteen miles from Havengore on the seaward side. The recommendations encountered great opposition: there are 16 NA files with representations from trade bodies about the report,<sup>140</sup> and the definition of dock work and the boundaries of its application remained an area of difficulty and industrial tension for some years.<sup>141</sup>

### **The final ‘Modernisation’ agenda**

The remaining items on Devlin’s list are the final ‘modernisation’ agenda, i.e. the revision of the wages structure, the elimination of time-wasting practices, the acceptance of firmer discipline, and a review of manning scales. In practice, any analysis of progress against these aspirations could only be in very general terms over a longer time scale, although some specific instances and improvements can be noted. The first item on this ‘modernisation’ list was the revision of the wages structure – primarily the replacement of piecework by time rates. In theory, piecework and time rates can co-exist: a worker may be paid a basic rate, enhanced by payment related to output, but Devlin saw that piecework, in itself, had considerable disadvantages where mechanisation was being introduced, was difficult and administratively expensive to maintain, and was often a cause of dissension.<sup>142</sup> William Brown, as Chairman of Glacier Metals, and before his appointment as the first Chairman of the NMC, had negotiated the abolition of piecework in that company, condemning the system as being one to “stimulate envy and greed, whereas equilibrium between personal capacity, level of work, and pay, stimulates co-operative behaviour”.<sup>143</sup> There appears to be no comprehensive list of piecework rates across London, although the numbers were certainly in the thousands: this is understandable given that only the NDLB could be seen as having a true industry-wide perspective, and because rates for a particular class of

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<sup>139</sup> NA file LAB 10/3514 Department of Employment. Definition of dock work: joint committee chaired by Peter Bristow

<sup>140</sup> NA files LAB 10/3515 Definition of Dock Work. (Representations by the timber trade) to 3529 (Representations from individual freight forwarders and their association)

<sup>141</sup> *The Times*, 15 January 1970, p.18 ‘Industry to fight dockers’ preserve’ and leading article, 29 April 1972, p.15 ‘The Container Wrangle’.

<sup>142</sup> Devlin Report 1965, paras 58-62

<sup>143</sup> Brown, *Piecework Bargaining*, p.104

goods might vary from employer to employer, by location (dock, wharf, or lighter) and on whether the vessel was engaged on short seas or ocean trading. In addition, cargoes might be dirty or badly stowed, or need to be moved some extra distance and, as Devlin records, in 1963 there were more than 660 disputes requiring the presence of viewing committees mainly to arbitrate on rates.<sup>144</sup> Devlin was not totally sanguine that the introduction of any substitute system would be straightforward, noting the difficulties that had been experienced in the Liverpool decasualisation trial,<sup>145</sup> but in any case it was clear that there would need to be much broader discussion and agreements on a range of new systems – for example shiftwork and “flexible manning, if this was to be adopted”.<sup>146</sup>

Devlin identified a set of time-wasting practices including the mis-use of the ‘continuity rule’ in London, the practices of “spelling” (in Liverpool) and “the welt” (in Glasgow), together with “bad timekeeping” and “excessive manning”.<sup>147</sup> Taking the continuity rule first, the wording of the original (1944) agreement indicates that its main purpose was to ensure continuity of work for employers, where: “every Port Transport Worker...is required to complete the work for which he is engaged”.<sup>148</sup> Devlin shows that application of the rule had evolved as a two-edged weapon, with (in his view) the opportunity for mis-use and as being “wasteful in terms of money time and efficiency”.<sup>149</sup> But as he pointed out, the rule could be helpful in preventing abuses by employers, so any move to simply abolish the rule, as Devlin appears to suggest, without negotiation of safeguards would be likely to be resisted, and (as shown above) the proposed abolition of the rule provided a key weapon that the ‘unofficials’ were able to use in fomenting a paralysing strike in London in the autumn of 1967. Similarly, as Mellish shows, addressing the problem of bad timekeeping required a port- and industry-wide approach: there was nothing to be gained in work flow or productivity, and no point in dockers turning up on time, if cargoes had not arrived, or if lighters or land transport were not ready to service their work.<sup>150</sup>

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<sup>144</sup> Devlin Report 1965, para 61

<sup>145</sup> Ibid., para 58

<sup>146</sup> Ibid, para 307

<sup>147</sup> Ibid., Section 7, paras 27-57

<sup>148</sup> MSS.126/TG/RES/D/27/2 *Continuity Rule*, paragraphs 1 and 2.

<sup>149</sup> Devlin Report 1965, paras 29-38

<sup>150</sup> Michael Mellish *The Docks after Devlin* (London: Heinemann, 1972) p.78. Mellish provides a detailed picture of the processes and problems in the implementation of modernisation in the Millwall and South West India Docks for PLA and two private stevedoring firms .

It is difficult to see Devlin's comments on "excessive manning"<sup>151</sup> as being other than a series of generalisations, with no specific details and no firm recommendations. In broad terms he suggested that productivity had increased by nearly 100% between 1948 and 1963 "in the main" because of mechanisation and, while accepting that there was "a complete conflict of evidence" between employers and trade unions about the problems of implementing mechanisation, proposed that "the removal of the casual element would undoubtedly be of help". That might well have proven to be the case: but his comments should perhaps be seen in the light of the remarks by the Chairman of the NMC in 1970 that:

The sad story of the prolonged delay in the operation of a new mechanical handling system in the London docks is typical. When asked why this expensive equipment had been installed without adequate trials, a spokesman is reported as saying "shipping companies are not in the business of trials". Maybe not, but neither are car manufacturers, but they make it their business to cooperate in trials [of new products or techniques] because they depend [upon these] for continuity of their own activities,

and:

In some ports practically nothing has been done in twelve months to quantify available man hours, to estimate work in man-hour terms or to set performance targets or manage results. Indeed, some large employers of dock labour still have no reliable records of hours or attendance, of overtime, or of work accomplished, let alone any capability for work measurement or method study.<sup>152</sup>

Mellish demonstrates that - at least in the PLA - mechanisation and revised manning levels were being well accepted, with such terms as "individual working", and that "gangs of 3 or 6 had replaced gangs of 10". But while he notes that one of the two stevedoring companies he examined made "extensive use of mechanical handling" and had "abolished piecework three years before the rest of the Port of London", the other company's operations were mainly in loading ships. This in itself militated against mechanisation, which is most applicable to unloading ships or quay work, so that in that firm "the final size of the gang is, therefore, much the same as before".<sup>153</sup> In general, Mellish's verdict on Phase II is mixed: he notes that "the published figures show only that trade has declined in the conventional berths

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<sup>151</sup> Devlin Report 1965, paras 54-57

<sup>152</sup> Cattell., *Devlin*, op.cit

<sup>153</sup> Mellish, *Docks after Devlin* pp. 80-81

of London and that costs have risen".<sup>154</sup> To some extent that is an accounting inevitability: with the huge fixed costs represented by the vast docks estate, any decrease in volumes increased unit costs, but it would also reflect a consequence of decasualisation, where the costs of unused labour could not simply be transferred to the NDLB. And, as he points out, (reflecting Cattell's comments above) there were no computations of productivity prior to Phase I.<sup>155</sup>

## **The Management Challenges of Decasualisation**

Both Mellish and Wilson show a common theme emerging from Devlin's modernisation agenda: the collateral need for better management of the workforce. In essence, the 1947 Dock Labour Scheme, and the use of casual labour and piecework absolved employers from any requirement to actively manage their workforce. Equally, prior to Devlin they had no need to expend any resources or effort on recruitment, retention, welfare or motivation. Mellish shows how huge efforts were made by both employers and unions to make Phase II of Devlin work, although they were sometimes unable to communicate the need for change in such a way as to immediately convince the workforce, but the eventual outcome was a significant increase in the efforts and resources devoted to managing the workforce and introduce more efficient working practices.<sup>156</sup> Wilson provides a parallel analysis, showing that the employers were forced to address the operational inconsistencies in the PLA's management of the port<sup>157</sup> and to improve both the management structure and manager-worker relationships to facilitate better working methods and the elimination of artificial manning scales.<sup>158</sup>

Nationally, however, problems in industrial relations were becoming of much greater political significance, resulting in the establishment of the Donovan Commission in 1968<sup>159</sup> set up, as Barbara Castle the then Minister of Labour<sup>160</sup> later noted, following "a rash of unofficial strikes which were turning public opinion against the

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<sup>154</sup> *Ibid.*, p.135

<sup>155</sup> *Ibid.*,

<sup>156</sup> *Ibid.*, pp. 136-138

<sup>157</sup> For example, so that handling operations could be integrated and streamlined

<sup>158</sup> Wilson, *Dockers*, pp 260-263

<sup>159</sup> Donovan Report, *op.cit.*

<sup>160</sup> ODNB *Barbara Castle* (1910-2002), Baroness Castle of Blackburn, article by Anthony Howard

trade unions”.<sup>161</sup> It is possible to see some key passages from Donovan’s report that would define the industrial relations environment for the following years:

We have no hesitation therefore in saying that the prevalence of unofficial strikes, and their tendency...to increase, have such serious implications that measures to deal with them are urgently necessary<sup>162</sup>

Donovan’s prescription for dealing with unofficial strikes was the reform of “the institutions of whose defects they are a symptom”,<sup>163</sup> which (for the London docks) raises the question of whether the structure of the NJCPTI – or indeed the existence of any national negotiating body – was appropriate for the disparate body of the employers, the myriad places of employment, the intricacies of the union structure, and the complexity of the issues that were emerging. Donovan further maintained that;

Reform of the law governing industrial relations and trade unions and employers’ associations.... should no longer be delayed.<sup>164</sup>

Castle’s narrative shows how her proposals for such a reform<sup>165</sup> were supported by the Prime Minister, Harold Wilson,<sup>166</sup> and initially approved by the Cabinet,<sup>167</sup> but later encountered strong opposition from back benchers and ministers (including, notably, the Cabinet Minister James Callaghan).<sup>168</sup> However, after the TUC had issued its own *Programme for Action*, a further Cabinet meeting<sup>169</sup> agreed that Wilson and Castle should meet the General Council of the TUC and “would seek to refrain from committing the Government to any precise form of statutory disciplinary provisions”. The outcome of the meeting is recorded in *The Times* as healing a “breach in the Labour movement”,<sup>170</sup> although the limited effectiveness of the combined action by both Government and Congress may be seen in the way that the days lost through strike activity in the UK in 1969 reached a new peak of

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<sup>161</sup> Barbara Castle *Fighting all the Way* (London: Macmillan, 1993)

<sup>162</sup> Donovan Report, para 415

<sup>163</sup> *Ibid.*, para 454

<sup>164</sup> *Ibid.*, para 755

<sup>165</sup> In the White Paper *In Place of Strife* (Cmnd 3888, 1969)

<sup>166</sup> ODNB (*James*) *Harold Wilson* (1916-1995) Baron Wilson of Rievaulx, article by Roy Jenkins

<sup>167</sup> See NA file CAB 128/44/3 Conclusions of the Cabinet meeting held on 14 January 1969

<sup>168</sup> ODNB (*Leonard*) *James Callaghan* (1912-2005) Baron Callaghan of Cardiff, article by Roy Hattersley

<sup>169</sup> NA file CAB 128/44/28 Conclusions of the Cabinet meeting of 17 June 1969: The record of discussions covers a remarkable seven pages.

<sup>170</sup> *The Times* 19 June 1969. p.1 ‘Anti-strike Bill abandoned by Wilson: agreement heals breach in the Labour movement’



6,846,000, compared to the average of 3,189,000 per year for 1960-68.<sup>171</sup> In contrast, only 65,092 man-days were lost in the London docks in 1969, compared to an average of 79,787 for the years 1960-68,<sup>172</sup> possibly reflecting some initial success for decasualisation – or possibly the evolution of better operational and more professional human relations management systems.<sup>173</sup>

## **The Ports Bill of 1969**

As the decade drew to an end, a major Government initiative emerged in the form of the Ports Bill, published on 26 November 1969, which had its Second Reading in the House of Commons on 18 December.<sup>174</sup> The Bill proposed the implementation of the recommendations in the White Paper on the *Reorganisation of the Ports*,<sup>175</sup> for the nationalisation of major UK ports (including the Port of London) as part of which “the nationalised authorities should become the principal operators of port services and facilities within their ports, and, by virtue of this, the principal employers of port labour, [although excluding] services, for example of (sic) those, such as oil jetties and other private wharves, are integrated into another transport or industrial activity.”<sup>176</sup> In effect, this would have led to the demise of the PLA’s Board, and the taking of riverside wharves into public ownership, leading to a far more homogenous and integrated PLA.

## **Summary**

By the early 1960s determined efforts were at last being made to improve employment and working practices in the docks as the key to improving industrial relations. Those efforts required engagements and compromises by both employers and workers and needed to recognise and address legacy problems while having the flexibility to cope with future developments. Devlin envisaged that decasualisation would address many of those legacy issues, but the subsequent modernisation programme that he proposed also involved environmental

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<sup>171</sup> Durcan et al., *Strikes*, p.174

<sup>172</sup> Source: NA files LAB 34/76, /78, /79-82, /88, /91 and /93 Ministry of Labour/Department of Employment Trade Disputes Record Books, 1960-68

<sup>173</sup> Mellish *Docks after Devlin*, pp 134-135

<sup>174</sup> House of Commons *Hansard*, 18 December 1969, cols 1568-1689

<sup>175</sup> Cmnd 3903, (London: HMSO, 1969)

<sup>176</sup> *Ibid.*, para 16

improvements to remedy earlier shortcomings, notably in respect of amenities in the docks.

The implementation of Devlin's prescriptions involved major investments and significant challenges with considerable industrial unrest in the early stages but generally led to significant improvements in handling conventional cargoes. However, the introduction and widespread development of the use of containers were to present much greater tests for the port, requiring radical new approaches to cargo handling by both workers and dock operators, leading to further disruptions to industrial relations. The unrest was exacerbated by the impact of containerisation on the traditional rights of dockers to handle loading and unloading of containers, and the effect of new legislation that removed some of the restrictions on the definition of dock work that had protected docker interests for many years.

For the port of London and particularly the PLA, the Devlin changes had both direct and indirect impacts. In direct terms, Mellish demonstrates the difficulties that the Authority had in introducing the new working (and management) arrangements for its dockers at Millwall, and this will almost certainly have been replicated in other docks. Indirectly, the lack of uniformity of approach by other stevedoring companies will also have had an impact: table 5, above, shows the various bodies concerned with cargo handling in the docks (ignoring the wharves or other river interests) and in the absence of any overarching or coordinating body, there would be significant problems in implementing and integrating the new systems. Further indirect impacts will have arisen from disputes about stuffing and stripping of containers, and the port was also affected by changes in the wider labour environment with a significant increase in strikes in the UK, and the growing influence of unofficials bringing more discord and uncertainty. While all of this will have impacted on the business and reputation of the port, the lack of any clear overall metrics (other than volume of traffic) masks the extent to which those disputes affected its operations, and profitability.

## Chapter 5: THE END OF THINGS, 1970-1981

It was not always so, but once,  
In days that no man thinks upon,  
Fair voices echoed from its stones,  
The light above it leaped and shone.  
Once there were multitudes of men  
That built that city in their pride  
Until its might was made, and then  
They withered, age by age, and died<sup>1</sup>

In the Port of London 1970 was marked by the closure of the huge (400 acre) Surrey Commercial docks and 1981 ended with the departure of the last vessel from the Royal group of docks. The underlying narrative of this period is of the Port of London Authority (PLA) struggling with the downturn of traffic in its obsolescent Upper Docks and its increasingly onerous financial arrangements. Less visible were the impacts of changes to the statutory and regulatory framework, employment and working practices, and technological advances that affected the employers, the workforce, and the trade unions.

