

THE HACKNEY RESEARCH

A Morporkian Civil Liberties Union case file

Research brief, The Morporkian Civil Liberties Union (MCLU)



A carriage-hire company in Ankh-Morpork puts some five thousand drivers on the streets. It does not own their cases. Each driver carries his own brass case, bought with his own money, and the company requires four of its seals to be fitted to it before he may take a fare.

The four seals report where the carriage is, continuously and precisely. They report pictures and sound. They report who the driver is and how he is keeping: whether he is tired, and how long since he last stopped. They do this while he is working, and they do it afterwards, because nothing in the fitting distinguishes between the two.

The company issues cases of its own. It issues them subject to availability and to the budget, and the cabinet in the yard office has been nearly empty for two years. Every driver signed the terms. The signatures are real and the terms describe the seals accurately.

The company is concealing nothing and believes the signatures settle it. The driver who came to the MCLU does not say he was deceived. He says he was asked whether he agreed, on a morning when the alternative was going home, and that he agreed, and that he does not know what else that word is supposed to mean.

What a signature buys

- When the only alternative to agreeing is not working, what has been agreed?
- The case is his, bought with his money and carried when he is not working. Where does the company's reach into it stop, and who decides?

Four apps, and a fine

Ankh-Morpork is invented. The mechanism is not. The Spanish data protection authority fined a private-hire company 200,000 euros for requiring its drivers to install four company apps on their own phones, with permissions reaching continuous geolocation, photographs and video, voice recordings, contacts, identifying information and data on the driver's physical condition. What mattered, the authority said, was not whether the company used all of it but that the permissions allowed it and the driver could not adjust them. The corporate phone that was supposed to be the alternative depended on availability and budget. The fine came in three parts: 100,000 euros for collecting more than was needed, 80,000 for having no lawful basis, and 20,000 for not explaining it. On consent at work the authority was brief. It is not freely given where a person cannot refuse or withdraw without suffering any detriment. [Resolution EXP202411411](#).

THE PLAY

A yard counter, handed out as seats.

This is not a re-enactment of the case. It is one driver's request run through what the company can actually do, to find out what a signature is worth when the alternative to signing is going home. Nobody in it is a villain, and the exercise fails if a villain is invented.

The situation is a carriage-hire company with five thousand drivers, four seals, and a cabinet of its own cases that has been nearly empty for two years. A driver has asked to have the seals taken off his case. It is his case.

What may not be fitted

Every answer must be one the company could really give, and every cost falls where it would really fall. No one invents a spare case, a sympathetic exception, or a seal that can be told the shift has ended. A decent clerk cannot sort this out, because each route open to the driver costs him something and the company is not obliged to notice.

The rank

The four are not in a room together and the exercise does not put them in one. He is at the yard counter. The clerk is behind it, allocating fares. The operations manager is in an office at the far end of the yard and comes down only if sent for. The guild meets on Thursday, which is three days away, and the rent is due on Friday.

- The driver. Owns the case, signed the terms, and wants the seals off his own property.
- The clerk. Fits the seals, allocates the fares, and is paid on what leaves the yard.
- The company. Chose four seals over five thousand cases, for reasons that were sound at the

time and are still sound.

- The guild. Could end this in a week and has five thousand members who need to work tomorrow.

The shift

He makes one request and follows it wherever it goes.

- Take the seals off my case.
- Then give me one of yours.
- Then turn them off when I am not working.
- Then turn off the ones I mind and leave the rest.
- Then let me carry a second case, for work only.

The clerk answers as a clerk would. The manager is available to be sent for, and whether the clerk sends for him is the clerk's decision. The guild is not available until Thursday, and what the driver does between now and Thursday is the hour.

Where the cost lands

No score and no resolution. What comes out is a record of what he asked, what each answer cost him, and who was in a position to bear that cost instead. The finding is whatever the four make of an agreement that was freely entered into by a man who could not afford to decline it.

Three weeks later

Run it again with the driver having already refused, three weeks ago, and having taken no fares since. The requests are the same. The hour is quieter and much worse, and the guild seat is the only one that changes its answer.

THE DRIVER

You have driven for this company for six

years. You bought the carriage. You bought the case. You pay for the feed, the shoeing and the lamp oil, and you are described in the terms you signed as an independent operator, which you are, on the days when it suits everybody.

You are not claiming you were tricked. You read the terms, or enough of them. You signed on a Tuesday morning at the counter, with the queue behind you, and you would sign again this morning for the same reason.

What is yours

The case, which is yours. The carriage, which is yours. Six years of knowing the short ways across the city, which is worth more than either and is not written down anywhere.

What you mind

Not all of it. The position you can live with; you are driving a carriage in a city and somebody has to know where it is. What you mind is the sound, which is on while your sister is in the carriage. What you mind more is the part that reports how you are keeping, because you know what that is for, and because the day it says you are tired is the day you find out what the company does with that.