### The Initial Docks Closures (1967- 1970)

In Chapter 4 I noted that the PLA had begun to develop its strategic planning in the mid to late 1960s with the aim of reducing loss-making activities and enhancing its profitable operations, while maintaining its Conservancy and river management functions. As part of its plan to reduce its financial losses, the Authority had managed the closure of the East India, London and St Katharine docks with little (apparent) opposition in 1967-68. But in August 1969 the PLA approached the Department of Transport about a proposal to close the Surrey Commercial docks, which was in many ways a more difficult issue than the earlier closures. Alongside significant conventional trade, the docks had specialised in handling both hardwood and softwood,<sup>2</sup> and although the latter trade had diminished significantly, some 1,383 registered dock workers (RDWs) and 736 other PLA staff were still employed

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<sup>1</sup> Archibald Lampman 'The City of the End of Things' in E C Stedman (ed.) *A Victorian Anthology, 1837–1895* (Boston: Houghton Mifflin, 1895)

<sup>2</sup> NA file MT 81/918 Ports Reorganisation Bill: consideration of proposal by Port of London Authority to close Surrey Commercial Docks; file note of 23 January 1970 (para 15) shows that the docks handled 880,000 tons of conventional traffic and 318,000 tons of wood in 1968

there. The involvement of the Government had a number of consequences, both in relation to its own role and the PLA's subsequent actions. In the first place, the Government had no formal *locus* in regard to the PLA's decision, except in relation to its safeguarding role defined in the White Paper on the Reorganisation of the Ports,<sup>3</sup> but officials felt that that "the PLA would almost certainly welcome the fortuitous opportunity to involve the Minister in an unpleasant decision".<sup>4</sup> In any event, the PLA's approach provided the opportunity for a powerful intervention by the Department.<sup>5</sup> The General Manager's initial reluctance to accept that the PLA should engage in consultation with all the interested parties resulted in a letter from the Minister to the Chairman noting the "social, industrial, and economic implications" and reminding the Authority that "it will be most important to assess fully the possible consequences of the move...and for there to be consultations with the representatives of both the firms and of the men concerned".<sup>6</sup> The Department then asked the PLA to provide:

- (i) A full economic and financial appraisal showing the effects not just on the Surrey docks alone but also on the finances of the Authority overall.
- (ii) A detailed note about the way in which the Authority proposes to carry out consultations with the trade unions and other labour representatives, the other employers and users.
- (iii) The best assessment possible of the effects on employment generally in the Surrey docks area (both in respect of those employed by the PLA and as far as possible in relation to the other employers).<sup>7</sup>

The papers in the NA file show the extent to which the PLA endeavoured to meet these requirements. A comprehensive (but unsigned) briefing note dated 23 January 1970 summarises the financial appraisal, showing that the Surrey docks were not meeting their direct operating costs, even before the attribution of overheads, so that the closures would present a direct financial benefit to the PLA.<sup>8</sup> The Authority had also convened formal meetings with the unions and employers,

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<sup>3</sup> Cmnd 3903, 1969. Under paragraphs 1 and 6 of Annex 6 the Government had a safeguarding role to relation to any "agreement or lease" entered into by a port authority after January 1969 to ensure that it was not unreasonably imprudent.

<sup>4</sup> MT 81/918 Ministerial submission file note by J Sanderson 25 September 1969.

<sup>5</sup> Ibid., Letter of 29 August 1969 from Dudley Perkins, the General Manager of the PLA.

<sup>6</sup> Ibid., Letter from Richard Marsh MP to Lord Simon, 11 September 1969.

<sup>7</sup> Ibid., Note by Sanderson, *op.cit.*

<sup>8</sup> Ibid., Briefing note of 23 January 1970, para 29. The note also comments on the PLA's long-term plans to move its dock activities downstream (paras 6-7), and its forecast decrease in conventional traffic (paras 33-34).

and the NA file contains a verbatim record of the points raised at a meeting with seven unions together with representatives from Scruttons (the largest stevedoring company) and the National Dock Labour Board (NDLB) on 3 October 1969 covering a wide range of financial, operational and social issues.<sup>9</sup> The attitude of the local authorities is also recorded in the file: in contrast to the reactions to the proposals for more docks closures in the late 1970s, ministerial correspondence reported that:

The attitude of the local authorities is ambivalent. In the longer term a large development site so near central London will have obvious advantages (mainly to the GLC [Greater London Council] and Southwark). But on the other hand the boroughs (particularly Southwark) are concerned about the short-term effects on employment, rate revenue and the prosperity of local shops and businesses.<sup>10</sup>

The final requirement for an assessment of the effect on local jobs was not met by the PLA, but the letter mentions the “largely unpredictable extent” of the impact on other employment in the area.<sup>11</sup> In contrast, it seems probable that RDWs (who could not, in any case be made redundant under the 1967 dock labour Scheme<sup>12</sup> that had replaced the 1947 Scheme), would have been reassigned to other Sectors in the Port, since the NDLB annual report for 1970 notes that 750 extra dockers were recruited in London in 1970, together with 234 Tally Clerks.<sup>13</sup> The closure of the Surreys in early 1970 was thus a significant event, with the threat to many jobs in the docks,<sup>14</sup> but there are no (national) press reports of industrial action in protest, nor are any stoppages with those causes recorded in the Ministry of Labour ledgers.<sup>15</sup> Given the level of strike activity in the preceding decade this may seem remarkable, but it is possible that this was in recognition of the level of consultation and involvement. The absence of industrial disruption might also be attributed to the focus of the unions and workforce on the concurrent implementation of the ‘Devlin II’

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<sup>9</sup> The unions were the TGWU, NASD, WLTBU, and unions representing National and Local Government Officials, Electrical Trades, Merchant Navy Officers, and General and Municipal Workers). The file shows the measured response of the PLA to all of the points raised.

<sup>10</sup> MT 81/918 Letter from the Minister of State to the Secretary of State dated 9 March 1970.

<sup>11</sup> Ibid.

<sup>12</sup> SI 1967/1252, The Docks Workers (Regulation of Employment ) (Amendment) Order, 1967

<sup>13</sup> NA file BK3/25, p.2

<sup>14</sup> *The Times* 1 June 1970, p.20 ‘The first phase of the rundown of the Surrey Commercial docks’, notes that the PLA hoped that many of the workers would move with the trade to the other docks.

<sup>15</sup> NA files LAB 34/95 and 34/97 Trade Disputes Record Books 1969 and 1970

modernisation arrangements<sup>16</sup> and on a long-running pay claim that was to erupt as a major problem in the early Summer of 1970.

### **The first strikes of the 1970s**

At that time, an overall improvement in the UK's economic performance had encouraged the Labour Prime Minister, Harold Wilson, to call a General Election, which brought in a Conservative Government under Ted Heath.<sup>17</sup> The new administration had to manage a national dock strike that in part reflected the earlier union pressure to extend the coverage of the (now lapsed) Ports Bill,<sup>18</sup> but was mainly a result of delays by the employers in concluding pay negotiations. In simple terms, the wages of dockers after decasualisation comprised a theoretical 'basic rate' of a weekly wage of £11 1s 8d, which was never in fact paid, but used as the basis for calculation of overtime and holiday pay. All London dockers were guaranteed a minimum payment of £16 per week (increased to £17 per week from January 1968) but this would usually be increased by overtime and other additions. The TGWU asked for an increase in the basic rate in December 1967, and again in September 1968 and July 1969 at which point the request crystallised as a bid for the basic rate to be increased to the level of the guaranteed minimum payment. On each occasion the employers rejected the union's request, and the claim was resubmitted and considered by the National Joint Council for the Port Transport Industry (NJCPTI) in September and November 1969, when the employers made some counter proposals, but were unable to concede the main claim.<sup>19</sup> They were equally unresponsive when the claim was resubmitted to the NJCPTI in March 1970 and then again in April, by which point the unions were now seeking an increase in the minimum guarantee to £20 per week. Following a national docks delegate conference in April, the unions gave notice of termination of the current Docks Agreement, but this did not produce an improved offer. Once again, the employers had been using delaying tactics, as a minute from an official of the of the Department of Employment and Productivity shows:

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<sup>16</sup> See *Final report of the Committee of Inquiry under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry* (Devlin Report 1965, Cmnd. 2734, 1965).

<sup>17</sup> ODNB *Sir Edward Heath* (1916-2005) article by Douglas Hurd. Accessed on 26 May 2019

<sup>18</sup> *The Times* 17 March 1970, p.11 'When a strike IS an abuse'.

<sup>19</sup> By which time the employers had managed to defer granting any increase for almost three years. According to the ONS data price inflation between 1967 and 1970 was 13%. (<https://www.ons.gov.uk/economy/inflationandpriceindices/timeseries/czbh/mmm23>)

[At the meeting of the NJCPTI on 12 June] the employers did not offer to increase the level of guarantee. Though privately prepared to do so, they apparently see some advantage in having it dragged out of them...<sup>20</sup>

After the Minister of Labour intervened the employers agreed to increase the minimum guarantee to £20 (without conceding an adjustment to the basic rate), but this was not acceptable to a second delegate conference, which decided by 48 votes to 32 to call for a national strike from 14 July. The Ministry intervened yet again on 17 July, by setting up a Court of Inquiry under Lord Pearson, which reported on 24 July.<sup>21</sup>

Exactly what savings the employers might have made by these delays is not certain: in the evidence to the inquiry, the unions maintained that the full year cost of the increase would be 7% of the £78 million annual wages bill for the docks. The employers argued that an increase in the basic rate would be followed by an increase in piecework rates, such that the final costs would be some 50% of the wages bill,<sup>22</sup> but whatever the final cost, considerable savings would have been made by their delaying any increase. In addition, their intransigence and the consequent delay in negotiations would largely be *sub rosa*, whereas a strike would be in the full blaze of publicity and bring odium on the workforce. And, as noted earlier, with no back-pay, any delay would represent a saving to the employers and a commensurate loss to the workers.

In his report Pearson recommended that holiday pay should be based upon the rate of £20 per week, and that overtime should be based upon “a special overtime calculator” of 8s per hour compared to the existing rate of 5s 6½d – in effect setting the basic wage at £16 for the purpose of calculating overtime, but with no danger of a knock-on effect to piecework rates. In all of this it is worth recording Pearson’s comment that:

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<sup>20</sup> NA file MT 81/718 Dock labour: weekly payments following decasualisation; negotiations. Minute from Brand dated 12 June 1970.

<sup>21</sup> *Report of a Court of Inquiry under The Rt. Hon. The Lord Pearson, C.B.E., into a dispute between the parties represented on the National Joint Council for the Port Transport Industry* (Pearson Report, Cmnd 4429, 1970)

<sup>22</sup> MT 81/718, Evidence to Pearson Inquiry, day 1, 21 July 1970. Those costs would then be (at 7%) £105,000 per week, and at 50%, equal to £750,000 per week.

in many cases the existing wage arrangements are so complex, irrational and varied that the task of sorting them out...would certainly be long and difficult and probably impossible.<sup>23</sup>

The Pearson formula, reported in *The Times* as equating to a 7% increase,<sup>24</sup> was accepted by another delegate conference on 30 July, and the strike was called off.<sup>25</sup> The new Conservative Government was focused on implementing its election manifesto commitment to “introduce a comprehensive Industrial Relations Bill in the first Session of the new Parliament”.<sup>26</sup> The Bill was fiercely opposed both inside and outside Parliament, and its consideration “took up more hours of parliamentary time than any bill since 1945”,<sup>27</sup> before the Industrial Relations Act (henceforth IR Act) received Royal assent on 5 August 1971.<sup>28</sup> Irrespective of its qualities or defects, Andrew Thorpe asserts that one of the Act’s main achievements was “to restore a close relationship between the Labour Party and the trade unions.”<sup>29</sup> Hamish Sandison shows that the new legislation “was patterned closely after the American Labor Management Relations Act”,<sup>30</sup> but with certain differences, in part recognising the British convention that industrial disputes should be “kept out of the ordinary courts so that settlement can be negotiated rather than imposed by law”.<sup>31</sup> As noted earlier, this convention had tended to be observed even where wartime legislation<sup>32</sup> appeared to give the courts power to intervene.

For the PLA itself, the first years of the 1970s were producing other pressures: in 1970 the Authority estimated a loss of £750,000 from the ‘Pearson’ strike,<sup>33</sup> and

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<sup>23</sup> Pearson Report, para 56

<sup>24</sup> *The Times* 31 July 1970, p. 23 ‘Rising Pressure’

<sup>25</sup> BK 3/25 (p.4) notes that the strike lasted from 14 July to 3 August, with an estimated loss of 496,000 man days nationally.

<sup>26</sup> 1970 Conservative Party General Election Manifesto: *A Better Tomorrow* (Internet, conservativemanifest.com)

<sup>27</sup> Hurd, *Sir Edward Heath* (ODNB)

<sup>28</sup> The Industrial Relations Act 1971 (Elizabeth II, Ch.72) The Act comprised 170 sections and 9 schedules, in 188 pages. Even accepting that the creation of a new Court (the National Industrial Relations Court) under Section 99 of the Act might moderate or limit the involvement of the judiciary, the existence of the Court of Appeal and the Law Lords must surely have entailed the possibility of judge-made extensions, revisions or re-interpretations of the legislation

<sup>29</sup> Andrew Thorpe ‘The Labour Party and the Trade Unions’ in John McIlroy, Nina Fishman and Alan Campbell (eds.) *British Trade Unions and Industrial Polices: the High Tide of Trade Unions, 1964-79* (Aldershot: Ashgate, 1999) pp.133-150, p. 138

<sup>30</sup> Hamish R. Sandison ‘A Rejected Transplant: The British Industrial Relations Act (1971-1974)’ *Industrial Relations Law Journal*, Vol. 3, No. 2 (1979), pp. 247-320

<sup>31</sup> K. W. Wedderburn ‘Nuisance, Intimidation, Picketing in a Trade Dispute’ *The Cambridge Law Journal*, 18, 2 (1960), pp. 163-167, p.163

<sup>32</sup> e.g. Order 1305 *vide supra*

<sup>33</sup> *PLA Annual Report and Accounts for 1970* (London, PLA: 1971), p.4



although the satisfactory negotiations around the 'Devlin II' modernisation proposals had resulted in the lifting of the ban on the working of berths 39 and 48 at Tilbury in March 1970, the long term impact on trade was severe. The main users of the berths were to have been Overseas Containers Ltd (OCL) and Seaboard but, unable to use Tilbury, OCL had moved its main (Australian) trade to Antwerp and, as the PLA's report had earlier noted:

Not unnaturally, the consortium operating to the Far East has already decided to make their main base elsewhere, and it must be expected that the New Zealand lines will follow their example.<sup>34</sup>

To some extent this demonstrated a new reality for industrial disputes in the docks: since container facilities were generic, rather than the dedicated berths required for specific conventional cargoes (such as frozen meat), movements to other ports was much simpler. But it must also be recognised that because the Tilbury ban was a refusal to operate a new facility, rather than a stoppage of work on an existing site, the dockers were not actually losing money. In addition, the ban was imposed both to increase the union's bargaining powers in relation to its request for a general pay increase and as part of the drive to prevent the loss of dockers' jobs to containers - but the PLA, while being the main sufferer, had very little power to influence either of those factors. Moreover, the possibility of nationalisation of the UK ports proposed in the 1969 Ports Bill had affected lenders' attitudes in the money market, and severely limited the Authority's ability to raise long-dated funds, so that in 1970, the payment of more than £5 million of interest on its debt required a transfer of nearly £4 million from its reserves.<sup>35</sup>

## **A False Dawn**

1971 can be seen, in many ways, as a good year for the Port of London, with little in the way of industrial disputes (although the PLA's annual report shows that the operating profit of £5,422,000 was virtually all absorbed by the interest charges of £5,253,000).<sup>36</sup> The Authority also benefitted from the sale of its prestigious headquarters building, Trinity House, yielding £7.2 million, and of the (long-closed) East India Dock for £1.5 million. But there were underlying tensions, and two wide-

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<sup>34</sup> *PLA Annual Report and Accounts for 1969* (London, PLA: 1970), p.3

<sup>35</sup> *PLA Annual Report 1970*, op.cit., p.5

<sup>36</sup> *PLA Annual Report 1971* (London: PLA, 1972) , op.cit., p.4

ranging reports in 1971 by a Department of Employment official<sup>37</sup> reveal much about the problems of implementing the Devlin II recommendations on increasing productivity in London. In the first report the author, S V Horton, noted the pattern of divided responsibility:

with the PLA responsible for work on the quay and in [the storage or warehouse] shed and with the stevedoring employer handling cargo between the ship and quay [this] not only limits the fullest possible use of labour but leads to constant friction between the PLA and the private employers.<sup>38</sup>

He argued that the post-Devlin negotiations had also contained some fundamental defects where:

the employers envisaged two parallel wage systems in the enclosed docks, with the PLA and the terminal berths paying a flat weekly wage and the LOTEA [London Ocean Trades Employers Association] retaining an incentive system at conventional berths. In the event, the TGWU insisted that the same flat rate system should apply throughout the enclosed docks...the pressures that they were able to apply in support of their policy - chiefly through the ban on new container operations - ensured that they had their own way.<sup>39</sup>

But:

What [the PLA] did not foresee was that the LOTEA employers would suffer such losses in their productivity that trade would be lost to the port and that this would affect their own operations.<sup>40</sup>

The issue of productivity is complex: Mellish argues that one of the key factors was that the abolition of piecework (where docker gangs managed their own work rates) required much higher levels of supervision to manage the work processes, and that some stevedoring companies had failed to implement such changes, leading to a fall in output.<sup>41</sup> In his second review Horton noted achievements in a number of

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<sup>37</sup> NA file LAB 10/3629. Department of Employment: Port Transport Industry: Devlin agreement stage 2; follow-up with Port of London Authority. Reports by Mr S V Horton entitled "Problems in the Port of London" dated 31 December 1970 (henceforth Horton I) and "A survey of the operation of the Devlin II agreement in the London Enclosed docks" submitted on 10 February 1971 (henceforth Horton II).

<sup>38</sup> Horton I, para 3

<sup>39</sup> Ibid., para 7

<sup>40</sup> Ibid., para 8

<sup>41</sup> Michael Mellish *The Docks after Devlin* (London: Heinemann, 1972, p.84). The Devlin Report of 1965 recommended (paras 306-311) that piecework be abolished and a new guaranteed wage be paid that would (a) be "not too far below [a worker's] regular earnings, (b) "promote work-sharing". But with these changes there would need to be

areas, and that “the leading officials in the TGWU and the NASD in the port have both adopted a most responsible attitude”, but significantly also that “official TGWU policy is now determined by the rank and file”.<sup>42</sup> Part of this transfer of power derived from the fact that many activists had achieved appointment as shop stewards, where “some... have fostered more trouble than they have resolved, particularly in delaying the setting up of local review committees”.<sup>43</sup>

In its 1971 annual report the PLA recorded that by the middle of the year services to port users had improved considerably: the new system of two-shift working at conventional berths was better understood, there was “round the clock working at container berths at Tilbury every day of the year... and additional vehicle booking schemes had eliminated congestion and delays to road transport”.<sup>44</sup> In addition, 15 berths at the India and Millwall docks had been closed and 822 employees had left. Against this, there had been difficulties arising from a dispute with mechanical equipment drivers,<sup>45</sup> a shortage of stevedores, low productivity, and the inability of road hauliers to meet two-shift working, together with problems with the operations of the “other port employers who undertake about 90% of ship work”.<sup>46</sup> The MLNS ledgers show that during 1971 there were only eight strikes in the London docks, resulting in the loss of 15,966 working days, with the majority of the lost days (9,039) resulting from the actions of tally clerks protesting against the transfer of 20 workers to the Temporarily Unattached Register (TUR).<sup>47</sup>

For the port operator and the stevedoring companies whose primary focus was on volumes and activity, it is astonishing that no systematic measures of the effects of any changes or improvements seem to have been made at that time, providing yet another example of the lack of engagement by the employers with the workforce. Mellish considers this in some detail, but concludes that in the absence of any coordinated systems for measuring productivity in London “it is impossible to say whether the efforts of dockers dropped with the abolition of piecework”, while noting

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much improved management controls (para 324) – at a significant cost to the employers – to compensate for the fact that under the system of piecework working the docker gangs had managed their own work rates.

<sup>42</sup> Horton II, para 28

<sup>43</sup> *Ibid.*, para 30. The file shows that the first of those review committees met on 24 October 1972.

<sup>44</sup> *PLA Annual Report for 1971, op.cit.*, p.4

<sup>45</sup> Although no details of strike action for these are recorded in NA file LAB 34/98 Trade Disputes Record Books, 1971

<sup>46</sup> *PLA Annual Report for 1971 p.4*

<sup>47</sup> LAB 34/98 *op.cit.*

that adverse publicity from some limited analyses of post-Devlin productivity “may well have discouraged shipping companies from using London”.<sup>48</sup> For the external commentator, although some overall computation of productivity might be made (for example by comparing the volume of traffic handled against the number of men employed) there are too many variables<sup>49</sup> to allow for any coordinated evaluation, but such an evaluation could and should have been made internally. Apart from Mellish, there appear to be few computations of productivity in the National Archives files, the main example being an estimate of times lost in dock operations (although it is not stated whether these are ship or quay work or, indeed, riverside wharves). The details are taken from a Press statement issued by ‘Frank O’Shannon associates’ on 6 January 1971, of a speech by Commander Dermot Jewitt of the LOTEA, showing delays (in minutes) in a typical 6½ hour shift:

Late start	30
Extension of Mealbreak	15
Early finish	20
Transport delays	30
Weather	30
Equipment delays	20

These data are reproduced in Horton II, where he also noted (from Jewitt’s paper) that:

Unfortunately, instead of an increase in output to make good the loss of work time, the speed of men when actually at work on ship loading has fallen by 20%: on ship discharge the figure is about 33%.<sup>50</sup>

Horton does note that productivity on the dock quays had increased (mostly from mechanisation and reductions in manning levels), and attributed most of the problems to poor management with the private (i.e. non-PLA) employers having

never really expected the Devlin II agreement to work and have done all too little to retrieve the situation. Certainly they have shown little management expertise and Mr Lewis, the Chairman of the London Port Employers, has publicly criticised them as bearing the prime responsibility for the failure of Devlin II.<sup>51</sup>

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<sup>48</sup> Mellish, *Docks*, Chapter 15 “Productivity” pp. 95-102, p.101

<sup>49</sup> For example rivers and wharves versus docks trade, lighterage, mechanised and non-mechanised locations, and seasonal trade

<sup>50</sup> Horton II paras 10 and 11

<sup>51</sup> *Ibid*, para 15

In Horton's view "more working time could be obtained by advance planning and by improving liaison with ancillary services such as the PLA, the road transport industry and lighterage."<sup>52</sup>

The only alternative to Jewitt's computations in the NA files appears to be a paper by the National Ports Council (NPC) that analyses manpower, cargo traffic and productivity for the London docks.<sup>53</sup> It concludes that when handling conventional cargo, dockers spent only between 40 and 52% of their time in active work. Between 28 and 40% was "not worked" or "not productive", with the remainder (up to 14%) being holidays or sickness.<sup>54</sup> The NPC staff's estimate was that gains of up to 20% could be achieved by severance of ineffective staff and better management of the workforce. But in mid-1971, Horton was still not sanguine as to the employers' aims or capabilities to achieve such improvements through negotiations, noting that:

There is one immediate and urgent need which is fundamental to all aspects of the problem: the need radically to overhaul the employers' negotiating machinery and to inject some expertise and drive.<sup>55</sup>

And that:

Virtually none of the riverside employers was interested in shift working and had thus retained the 40-hour week...furthermore, in contrast to the fall in output which had been experienced in the enclosed docks, riverside employers were well satisfied with the productivity achieved.<sup>56</sup>

This lack of engagement is more understandable in terms of the fact that the 'employers' were simply a loose federation, with different interests, ranging from shipowner/stevedores (e.g. Furness Withy), and 'pure' stevedores (e.g. Maltby) to wharfingers, lighterage companies and the PLA. They were not themselves directly responsible for setting overall pay and conditions, which was the responsibility of the NJCPTI, while the NDLB was responsible for control of the register of port

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<sup>52</sup> Ibid., para 20.

<sup>53</sup> NA file BK 2/1231 Joint Special Committee on the Ports Industry (Jones/Aldington Committee): *Report*, May 1974. Paper JSC/P5 (Annex A) submitted to the Committee dated 12 June 1972 and considered at JSC on that date.

<sup>54</sup> It will thus be seen that Jewitt's figures (which exclude holidays) equate to a loss of around 35%, which broadly matches the NPC figures (if holidays are excluded) of between 28 and 40%

<sup>55</sup> LAB 10/3629

<sup>56</sup> LAB 10/3629, minute from Horton, 28 July 1971.

workers, discipline and (in London through the London Dock Labour Board) the allocation of workers to the various port Sectors. Although it was possible for a union official or representative of the employers to be on both the NJCPTI and the NDLB, there was no formal coordination mechanism to ensure commonality of purpose, and little evidence of any strategic approach to the problems of the industry.

### **The PLA's Developing Financial Problems**

In essence, then, 1971 was a period of consolidation after the Devlin report, with little in the way of direct industrial tensions, but 1972 was to bring a very different set of challenges to London and to the PLA. For much of early 1972 the story is of increasing tensions in the docks: an article in *The Times* in March noted that “the unofficial dock liaison committee of shop stewards” was threatening to call a strike over the return of 45 men to the TUR in addition to the 600 men that had by that time been placed thereon. The employers hoped that an increase in the amount of severance payments of a maximum of £2,330 would encourage up to 3,000 more dockers to leave the Scheme voluntarily over the following year, and thus defuse the tension.<sup>57</sup> However, the situation had not improved by May where the TGWU gave formal notice of strike action “because employers have failed to give reassurances about redundancy created by the use of containers”. The article indicates a secondary objective, “an attempt by the [TGWU] union to discipline the [shop stewards] and bring them into the confines of national negotiations”.<sup>58</sup>

Running alongside this dispute was the ‘Heaton’s’ case,<sup>59</sup> which exemplified how the combination of tensions from the new industrial relations legislation and the impact of containerisation could produce huge difficulties. In April 1972 an unofficial committee of shop stewards from both docks and haulage companies in Liverpool drew up an agreement, to be signed by all the road haulage companies using the docks, imposing certain conditions relating to any container work. One transport company (Heaton’s) refused to sign the agreement, were blacked, and obtained an injunction under the IR Act against the TGWU, backed up by a fine of £50,000 imposed when the unofficial committee refused to lift the blacking. The union

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<sup>57</sup> *The Times* 17 March 1972, p.17 ‘Severance pay hope to stave off dock strike’

<sup>58</sup> *The Times* 5 May 1972 p.1 ‘Docks unions give strike notice’

<sup>59</sup> *Heaton’s Transport (St. Helens) Ltd vs Transport and General Workers’ Union (1972) ICR 308*

appealed, and was supported by the Court of Appeal, but the House of Lords overturned the appeal. In this, as the eminent industrial lawyer Otto Kahn Freund noted:

The legal nature of the relation between the union as a collective entity...and the individual shop steward had never been discussed in or by any English court until the facts of the "container" dispute, coupled with the application of section 96 of the [Industrial Relations] Act, forced the courts to face it.

And that the Law Lords then:

considered the shop stewards of the largest British trade union as its "agents" in the legal sense, agents the scope of whose authority was not exclusively defined by the union's written constitution (the rule book), but also by its "custom and practice," unless it is expressly contradicted by a written rule.<sup>60</sup>

And so, on 26 July 1972 the Law Lords, holding that the union was responsible for the actions of the shop stewards, upheld the fine.<sup>61</sup>

Meanwhile, in London the 'Port of London Joint Shop Stewards Committee' had organised the picketing of a number of container bases and cold storage depots, in particular the container depot at Chobham Farm in east London, insisting that the work in the depot should be undertaken by RDWs. Some employees of the Chobham Farm operator<sup>62</sup> applied to the Industrial Relations Court (IRC) for an injunction to end the picketing, which was granted but ignored, whereupon the Court committed three members of the Committee to gaol.<sup>63</sup> Before the sentence could be carried out the Official Solicitor took the case to the Court of Appeal which found that the IRC had committed certain errors of procedure and allowed the appeal. Meanwhile, the dockers were also picketing the local Midland Cold Storage (MCS) depot, and on this occasion the company itself initiated an action, citing the Committee and naming seven of its members, which resulted in the IRC issuing an order restraining five of the members who were identified as having been on the

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<sup>60</sup> Otto Kahn-Freund, 'The Industrial Relations Act 1971-Some retrospective reflections.' *Industrial Law Journal* 3 1, (1974): pp 186-200, pp.186-187

<sup>61</sup> *The Times* 28 July 1972, p.6 'Unregistered union liable for its shop stewards'

<sup>62</sup> London (East) ICD Ltd

<sup>63</sup> See *The Times* 15 June 1972, p.10 'Three Committed for contempt'

picket line<sup>64</sup> and two others, the Chairman and Secretary of the Committee (Vic Turner and Bernie Steer). When the picketing continued, the company applied for the enforcement of the order, and three of the five picketers,<sup>65</sup> together with Turner and Steer were jailed. Once again the Official Solicitor intervened and (following the decision in *Heaton's*) the Court was able to rule that the union, not the men, were liable, and so the men were released,<sup>66</sup> in Davies's view, just saving "the tattered rags of the law's self-respect".<sup>67</sup>

Fred Lindop argues that the 'unofficials' played a huge part in those events, exposing "the lack of correspondence between the view of industrial relations embodied in the Act and its reality in many important sectors of the economy"<sup>68</sup> but the wider question is whether the enhanced visibility of the unofficials' role is a reflection of the change in social attitudes in those years that allowed that visibility and for the voice of the workers to be heard much more clearly than in the earlier post-war decades. There is certainly more material generally available in print and on the Internet relating to these events than upon any of the earlier disputes.<sup>69</sup> But both the demonstrations outside the courts and the picketing that attracted huge publicity could be undertaken by a relatively small group of men rather than the huge body of dockers involved in a major strike. The release of the dockers was certainly seen – or at least presented – as a defeat for the Government, and the IR Act, but the subsequent acceptance of the Aldington-Jones proposals (see below) might also be seen as indicating that the militancy of the unofficials was not reflected by the *corpus* of the workforce. And, as McIlroy asserts, although Communist Party members such as Turner and Steer had played a key part in the MCS events, "there can be no doubt as to the dockers' dissatisfaction with the [Communist Party]" so that "in the aftermath of 1972 the [Communist Party] docks branch collapsed."<sup>70</sup> Arguably, this might indicate a continuing difficulty in mobilising

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<sup>64</sup> Conny Clancy, Tony Merrick, Ted Hedges, Ron Hedges, and Derek Watkins

<sup>65</sup> Clancy, Merrick, and Watkins.

<sup>66</sup> *The Times* 28 July 1972, p.7 'Why the five dockers were released from jail'

<sup>67</sup> P L Davies 'In Search of Jobs and Defendants' *Modern Law Review* **36**, (1973) pp. 78-89

<sup>68</sup> Fred Lindop 'The Dockers and the 1971 Industrial Relations Act, Part 2: the Arrest and Release of the 'Pentonville Five' *Historical Studies in Industrial Relations* **6** (1998) pp. 65-100, p.66

<sup>69</sup> See, for example, the Modern Records Centre website:

<https://warwick.ac.uk/services/library/mrc/explore/speakingarchives/pentonville/parliament/>, for a number of personal recollections, (also Colin Ross *Death in the Docks* (AuthorHouse: Milton Keynes, 2010)), and

<https://www.marxists.org/archive/cliff/works/1973/01/1972.htm> for a Marxist perspective

<sup>70</sup> John McIlroy 'Notes on the Communist Party and Industrial Politics' in John McIlroy, Nina Fishman and Alan Campbell (eds.) *British Trade Unions and Industrial Politics: the High Tide of Trade Unions, 1964-79* (Aldershot: Ashgate, 1999) pp.238-239



support for communism within the docks, reflecting the individuality of the dockers who would respond to rhetoric and emotional argument, but not to political dialectic. In addition, the Cabinet papers at this time show far less of an appetite for intervention than in the Betteshanger dispute of 1941 and 'Zinc Oxide' strike of 1948.<sup>71</sup> It would appear that the Government's attention was focused far more on the question of the funding of severance payments,<sup>72</sup> mitigating the impact of the strikes,<sup>73</sup> and supporting the Aldington-Jones agreement<sup>74</sup> than in any intervention in the courts.

### **The Aldington-Jones Committee**

The situation was now both confused and problematical, but on 19 June, in a statement to the House of Commons, the Secretary of State for Employment was able to announce that a further increased pay offer had been accepted by a TGWU national delegate conference on 14 June. He also stated that, in response to the conference's demands that registered dockers should carry out the work of stuffing and stripping containers at groupage depots, the employers had proposed that "an authoritative joint committee should be established to examine and report" on the question of stuffing and stripping and on "other associated questions affecting the future employment of dock workers".<sup>75</sup> The joint chairmen of the committee were to be Lord Aldington, the chairman of the PLA, and Jack Jones, the General Secretary of the TGWU.<sup>76</sup> The Aldington-Jones committee's Interim Report of July 1972 acknowledged that the pace of change in the docks industry had been such as to overwhelm the mechanisms that had been established to manage the reductions in numbers of dock workers, and that additional government funding was required to pay dockers to leave the Scheme.<sup>77</sup> The interim report was rejected by a TGWU delegate conference, and a national strike began on 28 July, but after some minor changes the report was accepted at another delegate conference amidst some

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<sup>71</sup> Although Lindop's phraseology (Lindop, 'Dockers', p.80) that "there is no direct evidence" of government influence may be seen as indicating that he thought that there might indeed be such influence.

<sup>72</sup> NA file CAB 128/50/38 (Cabinet conclusions 20 July 1972), p.8

<sup>73</sup> NA file CAB 128/50/39 (Cabinet conclusions 27 July 1972), pp.4-5

<sup>74</sup> NA file CAB 128/50/40 (Cabinet conclusions 1 August 1972), pp.4-6 and CAB 128/50/41 (Cabinet conclusions 8 August 1972, pp.4-6

<sup>75</sup> House of Commons *Hansard* 19 June 1972, cols 30-31

<sup>76</sup> Joint Special Committee on the Ports Industry: the Aldington-Jones committee.

<sup>77</sup> See NA file LAB 9/548 Jones-Aldington Committee on the Ports Industry; interim and final reports.

angry scenes,<sup>78</sup> and the strike was called off. In the noise of the discord there appears little of analysis, but those outbursts might well have been reflecting the tensions from the huge changes that had taken place in the docks and in working practices<sup>79</sup> - or perhaps more that the militants recognised (as did Government officials) that the new arrangements might prove detrimental to their power in the longer term.