What you are after

The seals off your own case. Not off everybody's, not a rule about it, not an apology. Yours.

What each route costs

That there is no route which does not cost you. The seals come off and so does the work. A company case requires a company case to exist. A second case for work only is permitted, and costs eleven dollars you do not have this week, and is the answer the clerk will reach for with some relief.

Which cost to take

Which cost to take, and whether to say out loud that eleven dollars is the whole of it. Whether to wait for Thursday and let the guild raise it, knowing what the guild is like on a Thursday. Or whether to go back out on the rank, which is what you will probably do, and which is not a failure of nerve.

THE CLERK

You are behind the counter in the yard office. You fit the seals, you allocate the fares, and you are paid a share of what leaves the yard, which means the queue behind him is your afternoon.

You are not unkind and you are not a company man. You have fitted seals to eleven hundred cases and you have had this conversation, in some form, perhaps forty times. You know all the answers because you have given them all before.

Four seals, or no fare

A carriage does not take a fare from this yard without the four seals on the driver's case. That is the whole of it and it is not yours to vary.

What you have said forty times

Give these accurately and without apologising more than once.

- **Take the seals off.** I can. You will not be allocated a fare afterwards.
- **Give me a company case.** I have none. The cabinet is behind me and you can see it.
- **When will you have one?** When the order goes in. The order goes in when the budget allows.
- **Turn them off when I am not working.** They do not know when you are not working. Nothing in the fitting tells them.
- **Turn off the sound and leave the rest.** It is one fitting. It is not four things, it is four seals in one

seating, and they come out together or not at all.

- **Let me carry a second case for work.** Yes. That is permitted and people do it. They cost eleven dollars.

What you do not discover

Find him a case that is not there. Lose the paperwork. Discover a discretion you have never had in eleven hundred fittings. Every one of those turns the hour into a story about whether a clerk was decent enough, which is the story the MCLU is trying to get underneath.

Whether to send for the manager

Whether to send for the manager, which costs you the queue and gets you a lecture, and which is the only thing you can do that might actually change anything. And whether you mention, because you know it and he does not, that the second case is what the other thirty-nine did.

THE COMPANY

You are the operations manager, in the office at the far end of the yard, and you came down because the clerk sent for you, which he does about twice a year.

You made this decision and you would make it again. Five thousand cases at eleven dollars is fifty-five thousand dollars, and the company did not have fifty-five thousand dollars, and the drivers already had cases. Four seals cost you almost nothing and put the whole fleet on the board in a fortnight. The board was pleased. The insurers reduced the premium.

What you have behind you

The contract, signed by every driver. The budget, which is real and is not generous. The genuine belief, which nobody has yet talked you out of, that a

man who signs a thing has agreed to it.

What you would say to anybody

That nobody was made to sign. That the terms describe the seals accurately, because you had them written that way on purpose. That a driver who does not care for it may drive for somebody else, which is what being an independent operator means, and which is in the terms too.

That you do issue company cases, and that the cabinet being empty is a budget problem rather than a policy, and that these are different things.

Whether eleven dollars is yours to solve

Whether “he may drive for somebody else” is a sentence you will say to his face, in the yard, with the clerk listening, or only one you would write.

Whether the eleven dollars is yours to solve. It is eleven dollars. You have eleven dollars. You also have five thousand drivers, and the moment you give this one eleven dollars you have made a rule, and the rule costs fifty-five thousand.

And whether it has occurred to you before today that the reason the arrangement works is that the drivers own the cases, and the reason the drivers own the cases is that the company could not afford to.

THE GUILD

You are the Carters’ and Drovers’ Guild, meeting Thursday, with five thousand members who drive for this company and several thousand more who drive for its competitors, all of whom have the same seals.

You have known about this since the seals came in. It has never reached the top of the agenda, because the things above it were rates, the bridge toll, and

a member who died on the Ankh road in the spring.

The only lever

The only lever in the exercise that could actually move. If the guild says the seals come off, the seals come off, because five thousand carriages not leaving a yard is not a thing any company survives.

What it costs to pull it

Everything, and to the members rather than to you. A stoppage over seals is a stoppage in which nobody is paid, in a trade where nobody has a month in hand. You have run one before. You remember the fourth week.

And you are not certain the members want it. The position, most of them do

not mind. The sound, they mind, and they have said so in the yard and not in the hall. Whether that is the same as a mandate is the question you will be asked on Thursday, by people who will be watching which way you answer.

Thursday

Whether one man at a counter on a Monday is a case or a grievance. Whether to tell him to buy the second case and wait, which is sensible advice, costs him eleven dollars, and is how a thing like this stays off the agenda for another year.

And whether you say the true thing, which is that the company could not have done this if the drivers did not own their own cases, and that the guild has spent twenty years defending the drivers' right to own their own cases.