There was yet another more significant and long-lasting effect of Devlin's recommendations where, in focusing on the changes from decasualisation he had stated that:

reform must not lead to redundancy [and this] has in fact been accepted by the employers who are prepared to give a specific pledge in relation to it<sup>80</sup>

which was codified in an NJCPTI statement that:

The modernisation agreement will not lead to the discharge of men from the industry, either initially or as a result of increased efficiency. Any reduction in the labour force will be effected by natural wastage and/or control of recruitment.<sup>81</sup>

The consequence of this guarantee was that if a dock company needed to reduce its workforce, the dockers would have to be allocated to other employers or, in the interim period, placed upon the TUR, until a vacancy arose.<sup>82</sup> But under the Aldington-Jones agreement, the use of the TUR was to be abolished, and workforce reduction and re-alignment effected through the scheme of severance payments. In practice, however, such a reduction could not take place instantly and, as the largest employer of stevedores, the PLA had perforce to absorb the workers from the closure of other stevedoring companies in London.<sup>83</sup> The first example of this

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<sup>78</sup> *The Times* 17 August 1972, p.2 'Angry dockers shout down Mr Jack Jones and pursue union delegates who voted for calling off the strike'

<sup>79</sup> Ross, *Death in the Docks*, pp.151-153. Ross's presentation - and presumably the basis of the 'unofficials' approach to the mass meetings - was that this was a "sell-out", that the dockers had "fought themselves into a position of immense strength", from which they would have been able to control both the manning of container bases and protect the docks from closure.

<sup>80</sup> Devlin Report 1965, para 244

<sup>81</sup> Reproduced in Pearson Report, Appendix 1, para 7

<sup>82</sup> A note dated 15 May 1972 in LAB 10/3629 shows there was anger amongst the workers at a wharfinger (Leetes) wanting to put men on to the TUR when work fell off, and then re-employing them when work picked up.

<sup>83</sup> See NA file LAB 77/44, Private Office Papers: Employment in docks; dock labour minute from D B Smith dated 14 February 1975: "under an industrial agreement arising from the Jones/Aldington Committee recommendations, registered dockworkers without a

followed the failure of Southern Stevedores, which ceased to trade on 2 June 1972,<sup>84</sup> resulting in the transfer of 1,255 RDWs to the PLA, but by early October 1972 *The Times* was able to comment on the success of the Aldington-Jones plan, with 4,700 men taking the enhanced severance pay of £4,000.<sup>85</sup> The plan had a number of other significant aspects: for the first time the Government accepted that some of the costs of severance should be met by the taxpayer rather than the industry, that the TUR which had been used as a dumping ground for older and less fit workers should be eliminated, and that much greater efforts should be made to encourage container groupage companies to take on dock workers displaced by their activities.

With the settlement of the dispute, and in an effort to help resolve the problem at MCS, the PLA also offered to take over the company's 24-strong workforce, and to loan the men back to the company: then, when anyone left the PLA's employment at MCS, he would be replaced by a registered dock worker.<sup>86</sup> The Authority's proposal to ameliorate the problems of MCS was portentous, and a further indication of the changing role of the Authority. In addition to managing the introduction and growth of containers, the PLA was now faced with new responsibilities and challenges relating to its core functions as the port owner. In this, and under Lord Aldington<sup>87</sup> as chairman, the PLA partly replicated its role in the initial years of its formation as being the lead authority in the London docks, albeit without the towering presence of Lord Devonport. But now it would need to expand and modify its estate ownership functions as it became the major employer and service provider for the Port, to develop and implement corporate strategies and, above all, actively manage its workforce by absorbing, integrating, and then reducing its RDW numbers. Associated with this would be the need to manage the huge financial challenges arising from the costs of servicing its working capital, and

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permanent employer must immediately be re-allocated to the remaining employers on full pay – even if there is no work for them". In reality, the only such employer was the PLA.

<sup>84</sup> Southern Stevedores had been formed in 1967 following Devlin I from the stevedoring interests of Glen Line, Furness Withy, and Union Castle, and employed 1,070 dockers, 185 tally clerks and 150 other staff.

<sup>85</sup> *The Times* 3 October 1972 p.5 'Success of docks scheme causing labour shortage'

<sup>86</sup> *The Times* 30 November 1972, p.5 'Fresh offer by Port of London Authority to solve Midland Storage dispute'.

<sup>87</sup> ODNB: *Low, Austin Richard William [Toby], first Baron Aldington (1914–2000)*, article by John Ure, accessed 26 May 2019. Ure notes that Aldington was "was a quintessentially 'establishment' figure", and was a former Conservative Government Minister, who had had a successful career in banking and insurance and retained his chairmanship of Grindlay's Bank.

the unpredictable consequences of any industrial disputes or downturns in the UK or world economies and trade.

The fundamental structure of port operations in London was also being changed by the advent of containerisation, which required much larger working areas with higher degrees of mechanisation, and needed far fewer workers to handle cargoes. The model of independent or shipowner- controlled stevedoring companies simply engaging gangs of manual workers – whatever their levels of skills - was clearly incompatible with huge investment in mechanical handling systems required for containers, so that those companies could only survive as long as there was some significant residual conventional cargo handling. Containers also required no warehouses or dock storage facilities, nor did they require functions such as lighterage and wharfage, so that the companies providing those services came under pressure. And as the use of containers, with their specialised needs for vast service areas, deep water access and efficient transport links grew, the impact on the crowded inner-city docks that had none of those facilities put their future under greater threat. By late 1972 the (apparently) beneficial effects of the Aldington-Jones report were becoming more apparent, as a letter from Sutherland of the Department of Employment to Wilson of the Treasury indicates:

The success of severance and the abolition of the TUR has taken away from the militant shop stewards committee much of the rank and file support that they had had during the dispute...[and] blacking has greatly diminished.<sup>88</sup>

At the end of the year Aldington reported that some 2,458 RDWs had left London under the Special Severance Scheme.<sup>89</sup> Although the PLA did not show the costs of the strikes in its annual report for that year the accounts show that this was a successful year which generated an operating surplus of £7,217,000 (albeit with interest charges of £4,881,000). At this point the Authority was becoming more focused on longer-term development plans in the Thames estuary, which it saw as key to its survival as a major port operator, so in the report Aldington chose to focus on the opportunities in the development of a new seaport at Maplin that he hoped would be open by 1976.<sup>90</sup> The site at Maplin Sands (or Foulness) had been selected as the site for the Third London airport following the report of the Roskill

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<sup>88</sup> LAB 9/548 correspondence on the funding of a special voluntary severance agreement. Letter dated 10 October 1972

<sup>89</sup> *PLA Annual Report and Accounts for 1972* (London, PLA: 1973) p.5

<sup>90</sup> *Ibid.*, p.4

Commission in 1971.<sup>91</sup> The Commission had originally recommended that the airport should be at Cublington in Buckinghamshire, but powerful local influences<sup>92</sup> and the impossibility of getting the legislation through the House of Lords meant that this was not feasible and a location on the Essex coast at Foulness (the Commission's fourth choice) was eventually selected. In considering the proposed development, concerns had been expressed about the financing of the new airport because of the long lead time for financial returns on the investment, and the formal proposal was therefore based upon an airport, seaport, and industrial development that was to be taken forward by a consortium known as the Thames Estuary Development Company (TEDCO),<sup>93</sup> with significant private sector investment – within which one option would have been a development along the lines of Europoort at Rotterdam.<sup>94</sup> However in June 1971 the PLA had withdrawn from TEDCO in order to focus on the seaport development,<sup>95</sup> and in February 1972 the Secretary of State for the Environment announced that:

There is no objection in principle to seaport development at Maplin, and we are informing the Port of London Authority that it is free to put forward firm proposals for detailed scrutiny under the Harbours Act, 1964.<sup>96</sup>

For this, the PLA proposed an ambitious scheme (the “Thames Trumpet”) involving land reclamation and development of a major new facility at Maplin, costing at least £250m, but there was also opposition to the proposals by environmental campaigners,<sup>97</sup> and the Treasury file shows that this option was not favoured.<sup>98</sup>

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<sup>91</sup> *Report of the Commission on the Third London Airport* (London: HMSO, 1971)

<sup>92</sup> Including a leading article in *The Times* on 22 January 1971, p.15 ‘The Balance of Argument Goes Against Cublington’.

<sup>93</sup> NA files AT 56/72 Thames Estuary Development Company (TEDCO) scheme for the development of Maplin Sands for an airport, seaport and industrial complex and MT 81/875 Proposed development of deep water port facilities and a third London airport at Foulness/Maplin Sands by a consortium including Port of London Authority (PLA).

<sup>94</sup> MT 81/875 memorandum forwarded by R Brain in April 1971. See also *The Times* 4 March 1971, p. 21 ‘Foulness, Britain’s alternative Europort?’

<sup>95</sup> Possibly in recognition that the major multi-site development would have significant implications (and possible opposition) in relation to Regional Development plans for the South-East – see AT 56/72.

<sup>96</sup> House of Commons *Hansard*, 2 February 1972, col 446

<sup>97</sup> See Hugh H V Forbes, ‘Environmental Problems and the Agency Process: An English View’ *Administrative Law Review*, 26, 2 (1974), pp. 155-163, p.163: “those whose concern was the environment of Foulness” had mounted “a campaign of press and political pressure on the government of unprecedented vigour and determination” against the proposal.

<sup>98</sup> NA file T 319/2279 Port of London Authority: development of the Thames Estuary; ‘Thames Trumpet’ project

Thus ended 1972, a momentous year for the port and the PLA, and from an industrial relations perspective 1973 might have been seen in positive terms by the Authority: the Department of Employment ledgers show that there were only seven strikes in the London docks in that year, resulting in the loss of 18,608 working days, compared to 146 strikes and 142,597 days lost in UK dock strikes (i.e. London had only 5% of the number of strikes and 13% of the days lost),<sup>99</sup> and more than 7 million working days lost nationally.<sup>100</sup> The Authority again had a strong financial performance with an operating surplus of £7,368,000, albeit with interest charges of £4,366,000, and at this point the PLA's (financial) reserves reached their highest level of more than £63 million. But once again the negative (commercial) impact of the Aldington-Jones agreement was apparent, with the PLA having to absorb more than 1,300 employees from two large stevedoring companies (Thames Stevedoring and Metropolitan Terminals) that were in trouble in that year.<sup>101</sup> A further implication was now becoming apparent in the growth in the number of 'Category B' workers on the Register<sup>102</sup> for whom there was little work. But whereas under the old Scheme these workers would not have been called for work, and their wages paid by the NDLB (and thus spread over all employers), those costs now fell wholly upon the PLA.

Given all these developments, it is hardly surprising that the Chairman should write in the 1973 annual report that:

Looking to the future, there can be little doubt that the Thames estuary, and in particular the Maplin site, offers the best opportunity for the development of a new deep-water port for the most modern container and bulk cargo ships.<sup>103</sup>

In terms of industrial disputes in the docks, 1974 was again a good year for London, but the capital could not be insulated from the wider national picture. So while London had only 11 disputes and 9,625 days lost against 199 disputes and 174,001

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<sup>99</sup> NA file LAB 34/100 Ministry of Labour and successors, trade disputes record books 1973.

<sup>100</sup> J.W. Durcan, W.E.J. McCarthy, and G.P. Redman, *Strikes in Post-War Britain*. (London: George Allen & Unwin, 1983) p.174 Table 6.1

<sup>101</sup> *PLA Annual Report for 1972*, op.cit., p.4 The PLA bought out the remaining commercial interests of those companies in 1973.

<sup>102</sup> NA file DK1/218 National Ports Council – DoE – PLA working group has a note of 16 October 1975 by A Holt that shows the categories as A = fully fit, A/R (A Restricted) fit for all duties except those specified in the restriction (No ship work, no working in cold air, no heavy jobs, or no driving). Category B men were "fit for light duties only"

<sup>103</sup> *PLA Annual Report and Accounts for 1973* (London, PLA: 1974) p.6

days lost in the UK docks industry,<sup>104</sup> the port suffered from the imposition of the ‘three-day working week’, introduced by the Conservative Government at the beginning of the year following industrial action by the National Union of Mineworkers. The restrictions, under which commercial users of electricity were limited to three consecutive days’ usage and prohibited from working longer hours on those days, continued until the formation of a (minority) Labour administration in March. The new Government was soon under pressure from the TGWU, deeply dissatisfied at the general direction of industrial tribunal rulings on the definition and location of dock work, and pushing for the Government to ratify the International Labour Organisation (ILO) *Convention concerning the Social Repercussions of New Methods of Cargo Handling in Docks* which provided (*inter alia*) that “Registers shall be established and maintained for all occupational categories of dockworkers, in a manner to be determined by national law or practice.” – in effect, providing an opportunity for union pressure for all UK ports to be brought within the Dock Labour Scheme.<sup>105</sup> Since neither of these could be achieved without legislation, the minority Government was in a hugely difficult position. But in July the Secretary of State for Employment told the House of Commons that the Government was prepared to consider both the extension of the Scheme and the revision of the statutory definition of dock work.<sup>106</sup> Without formally committing the Government to further action he noted that:

Of course we do not think this proposal solves all the problems of the docks. For that we have to carry through the much fuller programme of nationalisation, if I may mention that horrific word to Conservative Members, which has been so well understood by those who know the dock problems.<sup>107</sup>

The reservations of the civil servants about the practical realities of such legislation, especially in terms of the definition of ports and dock work, are well illustrated in the NA files<sup>108</sup> but in the event the Secretary of State’s undertakings were not followed

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<sup>104</sup> NA files LAB 34/100 and 34/101 Ministry of Labour and successors, trade disputes record books 1973 and 1974

<sup>105</sup> ILO Dock Work Convention, 1973 (No. 137) See: [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C137](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C137)

<sup>106</sup> House of Commons *Hansard*, 15 July 1975, cols 32-37

<sup>107</sup> *Ibid.*, col 36

<sup>108</sup> NA file LAB 10/3764 Port transport industry: Docks Bill. The papers on the file illustrate the huge complexity of trying to re-draw the 1947 Dock Labour Scheme in the more modern context where manufacturing and transport were not discrete sets of operations.

through. This was largely because the General Election of October 1974 gave Labour only a three-seat majority – insufficient for such major legislation<sup>109</sup> - and this linked in to a general dissatisfaction by the unions with a lack of progress on pay negotiations that would lead to problems in the following year. While the financial impact of the three-day week was not separately identified in the Authority's annual report for that year, it was noted that the constraints on working hours and a fall-off in international trade had reduced the PLA group's profit for 1974 to £533,000.<sup>110</sup> Once again, however, it needs to be noted that this followed the allocation of interest charges of £4,665,000 against operating profits of £5,763,000. But in all of this the Chairman sounded a strong cautionary note in his report, noting that while the first half of the year had been profitable, an increase in the costs of supplies, services and payroll, together with a reduction in trade had produced a loss of around £500,000 in the latter half. This was not the only bad news: there was a continuing recession in world trade, the minority Labour Government had abandoned the Maplin project, and the newly formed National Ports Council had set "UK ports in competition with each other for investment approvals" and funding. Finally, Aldington noted that:

productivity in some parts of the port is not as good as it ought to be and indeed is less good than it has been. Management knows what has to be done. It can only be done as a result of good industrial relations and sensible negotiations within them. There can be little doubt that a reason for the loss of traffic in 1974 was either the fact or the fear of poor productivity in our enclosed docks.<sup>111</sup>

In addition, a slightly ominous note was included in the report, where it was stated that "the largest container ships cannot enter Tilbury enclosed docks".<sup>112</sup> The problems of the restricted access to Tilbury had been identified at an earlier stage,<sup>113</sup> and given that all of the Upper Docks had smaller locks than Tilbury<sup>114</sup> this was yet another portent of their demise.

## **The Pay Strike of 1975**

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<sup>109</sup> *The Times* 30 October 1974, p.19 'Ports nationalisation appears to be shelved'

<sup>110</sup> *PLA Annual Report for 1974*, (London, PLA: 1975) (London, PLA: 1975) p.5

<sup>111</sup> *Ibid.*, p.5

<sup>112</sup> *Ibid.*, p.6

<sup>113</sup> *PLA Monthly* **43** (1968) p.36 'Tilbury- London's Container Port'

<sup>114</sup> See W Paul Clegg *Docks and Ports 2: London* (London: Ian Allen, 1987) pp 82-90 The Tilbury lock was 305m long, the longest in the India and Millwall docks was 169m, and in the Royals, 234m



Aldington's caution was well justified: a strike throughout the port, starting at the end of February 1975, lasted for five weeks with a huge impact on the PLA.<sup>115</sup> As noted above, the dispute had been brewing for some time, with the unions also having been dissatisfied with the employers' offer of a pay increase linked to some form of incentive bonus,<sup>116</sup> and exacerbated by the long-standing dissatisfaction about 'non-scheme' ports (which, not having been included in the 1947 Dock Labour Scheme were not required to employ RDWs), and the lack of employment opportunities for dock workers in container companies.<sup>117</sup> The strike was "preceded by several weeks of interrupted work",<sup>118</sup> in support of the picketing of road haulage depots to persuade employers to take on registered dockers: *The Times* report noted that "port employers said that because of the picketing there were no container ships in the port of London".<sup>119</sup> In some respects the 1975 strike matches many of the earlier disputes: it was fomented by the 'unofficials' after a period of unrest and apparent procrastination by the employers in failing to address the workers' concerns, and matched in some respects by internal and unresolved tensions within the unions.<sup>120</sup> Although the PLA had no direct involvement in the negotiations on either pay or containers, it would have had some (considerable) presence on the employers' side in negotiations, which was linked to the ongoing pay negotiations, and resolved at the end of April when the dockers accepted a pay increase headlined as being "30%".<sup>121</sup> The Chairman was later able to report that:

Shortly after the end of the strike a revised Port Agreement was reached, which included the introduction of a group bonus incentive scheme [which] helped to bring about improvements in productivity and ship service levels. However, the full benefits could not be achieved due to the downturn in trade.<sup>122</sup>

The strike had a secondary impact on the PLA, in that it led (directly or indirectly) to the closure of three more stevedoring companies<sup>123</sup> and the absorption of more than

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<sup>115</sup> *The Times* 1 March 1975, p.1 'Port of London shut as Dockers strike'

<sup>116</sup> *Ibid.*, 7 January 1975, p.15 'London Dockers offered pay rises of 20%'

<sup>117</sup> *Ibid.*, 19 February 1975, p.21 'Perils in the Unresolved Conflict over Container Handling'.

<sup>118</sup> *PLA Annual Report and Accounts for 1975* (London, PLA: 1976) p. 5

<sup>119</sup> *The Times* 1 March 1975 p.1 'Port shuts' *op. cit.*

<sup>120</sup> Although on this occasion it was tensions within the TGWU, between transport workers and dockers, rather than between the TGWU and the NASD and dockers and stevedores.

<sup>121</sup> *The Times* 29 April 1975, p.1 'London dockers likely to accept 30% rise'. The strike was called off on that day.

<sup>122</sup> *PLA Annual Report for 1975, op.cit.*, p.15

<sup>123</sup> Scruttons Maltby, Furness Withy and Scruttons (cargo superintending) Ltd,

3,000 extra workers (both RDWs and non-registered staff) from Scruttons, the last major private employer of stevedores, by the Authority.<sup>124</sup> The addition of these staff once again affected the PLA's own restructuring plans, under which it had reduced its non-RDW employees by 490, and RDWs by 859, so that it now had a surplus of around 1,250 workers, costing some £150,000 per week.<sup>125</sup> But within that figure the PLA reckoned to have some 800 workers "restricted to light duties" (category B) in the Upper Docks<sup>126</sup> and, given that cargoes in the Upper Docks were almost all of conventional traffic – i.e. requiring manual handling - that figure represented a continuing and growing drain upon the Authority's resources. While it is not possible to define this as an 'industrial dispute' in traditional terms, the reality is that the PLA's inability to manage the problem of its 'Category B surplus' imposed a continuing cost on its operations, with an effect commensurate with that of 'traditional' disputes.

The strike in February-April, coupled with a world trade recession,<sup>127</sup> affected the port badly, with the PLA's 1975 annual report noting that overall trade was down by 11%, container traffic by 17% and general cargo by 32%. The traffic loss was to some extent exacerbated by the UK's membership of the Common Market and the easing of Customs restrictions, so that some cargoes that might traditionally have come to London went first to other ports (for example 50,000 tons of tea that would normally have been unloaded in London was instead landed at Rotterdam and transported to the UK via Ro-ro ferries).<sup>128</sup> In stark terms the PLA suffered a loss of its operations of £1.6 million, to which needed to be added the interest payments of £4.3 million, together with the costs incurred by the PLA in taking over the failed stevedoring companies, resulting in an overall loss of £8.4 million for 1975.

The PLA's financial position was also affected by the passing of the Community Land Act 1975<sup>129</sup> which "required it to dispose of surplus docklands at prices that

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<sup>124</sup> PLA Archives, Minutes of the PLA Board: the PLA group monthly financial statement submitted to the PLA Board on 15 March 1976 notes (p.10) that "the acquisition of Scruttons business in April ... increased PLA group manpower by nearly 3,000 people"

<sup>125</sup> *PLA Annual Report for 1975*, op.cit., p.5

<sup>126</sup> *Ibid.*, p.13

<sup>127</sup> United Nations *World Economic Survey, 1975: Fluctuations and Development in the World Economy* (New York: United Nations, 1976), p.45 shows that UK Gross Domestic Product fell by 1.8% compared to 1974.

<sup>128</sup> *PLA Annual Report for 1975* p.9

<sup>129</sup> Elizabeth II, Ch. 77

reflected its existing use”.<sup>130</sup> In consequence, the anticipated gains from its major proposed property disposals (and in particular the huge Cutler Street warehouse) needed to be revalued (downward), and the diminution reflected in the accounts, in effect costing the Authority £20 million.<sup>131</sup> The immediate effect was that the PLA was critically short of cash, but because almost all of its operations and finances were governed by statute, it had to seek Government approval to exceed its (£12 million) short-term borrowing limit. At that point “the Government took the view that they needed the advice of financial consultants and have appointed Price Waterhouse and Company [hereafter PW] to examine the Authority’s present financial position and their forecast for future years”.<sup>132</sup> A further consequence for the PLA was that:

“Soon after we began the action necessary to strengthen our financial position it seemed to us important that the PLA’s position should be known to, and examined by, the DoE [Department of the Environment] and the NPC [National Ports Council]. A joint working party was set up with both of these bodies in August [1975].”<sup>133</sup>

These financial and supervisory pressures underlined the need for urgent action, and (possibly as a measure of self-protection), the Chairman noted that it was “timely to ask McKinsey and Co to do a review of our top management organisation”,<sup>134</sup> adding that:

We have to reduce costs and use that to increase our traffic. That is why we have put forward the proposal to transfer PLA general cargo to the Royals, and these proposals are now being discussed with the trade unions, the customers and the local authorities. These proposals do not include the closing of West India and Millwall docks: they are confined to the rationalisation of PLA cargo handling.<sup>135</sup>

The caveat at the end of the quotation clearly signalled the Authority’s underlying fears about the attitudes of the unions to such closures, although the unions themselves seemed to be well seized of the need to support the PLA. There appeared also to be little real effort or impact from the ‘unofficials’: Colin Ross’s

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<sup>130</sup> *The Times* 5 January 1976, p.13 ‘PLA wants limit on borrowing raised after a big loss last year’

<sup>131</sup> *PLA Annual Report for 1975* p.9

<sup>132</sup> *Ibid.*, p.6. Price Waterhouse were formally appointed on 12 February 1976

<sup>133</sup> *Ibid.*

<sup>134</sup> *Ibid.*, p.9

<sup>135</sup> *Ibid.*, pp. 7-8

perspective as a former member of the (unofficial) Liaison Committee is that [by 1974/5] “we did not seem to be able to rekindle the movement to its previous heights....the severance pay had robbed us of many of our supporters”.<sup>136</sup> But the PLA would also have been conscious of the growing concerns by local authorities about jobs losses in the docks areas,<sup>137</sup> with the Greater London Council (GLC) and five dockland boroughs emphasising the need for a strategic approach to the possibility of much larger closures and estate disposals.<sup>138</sup>

## The McKinsey Review

1976 presented a different set of challenges to the PLA, firstly in the recognition that the business of the Authority had changed from port ownership to an integrated port services provider, and that the old Authority with its elected and nominated members was no longer appropriate as a directive body. The changes had been presaged by the reformation of the Authority itself in the 1968 Port of London Act,<sup>139</sup> codified further in SI 1975/1890,<sup>140</sup> and the message was reinforced by the McKinsey review,<sup>141</sup> whose findings were summarised by the Chairman in a broadsheet publication for PLA staff as being that:

The PLA can no longer survive as an administrative authority. We are now a major stevedoring contractor and have to become a fully competitive business offering the finest in port facilities and cargo-handling services.<sup>142</sup>

The McKinsey recommendations are also summarised in an NA file as requiring:

- a. improvements in commercial performance

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<sup>136</sup> Ross, *Death in the Docks*, pp.176-7

<sup>137</sup> *The Times* 22 January 1975 p.4 ‘Government blamed for decline in London industrial area’

<sup>138</sup> *The Times* 23 January 1975, p.5 ‘Redeveloping docklands requires Government aid on scale of new town, councillors tell MPs’

<sup>139</sup> Elizabeth II, Ch. 32

<sup>140</sup> SI 1975/1890 The Port of London Authority (Constitution) Revision Order, 1975

<sup>141</sup> The appointment of McKinsey and Co was agreed on 15 March 1976 (PLA Board minute 43), and on 2 August a panel of all Board members was set up (minute 111) to consider the report, which was to be further considered at special Board meeting on 11 October. The relevant minute (shown in the index as minute 137) is missing. No copy of the McKinsey report could be found by the PLA archivist in February 2019, but the NA file T370/357 Port of London Authority: financial difficulties and arrangements contains a note of 5 November 1976 summarising the report.

<sup>142</sup> In NA file T 370/359 Port of London Authority: financial difficulties and arrangements. Port of London Authority *Polanews* (PLA External Affairs Department 1977)

- b. increasing revenues and reducing costs
- c. organizational change
- d. strengthening management processes.<sup>143</sup>

But such changes would take time to implement, and in the meantime the Authority was still facing both operational and financial pressures. In January 1976 the Board had discussed the transfer of conventional cargo handling from the India and Millwall docks to the Royals, proposing “in the meantime to reduce manning levels, streamline management and change the Quay and Shed arrangements”.<sup>144</sup> The inefficient and costly “quay and shed space arrangements” dated back to 1889, and involved two sets of operations in some of the docks: unloading onto the quay, and then transferring from the quay to the shed – undertaken by two separate gangs. Although there were integrated operations known as the West India Dock arrangements, the use of the Quay and Shed system was widespread and deeply entrenched. As Tull shows, the PLA had considered how to change these arrangements at various times between 1947 and 1951, but in June 1951 a sub-committee had advised against any change.<sup>145</sup> An indication of the continuing difficulties around the worker attitudes – and lack of management action - was the note that “management is not now [in 1976] making [changes to] Quay and Shed conditions a pre-requisite” to the transfer of cargo handling to the Royals<sup>146</sup> – and in fact such a change was never made in the lifetime of the Upper Docks.<sup>147</sup>

A comparable lack of direction and clarity in relation to possible closures is also shown in the Board minutes of July 1976 where:

Proposals had been circulated in February 1976 for closure of the India and Millwall docks, but the Director of Upper Docks argued for closing some berths in Royals and retaining the South-West India and Millwall docks<sup>148</sup>

<sup>143</sup> T370/357 Appendix A to a letter from the Secretary of State for Transport (William Rogers) to the Chancellor of the Exchequer (Dennis Healey) dated 10 November 1976. The McKinsey report also suggested that the PLA’s 5,350 administrative staff should be reduced by 1,350 posts but (since it was only concerned with PLA’s administration) made no mentions of RDW numbers.

<sup>144</sup> Taken from T370/359 “Business conditions for handling imports within the enclosed docks”: undated note as Appendix 4 in meeting papers 22 June 1977.

<sup>145</sup> C.J.D. Tull *The Port of London Authority 1909-1959* (London: PLA, printed for private circulation, 1959) pp. 291-293

<sup>146</sup> Minutes of the PLA Board, 19 Jan 1976, Minute 8

<sup>147</sup> PLA Board meeting 9 June 1980, Management Report, p.5 notes that Quay and Shed space conditions were still in operation “until we are able to offer a satisfactory alternative to Quay and Shed space conditions our marketing for additional import traffic for the Royal Docks will be severely restricted”

<sup>148</sup> Minutes of the PLA Board 5 July 1976, Minute 103

That nervousness and indecision is to some extent understandable; the Board considered a detailed memorandum from the Managing Director that showed how other elements came into play in relation to rationalisation of the docks: some shipowners had said that they would leave London rather than move to the Royals, and the Local Authority (Tower Hamlets) had expressed concerns about the economic and social effects of closing the Millwall docks. It was also clear that dock workers were becoming more reluctant to take severance because employment opportunities were decreasing as the docks, wharves and warehouse closures affected other industries and employers in east London.<sup>149</sup> In this the Managing Director noted that “ the Trade Unions....also said, in discussion, that they are prepared to cooperate in any measures necessary to keep the docks open”.<sup>150</sup> Thus, in its 1976 report, the PLA noted that “extensive discussions took place with all concerned on a scheme to rationalise PLA conventional cargo handling facilities at the Upper Docks”, but the only significant change was that the PLA mothballed three berths in the Millwall docks.<sup>151</sup>

The problems facing the PLA, recognised in the McKinsey report, were confirmed in an environmental survey of the port’s problems by Frank Cousins, the former General Secretary of the TUC, who chaired a Joint Port Trade Development Committee in 1976. The Committee’s second report noted that the PLA, as a commercial organisation, was paying for the operation, maintenance and manning of obsolete facilities and carrying too much manpower. But external constraints were also significant: the PLA was required by statute to break even, but received little government support, and so was inevitably a high cost port. It was also affected by the de-industrialisation of east London through government regional development policies. The solution proposed was a coordinated approach through a new multi-agency body that would develop a fresh strategic approach for the future of the docklands,<sup>152</sup> but this was not taken forward by the Government.

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<sup>149</sup> PLA Board meeting 5 July 1976, Item 7: Memorandum from the Managing Director ‘Upper Docks -Proposals’ dated 29 June 1976 p.1.

<sup>150</sup> *Ibid.*, p.2

<sup>151</sup> *PLA Annual Report and Accounts for 1976* (London, PLA: 1977) p.6.

<sup>152</sup> NA file MT 81/847 Government emergency financial assistance to Port of London Authority: proposals for survival; risk of industrial action; Folder F/PSO/23019/79: second report of Joint Port Trade Development Committee

Following their appointment in February 1976, Price Waterhouse reported in July, their key findings being that:

London's share of foreign trade has declined, particularly on conventional cargoes where volumes have not been replaced by container traffic. But with the growth in containers, cargo handling has become much less labour intensive and has moved down river, leaving PLA with underused up-river facilities and surplus workers.<sup>153</sup>

The problem of 'surplus workers' might also be seen in the context of an article in *The Times* which noted in 1975 that "productivity has also been rising rapidly to just over 50 tons a man".<sup>154</sup> In such circumstances the dockers' action to increase productivity (so that fewer workers were needed) also increased the need for more severances. A paper by the Department of Industry in March 1976 estimated the costs of surplus RDWs at £5.3 million a year for 1976 (forecast to rise - almost astronomically - to £24.6 million p.a. in 1980),<sup>155</sup> and in late 1976 a draft paper for the (Cabinet) Ministerial Committee on Economic and Industrial Policy noted that "the PLA have over 1,000 surplus RDWs and a similar number of surplus [office] staff [which] absorbs about £11 million p.a.". <sup>156</sup>

Following on from the problems of the Community Land Development Act in 1975, the PLA's aims of property disposals were affected by another statute, the Development Land Tax Act of 1976,<sup>157</sup> which imposed penal charges on profits made from the sale of land or property for development. In April 1976 the Managing Director reported to the PLA Board his expectation that the PLA would in fact receive only £6.1 million from the sale of Cutler Street.<sup>158</sup> In spite of all of these factors, the PLA accounts for 1976 showed an operating surplus of £3.9 million (compared to an operating loss of £1.6 million in 1975). But with interest payments

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<sup>153</sup> T370/357. Note of 17 November 1976. Para 5 notes that "there are expected to be more than 1,00 surplus (RDWs) in London at the end of 1976 [and] about 1,300 of the RDWs are not fully fit. There are also more than 1,000 surplus [non-RDW] staff".

<sup>154</sup> *The Times* 29 April 1975, '30% rise' op.cit

<sup>155</sup> NA file T 370/96 Treasury: Public Expenditure sector. Port of London Authority: financial difficulties and arrangements.

<sup>156</sup> T370/357 draft paper for EI committee dated 5 November 1976. (As has been shown, the PLA actually made an operating profit of £3.9 million in 1976 – although after providing for interest charges this became a loss of £1.7 million.)

<sup>157</sup> Elizabeth II Ch. 24

<sup>158</sup> PLA Board meeting 12 April 1976: note of a meeting to consider the draft annual report and accounts for 1975. In fact, as the PLA annual report for 1977 (p. 12) shows that even this was optimistic, and the actual receipt was £4.9 million.

(at £5.7 million) now nearly 13% higher, and with restructuring and revaluation costs of £5 million, the overall loss was £6.7 million.<sup>159</sup>

Aldington served for five years as Chairman in a hugely challenging period for the PLA, and he was replaced in October 1977 by John Cuckney,<sup>160</sup> who had previously overseen the restructuring and rescue of the Mersey Docks and Harbour Board,<sup>161</sup> on a two-year appointment. Characterised as “one of the most astute industrial ‘fixers’ of his time, the man to whom successive governments turned to resolve intractable and embarrassing problems”,<sup>162</sup> he must very much have seemed the right appointment: the PLA certainly presented a set of formidable challenges. These were summarised in three pages of the (new) Chairman’s statement at the front of the 1977 annual report – significantly in a much less formal (spiral bound) format, contrasting strongly with the glossy publications of previous years. Cuckney pulled few punches: in headline terms, the Authority’s loss on “continuing operations” – its day to day income versus expenditure – was £2.4 millions, but with the added costs of debt interest of £5.9 million this loss grew to more than £8 million, and the reserves fell to £2 million, a reduction of “£52 million since 1974” – although, as has been noted, some of that reduction arose from the impact of legislation.<sup>163</sup> While the move from conventional cargo to containers had also a substantial impact, the chairman focused on the “increasing number of dock workers who are restricted, in medical terms, from taking any part in cargo handling activities” and “ a high incidence of sick absence”.

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<sup>159</sup> *PLA Annual Report for 1976* op.cit., p.13

<sup>160</sup> ODNB *John, Baron Cuckney* (1925-2008). Article by Martin Adeney. Accessed on 26 May 2019

<sup>161</sup> See Anthony Lynch. *Weathering the Storm: the Mersey Docks Financial Crisis 1970-74*. (Liverpool: University Press, 1994) p. 47 records Cuckney’s appointment to the Mersey Docks and Harbour Board in late 1970 and (p. 81) his retirement on 26 April 1972 “for business and health reasons”, having overseen the restructuring and reformation of the undertaking.

<sup>162</sup> Adeney *John, Baron Cuckney* ODNB,

<sup>163</sup> *PLA Annual report and Accounts for 1977* (London: PLA, 1978), p.6



## The PLA's Managerial and Financial Concerns

The identification of those issues then begs the question of what the Authority – or at least the Board - was doing to drive forward the output and efficiencies of the business, and part of the answer lies in a letter from the departing Chairman to the Secretary of State for Transport which set out the PLA's intentions for management action in six areas:

- (i) To introduce “overside conditions” for imports at the Tilbury and Royal Docks [to replace the costly Quay and Shed arrangements]. This will enable us to market these facilities on a wider basis.
- (ii) To achieve a balance in the location of manpower. This will provide a more sensible allocation of resources so that we can handle traffic at the correct location. [Under the existing arrangements, London RDWs were allocated to specific sectors (e.g. the Royals) and could only be transferred to other docks and work by employers once a dock was fully manned. The unions objected to such transfers, especially from the Royal docks, fearing that this presaged the running down of the docks. In addition, permanent transfers required approval by the London Dock Labour Board (LDLB).]<sup>164</sup>
- (iii) Integrate operational clerical services....the proper integration for all clerical services will ensure a more sensible distribution of resources thus avoiding the current shortages and surpluses. [Clerical work on loading and unloading was undertaken by both PLA clerical staff (Grade V) and Tally Clerks (often inherited from the failing stevedore companies), but only the latter were RDWs.]<sup>165</sup>
- (iv) Re-examine union representation and the role of various unions (including NASD) to provide for proper representation of all personnel and provide an improved basis for both consultation and negotiation. [The PLA had nine recognised unions for its RDWs and clerical and managerial staff.]<sup>166</sup>
- (v) To achieve registration under Government legislation. This will relate to both PLA Grade V staff and possible (sic) to Grade IV. [Presumably this was about the registration of these PLA clerical staff under the (1947 and 1967) Dock Labour Schemes. That could not have been easily achieved

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<sup>164</sup> Minutes of the PLA Board meeting of 26 September 1977 (p.69) shows that the LDLB had still not agreed to the transfer of 140 men from the Royal group to the Tilbury and India docks,

<sup>165</sup> But note that also that Tally Clerks were members of both TGWU and NASD, whereas PLA Grade Vs were TGWU, NASD, and NALGO (National and Local Government Officers Association).

<sup>166</sup> TGWU and NASD for its dock workers, NALGO and ACTSS for clerical and managerial staff, ETU/AEU for Electricians and engineers, the Police federation, Merchant Navy Officers Association, and the Coopers Federation.

- because of different conditions of employment, pensions, and holiday pay.]
- (vi) To revise the operating structure. [The aim was to reduce this to three levels (ganger, foreman, shift manager) rather than the multiple levels of management (e.g. shed foreman, stevedoring foreman, labour coordinators, and clerical charge hands) that had been inherited as a result of company take-overs and mergers.]<sup>167</sup>

The letter also noted that preliminary discussions had already been held with the trade unions on some of these areas – notably the integration of clerical services and extension of oversight conditions. It seems astonishing that these issues were still outstanding in 1977 – perhaps reflecting obduracy on the part of the workforce and the unions, but also underlining the ineffectiveness of the PLA management in its inability to make real progress. There is little in the NA files, the PLA annual reports or Board minutes at this time to show that these operational problems were being resolved: there were obvious pressures from Cuckney where “he drew [Board] members’ attention to the clear cut case for abolishing Quay and Shed Space conditions in favour of West India Dock conditions and asked what progress had been made”, but “the Director of Manpower explained that proposals had been put to unions and employees and the central Manpower Manager was shortly going to give presentations of the proposals to groups of RDWs”.<sup>168</sup> And so the Authority’s annual report for 1977 noted that:

During 1977 management were discussing with employees and their union representatives the need for urgent improvements in the organisation of work at quay level and for introducing changes to working practices with the object of reducing costs, improving efficiency and raising productivity, particularly of general conventional cargo operation. They have not been able to make the sort of progress towards implementing those changes that they and the Board would have wished.<sup>169</sup>

But even with these short-term impediments, there is no evidence of PLA management devising a cohesive longer-term strategy to tackle the issues – so that for example discussions would be derailed by rumours of dock closures. Secondly, no computation of the possible costs or savings is shown in the NA or MLD files, although the PLA Board minutes note that the implementation of these would “result

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<sup>167</sup> Letter dated on 1 August 1977 in T370/359, enclosing a memorandum from the Managing Director ‘Management Action Plans, Objective 1’

<sup>168</sup> Minutes of the PLA Board meeting of 28 February 1977 (minute 25)

<sup>169</sup> *PLA Annual Report for 1977*, op.cit., p.7

in savings of 20% in manning levels”<sup>170</sup>, and there is also no evidence of any proposals to share efficiency savings with the work force. And once again the PLA had to absorb more staff from failing companies – this time, the business of Fred Olsen stevedoring with the transfer of 228 RDWs and 14 non-RDW staff.

In this period some of the activities – or more especially the financial management processes - of the PLA are much more visible because of the existence of the joint interdepartmental/PLA working party. For example, in relation to the PLA’s marketing and charging strategies:

Some increased traffic has been attracted to London by cutting charges earlier in the year, though even at these cut rates the PLA had earned revenues ranging from 100% to 160% of their labour costs. The PLA have now moved away from this cut-rate approach since current traffic levels are well up, so much so that they have had to turn away more than 50 ships so far this year and surplus manpower is about 100 men per day.<sup>171</sup>

And on the PLA’s financial forecasting:

we appear to be back in the situation where PLA have two different sets of forecasts and we are not at all happy about those used in the recent documents since they do not appear to relate in any way to the earlier forecasts which were jointly agreed between ourselves and the PLA people concerned.<sup>172</sup>

This is not to say that the whole problem was of the Authority’s making or that it reflected a lack of professionalism on the part of the staff: the situation was hugely complex and would have required operational and strategic management of the highest quality to reconcile all the conflicting pressures. But the PLA seemed not prepared to address that challenge, and preferred to take the simpler option of allowing traffic through the Upper Docks to diminish and concentrate on growth at Tilbury, and in public relations terms, the long history of industrial unrest in the docks provided an easy excuse. The PLA Board minutes show that the Director of Upper Docks “emphasised that fundamentally the problems in the Upper Docks were almost entirely related to industrial relations, and that until these matters were

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<sup>170</sup> Minutes of PLA Board 8 December 1977

<sup>171</sup> DK1/218 Minute of 24 June 1977 from K L Guard of the NPC on the PLA monitoring meeting of 22 June 1977

<sup>172</sup> DK1/218 Letter from Eagle of NPC to Sanderson of the Department of the Environment Ports division dated 27 July 1977

resolved there were constraints on management<sup>173</sup> but, as one civil servant noted in 1977:

Whatever the arguments..... PLA would ignore them when it suited them, pleading short-term operational necessity and industrial relations problems.<sup>174</sup>

Parallel to these activities, as the NA files show, and following a request by the Secretary of State for Transport, the PLA and the unions were much involved with the docklands local authorities in trying to assess and ameliorate the problems of dock closures – especially in view of the already high unemployment in the docklands boroughs.<sup>175</sup>

In all of this, there is little evidence of any industrial disputes in 1977, with the annual report noting only “minimal” stoppages,<sup>176</sup> and the Ministry of Labour ledgers showing only eight disputes in London in that year, resulting in a total loss of 21,094 man-days.<sup>177</sup> However, at the PLA/Civil Service joint meeting of 14 November 1977 the costs of a “recent strike” were estimated at £600,000, although the file notes that it was not possible to determine the real costs of the strike.<sup>178</sup> The greater visibility afforded by the review meetings also shows that the port suffered a strike by engineering grades in December 1977, resulting in a “loss of revenue of £100,000”, and of a work-to rule by ACTSS (Association of Clerical Technical and Supervisory Staff) staff resulting in a loss of revenue of £50,000.<sup>179</sup> An interesting point about these two strikes is that they do not appear as ‘dock strikes’ in the MLNS ledgers which are industry specific (dock workers disputes being recorded under Sector 39, Port Transport Industry) because they were in the engineering and clerical sectors. Nevertheless these (and other similar disputes) will have directly affected the operations of the port.

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<sup>173</sup> PLA Archives: PLA Board minutes, 24 October 1977

<sup>174</sup> DK1/218 Minute from A Holt, 26 September 1977, following the PLA working party meeting of 14 September 1977

<sup>175</sup> NA file AT 41/297. London Docklands Study: ports of London closures; manpower reductions; Port of London Authority discussions with unions.

<sup>176</sup> *PLA Annual Report for 1977* op.cit., p.13

<sup>177</sup> NA file LAB 34/108 Trade Disputes Record Books 1977. Almost all of the time lost was due to one dispute about manning levels in August.

<sup>178</sup> T370/359. Meeting papers, the strike was probably the one shown in the MLNS ledgers in NA file LAB 34/108 as lasting from 24 to 31 August, with the loss of 19,515 man-days over the “rate for bad stowage”.

<sup>179</sup> DK1/218, meeting papers of November and December 1977.

With a lack of profits and almost no reserves, the PLA then faced problems in trying to redeem and re-issue some of its expiring loan stock, and it sought authority from the Government to raise a loan of £15 million from the City for “financing severance of non-registered staff...and...the repayment of short-term debt”.<sup>180</sup> With this, and in view of the losses and reduction in reserves, the PLA’s auditors felt it necessary to qualify the 1977 Accounts to the effect that these had “been prepared on a basis which is dependent upon the successful conclusion of the discussions with the Department of Transport”.<sup>181</sup> At the same time it was becoming clear that the joint monitoring meetings were proving of limited value: much as the civil servants might add useful commentary on the PLA’s actions or inactions, they had little leverage in the actual management of the Authority’s business, and Cuckney recognised this in a letter to the Permanent Secretary of the Department of Transport<sup>182</sup> suggesting the ceasing of PLA monitoring group and replacement with “a small panel of the Board, of which I should be chairman, with probably two colleagues, meeting say, your top two civil servants on a quarterly basis”. This was referred to the Treasury and accepted by them in December 1977.<sup>183</sup>

The Authority’s annual report for 1978 recorded an overall reduction in the cargoes handled by the port of 3% but a reduction of 20% in tonnages through the enclosed docks<sup>184</sup> and that “a series of industrial disputes in the early part of the year caused some one hundred ships to be diverted to other ports”.<sup>185</sup> However, because no further details are given (and traffic was always measured in volumes of cargo rather than ship numbers) it is not possible to estimate how significant this was to the PLA’s performance. The MLNS ledgers show only six disputes in the London docks during that year, resulting in the loss of 13,708 man days.<sup>186</sup> The largest of these, from 18 to 30 January, with 1,567 men on strike is shown in the ledgers to have been a “refusal of pay increase within Government guidelines”.<sup>187</sup> The PLA’s annual report reflected a continuing downturn in commercial performance that eclipsed any effects of industrial actions, with a loss on continuing operations of

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<sup>180</sup> *PLA Annual Report for 1977* op.cit., p.6

<sup>181</sup> *Ibid.*, p.8

<sup>182</sup> T 370/359, letter dated 28 November 1977

<sup>183</sup> *Ibid.*, letter dated 8 December 1977 Monck (Treasury) to Baldwin, Department of Transport

<sup>184</sup> *PLA Annual Report and Accounts for 1978* (PLA, London: 1979), p.7. The reduction was 0.4 million tons against the 1.7 million tons handled in 1977

<sup>185</sup> *Ibid.*, p.14

<sup>186</sup> NA file LAB 34/110 Trade Disputes Record Books 1978

<sup>187</sup> *Ibid.* The guidelines were those in the White Paper 'The Attack on Inflation' (Cmnd 6151,1975), recommending a limit on pay rises of £6 per week.

£6.6 million, exacerbated by interest charges of £6.8 million, and net restructuring costs (after a Government grant) of £6.1 million. In April 1978 at a Special Board meeting the Authority considered proposals for “restoring viability”, and decided upon:

the closure of both Upper Docks as quickly as is practicable: for planning purposes it is assumed that the India and Millwall docks are closed not later than December 1978 and the Royals by December 1979.<sup>188</sup>

Outwith all of these considerations, the closure was an economic and operational certainty, as the PLA noted in June 1978:

The Upper Docks are physically incapable of taking the large container ships and, due to the length of the river journey, the need to lock in and out and the costs involved, the smaller ships would not obtain either a satisfactory turn round time or a competitive price. A ship going to a berth in the docks has to pay the PLA dock charges plus dock pilot and dock tug charges over and above any charges payable at riverside berths.<sup>189</sup>

### **The PLA's *Information Papers***

However, this detailed analysis was not shared with the stakeholders in the PLA's two *Information Papers* of 4 May 1978 and 6 July 1978.<sup>190</sup> The first warned that the PLA “if it stays on its present course will, in effect become bankrupt”, and that “the retention of the Upper Docks, both India and Royal can no longer be considered necessary on a commercial basis”.<sup>191</sup> The paper, described as “an open and honest exploration of the hard facts in Docklands”,<sup>192</sup> elicited strong responses from the Government, trade unions and Tower Hamlets and Newham Councils, but the second paper, noting that “no-one who has argued in the past few weeks that the Upper Docks can be revived has produced evidence to support their case”,<sup>193</sup> reproduced some costing from the Docklands Forum,<sup>194</sup> and proposed the transfer of cargo handling from the India and Millwall docks to the Royals.

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<sup>188</sup> PLA Archives: Minute 2.1 of Special Board meeting, 17 April 1978

<sup>189</sup> NA file MT 81/839 Government emergency financial assistance to Port of London Authority. PLA note of 16 June 1978

<sup>190</sup> PLA *Information Paper No.1 The challenge for the future* (London, PLA:1978), and *No 2. Your port of London: The Challenge of Decision now* (London: PLA: 1978).

<sup>191</sup> PLA *Information paper No 1*, p.9

<sup>192</sup> *The Times* 2 June 1978 p.15 'Seeking reality in Dockland'

<sup>193</sup> PLA *Information paper No 2*

<sup>194</sup> *Ibid.*, p.6. The NA file AT 41/325 London Docklands Study: correspondence with the Docklands Forum: shows that the Docklands Forum was set up in 1975. It consisted of a wide range of interests – Trades Unions, Tenants associations, Trade Councils, and Church and Community groups. The Forum estimated the costs of closure at £20-30 million for

Although *The Times* suggested that the proposed closures might result in a national dock strike, it also noted that “the key could lie with the Prime Minister [Jim Callaghan] who in his only public statement so far appeared to take a hawkish line”.<sup>195</sup> Instead of a strike there was a joint conference of the PLA management and the unions on 27 July that:

Set out the areas of common agreement between management and the trade unions and drew attention to the social and environmental effects of a dock closure on the East End of London.<sup>196</sup>

The change in the PLA's focus and the new (apparent) approach of openness that Cuckney brought was noted in an article in *The Times* as being:

All the more remarkable because the PLA, in the 70 years since its foundation in Britain's Edwardian heyday had acquired many of those characteristics, including the vast headquarters and the splendid yacht that seemed to proclaim that being in trade was beneath its dignity.<sup>197</sup>

The realism reflected in Cuckney's approach clearly carried through to the dockers: as *The Times* recorded, “an unofficial call [by the National Port Shop Stewards Committee] ran into opposition from port moderates and the main unions [including the General Secretary of the TGWU, Moss Evans] yesterday”.<sup>198</sup> Once again Price Waterhouse had been asked to advise on the PLA's plans, and to consider not only the option of a partial closure recommended in *Information Paper no 2*, but also the “radical option” of closing all of the Upper Docks. Their report, dated 21 July 1978,<sup>199</sup> reviewed the “main elements” of the PLA's strategies, and noted that the PLA's preference for concentrating conventional traffic at either the India and Millwall or the Royal group “does not appear to chart a course to viability for the PLA”, but also noted the PLA's case for a capital restructuring.<sup>200</sup> The coverage

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redundancy, £100 million for unemployment, £12 million for increased social services, £3-3.5 million for loss of rates, giving a total social cost for the closure of £150- 200 million.

<sup>195</sup> *The Times* 4 July 1978 p.23 'Threat of National Dock strike as Unions resist port cutback'

<sup>196</sup> *PLA Annual Report for 1978* op.cit., p.8

<sup>197</sup> *The Times* 5 May 1978, p.19 'Turning the tide in London's docklands'

<sup>198</sup> *The Times* 7 July 1978, p.15 'Union Leader resist dock strike call'

<sup>199</sup> MT81/839 Price Waterhouse review of 'recommended strategy' forecasts. Henceforth PW report 1978

<sup>200</sup> Given that the PLA's debts in 1977/78 were now some £80 million (*PLA Annual Report for 1978*, p.30), and the continuing losses in operations, this was unlikely to be met from public funds and would have been impossible to implement through a commercial placement of shares in the Stock market.

within the report indicates that the problem of industrial disputes was by this time a very minor consideration for the PLA, in that the topic occupies only seven paragraphs (450-456) in the 620-paragraph report. And while paragraph 452 noted that the PLA assumed that it would take five years to recover traffic lost through strikes, PW's analysis of data from the 1975 strikes showed that such traffic losses were recovered in one year. The main requirement was the need for "a rapid and substantial reduction in manpower costs"<sup>201</sup> and the "nub of the problem" for the PLA was seen to be costs of severance.<sup>202</sup>

Following the report the Secretary of State for Transport announced on 31 July that the Government had asked the PLA to take "no steps...towards the closure of the Royal Docks [and that] there are no current proposals for the closure of the India and Millwall Docks". He added that the Government was prepared to provide up to £35 million in grants to meet severance costs, plus up to £10 million to cushion the financial effect upon the PLA:

on the understanding that the unions have promised active co-operation in an urgent examination of the size and structure of the work force, and of working practice and industrial agreements in all areas to achieve cost savings, improvements in productivity and greater flexibility in the use of the workforce.<sup>203</sup>

There were clear signs of that co-operation at a policy level, with a joint committee being established to consider how to avoid, or at least lessen the impact of possible closures.<sup>204</sup> But the writing was on the wall, with *The Times* noting that:

The [Upper] docks are probably past saving. Expensive respites like that proposed...can do little to soften the consequences of eventual closure...and all they are doing is buying a little more time.<sup>205</sup>

Even with this, there were still some problems: the PLA Board minutes of January contain a note that "picketing [in opposition to the use of non-RDW labour on container work] at the Royal Docks and Tilbury was having a very serious impact on

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<sup>201</sup> PW report 1978 para 9

<sup>202</sup> PW report 1978 paras 200-207

<sup>203</sup> House of Commons *Hansard* 31 July 1978, Written answers: cols 169-170

<sup>204</sup> See AT 41/297

<sup>205</sup> *The Times* 1 August 1978, p.15 'Backing down on the docks'



the Port by preventing the movement of cargoes in and out of dock premises” and was estimated to be costing the PLA £1 million per week.<sup>206</sup>

The PLA’s third *Information Paper* was issued on 21 February 1979 and, noting that the Government did not agree to the closure of the India and Millwall docks,<sup>207</sup> defined various possible traffic levels for the Upper Docks, the associated manpower reductions that would be required, and the likely operating losses. This was elaborated in the PLA’s *Strategic Plan 1979-83* of June 1979<sup>208</sup> which defined the *Concentration Option* of keeping both the Royal Docks and the India and Millwall open, but matching the services to traffic levels by reducing both groups to 10 berths each,<sup>209</sup> and the *Transfer Option* of moving the traffic from one set of Upper Docks to the other. But the plan also noted that “there is no realistic prospect of achieving commercial viability without capital reconstruction” – acknowledging that since the interest charges for 1979 amounted to more than £8.5 million, the Authority would need to make huge profits just to break even. Whether by coincidence or intention the publication of the paper followed swiftly upon the advent of a Conservative administration in May 1979, and the NA file shows some nervousness amongst officials and the Prime Minister’s office as to the likelihood of a national dock strike following the publication.<sup>210</sup> The Minister of Transport asked Price Waterhouse to review the PLA’s plan, and the consultants reported on 20 September 1979. While making a number of recommendations that would have improved the efficiency of the Authority, their main conclusions were that both ‘transfer’ and ‘concentration’ options would result in losses, although the annual loss under the former (which would require fewer men to handle the same volume of traffic) would be £3.6 million compared to a computed loss of £ 6.3 million for the ‘concentration’ option.<sup>211</sup> But crucially the PW report noted that “PLA management do not believe that union cooperation would extend to improving working practices to the point where traffic could be handled by the reduced workforce”.<sup>212</sup> It was also

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<sup>206</sup> PLA Board Minute 4(1) 22 January 1979.

<sup>207</sup> PLA *Information paper No 3 Planning for the Next Five Years* (London: PLA, 1979)

<sup>208</sup> Copy in PLA archive Folder ‘PLA Plans’

<sup>209</sup> ‘PLA *Strategic Plan 1979-83*’, para 46

<sup>210</sup> MT 81/847: letter from the Minister of Transport’s private secretary to the Prime Minister’s office dated 7 June 1979. The file also shows that officials considered that Cuckney’s extensive consultations and involvements had significantly reduced such a risk.

<sup>211</sup> NA file MT 81/853: Government emergency financial assistance to Port of London Authority (PLA): consideration of PLA corporate plan proposals 1979-1983; Price Waterhouse report (Henceforth PW report 1979) para 105

<sup>212</sup> *Ibid.*, para 110

possible to see a number of indicators of the commercial difficulties facing the Authority. For example:

The port is generally thought of as being expensive. Many sundry charges are made on ships coming up the Thames [including PLA charges] of port rates, conservancy dues, dock dues and towage charges. [Other charges include] pilotage, light dues and towage outside docks.<sup>213</sup>

And, in particular, the report supported the PLA's view that it could only achieve commercial viability through a capital restructuring.<sup>214</sup> Even ignoring any subsidies that might have been received by continental ports, the PLA faced difficulties especially (as noted above) from the enhanced flexibility of movement of goods within the Common Market. The report also contained a series of comments and recommendations in relation to the PLA's staff management, for example on improvements in the assessment of the physical fitness of the workers and the problems of poor management practices inherited from failing companies.<sup>215</sup> But all of these were peripheral to the main issues of the PLA's immediate difficulties.

The PW report also noted that:

The PLA has 1000 surplus RDWs and 1500 surplus [office] staff. Unless PLA can reduce its manpower, the deficit will be much higher by 1980.<sup>216</sup>

A systemic weakness of the dockers' severance scheme was that it was based upon workers volunteering rather than employers being able to select workers for severance and, as the PW report shows, the effect was that category B workers (who were only able to perform a very restricted range of duties) would often **not** apply for severance because, with the decrease of traffic in the docks, many were being paid not to work, were unlikely to obtain employment outside the docks, and might also qualify for social security benefits.<sup>217</sup> Moreover, because (as the report shows) the PLA had "inadequate procedures for medical examinations"<sup>218</sup> there was

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<sup>213</sup> Ibid, Appendix 1, para 105

<sup>214</sup> Ibid., para 116-117, but the report cautioned (para 116) that "the reconstruction would be relieving the PLA of the need to achieve an appropriate return on these productive assets".

<sup>215</sup> Ibid., Appendix VI, paras 13 (2) and (3) and para 38 (3)

<sup>216</sup> T370/359 Op.cit

<sup>217</sup> PW Report 1979 Appendix VI, para 13 (3) Para 13 (2) notes "the lack of financial incentive for men to remain fit...[because there is] little wage differential between category A and B men, also category B men may qualify for social security benefit" (if they could show that they had previously been in category A and downgraded to B because of work-related disability).

<sup>218</sup> Ibid, para 13(2)

a continuing drift of workers into Category B. Finally, the severance scheme applied only to RDWs: as PW showed, the PLA needed to shed substantial numbers of administrative staff as the nature of docks traffic changed but had to meet those redundancy costs from its own resources.

Outside of those factors, the Authority's ability to manage its RDW workforce was constrained by the 1967 Scheme in that it was unable to move workers permanently between sectors without the LDLB's approval or (since the NDLB was the actual employer of RDWs) to make any registered workers redundant – and the NDLB would not do so.<sup>219</sup> In all of this, given the PLA's role as the employer of last resort, and the impossibility of compulsory redundancies, it is not surprising that PLA was unable to define and implement a clear action plan to manage its workforce surpluses. With this, the PLA's 1979 annual report painted a gloomy picture of a Group loss of £11.1 million at a time of "stagnation" of "overseas trade and the British economy", together with the impact of "the many other disputes that affected British industry during that sad winter of discontent".<sup>220</sup> In fact, the Port of London was relatively immune from that wider malaise, with the NDLB files showing only 14 disputes in 1979 with the loss of 10,043 man days,<sup>221</sup> although the PLA had to absorb some 456 staff (including 405 RDWs) from the closure of the stevedores T. Wallis Smith Coggins. The PLA Board:

concluded that the most positive and constructive way forward was to put an emphasis on improving working practices and progressively to concentrate cargo-handling facilities in each of the Upper docks. In this way we believe that we could secure the maximum cost reduction commensurate with providing an acceptable level of service, stem the loss of traffic to the port, and minimise the call on public funds.<sup>222</sup>

The problem here was that this 'concentration' option had been forecast to have higher losses than the 'transfer' option of closing one set of the Upper Docks.<sup>223</sup> But as the annual report noted, the basis of the Board's choice was improvements in "working practices", although the history of the preceding years indicated that this would be difficult to achieve, recognisably through a lack of engagement by both

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<sup>219</sup> NA file T327/5 Port of London Authority: financial difficulties, file note: December 1975: "the NDLB are most unlikely to enforce compulsory severance given the 50% trade union membership of the body"

<sup>220</sup> *PLA Annual Report and Accounts for 1979*, (London, PLA, 1980) p.5

<sup>221</sup> NA file BK2/1254: National Dock Labour Board. Strikes: statistics

<sup>222</sup> *PLA Annual Report for 1979*, p.6

<sup>223</sup> PW report 1979, paragraph 105

sides. The report can also be seen as a characterisation of many of the internal contradictions within the PLA: it submitted short-term plans based on a Board decision to keep both Upper Docks open with the “concentration” option, but this carried the risk “associated with possible failure to achieve the substantial improvements and cost reductions”.

The final PLA *Information paper No 4: a Port on Probation* issued on 29 July 1979 stated that the Board proposed “the transfer of the PLA cargo handling operations from the Royal Docks to Millwall and India and Tilbury during the first half of 1979...reversing the decision of 1976”. The revised proposal was based upon “Customer preference of the India and Millwall docks, greater savings from the closure of the Royals (£2 million a year), and smaller possible traffic loss”.<sup>224</sup> But, as *The Times* later noted, Cuckney’s proposals had been “regarded as far from safe by the Callaghan [Labour] Government which could not afford to antagonise the dockers’ unions and refused to accept the logic of closing the Royal Docks”.<sup>225</sup>

The new Conservative Government, which came into power in May 1979, established “strict financial limits to Government assistance to enable the PLA to continue with the most rapid run-down of manpower and plan for the quickest possible return to viability at least cost to the taxpayer” while also refusing to support the reconstruction that the Authority saw as “essential if the PLA is to return to commercial viability”.<sup>226</sup> With the Authority reporting “little change in improving working practices” in its 1979 report,<sup>227</sup> the open question is as to how serious the PLA management had been to address this as a general matter – or even the relatively discrete issue of the ‘six improvements’. Or was it simply focused on alternative long-term developments and looking to the closure of the Upper docks as a means of resolving an otherwise too difficult problem? Inevitably, the main focus was on the (financial) survival of the PLA, but the financial problems were matched by, and integral with, the challenges of structural change in the port operations, re-balancing the work force and improving productivity.<sup>228</sup> In addition, as the NA files show, civil servants in the Treasury acknowledged that there could be

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<sup>224</sup> PLA *Information paper No 4. A Port on Probation* p.8

<sup>225</sup> *The Times* 3 November 2008, p.54 obituary ‘Lord Cuckney’

<sup>226</sup> PLA *Annual Report for 1979*, op.cit., pp.6-7

<sup>227</sup> *Ibid.*, p.6

<sup>228</sup> As the PLA’s 1979 annual report shows (p.13) the number of RDWs in London had fallen from 24,264 in 1966 to 8,100 in 1979, but the PLA still reckoned that it had 15% surplus manpower.

no question of the PLA failing completely – the waterways and river conservancy functions would need to continue, as would some form of cargo handling.<sup>229</sup>

Cuckney's departure at the end of 1979 was followed by the appointment of Victor Paige: as *the Times* obituary later noted:

Paige [the son of a Millwall docker] was appointed chairman of the PLA in January 1980 [his] management style – that of team working - was in marked contrast to that of his predecessor Sir John Cuckney who some regarded as causing problems with his hard-nosed approach<sup>230</sup>

But then, as the new Chairman wrote:

The first two weeks of February 1980 dramatically changed our prospects of remaining with the concentration option. The annual negotiations on pay ran into difficulties early in the year and eventually there was a two-week strike. Including the loss during the strike the PLA had, by the end of February, lost over £3 million during 1980. As a consequence of that severe loss, the general level of trading and cash limits, it became necessary for the Board to announce that the India and Millwall docks would be closed as soon as possible.

The closure of the Millwall and India docks was announced in March 1980, blamed (in *The Times* headline) on the “failure by port workers” to move faster on the elimination of restrictive practices, with the article noting losses in the past year of £4 million on the operation of the docks (including a loss of £2 million from a strike over pay).<sup>231</sup> The Royals did not survive much longer: as the PLA's 1981 annual report noted:

against a background of severe financial constraint, the PLA decided to transfer conventional ship working arrangements from the Royal docks to Tilbury Docks, without industrial disruption and with no loss of traffic...the motor vessel “Xingfeng” was the last vessel to complete discharge at Royal Docks on 26 October 1981.

and:

One of the most significant factors which enabled the high level of reductions to be achieved was the transfer of conventional ship working operations from the Royal Group of docks to Tilbury in November. This was

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<sup>229</sup> 372/5

<sup>230</sup> *The Times* 15 May 2012, p.49 obituary ‘Victor Paige’

<sup>231</sup> *The Times* 4 March 1980 p.17 ‘Port of London to close docks after failure to reach agreement on restrictive practices’

the second transfer of cargo operations from the Upper Docks within two years and was again achieved with no industrial unrest.<sup>232</sup>

## **The Survival and Growth of the Continental North Sea Ports**

Four major ports on the North Sea coast with similar historic constructions to that of London have managed to adapt, survive, and grow with the advent of containers. There are a series of considerations about the features that distinguish these from the Upper Docks and the port of London – for example Antwerp’s position as the only major Belgian port, and the complex infrastructure financing, and employment links between the port and city of Rotterdam that underpinned its advantages of location close to the sea.<sup>233</sup> On the other hand, two of the major North Sea ports in Germany – Bremen and Hamburg – that, like the Upper Docks, were situated far upstream, were able to construct huge new facilities that handled both containers and conventional traffic.<sup>234</sup> There appear to be no clear statements of the extent to which these were funded by national or regional subsidies is, and the lack of transparency was still notable as late as 2015.<sup>235</sup>

### **Summary:**

During the 1970s, the role and commercial performance of the PLA became dominant in the considerations around the future of the port and the docks, bringing a parallel with its position in the early years of the 20<sup>th</sup> century. A downturn in trade in the mid-1970s brought the underlying problems of the PLA’s finances and the challenges of restructuring and downsizing into sharper focus. With these, the growth of containerisation (with the decrease in conventional traffic) and the financial consequences of the Aldington-Jones agreement had a crippling impact on the other dock employers and transferred yet more financial burdens onto the PLA. While, apart from national strikes, the London docks had generally low levels of industrial disputes, the effect of containerisation on dockers’ jobs was a continuing source of unrest. With this came the resurgence of the ‘unofficials’: although this

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<sup>232</sup> *PLA Annual Report and Accounts for 1981* (London: PLA, 1982) p.11

<sup>233</sup> See <https://www.portofantwerp.com/en/publications/brochures-cards/public-map-port> and <http://twente.co.uk/a-history-of-the-port-of-rotterdam/>

<sup>234</sup> See: <https://bremenports.de/en/> and <https://www.hafen-hamburg.de>

<sup>235</sup> See Hercules Haralambides and Michele Acciaro, ‘The New European Port Policy Proposals: too much ado about nothing?’ *Maritime Economics & Logistics* (2015) **17**, (2015) pp. 127–141, p. 131.

was more in the context of 'guerrilla-type' activities in picketing rather than in fomenting major strikes, those activities attracted much publicity and the commercial impact of deterring port users was very significant.

In the second half of the decade the focus was almost entirely on the financial challenges facing the PLA, the main causes of which were seen to be the costs of surplus staff linked to the losses from keeping the Upper Docks open as conventional traffic decreased. At that time Members of Parliament, local authorities, other community interests and the unions sought constructive engagement with the Government about the future developments of the docklands area directly and through the Dockland Forum but brought no (Government) action to ameliorate the Authority's financial problems. Given the costs of surplus staff and of servicing the PLA's debt, and without massive financial subsidies from the public purse the demise of the Upper Docks was inevitable: conventional traffic was diminishing, and the vast historic docks with their obsolescent and redundant facilities and huge operational costs were simply a commercial mismatch. The proposition that the port owner and the unions could save the docks by working together to redevelop the facilities, dramatically improve efficiency and market the new services aggressively could at best be seen as a short-term answer. The solution to similar challenges for the North Sea ports on the Continent was huge investments in the redevelopment of docks to adapt them for the container age, but with the failure of the Maplin proposal, such an option seems not to have been considered for the Upper Docks in London.

## Chapter 6: CONCLUSIONS

There appears to be a general view that the main reason for the closure of the Upper Docks in the Port of London was a combination of industrial disputes and containerisation, corroborated by the public stance of the Port of London Authority (PLA) that the closure was largely due to problems with labour relations and an intransigent workforce. In this thesis I argue that the picture is much more complex than either presentation and look beyond the headlines of the day and the views of the contemporary and later commentators and consider if those premises can be substantiated. The extensive archive material now available from government, employers and unions has allowed me to analyse and demonstrate the much wider range of issues that led to the demise of the docks.

The nature of dock work, the workers, and the organisations, limits the consideration of issues such as gender and ethnicity<sup>1</sup> which are mostly absent from the material of the time. And, in general, industrial disputes are significant only where large numbers are involved, so that although there is some individual material from those that worked there, this is fundamentally a study of a huge port, with hundreds of employers, and thousands of workers.

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<sup>1</sup> Women are largely invisible in the archive materials, apart from Patricia O'Driscoll, a bargewoman featured in two articles in *PLA Monthly* **43** (1968), pp 134-138 and 218-222, and recorded in the Museum of London Docklands oral history archive (MLDOHA), DK87.92. I could only find three other mentions for 'women' in *PLA Monthly*, for 'nurses' (**6**, (1930-31), p.120), Victoria Drummond MBE, a ship's engineer (**19**, (1944) p.26), and 'riveters' (**21**, (1946) p.43); and women feature in less than 10% of the more than 300 recordings in MLDOHA. Although some worked in the docks – for example Laura Evans (MLDOHA, DK87.42) a typist in the PLA offices in the Surrey docks, and Kathleen Ralphs (MLDOHA DK87.63) a typist in the Royals, with some hundreds as canteen workers and cleaners, only Patricia O'Driscoll was a dock worker in the literal sense. Women are not mentioned in the minutes of the Port of London Registration Committee between 1925 and 1940 (in NA files LAB 100/1 to /5) nor in the annual report of the Committee for 1935 (in LAB100/5), but the LSEA file NSOL1/4/10 Dock Labour - Tables shows that there were some 840 women and 90 girls registered as dock workers in 1928 when there were 45,520 men on the Register. There are some mentions of ethnicity in the material about Irish heritage in dockland communities and the workforce in Colin J. Davis, *Waterfront Revolts: New York and London Dockworkers 1946-1961* (Chicago: Illinois University Press, 2003) pp.11-14), and John Lovell, *Stevedores and Dockers: a Study of Trade Unionism in the Port of London 1870-1914* (London: Macmillan, 1969), pp 57-8 and some prejudice noted in Stephen Hill, *The Dockers: Class and Tradition in London* (London: Heinemann, 1979) p.19. Apart from that there appears only the neutral mention of the celebration of the Islamic festival of Muharram in R.B. Oram *The Dockers' Tragedy*. (London: Hutchinson, 1970) pp.74-5.



The burden of history lies heavily upon the Port of London, and the PLA's inheritance was a major determining factor on labour relations for 40, even 70, years later. But the Authority was not the only player: the legion of other employers, the workers, and (from 1947) the London and National Dock Labour Boards also played key roles, and this thesis identifies their parts in the story of industrial relations and the dock closures.

The thesis touches only briefly on the history of the docks before the Authority's formation in 1909, when the operating structure of the port and many aspects of the working conditions were determined. Essentially, the PLA was formed to rescue the London dock companies that were almost bankrupt at the turn of the nineteenth century, with many of the facilities being seen at the time as too small, inefficient, or outdated. The price of more than £22 million (around £2,600 million at 2019 prices) paid as compensation to the dock companies' shareholders was met by loading the PLA with long-term debt that imposed on it a legally enforced burden of interest payments. The failure to provide any equity (share) capital meant that funds for expansion, modernisation, or new facilities could only be provided by adding to the Authority's debt burden and increasing the interest charges. In addition, the PLA carried the hidden costs deriving from the 'free water clause' that allowed (commercially competitive) river craft to operate on the river at no cost – and equally freely to enter and operate within the docks. Nor, in its foundation, was the Authority given any involvement in, or control of, the many dozens of wharves and riverside facilities that competed with the docks. In consequence the main thrust of the PLA's commercial strategy was to maintain and enhance its revenues by increasing the total volume of traffic through the port year upon year, a concept underlined by the headlining of those totals in its annual reports.

The PLA was a public trust, and its founding legislation imposed governance arrangements that were intended to ensure a balance of power by placing representatives of other port interests and river users as members of its governing body,<sup>2</sup> but which served to limit its capabilities to respond to changing commercial forces. Although the PLA's charges were subject to approval by the UK government, the Authority itself was not otherwise answerable to Parliament – or

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<sup>2</sup> Under Sections 1(5)-(7) of the Port of London Act 1908 (8 Edw. VII c.68), the Authority was to consist of 28 members, 10 appointed (including two from the Board of Trade and four from the LCC), and 18 elected, where "seventeen shall be elected by payers of dues, wharfingers, and owners of river craft, and one shall be elected by wharfingers".

indeed any other agency. Furthermore, the Authority did its business in private, and so could be held to no public account for its actions: Harry Gosling, a former Lighterman, prominent union leader and a member of the PLA,<sup>3</sup> remarked upon an Authority “that always sits behind closed doors [and] publishes no minutes”.<sup>4</sup>

The historic sufferings of the dockers before the Second World War have been cited as factors shaping industrial relations in the post-War period, and those sufferings can be seen in part as a consequence of the way in which the port relied upon casual labour, with manpower costs being held down also by piecework, zero-hours contracts, and minimal employee benefits. Downward pressure on labour costs by the maintenance of a surplus of registered workers was also a key feature of employment in the docks, with the impact on the docklands communities appearing to have been particularly severe in the inter-war years. A striking example is given by Lascelles and Bullock showing that for the final week in January 1921, where the majority of employers considered the level of trade to be “normal”, a daily average of 31,498 men were employed in London against a register of 61,005.<sup>5</sup> Apart from Llewellyn Smith’s major work from around 1930, the lack of comprehensive data on incomes between the World Wars forces us to rely on mainly circumstantial evidence such as the reports of Medical Officers of Health<sup>6</sup> for some idea of the poverty and deprivation that affected their communities and probably conditioned docker attitudes in later years.

The Second World War had a huge impact on the docklands communities that suffered directly from the bombing and indirectly through the evacuation of families from London. The workforce itself was then subject to legislation that prohibited official strikes and introduced compulsory registration and quasi-statutory employment schemes for the workers. In parallel, conscription or recruitment to the armed forces also impacted on the communities, their incomes, and their social and occupational attitudes. At the end of the War the ‘Control Point’ strike of March 1945 is seen as portentous where the Ammon report<sup>7</sup> highlighted frictions with the dock authorities, problems with the NASD union’s structure and representation, and

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<sup>3</sup> ODNB *Harry Gosling* (1861–1930) article by W. S. Sanders, revised by Marc Brodie

<sup>4</sup> Harry Gosling, *Up and Down Stream* (London: Methuen, 1927) p.112

<sup>5</sup> Lascelles and Bullock pp 175-6

<sup>6</sup> Chapter 4 of Alan Hutt’s polemic overview (Alan Hutt *The Condition of the Working Class in Britain* (London: Martin Lawrence, 1933)), pp. 123-177 draws heavily on these.

<sup>7</sup> *London Docks Dispute 1945. Report of Committee of Inquiry* (Ammon Report) (London: HMSO, 1945)

faults in the operation of the prototype dock labour Scheme (in addition to trailing the suggestion of political influences behind the strike).

The thesis draws a number of narrative threads from the period after the Second World War that add to the picture of earlier sufferings of the communities, with the workforce struggling to maintain output in the bomb-damaged docks while adapting to a new Dock Labour Scheme that provided significant benefits but yet had structural problems and operational difficulties. At the same time, within the new social contract of tripartism that saw full employment with low inflation as the most appropriate path for Britain's economic development, there were tensions within the unions aiming to cooperate fully with a Labour government, with each facing the realities of rebuilding the economy of a country near to bankruptcy.

The operational environment of the port of London was also complex and largely unstructured: while the PLA had specific functions for dock operations and much of the warehousing, most of the port operations were undertaken by the hundreds of companies employing labour in the docks, wharves and warehouses and on the lighters and barges. With no overarching management structure, and (because the fabric and facilities of the port were controlled by the PLA) other employers had little interest in any strategic operational or infrastructure developments. However, many of the disputes did in fact spread throughout the port, and thus had a collateral impact on the Authority and its income. In the early years of its existence the PLA had had a lead role on industrial relations in the port, and while this seems not to have been so apparent in later years, the very nature of its port ownership and the size of its workforce gave it a considerable presence in those matters in later years. But the setting up of the National Dock Labour Board in 1947 imposed a body outwith the PLA but with port-wide responsibilities for discipline and the maintenance of the register that had a major impact on industrial relations and must inevitably have diluted the Authority's influence.

These premises provide a context for the review of the strikes in the period between 1945 and 1960 when the image of the docks as strike-ridden and inefficient became defined for many observers, with the early disputes being seen as key in their effect on food supplies and upon the nation's (export-led) economic recovery. The analyses in Chapter 3 suggest that the initial difficulties and disputes arose primarily in the operation of the 1947 Dock Labour Scheme, noting that some of these had been foreshadowed in the wartime schemes and identified by Ammon in 1945,

particularly the rigidity and perceived unfairness of the disciplinary procedures.<sup>8</sup> These were compounded by the failure of the 1947 Scheme to include a satisfactory definition of overtime and the conflicting policies of the London Board in managing the size of the Register. These might be seen as problems incidental to the implementation of a national Scheme, and capable of resolution by a Scheme revision, but given the difficulties of achieving any consensus among the different parties, and with the lack of political will for such a revision, the defects remained.

Many of the major strikes were the subject of some form of official inquiry or report,<sup>9</sup> sometimes as a means of breaking a deadlock, or otherwise in an attempt to understand the causes of the dispute. But the early strikes can be seen to have a clear relationship to perceived defects in the Dock Labour Scheme, and at the same time demonstrated their importance to the Government and the economy. Other strikes had more varied causes: some were in sympathy with other strikers, and others arose from inter-union tensions. Underlying all of these were the complexities of the London docks industry, with hundreds of locations and employers, thousands of piecework rates, unions with different structures and agendas, and (seemingly) always a group of activists waiting to capitalise on any disputes. In the only cases where there was commonality of cause (the strikes involving the Tally Clerks) there was a complex set of interactions: both major unions were involved, as were the PLA, the other major stevedoring companies in London and the National Dock Labour Board, with the lack of any single coordinating body on either side ensuring that there could be no simple path to the resolution of the problem.

In all of this it is difficult to assess the overall financial effect of the disputes on the port of London, or of its commercial reputation, but the position of the PLA can be taken as a surrogate for the port as a whole in two respects; in its role as an employer, and as a (quasi) commercial undertaking. For the first, although it was a major employer of labour in the port, it had no over-riding power in industrial relations, and could be affected as much as any of the hundreds of other employers when a dispute escalated into a major port-wide stoppage, and also by external factors such as a national dock strike. But in terms of the impact on the business, the PLA's annual reports show that between 1960 and 1970 its gross annual

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<sup>8</sup> Ammon Report, paragraph 53 (7) and (8)

<sup>9</sup> Beginning with the Ammon report and carrying through to the Lloyd Williams report in 1960 (*Ocean Shipowners' Tally Clerks. Report of a Committee appointed by the Minister of Labour to consider the difficulties which have arisen in the Port of London* (London: HMSO, 1960).

income rose from just over £20 million to over £31 million, with an average annual operating surplus of £2.4 million, and in those terms the port was a profitable undertaking.

Ultimately, it fell to Lord Devlin to sever the Gordian knot of industrial discord by recommending decasualisation with a reduction in the number of employers and a redefinition of the relationship between employers and workers.<sup>10</sup> That initiative, with the linked programme of modernisation, could be seen as the best option for the future of the port – even with the difficulties of implementing such huge conceptual changes. But at the same time the business of the port of London was also changing: Hill neatly summarises the impact of improved road transport on the short-sea trades which had been the lifeblood of the smaller upper river docks,<sup>11</sup> with the parallel running down of the massive storage facilities, seen by Watson as the “warehouse of the world”,<sup>12</sup> that had long contributed to the PLA’s income. With this came a series of further developments in mechanisation, not only in the traditional dock work – for example the increasing use of fork-lift trucks - but in areas such as palletised cargoes, and roll-on roll off ferries which reduced or even eliminated any docker involvement.

By the early 1970s the port appeared transformed, with the closure and disposal of unprofitable assets (including a large part of the docks estate), modernisation in place, and with two years of relative industrial peace and solid profits: but its business was then affected by a downturn in trade and the secondary effect of Britain’s accession to the Common Market, where a competitive advantage was transferred to Continental ports, where goods could be unloaded and transported to London without having to clear Customs into the UK. The PLA was especially affected by the consequences of the “no redundancy” agreement that formed part of the Devlin/decasualisation agreement of 1967. Within the constraints of the statutory Dock Labour Scheme, this undertaking meant that stevedoring companies could not reduce their workforces as conventional cargoes declined and led to the wholesale failures of those companies. The PLA’s role as the employer of last resort

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<sup>10</sup> In the *Final report of the Committee of Inquiry under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry* (Devlin Report 1965, Cmnd. 2734, 1965), Devlin put the “elimination of the casual employer” as the first item on his list of “things that will have to be done before there is peace in the docks” (para 239).

<sup>11</sup> Hill *Dockers*, p.3

<sup>12</sup> Nigel Watson, *The Port of London: a Century of Service, 1909-2009*, (London: PLA, 2009) pp 109-124.

meant that the workers (and their wage costs) were transferred to the PLA, leading to a situation where almost all of the Authority's operating profits were taken up with the costs of its surplus staff and servicing the interest on its debts.

Above all of these were the multiple effects of containerisation, with the need for huge new facilities requiring much greater working areas, the reduction of conventional cargoes, and the impact on industrial relations as the dockers fought to preserve their traditional functions in a new operating paradigm where loading and unloading of containers could be undertaken outside dock boundaries. The PLA had noted in 1978, the Docks were "physically incapable of taking the large container ships" and their (upstream) location imposed uneconomic costs on smaller vessels.<sup>13</sup> But such constraints were common to other major ports on the Continent that had been constructed in the nineteenth and twentieth centuries, and the huge investments required to meet the challenges of containers were indeed made there.<sup>14</sup>

The question is then as to why London – or more precisely the PLA - was unable or unprepared to undertake such investments and developments. In some respects, the lesson of the PLA's £30 million investment in Tilbury and the consequent increase in its interest payments provides an answer, while it may be that the funding for those Continental improvements was included in other major regional or urban development initiatives,<sup>15</sup> but there is also the question of whether (given the long history of industrial unrest in London) the UK government would have decided to invest huge sums in redeveloping the Thames docks when so many other alternative ports were available.<sup>16</sup> Finally (although it seems not to have been posed in such terms) there is the question of why public funds should have been used to expand and perpetuate a facility that had historically produced a huge income stream for outside investors and which, without comprehensive restructuring, would do so for the future

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<sup>13</sup> NA file MT 81/839 Government emergency financial assistance to Port of London Authority. PLA note of 16 June 1978.

<sup>14</sup> See, for example, James Bird 'Seaports and the European Economic Community', *The Geographical Journal*, **133**, 3 (1967), pp. 302-322

<sup>15</sup> As shown in J.H. Bird and E.E. Pollock, 'The Future of Seaports in the European Communities' *The Geographical Journal* **144**,1 (1978) pp. 23-41, p.28.

<sup>16</sup> The abundance of UK ports provided many alternatives to investing in London, whereas there were few alternative ports in Belgium, Holland, or Germany offering access to the North Sea.

In summary, the prevailing impression that the reasons for the closure of the Upper Docks were the twin impacts of poor labour relations and containerisation has some validity. But this needs also to be modified for complexity and context – as suits a narrative about a major industry in a period of huge change. Certain factors dominate, with the port Authority having the legacy of its huge and costly docks estate, with burdensome and restrictive financial arrangements. Matching this was the heritage of suffering and deprivation in docklands communities, with difficult and often dangerous working conditions. The operations of cargo handling were further constrained by the systems of piecework and multiplicity of employers and locations, so that the port industry had a long tradition of poor industrial relations that can also be attributed to employers, unions, and the workers. The result was a fragmented industry that was apparently not conducive to strategic management or major investment, with an inflexible Dock Labour Scheme, all combining in a failure of ambition or intent to meet the challenges of a revolution in cargo handling and to preserve the Upper Docks on the Thames.

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